



AGENDA

PLANNING APPLICATIONS COMMITTEE

Tuesday, 19th June, 2007, at 10.00 am
Council Chamber, Sessions House, County
Hall, Maidstone

Ask for: **Andrew Tait**
Telephone: **01622 694342**

*Tea/Coffee will be available from 9:30 **outside the meeting room***

UNRESTRICTED ITEMS

(During these items the meeting is likely to be open to the public)

A. COMMITTEE BUSINESS

1. Substitutes
2. Declarations of Interests by Members in items on the Agenda for this meeting.
3. Minutes - 15 May 2007 (Pages 1 - 4)
4. Site Meetings and Other Meetings

B. GENERAL MATTERS

1. Suggested Member Training Programme (Pages 5 - 6)

C. MINERALS AND WASTE DISPOSAL APPLICATIONS

1. Application DA/07/001 - Consolidation of planning permissions, northern extension of quarry and exchange of the proposed northern extension for the existing and permitted westerly extension at Pinden Quarry, Green Street Green Road, Longfield, Dartford; Pinden Ltd. (Pages 7 - 46)
2. Application SH/07/589 - Change of use of land from use in connection with plant hire business to use ancillary or incidental to the operation of a waste recycling facility at rear of Century House, Park Farm Road, Folkestone; Hythe Plant Services. (Pages 47 - 58)

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. Proposal MA/07/482 - New sports field for Harrietsham CE Primary School and erection of a low level black mesh fence around the perimeter of the playing area, including localised re-grading of the landscape to suit the slope of the site and the levelling of the pitch at Tongs Meadow, north of West Street, Harrietsham; KCC Children, Families and Education (Pages 59 - 68)
2. Proposal MA/07/607 - Storage of dry chippings in an existing lay-by on the A249 at Stockbury, Maidstone; Kent Highways Partnership. (Pages 69 - 80)

3. Proposal AS/06/2277 - Single floodlit all-weather pitch and the extension of an existing non-floodlit multi-use games in connection with the comprehensive redevelopment of the school site previously approved by Permissions AS/05/1329 and AS/04/1708 at The North School, Essella Road, Ashford; KCC Children, Families and Education and Kent Educational Partnership. (Pages 81 - 94)

E. COUNTY MATTERS DEALT WITH UNDER DELEGATED POWERS

1. County matter applications (Pages 95 - 100)
2. Consultations on applications submitted by District Councils or Government Departments
3. County Council developments
4. Detailed submissions under Channel Tunnel Rail Link Act 1996 (None)
5. Screening opinions under Environmental Impact Assessment Regulations 1999
6. Scoping opinions under Environmental Impact Assessment Regulations 1999 (None)

F. OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

EXEMPT ITEMS

(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)

Peter Sass
Head of Democratic Services and Local Leadership
(01622) 694002

(Please note that the background documents referred to in the accompanying papers may be inspected by arrangement with the Departments responsible for preparing the report. Draft conditions concerning applications being recommended for permission, reported in sections C and D, are available to Members in the Members' Lounge.)

Monday, 11 June 2007

KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held at Sessions House, County Hall, Maidstone on Tuesday, 15 May 2007.

PRESENT: Mr R E King (Chairman), Mr A R Bassam (Vice-Chairman), Mrs V J Dagger, Mr J A Davies, Mr T Gates, Mrs S V Hohler, Mr G A Horne, Mr S J G Koowaree, Mr J F London, Mr T A Maddison, Mr R A Marsh, Mr W V Newman, Mr A R Poole and Mr F Wood-Brignall.

OTHER MEMBERS: Mrs E Tweed.

OFFICERS: The Head of Planning Applications Group, Mrs S Thompson (with Mr J Crossley); the Development Planning Manager, Mr A Ash; and the Democratic Services Officer, Mr A Tait.

UNRESTRICTED ITEMS

44. Membership

The Committee noted the appointment of Mr C Hibberd and Mr F Wood-Brignall in place of Mrs P A V Stockell and Ms B J Simpson.

45. Minutes (A3)

RESOLVED that subject to the seconder of the amendment in Minute 42(3) being amended to "Mrs E Green", the Minutes of the meeting held on 17 April 2007 are correctly recorded and that they be signed by the Chairman.

46. Site Meetings and Other Meetings (Item A4)

The Committee agreed to visit the site of the proposed Oldborough Manor/Senacre Academy in Maidstone on Tuesday, 19 June 2007.

47. Planning Applications Group Business Plan (Item B1 - Report by Head of Planning Applications Group)

(1) The Committee unanimously supported the Chairman's offer to request the Portfolio Holder for Environment, Highways and Waste to make funding available to enable proper electronic access for planning applications.

(2) RESOLVED that:-

- (a) the report be noted and the Planning Applications Group be congratulated on its excellent work; and

- (b) the Chairman's offer to speak to the Portfolio Holder for Environment, Highways and Waste be supported as set out in (1) above.

48. Proposal TH/06/1317 - Contractor's compound for use during the rebuilding of Ramsgate Library at Corner of Effingham Street and Guildford Lawn, Ramsgate; KCC Communities

(Item D1 – Report by Head of Planning Applications Group)

(Mrs E Tweed was present for this item pursuant to Committee Procedure Rule 2.24 and spoke)

(1) Mr A R Poole made a declaration of personal interest as a Member of the Libraries Steering Group which had considered the design of the proposal. He addressed the Committee in his capacity as local Member but did not take part in the decision-making process.

(2) The Head of Planning Applications Group reported the receipt of correspondence from the Divisional Transportation Manager withdrawing his objections to the proposal; the views of Thanet District Council on the current proposal, indicating a preference for four portakabin units, stacked in pairs. She also reported receipt of a letter from an Effingham Street resident requesting parking permits in Cavendish Street and appealing against non-determination of another application. She advised that neither of these points was of material concern in relation to the determination of this particular proposal.

(3) The Committee agreed to the inclusion of an informative as set out in (4) below.

(4) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering temporary use of the compound during the rebuilding of the Ramsgate Library site; restoration of the site to a clean flat surface following the removal of the compound prior to the first occupation and use of the rebuilt Ramsgate Library; hours of operation being limited to those applied for; details of any lighting being submitted to and approved by the County Planning Authority prior to their erection and use on site; obscured glazing being fitted to all first floor portakabin windows and ground floor windows fronting Effingham Street prior to the use of the site; no vehicular access being created into the site, and only a single pedestrian access gate being erected along Guildford Lawn; and
- (b) the applicants be reminded by informative that vehicular deliveries to the Ramsgate Library site are restricted during school peak hours.

- 49. Proposal TM/07/199 – Demolition of entrance and office extension and 4 timber classrooms, and construction of new two-storey extension including 6 classrooms, staff room and head teacher’s office, with provision of temporary classrooms and administration facilities during construction at Sussex Road School, Sussex Road, Tonbridge; Governors of Sussex Road School and KCC Children, Families and Education**
(Item D2 – Report by Head of Planning Applications Group)

(1) The Head of Planning Applications Group reported correspondence from Tonbridge and Malling Borough Council indicating that the structural engineer’s report on the potential on the oak trees was acceptable, subject to measures to protect the rootzones.

(2) RESOLVED that permission be granted to the proposal subject to conditions, including the development being commenced within 3 years; the development being carried out in accordance with the permitted details; the submission of a tree protection plan for prior approval; the submission of full details of the branding proposed and its positioning on the building; elevation drawings at an appropriate scale detailing the final finish of the wood panelling to the entrance extension; the development being constructed using the materials detailed in the application; submission of details of all external lighting proposed for prior approval; hours of working during construction; no discharge of foul or contaminated drainage into groundwater; requirements for the treatment of ground contamination not previously identified on site; and removal of temporary buildings upon completion of the works.

50. County Matters dealt with under Delegated Powers
(Item E1-E6 – Reports by Head of Planning Applications Group)

(1) The Head of Planning Applications Group tabled a revised version of Item E5 (b) indicating that the proposed development does constitute EIA development.

(2) RESOLVED to note reports on items dealt with under delegated powers since the last meeting relating to:-

- (a) County Matter applications;
- (b) Consultations on applications submitted by District Councils or Government Departments;
- (c) County Council developments;
- (d) Detailed submissions under Channel Tunnel Rail Link 1996 (None);
- (e) screening opinions under Environmental Impact Assessment Regulations 1999; and
- (f) scoping opinions under Environmental Impact Assessment Regulations 1999 (None).

CHAIRMAN.....

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Item B1**Suggested Member Training Programme**

A report by Head of Planning Applications Unit to Planning Applications Committee on 19th June 2007

Recommendation: Members endorse a regular training programme

Local Member: n/a

Unrestricted

1. In November 2006, the Committee endorsed a strategy that proposed a regular training programme for Members of the Committee and regular substitutes. To date, sessions have been delivered on PPS25 planning and flood risk and sustainable design and construction, which considered design and planning and briefly addressed the design implication of renewable energy issues. This report seeks to set out a suggested programme for future delivery.
2. The Committee's support has previously been given for training on a bi or tri-monthly basis, i.e. 4 – 6 per year. Members will be aware that we have tried to schedule training events on the afternoon of the Planning Applications Committee. That however potentially conflicts with Members' site visits. I therefore suggest that the Committee Clerk be asked to secure additional dates in the County Council's formal diary for next year to facilitate training and to minimise this conflict. In the interim we will continue to arrange training at dates convenient to the Committee.

Suggested Topics

3. The work of the Planning Applications Committee is varied and gives rise to a variety of training opportunities. Suggested topics for delivery in the future could usefully address:
 - Planning White Paper – the key issues
 - Design and Planning – follow on session as requested at the Kent Architecture Centre, Historic Dockyard, Chatham
 - Learning from the past – tour of permitted sites in the County
 - Legal Agreements
 - Landscape and Biodiversity - considerations for development control
 - Heritage Issues - considerations for development control
 - Mineral Planning - considerations for development control
 - Waste Planning – current issues /technologies
 - Future Energy Issues - follow on session
 - Kent's Emerging Waste Development Framework – current position
 - Kent's Emerging Minerals Development Framework – current position
 - South East Plan – Regional Planning policy context
4. Members' views are invited on the suggested topics and the priority for delivery. In my view there would be merit in arranging the tour of permitted sites before the winter and for the follow on sessions on design and energy issues to take place this year. With the exception of the tour, I would envisage that the majority of

the training events could be undertaken in a half-day slot.

Recommendation

5. I RECOMMEND that Members

- (i) endorse a regular training programme for the Members of the Committee and regular substitutes to address issues pertinent to the business of the Committee;
- (ii) require the Committee Clerk to secure an additional half-day slot for this purpose in the Council's formal diary from 2008;.
- (iii) Members agree dates for the training events for the remainder of 2007

Case Officer: Sharon Thompson

Tel. No. 01622 696052

Background Documents: see section heading.
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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 other documents as might be additionally indicated.

Item C1

Application for the consolidation of planning permissions, northern extension of Pinden Quarry and exchange of the proposed northern extension for the existing and permitted westerly extension at Pinden Quarry, Green Street Green Road, Dartford, Kent – DA/07/1

A report by Head of Planning Applications Unit to Planning Applications Committee on 19 June 2007.

Application by Pinden Limited for the consolidation of planning permissions, northern extension of Pinden Quarry and exchange of the proposed northern extension for the existing and permitted westerly extension at Pinden Quarry, Green Street Green Road, Dartford, Kent.

Recommendation: Subject to the prior completion of a legal agreement to secure the Heads of Terms given in Appendix 5 and the applicant meeting the County Council's reasonable legal costs associated with this agreement, conditional planning permission be granted.

Local Members: Mr AR Bassam

Unrestricted

Site description and background

1. Pinden Quarry lies to the north of the B260 (from which access to the site is obtained), to the west of the Channel Tunnel Rail Link (CTRL), to the east of previously worked and restored land and to the south of farmland, near Longfield. The current operational area is located behind a 6m high landscaped site screening bund. The site has a long history of minerals and waste related planning permissions. The proposed northern extension occupies a 4.4ha area of the farmland immediately to the north of the existing quarry.
2. The application site, which covers the current operational area, existing access to the site and the proposed extension, lies in the Metropolitan Green Belt and is partially within land subject to a CTRL safeguarding direction. The extension area lies approximately 300m to the south east and 100m to the west of Areas of Special Significance for Agriculture and 500m to the south of the Highcross Road, Westwood Area of Special Character. It also lies adjacent to the Longfield Site of Nature Conservation Importance (SNCI) associated with the disused railway cutting (now the CTRL). Overhead power lines pass to the north of the extension area and to the east of the CTRL. Although Pinden Quarry is identified as an existing chalk quarry for non-cement uses in the adopted Kent Minerals Local Plan Chalk and Clay (December 1997), none of the land is identified for future chalk working or covered by site specific

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proposals in the Plan. Similarly, neither the quarry nor its associated waste management uses are identified in the Kent Waste Local Plan (March 1998).

3. The main planning permission at the site (DA/93/451) is for chalk extraction and restoration by landfilling to original levels. This permission was issued in 1995 to update the old Interim Development Order (IDO) minerals permission under the Planning and Compensation Act 1991. The nature of wastes landfilled at the site are controlled by the Pollution Prevention Control (PPC) Permit (previously Waste Management Licence) and include both bonded and bagged asbestos. The minerals permission requires working at the site to cease by 21 February 2042. In addition to the current operational area (phases 1, 2, 3 and 8), the minerals permission also provides for further chalk extraction and restoration on land to the west (phases 4, 5, 6 and 7), together with an area for brickearth working approximately 100m south of this unworked area to the south of Green Street Green Road. The applicant owns all the land with permitted chalk reserves but not the brickearth area. A high pressure gas pipeline has more recently been installed north-south through the eastern part of the permitted western extension and has sterilised part of the permitted chalk reserves.¹
4. A number of other planning permissions have been issued at the site. These include improved site access (DA/90/456), a recycling and waste minimisation facility (DA/90/416), the extension to the storage area for the waste minimisation facility (DA/96/39), a materials recycling facility (MRF) (DA/97/688), soil blending facility (DA/03/221), extension to the car parking area, office and welding shed (DA/03/210) and single storey extension and alterations to main building (DA/05/90). Various other small buildings, fixed plant and structures have also been approved as part of these permissions. All permissions are linked to the life of the minerals permission and require all plant, buildings and structures to be removed on completion of quarrying and for the site to be restored in accordance with the minerals permission.
5. The majority of the proposed northern extension area has been subject to two previous planning applications for extensions to the existing quarry with restoration by infilling with waste materials (DA/89/229 and DA/91/405). Both applications were refused on the grounds that the case of need for additional chalk reserves was considered to be insufficient to override the material, environmental and landscape interests that would be affected by further extending quarrying into open countryside. In each case the proposed quarry extensions were additional to existing permitted reserves such that need was an important material planning consideration.
6. The previous site owners (Hanson) submitted various details designed to satisfy the requirements of conditions 8 (archaeology), 9 (soil storage bunds for the western extension), 15 (4m high barrier/bunds on the boundaries of the permitted western extension), 19 (restoration scheme) and 23 (aftercare scheme) attached to planning permission DA/93/451 in 2002/03. Since these details were unacceptable they have never been approved. As well as preventing works in the permitted western extension this has resulted in there being no proper restoration and aftercare schemes in place.

¹ Approximately 281,000m³ of the chalk reserve has been sterilised by the pipeline and the need to leave some land unworked to facilitate soil storage / site screening bunds.

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7. A Planning Applications Committee Members' site visit was held on 15 May 2007. This was also attended by the applicant, representatives of Dartford Borough Council and Southfleet, Longfield and New Barn and Darenth Parish Councils and a number of local residents. Notes of the site visit are attached at Appendix 1 (page C1.31). The site visit enabled Members to view the proposed northern extension, the existing operational area and the existing permitted western extension.

The Proposal

Existing Development

8. Chalk is extracted in a phased manner by mechanical excavator on a campaign basis to meet market demand. The chalk is used for agricultural lime, miscellaneous manufacturing industry processes (including, previously, for "whiting" in the paper industry) and in construction projects. Prior to extraction, topsoil and subsoil is stripped and stored in screen bunds. The resultant void is being backfilled with asbestos containing wastes (i.e. both the asbestos and anything that may have been contaminated by it such as wood and plastic sheeting). These include fibrous asbestos which is delivered "double bagged" in sealed skips and asbestos contaminated demolition waste which is delivered either in sealed skips or lined and covered lorries. In all cases the waste is immediately deposited in the base of the operational landfill cell and covered immediately with soils to prevent escape. The most recent cells are lined with clay prior to being landfilled. Once the cell is filled, it is capped with clay and soils are replaced and seeded. The landfill operation is regulated in accordance with the pollution prevention and control (PPC) permit to prevent pollution of the environment and harm to human health and is monitored regularly by the Environment Agency. Landfilling under controlled conditions such as those used at Pinden Quarry is the most effective way of disposing of asbestos waste.
9. The MRF (incorporating recycling and waste minimisation facility) enables value to be recovered from non-asbestos containing construction and demolition wastes and diversion from landfill. The MRF consists of a sequence of physical treatment steps involving the use of plant and equipment such as screeners, magnets and a manual picking station where selected materials are retrieved (e.g. bricks, hardcore, plastics soil and wood). Separated waste streams are either exported for use or final disposal and residual finely grained material is used as "cover" in the landfill. The soil blending facility involves the screening of source separated civic amenity waste soils to remove large items such as bricks, concrete, rubble and hardcore, which are redirected to the MRF for further recovery, and the blending of the soil with compost and sand to form a useful product beneficial to plant growth.
10. The permitted phasing of extraction and restoration is illustrated on drawing PQ11 which is reproduced at Appendix 2 (page C1.35). This provides for the completion of infilling in phase 3, the extraction and infilling of phases 4 to 7 (in the permitted western extension) and the extraction of remaining reserves and restoration of phase 8. Extraction of phase 8 would necessitate the cessation of the MRF and associated operations. All the other development referred to in paragraph 4 (e.g. main building,

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other small buildings, car park, other areas of hardstanding, fixed plant and structures) would need to be removed as the site is finally restored to agricultural use.

11. The main planning controls / conditions relating to the permitted minerals and waste operations at the site are (in summary):-

- Cessation of operations: by 21 February 2042 or when mineral working and restoration is completed (whichever sooner);
- Hours of working: 0700 and 1800 hours Monday to Friday and 0700 to 1300 on Saturdays (with no working at other times without the prior written approval of the County Planning Authority);
- Vehicle movements: 500 per day (250 in/250 out) combined site maximum;
- Noise limits: not to exceed 55dB LAeq 1hr (free field) measured at site boundary / noise sensitive properties (as appropriate);
- Dust control: specified measures (e.g. water spraying).

Proposed Development

12. The application proposes:-

- the consolidation of all existing planning permissions for mineral extraction, landfill and waste management uses at the site under one planning permission;
- a northern extension to quarrying with associated restoration by landfilling with the same waste types as currently (i.e. inert waste including asbestos containing wastes); and
- the revocation of the permitted western extension (phases 4, 5, 6 and 7) in exchange for the proposed northern extension.

13. The proposed northern extension would be worked and restored to original ground levels in a similar manner to the existing mineral permission (as described in paragraph 8 above). The proposed phasing arrangement is illustrated on drawing 613745-PPREST/P1 which is reproduced at Appendix 3 (page C1.36). The main changes to the existing scheme are that extraction would next take place in phase 3c in the south east corner of the site (currently part of phase 8), then move to four new phases (4 to 7) in the northern extension and then to the remainder of phase 8 in the south west corner of the site (requiring the prior cessation of the MRF and associated waste recycling operations). Infilling and associated restoration would follow in the same order. It is proposed that infilling and restoration of phase 3b would be completed by the end of 2009, that extraction, infilling and restoration of phase 3c would be completed by the end of 2014 and that soil stripping, landscape bund formation and chalk extraction would commence in phase 4 of the northern extension by the end of 2014. The applicant proposes that this and subsequent phasing programmes be reviewed at 3-yearly intervals with detailed proposals submitted to the Planning Authority. It is proposed that all operations at the site would cease and that the land would be restored to existing permitted levels no later than February 2042. The proposal to work and restore phase 3c at an earlier stage than currently would require the removal of the existing screen bund / bank adjacent to the CTRL as part of the restoration of that area and the erection of a further screen bund to the east of

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proposed phase 8 (to screen the MRF and associated waste recycling operations and subsequent chalk extraction and landfilling in that area). The main screen bund along the front of the site would be retained until phase 8 is restored.

14. Access to / egress from the proposed northern extension would only be from the existing quarry entrance on Green Street Green Road, through the existing site, via a new internal access road across phase 3a and through the existing hedgerow immediately to the north of the existing site. A 10m gap (7.5m at base) would be created in the hedgerow 2m below existing ground level to facilitate this. Existing site infrastructure (e.g. offices, workshops, parking, weighbridge and wheelwash) would continue to be used for all operations at site. Whilst the existing MRF would remain unaltered in its current location until removed, the associated waste recycling operations would need to be accommodated within the revised (smaller) phase 8 area once extraction commences in phase 3c. No changes are proposed in respect of arrangements for site drainage, suitable fencing would continue to be provided on all areas and lighting will only be used when the site is operational and ambient lighting inadequate for safe operations.
15. The application proposes the same working hours, vehicle movement restrictions and waste types (including those for landfilling) as currently permitted. On this basis, hours of working would be 0700 and 1800 hours Monday to Friday and 0700 to 1300 on Saturdays (with no working at other times without the prior written approval of the County Planning Authority), the combined maximum number of vehicle movements would be 500 per day (250 in/250 out) and landfilling would be with inert waste (including asbestos containing wastes).
16. The application proposes the establishment of new hedgerows around the northern and western perimeters of the proposed northern extension area and the reinforcement of the existing hedgerow separating this area from the existing site (all within the application site). It also proposes the reinforcement and some new sections of hedgerow on land outside the application site along the western side of Whitehill Road and between the application site and properties at Westwood. It is proposed that all planting would be included within an agreed landscape management plan which would ensure its establishment and long term maintenance. The gap created for access to the northern extension would be replanted as part of the final restoration. The application also proposes a series of perimeter and intermediate soil screen bunds around and within the extension area as part of the phasing arrangements which would provide both visual and acoustic screening as well as on-site storage of soils required for restoration. No indigenous topsoil or subsoil would be removed from the site.
17. The application initially proposed that the northern extension be worked to a depth of 20m AOD to provide a chalk reserve of about 1,118,100m³. However, in acknowledgement that the installation of a high pressure gas pipeline through part of the existing permitted western extension (together with the land needed in that area to accommodate soil storage and site screening bunds) has reduced the workable area to about 837,300m³, the applicant has since stated that it is prepared to accept a reduction of 10m in the depth of working to 30m AOD to ensure a similar volume of

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chalk reserves and resultant landfill voidspace. This would mean an average depth of working of about 24m from surrounding land levels. The applicant states that this would provide for the intended equitable land 'swap', thereby avoiding the requirement for a case of need to be established for chalk reserves or landfill voidspace in the event of material planning objections being raised to the proposed development, and reduce the overall impact of the proposed development on the local community by reducing the total number of vehicle movements and time required for completion. The applicant has said that it is willing to enter an appropriate legal agreement to ensure that the existing permitted western extension is not worked.

18. The application is accompanied by a formal Environmental Statement which specifically addresses landscape and visual impact, hydrogeology, noise, air quality, ecology, archaeology and cultural heritage, stability and cumulative impacts.

Planning Policy Context

19. The most relevant planning policies are set out in Appendix 4 (page C1.37).

Consultations

20. **Dartford Borough Council** – Objects for the following reasons:-

- The proposed site is not included in KCC's policy on mineral extraction and is not a suitable alternative;
- The site is on higher ground and the proposal would impact adversely on views of the countryside;
- Chalk quarrying could impact upon surrounding properties;
- Increased vehicle movements on a site where there has been virtually nil. The narrow roads are unsuitable for such traffic;
- There is concern over asbestos, airborne pollution and contamination of underground water, dust contamination and nuisance. The application site is higher than the western site and the south westerly winds would deposit dust and asbestos fibres over Longfield, New Barn, Southfleet and Westwood and create further noise and light pollution;
- The proposal would compromise Green Belt policy and would encourage similar applications and set a precedent. There would be a loss of agricultural and Green Belt land which would subsequently result in an adverse impact on wildlife in the area;
- Concern is raised regarding monitoring of mitigation measures relating to the adverse impacts of the proposal.

In addition, it noted that the application has caused considerable local concern and has been the subject of two well attended public meetings.

