

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, 4 December 2019.

PRESENT: Mr R A Marsh (Chairman), Mr R A Pascoe (Vice-Chairman), Mr M A C Balfour, Mrs R Binks, Mr D L Brazier (Substitute for Mr A Booth), Mr J Burden, Mr H Rayner, Mr P M Harman, Mr S J G Koowaree (Substitute for Mr I S Chittenden), Mr J P McInroy (Substitute for Mrs P A V Stockell), Mr C Simkins and Mr J Wright

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Wooldridge (Principal Planning Officer - Mineral Developments), Mr P Hopkins (Principal Planning Officer), Mr D Payne (Planning Advisor, BPP Ltd on behalf of Kent County Council), Mrs S Bengé (Transport and Development Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

58. Minutes - 6 November 2019

(Item A3)

RESOLVED that the Minutes of the meeting held on 6 November 2019 are correctly recorded and that they be signed by the Chairman.

59. Application TW/19/2511 (KCC/TW/01892/2019) - Change of use of land from existing aggregate recycling facility to a waste transfer station for the acceptance, storage and treatment of non-hazardous household, commercial and industrial wastes at Omni Recycling Ltd, North Farm Lane, Tunbridge Wells; Omni Recycling Ltd

(Item C1)

(1) Mr Derek Kenny from *We Load and Go* addressed the Committee in opposition to the application. Mr Chris Parry (applicant) spoke in reply.

(2) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried by 9 votes to 1 with 1 abstention.

(3) RESOLVED that:-

- (a) permission be granted to the Application subject to conditions, including conditions covering the development being commenced within 3 years of the permission; the development being carried out and completed in accordance with the submitted details, documents and plans; a maximum throughput of 45,000 tonnes of mixed, dry, non-hazardous household, industrial and commercial (HIC) wastes per annum; no more than 100 HGV movements per day to the site as a whole (50 in / 50 out); the securement of a Traffic Management System and Plan to

be maintained and implemented in order to ensure that HGVs are routed east to the A21 via Longfield Road so that the IAQM Guideline figure of 25 Annual Average Daily Traffic threshold for the AQMA is not exceeded; records being maintained of all HGV movements, with the information made available to the Waste Planning Authority; measures being taken to ensure that vehicles leaving the site do not deposit mud or other materials on the public highway; all loaded HGVs entering or leaving the site being enclosed, covered or sheeted; no delivery of waste to the site being made by members of the public; areas shown for vehicle access, parking, turning, manoeuvring, loading and unloading being provided to the County Planning Authority and retained; measures to prevent the discharge of surface water into the public highway; the fleet management measures to ensure no queuing on the public highway being implemented as proposed, and maintained; core operating hours being 0730 to 1630 hours on Mondays to Saturdays with no working on Sundays, Bank and Public Holidays; use of the facility being restricted to waste use; waste types being restricted to those applied for (mixed, dry, non-hazardous household, industrial and commercial (HIC) waste) excluding residual (putrescible) and black bag waste, unless in contaminant quantities; any putrescible (residual) waste received being removed from site to an authorised waste disposal facility within 48 hours; no materials being stockpiled or stored at a height greater than 3 metres when measured from adjacent ground level, and only in the locations identified on the site layout plan; construction and operation being undertaken in accordance with the submitted Dust Management Plan; stockpiles being no greater than 3m in height; the development being carried out in accordance with the submitted Odour Management Plan; the development being undertaken in accordance with the submitted Flood Risk Assessment; construction of the development not commencing until details of the proposed means of foul and surface water sewerage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water; the submission of a Drainage Scheme Verification Plan prior to the first use of the development; construction and operation of the development being undertaken in accordance with the Noise Management Plan submitted with the application; the noise generated not exceeding 60dB(A)LAeq, 1hr at the closest office building; a copy of the permission and the approved plans being made available in the operator's site office; withdrawal of the permitted development rights; all vehicles, plant and machinery being maintained, serviced and fitted with closed engine covers and effective silencers; no external floodlighting being installed without approval by the County Planning Authority; the construction or demolition operations being restricted to between 0730 and 1630 hours on Mondays to Saturdays, with no operations on Sundays and Bank Holidays unless approved by the County Planning Authority; and

- (b) the applicant be notified by Informative that the 100 HGV movements referred to in the conditions set out in (a) above incorporates the additional 60 movements associated with the

proposed development and the 40 HGV movements associated with the existing Aggregates Recycling Facility.

