

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, 18 January 2017.

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

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Principal Planning Officer - Waste Developments), Mr P Hopkins (Principal Planning Officer), Mr D Joyner (Transport & Safety Policy Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

1. Minutes - 7 December 2016
(Item A3)

(1) The Chairman informed the Committee that he had received a response from the Secretary of State in respect of the delay in implementation caused by Sport England's objections to various applications (Minute 16/55). He would report in greater detail on this response under the "General Items" heading (Section B) at the next meeting of the Committee.

(2) RESOLVED that the Minutes of the meeting held on 7 December 2016 are correctly recorded and that they be signed by the Chairman.

2. Site Meetings and Other Meetings
(Item A4)

(1) The Committee was reminded that the Site Meeting to Paradise Farm, Hartlip would take place following the meeting.

(2) The Head of Planning Applications Group informed the Committee, that as she had still not received notification of the detailed mitigation measures for the proposed school developments in Wilmington, there would be no site visit until after the Local Government elections.

3. General Matters
(Item B1)

(1) The Committee was notified that there would be an item at the next meeting asking Members to review the training that had been provided during the previous four years. The objective would be to assist the Head of Planning Applications Group to provide the most appropriate training programme for the new Committee following the Local Government elections.

4. Application TW/16/05690 (KCC/TW/0135/2016) - Erection of a 499kw anaerobic digestion facility to process farm yard manure and slurry which is processed on site along with a proportion of crops which are grown on the farm and 832 tonnes of imported chicken manure. The development comprises two 18m diameter tanks connected by a pump room, each topped with a gas dome, one feeder and a Combined Heat and power unit at Forest Farm, Nineveh Lane, Benenden; Mr G Reynolds
(Item C1)

(1) Mr M J Angell informed the Committee that he had a close relative who lived in proximity to Forest Farm with whom he had not discussed the application. Mr C Simkins informed the Committee that he was acquainted with the applicant. This was not a close personal association and he had not discussed the application with him. They were both able to consider the application with a fresh mind.

(2) Mr Kent Barker (Chairman of Benenden PC Planning Committee), Mr Andrew Errington and Mrs Judith Norris addressed the Committee in respect of the application. Mr Arthur Reynolds replied on behalf of the applicant.

(3) Following discussion, the Head of Planning Applications offered to amend her recommendation by inserting a condition specifying that the importation of feedstock to the AD plant via the public highway would only be by tractor and trailer. This was agreed.

(4) On being put to the vote, the recommendations of the Head of Planning Applications Group as amended in (3) above were agreed by 14 votes to 0 with 1 abstention.

(5) RESOLVED that permission be granted to the application subject to conditions, including conditions covering implementation of the permission within 3 years of the date of the permission; the development being carried out in accordance with the approved details and drawings set out in the application; the submission and approval of an Odour Management Plan; noise levels from the facility at the nearest sensitive receptors being below 30dB $L_{Aeq,15min,freefield}$ from 1900 to 0700 on Mondays to Sundays, below 50dB $L_{Aeq,1h,freefield}$ from 0700 to 1900 on Mondays to Saturdays and below 45dB $L_{Aeq,15min,freefield}$ from 0700 to 1900

on Sundays; construction works being limited to 0700 to 1900 on Mondays to Fridays and from 0700 to 1300 on Saturdays only; construction noise levels at the nearest sensitive receptors being below 65dB $L_{Aeq,1h,freefield}$; an Archaeological Watching Brief; details of the final building design, earthworks and landscaping; feedstock only being permitted from the sources outlined in the application documents; a precautionary ecological mitigation strategy and the incorporation of ecological enhancements into the development; no further development being carried out if, during development, contamination not previously identified is found to be present at the site until the developer has submitted a remediation strategy for written approval by the local planning authority detailing how this unsuspected contamination is to be dealt with (unless otherwise agreed in writing with the local planning authority). This remediation strategy to be implemented as approved; the development not commencing until such time as a scheme to dispose of foul and surface water has been submitted to, and approved in writing by, the local planning authority. This scheme to be implemented as approved; the detailed design of the surface water drainage scheme; and the importation of feedstock to the Anaerobic Digester plant via the public highway to only be by tractor and trailer.

