



AGENDA

PLANNING APPLICATIONS COMMITTEE

Tuesday, 7th October, 2008, 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 - 9 September 2008 (Pages 1 - 4)
4. Site Meetings and Other Meetings

B. GENERAL MATTERS

C. MINERALS AND WASTE DISPOSAL APPLICATIONS

1. Application TM/07/2545 - Northern extension to Wrotham Quarry (Addington Sandpit), Trottiscliffe Road, Addington, West Malling; Hanson Quarry Products Europe Ltd. (Pages 5 - 54)
2. Application TH/08/921 - Motor Control Centre Kiosk, vent stack and extension of parking bay at Glebe Court, Pett's Crescent, Minster, Ramsgate; Southern Water Ltd. (Pages 55 - 64)

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. Proposal DA/08/982 - Two f.e amalgamated primary school on the site of the existing Swayne Junior School, Swanscombe, including a new vehicular access off Swanscombe Street and areas of new hard play and car parking to replace the existing at the Manor Community Primary School, Keary Road, Swanscombe; KCC Property Group. (Pages 65 - 84)
2. Proposal DO/08/767 - Two 2-bay mobile units at Kingsdown and Ringwould CE Primary School, Glen Road, Kingsdown, Deal; KCC Children, Families and Education. (Pages 85 - 94)
3. Proposal TM/08/1896 - Multi-use games area and erection of pergolas for sitting and shade at St Mark's CE Primary School, Eccles Row, Eccles, Aylesford; Governors of St Mark's CE Primary School. (Pages 95 - 106)

E. COUNTY MATTERS DEALT WITH UNDER DELEGATED POWERS

1. County matter applications
2. Consultations on applications submitted by District Councils or Government Departments
3. County Council developments
4. Screening opinions under Environmental Impact Assessment Regulations 1999
5. 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, 29 September 2008

KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of A meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 9 September 2008.

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

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Principal Planning Officer), Mr R White (Transport and Development Business Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

65. Membership
(Item)

The Committee noted the appointment of Mrs P A V Stockell in place of Mr R A Marsh.

66. Minutes - 29 July 2008
(Item A3)

RESOLVED that the Minutes of the meeting held on 29 July 2008 are correctly recorded and that they be signed by the Chairman.

67. Site Meetings and Other Meetings
(Item A4)

The Committee noted that there would be a training session on Tuesday, 23 September 2008. Details of proposed visits to Wrotham School and to a composting facility at Church Lane, Aldington, Ashford would be communicated to all Committee Members at later stage.

68. Planning Controls for School Sports proposals.
(Item B1)

(1) The Head of Planning Applications Group circulated a table showing how hours of use could be calculated in a hypothetical case.

(2) The Committee noted that the final sentence of Paragraph 7 of the report should read "there is often an expectation of over 80 hours per week of *combined school and* community use."

(3) RESOLVED that the report be noted.

- 69. Application AS/08/945 - Wastewater pumping station, including change of use for land and the construction of a motor control centre kiosk, standby generator and steel palisade fencing at Land to the south of Alsops Road, Willesborough, Ashford; Southern Water Ltd**
(Item C1)

RESOLVED that:-

- (a) permission be granted to the application subject to conditions including the standard time condition; noise controls; construction hours; details of parking and loading arrangements; measures to prevent mud or debris on the highway; and details of methods of disposing of surface water within the site; and
- (b) Informatives sought by the Environment Agency regarding groundwater vulnerability, drainage, land contamination and storage of fuels/chemicals be attached to the permission.

- 70. Proposal TW/08/2323 - Removal of existing radio mast and erection of a 2.5kW wind turbine at Mascalls School, Maidstone Road, Paddock Wood; Governors of Mascalls School and KCC Children, Families and Education.**
(Item D1)

RESOLVED that permission be granted to the proposal subject to conditions including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; the existing radio mast being completely removed from site and the land restored to its original condition prior to the erection of the wind turbine; the turbine being finished in black (head & rotor) and grey (tower); and the turbine being removed from site when no longer in use with the site being restored to its original condition.

- 71. Proposal DO/08/724 - Extension to the School House at Charlton CE Primary School, Barton Road, Dover; Governors of Charlton CE Primary School.**
(Item D2)

RESOLVED that permission be granted to the proposal subject to conditions including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; all external materials matching those of the existing building; and the Developer allowing access at all reasonable times to an archaeologist to observe the excavations and record items of interest and finds.

- 72. County matter applications**
(Item E1)

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 (None);
- (c) County Council developments;
- (d) detailed submissions under Channel Tunnel Rail Link Act 1996 (None);
- (e) screening opinions under Environmental Impact Assessment Regulations 1999; and
- (f) scoping opinions under Environmental Impact Assessment Regulations 1999 (None).

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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 by Hanson Quarry Products Europe Limited for northern extension to Wrotham Quarry (Addington Sand Pit), Trottiscliffe Road, Addington, West Malling, Kent – TM/07/2545

A report by Head of Planning Applications Group to Planning Applications Committee on 7 October 2008.

Application by Hanson Quarry Products Europe Limited for northern extension to existing quarry at Wrotham Quarry (Addington Sand Pit), Trottiscliffe Road, Addington, West Malling, Kent.

Recommendation: Planning permission be granted subject to a legal agreement to secure the Heads of Terms given in Appendix 3 and conditions.

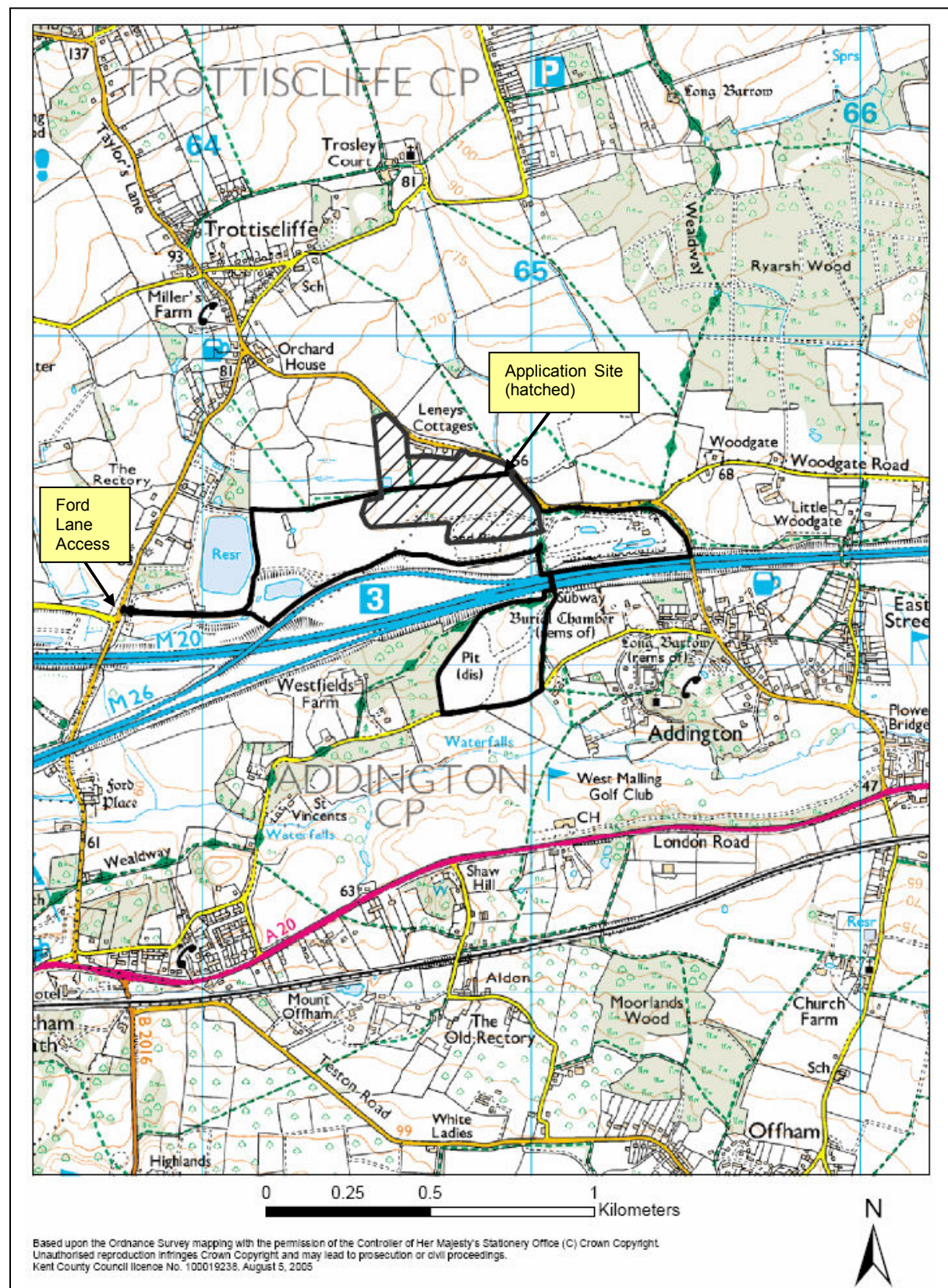
Local Member: Mrs S Hohler (Mrs V Dagger adjoining)

Unrestricted

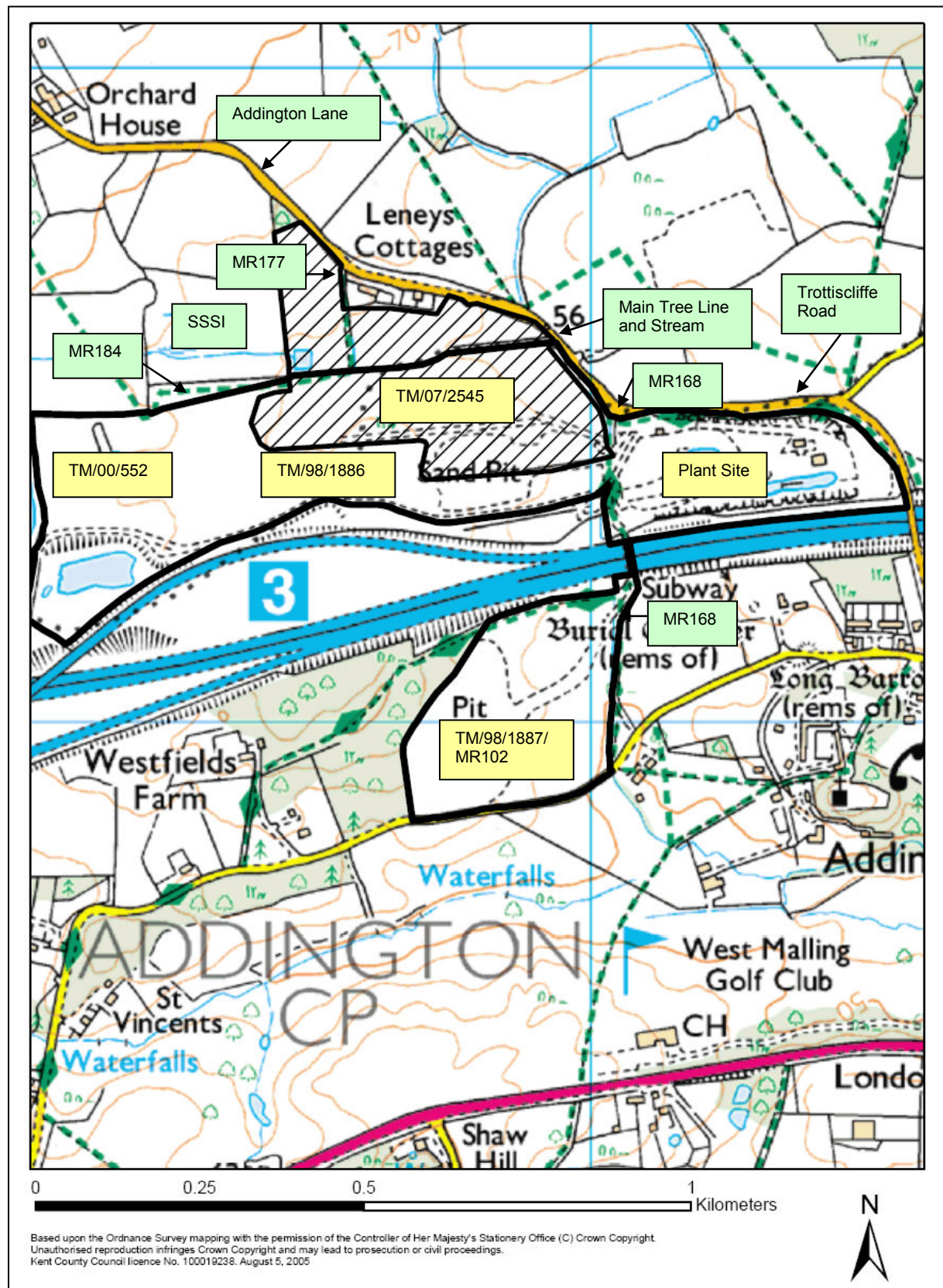
Site description and background

1. Wrotham Quarry (also known as Addington Sand Pit) is located between the settlements of Addington and Trottiscliffe approximately half way between Maidstone and Sevenoaks. The main part of the quarry, processing plant and associated facilities lie immediately to the north of the M20/M26 junction. A further small part lies to the south and is accessed via a tunnel under the motorway. HGV access to the quarry is from the A20 via Ford Lane and a purpose built 1.3km long access road which runs parallel to the motorway. Access to the plant site is also available for cars and light vehicles from Addington Lane / Trottiscliffe Road. The proposed northern extension lies between the existing main quarry area and Addington Lane. The nearest residential properties to the proposed northern extension are Chiralea and 1 and 2 Leney's Cottages on the southern side of Addington Lane. The next nearest residential properties are in Addington (approximately 200m to the north east and south of the plant site area) and Trottiscliffe (approximately 100m from the western end of the existing quarry). There are also a number of residential properties along Ford Lane between the A20 and the site access.
2. The application site consists of an area of the existing quarry that has been partially restored (including some woodland bench planting and grassland slopes) or is used by the field conveyor or for the storage of clay, silt, reject sand and ironstone and topsoil, two fields, sections of hedgerow, trees, a small stream and a pond. The agricultural land classification is grade 3b. The unexcavated parts of the application site lie at between 68m and 57m above ordnance datum (AOD) (sloping down from north west to south east), although the lowest parts of the existing quarry are at about 42m AOD.