21. **Southfleet Parish Council** – Objects for the following reasons:-

- The northern extension is not included in KCC's latest minerals policy and is

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unsuitable as an alternative to the western extension (which should not have been permitted if problematic and close to residential properties);

- The proposed northern extension would have a high impact on the open countryside in the green belt for many years due to being on much higher ground, subject to wide views and since chalk extraction would not easily be hidden;
- Geological stability (chalk being friable) and potential serious effects on properties in Whitehill Road, Westwood, and Highcross, as well as on the railway (questions if a 10m buffer is sufficient);
- Impact of increased vehicle movements (plant and HGVs);
- Impact of backfilling with asbestos waste on groundwater resources and human habitation (villages and hamlets);
- Potential dust impact on parts of Longfield, New Barn and extensive areas of Southfleet (including Westwood/Highcross) as a result of winds blowing from an arc south round to the west-northwest and difficulties of controlling dust given experiences with CTRL works over several years, duration of proposed operations and higher level of proposed extension;
- Noise and light pollution due to higher level of proposed site;
- Industrial development in the Green Belt (and precedent for future working of arable land to the north);
- Current condition of land (unmanaged) is irrelevant in planning terms;
- The hedgerow between the site and proposed northern extension is important and should be protected.

22. Longfield and New Barn Parish Council – Objects as follows:-

- Needs to be satisfied that proper environment controls are in place and has requested evidence from the Environment Agency and local medical practice;
- The amount of dust and particulate matter produced on the site is a cause for concern for the Parish Council and residents. Continual monitoring by the site management of dust, particulate matter and asbestos creation is required to ensure that containment measures – having due regard for prevailing wind conditions – are always used to contain these elements to ensure that there is no detrimental impact to the air quality outside the periphery of the site, and that the site generates less airborne pollution than at present;
- Although no increase in vehicle movements above the current level of 500 per week day or Saturday is proposed, is concerned at the current level and standard of driving of some of the Pinden lorries, and the apparent excessive speed of these large vehicles along inappropriate country roads in the area. The Company needs to put in place and strictly enforce a policy for its drivers to observe that takes into account due deference to other road users and which incorporates a complaints procedure for the public to use;
- Objects on public health concerns in the absence of any data from the Environment Agency.

23. Darenth Parish Council – Supports the proposal to exchange the existing permitted western extension for the proposed northern extension. However, has raised concerns about the volume, speed and pollution impacts (e.g. debris deposited on

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roads) of traffic associated with existing operations. Has asked that the County Council satisfy itself that speed limits are complied with and that a revised limit be imposed on maximum vehicle movements of 250 movements per day (125 in/125 out) on the basis that the applicant had indicated that it was currently only using about 50% of the permitted 500 movements and that it did not intend to increase this volume.

24. **SEERA** – Based on the information provided, considers that the proposal does not materially conflict with or prejudice the implementation of the Regional Spatial Strategy (RPG9 and Alterations and the draft South East Plan). Advises that if the County Council is minded to grant permission, it should secure the following through appropriately worded conditions and/ or legal agreements:-
 - Appropriate mitigation measures concerning suitable environmental standards, site restoration and aftercare to accord with the objectives of Policy E3 of RPG9 (adopted alteration) and Policy CC10a of the draft South East Plan;
 - Appropriate mitigation measures concerning landscape quality and the historic environment to accord with the objectives of Policy E1 of RPG9 and BE7 of the draft South East Plan; and
 - Appropriate mitigation measures concerning air and water quality are appropriate and to the satisfaction of the Environment Agency, to accord with the objectives of Policy E7 of RPG9 and Policies NRM1 and NRM 7 of the draft South East Plan.
25. **SEEDA** – Supports the application. The winning and working of chalk is of economic importance to the South East and the proposal will have the effect of ensuring continuing production and improving environmental conditions for local residents. The application meets the Regional Economic Strategy (RES) objective to meet sustainable prosperity within environmental limits.
26. **Environment Agency** – No objection. The proposals would move future operations away from the old landfilled area adjacent to the road and disused pit to the west and avoid conflict with main gas and electricity services that cross to the west of the old chalk pit. Advises that the landfill site is currently authorised under a PPC permit and that the proposal would require the operator to apply for a variation to this for the northern extension and for the partial surrender of the installation area to the west that would no longer be used for the disposal of waste. Advises that the operator has had extensive consultation with the Environment Agency on the proposals and that relevant pollution control mechanisms, base line monitoring and the Hydrogeological Risk Assessment would need to be re-appraised appropriately in determination of any PPC permit applications. This could lead to additional clarification or changes being required at this later stage.
27. **Natural England (nature conservation interests)** – No objection. Is satisfied that the proposals should not adversely affect badgers or reptiles. Advises that if any protected species are found on site during the proposed works, all work should cease and further advice be sought from Natural England. Recommends that any comments from Kent Wildlife Trust in relation to any direct and indirect impacts of the proposed development on the adjacent SNCI be fully considered when determining the application.

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28. **Natural England (mineral and waste planning and aftercare issues)** – No comment on the principal of the proposals, having considered them in the light of the Government's policy for the protection of the best and most versatile agricultural land (paragraphs 28 and 29 of PPS7 "Sustainable Development in Rural Areas"), but has recommended conditions be imposed in respect of soil stripping, handling and replacement and aftercare (including the need for field drainage).
29. **Kent Wildlife Trust** – No objection in principle subject to conditions to avoid encroachment onto the Local Wildlife Site (SNCI) and the monitoring of dust deposition on the Local Wildlife Site to ensure the nature conservation interest of the Local Wildlife Site is maintained.
30. **Union Railways Property (CTRL) / Network Rail** – Network Rail (CTRL) Ltd has concerns that the safe operation of railway infrastructure may be jeopardised by the proposed works unless appropriate safeguards are in place and consequently recommends detailed conditions be attached to any grant of planning permission. In summary, these include:-
- No extraction within 10m of the railway boundary for the proposed northern extension and no works within a 1:0.6 plane from this distance;
 - No extraction within 5m of the railway boundary for the existing quarry;
 - No overburden to be tipped or buildings erected on the undisturbed berm between the edge of the excavation and the railway boundary (existing quarry);
 - The length of the open sidewall adjacent to the railway shall be kept to the minimum necessary and backfilling against it must be undertaken as soon as possible (existing quarry);
 - Storm and surface water must not be discharged onto or towards Network Rail (CTRL) Ltd property and suitable drainage must be provided and maintained by the developer to prevent surface flows or run-off affecting the railway;
 - Cranes and jibbed machines used in connection with the works must be positioned so that the jib or any suspended loads do not swing over railway property or within 3m of the nearest rail if the boundary is within 3m; and
 - Cranes, machinery and constructional plant must be positioned and used to prevent the accidental entry onto railway property of such plant or loads in the event of failure.
- It has also asked for a number of detailed operational and safety informatives relating to overhead electrified lines, gas monitoring results and any liaison be passed on to the applicant/operator.
31. **Thames Water** – No objections in terms of either sewerage or water infrastructure.
32. **EDF (Seeboard)** – Has advised that the applicant should contact EDF as its overhead cable may be affected.
33. **National Grid (electricity and gas)** – No objection. Advises that the operator must

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take account of its pylon / pipeline infrastructure.

34. **Divisional Transportation Manager (West Kent)** – No objection as the proposed development has no impact on the highway and the access, vehicle numbers and quarry life remain unchanged.
35. **KCC Landscape Consultant (Jacobs)** – No objection subject to further detail on boundary planting. Advises that in general the proposals have mitigated the impact of the proposed northern extension with the constraints of the site and proposed usage and that the proposal to work the northern extension instead of the existing permitted western extension is preferable in landscape terms as it would create less landscape and visual impact.
36. **KCC Noise, Dust, and Odour Consultant (Jacobs)** – Has advised that noise levels from the working of the proposed northern extension should not increase the ambient noise levels in the area and that the appropriate noise limit for normal operations should be set at 55dBL_{Aeq}. This is on the basis that the minimum background noise level in the area is 46dBL_{Aeq} and since MPS2 (Annex 2: Noise) states that noise from mineral workings should not exceed the background noise level by more than 10dB(A) subject to an absolute maximum of 55dBL_{Aeq}. Has advised that the results of the applicant's noise assessment demonstrate that the existing permitted MRF and associated waste recycling operations currently comply with the 55dBL_{Aeq} limit and is satisfied that this would continue to be the case when either chalk extraction or landfilling were being undertaken in proposed phase 3c. The only operations which are predicted to give rise to a higher noise limit are those associated with the formation of the proposed soil screening bunds for the northern extension which could result in 56dBL_{Aeq} being experienced at 58 and 60 Whitehill Road. However, this would be well within the 70dBL_{Aeq} allowed for temporary works in MPS2.
- Has also advised that provided the proposed dust control measures are implemented as set out in the Environmental Statement, dust is unlikely to cause detriment to amenity at any dust sensitive properties.
37. **KCC Archaeology** – No objection subject to conditions to secure mitigation measures in respect of archaeology and historic landscape. Such measures to include the implementation of programmes of archaeological work and historic landscape recording (i.e. for the hedgerow and any associated ditch) in accordance with agreed specifications and timetables.
38. **KCC Biodiversity Officer** – No objection provided any indirect impacts on the SNCI (such as those that could arise from air, water, noise and light pollution) are minimised and subject to any comments from Kent Wildlife Trust. Has also advised that if protected species are subsequently found on site, works should cease and Natural England be contacted for advice.
39. No comments have been received from the Heath Protection Agency, CPRE or Mid-Kent Water.

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Representations

40. The application has been publicised both by site notice and newspaper advertisement and 73 local residents / business properties were notified in Green Street Green Road, Mile End Green, Whitehill Road and Highcross Road.

Objections

41. At the time of writing this report, letters of objection have been received from occupiers of 17 local properties as well as Southfleet Parish Residents' Association and the local MP. A petition opposing the application has also been received from Southfleet Women's Institute signed by 26 people. The objections relate to the following issues:-

Pollution / amenity impacts:

- Noise (e.g. traffic, site operations, reversing alarms), vibration, dust, airborne particulates, litter, light and groundwater pollution;
- Noise, dust and airborne particulates impacts on local residents on Whitehill Road, Westwood, exacerbated by the prevailing south westerly wind direction;
- Sunday and bank holiday working should never be permitted (even exceptionally);
- Impacts on food being grown locally and users of rights of way.

Cumulative impact:

- Commercial operations in the area generally and (specifically) works associated with CTRL (e.g. visual and landscape and traffic).

Traffic and road safety issues:

- Adverse road safety and pollution impacts of development in the area on local roads (e.g. the volume of both light and heavy vehicle traffic);
- Lack of street lighting in the area;
- HGV movements associated with Pinden Quarry would increase as a result of the proposals (including on Highcross Road).

Visual and landscape impact:

- Loss of countryside and adverse landscape and visual impact of the proposals;
- Proposed site in more exposed position further up the hill;
- Proposed screening would only be of limited benefit (especially until new planting matures);
- Concerns about failure of CTRL planting in the area.

Health concerns:

- Adverse health effects of the transportation and landfilling of asbestos waste.

Green Belt:

- Inappropriate development in the Green Belt.

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Operational controls:

- Lorries using Pinden Quarry passing local houses and entering / leaving the site before the permitted start time of 0700 hours (i.e. from 0630 hours);
- Lack of confidence in proposed mitigation and associated procedures.

Proposed land 'swap' / need:

- Lack of alternatives should not be an issue;
- The application for a northern extension should be treated on its own merits and not permitted as a way of resolving problems associated with operating the current permission (or simply for reasons of cost);
- If the western extension was suitable in 1995 when planning permission was granted it must still be suitable in planning terms;
- Nothing has changed since the previous applications for a northern extension were refused to justify permitting now;
- Demand for chalk/whiting is variable and decreasing (hence no great demand);
- Pinden Ltd would try to go back and work the western extension at a later date;
- The western extension is close to commercial enterprises (hence better located).

Other issues:

- The area is not designated for mineral extraction in any KCC policy document;
- Loss of agricultural land;
- Land instability (chalk is highly friable);
- Concerns that residents of Northdown Road were not informed of the application;
- Untended nature of site irrelevant to determination of application.

42. In addition, the local MP (Dr H Stoate) states that he has received letters and petitions from over 100 residents living in Whitehill Road, Northdown Road and Highcross Road objecting to the proposals due to adverse impact on Green Belt and existing properties (noise, visual disruption and reduced air quality). He also states that he has a great deal of sympathy with these concerns, and asks that KCC consider these issues fully before determining the application.

Support

43. At the time of writing this report, two letters of support for the application have been received, including one stated to be on behalf of the residents of 14 houses at Grubb Street (i.e. adjacent / near to the existing permitted western extension). The reasons for support relate to the following issues:-
- The working of the existing permitted western extension would have a major adverse impact on local properties in that fairly densely populated area (e.g. noise, dust and disturbance) affecting quality of life;
 - The working of the existing permitted western extension would introduce another major scar on the landscape for those living at Pinden, as well as travellers on the London to Dover railway line and local roads, and have a greater visual impact;
 - The working of the existing permitted western extension would be dangerous to users of the public footpath which runs north south between that area and the

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- existing operational site since it would need to be crossed regularly by lorries and earth moving equipment;
 - The proposed site would be far more suitable having boundaries with the CTRL and open farmland;
 - The proposed site would be far less intrusive if suitably landscaped being some distance from the nearest properties at Westwood; and
 - The working of the existing permitted western extension would seriously affect the adjoining farmers ability to continue livestock or other types of farming due to dust contamination of pasture and air (based on past experiences).
44. Both prior to and after the Members' Site Visit, further correspondence has been received from several of those who had previously objected to the proposals reinforcing their reasons for objection. In addition, correspondence has been received from a Longfield and New Barn Parish Councillor suggesting that many of the expressed concerns relate to existing operations and requesting that regular communication be established between the operator and local community to enable future liaison on traffic movements, health and nuisance monitoring and situations of concern and emergency.

Local Members

45. County Council Member Mr AR Bassam was notified in January 2007. No written comments have been received.

Discussion

46. 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. In the context of this application, the policies outlined in Appendix 4 (page C1.37) are of greatest relevance. The existence of the permitted western extension and the applicant's stated willingness to exchange this area for the proposed northern extension if permission is granted is an important material planning consideration in this case and will be addressed further later in the discussion.
47. Prior to the publication of PPS10 and revisions to Waste Strategy 2000 in July 2005, former advice required planning authorities to consider whether waste planning applications constituted the Best Practicable Environmental Option (BPEO). Case law established that consideration of BPEO to individual applications should be afforded substantial weight in the decision making process. The new advice moves the consideration of BPEO principles to the Plan making stage where it is to be considered as part of the Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA) process applied to the Plan. However, where planning authorities' current waste policies have not been subject to the SA / SEA process (as is the case with the Kent Waste Local Plan) it is appropriate to consider planning applications against the principles of BPEO. Until such time as the Kent Waste Development Framework (WDF) reaches a more advanced stage, applications will be considered

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against Policy WM2 of the Kent & Medway Structure Plan to ensure that they deliver facilities that are *“of the right type, in the right place and at the right time”* in accordance with paragraph 2 of PPS10. This approach is also consistent with the underlying principles of the draft South East Plan.

48. In this instance, the proposals need to be considered against various minerals and waste policies and other material considerations. The main issues to be considered relate to:-
- Need for chalk extraction and hazardous waste landfill and the ‘equity’ of the proposed land ‘swap’ in this context;
 - What, if anything, has changed since the two previous applications for a northern extension were refused in 1991 and 1992?;
 - Potential pollution and amenity impacts (e.g. noise, air quality, water environment, health impacts, agricultural land);
 - Landscape and visual impact;
 - Traffic and associated impacts;
 - Green Belt;
 - Ecology;
 - Archaeology and historic landscape;
 - The suitability of the proposed northern extension for chalk extraction and hazardous waste landfill; and
 - The comparative merits of the existing permitted western extension and proposed northern extension.

Need for chalk extraction and hazardous waste landfill and the ‘equity’ of the proposed land ‘swap’ in this context

49. A number of local residents have objected to the proposals on the grounds that there is no great need for chalk or that the operator would simply seek to work the existing permitted western extension at a later date. SEEDA supports the application on the basis that the proposed development would ensure continued production whilst improving environmental conditions for local residents. SEERA states that the application would not materially conflict with or prejudice the implementation of RPG9 or the draft South East Plan (i.e. the Regional Spatial Strategy).
50. The main national planning policy for winning and working chalk is set out in MPG10 and relates to the needs of the cement industry. Other uses for chalk are only covered by the general objective in MPS1 which requires that an adequate and steady supply of minerals needed by society and the economy should be secured consistent with environmental concerns. These national policies are reflected at the regional level in Policy M4 of RPG9 and Policy M4 of the draft South East Plan and at the local level in Policy MN10 of the Kent & Medway Structure Plan (KMSP) and Policy CC1 of the Kent Minerals Local Plan (KMLP) Chalk and Clay. Policy MN10 of the KMSP states that the County Council will seek to maintain adequate permitted reserves of chalk for engineering, pharmaceutical and whiting manufacture throughout the Plan period but does not define “adequate”. The same intention is also reflected in Policy CC1 of the KMLP Chalk and Clay which refers to previous Structure Plan Policy NR13.

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Policy CMS1 of the Kent Minerals Development Framework (KMDF) Core Minerals Strategy (CMS) Development Plan Document (DPD) Submission Document November 2006 supports proposals that secure or maintain the overall levels of supply required by the Regional Minerals Strategy.

51. Since Pinden Quarry does not supply chalk to the cement industry and the reserves required to meet national, regional and local need for such uses in the County (*i.e. at least 25 years supply for new plant*) are met at Holborough, there is no need for chalk from Pinden for cement production. However, the general need requirements set out above are relevant. The situation in terms of the landbank of permitted chalk reserves for non-cement uses in Kent is complicated by the different uses that each site has served over time, since the KMLP Chalk and Clay was adopted 10 years ago and because there is no up to date evidence base for such reserves or demand. I expect this position to be clarified during production of the KMDF DPD for Other Minerals (including chalk) which is timetabled for adoption in 2010. Notwithstanding the above, provided the proposed northern extension has a similar reserve to the existing permitted western extension and the ability to work the latter is removed as proposed, no additional chalk reserves would be created. I consider that the reserves in the two areas would be similar provided an appropriate depth limit is imposed and that the proposed 'exchange' can be secured by legal agreement. Since the proposal would serve to ensure the continued supply of chalk to the local construction market it would accord with the above policy objectives.

52. National planning policy for waste management is set out in PPS10 and is, in turn, reflected at the regional level. Policy W15 of RPG9 (adopted alteration) and Policy W15 of the draft South East Plan both seek to identify and safeguard sites for storage, treatment and remediation of contaminated soils and demolition waste and, where necessary, encourage the creation of protective cells for stable hazardous waste landfill. Policy W15 of the draft South East Plan also identifies hazardous waste landfill capacity as a priority in Kent and elsewhere in the South or South East of the Region although it should be noted that the wording of this policy was the subject of debate at the EIP in December 2006 and has yet to be finalised. RPG9 (adopted alteration) and the draft South East Plan also contain policies designed to support diversion of waste from landfill and meet recycling and recovery targets. The KMSP contains no specific policies relating to hazardous waste although Policy WM4 states that Kent will make provision equivalent to its waste arisings and provide integrated waste management capacity for 15 years ahead. The KMSP also contains policies which provide support for recycling and recovery, whilst Policy WM5 encourages the use of inert waste for restoration of mineral voids where disposal to land accords with the principles of the Best Practicable Environmental Option (BPEO). The Kent Waste Local Plan (KWLP) contains no specific policies relating to hazardous waste but again supports recycling and recovery and the appropriate use of inert waste for restoration of mineral voids.

53. Whilst precise needs for hazardous waste disposal are uncertain, and work on the subject is ongoing via the SERTAB Hazardous Waste Task Group, it is accepted that there is a continuing need for facilities for hazardous waste landfill such as those at Pinden Quarry which are used to dispose of asbestos waste. This is supported by the

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absence of other similar facilities in Kent and the fact that only one other site in the South East Region (i.e. Horton Landfill, Small Dole, West Sussex – about 57 miles from Pinden) can accept asbestos waste. The nearest other landfill facilities capable of accepting asbestos waste are at Hitchin (Hertfordshire), Ipswich (Suffolk), Purton, Swindon (Wiltshire), Shepton Mallet (Somerset) and Chorley (Lancashire). More detailed consideration of need for further capacity in Kent will have to await further work by the SERTAB Hazardous Waste Task Group and preparation of the Kent Waste Development Framework (KWDF) Development Plan Document (DPD) for Hazardous Waste which is timetabled for adoption between 2010 and 2012. As with chalk, provided the proposed northern extension would provide a similar landfill void to the existing permitted western extension and the ability to work the latter is removed as proposed, no additional landfill void would be created. As with chalk, I consider that the potential landfill voidspace in the two areas would be similar provided an appropriate depth limit is imposed and that the proposed 'exchange' can be secured by legal agreement. Since the proposal would serve to ensure the continued capacity for hazardous waste landfill, including that from the redevelopment of the nearby Thames Gateway, it would accord with the above policy objectives.

54. The MRF and associated waste recycling operations would continue regardless of which of the two areas is extracted and restored by landfill. On this basis, I do not consider it necessary to consider need for these further.

What, if anything, has changed since the two previous applications for a northern extension were refused in 1991 and 1992?

55. The reasons for refusing the two earlier planning applications for a northern extension to Pinden Quarry (as set in paragraph 5 above) relied on the fact that it was determined that there was no need for additional chalk reserves sufficient to override the material environmental and landscape interests in previous Structure Plan policies (MWD6 and MWD1). In recommending that the first of these applications be refused on 20 November 1990 (DA/89/229), the County Planning Officers' report states (paragraphs 9 and 10) that:

"Whilst in my opinion this particular area has no unique landscape merit, the site is part of the extensive dip slope of the chalk outcrop. Large tracts of the dip comprise pleasant, rolling countryside and to extend the quarry northwards by cutting further into the ridge that separates Longfield/Grubb Street from Southfleet cannot in my view be justified by any need for the mineral." "I do not consider that an objection can be substantiated by virtue of the impact of operations on local residents. However, my overall conclusion is that there is an insufficient case of need for further extending quarry working into open countryside."

Although Members refused the second application (DA/91/405) for identical reasons to the first, the County Planning Officer had recommended to Committee on 21 January 1992 that it be permitted as he was satisfied (paragraphs 21 and 22) that:

"The environmental impact issues such as increased visual impact, potential dust and noise problems and increased lorry traffic, raised by the Borough Council and

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local representations are acknowledged, and it is felt that they can be dealt with by imposition of appropriate schemes of working and restoration, use of the planning conditions and waste disposal site licensing conditions. Furthermore, with regards to their concern over the impact the proposal would have on the local road network, whilst it would result in some increase in movements above those presently generated, the overall increase would nevertheless be within those already permitted for the site.” “In the light of the circumstances it is my opinion that on balance a sufficient case of need has been advanced to satisfy Policy MWD1 to override the landscape and environmental impact of the development, provided certain safeguards are embodied within legal agreements and particular planning conditions are attached to the permission.”

56. Clearly, in both of the above cases, the County Council was of the opinion that the proposals gave rise to adverse impacts on the environment and landscape. The main change between these and the current application is that the applicant is now proposing to exchange the existing permitted western extension for the proposed northern extension thereby creating no net increase in terms of chalk reserves or resultant landfill voidspace. This, in turn, means that there would be no additional impacts in terms of duration of operations and vehicle movements to and from the site.

Potential pollution and amenity impacts (e.g. noise, air quality, water environment, health impacts, agricultural land)

57. Dartford Borough Council, Southfleet and Longfield and New Barn Parish Councils, as well as many of the local residents who have objected, have expressed concerns about potential pollution and adverse amenity impacts and the perceived health risks associated with the delivery and landfilling of asbestos waste on the local community. Other related concerns include noise from both road traffic and on-site operations (including reversing alarms), vibration, dust, airborne particulates, litter, light, groundwater pollution and impacts on food being grown locally and users of rights of way. Some have also expressed a lack of confidence in the proposed operation and associated regulatory regimes on the basis that they consider that the existing operations give rise to considerable dust and airborne pollution. Whilst the objections relate primarily to the waste element of the application, concerns have also been expressed about the adverse impacts of mineral working. Those supporting the application appear to do so on the basis that the pollution and amenity impacts of working the proposed northern extension would be less than if the existing permitted western extension were worked due to the relative proximity of nearby properties in each case. This issue is addressed further later in the report.
58. Government guidance on both minerals and waste seeks to ensure that potential adverse amenity and health impacts associated with development proposals are minimised. PPS10 makes it clear that modern, appropriately located, well-run and well-regulated, waste management facilities operated in line with current pollution control techniques and standards should pose little risk to human health and that the detailed consideration of a waste management process and the implications (if any) for human health is the responsibility of the pollution control authorities. It further states that: the planning and pollution control regimes should complement rather than

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duplicate each other; waste planning authorities should concern themselves with implementing the planning strategy in the development plan and not with the control of processes which are a matter for the pollution control authorities; and waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced. MPS1 and MPS2 both seek to ensure that mineral proposals are acceptable in terms of amenity and related health impacts.