60. Applications TM/19/1931 and TM/19/1932 (KCC/TM/0171/2019 and KCC/TM/0172/2019) - (a) Variation of Conditions W2, W3, W4 and W6 of Permission TM/18/2549 relating to vehicular access to the West Lake area and (b) Variation of Conditions W2, W4 and W6 and removal of Conditions W7 and W8 of Permission TM/18/2555 relating to vehicular access to the West Lake area and output of minerals at Aylesford Quarry, Rochester Road, Aylesford; Aylesford Heritage Ltd
(Item C2)

(1) Mr M A C Balfour informed the Committee that although he did not have a disclosable pecuniary interest or another significant interest in this item, he would not vote in the determination of these applications.

(2) Correspondence from Mr P J Homewood, the Local Member objecting to the application had previously been circulated to the Committee.

(3) Mr Roger Gledhill (Aylesford PC) and Mr Terry Johnson addressed the Committee in opposition to the application. Mr Cliff Thurlow (Aylesford Heritage Ltd) spoke in reply. Mr Gledhill also provided photographs showing traffic congestion along Bull Lane. These were circulated to the Committee.

(4) During discussion of this item, the Committee agreed to limit the duration of the proposed permission to a period of 10 years and to add an Informative advising that the applicants should aim to implement the development and the removal of material from the site as soon as practicable.

(5) On being put to the vote, the recommendations of the Head of Planning Applications Group (as amended in (4) above) were carried by 9 votes to 1.

(6) RESOLVED that:-

- (a) permission be granted for a temporary period of 10 years to Application TM/19/1931 for the variation of Conditions W2, W3, W4 and W6 of planning permission TM/18/2549 relating to vehicular access to the West Lake area at Aylesford Quarry subject to conditions, including conditions covering the existing conditions on Permission TM/18/2549 continuing to apply to the East Lake area (subject to minor alterations to remove reference to aspects of development in the West Lake area which are already covered by those prefixed "W" elsewhere in the permissions and to reflect the approvals given pursuant to that Permission on 11 March 2019); the existing conditions on Permission TM/18/2549 continuing to apply to the West Lake area (except where amended by this Permission); the development not commencing until details of wheel and chassis washing have been submitted to and approved in writing by the County Planning Authority, with any approved measures being available and implemented for the duration of the development; the development not commencing until a method for recording vehicle movements, estimating excavation tonnages and making this information available with reports of any incidences itemised in the Voluntary Traffic Management Scheme have been submitted to and approved in writing by the County Planning Authority,

with any approved details being implemented for the duration of the development; the development not commencing until details setting out how the terms of the Voluntary Traffic Management Scheme will be communicated to staff/drivers have been submitted to and approved in writing by the County Planning Authority; no more than a combined total of 100 HGV movements taking place per day (50 in / 50 out) on Mondays to Fridays and 60 HGV movements (30 in / 30 out) on Saturdays; the Voluntary Traffic Management Scheme being complied with for the duration of the proposed development; no more than a combined total of 148,000 tonnes of mineral being exported from the West Lake area via Bull Lane, unless approved in writing by the County Planning Authority; and the deletion of Conditions W17 and W18 of Permission TM/18/2549 (relating to operations at the former drying plant and the provision for HGVs to leave the West Lake area outside normal operating hours);