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Both that part of the quarry to the north of the M20 and the proposed extension area are in the North Downs Area of Outstanding Natural Beauty (AONB). All is in the Green Belt. Immediately to the west of the proposed extension area and north of the western part of the existing quarry is the Trottiscliffe Meadows Site of Special Scientific Interest (SSSI). A South East Water reservoir and a Site of Nature Conservation Importance (SNCI) lie further to the west. The small stream within the application site (which flows west to east) rises at a small pond (believed to be fed from chalk-fed groundwater) to the south west of Trottiscliffe, across the SSSI (west to east) into the pond within the application site and then along the main tree belt which separates the existing workings from the unexcavated area until it is joined by another (culverted) stream flowing south at Addington Lane from where it follows a roadside ditch southwards until re-entering the quarry in culvert, under a haul road and under the M20 (and ultimately to the River Medway). The western part of the application site lies within a Groundwater Source Protection Zone (part Outer Zone/part Total Catchment) associated with the Trosley Pumping Station. Much of the main quarry void to the north of the M20 lies within the Total Catchment (part Inner Zone/part Outer Zone). To the north east of the proposed extension area lies the former mineral working and landfill site known as Pearson's Pit. Public footpath MR177 passes through the application site north to south from Addington Lane and joins public footpath MR184 which goes west along the edge of the existing quarry before providing a link to Trottiscliffe. Public footpath MR168 passes immediately to the east of the application site, between this and the plant site, and links Addington Lane with Addington to the south of the M20. The quarry and application site lie within an area identified in the Kent Minerals Local Plan Construction Aggregates (December 1993) as a Mineral Consultation Area.

3. Wrotham Quarry and the surrounding area has a long history of mineral extraction and there are a number of relevant planning permissions for extraction and associated processing. These include TM/74/1367 (plant and equipment, buildings, washing pools and access), TM/78/1064 (sand storage bins), TM/80/315 (sand store for storage of bagged treated sand), TM/82/313 (extraction of sand and new access), TM/87/1050 (lime sand mortar plant), TM/98/1886 (increased depth of working for TM/82/313), TM/98/1887/MR94 (new conditions under the Minerals Review process for north and south of M20) and TM/00/552 (western extension). Various approvals have also been given pursuant to these permissions. A planning application to allow the importation of inert waste for restoration of the area to the south of the M20 (TM/95/369) was eventually refused in March 2001 although the County Council had initially resolved to grant permission subject to a legal agreement in October 1995.
4. All the planning permissions require the quarry (north and south of the M20) to be restored to a lower level for agricultural, woodland and nature conservation afteruses using reject sand, overburden and soils from the site itself. They also require that operations only take place between 0700 and 1800 hours Monday to Friday and 0700 and 1300 hours on Saturdays (with the exception of essential maintenance works) and that only the Ford Lane access be used. To the north of the M20 sand is extracted year-round in a series of benches using mechanical excavator or loading shovel and transported to the plant site by conveyor located along the base of the excavation and partially restored site. The depth of extraction is limited to 35m AOD and a "Code of Operating Practice" designed to prevent pollution and protect public water supplies

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applies. No more than a daily average of 112 HGV movements (56 in/56 out) in any one week are permitted to use the Ford Lane access. TM/98/1886 requires that extraction must cease and the site be restored by 2 April 2008. TM/00/552 requires extraction to cease and that site to be restored within 7 years of commencement of extraction in that area (i.e. by 6 October 2010). Sand from the south of the M20 is extracted by loading shovel and transported by dumptruck under the M20 via a tunnel shared with public footpath MR168. Unless otherwise agreed by the County Planning Authority sand extraction in this area is only permitted for a total of 4 weeks between 1 April and 30 September. Extraction is permitted to a depth of 42.7m AOD and must cease by 31 May 2010 and restoration be completed in a further 12 months.

5. The various processing plant and related planning permissions (i.e. TM/74/1367, TM/80/315, TM/78/1064 and TM/87/1050) were granted subject to conditions which only allowed them to be used in association with specified older extraction permissions without the prior written consent of the County Planning Authority. Since the older mineral reserves have since been exhausted it will be necessary for Hanson to obtain variations to these consents to enable sand from the proposed northern extension to be processed or otherwise managed at the site. Indeed, due to an oversight it has emerged that variations are also required to allow the plant to be used to continue to process sand from planning permissions TM/98/1886, TM/98/1887/MR94 and TM/00/552. Hanson has made the necessary submission to the County Council and this will be considered alongside the application for a northern extension to the site. In addition to the above, a number of other breaches of planning permissions TM/98/1886 and TM/00/552 have been reported to the County Council's Regulation Committee since September 2005. These relate to non-compliance with the permitted working and restoration scheme as a result of slope stability issues and the need to temporarily store silt and overburden materials in the base of part of the site leading to a delay in implementing some site restoration. Whilst the proposals for the northern extension would address some of these issues (due to the overlap between the two areas), Hanson has now submitted proposals designed to address the breaches of planning permission and resolve these issues (regardless of the outcome of the northern extension application). If planning permission is granted for the proposed northern extension, further minor amendments may be required.
6. A Planning Applications Committee Members' site visit was held on 29 July 2008. This was also attended by the applicant, representatives of Tonbridge and Malling Borough Council and Trottiscliffe and Wrotham Parish Councils, CPRE, Kent Downs AONB Unit and KCC's Landscape Consultant (Jacobs). Notes of the site visit are attached at [Appendix 1](#). The site visit enabled Members to view the proposed northern extension and the other areas of the site north of the M20 and appreciate the relationship between these and the area to the south of the M20.

The Proposal

7. The application, which was submitted in June 2007, proposes the extraction of approximately 470,000 tonnes (t) (314,000m³) of saleable sand from a northern extension area thereby providing a further 3 to 4 years production at 180,000tpa. Restoration would be completed in about 6 years. About 246,000t (164,000m³) would be industrial (silica) sand and 224,000t (150,000m³) would be construction sand. In

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2007, the applicant stated that current reserves of sand would be depleted in about 2 years at a (current) production rate of about 180,000 tonnes per annum (tpa). In September 2008 the applicant estimated that there was about 50,000t of construction sand and 150,000t of industrial sand remaining (representing about 6 months and 2 years production respectively).

8. Soils and overburden would be stripped and stored for use in final restoration. Excavated materials would be transported from the working face to the plant site by conveyor. All processing operations would be undertaken at the existing plant (i.e. washing and screening plant, sand classifiers and sand drier) and processed sand either stored in open stockpiles or silos in the plant site area prior to distribution (in tankers, bags or loose). No new ancillary development is proposed although as stated at paragraph 5 above it would be necessary for amendments to the existing plant and related permissions to be secured to facilitate the proposed development. The proposed hours of working are as currently (i.e. 0700 to 1800 hours Monday to Friday and 0700 to 1300 hours on Saturdays and no operations on Sundays, Bank or Public Holidays except for essential maintenance). The proposed development would provide continued direct employment for 6 people and an additional 5 during soil and overburden stripping and restoration, as well as continued indirect employment for hauliers and other service providers. External lighting would continue to be required around the plant site during winter months but no lighting would be used within the extraction area as sand extraction would not occur after dusk.
9. Extraction of construction sand in the northern extension would commence when reserves of similar sand are depleted in the existing western extension. The reserve life of construction sand in the northern extension would be about 2.4 years based on a current production rate of 90,000tpa. Extraction of industrial sand in the northern extension would similarly commence when reserves of such sand are depleted in the existing western extension. This would then provide for about 2.7 years of silica sand extraction based on a current production rate of 90,000tpa. Industrial sand extraction would commence about 2 years after that of construction sand, giving a total life for the northern extension of about 5 years. Initially, extraction of construction sand in the northern extension would be concurrent with silica sand extraction in the existing western extension.
10. The extraction area would be 25m from the nearest property boundaries (Chiralea and Leney's Cottages) which, in part, comprise a screen of mature trees which would be retained. A 3m high screening bund (1 vertical to 2 horizontal) would be constructed within this 25m strip nearest to the quarry. The area between the property boundaries and screening bund and between the extraction area and Addington Lane would be used for diverted buried water and electricity mains. A further unexcavated margin would be retained on the western boundary to facilitate these buried services and a public footpath diversion. The quarry would be worked to 38m AOD in accordance with a protocol to be agreed with the Environment Agency and Mid Kent Water.
11. The site would be restored using overburden (i.e. clay and gravel known as "superficials", gault clay and unsaleable brown sand) on the quarry floor and against the lower part of the benched sand faces such that the minimum ground level would be raised to 42m AOD to meet the requirements of the Environment Agency and

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South East Water. The applicant states that 75,000m³ of overburden is available from the proposed northern extension together with an additional 102,000m³ in the base of the existing quarry floor. Restoration slopes are designed to merge with those already permitted and provide for surface water run-off draining towards an infiltration feature of waste sand fill in the base of the restored area. As with the existing restoration scheme for the quarry, the steeper tree planted benches would face south such that they would not be visible from the AONB to the north.

12. The application proposes that quarry development would take place in four main stages: (1) site establishment; (2) construction sand excavation and second overburden strip; (3) completion of construction sand excavation; and (4) completion of industrial sand excavation and progressive restoration. The written statement and associated drawings set out what would occur in each stage and provide details of the quantities of different materials associated with the various works.

13. Stage 1: Site establishment works would include: the construction of a clay ramp to the proposed northern extension area from the base of the current excavation using clay stored on site; the draining and backfilling of an existing pond and diverting the stream around the northern edge of the proposed excavation area in a reinforced lined channel; the removal of trees and hedgerow separating the existing and proposed areas; the diversion of services into a corridor to the north of the excavation area; the formation of the 3m high screening bund to south of adjoining properties using overburden; the excavation of a new pond in north west corner of site; the temporary diversion of footpath MR177 during drainage channel construction on the line of the footpath and its reinstatement on existing alignment with temporary footbridge; the relocation of an existing soil mound from one area of the quarry floor to another to the south of the conveyor by bridge; overburden stripping and placement of soils, superfcials and clay on the quarry floor (in locations identified on phasing drawings); the reduction in height of the clay ramp to the base of the overburden; and construction of an unsaleable brown sand buttress against any gault clay faces. Topsoil and subsoil would be stored in mounds of up to 3m and 5m high respectively. The site establishment works need to be completed prior to the depletion of construction sands in the western extension to provide continuity of production. When the application was submitted in June 2007, the applicant estimated that production from the northern extension would commence by the end of 2008. In September 2008 the applicant indicated that it if permission were granted it would hope to commence soil and overburden stripping at the eastern end of the northern extension in Spring 2009 (preceded by tree and other vegetation clearance).

14. Stage 2: The construction sand excavation and second overburden strip would involve the working of about half the construction sand reserve (1.3 years at 90,000tpa) with a quarry face advancing from east to west in one or two 6m high benches. Sand would be extracted from the base of the face and transported by loading shovel up to 130m to a hopper and extended conveyor. The conveyor serving the western extension would also remain in place until no longer required. Footpath MR177 would be permanently diverted onto the western site boundary before the second overburden strip. Near the end of stage 2, the remaining soil and overburden would be stripped and placed into storage on the quarry floor (in locations identified on phasing drawings). The remainder of the sand buttress would be formed, protected

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with hessian matting and seeded. The upper part of a stream overflow spillway would be created. The stockpile of industrial sand in the eastern part of the quarry would be depleted to create further space for overburden storage during stage 3. By the end of stage 2, all overburden would be stripped from the northern extension and final overburden slopes formed.