59. Policies E7 of RPG9 and NRM7 of the draft South East Plan encourage local authorities to work with the Environment Agency in playing a positive part in pollution control, and to encourage measures to improve air quality. Policy NRM7 also encourages the use of best practice during construction activities to reduce the levels of dust and other pollutants. Policy NRM1 of the draft South East Plan seeks to protect and enhance water resources and quality. Policy W17 of RPG9 states that the suitability of waste management sites should be assessed on the basis of being capable of meeting a range of locally based environmental and amenity criteria. Policy NRM8 of the draft South East Plan encourages new developments to adopt measures to address and reduce noise pollution at regional and local level. In respect of waste, Policies WM2 and NR5 of the KMSP require proposals to be acceptable in terms of their environmental impacts. Policy W18 of the KWLP requires planning authorities to be satisfied as to the means of control of noise, dust, odours and other emissions for waste management proposals, particularly in respect of potential impact on neighbouring land uses and amenity. Policy W26 sets out the hours during which waste facilities will normally be permitted to operate. The requirements of these policies are mirrored in Policy M3 of the KMSP and Policies CC12 and CC19 of the KMLP Chalk and Clay in respect of minerals. Policy W27 of the KWLP and Policy CC20 of the KMLP Chalk and Clay require rights of way or their users interests to be safeguarded from proposals. Policy W19 of the KWLP and Policy CC13 of the KMLP Chalk and Clay require the quality and quantity of surface and groundwater resources to be protected. Policy W20 of the KWLP and Policy CC14 of the KMLP Chalk and Clay require land drainage, flood control and land stability to be safeguarded. The above minerals policies are being carried forward in Policies MDC1, MDC2, MDC5, MDC6, MDC7, MDC8, MDC19, MDC20, MDC21 and MDC25 of the KMDF Primary Development Control Policies (PDCP) DPD Submission Document November 2006.
60. Health impacts: Although no response has been received from the Health Protection Agency, the Environment Agency has raised no objection to the proposals and has advised that the existing PPC permit would need to be varied to include the northern extension. This would continue to provide appropriate controls for the handling and deposition of asbestos and other waste at the site. The Environment Agency has confirmed that particulate monitoring (including that for dust and asbestos fibres) is undertaken to the north, east, south and west of the site by the operator's independent specialist environmental consultant and the results submitted to it on a quarterly basis (i.e. more frequently than required by the PPC permit). It has also advised that the results demonstrate that the control limits relating to dust and asbestos releases are not being exceeded. The Environment Agency has also advised that it has had extensive discussions with the applicant on the proposals, including on relevant pollution control mechanisms, base line monitoring and the Hydrogeological Risk Assessment, and that further detailed appraisal would be required on these issues as

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part of the consideration of any application to vary the existing PPC permit. Given the advice in PPS10 (as set out in paragraph 58 above), since the Environment Agency can impose any necessary operational controls in any revised PPC permit I can see no reason to refuse the application on the grounds of potential adverse health effects.

61. Air quality (dust and airborne particulates): Whilst this issue is addressed, in part, above, dust and other particulates can give rise to nuisance and adversely affect amenity without giving rise to health concerns. Such emissions can be associated with both mineral working and waste management operations and impact on people and other land uses. The application proposes various mitigation measures to minimise dust and other airborne emissions (e.g. water spraying, on-site speed limits, wheel cleaning equipment, seeding of soil bunds). Since such measures are never absolutely foolproof, the applicant also proposes that site management and monitoring incorporate a complaints response system to facilitate additional action should problems occur. Notwithstanding the concerns that have been expressed about prevailing winds, local topography (i.e. the relative height of the land in relation to nearby properties), impacts on the local population, users of rights of way and adjoining farmland, the County Council's air quality consultant has advised that provided the proposed air quality controls are imposed they should be capable of ensuring that air quality is satisfactorily maintained such that dust is unlikely to cause detriment to amenity at local properties. Whilst the proposal would be likely to give rise to some adverse air quality impacts in the vicinity of the proposed northern extension, including on adjoining land uses and users of the footpath to the west, I am satisfied that the proposed measures would serve to satisfactorily minimise these. All are capable of being secured by condition(s) and/or legal agreement.

62. Noise (and vibration): Noise arises from both on-site operations such as soil stripping, formation of soil screening bunds, chalk extraction, landfilling, replacement of soils and the MRF and associated waste recycling as well as from off-site traffic movements. At Pinden Quarry, vibration is only likely to be an issue for off-site traffic movements. The County Council's noise consultant has advised that the 55dB_{L_{Aeq}} limit (measured at noise sensitive properties) imposed on the current planning permissions at the site are being complied with and that this limit would continue to be met for normal day to day operations if the proposed northern extension were to be worked. This limit would need to be relaxed to facilitate the formation of the proposed soil screening bunds for the northern extension since it is predicted that 56dB_{L_{Aeq}} would be experienced at 58 and 60 Whitehill Road during these works. Since MPS2 allows for up to 70dB_{L_{Aeq}} for such works and it is unclear precisely what noise levels may be experienced on properties directly opposite the site on Green Street Green Road when the main site screening bund is removed (*something that would be required under the existing consent anyway*) it is considered appropriate to allow up to 70dB_{L_{Aeq}} in this instance. In reality, the noise experienced from temporary works would probably be significantly less and the applicant has given an assurance that it will endeavour not to exceed 56dB_{L_{Aeq}}. Whilst the proposal would give rise to additional noise in the vicinity of the proposed northern extension, particularly at 58 and 60 Whitehill Road, any noise would be within the limits recommended in MPS2. These limits are all capable of being secured by the imposition of conditions. Other noise emissions which can be particularly intrusive include reversing alarms. These

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are unlikely to impact on the actual noise limit and can only be minimised by the use of less audible alarms which are now available (e.g. 'white noise' and 'warblers') and by routing vehicles to minimise reversing. The applicant has indicated that it is in the process of replacing standard reversing alarms on its plant with 'white noise' devices for use on site and is exploring whether it would be possible to extend this to its own road-going vehicles where additional safety issues may arise. Any reduction in the use of more audible alarms would assist in minimising disturbance from operations at the site. Any vibration which may arise as a result of off-site traffic movements would occur regardless of whether permission is granted for the northern extension.

63. Hours of working: The application proposes that the existing hours of working are repeated if planning permission is granted. On this basis, working would take place between 0700 and 1800 hours Monday to Friday and 0700 to 1300 on Saturdays (with no working at other times without the prior written approval of the County Planning Authority). Concerns have been expressed that the applicant does not always comply with these hours and that vehicles have been seen arriving at or leaving the site prior to 0700 hours. If the County Council were to establish that the permitted hours of working are being breached it could take appropriate action to secure compliance and this would continue to be so if a new permission were granted. Hours of working could continue to be secured by condition. Whilst concerns have been expressed about the flexibility afforded for the County Council to allow working outside the stated hours under the terms of the existing permissions, I see no reason why this should not be continued. It is worth noting that the only occasion on which such working has been exceptionally allowed by the County Council in recent years was to facilitate an 'open-day' at the site on Saturday 28 September 2002 and that a further request to open the site for operational reasons on 25 March 2005 (i.e. Good Friday) was refused.
64. Water environment: Although objections have been raised by Dartford Borough Council, Southfleet Parish Council and some local residents about potential groundwater pollution, the Environment Agency (which is responsible for protection of the water environment) has not done so and is content to ensure that further detailed assessment of hydrogeological issues is carried out in considering any variation to the PPC permit. On this basis, and subject to the imposition of suitable controls relating to drainage, depth of working and storage of liquids (which are capable of being secured by condition) and similar / additional controls which would form part of any amended PPC permit, I consider that the proposed development is acceptable in this context.
65. Light pollution: Lighting is used on the existing site to enable safe working when natural light is inadequate and is only used when the facility is open. It is proposed that this would continue to be the case. Notwithstanding the objections on the issue, and whilst the proposed development of the northern extension would be likely to give rise to some extra light impact in the area during winter months, I believe that any additional impact would not be significant provided suitable controls are in place to ensure that lighting is appropriately designed and not used or left on unnecessarily. These controls are capable of being secured by the imposition of planning conditions.
66. Litter: The proposed northern extension is unlikely to create any additional litter since the only waste materials deposited here would be asbestos wastes which are landfilled

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under strictly controlled conditions. Litter is more likely to result from inadequate management of the MRF which would continue to operate regardless of the outcome of the current application. In the event that the application is permitted, it would be appropriate to include conditions requiring best practicable means to be employed in the operation of the MRF.

67. Land stability: Although Southfleet Parish Council and a number of local residents have raised concerns about potential instability and adverse impacts on the CTRL and local properties due to chalk extraction and the friable nature of chalk, Union Railways Property is satisfied that the proposed 10m stand-off from the railway boundary with 1:0.6 plane would not jeopardise its interests. It has also accepted that a 5m stand-off would be acceptable for extraction within the remaining part of the existing site. On this basis, since both Whitehill Road and the nearest residential properties are significantly further from the proposed extraction area than the CTRL and based on experiences elsewhere I do not consider that the development would lead to problems of land instability. The requirements of Union Railways Property can all be secured by condition.
68. Agricultural land: A number of local residents have objected to the application on the basis of loss of agricultural land and potential impacts on crops on adjoining farmland. Support has been expressed by others due to potential impacts on farmland adjoining the existing permitted western extension. Concerns were also expressed at the Members' Site Meeting that there were insufficient soils on the existing permitted western extension to properly cover the landfilled waste. Natural England has not objected to the proposals and has recommended that conditions be imposed to ensure that the farmland can be worked and restored in such a way that its future use is not prejudiced. The potential impacts on adjoining land have been addressed in the context of air quality (above). It should also be noted that the owner of the proposed northern extension (the South Darenth Farm Cold Store Company Ltd) also owns the adjoining farmland. An agricultural land classification (ALC) report submitted with the application indicates that the ALC of the proposed northern extension is grades 2 and 3a (with the majority being grade 2) and that the existing permitted western extension is grades 2 and 3b (with the majority being grade 3b). Both areas are therefore classified as best and most versatile land. However, the report also states that due to thinner soils and the resultant lack of suitable restoration soils in the existing permitted western extension it would be more difficult to restore this area to quality farmland than would be the case for the proposed northern extension. The concern expressed at the Members' Site Visit about there being insufficient soils to effectively cover waste in the existing permitted western extension may well result from a misunderstanding of the position since indigenous soils are stored and used for final restoration and soils and other suitable materials obtained via the waste recycling operations are used as cover for landfill. Subject to the imposition of conditions, including those proposed by Natural England, I am satisfied that land quality can be maintained through restoration and returned to a beneficial afteruse.
69. In considering all of the above, it should be remembered that the MRF and associated waste recycling operations will continue at the existing site and that any remaining chalk will be extracted and landfilling occur in this area regardless of whether the

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proposed northern or existing permitted western extensions are worked and that these ongoing operations will continue to have some impact on the local area. Further consideration of amenity impacts is given later in this report in the context of landscape and visual impact, traffic and associated impacts and the comparative merits of the existing permitted western extension and proposed northern extension. One way in which the stated lack of confidence in site operations and the associated regulatory regimes could be addressed would be for the establishment of a formal liaison group involving the operator and representatives of the local community. Experiences elsewhere in Kent suggest that this would facilitate discussion and understanding and enable any problems that may arise to be addressed most effectively. Allied to this, a clear complaints procedure could be established and publicised. These measures could be secured by condition and/or legal agreement as appropriate and would ensure that the proposals comply with the above policies.

Landscape and visual impact

70. Objections have been raised by Dartford Borough Council, Southfleet and Longfield and New Barn Parish Councils and many of the local residents who have responded on the grounds that the landscape of the rural area and views of the countryside would be adversely affected by the proposed northern extension, exacerbated by the fact that the site is on higher ground and subject to extensive views from the surrounding area and could not easily be hidden.
71. Government guidance on both minerals and waste seeks to ensure that landscape impacts of development proposals are acceptable. PPS10 states that landscape, design and visual impact are important locational criteria and MPS1 that the character of rural and urban areas should be protected and enhanced by careful planning and design of any proposals for mineral development. Similar requirements are reflected in Policy W14 of RPG9 and Policy W14 of the draft South East Plan. Policies E1, E3, WM2 and MN3 of the KMSP require that development is acceptable in terms of landscape impact. Policy WM5 of the KMSP additionally requires landfill associated with the restoration of mineral workings to result in beneficial after-use or improvement of the environment. Policy W32 of the KWLP requires that proposals incorporate satisfactory operation, restoration and aftercare schemes. Policies CC26 and CC27 of the KMLP Chalk and Clay respectively require minerals proposals to be acceptable in terms of landscaping and include satisfactory working and reclamation schemes. The above minerals policies are being carried forward in Policies MDC1, MDC2, MDC13 and MDC14 of the KMDF Primary Development Control Policies (PDCP) DPD Submission Document November 2006.
72. Although in the Green Belt, the site is not subject to any specific landscape designations. The application proposes that the entire site, including the northern extension, would be restored to agricultural use at original/existing ground levels by February 2042. It also proposes various measures designed to mitigate and help screen the proposals such as advance hedgerow planting and reinforcement both on and off-site and the creation of temporary soil screening bunds both within (intermediate) and around the perimeter of the proposed extraction area which would be seeded appropriately and managed. The gap which would need to be created to

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access the northern extension would also be replanted as part of the final restoration.

73. The County Council's landscape consultant has raised no objection to the proposed northern extension, subject to further detail on boundary planting, on the basis that the proposals have mitigated the associated impacts within the constraints of the site and proposed usage and since it would be preferable in landscape terms to work this area instead of the existing permitted western extension since it would create less landscape and visual impact. However, this is not to say that the proposal would not have some adverse impact on landscape and visual amenity. The construction of the soil screening bunds and associated operations would give rise to a moderate adverse landscape and visual impact in the short to medium term (5-10 years), until the bunds have 'greened up' and the proposed hedgerows matured, after which (in the longer term) the impact would change to slight adverse (15 years plus). In this context, 'moderate adverse' means that the scheme would cause a noticeable deterioration in the existing view and 'slight adverse' means that the scheme would cause a barely perceptible deterioration. The County Council's landscape consultant has also advised that the proposed hedgerow planting and reinforcement would be very welcome and would be of long term benefit to the surrounding landscape character.
74. Overall, I accept the conclusion of the applicant's landscape and visual impact assessment that the residual visual impact, after mitigation, would not be significant. I also believe that the new and reinforced hedgerows (see Appendix 6 on page C1.40) would improve the landscape in the longer term. With the exception of the proposed off-site hedgerow improvements, the proposed mitigation is capable of being secured by condition(s) in the event that permission is granted. The off-site works would need to be secured by legal agreement. This could also include the long term retention and management of the hedgerow planting. The applicant has confirmed that both it and the landowner are prepared to enter the necessary legal agreement. Subject to the above matters being secured by condition or legal agreement, the proposals would comply with the landscape and visual amenity related policies referred to.

Traffic and associated impacts

75. Objections have been raised by Dartford Borough Council, Southfleet Parish Council and many of the local residents who have responded on the grounds that HGV movements would increase and due to the adverse impacts associated with this (e.g. road safety and loss of amenity). Longfield and New Barn Parish Council acknowledges that there would be no such increase in traffic, but has raised concerns about current vehicle movements (e.g. speed and driver behaviour) on inappropriate local roads. Similar concerns have also been expressed by Darenth Parish Council which has additionally raised the issue of debris being deposited on local roads. Concerns have also been expressed by objectors about the possibility of vehicles accessing the proposed northern extension via the existing field access on Whitehill Road and using rural lanes in the area to and from the site and vehicles travelling through Longfield and New Barn and other settlements. Concerns about the potential adverse effects of asbestos waste being transported to the site have already been mentioned above.

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76. Government guidance on both minerals and waste seeks to ensure that transportation impacts of development proposals are minimised. PPS10 states that the selection of sites for new or enhanced waste management facilities should involve consideration of the capacity of existing and potential transport infrastructure to support the sustainable movement of waste and that the suitability of the road network and the extent to which access would require reliance on local roads are criteria that should be considered. Good transport connections are also encouraged in MPS1, Policy W17 of RPG9 and Policy W17 of the draft South East Plan. Policies WM2, MN3 and TP15 of the KMSP require that development is acceptable in terms of traffic impact and, in the case of TP15, well related to the primary or secondary route network. Policy W22 of the KWLP and Policy CC24 of the KMLP Chalk and Clay require waste management and minerals proposals to be acceptable in terms of highway safety and capacity and for the developer to provide for any necessary improvements. Policies W23 and CC25 respectively require measures to prevent mud and debris being deposited on the public highway for waste management and mineral proposals. The above minerals policies are being carried forward in Policies MDC2, MDC3 and MDC4 of the KMDF Primary Development Control Policies (PDCP) DPD Submission Document November 2006.
77. Notwithstanding the above concerns and the fact that Pinden Quarry does not sit comfortably with the above transportation policies, as it is not well related to the primary and secondary road network, the proposed development would not lead to an increase in vehicle movements since it proposes to exchange one working area for another of equal chalk reserve and resultant voidspace and retain the current cap on daily movements. Similarly, the application proposes that only the existing access to Pinden Quarry on Green Street Green Road would be used. These are both capable of being reinforced by condition in the event that permission is granted such that further planning permissions would be required for either eventuality. The actions of vehicles on the public highway are largely beyond the scope of planning control and are covered by other legislation. However, it should be noted that all vehicles delivering asbestos wastes to the site are suitably contained to prevent emissions. Notwithstanding this, it would be possible to reinforce the need for asbestos waste to arrive at or leave the site in suitably contained vehicles and for vehicles carrying other wastes to do likewise in suitably sheeted or otherwise covered vehicles. These measures could be included in condition(s) and reinforced in a legal agreement such that the operator would need to ensure that all users of the site meet the required obligations. The issue of routing often leads to local concern, however, in this case I consider that there is little that could reasonably be done to require vehicles to travel in any particular direction to and from the site since deliveries are imported to or exported from various parts of the County and beyond. Despite this, it would seem helpful to secure a commitment from the operator to avoid rural lanes and minimise routing impacts wherever possible. This could be secured as part of a legal agreement.

Green Belt

78. Dartford Borough Council, Southfleet Parish Council and many of the local residents who have responded have raised objection on the grounds that the site lies in the

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Green Belt, would compromise Green Belt policy, be inappropriate and lead to other similar development in such areas.

79. PPG2 states that there is a general presumption against inappropriate development in the Green Belt and that such development should not be approved except in very special circumstances. However, it goes on to say that minerals can only be worked where they are found, their extraction is a temporary activity and extraction need not be inappropriate development and need not conflict with the purposes of including land in Green Belts provided that high environmental standards are maintained and that the site is well restored. Policy E3 of RPG9 and Policy CC10a both recognise the importance of Green Belts. Policy SS2 of the KMSP states that there is a general presumption against inappropriate development in the Green Belt and that new building should accord with the provisions of PPG2 and Annex B of PPG3. Policy W4 of the KWLP and Policy CC4 of the KMLP Chalk and Clay are clear that there will be a general presumption against inappropriate development in the Green Belt but both provide scope for temporary proposals related to the restoration of mineral workings. The above minerals policies are being carried forward in Policy MDC16 of the KMDF Primary Development Control Policies (PDCP) DPD Submission Document November 2006.
80. Whilst the site lies in the Green Belt it is clear from the above policies that provided the proposal incorporates high environmental standards and appropriate restoration this need not be inappropriate development nor preclude development. The application includes phased working and restoration plans and proposes that these be reviewed every three years with detailed proposals submitted to the planning authority prior to implementation. Assessment of the adequacy of the proposed environmental standards, mitigation and restoration proposals are addressed elsewhere in this report. Subject to these all being acceptable and permitted development rights being withdrawn to prevent inappropriate ancillary development (through the imposition of conditions and/or legal agreement as necessary), I see no reason to refuse the application on Green Belt grounds.

Ecology

81. Dartford Borough Council and Southfleet Parish Council have both objected on the grounds that there would be an adverse impact on wildlife in the area. No objections have been received from Natural England, Kent Wildlife Trust or KCC's Biodiversity Officer although Natural England and KCC's Biodiversity Officer have both stated that if protected species are subsequently found on site during the proposed works that works should cease and the operator contact Natural England for further advice. They have also referred to the need to consider comments from Kent Wildlife Trust in respect of any direct or indirect impacts on the adjacent Longfield SNCI. Kent Wildlife Trust has advised that whilst the interest associated with the SNCI, now known as Local Wildlife Site (LWS), (*i.e. grey mouse-ear plant species*) was disturbed by the CTRL works it remains the largest of only three populations in Kent, the only other in the British Isles being in Bedfordshire, and has requested that conditions be imposed requiring the monitoring of dust deposition on the SNCI to ensure that its nature conservation interest is maintained.

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82. MPS1 and PPS10 are clear that wildlife and biodiversity interests are important locational criteria when considering minerals and waste proposals. Policy E2 of RPG9 and Policy NRM4 of the draft South East Plan seek to maintain and enhance the region's biodiversity and actively pursue opportunities to achieve a net gain across the region. Policies EN7 and EN8 of the KMSP require that development is acceptable in terms of potential impact on ecology (including designated sites). Policies CC2a and CC15 of the KMLP Chalk and Clay and W2 and W21 of the KWLP require proposals to be acceptable in terms of potential impacts on environmental resources such as SNCI's or require appropriate mitigation for protecting such interests. Securing nature conservation interest is also a Green Belt objective. The above minerals policies are being carried forward in Policies MDC2, MDC11b and MDC11c of the KMDF Primary Development Control Policies (PDCP) DPD Submission Document November 2006.
83. The proposed northern extension comprises former arable farmland that has been left unmanaged and has become dominated by common arable weeds and disturbed ground plants. The field boundary to the south consists of single species-rich hedgerow. The site supports no protected species. The proposed development would have no direct impact on the adjoining SNCI and little negative impact on recognised biodiversity interests. The proposed new and improved hedgerow planting would provide some positive impact due to the creation of increase linkages through the landscape by improving habitat connectivity. Appropriate dust monitoring to ensure that the ecological interests of the SNCI are satisfactorily protected can be secured by condition and could include the requirement for a detailed monitoring and mitigation scheme to be agreed prior to the commencement of development. Subject to the above matters being secured by condition or legal agreement, the proposals would comply with the ecology and related policies referred to.

Archaeology and historic landscape

84. No specific objections have been received which refer directly to archaeology or historic landscape, however, concerns have been expressed by Southfleet Parish Council and a number of other respondents about the need to protect the important hedgerow between the existing site and proposed northern extension.
85. MPS1 and PPS10 are clear that archaeology and the historic environment are important locational criteria when considering minerals and waste proposals. Policy E1 of RPG9 seeks to protect and enhance areas for their landscape quality or cultural importance whilst Policy BE7 of the draft South East Plan encourages Local Authorities to adopt policies and proposals which support the conservation and, where appropriate, the enhancement of the historic environment. Policies QL7 and QL9 of the KMSP require that development is acceptable in terms of potential impact on archaeology and historic landscape features. Policies CC2a, CC21, CC22 and CC23 of KMLP Chalk and Clay and Policies W2, W28, W29 and W30 of the Kent WLP require proposals to be acceptable in terms of potential impacts on archaeology or require appropriate mitigation for protecting such interests. The above minerals policies are being carried forward in Policies MDC2, MDC9b and MDC9c of the KMDF Primary Development Control Policies (PDCP) DPD Submission Document November

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2006.

86. The application is supported by an archaeological assessment which indicates that the area of the proposed northern extension has considerable archaeological potential. Consideration of the historic landscape reveals that the hedgerow between the existing site and proposed northern extension is of importance as it forms the boundary between the parishes of Longfield and New Barn and Southfleet. The applicant proposes various mitigation measures, including the implementation of programmes of archaeological work and historic landscape recording, all of which are supported by KCC Archaeology. It also proposes to reinstate that section of the historic hedgerow through which access to the proposed northern extension would be obtained and reinforce other parts of the hedgerow. Notwithstanding the acknowledged archaeological potential, there would be no impact on scheduled ancient monuments, listed buildings or conservation areas. The proposed mitigation measures are all capable of being secured by condition(s) and would satisfactorily ensure compliance with the above policies.