- (b) permission be granted for a temporary period of 10 years to Application TM/19/1392 for the variation of Conditions W2, W4 and W6 and the removal of Conditions W7 and W8 of Permission TM/18/2555 relating to vehicular access to the West Lake area and output of minerals at Aylesford Quarry subject to conditions, including conditions covering the existing conditions on Permission TM/18/2555 continuing to apply to the East Lake area (subject to minor alterations to remove reference to aspects of development in the West Lake area which are already covered by those prefixed "W" elsewhere in the permissions and to reflect the approvals given pursuant to that Permission on 11 March 2019); the existing conditions on Permission TM/18/2555 continuing to apply to the West Lake area (except where be amended by this Permission; the development not commencing until details of wheel and chassis washing have been submitted to and approved in writing by the County Planning Authority and any approved measures being available and implemented for the duration of the development; the development not commencing until a method for recording vehicle movements, estimating excavation tonnages and making this information available with reports of any incidences itemised in the Voluntary Traffic Management Scheme have been submitted to and approved in writing by the County Planning Authority, with any approved details being implemented for the duration of the development; the development not commencing until details have been submitted to and approved in writing by the County Planning Authority setting out how the terms of the Voluntary Traffic Management Scheme will be communicated to staff / drivers; no more than a combined total of 100 HGV movements taking place per day (50 in / 50 out) on Mondays to Fridays and 60 HGV movements (30 in / 30 out) on Saturdays; the Voluntary Traffic Management Scheme being complied with for the duration of the proposed development; no more than a combined total of 148,000 tonnes of mineral being exported from the West Lake area via Bull Lane, unless approved in writing by the County Planning Authority; and the deletion of Condition W23 of Permission TM/18/2555 (relating to the provision for HGVs to leave the West Lake area outside normal operating hours); and

- (c) the applicant be advised by Informative:-

- (i) of the need to ensure that all necessary highway approvals and consents are obtained (where required) and that the limits of the highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority; and
- (ii) they should aim to implement the development and the removal of material from the site as soon as practicable.

61. Proposal DOV/19/01120 (KCC/DO/0195/2019) - Demolition of existing school buildings and erection of a part 3, part 4-storey teaching block with attached sports hall and associated hard and soft landscaping, a new Multi Use Games Area (MUGA) together with parking and ancillary works at Dover Grammar School for Boys, Astor Avenue, Dover; KCC and Keir Construction (Southern)
(Item D1)

(1) Mr J Burden informed the Committee that he had surveyed the land in question for the DfE. He would therefore not participate in the decision-making for this item.

(2) The Head of Planning Applications Group amended her recommendations so that the 6th, 7th and 8th conditions would specify 9 rather than 3 months.

(3) Mr Martyn Webster and Ms Tui Sancha addressed the Committee in opposition to the proposal. Mr Philip Horstrup (Head Teacher) and Mr Matthew Blythin (DHA Planning) spoke in reply.

(4) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried (as amended in (2) above) by 8 votes to 1.

(5) RESOLVED that subject to Historic England determining that the existing buildings are not of listable quality:-

- (a) permission be granted to the Proposal subject to conditions, including conditions covering the standard 3 year time limit for implementation; the development being carried out in accordance with the permitted details; the submission and approval of details of all construction materials to be used externally together with architectural details, including the roof parapet, window and door openings and reveals; no additional plant or machinery being installed on the roof without the prior approval of the County Planning Authority; the removal of all temporary buildings from the site within nine months of occupation of the new school; the provision and permanent retention of the vehicle parking spaces as shown on the submitted plans within 9 months of the demolition of the existing school; the provision and permanent retention of secure, covered cycle parking facilities as shown on the submitted plans within 9 months of the demolition of the existing school; the vehicle and cycle parking spaces being made available for use outside of school hours in association with using the community facilities on site; at least two electric vehicle charging points being provided on site within three months of the demolition of the existing school (with infrastructure for a further three being made