15. Stage 3: The completion of construction sand excavation would occur in stage 3 (about 2.1 years) as the face would move in a westerly direction and the extraction of industrial sand would move from the western extension to the eastern end of the northern extension with extraction to 38m AOD. Extraction would again progress in a westerly direction to allow progressive restoration in stage 4.
16. Stage 4: The completion of industrial sand excavation and progressive restoration would occur in stage 4. As the lower sand faces advance, fill would be placed on the floor of the quarry behind the working area to enable the final restoration levels to be achieved in accordance with a restoration drawing. Unsaleable brown sand would be placed in the quarry floor to form the final infiltration feature (i.e. linear soakaway). Clay previously backfilled on the existing northern quarry slope would be re-excavated ahead of advancing sand extraction to enable extraction of the existing quarry wall to a depth of 38m AOD. On completion of sand extraction, remaining stored clay fill and soils would be placed to secure the final restoration levels.
17. Restoration of the proposed extension would be similar to the existing quarry with a series of south facing sand faces and benches created by the extraction process which would be soiled and planted with native trees and shrubs, in effect “moving” the previously restored face approximately 150m north. Other features created would include a damp neutral grassland floor with linear drainage (including soakaways), a diverted stream and a new pond with associated woodland and scrubby planting to promote newt habitat creation and colonisation. The soil screening bund between the quarry and the residential properties on Addington Lane which would have been planted with trees and shrubs would be retained. The application contains proposals for soil stripping, handling, storage and replacement, measures to ensure stability of retained sand faces and planting and seeding. When the application was submitted in June 2007 the applicant stated that all restored areas would be subject to a 5 year aftercare period. This has since been extended to 10 years.
18. The application is supported by an environmental statement and non-technical summary containing sections on site description and setting, planning policy, need and alternatives, development proposals, restoration, landscape and visual impact, noise, ecology, geology, air quality, archaeology and cultural heritage, hydrology and hydrogeology, soils and agriculture, highways and public rights of way, geotechnical stability.
19. As a result of objections from the Kent Downs AONB Unit, Wrotham Parish Council, the CPRE and Natural England in respect of landscape and restoration issues, from Natural England and KCC's Biodiversity Projects Officer in respect of ecological issues and from KCC's Archaeological Officer in respect of archaeology and historic landscape issues, discussions were held with the applicant. This led to the applicant submitting further information in support of the application in June 2008. The further

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information comprises supplementary assessments in respect of need & alternatives, landscape & visual impact, ecology (including details of further reptile surveys and mitigation), archaeology & cultural heritage (i.e. a fully revised section). These are presented in a Supplementary Statement which also contains responses to a number of objections and other issues raised during consideration of the application. It also contains a number of amendments to the proposals (including to the restoration of both the proposed northern extension area and the adjoining existing main quarry area north of the M20, but excluding the plant site area). The main changes are:-

- additional woodland planting to the quarry floor (e.g. two blocks in the base of the quarry and several areas adjacent to the base of the final north and south facing restoration slopes);
 - two additional hedgerows across the quarry floor (linking proposed woodland blocks with surrounding planting);
 - the translocation of the existing mature hedgerow adjacent to footpath which would need to be diverted to accommodate extraction to a receptor location alongside the diverted footpath (supplemented by new planting as necessary);
 - hedgerow strengthening along the western boundary of the site (to close existing gaps);
 - the “softening” of the permanent screening bund in the north of the site;
 - the diverted stream channel would be constructed using “bio-engineering” techniques (designed to improve the nature conservation and habitat creation benefits of the new watercourse);
 - the provision of a new public footpath linking footpaths MR184 and MR168 (around the western and southern boundaries of the quarry).
20. Following discussions with the applicant after the Members’ Site Visit, it has agreed to a number of additional measures. These include extending the aftercare period from 5 to 10 years, undertaking a survey of existing trees near the plant site and supplementing planting in this area and between the application site and Addington Lane as necessary.

Planning Policy Context

21. The most relevant planning policies are set out in [Appendix 2](#).

Consultations

22. **Tonbridge and Malling Borough Council** – No objection. However, recommends that if planning permission is granted conditions should be imposed to secure the implementation of the dust mitigation measures proposed in paragraphs 11.55 and 11.56 of the Applicant’s Environmental Statement.
23. **Trottiscliffe Parish Council** – Considers that the landscape and visual assessment has failed to include viewpoints from roads such as Addington Lane (which allow filtered views of the extension area) with the result that the proposed restoration and planting scheme does not adequately screen the proposed development. It has suggested that the screening bund and associated planting be extended further east

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even if this means that the quarry face would need to be moved further from Addington Lane. It has also expressed doubts that the proposed hedgerow translocation (mostly mature blackthorn) would succeed and suggested that this be replaced by a mixed native hedge. Failing this, a method statement should be secured to address preparation, lifting and aftercare. It has stated that, wherever possible, planting should be done in advance of development and that KCC should be assured that benches for tree planting should be properly formed with topsoil to provide a good growing medium to support tree growth and avoid the failures that have occurred on the embankment to the north of the plant site. It has further stated that although planting on existing benches has been relatively successful, it contains a high proportion of pine, and any new plant mix should be considered carefully to better reflect this part of the AONB and contain understorey planting as well as trees. The Parish Council has also asked whether the applicant could be required to fund local off-site landscape projects to assist in mitigating the short-term negative effects of the development since new planting may take 15 to 20 years to have any substantial effect.

In responding to the proposals to amend the scheme of working and restoration for the existing site (referred to in paragraph 5 above), it has also expressed the opinion that tree planting and understorey planting should use larger stock (i.e. trees of at least 120-150cm as opposed to 80-100cm and understorey planting of 60-80cm rather than 40-60cm) and that proposed hedgerows should be planted at 6 plants per linear metre and not 4. Since these comments could also be applied to the proposals for the northern extension, they are reported here.

24. **Addington Parish Council** – No response to the Supplementary Statement (June 2008). In commenting on the details contained in the initial June 2007 submission, it stated that it fully supported the application as it is mindful of the need to continue sand extraction in this location and since the application has been prepared so that all the issues and concerns have been dealt with in a constructive way. It also stated that it is keen to ensure that the diversion of the footpath is carried out in such a way that no disruption is caused to users and proper clear signage is provided particularly during the process of diversion. It noted the intention to install a screening bund prior to extraction (at the north end of the site) and hoped that the disruption to local residents would be kept to a minimum.
25. **Wrotham Parish Council** – No response to the Supplementary Statement (June 2008). In commenting on the details contained in the initial June 2007 submission, it stated that the application did not provide sufficient enhancement of the AONB or an exceptional circumstance sufficient to overcome the severe constraints against development in the AONB (i.e. against the criteria set out in Policy EN4 of the KMSP). However, it felt that there are advantages in extending a quarry rather than sourcing the minerals from a new quarry and that it should be possible for the applicant to provide a new and improved scheme of restoration that would overcome the constraints. It suggested that the applicant submit a restoration scheme for the whole quarry which would enhance the quality of the AONB. It also suggested that the part of the quarry close to the M20 embankment which prevents landscape mitigation of the motorway should be backfilled with inert and non-putrescible material such that indigenous planting would screen the motorway. It further suggested that a new

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restoration scheme be designed for the entire site which provides landscape mitigation for the motorway and provides for lowland heath habitat on the basis that this habitat is now very rare in Kent. It also referred to information in the CPRE's response.

26. **Platt Parish Council** – No response to the Supplementary Statement (June 2008). In commenting on the details contained in the initial June 2007 submission, it stated that it had no objection. However, it would wish to see a condition imposed that restricts the maximum number of HGV movements per day (preferably to no more than 36 loads per day).
27. **SEERA** – Does not consider that the proposals are of regional significance and therefore does not wish to make representations.
28. **SEEDA** – No comments to make.
29. **Environment Agency** – No objections subject to:-
 - a condition requiring the prior approval of details for diverting the existing watercourse to a new man made channel and the new water course being designed to maximise wildlife value by having a varied and sinuous course with a suitable substrata on top of the clay lining;
 - the County Council being satisfied about stability in the base of the excavation as it could be affected by flood water during extreme events;
 - adherence to a revised protocol for groundwater monitoring (to include the potential for leachate and landfill gas monitoring and related risk assessments at Wrotham Quarry should landfill gas or leachate escape through the Folkestone Sands from Pearson's Pit to the north) – *a suitably revised protocol has already been agreed*;
 - specific informatives to address potential risk to groundwater as the site lies in a sensitive area in terms of groundwater vulnerability and overlies a major aquifer and is in the Source Protection Zones for the Trosley public water supply abstractions; and
 - the current working arrangements for foul drainage, storage of fuels/chemicals and dealing with spills being retained to ensure continued management of risks from pollution of soils and groundwater at the site.

It has also stated that it agrees with the proposal to raise the quarry floor level in the extension to 38m AOD from between 31 and 33m AOD in the current quarry to improve the protection of potable water supplies

30. **Natural England** – In commenting on the Supplementary Statement (June 2008), it stated that:-
 - it understands the Kent Downs AONB Unit has been involved in discussions relating to the implications for this proposal on the AONB and recommends they be consulted on the additional information supplied;
 - the indicative reptile mitigation appears appropriate to mitigate the potential impacts of this proposal on local reptile populations but any habitat enhancement works to the receptor site should be conducted sufficiently far in advance of

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individuals being translocated to ensure the habitat is capable of supporting the additional numbers – a condition should be imposed to secure a detailed reptile mitigation strategy;

- where habitats are created as mitigation or enhancement for a development, these habitats should be subject to long term management and monitoring to ensure that the populations of species affected are conserved, and wherever possible enhanced;
- it recommends that a management plan and monitoring programme should be produced for all habitats and species affected by the application – this strategy (and funding for its long-term implementation) should be secured from the applicant;
- soils should only be handled when they are in a dry and friable condition and in such a way as not to cause significant compaction (i.e. in accordance with MAFF's Good Practice Guide for Handling Soils) so as to ensure that the long term potential of the land for agricultural production is not prejudiced; and
- unlike income generating afteruses such as agriculture or forestry, the success of reclamation schemes based on landscape, recreation and nature conservation depends upon well funded and effective schemes of aftercare being implemented with provision for the longer-term management of the land.

In commenting on the details contained in the initial June 2007 submission, it stated that:-

- the long term visual impact on the landscape would not be great, such that this alone would not be a reason to prompt a proposed rejection. However, it questioned the specific restoration proposed with banks and shelves and suggested that some construction effort be made to tie the resulting landscape to the previous landform such that the contours are “rolling” rather than “angular”. It further stated that it would be minded to object to any application with unhelpful restoration proposals (in terms of landscape topography or habitat);
- it saw no reason to believe that the application would have any impact on the AONB status of the quarry area in the immediate future (and assumed that the Kent Downs AONB Unit would be consulted);
- it had no objection to the proposed permanent diversion of a footpath (as the proposed route would be roughly equidistant to the existing);
- the proposals appeared to be broadly acceptable and in accordance with its protected species guidelines. It commended the care taken over the great crested newts to date and advised that a further licence would be required before works commence;
- it would like to see hedgerow replacement on a like for like basis so far as possible (and suggested that Kent Wildlife Trust could advise on this);
- the County Council should have regard to section 40 of the Natural Environment and Rural Communities Act 2006 and to the duty on public bodies to have regard to issues of biodiversity and to the enhancement of habitat. It noted the proposed restoration by establishing neutral grassland for amenity usage and suggested that acid grassland and heath would be a more preferable aspiration, consistent with the pre-quarry environment in this location and appropriate to the area, as this would reduce the final impact of the development/works on the area; and
- suitable dust control measures should be imposed to ensure that the adjoining

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Trottiscliffe Meadows SSSI is not adversely affected.

Natural England was subsequently involved in discussions with both the Kent Downs AONB Unit and KCC's Biodiversity Officer and stated in an email (in November 2007) that further reptile survey work was required and that it was unhappy with the restoration proposals and would object to the planning application. The discussions between these parties informed the scope of the further work required by the applicant and are reflected in the information contained in the Supplementary Statement.

31. **Kent Wildlife Trust** – In commenting on the Supplementary Statement (June 2008), it stated that it still has no objection in principle and welcomes the retention of sand faces as a restoration feature, but would prefer that the applicant be asked to explore the potential for applying an appropriate seed mix to a thin sandy loam to achieve lowland dry acid grassland – a Kent Biodiversity Action Plan priority habitat that would complement a range of “designated” habitats in the vicinity. If such treatment is feasible, it would ask that this be a requirement of any permission granted.

In commenting on the details contained in the initial June 2007 submission, it stated that it had no objection in principle provided Natural England are consulted on the proposed mitigation measures to avoid harm to protected species at the site and (*subject to endorsement of Natural England*) the imposition of planning condition(s) and/or planning obligations to secure the mitigation and enhancement measures mentioned in the Environmental Statement. It also advised that it is particularly keen to see the restored grassland to be unimproved and managed by sheep grazing.