The suitability of the proposed northern extension for chalk extraction and hazardous waste landfill

87. It has been shown in the above sections that the proposed development will give rise to some adverse impacts and hence some harm on the local environment and to local amenity. However, it has also been shown that these adverse impacts are all capable of being minimised by the imposition of condition(s) and/or by suitable clauses in a legal agreement. Before coming to a view on the acceptability or otherwise of working the proposed northern extension, it is necessary to consider both the implications of the applicant's offer to exchange the existing permitted western extension for this area and the potential impacts associated with working the western extension if planning permission is not granted to extend operations to the north.

The comparative merits of the existing permitted western extension and proposed northern extension

88. Ultimately, the application requires the County Council decide which of the existing permitted western extension and the proposed northern extension should be worked and restored. Both would give rise to some adverse impacts and the applicant has made it clear that if permission is not granted it would progress the necessary submissions to enable the western extension to be worked.
89. A number of potential difficulties with working the existing permitted western extension have been identified in the application or have been raised by those supporting the application. These include significant adverse noise, dust and visual impact on occupiers of local properties (exacerbated by proximity to the site and topography), adverse impact on users of the public footpath which would probably need to be crossed by the new site access and considerable landscape impact due to the topography and difficulties in satisfactorily screening development from the surrounding area by either soil screening bunds or further landscape planting. In addition, concerns have been expressed about proximity to adjoining pasture and

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associated livestock. Difficulties in respect of access, noise, soil storage, screening and landscape were evident during consideration of the submissions made by Hanson (referred to at paragraph 6) which remain unapproved. Whilst these impacts have not been quantified, I am satisfied that they would be greater than those associated with the proposed northern extension.

90. It has already been stated that County Council's landscape consultant believes that it would be preferable in landscape terms to work the northern extension rather than the existing permitted western extension since it would create less landscape and visual impact. Whilst the area of the proposed northern extension may be visible from a wider area than the existing permitted western extension, I agree with this assessment. The proposed northern extension is also more remote from sensitive receptors (e.g. housing) and the site lends itself to being better able to facilitate the mitigation of associated visual and amenity impacts.
91. At the Members' site visit, Southfleet Parish Council stated that the County Council should not grant planning permission for the proposed northern extension in exchange for the existing permitted western extension to overcome any difficulties in working that area and should, instead, consider the acceptability or otherwise of the western extension being worked as part of the periodic minerals review process in 2.5 years time. The second periodic review date for Pinden Quarry is 8 November 2010. The implication of this suggestion is that the County Council should impose measures as part of that process to overcome adverse impacts on the community living around that area. In view of the issues involved, this could include the further sterilisation of at least some of the reserves in the western extension and hence reduce the voidspace created. I must advise the Committee that if this approach were adopted and resulted in mineral working rights being restricted such that this would prejudice adversely to an unreasonable degree either the economic viability of operating the site or the asset value of the site this would give rise to the requirement for the County Council to pay compensation to the operator. Subject to the extent of any sterilisation, any compensation could be substantial. It could also lead to a precedent being set and raised expectations elsewhere in the County. For these reasons, I believe that if an acceptable solution can be secured at Pinden Quarry that would avoid the need for this it should be seriously considered.

Conclusion

92. The application is unusual in that it effectively requires the County Council to decide whether the 'status quo' should be maintained and the existing permitted western extension worked with any resultant disbenefits that may arise or whether planning permission should be granted for a new area such that this existing permitted area would not be worked. As can be seen from the responses received from the local community and expressed at the Members' site visit the application has had the effect of dividing the local community between those who would be most affected by either option. Clearly, more people have objected to the application than support it, perhaps reflecting the fact that more people live nearer to the proposed northern extension than to the existing permitted western extension. However, planning decisions should not be based simply on the numbers objecting or supporting proposals. Members

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must consider the planning merits of the application.

93. It has been shown in the above sections that the proposed development will give rise to some adverse impacts and some harm to the local environment and to local amenity. However, it has also been shown that these adverse impacts are all capable of being minimised by the imposition of condition(s) and/or by clauses in a legal agreement such that the land could be worked and restored in a satisfactory manner in accordance with adopted and emerging national, regional and local minerals and waste management policy, including the specific development plan policies referred to. On balance, I consider that subject to the imposition of the proposed mitigation and controls the proposed northern extension could better accommodate working than the existing permitted western extension. For this reason, and given the particular nature of the application, I consider that the waste elements of the proposed development accord with the principles of BPEO and are *“of the right type, in the right place and at the right time.”* I therefore recommend accordingly.
94. Notwithstanding the fact that the site is not identified specifically as a preferred area or site for future mineral working I do not consider that the application represents a departure from the development plan since it would not be contrary to those policies which seek to ensure high environmental standards and appropriate restoration of mineral sites and to protect rural areas and land in the Green Belt from inappropriate development. On this basis it is not necessary to refer to the application to the Secretary of State to decide whether she wishes to determine the application.

Recommendation

95. I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO the prior satisfactory conclusion of a legal agreement to secure the Heads of Terms given in Appendix 5 and the applicants meeting the County Council’s reasonable legal costs associated with this agreement and conditions covering amongst other matters: duration of the permission (until February 2042); requirement for annual progress reports; requirement for working and phasing programmes to be reviewed at 3-yearly intervals; maximum depth of extraction (30m AOD); wastes being restricted to those set out in the application; hours of operation; noise and dust controls; lighting (to minimise visual impacts); land stability (relating to the CTRL); vehicle movement restrictions; use of existing site access only; measures to minimise any adverse effects associated with any landfill gas and leachate control infrastructure; measures to minimise mud, dust and other debris being deposited in the highway (including the use of suitably contained or covered vehicles); landscape planting; removal of permitted development rights; working, restoration and aftercare schemes; surface water drainage; appropriate soil handling and storage; ecology (including monitoring of dust impacts on the SNCI); and archaeology and historic landscape.

Case Officer: Jim Wooldridge	Tel. no. 01622 221060
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Background Documents: see section heading.
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APPENDIX 1 TO ITEM C1

NOTES of a Planning Applications Committee Members' Site Visit to Pinden Quarry on Tuesday 15 May 2005.

MEMBERS PRESENT: Mr R E King (Chairman), Mr A R Bassam (Vice-Chairman), Mrs S V Hohler, Mr S J G Koowaree, Mr J F London, Mr T A Maddison, Mr A R Poole and Mr F Wood-Brignall.

OFFICERS: Mr J Wooldridge (Planning) and Mr A Tait (Legal and Democratic Services).

THE APPLICANTS: Pinden Ltd (Mr G East) with Mr I Thompson (Bureau Veritas).

OTHER LOCAL AUTHORITIES:

Dartford BC: Mr R Perfitt and Mr T Smith.

Darenth PC: Mrs I Gutteridge (Chairman), Mr R Gutteridge, Mr J Steggles (Clerk).

Longfield and New Barn PC: Mr A Butler, Mr J Drake, Mr R Eagles and Mr S Grainger.

Southfleet PC: Mrs M Salway

ALSO PRESENT were some 15 members of the public.

- (1) The meeting was held in the area of the proposed northern extension off Whitehill Road, Longfield.
- (2) The Chairman opened the meeting by explaining that its purpose was to enable the Committee Members to familiarise themselves with the proposed scheme and to listen to the views of those in attendance.
- (3) Mr Wooldridge briefly introduced the application, highlighting the salient points of the briefing note that had already been widely circulated. He said that planning permission had already been granted for chalk extraction and landfill (including hazardous waste) in the existing site and in the unworked area to the west. The applicants now proposed to work the 4.4 ha rectangular area to the north. If permission were granted, they would relinquish the western permission. The applicant had also agreed to reduce the proposed depth of extraction to ensure a similar volume of chalk reserve and resultant void space.
- (4) The application also proposed a series of perimeter bunds, which would provide visual and acoustic screening whilst enabling soils ultimately required for restoration to be productively stored on site. New hedgerows would also be established and gaps in the existing ones filled in both on and off-site to provide visual attenuation between the workings and neighbouring properties and provide landscape improvements.
- (5) The chalk would be extracted by mechanical excavators. Access and egress would be through the existing site onto Green Street Green Road, mainly turning right towards Dartford. Some traffic would turn left towards Longfield.
- (6) Mr Wooldridge said that a number of representations had been received from statutory

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consultees and the public. These were summarised in the briefing note.

- (7) Mr Wooldridge concluded his presentation by identifying the main determining issues. These were:-
- (a) the equity of the proposed land swap in the context of the need for chalk extraction and hazardous waste landfill;
 - (b) the suitability of the proposed northern extension for chalk extraction and hazardous waste landfill;
 - (c) the comparative merits of the permitted western extension and the proposed northern extension;
 - (d) potential pollution and amenity impacts;
 - (e) landscape and visual impact;
 - (f) traffic and associated impacts;
 - (g) Green Belt;
 - (h) Ecology; and
 - (i) Archaeology and the historic landscape.
- (8) In response to a question from the Chairman, Mr Wooldridge confirmed that the number of vehicle movements and the access arrangements for this application were identical to those for the already permitted western extension.
- (9) Mr East (Pinden Ltd) replied to a question from Mr Maddison by saying that the reason the applicants wanted to swap sites was to do with infrastructure. The application site bolted on to the current landfill area, whilst the neighbouring properties to the western extension lived closer to the area of operations than those neighbouring the proposed northern extension would.
- (10) Mr East responded to a question from a member of the public by saying that Pinden Ltd was not in the business of building and was not intending to apply for permission to build houses in the area of the western extension.
- (11) Mrs Gutteridge (Darenth PC) said that her Authority supported the proposal. The western extension was closer to farmland within Darenth Parish, so this application represented an improvement. The restoration scheme would be superb for the northern extension, whilst the land which would be used in the west was superior quality farmland. She did not wish to see development taking place in both areas, and believed that this was the best option available.
- (12) Mr Philip Memory from the Southfleet Quarry Action Group said that the reason for the proposed swap was identified in Section 7.1 of the application in which the applicants spoke of operational difficulties in the west. There were some seven or eight properties next to the permitted western extension. These had already been blighted as the western extension featured in all the local plans. In contrast, the proposed extension area was not identified in any local plan at all.
- (13) Mr Memory went on to say that over 120 local residents lived within a radius of 500 metres of the application site, whereas there were only 30 within the same radius from

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the western extension (there were more local residents within a 100m radius of the western extension than of the application site).

- (14) Mr Memory continued that the infill aspect of the proposal would lead to the loss of Grade 2 and 3 arable land, which produced Grade 1 vegetables for the supermarkets. This land had been farmed until recently.
- (15) Mr Memory then pointed out the view of Dartford, saying that the open landscape was very rare in the Borough and that it would be ruined by industrialisation if the application were permitted.
- (16) Mr Memory concluded by saying that two applications to work the site had been turned down in 1989 and 1991. On these occasions, the applicants had been unable to demonstrate an overriding case of need. He believed that the situation in the western extension was resolvable. The problem there was that the applicants would not be able to gain enough soil to provide sufficient protective covering for the asbestos that they buried underground. He urged the Committee to reject the application on the grounds that it was not a reasonable proposal.
- (17) Mrs Salway (Southfleet PC) said that her authority was strongly opposed to the application as it represented unacceptable development in the Green Belt and because of the loss of high quality arable land and loss of amenity for the local residents. She said that the original plans accompanying the application had not shown the local hamlets.
- (18) Mrs Salway continued that the application should not be seen as a like for like swap as the site was not designated as suitable for mechanical extraction or for landfill in any of the local plans. These were two separate matters. The land of the proposed northern extension was not owned by Pinden Ltd, but by a local farmer. If there was a problem with the western extension, it begged the question as to why that consent had been given in the first place. KCC would need to look again at the western extension when it came up for review in 2.5 years' time.
- (19) Mrs Salway asked the Committee to bear in mind that traffic from the development would need to travel through the villages of Longfield, New Barn and Southfleet in order to get to the A2. KCC should reconsider whether this activity was necessary in the light of its impact of the quality of life of a growing population.
- (20) Mr Ballard (local resident) said that he farmed the land that neighboured the western extension. Noting that the original consents dated back to 1947, he said that conditions had changed since that permission had been granted. More people lived to the west than had been the case sixty years earlier. If chalk extraction and landfill were to commence in the west, it would be taking place right next to his garden and would also make livestock farming extremely difficult. He understood that asbestos needed to be disposed of and therefore believed that the application represented a sensible solution.
- (21) A resident from Northdown Road in Longfield said that she had moved in to the area

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three years before. The Environmental Search had never highlighted that asbestos was being disposed of on the site. She asked how often the Environment Agency regulated the existing site.

- (22) Mr East replied that the Environment Agency came every three weeks. They were responsible for the Waste Management Licence and for the PPC Permit. The Health and Safety Executive had visited the site once in the previous 12 months.
- (23) Mr Memory said that the local MP had written on this question to the Environment Agency. The method of monitoring was that the company itself took readings and sent them to the Environment Agency.
- (24) A local resident said that she had seen Pinden Lorries emitting a suspicious cloud of blue dust. She asked what precautions were taken when asbestos was transported and whether there was an explanation for what she had seen. She asked the Committee to bear in mind the large number of schools in the locality.
- (25) Mr East said that asbestos was bagged and placed in sealed containers. He added that whatever the local resident had seen, it was certainly not blue asbestos as the company did not landfill this form of asbestos.
- (26) Mr Wooldridge said that the report to the Committee would address the issue of transportation and sheeting.
- (27) Mr Grainger (Longfield and New Barn PC) said that the Parish Council had made a commitment to keep its residents informed of the results of monitoring on and around the site.
- (28) A local resident said that if there had been no permitted western extension, this application would have been laughed out of court. It would have been inconceivable that permission could have been granted for someone to dig a hole in the middle of the Green Belt in an Area of Outstanding Natural Beauty so that they could tip asbestos into it (not to mention all the traffic impacts and inconvenience to nearby residents that this would cause).
- (29) Mrs Salway said that the entrance that had been used to get onto the site was an official entrance. She asked how the applicants could be prevented from using it if permission were granted. Mr Wooldridge replied that if permission were granted, the conditions would specify that this entrance could not be used. If the applicants wished to vary this permission, they would need to bring forward another proposal.
- (30) The Chairman thanked everyone for attending. The notes of the visit would be appended to the report to the determining Committee meeting.
- (31) After the meeting, Members viewed the existing operational chalk extraction, landfill and waste recycling areas to the south of the proposed northern extension and then toured the permitted western extension (travelling past the existing site access on Green Street Green Road).

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APPENDIX 2 TO ITEM C1

Drawing PQ11: Permitted phasing of extraction and restoration

Item C1

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APPENDIX 3 TO ITEM C1

Drawing 613745-PPREST/P1: Proposed phasing arrangements

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APPENDIX 4 TO ITEM C1

Planning Policy Context

National Planning Policies – the most relevant National Planning Policies are set out in PPG2 (Green Belts), MPS1 (Planning and Minerals), MPS2 (Controlling and Mitigating the Environmental Effects of Minerals Extraction in England), PPS10 (Planning for Sustainable Waste Management), PPS23 (Planning and Pollution Control) and Waste Strategy for England 2007.

Regional Planning Policies – the most relevant Regional Planning Policies are set out in RPG9 (as amended) and the emerging South East Plan. These include RPG9 Policies E2 (Biodiversity), E3 (Green Belts), E7 (Pollution Control and Air Quality), E8 (Soil and Land Quality), M2 (Recycled and Secondary Aggregates), M4 (Other Minerals), W3 (Regional Self-sufficiency), W4 (Sub-regional Self-sufficiency), W5 (Targets for Diversion from Landfill), W6 (Recycling and Composting Targets), W7 (Waste Management capacity Requirements), W13 (Landfill Requirements), W15 (Hazardous Waste) and W17 (Location of Waste Management Facilities) and emerging South East Plan Policies CC10a (Green Belts), NRM1 (Sustainable Water Resources, Groundwater and River Water Quality Management), NRM4 (Conservation and Improvement of Biodiversity), NRM7 (Air Quality), W3 (Regional Self-sufficiency), W4 (Sub-regional Self-sufficiency), W5 (Targets for Diversion from Landfill), W6 (Recycling and Composting Targets), W7 (Waste Management capacity Requirements), W13 (Landfill Requirements), W15 (Hazardous Waste) and W17 (Location of Waste Management Facilities), M2 (Recycled and Secondary Aggregates), M4 (Other Minerals), C3 (Landscape and Countryside Management) and BE7 (Management of the Historic Environment).

Kent and Medway Structure Plan (September 2006) – These include Policies SP1 (Conserving and Enhancing Kent's Environment and Ensuring a Sustainable Pattern of Development), SS2 (Extent of the Metropolitan Green Belt), EN1 (Protecting Kent's Countryside), EN3 (Protecting and Enhancing Countryside Character), EN8 (Protection, Conservation and Enhancement of Biodiversity), EN9 (Trees, Woodland and Hedgerows), QL7 (Archaeological Sites), QL9 (Historic Landscape Features), TP12 (Development and Access to the Primary / Secondary Road Network), TP15 (Development Traffic & Heavy Good Vehicles), NR5 (Pollution Impacts), NR8 (Water Quality), WM2 (Assessment Criteria for Waste Proposals), WM4 (Planning for Waste Management Capacity), WM5 (Waste Disposal to Land), MN1 (Sources of Minerals Supply), MN3 (Assessment Criteria for Minerals Proposals) and MN10 (Chalk and Clay).

Kent Minerals and Waste Development Scheme First Review (April 2006) – sets out the policies in the Kent Minerals and Waste Local Plans that are “saved” pending replacement by the new Kent Minerals and Waste Development Frameworks.

Kent Minerals Local Plan: Chalk and Clay/Oil and Gas (December 1997) – These include Policies CC1 and CC1A (Provision for Development), CC2 and CC2A (Protecting Environmental Resources), CC4 (Green Belt), CC12 (Noise, Vibration and Dust), CC13 (Groundwater), CC14 (Land Drainage and Flood Control and Unstable Land), CC15 (Nature Conservation), CC16 (Plant and Buildings), CC18 (Ancillary Operations), CC19 (Hours of

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Working), CC20 (Public Rights of Way), CC21, CC22 and CC23 (Archaeology), CC24 and CC25 (Road Traffic and Access), CC26 (Visual Impact and Landscaping) and CC27 (Aftercare).

Kent Minerals Development Framework Core Minerals Strategy Development Plan Document Submission Document (November 2006) – These include Policies CMS1 (The Supply of Minerals), CMS2 (The Community, Environment and Natural Resources) and CMS5 (Secondary and Recycled Materials).

Kent Minerals Development Framework Primary Development Control Policies Development Plan Document Submission Document (November 2006) – These include Policies MDC1 and MDC2 (Requirements for the Determination of Applications for Planning Permission), MDC3 and MDC4 (Highways & Transport), MDC5 and MDC6 (Water Environment), MDC9c (Historic Environment), MDC11c (Biodiversity & Geological Conservation), MDC13 (Landscape Character), MDC14 (Trees, Woodland & Hedgerows), MDC15 (Best & Most Versatile Agricultural Land), MDC16 (Green Belt), MDC17 (Planning Obligations) and MDC18 (Climate Change).

Kent Minerals Development Framework Construction Aggregates Development Plan Document Submission Document (November 2006) – The only relevant policy is Policy CA1 (Secondary and Recycled Materials).

Kent Waste Local Plan (1998) – These include Policies W1 (Provision for Waste Processing), W2 (Protecting Environmental Resources), W4 (Metropolitan Green Belt), W7 (Re-use), W9 (Waste Separation and Transfer), W12 (Landfill of Mineral Voids), W16 (Environmental Management), W18 (Noise, Dust and Odour), W19 (Groundwater), W20 (Unstable Land, Land Drainage and Flood Control), W21 (Nature Conservation), W22 and W23 (Road Traffic and Access), W26 (Hours of Working), W27 (Public Rights of Way), W28, W29 and W30 (Archaeology), W31 (Visual Impact and Landscaping), W32 (Aftercare).

The Borough of Dartford Local Plan (April 1995) – Identifies that the application site lies in the Metropolitan Green Belt (GB1-2) and is partially within land subject to a Channel Tunnel Rail Link safeguarding direction.

The Borough of Dartford Local Plan Review Second Deposit Draft (September 2002) – Identifies that the application site lies in the Metropolitan Green Belt (GB1-6), is partially within land subject to a Channel Tunnel Rail Link safeguarding direction and is close to overhead power lines (BE17).

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APPENDIX 5 TO ITEM C1

Heads of Terms for Legal Agreement

1. Applicant to covenant not to work the existing permitted western extension.
2. Applicant and landowner to covenant to implement and maintain off-site landscaping works (hedgerows) illustrated on Figure 5.9 (see Appendix 6).
3. Applicant to covenant to:-
 - (a) establish a formal local liaison group with invitees from representatives of the local community (e.g. from the County Council and Longfield and New Barn, Southfleet and Darenth Parish Councils) and hold regular liaison meetings or facilitate other suitable arrangements for discussion;
 - (b) establish, publicise and maintain a formal complaints procedure for the site; and
 - (c) seek to avoid rural lanes and minimise the routing impacts of its operations wherever possible.

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APPENDIX 6 TO ITEM C1

**Figure 5.9: Screen Vegetation and Mitigation Plan
(including off-site landscaping works)**

Item C2

Application for Change of Use from use in connection with plant hire business to use ancillary or incidental to, the adjoining Waste Recycling Facility. SH/07/589

A report by Head of Planning Applications Group to Planning Applications Committee on 19th June 2007.

SH/07/589 – Application by Hythe Plant Services for a change of use of land from use in connection with plant hire business to use ancillary or incidental to the operation of a waste recycling facility. Rear of Century House, Park Farm Road, Folkestone.

Recommendation: Permission be granted.

Local Members: Mr Robert Bliss

Classification: Unrestricted

Site Description

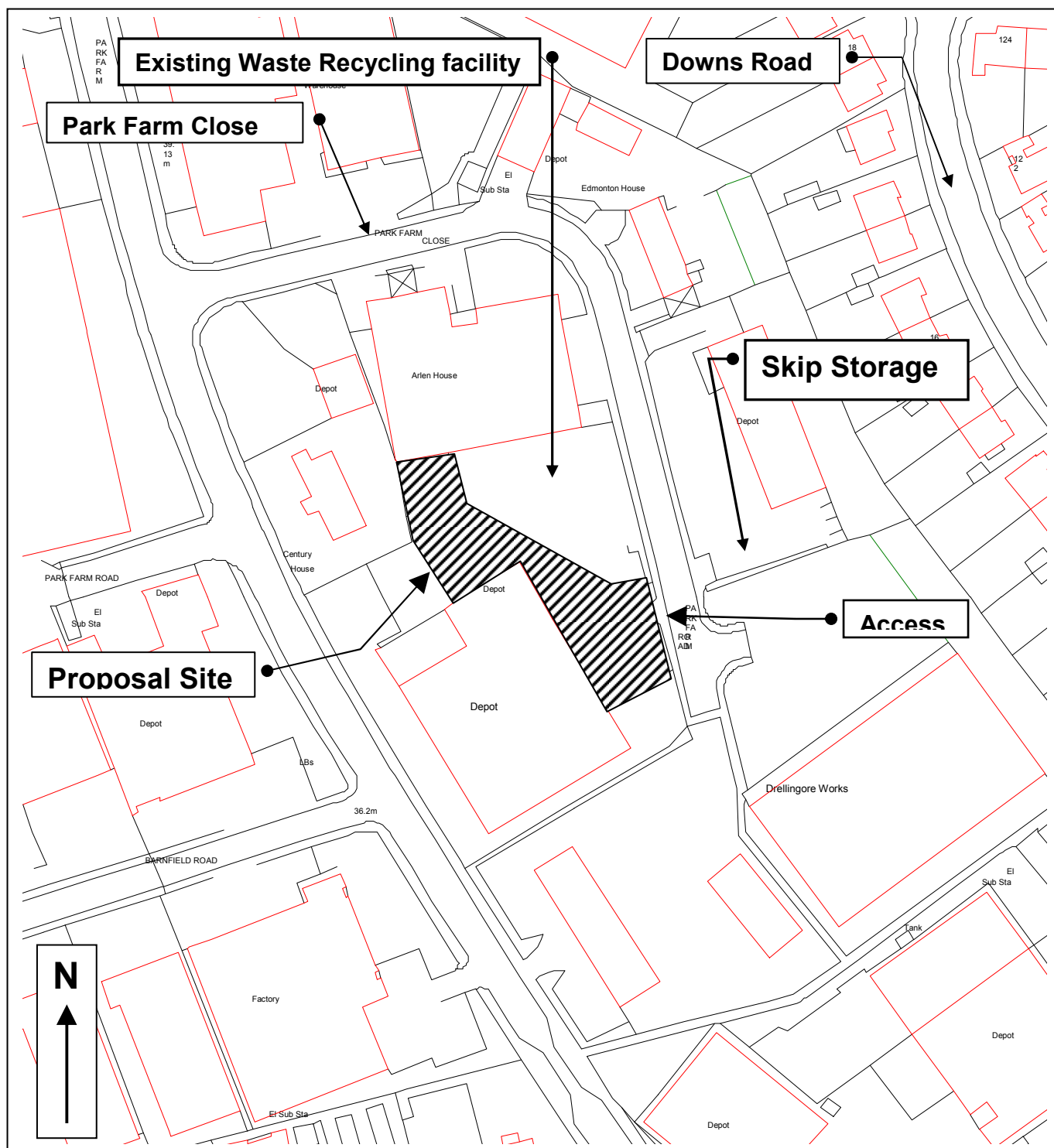
1. The 0.1-hectare application site is located in Park Farm Road, Folkestone. The site is located within Park Farm Industrial Estate, which has good access to the primary and secondary road network within the area particularly the M20, A20 and A259. Park Farm Close is in a shallow valley at the base of Sugarloaf Hill. Residential properties in Downs Road are the nearest sensitive receptors occupying rising ground 70 metres east of the site, in between which is a skip storage yard also operated by the applicant.
2. The site is set on land sloping down to Park Farm Close with the highest ground being in the north west corner of the site. It is set on a western slope of a shallow valley. The eastern slope of the valley begins on the eastern boundary of the Park Farm Industrial Estate. The rear gardens of Downs Road rise up to the elevated level of the road itself and the land continues to rise to the east. The land to the east is entirely residential in nature.
3. Hythe Plant Services is accessed from Park Farm Close on the periphery of the Industrial Estate. The immediate neighbours are mixed industrial, storage, distribution and construction companies.
4. There are no designations in the local plan on the land that comprises the application site. A site location plan is attached.

