

SECTION C
MINERALS AND WASTE DISPOSAL

Background Documents - the deposited documents, views and representations received as referred to in the reports and included in the development proposals dossier for each case and also as might be additionally indicated.

Item C1

Temporary construction compound associated with first time sewer network to serve individual properties in Greatstone and Lydd-on-sea at Coast Drive, Lydd-on-sea – SH/07/253

A report by Head of Planning Applications Unit to Planning Applications Committee on 17 April 2007.

Application by 4 Delivery for a temporary construction compound associated with first time sewer network to serve individual properties in Greatstone and Lydd-on-sea at Coast Drive, Lydd-on-sea, Romney Marsh

Recommendation: Permission be granted subject to conditions.

Local Member(s): Fred Wood-Brignal

Classification: Unrestricted

Site and Background

1. Planning permission was issued to Southern Water Services for the construction and operation of a first time sewerage system for New Romney and Greatstone on sea in Kent in October 2005. Two main temporary compounds were permitted at Dunes Road, Greatstone and another at Kerton Road, Lydd-on-Sea to serve the whole of Greatstone and Lydd-on-Sea area (site plan attached). The Dunes Road and Kerton Road compounds are, however, not in a central location relative to the main Greatstone and Lydd-on-sea area, and consequently the applicant requires a site for an additional compound which is more conveniently located in the central part of Coast Drive, Lydd-on-Sea.
2. The application site is located adjacent to the Lade Car Park, which is also currently being used as a temporary compound in connection with the sewerage scheme, and would be accessed, via Coast Drive. The car park site can no longer be used as a construction compound as conditions require such activities to cease and furthermore Shepway District Council require the car park to be fully open for public use by the Easter break. The proposed site itself is also within a designated SSSI area and Special Area of Conservation and is overlooked by residential properties to the west, shingle beach to the north and south and the sea to the east.
3. The submission replaces a previous one in the area for a temporary access road and temporary compound at Lade Fort Crescent (ref: SH/06/1408). The previous proposed site was within the SSSI, adjacent to residential properties on three sides, and was within close proximity to an ancient monument. The development also involved further construction work, in the form of a temporary access, which was considered unnecessary for such a short period of time. Consequently this application has been withdrawn by the applicant following initial comments about the unsuitability of the site. However, given the acknowledged need for an additional facility, the applicant was asked to consider an alternative, more appropriate site and this application proposes a

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temporary compound to be erected on the Coast Drive site, as an alternative to that at Lade Fort Crescent.

Proposal

4. The proposed temporary compound would provide a storage area for construction materials in the central part of Coast Drive, with access to all parts of the construction work areas in Greatstone and Lydd on Sea. The proposal includes the storage of the following materials/plant:
 - Concrete rings
 - Shingle
 - Excavated material from the road formation (concrete, tarmac and shingle).
 - PE Pipes
 - Excavator and dumper vehicles parked over night.
5. Provision of the additional compound would help relieve pressure at the main construction compound at Dunes Road with the intention that at the proposed Coast Drive Compound to have limited parking of construction vehicles (it is anticipated that this would include some dumper trucks and JCB type excavators only). However, the main purpose for the compound would be for the temporary storage of construction materials for the immediate area, for the duration of the first time sewerage project.
6. The proposed hours of operation for the compound are from 7.30 to 1800 hours for 6 days a week, Monday to Saturday.
7. It is proposed to enclose the compound with a 'Haras' style metal fencing. A single point of access is proposed with an area for vehicle manoeuvring, loading and unloading and turning within the site. The gated access, off Coast Drive, would be set back from the footway to allow adequate sightlines along the public highway.
8. The surface of the compound would be 100mm Type 1 Limestone on a bed of 200mm crushed stone on Terrain Geotextile surface material. These layers would sit on top of the shingle for the duration of the temporary use, and would be removed, and the area restored, on completion.