32. **Kent Downs AONB Unit** – No response to the Supplementary Statement (June 2008). In commenting on the details contained in the initial June 2007 submission, it stated:-

“We object to the proposed extension to the quarrying operation on the grounds it would be harmful to the landscape character of the Kent Downs AONB. This is because the loss of the existing tree line would be detrimental to views into the site from the north and to views across the site towards the north and south, in the longer term. These trees are an important distinctive landscape feature within the Downs from all angles. They serve as a backdrop to the present quarry, now, and once restored will help screen the quarry and the plant. This is reinforced by the Environmental Statement assessing 13 out of the 14 view points as having a high visual sensitivity rating. The statutory approved Kent Downs Management Plan recognises that development pressure means that the approaches to and views from the AONB are set to deteriorate unless efforts are made to protect them. Policy SDT4 in the Plan states: “The impact on the setting of the AONB and the views in and out of the AONB are to be considered in all development applications”. (page 56)

If this feature were removed a full view into the site would be afforded; where the tree line tapers out at the present time (to the west) it would be possible to see into the site and see the restored north facing batters. These look completely out of keeping with the landscape and the present restoration is inadequate to restore the landscape to a high quality that will be compatible with the AONB designation.

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It is fairly clear that this boundary line for existing operations was chosen as the northern boundary for a number of reasons including:

- To protect the amenity of inhabitants of Addington Lane
- To protect the tree line which is an important feature in its own right and because it acts as a major screen in its own right
- To protect the stream line

Another key consideration is that as the period of extraction and the restoration process is likely to take in excess of twenty years there will be a long term adverse impact upon a highly sensitive part of the AONB, which is not acceptable. The Environmental Statement acknowledges that the overall magnitude of Residual Landscape Change will be substantial during the initial construction, operational and progressive restoration stages.”

The Kent Downs AONB Unit was consulted on an informal response by the applicant to its objections in February 2008. Due to the informal nature of this exchange and since the applicant has since amended the proposals in response to these concerns and other issues raised, they are not reported further.

33. **CPRE** – In commenting on the Supplementary Statement (June 2008), it stated that:-

- it noted that the applicant has now followed the correct planning procedure for large projects in the AONB but is still concerned that the proposal is still focussed primarily on the landscaping of the northern extension and the land areas in the existing pit that would be used for stockpiling sand and overburden;
- its principle concern remains the removal of the tall tree screen that formed part of the initial planting when the land was first acquired;
- the proposal fails to note the main adverse impact on the AONB at the east end of the Quarry where tree screening is poor and there are a number of dead trees (i.e. around the plant site area) – this requires urgent examination and should be addressed now as it will deteriorate further and exacerbate views into the quarry to a far greater extent than the loss of the tall tree line;
- additional lime trees (with a potential height of 30-40m) should be planted at the centre of the proposed screening bund to complement those in a line to the north of the road opposite Chiralea and Leney's Cottages as this should more than compensate for the loss of the tall tree screen when surrounded by the other trees proposed for this area;
- provided planting is implemented in the early stages of development (i.e. when the screen bund is constructed), the negative impact on the landscape could be of relatively short duration and taking account the relative scarcity of silica sand in the South East this may be considered an acceptable measure if the other tree screens are enhanced and maintained in a healthy state; and
- it supports the proposed habitat for the great crested newt colony as the new pond would dry out in summer preventing predatory fish becoming established.

In commenting on the details contained in the initial June 2007 submission, it stated that it:-

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- objected on the grounds that the proposal does not conform to current planning guidance for the Kent Downs AONB as set out in Policy EN4 of the KSP 2006 but considered that this objection could be overcome if the landscape were to be enhanced;
 - had concerns that the application did not explain how the proposed restoration integrates with that for the rest of the quarry (including the plant site and land south of the M20); and
 - suggested that the entire site should be restored to Lowland Heath as this would entail no significant increase in cost and would accord with earlier discussions between the CPRE and the Trottiscliffe Society in the context of a public inquiry into the Highways Agency's proposals for the widening of the M20 in 1994/5.
34. **South East Water (formerly Mid Kent Water)** – No response to the Supplementary Statement (June 2008). In commenting on the details contained in the initial June 2007 submission, it stated that it:-
- had been working closely with the Environment Agency to ensure that works in the area have a minimal impact on the underlying aquifer and public water supplies;
 - has important groundwater sources for public water supply close to the proposed site and is mindful of its obligation to protect public drinking water supplies at all times;
 - is important that it is included in all discussions surrounding works on the site going forward; and
 - was minded not to oppose the application at this stage subject to being included in all future discussions surrounding groundwater protection and monitoring.
35. **Southern Water** – No comments.
36. **National Grid** – Has advised that there is a negligible risk to its gas and electricity network given the nature of the proposals and the proximity to and sensitivity of the networks.
37. **EDF** – Has confirmed that it has a high voltage overhead cable in the application area.
38. **Southern Gas Networks** – Has identified that its apparatus is not affected.
39. **Divisional Transportation Manager (West Kent)** – No objection subject to existing access and HGV controls being repeated and further positive lorry signing at the junction with A20/Allington directing to the quarry west along A20 and at Ford Lane again directing to the quarry.
40. **KCC Landscape Consultant (Jacobs)** – In responding to issues raised at the Members' Site Visit and comments from Trottiscliffe Parish Council, it has confirmed that the landscape and visual issues have been adequately addressed by the applicant and has made a number of detailed comments. Specifically, it agrees that there is some doubt as to whether hedgerow translocation would be successful (but is satisfied that this can be addressed by conditions requiring its replacement should translocation fail), it is satisfied that the inclusion of Scots Pine is appropriate in this case (as it has commonly been planted as a parkland feature on the sandy soils in this

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part of Kent along the M20 corridor and would provide a welcome evergreen element) but that other pine species should be avoided and it believes that supplementary planting adjacent to the plant site on the Addington Lane boundary should be concentrated on the top of the bank nearest the road (due to the difficulties that would arise from planting on such a steep bank without additional engineering and irrigation). It has also recommended tree surgery/pruning of any die-back to improve the appearance of the area and measures to ensure that new planting is protected from animals.

In responding to the Supplementary Statement (June 2008), KCC's landscape consultant has advised that whilst it believes that the applicant has slightly underplayed the extent of the visibility the proposals would have when viewed from the North Downs, it is satisfied with the general thrust of the landscape and visual assessment put forward by the applicant and the likely landscape and visual effects that would result from the proposals in overall terms. It advises that the long term visual effects of slight to moderate for key views and landscape character are relatively benign for a development of this kind, particularly given the sensitive AONB setting. It considers that these levels of effect are a fair reflection of the fact that the development would not be conspicuous in the broader landscape and would be set in the context of significant existing and historic quarrying in the local area. It also accepts the applicant's argument that the main east-west hedgerow that would be lost is of less importance as a landscape feature as it comprises more recent screen planting and includes species that are not typical of the landscape character of this part of Kent and were planted for their fast growing / screening properties (e.g. Willow and Alder). In this way, the hedgerow is not strictly "in character" and is replaceable in a way that a more species rich / older hedgerow would not be.

It has further advised that whether or not the landscape and visual effects are acceptable, particularly in relation to the AONB, will obviously need to be considered in line with other issues. Such issues include the need for the mineral extraction and other environmental impacts, such as those relating to ecology and noise and air quality during construction. It would be difficult to argue however, that the landscape and visual effects in isolation are sufficient to warrant a refusal of the application in this instance. It also considers that the creation of the new footpath link is a very positive measure in terms of recreation and the potential for experiencing the landscape and visual amenity of the local area.

In commenting on the wider visual and landscape character effects of the on the AONB in response to the initial June 2007 submission, KCC's landscape consultant broadly agreed with the findings in the Landscape and Visual Impact Assessment contained within the Environmental Statement. Existing tree belts, hedgerows and woodland blocks around the site are important in reducing the site's visibility within the landscape such that it is not highly visible from surrounding areas. The removal of vegetation from the site and the opening up of some restored portions of the existing quarry would only be visible from a few long distance and elevated viewpoints in the AONB. Overall the wider effects on views and landscape character within the AONB would not be significant.

KCC's landscape consultant raised concerns in relation to the direct adverse

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landscape effects on the site itself including the loss of existing trees and hedgerows, the removal of a length of stream and a pond, and topographic changes which would result in locally significant adverse effects on the landscape character of the site. Because the magnitude of localised adverse effects would be high, overall the landscape impact is considered substantially adverse. These effects could be mitigated by new plantings, but it would take around 15 to 20 years to fully mitigate the adverse effects.

It suggested that it would be beneficial for the applicant to consider ways in which the adverse impacts, particularly on existing vegetation, could be reduced or further mitigated. This might include the retention of more vegetation, the existing pond and part of the stream, and 'Off-site' planting belts could be planted in advance of the commencement of operations. It may also be beneficial to seek improvements to the existing permitted quarry site which might offset some of the adverse impacts of the proposals.

It also suggested that whilst the restoration scheme and proposed mitigation were acceptable in both landscape and visual terms, the restoration scheme should be amended to better reflect surrounding landscape character. It further suggested that the potential historic landscape value of the hedgerow and stream which mark a parish boundary should be further considered.

41. **KCC Geotechnical Consultant (Jacobs)** – No objections. Advised that the parameters used in the geotechnical report accord with published values and are appropriate for the geologies present and that the proposed final restoration slopes are shallower than recommended (*hence acceptable*). Further advised that as the proposed steep temporary slopes in the gault clay would be prone to instability it is important that the proposed buttressing with sand deposits be undertaken without undue delay and that it is also important for the new man made channel to be reinforced.

42. **KCC Noise, Dust, and Odour Consultant (Jacobs)** –

Noise: No objection subject to the imposition of conditions to limit noise from day to day operations to no more than 53dB $L_{Aeq,1hr}$ measured at any noise sensitive property and noise from temporary operations (e.g. soil stripping and bund formation) to no more than 70dB $L_{Aeq,1hr}$ for a period not exceeding 8 weeks in any one year.

Dust: No objection subject to the proposed dust control measures being implemented as set out in Section 11.55 and 11.56 of the Environmental Statement (e.g. water bowser / spray on haul roads, minimisation of double handling of materials and others identified in MPS2). Advises that these measures should mean that the proposed development would be unlikely to cause detriment to amenity at the closest sensitive properties.

43. **KCC Archaeology and Historic Landscape** – No objection subject to the imposition of conditions to secure appropriate archaeological and historic landscape recording work.

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44. **KCC Biodiversity Projects Officer** – No objection subject to any further comments from Natural England in respect of bats and the imposition of conditions to secure the following:-

- the proposed mitigation and habitat creation (with native species planting of local provenance) to ensure that biodiversity is enhanced;
- the translocation of the hedgerow (and monitoring for any changes that may be needed);
- a detailed mitigation method statement for great crested newts (including the measures highlighted in sections 4.2, 4.3 and 4.4 of the great crested newt report);
- the measures recommended in section 4.4 of the protected species survey report on badgers;
- the recommendations in section 3.4 of the protected species survey report on birds and restrictions on the timing of works to avoid the bird breeding season;
- the proposed reptile mitigation measures (set out in section 4 of the Supplementary Statement);
- the implementation of the Bat Conservation Trust Guidelines for felling trees with low potential for bats; and
- the monitoring and reporting of the above to the County Council (annually).

Has also advised that:-

- the proposed habitat creation is welcomed;
- the further survey work and associated mitigation proposals set out in the Supplementary Statement are acceptable; and
- the Environment Agency be consulted with regard to the stream diversion and design.

45. **KCC Rights of Way** – Has welcomed the proposed creation of a new footpath around the southern and western perimeter of the site as it would create an off-road route linking the villages of Addington and Trottiscliffe, allowing pedestrians to avoid walking on the fast and busy Addington Lane. Has confirmed that public footpaths MR177 and MR184 run through the site and would be affected by the proposed development. Has advised that if planning permission is granted, the development would necessitate the diversion of these footpaths and require a formal Order to do so. Is satisfied with the diversion proposals (*having met the applicant on site*), however, advises that there is no guarantee that any application for a diversion Order would be successful. Planning permission does not entitle the developer to obstruct the Public Right of Way and it must not be affected until a diversion Order has been confirmed. The proposed temporary closure of footpath MR177 to allow for the construction of the diverted watercourse would be processed on the basis that: it is paid for by the developer; the duration is kept to a minimum; an alternative pedestrian route is provided at all times; and 6 weeks notice of the requirement of a closure is given by the developer.

Representations

46. The application has been publicised both by site notice and newspaper advertisement and 21 local residents / business properties were notified. The Supplementary

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Statement submitted in June 2008 was also advertised in accordance with the EIA Regulations and the local resident who initially made representations was informed.