NB: The lettering $L_{Aeq,15min,freefield}$ gives effect to both the noise levels themselves and the duration over which such noise levels should apply (without obstruction between the noise source and receptor site) in order to reflect the sensitivity of the noise environment, making a distinction between daytime and night time levels.

**5. Proposal DA/16/01413/CPO (KCC/DA/0211/2016) - New two storey building, kitchen and toilet extension and internal alterations to existing building; fenced hard games court and 6 additional spaces at Craylands Primary School, Craylands Lane, Swanscombe; KCC Property and Infrastructure Support
(Item D1)**

(1) Mr P M Harman informed the Committee that he was the Local Member. He had not taken part in any discussions on this proposal and was able to approach its determination with a fresh mind.

(2) The Head of Planning Applications Group agreed that that both Dartford BC and Swanscombe & Greenhithe TC would be consulted on the construction materials to be used externally.

(3) In agreeing the recommendations of the Head of Planning Applications Group, the Committee added an Informative that when reviewing the School Travel Plan, the applicants should also take account of the contribution that Swanscombe Centre Carpark could continue to play in the provision of parking for the School at the beginning and end of the school day.

(4) **RESOLVED** that the proposal be referred to the Secretary of State for Communities and Local Government and that subject to his decision:-

- (a) 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 and approval (in consultation with Dartford BC and Swanscombe and Greenhithe TC) of details of all construction materials to be used externally; the submission of a revised School Travel Plan prior to occupation of the new school and its ongoing review for 5 years, with monitoring results being posted on the school's website; the submission of a Construction Management Plan, providing details of (amongst other matters) times of access to the site (to avoid school peak times), operative parking, wheel washing and delivery vehicle unloading and turning; the provision of the parking and drop off spaces shown on the site layout prior to occupation, and their permanent retention thereafter; no lighting of the MUGA taking place without the written consent of the County Planning Authority; the submission of a detailed mitigation strategy for the protection of Great Crested Newts during construction; the submission of a scheme of ecological enhancements to supplement those proposed in the Ecological Appraisal; the submission of a detailed surface water strategy for approval in writing prior to the commencement of construction; no infiltration of surface water drainage into the ground taking place without the approval of the County Planning Authority in consultation with the Environment Agency; no development commencing until a scheme is agreed in writing regarding a preliminary risk assessment, site investigation and verification plan relating to potential contamination; the site not being occupied until a verification report has been approved detailing any remediation work required; construction ceasing if contamination is found during development until a remediation strategy has been agreed by the County Planning Authority; no piling or foundation designs which use penetrative methods being implemented without the approval of the County Planning Authority in consultation with the Environment Agency; and the submission of a native species landscape scheme, with the requirement for it to be planted in the first planting season following completion of development; and
- (b) the applicants be advised by Informative that:-
- (i) they should register the School Travel Plan with Kent County Council through the "Jambusters" website;
 - (ii) they should ensure that all necessary highway approvals and consents are obtained;
 - (iii) the development should take account of the Bat Conservation Trust's 'Bats and Lighting in the UK' guidance;
 - (iv) they should ensure that works to trees are carried out outside of the breeding bird season and, if this is not possible, an ecologist should examine the site prior to works commencing;

- (v) they should ensure that all precautions are taken to avoid discharges and spills into the ground during and after construction; and
- (vi) when reviewing the School Travel Plan, they should also take account of the contribution that Swanscombe Centre Carpark can continue to play in the provision of parking for the School at the beginning and end of the school day.

6. Matters dealt with under delegated powers

(Item E1)

(1) The Head of Planning Applications Group informed the Committee that Permissions DO/16/229/R5 & 8 (Aylesham Primary School) and MA/16/503892/R3 (Headcorn Primary School) had been determined under item E2 rather than E1 and that Permission SE/16/1043 (Seal Primary School) had been refused by the Committee itself rather than under delegated powers.

(2) RESOLVED (subject to (1) above) 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).