Background and History

5. Hythe Plant Services were originally granted planning permission for waste transfer and recycling on the 8th of April 1998 (Ref.SH/98/9). The permission related to a 10m by 17m site within the greater area of Hythe Plant services operating site.
6. A subsequent application (Ref. SH/01/50) was permitted on the 9th of March 2001 to extend the existing waste transfer and recycling area to conform with that covered by the Waste Management Licence. This approval did not change the nature of the permitted operations which included waste separation and bulking by hand sorting and mechanical screening using specified equipment.

Change of use ancillary or incidental to adjacent waste recycling facility. SH/07/589

Hythe Plant Services - Site Location Plan



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Change of use ancillary or incidental to adjacent waste recycling facility. SH/07/589

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7. In 2005 a further planning permission was granted (SH/05/274) to improve the existing working practices including the installation of a more efficient plant for increased waste recovery and/or recycling. This permission effectively tightened up controls on site, with regard to vehicle movements, hours of operation, mitigation measures against noise, dust odour and landscaping requirements.

Proposal

8. Planning permission is sought for a change of use of land adjacent to the existing waste transfer and recycling facility for use ancillary or incidental to these operations including a vehicle loading and manoeuvring area together with additional storage. Currently the land is in use in connection with Hythe Plant Services (HPS) plant hire business. The proposal does not seek to increase or intensify activities on site, solely to change the use of the land.
9. The 0.1 hectare parcel of land is proposed as being used as a vehicle loading and manoeuvring area along with 2 additional sleeper walled storage bays and space for 3 containers or skips awaiting export.
10. The applicant states that the sleeper walled storage bays are required due to economies of scale in recycling. At present HPS export loads of low bulk density materials such as wood and non-ferrous metals as they arise. However the applicants claim that this is uneconomical and undermines the principles of recycling, despite the specific market they supply. Therefore in this application HPS are requesting additional storage bays to allow for collection of economic payloads of such materials before they are bulked up and exported for re-use. It is also proposed that space be provided for up to 3 containers awaiting export.
11. The facility would operate between the existing operating hours of the site between 0730 and 1800 Mondays to Fridays and 0730 to 1300 on Saturdays, with no loading or unloading of vehicles occurring on Saturdays, Sundays or Bank Holidays only essential maintenance. The change of use will encompass all of the controls set out in the latest permission (Ref. SH/05/274) in respect of the existing waste transfer and recycling facility.
12. A landscaping scheme has been implemented under the 2005 application, and the applicant considers as no further obtrusive development would occur as a result of this latest application no further landscaping is justified.

Development Plan Policies

National Planning Policy

13. The most relevant policies are set out in PPG10 (Planning for Sustainable Waste Management), Waste Strategy 2000 (as amended in July 2005) and PPS23 (Planning and Pollution Control).

Regional Planning Policy

Change of use ancillary or incidental to adjacent waste recycling facility. SH/07/589

14. The most relevant policies are set out in RPG9 (as amended) and the emerging South East Plan. These include RPG9 Policies E7 (Pollution Control and Air Quality), W3 (Regional Self-sufficiency), W4 (Sub-regional Self-sufficiency), W5 (Targets for Diversion of from Landfill), W6 (Recycling and Composting), W7 (Waste Management capacity requirements) and W17 (Location of Waste Management Facilities). Emerging South East Plan Policies NRM (Air Quality), W3 (Regional Self-sufficiency), W4 (Sub-regional Self-sufficiency), W5 (Targets for Diversion from Landfill), W6 (Recycling and Composting Targets), W7 (Waste Management Capacity requirements) and W17 (Location of Waste Management Facilities).

- (i) The relevant policies in the adopted 2006 Kent and Medway Structure Plan are summarised as follows ;

Policy SP1	Seeks sustainable patterns and form of development.
Policy NR5	Development should be planned and designed to avoid or adequately mitigate pollution impacts.
Policy NR7	Protection of water quality
Policy TP15	Development, which generates significant increases in traffic, especially heavy goods vehicles, will not be permitted if it is not well related to the primary or secondary road network or if it would result in increased risk of crashes or significant traffic delays.
Policy QL1	Development should be well designed, be of high quality and respect its setting.
Policy WM1	Makes provision for the integrated management of waste reflecting BPEO, the national waste hierarchy and national targets for waste management.
Policy WM2	Proposals for the treatment, storage, transfer, processing or disposal of waste will be required to show that they represent the most efficient and environmentally sustainable method of managing a specific type of waste.
Policy WM4	The Kent and Medway Waste Local Development Frameworks will make provision for, and maintain, integrated waste management capacity sufficient for 15 years ahead.

- (ii) The adopted 1998 Kent Waste Local Plan:

Policy W1	Sets a hierarchy of waste managements methods based on principles of sustainable development for wastes arising in Kent, with in order of desirability: reduction; re-use; recovery - (a) recycling, (b) composting and (c) recovering energy and finally disposal.
Policy W3	Proposals only involving waste separation and transfer at locations outside those identified on the proposals map will not

Change of use ancillary or incidental to adjacent waste recycling facility. SH/07/589

	be permitted unless they can avoid the need for road access, or can gain ready access to the primary and secondary route network and preferably have potential for a rail or water transport link and are located within or adjacent to an existing waste management operation or within an area of established or proposed general industrial use.
Policy W6	In cases where demonstrable harm would be caused to an interest of acknowledged importance, need will be a material consideration in the decision.
Policy W7	Identifies locations considered to be suitable in principle for proposals to prepare category a waste for re-use together with generic site criteria.
Policy W9	Identifies locations considered suitable in principle for waste separation and recycling and sets out criteria against which other proposals not identified should be assessed.
Policy W16	When considering applications for waste management facilities, the planning authority will have regard to the industry's past record in respect of the environmental management of comparable operations.
Policy W18	Requires effective controls over noise, dust, odours and other emissions.
Policy W19	General protection of surface and groundwater interests.
Policy W22	Presumption against if the proposed access or necessary off-site highway improvements or the vehicles travelling to and from the site would affect in a materially adverse way safety of the highway network, the character of historic rural lanes of the local environment, including dwellings.
Policy W23	Prevention of mud and debris being deposited on the public highway.
Policy W25	Consideration of details relating to siting, design and external appearance of processing plant, hard surfacing, buildings and lighting.
Policy W26	The hours of operation of facilities will normally conditioned to between the hours of 0700 to 1800 Monday to Friday and 0700 to 1300 on Saturday. Any proposals to work outside these hours will be considered where operational factors justify greater flexibility.

(iii) The adopted 2006 Shepway Local Plan:

Policy SD1	Seeks for all development to take into account the broad aim of sustainable development.
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Change of use ancillary or incidental to adjacent waste recycling facility. SH/07/589

Policy BE1	Seeks for new development to be well designed and to respect its setting.
Policy E1	Seeks to allow Industrial or Commercial development or redevelopment in existing employment sites.
Policy U4	Seeks to protect surface and ground water resources.
Policy U7	In appropriate locations planning permission will normally be granted for development required as part of the process of recycling materials.
Policy TR3	Seeks to apply policies T18 and T19 of the Kent Structure Plan outside the urban areas.

15. Consultations

Shepway District Council: No comments received to date

Jacobs (Noise, Dust and Odour): Is of the opinion that there should be no detriment to residential amenity from the current proposal and therefore raise no objection to the proposal.

The Area Transportation Manager: No objection to the proposal. However condition requested to ensure that the area for vehicle manoeuvring is kept for that purpose.

Environment Agency: No objection. However requesting informative that adjustment of current Waste Management License will be recovered to cover new area.

Local Member(s)

16. The Local County Member for Folkestone, Mr Bliss was notified of the application on 26 April 2007. No comments have been received to date.

Publicity

17. The application was publicised by the posting of one site notice, advertisement in a local paper and the notification of 176 neighbouring properties.

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Representations

18. 5 letters of representation have been received to date. 4 Letters in Objection to the proposal and 1 in favour. The main points raised are as follows;

Objections

- Noise – concerns with banging of skips early in the morning and general operation of existing site.
- Dust – Problems with current activities emitting dust which is carried over to residential properties.
- Odour from materials being brought onto site.
- Increase in traffic
- Increase in activities

In Support

- In favour of recycling

Discussion**Introduction**

19. Section 36(b) 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. In addition there is a requirement to consider relevant national and regional policy.
20. Prior to the publication of PPS10 and revisions to Waste Strategy 2000 in July 2005, former advice required planning authorities to consider whether waste planning applications constituted the Best Practicable Environmental Option (BPEO). Case law established that consideration of BPEO against individual applications should be afforded substantial weight in the decision making process.
21. The new advice in PPS10 moves the consideration of BPEO principles to the Plan making stage where it is to be considered as part of the Sustainability Appraisal (SA)/Strategic Environmental Assessment (SEA) process applied to the Plan. However, where planning authorities' current waste policies have not been subject to the SA/SEA process (as is the case with the Kent Waste Local Plan), it is appropriate to consider planning applications against the principle of BPEO.
22. Until such time as the Kent Waste Development Framework (WDF) reaches a more advanced stage, applications will be considered against Policy WM2 of the Kent & Medway Structure Plan to ensure that they deliver facilities that are "*of the right type, in the right location at the right time*". This is fully consistent with the approach Local Planning Authorities are advised to adopt as set out in PPS10. This approach is also consistent with the underlying principles of the emerging South East Plan.
23. The adopted Kent and Medway Structure Plan (2006) is based on the principles of sustainable development. Policy SP1 seeks to achieve a sustainable pattern and form of development, which reduce the need to travel. Policies WM1, WM2 and TP15 set out the broad strategic objectives against which applications for waste management facilities will be considered.

Change of use ancillary or incidental to adjacent waste recycling facility. SH/07/589

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24. Similarly Policy W1 of the adopted Kent Waste Local Plan supports the objective of making provision for Kent's waste arisings in a sustainable manner. Policies W2, W3, W6 W7 and W9 identify the locational criteria against which individual proposals will be considered, whilst policies W16 to W26 set out the operational criteria.

Key Issues

25. Accordance with Development Plan policy and demonstration as to whether the proposal is of the right type in the right location at the right time can be assessed in relation to the following issues: need for waste transfer facilities generally and for this particular facility; sources of waste and proximity principle; location (available alternatives); environmental and amenity impacts; access and routeing; the scale and intensity of the proposed development; the track record of the industry; and the proposed level of environmental safeguarding given the current available control regimes.

Need

26. This application seeks approval for change of use of land to a use ancillary to the existing adjoining permitted waste recycling operations. This application does not seek to increase or intensify activities on site, only to allow additional space for storage and vehicle maneuvering. The existing site is extremely compact in nature, the application can therefore be seen to potentially help with the practicalities of day to day operations and also help improve their economic viability with regards to storage and exportation of low bulk density materials.
27. The case of need put forward by the applicant for the proposed use of the application site in conjunction with the existing waste recycling side of the business is that it will enable a more defined loading and manoeuvring area. The applicants claim that giving improved site circulation whilst not intensifying the overall use in terms of the existing site capacity as stated in the supporting statement.

Sources of Waste and Proximity PrincipleLocation and Size of Site*Location*

28. Policy W17 of the 'Proposed alterations to Regional Planning Guidance, South East – Regional Waste Management Strategy' states that development plans should in identifying locations for Waste Management Facilities, give priority to safeguarding and expanding suitable sites with an existing waste management use and good transport connections. It also sets out criteria to guide the location of waste management facilities to other sites. Policy W1 of the Kent Waste Local Plan refers to the waste hierarchy and states that permission will be given (amongst other options) to proposals to reduce, re-use, or recover waste materials at locations identified and under circumstances specified in the plan. Policy W9 identifies 21 locations across Kent, which are considered to be suitable in principle for proposals for waste separation and transfer. The application site is not one of those locations.

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29. For proposals, which are outside of the identified locations in Policy W9, it is stated that they should be considered against whether they:
- (a) Seek to minimise impacts on local and natural environments (in particular major concentrations of population and important wildlife sites) consistent with the principles of environmental sustainability.
 - (b) Have, or could secure in an acceptable way, ready access to the main road network, or to a rail or water link provided that there is acceptable access also to an appropriate road network.
 - (c) Are within or adjacent to existing waste management facilities or is part of a location within an established or committed general industrial type area (that is those with a significant proportion of B2 to B8 uses, or with major industrial type development such as power stations).
30. Additionally Policy W3 of the Waste Local Plan seeks for proposals which involve waste processing and transfer at locations outside those identified on the proposals map to not be permitted unless they (i) can avoid the need for road access or can gain ready access to the primary or secondary route network and preferably have potential for a rail or water transport link and (ii) are located within or adjacent to an existing waste management operation, or within an area of established or proposed general industrial use where the former is a temporary use, permission will only be granted for the duration of the primary use.
31. In terms of concordance with policies W3 and W9, the site is located on the edge of the Park Farm Industrial Estate in Folkestone. Whilst the nearest sensitive receptors are some 70 metres away from the application site, in between which there are nevertheless other industrial type developments including the applicants' skip storage yard. Additionally measures are required by condition under the latest permission (Ref. SH/05/274) in respect of their existing Waste Transfer and Recycling facility, to mitigate its potential impacts from noise, dust and odour and which therefore remain enforceable. As previously stated the current proposal is not intending to expand operations on site to the extent that they would result in any increased disturbance to the locality.
32. The site is within easy access of the main transport links of the M20, A20 and A259. Furthermore, being adjacent to an existing waste processing facility in my view the proposal is also consistent with the requirements of Policy W17 of the Draft South East Plan and Policy W9 of the Kent Waste Local Plan.

Size of site

33. The existing Waste Management facility is extremely compact which in the past has led to operational difficulties. Therefore the expansion of the site into the application area is intended to relieve this confinement by providing greater room for storage and manoeuvring and loading of vehicles. The applicants claim this will also offer the benefit of allowing safer working practices.

Change of use ancillary or incidental to adjacent waste recycling facility. SH/07/589

Amenity Impacts (noise, dust, odour and visual impact)

38. Policies W9 and W18 of the Kent Waste Local Plan require the Planning Authority to be satisfied as to the means of control of noise, dust, odour and other emissions, particularly in respect of the potential impact on neighbouring land uses and amenity. Given that it is not intended to intensify the existing operations by way of increased site capacity, I am satisfied that provided appropriate conditions are imposed on any future similar to those which apply to the existing operations to control such matters, the proposed development would not result in any adverse impacts.

Noise

39. A number of residents have raised objection on the grounds that the site currently causes noise disturbance through banging of skips in the early hours of the morning. Activities are currently permitted from 0730 hours until 1800 Monday to Friday with no waste processing or loading occurring on Saturdays, Sundays or Bank Holidays. The current application does not involve waste processing and would not result in any increase in operations to the existing site. On previous monitoring undertaken by the County Council at the site following the receipt of complaints about noise, the source of the complaints were found to be attributable to the applicants skip storage facility across the road abutting the residential properties of Downs Road.

Dust

40. It is proposed that steps would be taken to ensure that dust would not leave the boundaries of the site. This would include the dampening down of the access and all concreted areas to settle any dust, the removal of any deposits as required and the height of the stockpiles of waste being kept to a minimum. A road sweeper would also be utilised. There is a dust suppression system (i.e. mist air system) installed and currently in operation. Its use is currently conditioned through permission SH/05/274. In the event that Members are minded to grant permission I would recommend that a condition be imposed requiring the deployment of a similar system in respect of the application site.

Odour

41. With regard to odour, the applicant has stated that in view of the nature of the wastes received at the site, which excludes any putrescible materials, it is unlikely that any odours would arise. However should any such wastes be found, then it is proposed to place it within a residue bin and take it off site to the nearest available suitable licensed facility within 24 hours of it being found. Additionally green waste, which has the potential to become odorous, will be conditioned to be taken off site to a licensed composting facility within 48 hours of its arrival, or before the end of work on a Saturday morning.

Change of use ancillary or incidental to adjacent waste recycling facility. SH/07/589

Traffic, Access and Routeing

42. Policy T18 of the Kent & Medway Structure Plan and policies W3, W9 and W22 of the Kent Waste Local Plan seek to ensure that the proposed development is well related to the local highway network as well as having adequate access to the site itself. The application would not result in any additional traffic above that already permitted, and would allow the creation of an additional area for vehicle to park and manoeuvre within the site.
43. This application proposes to access the site using the entrance to the existing waste management facility off Park Farm Road Close. There has been previous concerns raised by members of the public over vehicles associated with HPS parking on the footpath along this route. In my opinion this application would help alleviate this problem through the creation of additional space to allow for vehicles to park within the site as well as increasing the manoeuvring and loading/unloading area.

Landscape and Visual impact

44. A landscaping condition was imposed and a scheme subsequently implemented under the terms of the latest permission in respect of the existing Waste Management Facility. No further landscaping is proposed in this application on the basis that the applicant considers the development would not result in any additional visual impacts.
45. Given the location of the site in relation to the surroundings which is of a general industrial type area, in my view provided the height of any stockpiled materials are restricted to the same height as those on the adjoining site, I agree additional landscaping to that already undertaken is not warranted.

Other Issues*Hours of Operation*

46. Proposed hours of operation are between 0730 and 1800 Mondays to Fridays excluding Bank and Public Holidays. No waste processing activities, loading or unloading of Heavy Goods Vehicles or depositing or emptying of skips would take place outside of these hours. In addition only essential plant and vehicle maintenance would take place outside of these hours from 0730 and 1300 on Saturdays excluding public Holidays. These are the standard working hours for waste facilities as set out in the development plan and would in my opinion be appropriate for this site.

Conclusion

47. There is general support for applications for waste reuse and recycling within European, National and Regional Policy, subject to certain criteria being met. This support is also reflected in the development plan policies, which need to be applied in determining the application.

Change of use ancillary or incidental to adjacent waste recycling facility. SH/07/589

48. As a general point notwithstanding objections I have received to the proposal on the grounds of noise and disturbance caused by the existing Waste Transfer and Recycling operations which adjoins the site, I would remind Members that the application is not for any increase in waste processing activities, vehicle movements or extension of hours. It has been submitted purely on the basis that by allowing the expansion of what is currently a very constrained existing waste facility into a larger adjoining area, it will help improve overall the operational aspects of the facility and ease pressure including the need for vehicles to park immediately outside the site.
49. Secondly, I would wish to point out that HPS also operate a skip storage business opposite their existing site which backs onto the residential properties of Downs road and which is the subject of a separate permission granted by Shepway District Council (Ref. Y04/1419/SH). As referred to in paragraph 39. above, following my investigations into previous noise complaints at the site, the disturbance was found to be attributable to this activity as opposed to the waste recycling facility. Whilst the objections raised by local residents in relation to the disturbance caused by the applicants existing permitted activities are not directly material to the determination of the current application, I am currently pursuing these with HPS separately.
50. Notwithstanding objections raised to the application, particularly regarding noise, dust, odour and traffic, having regard to the views of statutory consultees, I am satisfied that with the imposition of appropriate conditions, operations could take place at the site without having any adverse impact on the locality. In my view what is proposed is likely to lead to an overall improvement to the operational aspects of the facility. I therefore recommend accordingly.

Recommendation

51. I RECOMMEND that PERMISSION BE GRANTED, subject to conditions covering amongst other matters limitations on stockpile & container heights, hours of operation, vehicle movements, noise, dust, odour and windblown litter.

Case officer – Shaun Whyman	01622 221055
Background documents - See section heading	

DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

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 other documents as might be additionally indicated.

Item D1

New Sports Field for Harrietsham Church of England Primary School -MA/07/482

A report by Head of Planning Applications Group to the Planning Applications Committee on 19 June 2007.

Full planning application for the construction of a new sports field on Tong's Meadow for Harrietsham Church of England Primary School, and the erection of a low level black mesh fence around the perimeter of the playing area. The proposals include localised re-grading of the landscape to suit the slope of the site and the levelling of the pitch, at Tong's Meadow (between Harrietsham CEP School Nature Garden and the railway line), north of West Street, Harrietsham. Ref. MA/07/482.

Recommendation: PERMISSION BE GRANTED

Local Member: Lord S. Bruce-Lockhart OBE

Classification: Unrestricted

Introduction and Site

1. Planning permission was granted for a replacement Primary School at Tong's Meadow, Harrietsham, in December 2004. The school is now complete and fully operational. Harrietsham Primary School occupies a site of approximately 1.9 hectares, situated to the north side of West Street, close to the edge of the built confines of Harrietsham village. The school building is located to the south west of the site, accessed from West Street. To the north east of the school building lies the School's Nature Garden, beyond which open grassland, which is within County ownership, extends to the north and east. The Nature Garden is fenced with low level black mesh fencing. A Public Right of Way runs to the south of the Nature Garden, and a second Public Right of Way was diverted, under the planning permission for the school, to run through the Nature Garden itself. The playing field is proposed to be sited parallel to the eastern boundary of the Nature Garden on an area of irregularly mown grassland. A railway line is located to the north of the school site, and a new housing development is situated to the east.
2. The application site is within the North Downs Special Landscape Area and outside of the Harrietsham village boundary, as defined in the Adopted Maidstone Borough Local Plan. In addition, the Kent Downs Area of Outstanding Natural Beauty is located to the north of the railway line. A site plan is attached.

Background

3. The principle of a change of use for this part of Tong's Meadow to accommodate a sports field was established by the planning permission MA/00/2019, granted by Maidstone Borough Council in 2001. Permission was granted for a change of use from agricultural land to amenity land with associated access provision, including the principle of construction of a sports pavilion with related equipment store and associated parking provision. This permission expired in December 2006.

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4. This application has been subject to minor amendments due to an initial objection from the County Public Rights of Way Officer, and following receipt of a full topographical survey. The amendments involved a 10-metre alteration to the location of the sports field, and the inclusion of a surfaced footpath, connecting the School with the proposed playing field. It is the revised proposal that will be discussed throughout this report.