47. Only one representation has been received. It raised the following issues:-

- Something must be done to prevent HGV traffic entering and trying to turn in Trottiscliffe from Addington Lane (alleges that 99% of the problem is caused by HGV vehicles trying to access the quarry from Addington Lane rather than Ford Lane). Suggests that either a HGV access should be made in Addington Lane or additional signs erected to stop HGVs reaching Trottiscliffe.
- The proposed new pond off Addington Lane should only be used for wildlife and newts and be made unsuitable for fishing to prevent problems associated with this use on local farmland as has sometimes been the case with the existing potato irrigation pond (e.g. break-in's, destruction of gates and fences, attacks on livestock, litter leading to vermin and general nuisance).

Local Member

48. County Council Member Mrs S Hohler was notified in July 2007 and again in June 2008. Mrs V Dagger was also notified as the adjoining County Council Member.

Discussion

49. 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 2 are of greatest relevance.

50. In this instance, the proposals need to be considered against minerals policies and other material considerations. The main issues to be considered relate to:-

- The quantity and quality of the mineral resource(s);
- The need or otherwise for the mineral(s) and alternative options;
- Landscape and visual amenity (including AONB and Green Belt issues);
- Water environment (hydrology, hydrogeology and groundwater impacts) and Geotechnical stability;
- Ecology;
- Local amenity impacts (e.g. noise and dust / air quality);
- Archaeology and historic landscape;
- Highways and transport; and
- Public rights of way.

The quantity and quality of the mineral resource(s).

51. Policy CA7 of the Kent Minerals Local Plan (KMLP) Construction Aggregates (CA) states that the County Council will require evidence of the extent and quality of mineral reserves for proposed workings.

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52. The application seeks to extract about 246,000t of silica sand and 224,000t of construction sand (i.e. a total of 470,000t of sand from within the Folkestone Formation). The applicant has provided evidence of these reserves in the form of borehole, trial pit and sieve analysis information. The boreholes indicate that the silica sand deposit in the proposed northern extension extraction area is between 15m and 18m deep and the construction sand deposit between 1.9m and 7.5m deep, overlain by between 0.8m and 6m of unsaleable brown sand, gault clay (including sandy clay transition beds), soils, subsoils, superficial clays and gravel. Over the entire application area, the silica and construction sands average 12.9m and 6.6m respectively. The gault clay and unsaleable brown sand are only present in the western part of the area with soils directly over sands in the eastern part.
53. The applicant states that sampling of the boreholes confirms that much of the silica sand deposit exceeds 99% silica and would be used to produce three grades of foundry sand (i.e. W50, W60 and W75 – the latter needs to be blended with very fine sand from the south of the M20) and is also suitable for use in the manufacture of coloured glass and containers. The production of this sand is more sophisticated than normal sand products with screening, washing and grading before much of it is dried. As the sand at the site is clean and classified into relatively single sized grades it is suitable for use in a variety of specialist applications such as roof and floor tiles, floor and rendering compounds, road markings and paints and fire retardant cements and grouts. The applicant also states that sands would be used for a variety of uses in the sports and leisure industries (e.g. equestrian surfaces, sports pitches, golf courses and play areas) and need to be non-staining, free from impurities and trace elements and have specific drainage characteristics not available from normal unwashed sand. The natural silt / clay content of the construction sand makes it suitable for use in mortar or brick coating.
54. Although the depths of the mineral deposits vary across the proposed site and not all of the mineral could be worked to full depth due to operational and engineering constraints, I am satisfied that the applicant has provided sufficient information to demonstrate workable silica and construction sand deposits and compliance with Policy CA7 of the KMLP CA. No objections have been raised on this issue by those who have responded.

The need or otherwise for the mineral(s) and alternative options

55. The main national planning policies relating to the need for silica sand and construction sand are set out in MPS1 (November 2006) and MPG15 (September 1996). MPS1 deals with the general principles associated with mineral working whilst MPG15 deals with silica sand.
56. The main Government objectives relating to need set out in MPS1 are “to secure adequate and steady supplies of minerals needed by society and the economy within the limits set by the environment” and “to encourage the use of high quality materials for the purposes for which they are most suitable” (paragraph 9). Annex 1 to MPS1 considers the supply of aggregates (such as construction sand) in England and sets the basis for regional and sub-regional apportionment. MPS1 is also clear that major minerals development should not be permitted in AONBs except in exceptional

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circumstances (because of the serious impact that such development may have on these areas) and should be demonstrated to be in the public interest before being allowed to proceed (second bullet of paragraph 14). It also states that:

“consideration of such applications should therefore include an assessment of:

- (i) the need for the development, including in terms of national considerations of mineral supply and the impact of permitting it, or refusing it, upon the local economy;
- (ii) the cost of, and scope for making available an alternative supply from outside the designated area, or meeting the need for it in some other way;
- (iii) any detrimental effect on the environment, the landscape and recreational opportunities and the extent to which that could be moderated.”

This effectively repeats the guidance set out in PPS7 which requires applications in AONBs to be subject to the most rigorous examination. Put simply, and as a starting point, for mineral working to be acceptable in the AONB there must be a demonstrable need for the mineral which cannot be met elsewhere and there should be no materially adverse impact on the character of the area. This policy is reflected in Policy EN4 of the Kent & Medway Structure Plan (KMSP) which states (amongst other things) that:

“Major commercial, mineral or transport infrastructure developments will not be permitted (*in AONBs*) 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 in any other way; and
- (c) appropriate provision can be made to minimise harm to the environment.”

57. MPG15 emphasises the essential role of silica sand as a raw material for many industrial processes (e.g. the manufacture of glass, production of foundry castings and ceramics), its sparse distribution and national importance, the fact that its extraction has an impact on the environment which must be carefully balanced against the needs of the community and the need to ensure an adequate and steady supply for the consuming industries. Whilst paragraph 44 of MPG15 indicates that the landbank concept cannot be readily applied to silica sand because of the special features of the industry (e.g. a small number of deposits and limited locations where extraction is economically feasible and high capital investments costs), paragraph 47 states that MPAs should aim to ensure that silica sand landbanks of least 10 years are maintained for individual sites and paragraph 48 that landbanks of 15 years or more should be provided for greenfield sites. Paragraph 46 acknowledges that reserves may fluctuate wildly at the local level depending on the timing and size of individual planning applications given the relatively small number of quarries producing silica sand and the range and types of sand required for different end users. For this reason, paragraph 51 stresses caution on using landbank figures and paragraph 64 that decisions on individual applications should not be determined on an over-precise calculation of whether supply matches the landbank requirement.

58. MPG15 also states (paragraph 24) that silica sand-bearing deposits may be overlain

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or interbedded with inferior grade sands that may not be suitable for industrial uses and that the use of such sands for construction uses would maximise recovery and ensure efficient use of the total resource in line with the principles of sustainable development. It also states that as the percentages of silica and construction sand may vary from site to site Mineral Planning Authorities (MPAs) will need to distinguish between those operations that essentially produce construction sand with small amounts of silica sand and those that are essentially for silica sand but which as a consequence of geology produce a proportion of material which is only suitable as a construction aggregate. It further states that MPAs will therefore need to recognise the importance of the quality of silica sand whatever element of the overall output it constitutes and exercise some degree of flexibility in applying the guidance. Paragraph 31 additionally states that it would normally be appropriate to utilise certain amounts of lower grade silica sand found within silica sand deposits as construction sand rather than waste these. Paragraph 55 states that it may be generally preferable to allow extensions to existing workings rather than new green field sites to minimise environmental disturbance and because of the scale of investment needed to open new silica sand works. However, it goes on to say that this will not always be the case as some existing mineral workings may be unsuitably located and new workings may do less environmental harm. It further says that any general preference for extensions should not be construed as protecting existing suppliers and a constraint on competition and that each case should be considered on its merits.

59. These national policies are reflected at the regional level in Policies M3 and M4 of RPG9 and the draft South East (SE) Plan and at the local level in Policies MN5 and MN7 of the KMSP and Policies CA6 and CA7 of the KMLP CA. Policy M3 of RPG9 and the draft SE Plan requires that Kent and Medway plan to maintain a combined landbank of at least 7 years of planning permissions for land-won sand and gravel which is sufficient, throughout the mineral plan period, to deliver 13.25 million tonnes per annum (mtpa) of sand and gravel across the region based on a sub-regional apportionment of 2.53mtpa. This requirement is reflected in Policy MN5 of the KMSP. Policy CA6 of the KMLP CA states that in areas of search identified on the Proposals Map, proposals to extract minerals will be acceptable provided that there is a sufficient case of need to override material planning interests and if other policy considerations are met. Wrotham Quarry is not identified as within an area of search for construction sand in the KMLP CA. Policy M4 of RPG9 and the draft SE Plan requires that a permitted reserve of silica sand should be maintained throughout the plan period in Surrey and Kent, equivalent at current production rates to at least 10 years at existing sites and at least 15 years at new sites. This is reflected in Policy MN7 of the KMSP. Policy CA12 of the KMLP CA states, amongst other things, that proposals to work silica sand will be considered against the special case of need for the maintenance of such reserves and the need for their extraction being sufficient to override material planning interests.
60. National annual output of silica sand peaked in the mid-1970's at about 6.3 million tonnes (Mt) but between 1997 and 2006 it remained between 3.833mt (2002) and 5.174mt (2006). In 2006 about 88% was produced in England and most of the rest in Scotland, although Scotland is expected to become increasingly important due to significant permitted reserves and identified resources. Production in the South East

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rose from 0.489mt in 2001 to 0.761mt in 2006.¹ In 2004 the main uses Nationally were glass (53%), foundry sand (11%), other industrial uses (19%) and horticulture and leisure (17%). Foundry sand production has reduced in recent years reflecting the decline in UK manufacturing. MPG15 (paragraph 49) states that there were about 25 years of reserves for industrial purposes in 1990. Whilst there is no up to date information on permitted silica sand reserves nationally, a survey of operational sites in England undertaken by the Silica and Moulding Sands Association (SAMSA)² found that there were 46.249mt of permitted reserves on 1 January 2003. On this basis, the permitted reserves in England were less than 15 years supply. Reserves in Scotland were estimated to be about 18mt.³ Although some new reserves have since been permitted and the actual landbank is unknown, it should be noted that not all reserves are interchangeable or capable of being used for all uses. The position in respect of the need or otherwise for additional permitted silica sand reserves at the National level is therefore unclear at this time and is further complicated by the variety of uses for such sands. It is unfortunate that Government has not updated MPG15 or included further information on silica sand in MPS1.

61. Paragraph 11.51 of RPG9 (as amended) states that there are nine silica sand quarries in the Lower Greensand in Kent and Surrey (two are currently non-operational and another due for closure). Paragraph 11.52 states that permitted reserves of silica sand in the South East are estimated to be 15.4mt and that at current production rates (of 700,000tpa) this provides a landbank of 22 years. It also states that future silica sand production in the region is likely to be confined to Kent and Surrey, with the major extraction site located between Bletchingly and Godstone, where it is understood that there are substantial reserves of high quality silica sand providing a landbank of at least 10 years. Paragraph 11.53 states that certain factors need to be considered in assessing the regional importance of silica sand: (i) there is evidence of its use as a low grade aggregate, raising the issue of whether high quality sand should be limited for specialist purposes to ensure plentiful supplies for the longer term; (ii) the increased use of cullet (broken glass) in glass manufacture requires a greater use of high-grade silica sand in the process to offset the inconsistency of the cullet which may not be a sustainable use for a relatively scarce natural resource, especially if the re-use of glass containers is to be encouraged; and (iii) lower grade sands can be processed to increase their range of uses, although this can be relatively expensive and has other environmental implications. Paragraph 11.54 states that these uncertainties do not outweigh the need to safeguard high quality resources to meet both regional and national requirements well into the future. It also states that the reserves of high quality mineral in Surrey are potentially large enough to satisfy regional needs for high specification requirements. Much of the content of these paragraphs is repeated in paragraph 10.98 of the Secretary of State's Proposed Changes to the draft SE Plan.
62. On the basis of the above information, and in simple landbank terms, there would appear to be no need for additional reserves to be permitted at this time to meet a need for silica sand in the South East Region. However, the information contained in

¹ Source: United Kingdom Minerals Yearbook for the years 2002–2007 (British Geological Society).

² Now part of the Quarry Products Association (QPA).

³ Source: Silica Sand Mineral Planning Factsheet (Office of the Deputy Prime Minister and British Geological Survey, January 2006).