available for the future), being retained thereafter and kept available for electric car use only; the new access gates from the existing driveway serving Astor College being for maintenance purposes only and not being used for pupil or staff access at school drop off or pick up times; the submission of a detailed review of the School Travel Plan, incorporating measures to encourage sustainable transport; the implementation of the submitted Construction Method Statement for the duration of the construction activities on site; works only being carried out on site between 0800 and 1800 hours on Mondays to Fridays, 0900 and 1300 hours on Saturdays, with no operations on Sundays or public holidays; details of a lighting scheme being submitted, including hours of use, level of illumination and ongoing control over any new lighting on site; the submission of a detailed surface water drainage scheme; the submission of a verification report covering this scheme for approval by the County Planning Authority in consultation with the Lead Local Flood Authority; infiltration of surface water drainage into the ground not taking place other than with the written approval of the County Planning Authority, and only being used in those areas where there would be no unacceptable risk to controlled waters or ground stability; the development not commencing until a scheme to connect the building to foul and surface water drainage systems has been submitted and approved by the County Planning Authority; no further development taking place if contamination not previously identified is found to be present during development until a remediation strategy has been agreed with the County Planning Authority; further investigation being undertaken in accordance with the Geo-Technical and Geo-Environmental Investigation reports; no demolition taking place until a full recording of the existing building to Historic England Level 3 requirements has been made, including a photographic record; no demolition taking place until a building recording of the three sets of World War 2 air-raid shelters has been undertaken; no development commencing until a programme of archaeological work has been submitted and agreed in writing by the County Planning Authority; no development commencing until details of a receptor site for the translocation of reptiles has been approved in writing by the County Planning Authority; the recommendations set out in the Ecological Impact Assessment for the protection, mitigation and compensation for impacts to bats being carried out; mitigation measures for badgers being carried out in accordance with the recommendations of the Ecological Impact Assessment; the safeguarding measures for the Local Wildlife Site being undertaken in accordance with the Ecological Impact Assessment; details of the measures to secure ecological enhancement being submitted within 6 months of the date of this permission; Leney's Field being bought back into use prior to first occupation of the new school, with the land being retained and maintained for playing field use thereafter; a scheme of ongoing maintenance and management of Leney's Field being submitted to the County Planning Authority prior to occupation of the new school in order to ensure that public access does not undermine its role as a sports facility; the submission to the County Planning Authority prior to occupation of the school of a Community Use Agreement for community use of the sports facilities, changing facilities and on-site car parking in agreement with Sport England; the protection and retention of all the trees on site which are not shown to be removed within the application; the submission of a method of construction, including protection for the trees whose root protection

areas would be encroached upon by the development; the submission of a detailed soft landscape scheme, detailing native species planting and species suitable for bee pollination; and the replacement of any plants, trees or shrubs that die or are removed within 5 years of planting; and

- (b) the applicants be advised by Informative that:-
 - (i) they need to ensure that all necessary highway approvals and consents are obtained;
 - (ii) they need to ensure that works to trees are carried out outside of the breeding bird season and, if this is not possible, that an ecologist examines the site prior to works commencing;
 - (iii) they will be provided with and should follow the CL:ARE definition of waste for the removal of materials from the site;
 - (iv) contaminated soil that is, or must be, disposed of is waste and that its handling, transport, treatment and disposal is therefore subject to waste management legislation.

62. 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 2017; and
- (d) Scoping Opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (None).

63. KCC Response to Consultations

(Item F3)

RESOLVED to note Kent County Council's responses to the following consultations:-

- (a) Application 19/01476/AS - Detailed application for a mixed-use development (1-18 storeys) comprising;- (i) 7,440sqm of film/TV Studios with 7,125sqm associated post-production offices (Use Class B1) and 3,830sq.m associated workshop and media village (Use Class B1); (ii) 120 bedroom hotel (Use Class C1) including 1,150sqm reception/ancillary space and food and beverage space, 500sqm restaurant, 360sqm leisure facilities and 449sqm event/conference space; (iii) 62 serviced apartments (Use Class C3); (iv) a 336 space multi-storey carpark; (v) change of use, internal and external alterations to the listed Locomotive Shed buildings, including increasing the height

by an additional two-storeys, to provide 7,030sqm of flexible commercial floorspace for use in connection with the film/tv studios (Use Class B1/ D1) and 303 residential units (Use Class C3) comprising 130 x 1 bedroom and 173 x 2 bedroom units and 322 internal parking spaces; (vi) change of use, internal and external alterations to listed Engine Shed building, including increasing the height by an additional two storeys, to provide 1,050sqm gym/restaurant (Use Class D2/A3) and 1,500sqm of commercial floorspace (Use Class B1); (vii) change of use, internal and external alterations of the Paint Shop building (114sqm), Acetylene Store (57sqm) and Clock Tower (73sqm) listed buildings to provide ancillary uses to the film/TV studios; plus associated infrastructure including open space, landscape and public realm provision, external parking, servicing, pedestrian and vehicular access and associated engineering, utilities and infrastructure works at Newton Railway Works, Newton Road, Ashford;

- (b) Environment Impact Assessment Scoping Opinion for Land to the South West of Birchington; and
- (c) Tunbridge Wells Borough Council Draft Local Plan.