Proposal

5. This application has been submitted by KCC Children, Families and Education and proposes the construction of a new sports field on Tongs Meadow for Harrietsham Church of England Primary School (CEPS), and the erection of a low level black mesh fence around the perimeter of the playing area. The proposals also include localised re-grading of the landscape to suit the slope of the site and the levelling of the pitch. The application site is located between Harrietsham School's Nature Reserve, and the railway line, to the north of West Street, Harrietsham.
6. The applicant advises that Harrietsham Primary School is currently restricted to a small, sloping hard playground and a multi-purpose hall for Physical Education lessons, which is not appropriate for some sporting activities, and does not allow the School to host a sports day. The Education (School Premises) Regulations 1999 set out minimum standards for the size of playing fields for primary schools, based on the number of pupils within specific age ranges. Harrietsham CEPS currently has 64 pupils between the ages of 4 and 7 years, 62 pupils between the ages of 8 and 10 years, and 15 pupils of 11 years old. For a school with 100 or fewer pupils ages between 8 and 11 years the minimum total area of playing field required is 5000 square metres.
7. The proposed playing pitch would be located as close to the school as possible, just a short walk across the meadow, adjacent to the School's existing Nature Garden. A 45 x 90 metre playing field, with a 3 metre run off zone on all sides is proposed. This would meet the minimum standards set out in the School Premises Regulations. This size of pitch is the smallest standard format football pitch which would allow for its use by the school, as well as amateur football clubs or community sports teams out of school hours.
8. Tongs Meadow slopes from north to south and, therefore, some levelling would be required to optimise its use for sports purposes. However, the applicant advises that the proposed sports field has been carefully positioned on the flattest part of the meadow, and that the pitch would be re-seeded with hard wearing grass seed. The positioning would minimise the amount of cut and fill required to level the pitch, and minimise the extent of landscape re-grading around the pitch. There are no plans to import or export soil to/from the site.
9. A 1.08 metre high black mesh fence is proposed to enclose the sports field to prevent dogs fouling the pitch. The fencing and the access gates have been specified to match the existing fencing around the schools Nature Garden. Pedestrian routes between the existing fencing around the Nature Garden and proposed fencing around the sports field would be maintained. The sports field would be accessed from the School by foot, via a surfaced footpath. The applicant proposes that a 'Technix', or similar, rubber grass mat would be used to surface the public footpath from the top of the sloped path, which already has a grasscrete finish running down the eastern side of the school, along to the entrance gate of the sports field. This surface would allow grass to grow through,

**New Sports Field for Harrietsham Church of England Primary School
-MA/07/482**

reducing its visual impact, whilst also providing a surface suitable for access for wheelchairs and pushchairs.

10. Access for a tractor mower, to maintain the pitch, would be provided via the existing 3 metre wide track from West Street, which runs up the eastern boundary of the school site. This would join the access path to the playing field. 2 key-locked removable bollards would be located at the entrance to the mower track to prevent unauthorised vehicular access. The access track would also provide a temporary access route for construction vehicles during the construction of the playing field. This would be under strict supervision of banks men controlling the vehicular movements and ensuring safety for pedestrians.
11. This application is accompanied by an Ecological Survey, which is in draft form as it has been prepared to be submitted in support of an European Protected Species (EPS) Licence application. The Survey provides details of the protected species found on Tong's Meadow and the surveys and mitigation works, associated with the construction of Harrietsham Primary School, which have been carried out to date. The report concludes that the impact of this proposed development upon ecological issues would be limited to the loss of good herpetofauna terrestrial habitat, with no impact upon birds, bats, dormice or badgers being anticipated. However, the survey indicates the presence of a Reptile and Great Crested Newt population and, therefore, an European Protected Species Licence would need to be applied for should planning permission be granted. The report also outlines mitigation measures to ensure that Great Crested Newts and Reptiles would not be adversely affected.
12. No tree or shrub planting is proposed around the pitch. The applicant is not proposing any floodlighting, or fixed benching for spectators.

Reduced copies of the submitted drawings showing the site layout are attached.

Planning Policy

13. The Development Plan Policies summarised below are relevant to consideration of the application:

(i) The Kent & Medway Structure Plan: Adopted 2006:

Policy SP1 - Seeks to conserve and enhance Kent's environment and ensure a sustainable pattern of development.

Policy QL1 – Seeks to conserve and enhance the environment through the quality of development and design.

Policy QL12- Provision will be made for the development of local services, including schools, in existing residential areas. Flexibility in the use of buildings for mixed community uses, and the concentration of sports facilities at schools, will be encouraged.

Policy QL17- The Rights of Way network will be protected and enhanced.

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-MA/07/482**

Policy EN1 - Kent's countryside will be protected, conserved and enhanced for its own sake. Development in the countryside should seek to maintain or enhance it.

Policy EN4- Protection will be given to the nationally important landscapes of the Kent Downs and High Weald Areas of Outstanding Natural Beauty. The primary objective of these areas will be to protect, conserve and enhance landscape character and natural beauty.

Policy EN5 – The primary objective of designating Special Landscape Areas is the protection, conservation and enhancement of the quality of their landscapes, whilst having regard to the need to facilitate the social and economic well-being of the communities situated within them.

Policy EN8 - Wildlife habitats and species will be protected, conserved and enhanced. Development likely to have an adverse effect, directly, indirectly or cumulatively, on important habitats or species, will not be permitted unless the adverse impact on an important nature conservation resource can be adequately mitigated and/or compensated.

(iii) Maidstone Borough Local Plan: Adopted December 2000

Policy ENV2 – Planning permission will not be granted for development in the defined urban area and village settlements unless:

- (1) proposals relate sympathetically to the context provided by their setting and by adjoining buildings with regards to scale, height, proportion, detailing and materials, building frontages, topography, public views, landmark buildings, existing landscape features, highways and car parking; and
- (2) due regard is given to the reasonable enjoyment of their properties by neighbouring occupiers.

Policy ENV26-Permission will not be granted for development affecting a Public Right of Way unless the proposals include either the maintenance or the diversion of the Public Right of Way as a route no less attractive, safe and convenient for public use.

Policy ENV28- In the countryside planning permission will not be given for development which harms the character and appearance of the area or the amenity of surrounding occupiers.

Policy ENV34 – In Special Landscape Areas particular attention will be given to the protection and conservation of the scenic quality and distinctive character of the area and priority will be given to the landscape over other planning considerations.

**New Sports Field for Harrietsham Church of England Primary School
-MA/07/482**

Policy ENV40 – If features of nature conservation interest are discovered, planning permission will not be granted for development unless the development would not harm those features, the features will be protected from harm either in situ or by transfer to another habitat, or the importance of the development outweighs the value of the features.

Consultations

14. Maidstone Borough Council: raises no objection.

Harrietsham Parish Council: raises no objection to the initial proposal. No comments have been received to date with regards to the amended proposal.

English Nature: raises no objection to the application in relation to protected species, subject to the inclusion of conditions covering the submission of mitigation strategies for Great Crested Newts and Reptiles.

Divisional Transport Manager: raises no objection.

Public Rights of Way Officer: raises no objection subject to agreement on a suitable path surface for the section of path affected by the development.

Sport England: supports the application.

Local Member

15. The Local Member, Lord Sandy Bruce-Lockhart OBE, was notified of the application on the 2 March 2007, and comments as follows:

“I fully support this application, it has been intensely frustrating that this has taken so long, and I ask that it is dealt with and agreed as a matter of priority.”

Publicity and Representations

16. The application was publicised by advertisement in a local newspaper, the posting of site 2 notices, and individual neighbour notification letters to 5 local residents. One letter of representation has been received to date, and the points of concern and objection are summarised below:

- Raises no objection to the new sports field for Harrietsham School;
- The low black mesh fencing that is proposed around the field is an eyesore. The matching fencing around the Nature Garden is already an eyesore;
- A low natural fence would look better and would blend in with the countryside;

**New Sports Field for Harrietsham Church of England Primary School
-MA/07/482**

Discussion

17. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph (13) above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.
18. Policies SP1 and QL1 of the Kent and Medway Structure Plan & Policy ENV2 of the Maidstone Borough Local Plan, seek to conserve and enhance the environment and require development to be well designed and respect its setting. This is particularly relevant to this site which is within a Special Landscape Area, and in close proximity to an Area of Outstanding Natural Beauty, areas which are subject to policy designations which intend to protect, preserve and enhance the quality of the landscape.

Siting and Design

19. As detailed in paragraphs 5-12 above, this application proposes the construction of a new sports field on Tongs Meadow for use by Harrietsham Church of England Primary School (CEPS). Although the application site is within a Special Landscape Area, and in close proximity to an Area of Outstanding Natural Beauty, no objection has been raised to the siting of the pitch. The sports pitch would be located upon an area of existing grassland, adjacent to the Schools Nature Garden. It is also located on a site that benefited from an earlier planning permission for a sports pitch that lapsed unimplemented in December 2006.
20. The pitch is proposed upon the flattest part of the meadow in an effort to reduce the amount of cut and fill required to level the pitch, and to minimise the extent of landscape re-grading around the pitch. It is not expected that any soil will have to be imported or exported from the site. Once levelled, the area would be seeded with a hard wearing grass seed, which once established would mitigate any visual impacts of the levelling and regrading. Therefore, I do not consider that the sports pitch itself would have any adverse impacts upon the landscape character of the locality nor on the natural beauty of the adjacent Area of Outstanding Natural Beauty. Moreover, I consider that the provision of the sports pitch is in accordance with the general thrust of Development Plan Policies which seek to protect, conserve and enhance the quality of the environment, particularly within a Special Landscape Area.
21. Although no objection or concern has been expressed with regards to the sports pitch itself, a local resident raises strong objection to the type of fencing proposed to secure the pitch. The applicant proposes to erect a 1.08 metre high black mesh fence to enclose the sports pitch in order to prevent dogs fouling on the field. The proposed fencing and access gates have been specified to match the existing fencing that encloses the Schools Nature Garden. The local resident suggests that a natural fence would look better, and blend in with the countryside. In response to this objection, the applicant has commented as follows:

“Whilst an objection has been raised to the proposed fencing, we believe that it is appropriate to match the adjacent fencing, rather than adding a third type of

**New Sports Field for Harrietsham Church of England Primary School
-MA/07/482**

fencing which would add to the visual clutter on the green field site. The other type of fencing on the meadow, stock proof fencing, is not deemed to be appropriate to enclose the sports field.”

22. I agree that the introduction of a third type of fencing on the site would be inappropriate in this location, and would have a detrimental impact on the landscape quality of the site. I consider that as the proposed fencing would be at a height of only 1.08 metres, finished in black, and would match existing adjacent fencing that it is appropriate for the context of the site. In addition, the proposed fencing is fit for purpose, and would enable the pitch to be secured. Under the circumstances, I see no objection from a planning policy point of view to the fencing, and consider that the proposed development is acceptable in terms of scale, mass and siting.

Ecology

23. As this proposal involves localised land regrading, and levelling of the pitch, the ecological impacts of these works need to be considered. The topsoil from the meadow would need to be removed, and heavy plant would need to access the site to be able to undertake these works. As a result of this, an Ecological Survey was submitted with this application, which provides details of the protected species found on Tong's Meadow, and the surveys and mitigation works that were undertaken in association with the construction of Harrietsham CEPS. The report concludes that the ecological impact of the proposed development would be limited to the loss of good herpetofauna terrestrial habitat, with no impact upon birds, bats, dormice or badgers being anticipated. However, the survey indicates the presence of Reptiles and a Great Crested Newt population within the locality. Therefore, should planning permission be granted, the applicant would need to obtain an European Protected Species Licence from Natural England. Natural England are satisfied that the proposed development would not have a detrimental impact upon protected species, subject to the submission of mitigation strategies for Great Crested Newts and Reptiles. Therefore, subject to the imposition of planning conditions to ensure that mitigation strategies are submitted and approved prior to the commencement of development, I consider that this proposal would not have a detrimental effect on local wildlife and/or protected species.

Public Right of Way

24. Although this application does not necessitate the diversion of a Public Right of Way (PROW), a PROW runs to the south of the Nature Garden and the application site, whilst a second PROW runs to the west of the application site and through the east side of the Nature Garden. The applicant proposes to access the site via the PROW which runs to the south of the Nature Garden. It is proposed that a rubber grass mat would be used to surface the footpath from the top of the sloped path, which runs down the eastern side of the school and which already has a grasscrete finish, along to the entrance gate of the sports field. The surface would allow grass to grow through it, mitigating its visual impact, whilst also providing a surface suitable for access for wheelchairs and pushchairs. Access for a tractor mower, to maintain the pitch, would also be provided via the footpath. However, 2 key locked removable bollards would be located at the entrance to the track, which runs to the eastern side of the school, to prevent unauthorised vehicular access. This access would also be used as a temporary access route for construction vehicles during the construction of the playing field. As this would be under the strict supervision of banksmen, controlling vehicular

**New Sports Field for Harrietsham Church of England Primary School
-MA/07/482**

movements, I consider that this access is appropriate for use during the construction phase.

25. The County Public Right of Way Officer raises no objection to the proposed development subject to an agreement on a suitable surface for the section of path affected by the development. Therefore, should planning permission be granted, I consider that subject to the imposition of a condition requiring details of the surfacing to be submitted for approval prior to the commencement of development, that the proposal would not have an unacceptable impact upon the PROW.

Need

26. As detailed in paragraphs 6 & 7 of this report, Physical Education lessons at Harrietsham CEPS are currently undertaken on a small sloping hard surfaced playground and within a multi-purpose hall, which is not appropriate for some sporting activities and does not allow the school to host a sports day. The proposed playing pitch would meet the minimum standards set out in the School Premises Regulations, and at 45 x 90 metres is the smallest standard format football pitch. I consider that a case of need for the facility has been provided by the applicant, and is considered appropriate in this case.

Conclusion

27. In summary, I consider that there are special circumstances to justify the proposed development within a Special Landscape Area and within close proximity to an Area of Outstanding Natural Beauty. I consider that the siting and design of the sports pitch, and associated access works, would not have a detrimental effect on the amenity of local residents or the character and appearance of the Special Landscape Area, nor on the nearby Kent Downs Area of Outstanding Natural Beauty. Overall, I consider that the design solution proposed is a sensitive approach to the landscape aspects relevant to this particular location. Subject to the imposition of conditions, I am of the opinion that the proposed development would not give rise to any material harm and is otherwise in accordance with the general principles of the relevant Development Plan Policies. Therefore, I recommend that permission be granted subject to the imposition of appropriate conditions.

Recommendation

28. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT TO conditions, including conditions covering:
- the standard time limit;
 - the development to be carried out in accordance with the permitted details;
 - the submission of ecological mitigation plans;
 - details of the surfacing to the PROW;
 - hours of working during construction;
 - prevention of mud being deposited in the highway;

Case officer – Mary Green	01622 221066
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Background documents - See section heading
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Item D2**Storage of dry chippings in existing lay-by - A249
Stockbury - MA/07/607**

A report by the Head of Planning Applications Group to the Planning Applications Committee on 19 June 2007.

Application by Kent Highways Partnership for the storage of dry chippings in an existing lay-by on the A249 at Stockbury, Maidstone.

Recommendation: Planning permission be permitted subject to conditions.

Local Member(s): Lord Bruce-Lockhart OBE

Classification: Unrestricted

Site

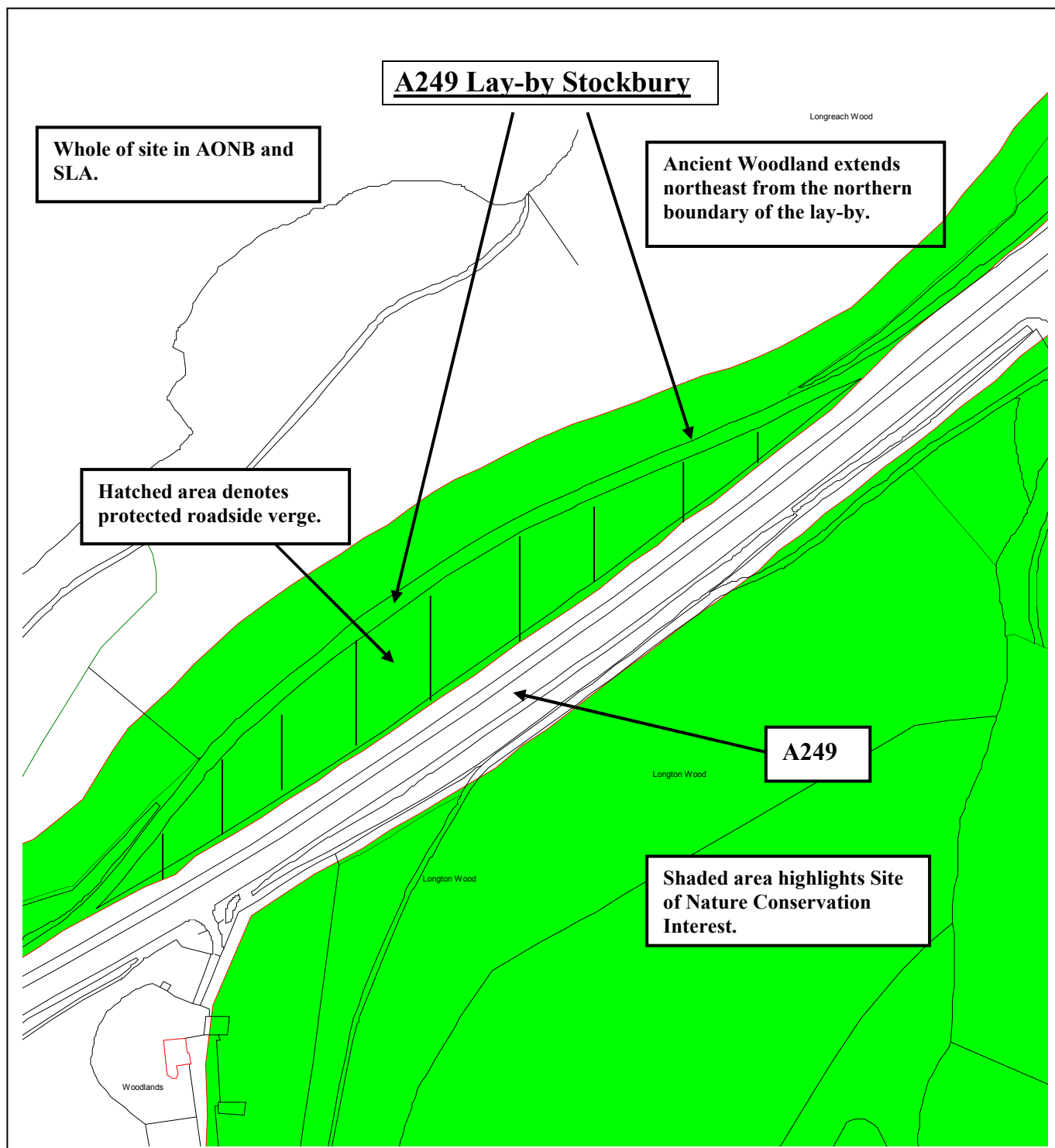
1. The site for development is a disused lay-by on the eastbound carriageway of the A249 at Stockbury, near Maidstone. The A249 is a Trunk Road dual carriageway connecting the M2 and M20 between Sittingbourne and Maidstone. The site is situated in an Area of Outstanding Natural Beauty, a Special Landscape Area, and a Site of Nature Conservation Interest. It is also a protected roadside verge within the Maidstone Local Plan and the lay-by borders an area of Ancient Woodland. A site location plan is attached.

Proposal

2. The proposal seeks to bring the existing disused lay-by back into use by using it as an open storage facility for the storage of road surface dressing and gripfibre material. The two materials are both dry stone chippings differing insofar that the gripfibre chippings are slightly smaller in size, (from hereafter both materials will be referred to as dry chippings). The proposal seeks to use the lay-by operationally between April and September annually with up to 60 vehicle movements daily during this period. It is not intended for the lay-by to be in operational use during the rest of the year except for the storage of dry chippings.
3. Kent Highway Services' vehicles would enter the lay-by from the western end and exit from the eastern end, both of which are currently blocked off with large concrete blocks. The concrete blocks would be removed and replaced with steel lockable gates, but returned during non-operational periods to enhance site security.
4. The surface dressing material would be stored along the edge of the lay-by adjacent to the protected roadside verge. It can be seen by the plans on page D2.3 that the proposal does not seek to store dry chippings the entire length of the lay-by but rather a section 150 metres in length, upto 6.5m wide and 2m in height. The particular section of lay-by chosen as the permanent site for storage was due to it being the widest and possessing the most comprehensive level of vegetation cover in the protected verge, reducing the potential for the development to be visible from the A249. In order to prevent the spillage of dressing material on to the protected verge a barrier would be constructed from railway sleepers to a sufficient height and depth as shown by the drawings on page D2.4 and D.2.5.

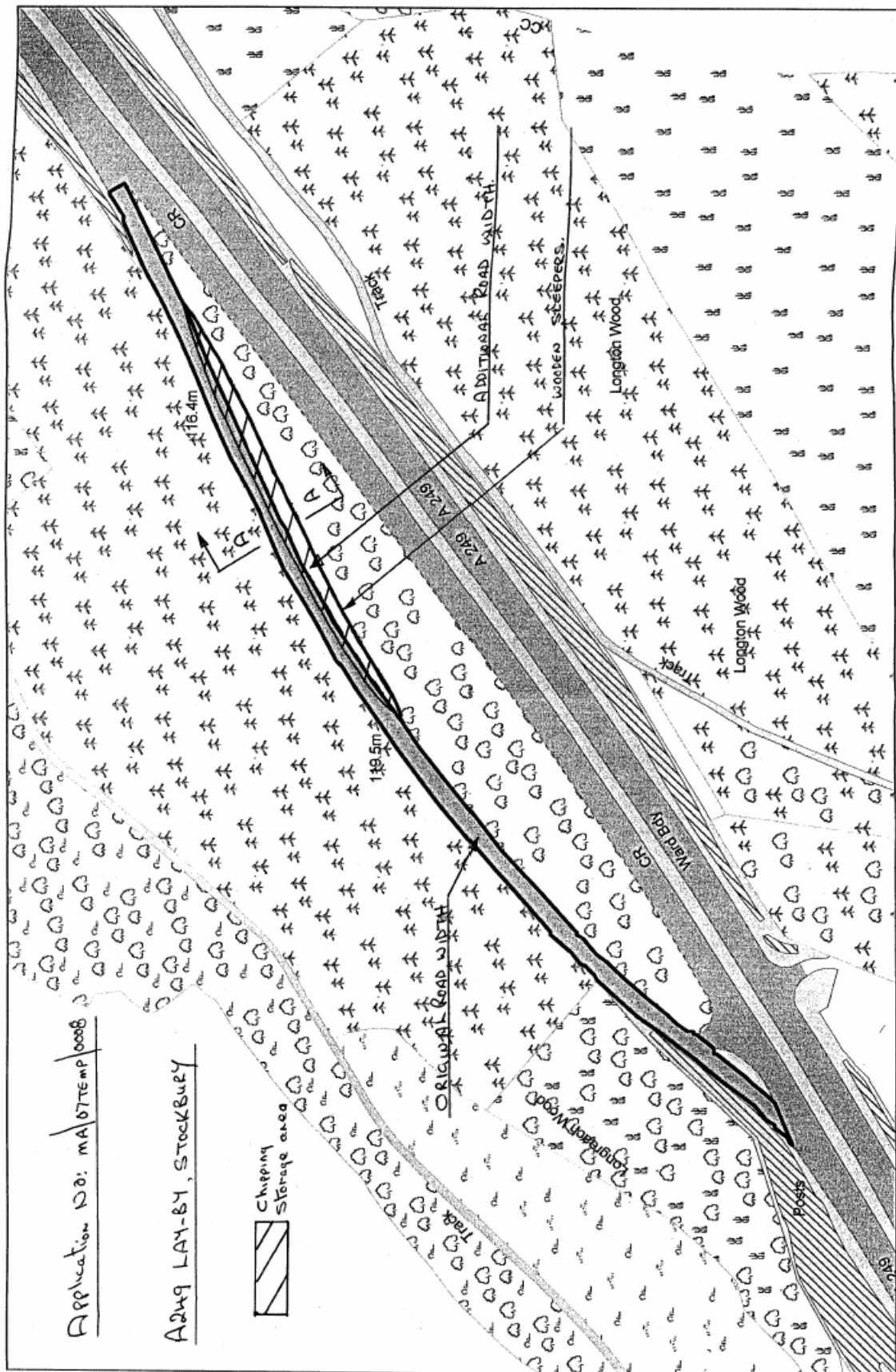
Storage of dry chippings in existing lay-by - A249 Stockbury - MA/07/607

Site Location Plan



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Storage of dry chippings in existing lay-by - A249 Stockbury - MA/07/607