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RPG9 (as amended) and the draft SE Plan on silica sand is now out of date (in terms of current reserves and markets served). Importantly, the latest Regional Monitoring Report (SEERA, 2007) indicates that whilst some producers have silica sand reserves in excess of 10 years there is insufficient data to tell whether or not there are adequate reserves to meet the requirements of Policy M4 of RPG9 (as amended) or the draft SE Plan. Additionally, a background paper on silica sand for the Surrey Minerals Plan Preferred Option (April 2008) states (paragraph 6.3) that “discussion with the industry has indicated that remaining permitted reserves are inadequate to maintain past rates of production for the suggested minimum of ten years. This situation applies to both of the existing workings.” Paragraph 5.4 of the same document confirms that “there are only two operational sites remaining in the county.” It also states (paragraph 2.7) that “there is anecdotal evidence that some silica sand has been used as aggregate”. Regardless of the precise landbank figure, it is also necessary to take account of the requirement in MPG15 to look beyond simple landbank considerations in order to ensure an adequate and steady supply for the consuming industries which rely on different sites / operators and grades of silica sand. It is interesting to note that the Surrey Minerals Plan Preferred Option Proposed Amendments to Core Strategy April 2008 contains only one preferred area for future silica sand provision in Surrey (at Pendell Farm, Bletchingly) and this lies in the Surrey Hills AONB. It is expected that the preferred area would be worked as an extension to North Park Farm and that any applicant would need to demonstrate that the requirement for silica sand for industrial uses outweighs any potential harm to the AONB. A further area (Chilmead Farm, Nuttfield Marsh) is identified as an area of search for possible development beyond the plan period. At the time of writing this report, Surrey County Council has yet to complete its consideration of responses to the Preferred Option consultation.

63. The KMSP contains no reserve assessment although paragraph 2.2 and Appendix 2 of Working Paper 11: Mineral Resources (2003) refer to a silica sand landbank in Kent and Medway at 31 December 2000 of 45 years (based on 12.0631mt at 267,117tpa). The information on silica sand reserves in Kent contained on paragraphs 5.5.3 and 5.5.4 of the KMLP CA is even more out of date. Further work on reserves will be required to inform the Kent Minerals Development Framework (MDF) which will eventually replace the KMLP CA (and other parts of the MLP). If the estimate of permitted reserves at the end of 2000 contained in Working Paper 11 was correct, there would still be significant permitted reserves remaining. However, this is not to say that these would meet the requirements of KMSP Policy MN7 (i.e. a landbank of permitted reserves of silica sand for at least 10 years supply for each production site, or at least 15 years at sites where significant capital investment is required).
64. The applicant has not suggested that there is a shortfall in the overall silica sand landbank in the South East or Kent and instead seeks to rely on the premise that each site should have its own 10 year landbank. It is also of the opinion that much of the permitted reserves are unsuitable for the markets served by Wrotham Quarry. The applicant has stated that about 78% of Wrotham Quarry's silica sand sales are dried and 22% moist. The moist silica sands are still washed and graded but are not dried. Examples of dried silica sand sales include Marley Waterproofing (roofing felt) in Canterbury, Creasey Castings (motorsport foundry) in Sittingbourne, MJ Allen (industrial foundry) in Ashford, Stone Foundries (aerospace and defence) in Woolwich, Colbrook Management (high quality equestrian surfaces) in Ryarsh, Ardex UK (floor

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screeds and adhesives) in Haverhill, Suffolk. During discussions, the applicant has advised that the approximate percentages of dried silica sand sales from Wrotham Quarry can be summarised as follows:-

- 10% roofing felt;
- 24% screeds, grouts and adhesives;
- 2% equestrianism;
- 42% bagged (by Hanson Packed Products); and
- 22% foundry Sand.

It has also advised that about 40% of moist silica sand sales are to equestrian uses and 60% to other uses. It has further advised that 80 to 85% of Wrotham Quarry's moist sand sales are in Kent. The figures for dried and moist silica sand sales appear to demonstrate that a significant amount of Wrotham Quarry silica sands are used for high quality purposes and/or are used within Kent. The fact that some of the sands are transported out of the South East Region would appear to demonstrate the importance of the sands for the various uses, their relative scarcity and that users are prepared to pay a premium for them.

65. The applicant has stated that whilst alternative sources of silica sand are available elsewhere these are as far afield as Kings Lynn (Norfolk), Bedfordshire and Cheshire and have their own outlets and end uses. It also states that Aylesford is the only site in the South East that produces dried silica sand and that Hanson's foundry customers are unable to use the sand from this site due to its characteristics and associated performance. The applicant has also stated that if permission is not granted there are only four sites in Kent that could potentially absorb the capacity lost at Wrotham Quarry (i.e. Aylesford, Nepicar Farm at Wrotham Heath, Squerreys Court near Westerham and Cricketts Farm near Borough Green – operated respectively by Cemex, J Clubb, Lafarge and Ightham Sandpits). It has further stated that since only Aylesford Sandpit has a plant capable of producing the same quality of sands produced at Wrotham, and all the other sites serve specific markets or possess lower quality silica sand and less consistent deposits, this would mean that all good quality silica sand reserves in Kent would be held by one operator (Cemex). In this way, it suggests that if permission is not granted there would be a problem with productive capacity in Kent which the Kent MLP CA appears to want to avoid. It also states that to not work the northern extension now would effectively sterilise about 250,000t of the silica sand. The applicant also seeks to rely on the support expressed in MPG15 in favour of extensions to existing sites as opposed to new greenfield ones. The applicant states that the proposed development would provide continued direct employment for 6 people and an additional 5 during soil and overburden stripping and restoration, as well as continued indirect employment for hauliers and other service providers (e.g. contractors). These indirect impacts are more difficult to quantify but are important.
66. Notwithstanding the need for a 10 year landbank to be maintained for each silica sand site expressed in MPG15 and the above policies, the extent to which reliance can be placed on this to justify the proposed development must be questioned in circumstances where a site has been operational for well in excess of this period. In my view, MPG15 does not intend that once a site is established it should simply

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continue to receive new permissions to enable a 10-year supply to be maintained forever. Such an interpretation would seem perverse and in this case would mean that Wrotham Quarry would only ever be closed and fully restored if and when all potential reserves in the area immediately around the site are fully exploited and there are no other sources capable of being imported and processed at the plant site regardless of other issues. In this way, it could lead to continued mineral working in less acceptable locations and work against new sites being identified in other more acceptable locations (i.e. outside the AONB).

67. The issue of productive capacity is a material planning consideration and needs to be addressed. However, the issue is complicated by the lack of detailed or publicly available information on some of the sites referred to. Of the sites referred to by the applicant, Cricketts Farm and Squerreys Court are not considered to be viable alternatives as sand reserves at Cricketts Farm have been fully exploited and those at Squerreys Court are both limited and tied to the production of roof tiles. There may also be reserves at Ightham Sandpit (adjacent to Cricketts Farm) although the position at this site is unclear (in terms of quality, quantity and availability). This leaves Aylesford and Nepicar Farm as potential alternatives. Both sites are outside the AONB.
68. Aylesford Sandpit has significant permitted silica sand reserves, a similar plant to that at Wrotham and already supplies silica sand products to the market. However, as the total output from the site is restricted to 275,000tpa prior to the completion of the permitted new access on Rochester Road (and a HGV movement restriction which would also serve to restrict capacity thereafter) and the site produced 253,446t in 2007. On this basis, even if the sands produced at Aylesford Sandpit were suitable for Hanson's existing customers, there would not be sufficient capacity at this site to serve them if production ceased at Wrotham.⁴ It is worth noting that at least some of the reserves at Aylesford Sandpit are used in the production of mortar at the site. This would appear to either suggest that not all the sands at Aylesford are actually silica sands or would reinforce the anecdotal evidence referred to in Surrey about silica sand being used as an aggregate.
69. Nepicar Sandpit was originally tied to supply silica sand to Ryarsh Brickworks. However, this link has since been removed and the brickworks closed. Although the current position on reserves is not entirely clear the site has no plant capable of producing the same quality of sands produced at Wrotham and the applicant states that the sands are of a lower quality. Despite having significant reserves of silica sand, Nepicar Sandpit could not currently take up the capacity that would be lost at Wrotham if the current application were refused and it is unclear whether it could fully do so if new plant were to be installed regardless of whether the operator (Clubb) had an interest in investing in value added products and developing new markets. This said, the likely reserves at the site would seem to be of sufficient size to justify the installation of new plant if this were capable of serving the current Hanson markets. It is also worth noting that transporting the reserves from Nepicar Sandpit to Wrotham Quarry for processing there would not necessarily overcome AONB policy concerns, regardless of whether this were possible commercially, as the existing plant site at

⁴ 90,000tpa – 21,554tpa = 68,446tpa.

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Wrotham Quarry is also in the AONB and similar constraints would apply.

70. On the basis of the above, it would appear likely that much of the 90,000tpa of silica sand productive capacity that would be “lost” if the current application were refused could not be met from permitted sites elsewhere in Kent. There would also seem to be some doubt as to whether it could be met from permitted sites elsewhere in the South East Region and this would seem to be at odds with National minerals policy. If existing markets could not continue to be served from other sites in Kent or the South East, sands would need to be imported from elsewhere in England, Scotland or further afield if these businesses are to be maintained. Importation of silica sand to the UK would have some implications in terms of balance of trade and could therefore be regarded negatively in the context of the advice in MPG15 and the stated need for adequate and steady supplies of industrial sands to be produced.
71. Other than glass cullet, there is a lack of alternatives to using silica sand. Recycled glass is used to make new glass, in water filtration and as an aggregate in asphalt. Sands used in foundry moulds can also be recycled or reclaimed or used for alternative applications such as asphalt filler, cement manufacture or building blocks. Whilst this reduces the total amount of silica sand that may otherwise be required, it does not remove it. Although the applicant states that the sand at Wrotham Quarry is suitable for use in coloured glass and containers, it is understood that it currently has no such markets. Unless some of the markets currently served by Wrotham Quarry could use other sands (washed, graded and dried as necessary) or entirely different products to meet the same objectives, there would appear to be few, if any, alternatives to the continued use of silica sand. The applicant is of the opinion that its customers need the sands produced at Wrotham Quarry and that there are no viable alternatives and believes that their willingness to pay a premium for them (about 3 times the cost of that for building sands) demonstrates this.
72. I do not accept the applicant’s argument that refusing the application would sterilise 250,000t of silica sand although I agree that it would be operationally preferable to work it while the existing site is disturbed and the plant is still operational. Similarly, whilst there is policy support for extensions to existing sites in preference to greenfield sites, this should not be given undue weight in this case. Taking the applicant’s argument to its logical conclusion, this could lead to continual piecemeal extensions of the type now proposed at the site in the AONB. Although difficult to quantify, employment associated with the site (direct and indirect) would continue to benefit the local, regional and national economy for a further five years or so if the application were permitted.
73. The applicant has not sought to promote any exceptional circumstances to justify the extraction of construction sand in the AONB other than the fact that it overlies the silica sand and by reference to the guidance in paragraphs 24 and 31 of MPG15. On this basis, it has only sought to provide exceptional circumstances based on need for silica sand. Since the relative percentages of silica and construction sand are roughly 50:50 with the former underlying the latter, I consider this approach to be reasonable in this case. This said, if the applicant’s case to release further silica sand reserves at the site fails, there could be no justification for the construction sand element.

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74. Although no specific objections have been received in respect of need or alternatives, Wrotham Parish Council initially objected on the basis that the applicant has not provided an exceptional circumstance sufficient to overcome AONB constraints and the requirements of KMSP Policy EN4. As no response to the Supplementary Statement has been received from Wrotham Parish Council it is not known whether this additional information has overcome its earlier objection. Based on comments received from the CPRE to the Supplementary Statement, it would appear that its earlier concerns on this matter might have been overcome.
75. In summary, there is some doubt as to whether or not there is a need for silica sand at the national, regional or local level in landbank terms and whether any need that does exist could be met from elsewhere or in some other way. However, this doubt is sufficient that I do not consider that the application should be refused simply on the basis of need or that alternatives may exist. Refusal on such grounds could lead to the cessation of supplies of silica sands to the current markets served by Wrotham Quarry and to disbenefits to the local economy contrary to the national interest and aims of relevant planning policy. Whilst I am prepared to accept that there may be a need at this time (given the emphasis on maintaining adequate supplies in MPG15 and due to the uncertainties around the suitability of alternative sources of sand and the ability of these sites to produce similar products), I consider it important that the position is clarified when the Kent MDF is prepared such that any future proposals can be assessed with greater clarity. The position on need should also be clarified nationally and regionally and Government policy would benefit from being updated. Having accepted that the proposal meets the requirements of parts (a) and (b) of KMSP Policy EN4 and parts (i) and (ii) of the second bullet of paragraph 14 of MPS1, it is necessary to consider whether the proposals are acceptable in other respects, including whether they would give rise to any materially adverse impact on the character of the area and if appropriate provision can be made to minimise harm to the environment.

Landscape and visual amenity (including AONB and Green Belt issues).