Planning Policy

9. The Development Plan Policies summarised below are relevant to the consideration of the application:
 - (i) **The Kent & Medway Structure Plan, 2006:**
 - Policy SP1** – Seeks to conserve and enhance Kent's environment and ensure a sustainable pattern of development.
 - Policy EN2** – Kent's undeveloped coast and estuaries will be protected, conserved and enhanced.
 - Policy EN5** – Special Landscape Areas shall be protected, conserved and enhanced, whilst having regard to the need to facilitate the social economic well-being of the communities situated in them.

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Policy EN6 – Development will not be permitted where it would directly, indirectly or cumulatively, materially harm the scientific or nature conservation interests of protected sites, including a Site of Special Scientific Interest.

Policy EN8 – Development likely to have an adverse effect, directly, indirectly or cumulatively, on important habitats or species will not be permitted unless there is an overriding need for the development which outweighs the adverse impact or the impact can be adequately mitigated.

Policy QL1 – All development should be well designed and be of high quality.

Policy NR5 – The quality of Kent's environment will be conserved and enhanced.

Policy NR6 – Development which would be sensitive to adverse levels of noise, air, light and other pollution, will not be supported where such conditions exist.

(ii) **Kent Waste Local Plan, 1998:**

Policy W22 – The planning authority will normally refuse permission if it is considered that the proposed access, or necessary off-site highway improvements or the effects of the vehicles travelling to and from the site would affect the safety of the highway network and local environment.

Policy W23 – The planning authority will require by condition measures to be taken and maintained to prevent mud and debris being deposited on the public highway.

(iii) **Shepway Local Plan, March 2006:**

Policy BE15 – The District Planning Authority will require development proposals to retain important existing landscape features and make appropriate provision for new planting using locally native species of plants wherever possible.

Policy CO4 – Proposals should protect or enhance the natural beauty of the special landscape area.

Policy CO5 – Proposals should protect or enhance the landscape character and functioning of Local Landscape Areas.

Policy CO8 – The district planning authority will refuse planning permission for development which would significantly effect the integrity of internationally designated or potential sites e.g. Special Areas of Conservation.

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Policy C09 – The District Council will not permit development in or near Sites of Special Scientific Interest unless there is an exceptional need or measures will be taken to minimise impacts.

Policy C10 – The District Planning Authority will not permit development in or near Wildlife sites or Local Nature Reserves where such development would be detrimental to the nature conservation unless it can be shown that there is an exceptional need or measures will be taken to minimise impact.

Consultations

10. **Shepway District Council:** raises no objection to the proposal but wishes to make the following comments:

- “The site the subject of this application lies within a Ramsar Site, Dungeness National Nature Reserve, Site of Special Scientific Interest, Site of Nature Conservation Interest, Candidate Special Area of Conservation and an area of undeveloped coast as defined in the Local Plan Proposals Map”.
- “With regard to the impact on this protected landscape in the interest of nature conservation, the local planning authority considers that the proposed development would still present a degree of harm to the sensitivity of the site and therefore would prefer an alternative site away from such sites of high nature conservation importance”.

Lydd Town Council: The Town Council is concerned that the request is for 18 months duration, and ask why it is necessary when there is already a compound at Kerton Road, Lydd-on-sea and Dunes Road, Greatstone. Also that the land requested is SSSI and whether Natural England have been notified, and whether Shepway District Council have been notified as land owner. There are also two bus stops at this point between the two roads, Taylor Road and Hull Road. The Town Council would like answers to these points before making a decision.

New Romney Parish Council: No comments.

St Mary in the Marsh Parish Council: No comments.

Natural England: advise Kent County Council that the new location of the construction compound represents a good compromise solution to an earlier impasse that may have occurred as a result of the re-notification of the SSSI. The new site will not damage the interest feature of the SSSI providing all vehicle movements and storage of materials are contained within the compound.

Environment Agency: No objection to the proposal, but requires conditions to be placed on the decision notice, including the submission of a scheme for the disposal of foul and surface waters and that there shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters.