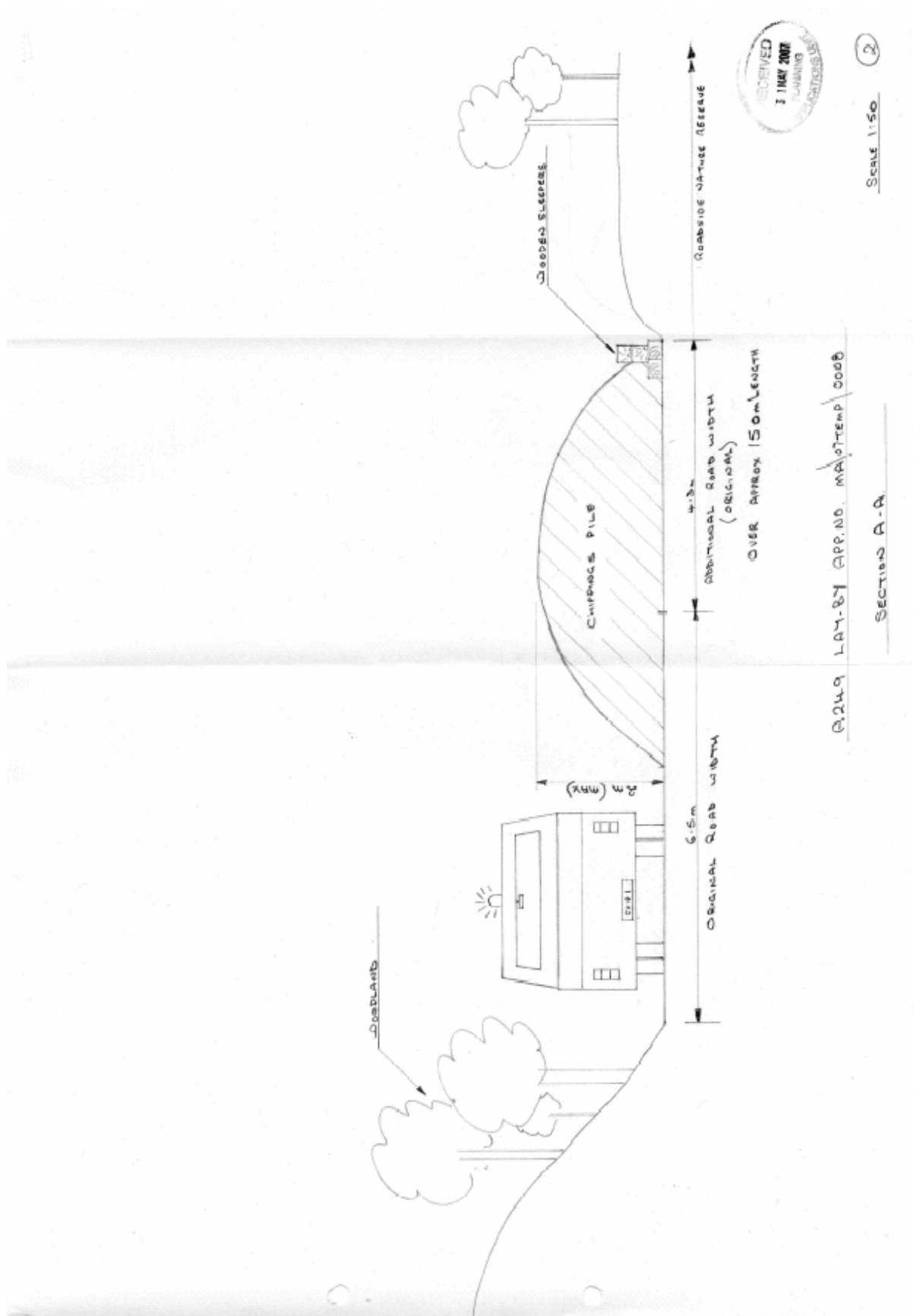
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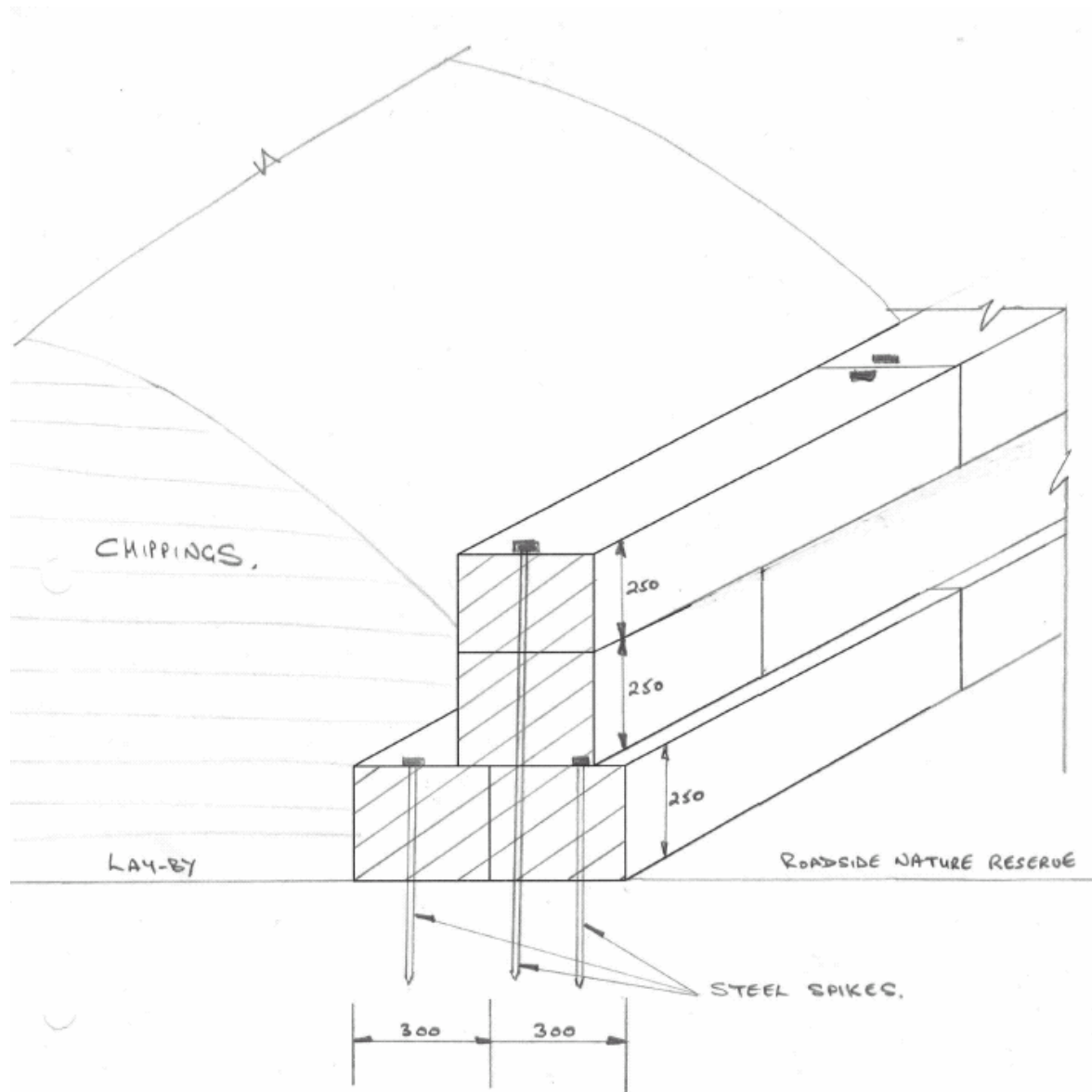
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Storage of dry chippings in existing lay-by - A249 Stockbury - MA/07/607



Item D2

Storage of dry chippings in existing lay-by - A249 Stockbury -
MA/07/607



SLEEPER CONFIGURATION

A249 LAY-BY - APP. NO. MA/07TEMP/0008



27 APRIL 2007

NTS

3

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5. Whilst staff are on site, the gates would remain unlocked and would be locked again at the end of every day to prevent unauthorised vehicular entry. A Kent Highway Services manager would be responsible for maintaining security on a daily basis whilst the site is operational, with periodic checks carried out at all other times throughout the year as is the situation currently.

Planning Policy

6. The Development Plan Policies summarised below are relevant of consideration of the application:

(i) Kent & Medway Structure Plan: 2006

Policy QL1 Quality of development and design – Developments, individually or taken together should respond positively to the scale, layout, pattern and character of their local surroundings.

Policy SP1 Seeks to conserve and enhance Kent's environment ensuring a sustainable pattern of development and encourage high quality development and innovative design that reflects Kent's identity and local distinctiveness and promoting healthy, safe and secure living and working environments.

Policy SS8 Non residential development in rural Kent other than at rural settlements should be the re-use, adaptation or redevelopment of an existing rural building or institution, where the change is acceptable on environmental, traffic and other planning grounds.

Policy EN1 Kent's countryside will be protected, conserved and enhanced for its own sake. Development, which will adversely affect the countryside, will not be permitted unless there is an overriding need for it, which outweighs the requirement to protect the countryside. Development so permitted should include appropriate mitigation and/or compensation.

Policy EN3 Kent's landscape and wildlife habitats will be protected, conserved and enhanced. Development will not be permitted if it would lead to the loss of features or habitats which are of landscape, historic, wildlife or geological importance, or are of an unspoilt quality, free from urban intrusion unless there is a need for development which outweighs these considerations.

Policy EN4 Seeks protection for Kent Downs and High Weald Areas of Outstanding Natural Beauty. The primary objective will be to protect, conserve and enhance landscape character and natural beauty. Major commercial, mineral or transport infrastructure developments will not be permitted unless it can be demonstrated that:

- (a) there is a proven national interest;
- (b) there are no alternative sites available or the need cannot be met

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in any other way; and

- (c) appropriate provision can be made to minimise harm to the environment.

Other development which would be detrimental to the natural beauty, quality and character of the landscape and quiet enjoyment of the area will not be permitted.

Development that is essential to meet local social or economic needs should be permitted provided that it is consistent with the purpose of Areas of Outstanding Natural Beauty.

Policy EN5 The primary objective of designating Special Landscape Areas is the protection, conservation and enhancement of the quality of their landscapes, whilst having regard to the need to facilitate the social and economic well being of the communities situated within them.

Policy EN7 Development, which would materially harm the scientific or nature conservation interests, directly, indirectly or cumulatively, of Local Nature Reserves will not be permitted unless there is a need, which outweighs the local nature conservation or geological/geomorphological interest, and adverse impacts can be adequately compensated.

(ii) Maidstone Borough-Wide Local Plan 2000

Policy ENV28 In the countryside, planning permission will not be given for development which harms the character and appearance of the area or the amenities of surrounding occupiers. Proposals should include measures for habitat restoration and creation to ensure that there is no net loss of wildlife resources.

Policy ENV33 Within the Kent Downs Area of Outstanding Natural Beauty, the conservation beauty of the landscape will be given priority over other planning considerations.

Policy ENV34 In Special Landscape Areas, particular attention will be given to the protection and conservation of the scenic quality and distinctive character of the area and priority will be given to the landscape over other planning considerations.

Policy ENV39 New development, which would harm Sites of Nature Conservation Interest or Local Nature Reserves, will not be permitted unless there is a need which outweighs the local wildlife or habitat interest. The use of planning conditions will be considered to ensure the protection and enhancement of the site's nature conservation interest.

Policy ENV42 Development will not be permitted which would harm the roadside verges defined on the proposals map.

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Consultations

- 7. Maidstone Borough Council** – Raises objections by reason of the general activity generated by the change of use and that it would be detrimental to the visual and environmental quality of the open countryside, AONB and SLA. The proposal is contrary Local Plan Policies ENV 28, 33, 34 and 42.

Stockbury Parish Council – Raises no objection.

Thurnham Parish Council – No comments received - notified on 19 March 2007.

Divisional Transportation Manager – Raises no objection subject to the material being stored within the carriageway and not upon the roadside nature reserve.

Jacobs (Landscaping) – Comments that the storage of chippings is unlikely to be very visible from the surrounding landscape because of the surrounding woodland. The impact on the AONB is also unlikely to be significant because of the visually screened nature of the proposed site. However, there would be a localised change to the character of this area of woodland and an adverse impact on existing trees should any require removal – *note that no trees are to be removed as part of the proposal.*

Kent Wildlife Trust – No objections but requests a barrier between the stored material and the protected roadside verge is erected that is tall enough to prevent over spill of material.

Environment Agency – Raises no objection.

Local Member

8. The local County Member Lord Bruce-Lockhart OBE was notified on 19 March 2007 and to date no comments received.

Publicity

9. The application was advertised by the posting of two site notices and the notification of two neighbouring properties.

Representations

10. No letters of representation have been received.

Discussion

11. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore in considering this proposal regard must be had to the Development Plan Policies outlined in paragraph (6), Government Guidance and other material planning considerations arising from consultation and publicity.

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12. The main issues to consider when reaching a decision on this application are the impact the development would have on visual amenity, the impact from a highways viewpoint and the impact of this type of development on a site in the AONB, SLA and adjacent to a protected roadside verge. These policies, as well as presuming against inappropriate development within the AONB, SLA and protected roadside verges afford long-term protection to the landscape over all other considerations. The application is for a minor development situated in the AONB, the nature of the proposed activity involved with the development is on a very small scale that would have minimal impact on the landscape of the locality or the wider AONB area, I refer back to the comments of the Jacobs Landscape expert who reinforces this viewpoint on the proposal. I do not consider, therefore, that the requirements of Structure Plan Policy EN4 to be contravened as a result of this proposal.
13. The development would see a disused lay-by brought back into use after having been closed for a number of years due to previous inappropriate antisocial misuse. The development site is within a range of countryside designations but it should be noted that the site is immediately adjacent to an extremely busy trunk road, the A249, which is one of two primary routes connecting the M2 and M20 motorways. The applicant has stated that the main reason that this particular site was chosen was due to its strategic location making it suitable for serving North Kent in particular the Swale, Maidstone and north-east Tonbridge & Malling areas.
14. The surface dressing process is used throughout the summer months to help prolong the life of roads that are beginning to degrade and lose their skid resistance properties. The treatment of roads via this method is not carried out during the winter months and as such the lay-by would not be used operationally between the months of October and March but would be used throughout this period as a storage facility only. In terms of the visual impact of the development, I consider that the negative impact would be minimal. As can be seen from the plan on page D2.3 that it is not proposed for the storage area to extend the entire length of the lay-by, which is in excess of 420metres in length, but rather a much shorter distance of 150 metres. The particular section of lay-by chosen for storage was due to there being the most dense vegetation cover on the roadside verge helping to prevent the stored material from being visible from the A249. The material would be moved from storage to delivery vehicles by way of a small JCB machine that would be based on site throughout April to September annually. The material would be stored by way of a long pile not exceeding 150m in length, 6.5m in width and 2m in height. The dry chippings vary in colour between grey and black so the potential for the stored material to be visually intrusive would be slight. It is noteworthy that due to the height of the trees and vegetation cover along the roadside verge and the woodland along the northern boundary of the lay-by (which is on a steeper gradient to the level of the lay-by), that it causes the lay-by itself to remain very shaded. This, coupled with the colour of the chippings, allows the level of visual obtrusiveness of the proposal to be minimal, therefore I consider the proposal to be in accordance with Structure Plan Policies SS8, EN7 and Local Plan Policies ENV28, ENV34 & ENV42.
15. There has been no traffic order relating to the closure therefore the current permitted use of the lay-by allows use by a wide range of vehicles, as such there are no works necessary to adjust its form or lay out. It has been proposed for signage to be erected showing that there is a works entrance ahead as a warning to oncoming road users. The activity proposed for the site would not be considered overly intensive with operational use restricted to between the months of April and September. During this period the number of vehicle movements would not exceed 60 per day, which given the intensive daily use of the A249, would not create a significant further burden on the road network.

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16. The section of lay-by that has been chosen for dry chipping storage benefits from an extra width roadway. It can be seen by Fig. 1 below that alongside the original road width of around 6.5m there is an additional section of hardstanding that measures around 4.3m wide. The width of the entire lay-by surface along the proposed 150 metres to be used for storage ranges from a maximum 12.5m to 10.8m in width as shown by drawing 2 on page D2.4, allowing sufficient space along the entire route for the proposed storage facility.

Fig 1. View through section A-A - page D2.4



17. The lay-by is currently in a state of disrepair (as can be seen by Fig.1 above) and has deteriorated further in its recent years of disuse. There is a considerable amount of refuse that has built up in, on and around the lay-by and more importantly the protected roadside verge. Prior to any development on site, it would be conditioned for the site to be extensively cleared of all refuse and would also prevent any rubbish from being left on site daily by users of the storage facility. As a result of consultation with Kent Wildlife Trust, it has been decided to install a protective barrier between the dry chipping storage area and the protected roadside verge, in order to prevent spillage of material. The decision was taken to erect this barrier out of wooden railway sleepers, which would be bolted into position, a schematic drawing of the barrier is shown on page D2.5, the height and depth of the wall would be of sufficient strength and height to prevent over spill of material up to the proposed maximum storage height of 2m. Wooden sleepers were chosen as the material for the wall as they are strong and hardwearing and would blend in well with the surroundings. The method of securing the sleepers in place using steel spikes also allows easy removal should this be required.

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18. The development site is situated within the AONB, an SLA, an SNCI and is adjacent to a protected roadside verge. I accept that the site is therefore not entirely suitable for a development of this nature but I do not consider the impact on the locality to be to a substantial degree to warrant refusal of this application. The existing permitted use of the lay-by, allows it to be used by a wide variety of vehicles, 24 hours a day, potentially resulting in a greater impact on the surrounding locality, especially when coupled with the antisocial activities that were occurring prior to its closure, largely as a result of its secluded nature. This would be prevented should the application be permitted as most use would be restricted to between the months of April and September during normal working hours, with the lay-by remaining securely locked at all other times. This change of use would not generally be acceptable in a site with these planning constraints but I consider it difficult to build a case for this site to be classed as 'open countryside' given that the site is on an extremely busy trunk road. The proposal does not stand to materially harm the character and appearance of the area or the amenities of surrounding residents and I do not consider that there would be the any net loss of wildlife, therefore I do not consider that the application is contrary to Structure Plan Policies EN1, EN3, EN4, EN5 and EN7 or Maidstone Local Borough Plan Policies EN28, EN33, EN34, EN39, EN42. Furthermore, I suggest that the protected roadside verge has the potential to actually be improved and enhanced as a result of the proposal, given the clean up operation that would result should the application be permitted. Moreover, regular use would enable the site to be maintained in a more responsible and environmentally friendly manner than is currently evident.
19. There have been measures included in the application that help to reduce the impact on the locality, consultation with the Kent Wildlife Trust has enabled the alleviation of their initial concerns. Principally, that has been achieved by the decision to erect a sleeper barrier and by storing the surface dressing along the section of lay-by with the densest coverage of vegetation, significantly reducing the impact of the development in this sensitive position.

Conclusion

20. In conclusion, it can be said that although the development site is located within a variety of environmentally sensitive designations, it is difficult to consider the site as being in open countryside. The development site is in a strategically important location that would enable the effective servicing and distribution of dry chippings throughout the Swale, Maidstone and north-east Tonbridge & Malling areas. The use of this site would enable improved efficiency and an overall reduction in lorry movements, as there are no other similar facilities in the area. It is important to note that the site is currently a redundant piece of highway that would be brought back into use without causing significant harm to the surrounding locality. There would be little impact on the AONB as a result of this proposal due to the minor nature of the proposed activity involved and it would not be in contravention of the policy requirements of Structure Plan Policy EN4. I also do not consider there to be any greater risk to the environmentally sensitive roadside verge than at present. This is enforced by the fact that the site would only be operational for up to half of the year. Therefore, on balance my recommendation is that permission be granted subject to conditions.

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Recommendation

21. I RECOMMEND that PLANNING PERMISSION BE PERMITTED subject to conditions,
Including conditions covering:

- The standard time condition
- The development to be carried out in accordance with the permitted plans
- The stored chippings must not exceed 2 metres in height
- A programme of clearing all refuse from the site prior to commencement of the proposed development
- Erection of appropriate roadside warning signage
- Permitted months of operational use.

Case officer – Adam Tomaszewski	01622 696923
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Background documents - See section heading
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Item D3

Foodlit all weather pitch and extension of an existing non-floodlit multi-use games area at The North School, Ashford – AS/06/2277

A report by Head of Planning Applications Group to Planning Applications Committee on 19 June 2007.

Application by Kent County Council and Kent Education Partnership for the provision of a single, floodlit all-weather pitch and the extension of an existing non-floodlit multi-use games area, in connection with the comprehensive redevelopment of the school site previously approved by application refs: AS/05/1329 and AS/04/1708, at The North School, Essella Road, Ashford.

Recommendation: Permission be granted subject to conditions.

Local Member(s): George Koowaree

Classification: Unrestricted

Site

1. The North School is located just outside of the Ashford town centre on the eastern side of the town and is within the Ashford, Henwood Ward. The site can be accessed via Essella Road and Mabledon Avenue. The site is located within an established residential area and the site includes a number of one and two storey buildings set within open school grounds. The proposed all-weather pitch would be located to the south of the new school buildings permitted under planning permission AS/04/1708 and AS/05/1329. The existing multi-use games area is located to the north west of the school buildings. The school buildings themselves are clustered within the north eastern portion of the site with the whole site being bounded by mature trees. There are railway lines and an access road to a commercial site to the south of the site, beyond the existing playing field. A site plan is attached.

Background

2. The North School site was one of the schools involved in the Kent County Council Private Finance Initiative (PFI) Scheme, which aimed to establish a new North School and to provide a high quality new build to meet the needs of the modern school curriculum. The application (AS/04/1708) was considered by the Planning Applications Committee in December 2004, where Members resolved to grant planning permission subject to conditions.
3. The current sports pitch proposal was not included within the original PFI scheme, however it forms an important part of the overall modernisation of the school's facilities.
4. As a result of comments received during the public consultation process, and objections raised by Ashford Borough Council, the applicant has submitted amendments to the proposal, moving the location of the all-weather pitch further southwards, and further away from residential properties. It is these amendments which shall be discussed throughout this Report.

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Proposal

5. The application proposes the provision of a single, floodlit all-weather pitch (AWP) and the extension of an existing non-floodlit multi-use games area (MUGA) in connection with the comprehensive redevelopment of the school site previously permitted under applications AS/05/1329 and AS/04/1708.
6. The all-weather pitch would employ artificial turf surfacing, which would be filled with sand to provide a safe and realistic surface. The pitch would be enclosed by a 3.0m high weld mesh fencing (the lower 1.2m of the proposed fencing would have an integrated ball rebound element). Close panelled fencing to be provided at the north and west enclosures of the AWP would be the same height as the weld mesh fencing. The perimeter fencing would be raised to 4.5m high for distance of 30m behind each goal in order to minimise disruption to play and surrounding uses. The proposed MUGA would be enclosed by a 2.75m high weld mesh fence. The amendments also now include the provision of an acoustic fence in the north west corner of the proposed all-weather pitch, in order to reduce potential noise impact on residential properties along Mabledon Avenue.
7. Lighting of the proposed AWP would be provided by twenty 2kw metal halide flood lamps mounted on eight 15m high galvanised steel, octagonal raise/lower columns. The floodlighting columns and lamp units would be finished in neutral light grey colours and designed according to the applicant to reflect the modern, contemporary appearance of the new school buildings. The floodlights would be set at 350 lux.
8. Access to the proposed AWP and extension to the MUGA would be provided by an approximately 3.5m wide pathway connecting the entrances to each area to the remainder of the school site. Pedestrian access to the AWP would be provided by two 1.2m wide single gates whilst access for maintenance would be provided by a double 3.0m wide gate.
9. The proposed access route ensures that the two areas are within easy walking distance from the school, whilst the gates ensure that sports could be properly contained once play is under way.
10. The expected number of people involved in an activity, eg. players, trainers and spectators, would vary on a day to day basis. However, the maximum number of people using the AWP at any one time is expected to be 25 and the non playing personnel outside the AWP fencing is expected to be up to 10 persons. The facility is proposed for community and school use both on weekdays and at weekends. The expected school use would be during core school hours during term time, Monday to Friday, and the expected community use would be 1800 to 2200 hours on weekdays and 0900 to 2200 hours on weekends.

Planning Policy

11. The Development Plan Policies listed 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

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ensure a sustainable pattern of development.

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

Policy QL12 – Provision will be made to accommodate additional requirements for local community services, including school developments.

Policy QL15 – All major new formal recreation and sports facilities should be designed to avoid nuisance from traffic, noise and lighting.

Policy NR5 – The quality of Kent's environment will be conserved and enhanced, this includes visual, ecological, geological, historic and water environments, air quality, noise and levels of tranquillity and light intrusion.