76. The majority of concerns that have been raised to the proposals relate to landscape and visual impact in the context of the AONB. Landscape objections have been received from the Kent Downs AONB Unit, Wrotham Parish Council and the CPRE. The Kent Downs AONB Unit considers that the proposals would be harmful to the AONB due to the loss of the tree line immediately to the north of the existing quarry and states that this would be detrimental to views both to and from the site. It also considers that the north facing batters would be visible and out of keeping with the landscape, that existing and proposed landscaping is inadequate and that there would be a long term adverse impact on the AONB from the proposed working and restoration. Wrotham Parish Council considers that there would be insufficient enhancement of the AONB and that a new restoration scheme should be designed to cover the entire quarry (to include backfilling with inert materials between the plant site and the M20 and associated indigenous planting to screen the motorway and restoration to lowland heath on the basis that this habitat is now very rare in Kent). The CPRE also considers that a new restoration scheme should be applied to the entire site (north and south of the M20) and has a preference for lowland heath. It has also expressed concerns about the loss of the tall tree line and the poor quality and

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failure of some of the planting around the plant site and suggested that further landscape planting enhancements be sought (including new lime trees near the proposed screening bund and supplementary planting elsewhere). These and related issues were discussed during the Members' Site Visit at which Wrotham Parish Council and the CPRE also expressed concerns about die-back of trees planted in brown sands and the need to ensure that any planting was appropriate in terms of species and ground preparation. Trottiscliffe Parish Council has since expressed concerns about the adequacy of the landscape assessment and resultant effects on the proposed planting and restoration proposals and made a number of detailed suggestions in respect of screen planting, translocation of the hedgerow, tree species, sizes, densities and planting methods (including those on the proposed amendments to the scheme of working and restoration for the existing site). It has also sought funding for local off-site landscape projects.

77. No landscape objections (in some cases subject to conditions or obligations) have been received from Tonbridge and Malling Borough Council, Addington Parish Council, Platt Parish Council, Kent Wildlife Trust and KCC's Landscape Consultant (Jacobs). Although Natural England's comments in respect of landscape are somewhat unclear, it has not raised any formal objection to the proposals and appears content that its landscape interests be addressed by the Kent Downs AONB Unit.
78. In so far as it relates to mineral working, the main national policies and guidance relating to landscape and visual impact are set out in MPS1, PPG2, PPS7 and MPG7. These are reflected in Policies E1 and E3 of RPG9, Policies SP5 and C3 of the draft SE Plan, Policies SP1, SS2, EN1, EN3, EN4, EN9 and MN3 of the KMSP and Policies CA22 and CA23 of the KMLP CA.
79. The key landscape "tests" for development in AONBs as set out in paragraph 14 of MPS1 and Policy EN4 of the KMSP are set out in paragraph 56 above. These and related policies E1 of RPG9 and C3 of the draft SE Plan are clear that the primary objectives in AONBs are to protect, conserve and enhance landscape character and natural beauty. PPG2, Policy E3 of RPG9, Policy SP5 of the draft SE Plan and Policy SS2 of the KMSP all allow for mineral development in the Green Belt provided:-
 - it does not conflict with the purposes of including land in the Green Belt (e.g. to assist in safeguarding the countryside from encroachment);
 - it contributes to the achievement of the objectives for the use of land in Green Belts (e.g. to provide opportunities for access to the open countryside, to retain attractive landscapes, and enhance landscapes, near to where people live, to secure nature conservation interest and retain land in agricultural, forestry and related uses);
 - it is undertaken to high environmental standards; and
 - sites are well restored.

The other policies and guidance referred to seek to (amongst other things) protect, conserve and enhance the countryside more generally (including trees and hedgerows), ensure that minerals proposals are acceptable in terms of landscape and related impacts and provide for appropriate working, landscaping and restoration of mineral sites.

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80. Given the location of the site in the Kent Downs AONB, landscape and visual impact issues are key considerations in this case. Due to the nature of mineral working it is inevitable that there would be some adverse impacts during certain stages of the proposed development. However, the proposals need to be considered in overall terms (including in the context of existing permitted mineral development and any associated restoration and any mitigation now proposed). Ultimately, opinions expressed are to some extent subjective, impacts are difficult to quantify and differences of opinion are always likely.
81. The proposals would lead to the unavoidable loss of lengths of mature hedgerow, woodland trees / shrubs, a length of stream and a pond. However, the application proposes various landscape planting (a net gain of 10,000m²) and other mitigation. Some of this would be implemented in the early stages of development (e.g. soil screen bund formation, tree and shrub planting, hedgerow translocation, new diverted stream, new pond) although the rest could only be undertaken as the phased restoration is completed (e.g. bench planting, grassland on lower slopes and in the base of the quarry, new hedgerows, seasonal ponds). The application is also supported by a detailed landscape and visual impact assessment and supplementary assessments submitted following the receipt of objections and concerns by (in particular) the Kent Downs AONB Unit. These assessments conclude that the only significant adverse visual impacts would occur at three locations relatively close to the site with good views of the operational area during the “initial construction” stage (when vegetation removal, earthworks and associated plant movement would have a major impact on local landscape character) and to a lesser extent during the “operational / progressive restoration” stage (i.e. before the benefits of seeding / planting have developed). They also conclude that no significant adverse visual impacts would be experienced elsewhere due to very good vegetation screening and distance from more sensitive viewpoints on the North Downs and that the proposed restoration would ensure that views of the site would be similar to those that would be achieved with the existing restored workings. The assessments also conclude that the removal of the tree line would be barely perceptible from the only area of the upper slopes of the North Downs with existing views of the site, views from the vast majority of locations at lower elevations would either be non-existent or very limited in nature due to surrounding vegetation and although its loss would be noticeable from a limited number of locations (mainly close to the site) it would not alter the fundamental landscape characteristics of the wider AONB (i.e. it does not contribute significantly to the character of the AONB). The applicant also states that the proposals need to be set against their proximity to the M20 which already has a significant effect on the character of the local area (including the AONB).
82. Whilst taking issue with a number of detailed points in the applicant's landscape and visual assessments (i.e. in terms of interpretation, analysis and presentation), KCC's Landscape Consultant has advised that it accepts their general thrust and is satisfied that the proposals would not be conspicuous in the broader landscape. It does not agree with those objecting to the loss of the tree line and, instead, accepts the applicant's argument that this is of less importance as a landscape feature as it comprises more recent screen planting and includes species that were planted for their fast growing/screening properties that are not typical of the landscape character

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in this part of Kent (e.g. Willow and Alder) and is therefore replaceable in a way that a more species rich/older hedgerow would not be. It has also advised that it would be difficult to argue that the landscape and visual effect in isolation would be sufficient to warrant refusal. It has also welcomed the improvements to the proposed restoration scheme set out in the Supplementary Statement and those offered by the applicant during discussions following the Members' Site Visit (e.g. supplementary hedgerow planting along Addington Lane and adjacent to the plant site) and has made a number of detailed suggestions in terms of tree and hedgerow species, densities and sizes and grass mixes which could all be secured by condition if permission is granted. It has specifically accepted that the tree and understorey plant sizes proposed by the applicant are appropriate (although a few larger specimens could be included if so desired to increase visual impact at the time of planting) and that although the proposed hedgerow planting density is at a common "industry" standard it could reasonably be increased to meet current Highways Agency guidance. In designing a revised detailed landscaping scheme to address these matters, further consideration could also be given to including lime or other trees near the screen bund as suggested by the CPRE.

83. Removal of the tree line would not significantly open up long distance views into the working quarry as has been suggested and any impacts would be mitigated by the fact that at the eastern end of the existing, partially restored, quarry void only the lower parts of the north facing slopes would be used for soil storage. Although proposed changes to the working and restoration scheme for the existing site would result in the temporary storage of clay on part of the north facing slope at the western end of the main quarry void, this would be of limited duration pending restoration of the western extension area and would be within the relatively narrow part of the site which is well screened from the north by existing trees and other vegetation. The north facing slopes would eventually be restored to grassland and woodland as currently required but with the improvements contained in the current application (as supplemented). Users of public footpaths crossing the site would continue to experience views of extraction, restoration and processing operations and associated vehicle movements. These experiences would be increased where the footpath crosses the proposed northern extension area and prolonged elsewhere due to the extended duration of operations at the quarry. I do not consider these impacts to be unacceptable. Although operations associated with the creation of the proposed screen bund would be fairly close to the rear of Chiralea and Leney's Cottages, these impacts would be of relatively short duration. The proposed screen bund and associated landscape planting would provide mitigation to adverse visual impacts during the operational phases and be acceptable in the long term once the planting has become established. No objections or other comments have been received from the occupants of these properties to the proposals.
84. Given the advice from KCC's Landscape Consultant as to the acceptability of the proposed working and restoration scheme (as amended and proposed to be supplemented), I am satisfied that it would not be reasonable to require new restoration proposals for the entire quarry (north and south of the M20 and for the plant site area) as suggested by the Kent Downs AONB Unit, Wrotham Parish Council and the CPRE. The area south of the M20 has its own restoration scheme (with scope to amend this if the entire area is not worked) and the plant site is subject to a

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dormant interim development order (IDO) permission that would require a scheme of working and restoration to be submitted before any further mineral extraction could be undertaken in this area. It should also be noted that the applicant has agreed to undertake additional landscape planting near the plant site since these suggestions were first made and that the proposals themselves include improvements to the current restoration scheme for the adjoining quarry area north of the M20. The possibility of backfilling part of the plant site area is something that could be considered when the restoration of that area is being planned although it should be noted that any importation of materials to the site would require a new planning permission.

85. Whilst restoration to lowland heath (sought by the CPRE and supported by Wrotham Parish Council) is not considered appropriate in this case as the restoration profile on the floor of the site would consist of backfilled clay overlain by indigenous top and subsoils (about 1 to 1.2m deep), rather than relatively thin soils overlaying a well drained sandy substrata, it is considered that the proposed grass mixes should be amended to reflect (at least in part) Kent Wildlife Trust's preference for lowland dry acid grassland. KCC's Landscape Consultant has advised that although several of the proposed species reflect the Trust's preference, a closer match could reasonably be required. Whilst this may not produce a true lowland dry acid grassland (due to the presence of the clay and related soil characteristics), the proposed use of upper subsoil, brown sand and clay loam (superficial materials) and (if required) brown sandy clay and unsaleable sand below the topsoil would create a more suitable soil profile than that currently existing and enable the development of a more species rich grassland better reflecting a "lowland acid type". Whilst it has reiterated its opposition to attempting to create lowland acid grassland, the applicant has indicated a willingness to comply with this change in grass species and this could be secured by condition. The restoration of the area to the south of the M20 would appear to offer a better opportunity to create lowland heath and any changes to the existing restoration scheme that may be required to facilitate this can be pursued with the applicant. The applicant has already responded positively to this suggestion.
86. With regard to Wrotham Parish Council's suggestion during the Members' Site Visit that tree die-back brought the applicant's maintenance regime into doubt, it should be noted that the areas of die-back near the plant site are not controlled by planning conditions attached to existing planning permissions. Whilst it would appear that at least some of the planting may have originally been required as part of the development of certain plant, there are no longer any requirements for it to be maintained. Since the Members' Site Visit, the applicant has looked at the planting in question and identified the likely cause of die-back as "Sooty Bark Disease" which has affected self-seeded sycamores. Regardless of whether the planting was originally covered by planning conditions or the precise cause of the die-back, the applicant has indicated that it would be willing to accept a condition requiring the boundary of the plant site to be surveyed and for supplementary planting to be undertaken along the roadside of the bank with Addington Lane. It does not believe that it would be necessary or worth planting the entire width of the bank (which has been accepted by KCC's Landscape Consultant). The applicant has also said that the recent removal of some dead branches and the crowns of some trees should assist rectify the problems. The proposed survey and supplementary planting proposed near the plant site would

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serve to assist in further mitigating the continued use of the plant site for further time period. Given that new conditions could secure the proposed planting and ensure that any future die-back is rectified during the period that may appropriately be specified, I do not consider that undue weight should be given to these earlier problems.

87. The applicant has also agreed to extend the usual 5 year aftercare period to 10 years in this case and is willing to enter a legal agreement to secure this. It has also indicated that the landowner is prepared to do likewise. This would ensure that the positive features of the proposed restoration scheme are reinforced and all planting is well established in this part of the AONB. It would also go some way to overcoming the concerns that have been expressed about planting failures elsewhere on the site. I am satisfied that subject to the imposition of relevant conditions, a Section 106 Agreement would secure the necessary planting for an appropriate period. I do not consider that it would be reasonable to require the applicant to contribute financially to unspecified off-site landscaping as proposed by Trottiscliffe Parish Council. However, there is no reason why the Parish Council could not contact Hanson to see if it could benefit from any environmental funds managed by the Company.
88. The applicant states that the proposed northern extension would provide sand reserves for a further 3 or 4 years (but has also stated that it may have a life of about 5 years) and that the area would be restored in approximately 6 years. In order that the site is worked and restored in a reasonable time period in this part of the AONB and Green Belt, whilst providing a degree of flexibility to take account of market forces and other unknown factors, I consider that it would be appropriate to impose a condition requiring that mineral extraction cease and the site be restored within 7 years of the commencement of mineral extraction in the northern extension area.
89. Subject to the prior completion of a Section 106 Agreement to secure a 10 year aftercare programme, which is included in the Heads of Terms at [Appendix 3](#), and conditions to secure the various measures outlined above, I consider that the proposals would accord with the landscape and visual impact elements of the planning policies referred to in paragraphs 56, 78 and 79 above, including part (iii) of the second bullet of paragraph 14 of MPS1 and part (c) of Policy EN4 of the KMSP.