Divisional Transportation Manager: No objection, although 2m x 2m visibility splays will need to be provided at the rear of the footway on either side of the temporary access together with site entrance warning signs which should not obstruct the vehicular visibility splays at the access. The applicant will need separate approval from Kent Highway Services for the construction of the temporary entrance.

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Kent County Council Noise Advisor: No noise will be generated on site as the Application is merely for storage. The only noise emanating from site will therefore be from vehicle movements as material and vehicles are dropped off or collected. Although ideally I would wish to see a condition limiting the hours of use, I note the site is stated to be used only during daylight hours, although these can be quite long in summer months. The site adjoins an existing public car park which potentially has 24 hour access. In summary I believe that as long as the site is accessed only during daylight hours, that there should be no detriment to amenity at the closest noise sensitive receivers on the opposite side of Coast Drive.

Biodiversity Officer: given the location of the site and the engagement of Natural England, the Biodiversity Officer defers to their view on this proposal. The least damaging alternative should be adopted, subject to Natural England agreement and details would appear to be this one.

Local Member

11. The local County Member, Mr Fred Wood-Brignall was notified of the application on the 13 February 2007.

Publicity

12. The application was publicised by the posting of a Site Notice, advertisement in the local newspaper and individual notification of 42 neighbouring properties.

Representations

13. 1 letter of representation has been received raising concerns relating to:
 - The close proximity of the new access/egress to the existing bus stop.
 - Increased dust and dirt above the present levels already being suffered.
 - Increased noise levels above intolerable levels already being endured.
 - Further light pollution caused by security lamp.
 - The unspecified length of time that this operation will take and the dubious future of the site once vacated.

Discussion

14. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.
15. Planning permission already exists for a first time sewer network to serve individual properties in existing settlements, associated upgrade of existing waste water treatment works and associated infrastructure to serve the settlements of New Romney, Greatstone-on-sea and Lydd-on-sea. This scheme represents a major investment in the infrastructure of the whole area and seeks to facilitate the upgrade of services in the vicinity. The main sewerage scheme would not change as a result of this proposal. However, this further temporary compound is required because it would be more conveniently located in the central part of Coast Drive, between the Kerton Road and Dunes Road compound sites. Under consideration here is whether the proposed site is

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acceptable. A number of concerns have been raised by local residents and consultees, which I shall address under the following headings.

Location

16. The proposed location for the temporary construction compound was decided upon following the submission of an application for the compound to be located on an area of land at Lade Fort Crescent which was considered by English Heritage and Natural England to be unsuitable given the sensitivity of the site. This application has now been withdrawn.
17. The application site is within a SSSI and Special Area of Conservation and there has been concern raised regarding the potential visual impact the compound would have on the coastal landscape. I consider that given the temporary nature of the proposal and the fact that it would be located adjacent to a car park and toilet block, the visual impact would be temporary and experienced alongside existing built development. The applicant has proposed mitigation measures in terms of protective surface materials in order to protect the shingle. Natural England has raised no objection. The compound itself would only be used for storage of materials in the main (although some vehicular movement is proposed) and would be present in this location for a short period of time (less than a year). A condition requiring the applicant restore the land to its present state could ensure appropriate restoration of the site.
18. The proposed compound would be accessed directly from Coast Drive and would therefore require a temporary road access. The applicant is reminded that this would require additional consent from Kent Highways Services.
19. The Coast Drive site offers an alternative location for the temporary construction compound and is considered by Shepway District Council and Natural England to be a far more acceptable location to that which was proposed previously.