(ii) **Ashford Borough Local Plan, 2000:**

Policy GP5 – Seeks to ensure that the community facilities and infrastructure needed to cater for a growing population are provided when required.

Policy DP1 – Planning permission will not be granted for development proposals which are poorly designed.

Policy EN2 – Development proposals in or close to residential areas which are likely to damage significantly people's enjoyment of their homes will not be permitted.

Policy CF15 – Proposals to provide for an increased range of community uses will be permitted.

Consultations

12. Ashford Borough Council: raises objection to the proposal for the following reasons:

- The proposed floodlighting, by virtue of its siting and height, would give rise to unacceptable levels of light spillage and pollution which would be detrimental to the residential amenity of the occupants of the eastern side of Mabledon Avenue and would be harmful to the visual amenity of the surrounding area.
- The proposed all weather pitch, by virtue of its proposed use until 22.00 hours, would result in unacceptable levels of noise and disturbance to the detriment of the amenity to the occupants of the eastern side of Mabledon Avenue.

Note that no further views have been received following the submission of the Amended Acoustic Assessment.

Sport England: does not raise objection to the proposal and welcomes the extension of the MUGA and development of an AWP, subject to a condition requesting the submission of a Community Use Scheme.

KCC's Lighting Consultants: consider the amended location of the all-weather floodlit pitch to be the preferred option from a lighting point of view.

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“The moving of the AWP further to the south of the site has resulted in a drop of the lighting level on the rear windows of the houses in Mabledon Avenue compared to the earlier submission which was within permitted levels. The drop is greater for the houses away from the end of Mabledon Avenue.

“In addition, because the pitch is further south than the end of the road (Mabledon Avenue), the floodlight masts do not dominate the rear view from these houses, and also the floodlights would not be in a direct line view”.

KCC’s Environmental Consultants: initially considered that the acoustic assessment was lacking in relevant information, including detail on background noise, measurements on noise level of actual sports provided and the assessment had not considered the peak noise levels associated with the use of such a pitch.

Concern was raised by the Consultants regarding the effect of evening and weekend use on those residents living nearby, and the use of their gardens. Without any meaningful information on background noise levels during these times the Consultants could not say whether this proposal would cause detrimental noise disturbance to nearby residents. In particular, there is a need to ensure that the maximum noise levels from the associated use of the proposal are acceptable at these properties.

In response to the receipt of an Amended Acoustic Assessment, the Noise Consultants has since confirmed that with the close boarded fence and weld mesh fencing in position, noise levels from the all-weather pitch should not affect the aural amenity of the closest noise sensitive receptors.

Should consent be given, the Noise Consultants would like to see conditions imposed that would ensure that the proposed acoustic fence is in addition to (and placed outside of) the proposed mesh fencing, to reduce the impact of the noise from balls hitting the fence.

Divisional Transportation Manager: has no objections to the proposals.

Environment Agency: has no objections to the proposals.

Network Rail: No comments received.

Local Member

13. The local County Member, Mr G. Koowaree was notified of the application on the 20 November 2006.

Publicity

14. The application was publicised by the posting of two site notices and the notification of 139 neighbouring properties.

Representations

15. 2 letters of representation have been received. The main concerns and objections are as follows:

- The floodlighting may intrude into residents’ back gardens and windows.

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- Not objecting to the all-weather pitch but am concerned over floodlighting.
- It would be “like living next to a football stadium (without the spectators)”.
- Privacy for neighbouring residents would be invaded.
- “Given that the existing pitches are hardly used, what benefit is a floodlit pitch?”

Discussion

16. This application needs to be determined with regard to the relevant Development Plan Policies and in the light of any other material planning considerations, including relevant planning objections raised by consultees and through publicity, set against the need for the proposed development.

Policy

17. The key Policies for consideration regarding the proposed development are SP1 (environment), QL12 (community), QL15 (sports facilities) and NR5 (noise and light intrusion), as summarised in paragraph (4) above. Given that the proposals are located within an existing area which has long been used to accommodate education and sporting uses, I consider that the principle of the development accords with Policies SP1, QL12 and QL15. However, I consider that there are detailed aspects to these proposals, such as the amenity implications of the noise and siting issues, that need to be addressed.
18. Overall, I consider that the proposed development is in general accordance with the relevant Development Plan Policies and I see no overriding objection on planning policy grounds. In particular, the proposed development has been amended since its submission, moving the location of the pitch further away from residential properties, and meaning that any light intrusion would be reduced. In addition, the proposed new sports pitches themselves would provide the School with much needed extra and improved sports facilities for both curricular use and use by the local community.

Siting

19. Following the amendments to the application, the all-weather pitch would be sited to the south west of the site, on the existing playing field, and further away from residential properties along Mabledon Avenue and the school buildings themselves. The amendments also pull the AWP further away from the proposed extended MUGA and sports hall, located to the north of the site. Access to the pitches are interlinked by a pedestrian footpath. The proposed location allows the running track and other field sport areas to remain. The site is not within any designated or protected areas, however the impact on floodlighting and noise in this area has been raised as an issue (to be discussed below), which has influenced the amended siting of the all-weather pitch.
20. The proposed site for the floodlit pitch is already used for sports and as a school games field, and although an all-weather pitch is now proposed, the use of the site would primarily remain unchanged. Additionally, Sport England has not raised objection to the proposed amended siting of the proposed floodlit pitch.
21. Despite the amendments, concerns have still been raised with regard to the potential noise impact of the pitch and disturbance from the proposed floodlighting associated

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with it. However, I consider that the applicant has sufficiently demonstrated that by moving the pitch (by approximately 65m) further south of the playing field the impact of

22. the pitch would be significantly reduced. Previously the all-weather pitch was proposed to be located nearer to properties in Mabledon Avenue and also the school buildings. I therefore consider the amended siting of the pitch to be the most appropriate, especially given that the light spill into residential areas would be greatly reduced compared to the previously proposed position.

Noise

23. The floodlit pitch would be in close proximity to a number of residential properties, the nearest being located towards the end of Mabledon Avenue (see attached plans). I acknowledge that the noise emanating from the proposed floodlit pitch, including noise from spectator or crowd participation, has the potential to be experienced at the closest of these properties. However, I would advise that the potential for an increase in noise occurring would be minimal. The area is an existing playing field and currently there are no hours of use restrictions on its use. Therefore there is currently the potential for the playing field to be used in the summer up to 2230 hours. Whilst there is the potential for the playing field to be used more in winter months, through the introduction of floodlighting, during this time it is more likely that residents and neighbours of the school site would be indoors and therefore less exposed to noise disturbance from the playing fields.
24. Noise impact has been raised as a concern by Ashford Borough Council. The application as submitted was accompanied by an acoustic assessment. In considering the proposal, the County Council's own Noise Consultants raised concern that the submitted Noise Assessment did not demonstrate that the impacts of noise emissions from the new all-weather pitch would not cause a detrimental impact, both during school hours and when being used by the community outside of school hours and at weekends. The applicant has therefore submitted an Amended Noise Assessment taking into account those issues raised by the County Council's Noise Consultants (in paragraph 12 above), and proposed an acoustic screen in the north west corner of the site which would reduce noise disturbance. In the light of the fuller assessment and revision, the County Council's Consultant has confirmed that the noise impacts on neighbouring properties would be acceptable.
25. Under the circumstances, I consider that given that the applicant has amended the siting of the pitch to move it further away from residential properties and proposed to include acoustic screening in the north west corner of the pitch, that there should not be an overriding concern that noise might be detrimental to residential amenity. Whilst there is the potential for the use of the pitch to be audible in the surrounding area, any increase in noise intrusion that might occur as a result of the use of the floodlit pitch is not significant enough on its own to warrant refusal of this application. However, additional mitigation measures to reduce noise disturbance further could be addressed via the use of a planning condition to control the hours and days that the pitch would be available for use.

Lighting

26. The all-weather pitch would be lit using eight 15m galvanised steel, octagonal demountable columns with metal halide flood lamps. The floodlights would sit in "close to flat" glass lanterns (at a 70° tilt) and oriented to reduce light glare and spillage and to produce no direct upward wasted light. The lamps would produce a white light ideal for

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sports. These would be aimed to produce a maintained average of 350 Lux, appropriate to the type of games to be played. Due to the design of the floodlights there would be no

light spill above the horizontal. The 15 metre high columns could also be lowered for maintenance purposes.

27. Consideration has been given regarding the potential effect of the lighting on nearby residential properties and on the local area. The amendments submitted have moved the proposed pitch further away from neighbouring properties along Mabledon Avenue, which were originally likely to be affected by light spill into their back gardens. As a result of this re-siting, minimal light spill would reach into the closest properties. According to the Assessment, 2 lux would fall just inside the nearest property's garden boundary and no lux levels would fall on to the facades of the properties themselves. The pitch would be 50m from the façade of the nearest property. The County Council's Lighting Consultants are satisfied that the changes made to the pitch's location has further mitigated any detrimental impact that would be experienced by neighbours and has stated that even the original location of the pitch would have meant that the lighting level on to these properties was within the permitted levels. The Lighting Consultant has also stated that the re-siting of the pitch would mean that there would be a greater drop in light spill for the houses further away from the end of Mabledon Avenue. Moreover, the floodlighting columns would no longer dominate the rear view of these houses, and the floodlights would no longer be in direct view of these residents.
28. No comments have been received from Network Rail regarding possible effects of lighting on the railway line south of the North School site. However, the lux levels shown on the plan on page D3.4 demonstrate that there should be no light spill on this area.
29. Despite the objection from Ashford Borough Council in relation to light pollution, given the Lighting Consultant's comments, I consider there to be no overriding objection on light pollution grounds in relation to this proposal. No representations have been received from those properties in Mabledon Avenue on the amendments, and I therefore consider the proposal to be acceptable in terms of lighting in the proposed position. Appropriate conditions could be attached to any planning consent controlling the use, installation and performance of the lighting itself.

Visual Impact and Landscaping

30. Due to the proposed location of the floodlights on the school site, there is the potential for them to be visible from the surrounding areas, particularly from the west of the site as the ground contours slope down in this location. The impacts would primarily be the daytime view of the 15m columns and the night time view of the floodlights when they are in use. The existing landscaping along the boundary of the site, adjacent to residential properties and the railway line already goes some way to screening the playing field from view. The existing trees and foliage being retained at the boundary to the school field and railway cutting would help hide the pitch from view within the residential gardens and act as a barrier to noise pollution. I consider that additional tree planting would reduce the impact on residential properties to low significance over time. I would therefore advise that a condition could be placed on any planning consent requiring the submission and implementation of a full landscaping scheme.
31. With regard to night time impact of the proposal, views of the facility in the immediate area would be limited to the floodlighting itself and the area illuminated by the floodlighting. Potentially, there could be views of luminaires from the wider urban area of Ashford. Due to the height of the floodlighting columns, it would be difficult to completely

Floodlit all weather pitch and extension of existing non-floodlit multi-use games area, The North School, Ashford – AS/06/2277

screen the night-time impact of the development; however, additional planting once established would help to mitigate the impact in the localised area.

Hours of Use

32. The facility is proposed for community and school use both on weekdays and at weekends. The expected school use would be core hours Monday to Friday and the anticipated community use would be 1800 to 2200 hours on weekdays and 0900 to 2200 hours on weekends. Given the concerns raised by Ashford Borough Council regarding potential noise disturbance as a result of the pitch, I would advise that should Members be minded to permit the proposal the hours of use put forward by the applicant be reduced to 0800 to 2130 hours (instead of 2200) Mondays to Fridays, 0900 to 2130 hours (instead of 2200) on Saturdays and 0900 to 1300 hours (instead of 2200) on Sundays and Bank Holidays, which would enable the site to be vacated by a more reasonable hour, with a period of respite on Sunday and Bank Holiday afternoons and evenings.
33. If these restrictions were imposed there would be a reduction of 10 hours per week in total. The suggested restrictions would provide periods of respite for neighbouring residents from any noise and disturbance from the movement of vehicles as well as from the sports activities themselves. However, such restrictions would impact more on the use by the local community than by the School, since the latter would be primarily daytime use. Whilst there are no such controls over the hours of use of the rest of the playing fields and therefore other sporting activities taking place, it is the introduction of the floodlighting which would extend any potential nuisance into later and more unsocial hours; the extent of daylight would naturally restrict the use of the rest of the playing field.

Other Issues

33. The proposed fencing has also been amended to address concerns raised by consultees on the original proposal, and in particular the County Council's Noise Consultant. No concerns have been raised following these changes. The lower 1.2m of the proposed weld mesh fencing now includes an integrated ball rebound element and, as such, it is not now necessary to provide a treated timber kickboard at the bottom of the fence, as was originally intended. I consider this to be of benefit to the overall visual amenity.
34. The closed panelled fencing to be provided at the north and west enclosure of the all-weather pitch would be the same height as the weld mesh fencing and would be specified to have a surface mass of around 25g/m² as required by the acoustic assessment to further reduce any potential noise impacts caused by balls and sporting equipment.
35. No objections have been raised regarding the extension of the Multi-Use Games Area. That area is currently used as a multi-use games area, and the extension would create a larger area for sports activities to take place. The proposed extended area currently has school buildings located there, however these were given consent for demolition under consents AS/04/1708 and AS/05/1329. Sport England is keen to promote as much sports and playing field space on the school site as possible, and the extension of the MUGA would greatly benefit the school.

Floodlit all weather pitch and extension of existing non-floodlit multi-use games area, The North School, Ashford – AS/06/2277

Conclusion

36. The application has to be considered in the context of the Development Plan and in relation to the location of the proposed development, set against the impacts of the proposal and the need for it. Overall, I consider that the proposal generally accords with the key Development Plan Policies. However, a number of concerns have been raised about the impacts of the development particularly relating to noise, lighting and proximity to residential properties. I acknowledge that there would be an increase in noise, lighting and that the proposed floodlighting would impact on nearby residential properties, although I consider that that would only be to a small degree. Under the circumstances, I consider that these issues do not warrant refusal of the application and that the imposition of conditions would assist in mitigating the impacts of the development to an acceptable level. In this particular case, I consider that the benefits of the facility would outweigh any potential increase in harm as a result of the proposed development. I therefore consider the development to be acceptable in planning land use terms and I recommend accordingly.

Recommendation

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

- the development being carried out strictly in accordance with the approved plans and specifications
- the inspection of the installed lighting by a qualified lighting engineer to ensure its correct specifications and performance
- hours of use of the pitch and floodlights to be 0800 to 2130 hours Monday to Friday, 0900 to 2130 hours on Saturdays and 0900 to 1300 hours on Sundays and Bank Holidays
- the floodlights being extinguished when not required for all or part of the pitch and operated at the proposed lux levels when required
- the proposed acoustic fence being installed in addition to (placed outside of) the proposed mesh fencing
- details of surface materials for the proposed MUGA to be submitted prior to works on site being carried out
- the submission of a Community Use Scheme for the proposed sports facilities
- the submission and implementation of a landscaping and boundary treatment scheme.

Case officer – Helena Woodcock	01622 221063
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Background documents - See section heading
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E1 COUNTY MATTER APPLICATIONS AND DETAILS PURSUANT PERMITTED/APPROVED UNDER DELEGATED POWERS - MEMBERS' INFORMATION

Since the last meeting of the Committee, the following matters have been determined by me under delegated powers:-

Background Documents - The deposited documents.

- | | |
|----------------------------|--|
| DO/03/477/R20, 16, 17 & 18 | Amendment to approved landscaping and conservation mitigation scheme pursuant to condition (20) and paragraph 4.3 of the Section 106 Agreement attached to the permission and details pursuant to conditions (16), (17) & (18) in respect of dust, odour and floodlighting. Integrated waste management centre, former Brown and Mason Yard, Ramsgate Road, Sandwich |
| GR/07/67 | Refurbishment of existing Wastewater Treatment Works and the construction of 6 Motor Control Centre (MCC) Kiosks. Northfleet Wastewater Treatment Works, Springhead Road, Northfleet |
| SH/93/240/R2 | Reserved matters – Request to vary the Household Waste & Recycling Centre approved site layout to reflect the current site layout. Household Waste & Recycling Centre, Ross Way, Shorncliffe |
| SH/05/53/R2&R5/R1 | Reserved matters – Traffic and Highway Management Plan. New Romney and Greatstone on Sea Wastewater Treatment Scheme |
| SW/05/1392/R10 (part) | Reserved matters – Details of external materials. Countrystyle Recycling Ltd, Ridham Dock, Sittingbourne |
| TM/07/857 | Application for a Lawful Development Certificate in respect of the completion of the Borough Green and Platt Bypass, pursuant to permission dated 29 November 1991 (Ref: TM/91/636). Land at A227(A25), Borough Green and Platt Bypass |

E2 CONSULTATIONS ON APPLICATIONS SUBMITTED BY DISTRICT COUNCILS OR GOVERNMENT DEPARTMENTS DEALT WITH UNDER DELEGATED POWERS - MEMBERS' INFORMATION

Since the last meeting of the Committee, I have considered the following applications and - decided not to submit any strategic planning objections:-

Background Documents - The deposited documents.

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| AS/07/466 | Temporary surface car park for short stay and long stay. Former Crouch's site, Station Road, Ashford |
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CA/07/547	Installation of railings to top of front boundary wall to include matching access gate. Flats 1-12 Westgate Garden Flats, St Peters Place, Canterbury
MA/07/1034	Erection of metal palisade fencing (sections 35m and 13.5m) to frontage of South Park to replace existing poor condition chainlink fence. South Park, Armstrong Road, Maidstone
MA/07/901	Refurbishment of old toilet block into groundsmans mess room and store. Clare Park, Tonbridge Road, Maidstone
MA/07/872	Alterations to public conveniences including widening existing entrance path to facilitate new entrance doors to front elevation. Public Conveniences, The Parade, Staplehurst
MA/07/890	Erection of a 19 metre high needle clad in non-reflective aluminium incorporating interactive LED lights that change with wind speed, visible by day and night, located in grass bank on the West side of river. Grass Verge, Between St Peters Street and River Medway, Maidstone
TW/07/1293	New 3m high weld mesh fence. Fencing to South of 42-56 Blackthorn Avenue, Southborough, Tunbridge Wells

E3 COUNTY COUNCIL DEVELOPMENT APPLICATIONS AND DETAILS PURSUANT PERMITTED/APPROVED UNDER DELEGATED POWERS MEMBERS' INFORMATION

Since the last meeting of the Committee, the following matters have been determined by me under delegated powers:-

Background Documents – The deposited documents.

AS/06/1046/R4	Reserved and amended details – Specification for colour finishes to window frames, doors, gutters and down pipes. Provision of new buildings for school. Goldwyn Community Special School, Godinton Lane, Great Chart, Ashford
AS/06/1046/R13	Reserved details – Specification of fence to boundary between School and Manno House. Provision of new buildings for school. Goldwyn Community Special School, Godinton Lane, Great Chart, Ashford
AS/07/586	Timber fence to match existing. Wittersham C of E (Aided) Primary School, The Street, Wittersham, Tenterden

AS/05/2144/R3	Reserved details – Details of all materials to be used externally – Single storey extension. High Halden Church of England Primary School, Church Hill, High Halden
AS/05/2144/R10	Reserved details – Details of contractor's site compound and car park – Single storey extension. High Halden Church of England Primary School, Church Hill, High Halden
CA/07/550	Erection of a free-standing canopy and creation of a new external access door. Barton Court Grammar School, Longport, Canterbury
DO/05/1420/R4,5,&6	Reserved matters – Details pursuant – Landscape scheme. New detached building. Castle Community School, Mill Road, Deal
GR/06/773/R	Amended details – Amendment to extension of fence height permitted under consent GR/06/733 to include improved fence design and entrance gates. Ifield School, Cedar Avenue, Gravesend
GR/04/967/R7	Reserved details – Ecology Survey. Shornewood Country Park, Brewers Road, Shorne, Gravesend
GR/07/363	To demolish 'mobile' unit containing two special educational needs classrooms and construct new extension comprising two classrooms, special educational needs library, plus extend the covered walkway to link buildings and form courtyard and construct new front entrance extension. St Joseph's RC Primary School, Springhead Road, Northfleet, Gravesend
MA/07/789	Insertion of a window to front elevation. Madginford Park Junior School, Egremont Road, Bearsted
MA/07/651	Retention and continued use of 2 mobile classrooms and associated covered walkway. Leeds and Broomfield CE Primary School, Lower Street, Leeds
MA/07/535	Retention and continued use of mobile classroom. St. Margarets CE Primary School, Collier Street, Marden, Tonbridge
MA/07/832	Replacement of mobile classroom with permanent classroom and ancillary accommodation. St Michael's Church of England Primary School, Douglas Road, Maidstone
MA/06/859/R5	Details of a scheme of landscaping and tree planting pursuant to condition 5 of planning permission MA/06/859 for proposed extension, refurbishment and new build to existing school. Bower Grove School, Fant Lane, Maidstone

MA/06/2170/RA	Minor amendment to elevations of extension permitted under permission MA/06/2170. St Johns C of E Primary School, Provender Way, Grove Green, Maidstone
SE/07/1171	New classroom extension to the rear of the school and extension of the main entrance hall. Fawkham CE Primary School, Vallley Road, Fawkham, Longfield
SE/07/1177	Single storey extension to 1 Hillsborough Cottages, Valence School. 1 Hillsborough Cottages, Valence School, Westerham
SH/07/393	External air conditioning units to the north, south and west elevations of Prospect House. Folkestone School For Girls, Coolinge Lane. Folkestone
SW/06/1137/R	Amended details – Amendments to include location of mobile classroom, car park and general internal arrangements – Extension and modernisation to 1.0 Form of Entry School. Boughton-under-Blean Methodist Primary School, School Lane, Boughton-under-Blean, Faversham
SW/07/389	New fencing to front, side and rear school perimeter. Queen Elizabeth's Grammar School, Abbey Place, Faversham
SW/06/1137/R6	Details pursuant – Details of external materials to be used in the extension and modernisation of Boughton-under-Blean Methodist School. Boughton-under-Blean Methodist Primary School, School Lane, Boughton-under-Blean, Faversham
SW/07/397	Steel framed portal building clad in profiled steel sheet – Annexe to the Skills Centre to provide larger bricklaying workshop. The Westlands School, Westlands Avenue, Sittingbourne
TH/06/1114/R7	Reserved details – Details of a School Travel Plan pursuant to planning permission for an extension/adaptation of existing school building and new build nursery. Newington Junior School, Princess Margaret Avenue, Ramsgate
TH/07/254	Provision of 5-bay mobile building. Laleham School, Northdown Park Road, Margate
TM/06/4009/R3	Reserved matters – Details pursuant to materials. Construction of a double garage. St Katherine's School, St Katherine's Lane, Snodland
TM/07/1315	Alterations to existing building to provide additional school room including extension to provide disabled W.C. Trottiscliffe CE Primary School, Church Lane, Trottiscliffe
TW/05/2924/R3C	Details of external render pursuant to condition (3) of planning permission TW/05/2924 for a replacement building. Pembury School, Lower Green Road, Pembury, Tunbridge Wells

E4 DETAILED SUBMISSIONS UNDER CHANNEL TUNNEL RAIL LINK ACT 1996

Since the last meeting of the Committee, the following matters have been determined/responded to by me under delegated powers:-

Background Documents – The deposited documents.

None

E5 TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 1999 – SCREENING OPINIONS ADOPTED UNDER DELEGATED POWERS

Background Documents –

- *The deposited documents.*
- *Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.*
- *DETR Circular 02/99 – Environmental Impact Assessment.*

- (a) Since the last meeting of the Committee the following screening opinions have been adopted under delegated powers that the proposed development does not constitute EIA development and the development proposal does not need to be accompanied by an Environmental Statement:-

MA/07/1007 Outline Application for demolition of existing school buildings; erection of new school (single academy status for Oldborough Manor Community School & Senacre pupils); erection of new six court sports hall; erection of new vocational centre; re-provision of outdoor playing pitches; new multi-use games area; 153 car-parking spaces; strategic landscaping works; and circulatory access.
 Oldborough Manor Community School, Boughton Lane, Maidstone

- (b) Since the last meeting of the Committee the following screening opinions have been adopted under delegated powers that the proposed development does constitute EIA development and the development proposal does need to be accompanied by an Environmental Statement:-

None

E6 TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 1999 – SCOPING OPINIONS ADOPTED UNDER DELEGATED POWERS

- (b) Since the last meeting of the Committee the following scoping opinions have been adopted under delegated powers.

Background Documents -

- *The deposited documents.*
- *Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.*
- *DETR Circular 02/99 - Environmental Impact Assessment.*

None