Noise, and Dust

20. Concern has been raised regarding the potential for increased noise and dust in the area as a result of the proposed temporary compound. Kent County Council's noise and dust consultant has stated that there is unlikely to be any significant difference between the proposed use of the temporary compound and the use of the adjacent car park, which is currently functioning as a temporary compound until a new facility can be provided. The applicant has also confirmed that the proposed compound would, in the main, be used for storage.
21. Kent County Council's Noise advisor has stated that the only noise emanating from the site would be from vehicle movements associated with the temporary compound, however, given that the delivery of construction materials would be over a shorter distance (i.e. not taken to Dunes Road), I do not consider there to be an issue in terms of traffic congestion and noise as a result of this proposal.
22. Given the proposed new site would be located adjacent to an existing compound, I do not consider there would be an increase in dust or noise levels above what is already experienced in the area. However, I do recognise that residents would be affected for a longer period of time than expected (up until the end of 2007) following the removal of the construction compound on Lade car park at the end of April. Due to the central

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location of the proposed compound, reducing traffic movements to and from Dunes Road in Greatstone and Kerton Road, Lydd-on-Sea, the proposal would reduce the haul distances for materials from the existing compounds and thus the number of residential properties they would pass. The proposed temporary compound is essential for the completion of the sewerage scheme, and in the long run would reduce the amount of time residents of the area would be inconvenienced by works as the compound would reduce the time in which to complete the project.

Traffic

23. No objection has been raised on traffic grounds, although the Divisional Transportation Manager has requested the installation of visibility splays at the rear of the footway on either side of the temporary access and site entrance warning signs. These details could be requested via conditions to the planning consent should Members be minded to permit.
24. Concern has been raised regarding the impact on two bus stops near to the proposed entrance of the temporary compound. The applicant has suggested that arrangements be made to temporarily relocate the bus stops for the duration of the operation of the compound. An informative can be placed on the decision notice requesting the applicant seek advice from Kent Highways Services and action be taken in relation to the bus stops.

Hours of use and operational time

25. The proposed hours of operation for the compound are from 7.30 to 1800 hours, 6 days a week, Monday to Saturday and this can be conditioned in order to address concerns raised that the applicant may be inclined to work later than this given the lighter evening this time of year. Concern has also been raised regarding the justification provided for needing the temporary compound for an 18 month period, that would prolong the inconvenience experienced by local residents. In response to these concerns the applicant has confirmed that the temporary permission for the compound on Coast Drive is required until the end of 2007.

Ecology/ Biodiversity

26. The Environment Agency have requested the submission of a scheme for the disposal of foul and surface waters in order to prevent unnecessary contamination of the environment, causing detrimental effects on ecology and biodiversity. This could be conditioned.

Light Pollution

27. In response to those concerns raised about the possible negative impact that lighting from the compound would have on residents, the applicant has confirmed that it is not anticipated security lighting would be used to illuminate the temporary compound. In order to address those concerns I would recommend a condition be imposed restricting the installation of any lighting until such time as details are submitted to and approved by the County Planning Authority.

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Conclusion

28. Although there are to be some impacts as a result of this proposal, in particular to the two bus stops and access to the site itself, these would be relatively minor and temporary in nature and I would not wish to impede or delay the delivery of these vital improvements to the sewerage network.

29. The provision of an additional compound would further facilitate the long-term benefit and improvement of infrastructure and services within the area, which I consider should be weighed against any short- term disturbances to the area. Given the location of the proposed temporary compound adjacent to the existing Lade car park (currently being used as a compound) I do not consider there to be any significant visual impacts as a result of this proposal. Despite its location in a SSSI and other designated sites, the mitigation measures proposed adequately address the short-term impacts to the satisfaction of Natural England and in my opinion there are no significant material objections to prevent permission being granted. I therefore recommend accordingly.

Recommendation

30. I RECOMMEND that PERMISSION BE GRANTED, SUBJECT TO conditions including:

- The standard time condition;
- The development be carried out in accordance with the plans/specifications for the approved restoration scheme;
- The inclusion of visibility splays and entrance warning signs.
- The submission of a scheme for the disposal of foul and surface waters;
- No discharge of foul or contaminated drainage from the site into groundwater/surface waters;
- No lighting shall be erected on site until details have been submitted to and approved in writing by the County Planning Authority;
- Operational activity to cease on or before 31 December 2007.

Case officer – Helena Woodcock	01622 221063
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Background documents - See section heading
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