Water environment (hydrology, hydrogeology and groundwater impacts) and geotechnical stability.

90. No objections have been received in respect of the water environment or geotechnical stability. The Environment Agency has confirmed that it has no objection to the proposals subject to operations being undertaken in accordance with a revised protocol dealing with environmental monitoring and risk management agreed with the applicant, the Code of Operating Practice designed to minimise the risk of groundwater contamination from operations at the site and various conditions or informatives designed to reinforce this. South East Water (formerly Mid Kent Water) has also raised no objection on the basis that it has been closely involved with the applicant and the Environment Agency to ensure that there would be a minimal impact on the underlying aquifer and public water supplies but has emphasised that it is important that it is included in all future discussions relating to the site (in particular those relating to groundwater protection and monitoring). These requirements are

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reflected in the Code of Operating Practice and revised protocol. The Environment Agency has also asked that the County Council satisfy itself on stability in the base of the excavation in the event of flooding during extreme events and impose a condition requiring the prior approval of details for diverting the existing watercourse to a man made channel which should be designed to maximise wildlife value. Further consideration of the ecological implications of the diverted watercourse is given in the ecology section below.

91. In so far as it relates to mineral working, the main national policies and guidance relating to the water environment and land stability are set out in MPS1, MPG7, PPS23 and PPS25. These are reflected in Policy INF2 of RPG9, Policies NRM1 and NRM4 of the draft SE Plan and Policies SP1, NR5, NR8, NR10 and MN3 of the KMSP.
92. Whilst KCC's Geotechnical Consultant has advised that the proposals are acceptable in principle (and has no objection), he makes the point that as the steep slopes in the gault clay created by mineral working would be prone to instability it is important that the proposed buttressing with sand deposits takes place without undue delay and that the man made channel should be reinforced and designed appropriately. The applicant and Environment Agency propose that the precise details of the diverted stream be required by condition and I am satisfied that this is approach acceptable in this instance. Any such condition should set out more detailed requirements that would need to be satisfied in its design (including an appropriate factor of safety, landscaping and ecological issues). The proposed restoration would include a number of soakaways and a pond in the base of the restored quarry and the need for more specific land drainage would be considered further during any aftercare period (in accordance with best practice).
93. Subject to conditions to secure the various measures outlined above, I consider that the proposals would accord with the water environment and geotechnical stability elements of the planning policies referred to in paragraph 91 above. Specific reference to the management of the diverted stream in the 10 year aftercare programme proposed to be included in a Section 106 Agreement would provide additional assurance on these matters. See Heads of Terms at [Appendix 3](#).

Ecology.

94. Following discussions with the applicant and the receipt of the Supplementary Statement, which included the results of further reptile surveys and additional mitigation measures, Natural England and KCC's Biodiversity Projects Officer have withdrawn their earlier objections to the proposals subject to conditions to secure the various ecological mitigation and compensation measures proposed and the monitoring and management of the restored landform and the habitats and species associated with the site. Natural England has specifically advised of the need for habitat enhancement at receptor sites to be undertaken sufficiently far in advance of translocation to be effective and capable of supporting additional numbers and that the County Council should have regard to its obligations under section 40 of the Natural Environment and Rural Communities Act 2006 (i.e. in respect of biodiversity and enhancement of habitat). It has also commended the care taken over Great Crested Newts at the site to date. KCC's Biodiversity Projects Officer has welcomed the

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proposed habitat creation. Kent Wildlife Trust welcomes the proposed retention of sand faces as a restoration feature and has sought restoration to unimproved grassland with management by sheep grazing and conditions to secure the proposed mitigation. The Environment Agency wishes to see further details of the proposed diverted water course and has requested that these maximise wildlife interest through measures such as requiring a sinuous course with suitable sub-strata. A local resident has expressed concerns about the potential adverse impacts on the local area if the proposed new pond were to be used for fishing and that it should be designed so that could only be used for wildlife and newts.

95. Whilst the CPRE supports the creation of a Great Crested Newt colony it raised concerns at the Members' Site Visit about potential impacts on this of adjacent development proposals. It transpires that an application was made to the County Council in April 2008 for stable waste importation and processing but that this was invalid and subsequently returned to the applicant and treated as withdrawn in July 2008 in accordance with the County Council's protocol for dealing with minerals and waste related applications. Notwithstanding this, the proposals for a new Great Crested Newt colony did not rely on this adjoining area of land, are supported by the ecological specialists and therefore remain acceptable. Once any new colony is established, any new development proposals would need to take account of, and provide any necessary mitigation for potential impacts on, this. I am satisfied that the proposed pond could be designed to discourage fish and thereby avoid the problems that could arise from fishing at the site.
96. In so far as it relates to mineral working, the main national policies and guidance relating to ecology are set out in MPS1 and PPS9. These are reflected in Policy E2 of RPG9, Policy NRM5 of the draft SE Plan and Policies SP1, EN6, EN7, EN8 and MN3 of the KMSP.
97. Although the proposed extraction area lies next to the Trottiscliffe Meadows SSSI and near to a SNCI (Local Wildlife Site), all of the consultees are satisfied that the proposals would have no significant adverse impacts on them provided the various mitigation proposals are implemented (e.g. dust controls). There is general support for the proposals to create new Great Crested Newt habitat, as well as the other ecological enhancements and the proposed mitigation. Whilst I am satisfied that the ecological impacts of the proposed working, restoration and aftercare are acceptable in principle, given the proposed mitigation measures, it is clear from the consultee responses that detailed conditions and related mechanisms would be required to ensure that the intended positive benefits are secured and maintained for an appropriate period. It would therefore be necessary for conditions to be imposed to secure the proposed mitigation itself, further detailed schemes and various monitoring and management. The extension of the aftercare period to 10 years would assist significantly in ensuring that these objectives are met. Amongst others, conditions relating to ecology / biodiversity are required in respect of the amended seed mixes (to secure the desired grassland and its subsequent management), further ecological benefits associated with the diverted stream (consistent with the need to ensure geotechnical stability) and measures to ensure that the proposed pond remains suitable for Great Crested Newts and not fish.

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98. Subject to the imposition of the above and other detailed conditions, I am satisfied that the proposals would be acceptable in terms of their likely ecological impacts and would therefore accord with the ecological elements of the planning policies referred to in paragraph 96 above. The opportunities for nature conservation interest contained in the proposals would also contribute to the achievement of the objectives for the use of land in Green Belts as set out in paragraph 79 above. Having considered the above issues against relevant planning policies, I am satisfied that the County Council has met its obligations under section 40 of the Natural Environment and Rural Communities Act 2006 in terms of conserving biodiversity.

Local amenity impacts (e.g. noise and dust / air quality).

99. With the exception of the visual amenity impacts discussed in the landscape and visual impact section and the impacts related to HGV movements on Ford Lane discussed in the highways and transport section, few comments have been made in respect of local amenity. Tonbridge and Malling Borough Council has sought the imposition of conditions to secure the dust mitigation measures set out in the Environmental Statement (e.g. water bowser / spray on haul roads, minimisation of double handling of materials and others identified in MPS2) and Addington Parish Council has asked that disruption to local residents be kept to a minimum. KCC's Noise and Dust Consultant has raised no objections to the proposals subject to the imposition of specific conditions relating to noise and dust. The noise conditions would limit noise to 53dB $L_{Aeq,1hr}$ for day to day operations and no more than 70dB $L_{Aeq,1hr}$ for a period not exceeding 8 weeks in any one year for temporary operations such as soil stripping and bund formation (both measured at any noise sensitive property). The dust controls recommended are the same as those sought by the Borough Council.
100. The main national policies and guidance relating to local amenity impacts associated with mineral working are set out in MPS1 and MPS2. These are reflected in Policy E7 of RPG9, Policy NRM9 of the draft SE Plan, Policies SP1, NR5 and MN3 of the KMSP and Policies CA18 and CA23 of the KMLP CA.
101. The actual creation of the screen bund and associated operations to the south of Chiralea and Leney's Cottages would give rise to adverse impacts in terms of noise and dust. However, once implemented, the screen bund would serve to reduce impacts during the operational and restoration phases and also assist in mitigating the long term impacts of motorway noise. KCC's Noise and Dust Consultant is satisfied that the creation of the bund could be undertaken in accordance with the advice in MPS2 and that it would then ensure that noise impacts are kept to an acceptable level. Both KCC's Noise and Dust Consultant and the Borough Council are satisfied that dust impacts would be acceptable if the proposed mitigation measures are complied with. It should again be noted that no objections or other comments have been received from the occupants of Chiralea and Leney's Cottages to the proposals. There would also be noise and dust impact on users of the public footpaths in and around the site from site preparation, extraction and restoration operations. These would not be significantly different from those experienced already and are considered to be acceptable if controlled by appropriate mitigation measures.

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102. Subject to the imposition of the above conditions, and others to control matters such as hours of working, I am satisfied that the proposals would be acceptable in terms of their likely local amenity impacts in terms of noise and dust / air quality and would therefore accord with the planning policies referred to in paragraph 100 above. Local amenity impacts relating to visual impact and highways and transport are addressed elsewhere in this report.

Archaeology and historic landscape.

103. Following the receipt of the Supplementary Statement which included a fully revised archaeology and cultural heritage section, KCC's Archaeological Officer has confirmed that no objections are raised to the proposals provided conditions are imposed to secure appropriate archaeological and historic landscape recording work. No objections or other comments have been received on the subject.
104. In so far as it relates to mineral working, the main national policies and guidance relating to archaeology and historic landscape are set out in MPS1, PPG15 and PPG16. These are reflected in Policy BE6 of the draft SE Plan and Policies SP1, QL7, QL9 and MN3 of the KMSP.
105. The applicant has carried out the necessary site assessment (i.e. baseline survey) which has identified that appropriate mitigation should comprise a staged approach to archaeological and historic landscape recording work. This approach has been accepted by KCC's Archaeological Officer.
106. Subject to the imposition of conditions to secure the wishes of KCC's Archaeological Officer, I am satisfied that the proposals would accord with the archaeological elements of the planning policies referred to in paragraph 104 above.

Highways and transport.

107. No specific objections have been received in respect of highways issues, although Platt Parish Council has requested that HGV movements be restricted to no more than 36 loads per day (as referred to in the Non-Technical Summary) and a local resident has suggested that something should either be done to prevent HGVs using Addington Lane in error and having to turn in Trottiscliffe or that a new access should be created on Addington Lane. The Divisional Transportation Manager has advised that he has no objection to the proposals subject to the existing access on Ford Lane being used by HGVs accessing the site and the current restriction on HGV movements being maintained. He has also sought the provision of new lorry signage directing HGV traffic to the Ford Lane access to the site.
108. In so far as it relates to mineral working, the main national policies and guidance relating to highways and transport are set out in MPS1 and PPG13. These are reflected in Policies SP1, TP12, TP15 and MN3 of the KMSP.
109. Although Platt Parish Council refer to a figure of 36 loads per day in the Non-Technical Summary and request that daily HGV movements be restricted to this number, it should be noted that this figure (also referred to in the main Environmental Statement)

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is intended to be an average figure over the life of the site and not a daily maximum. Given that the Divisional Transportation Manager has advised that he is satisfied that the current limit on HGV movements (i.e. a daily average of 112 HGV movements (56 in/56 out) in any one week) should be maintained I see no reason to reduce it in this instance. I am not aware of any specific complaints about the number of HGVs associated with the site using Ford Lane since the restriction was first introduced in April 2002. Similarly, the Divisional Transportation Manager advises that only the Ford Lane access should be used by HGVs associated with the site. Although there is an old access to the quarry via the plant site area from Addington Lane, its use is now restricted to cars and other light vehicles and a height barrier is installed to prevent use by larger vehicles. Whilst allowing HGVs that have attempted to use the wrong access to the site to use this access may reduce the likelihood of HGVs turning in Trottiscliffe, I do not consider that this is the best way to address the matter. Indeed, it could lead to an increase in HGV movements through Addington. Instead, I agree that improved lorry signage should be sought from the applicant as suggested by the Divisional Transportation Manager. The applicant has agreed to this and the matter could be included in a Section 106 Agreement unless it has already been addressed beforehand. These measures should jointly ensure that the local amenity impacts of traffic movements are also acceptable.

110. Subject to the imposition of conditions to restrict HGV movements per day (as currently), conditions to prevent the use of the access from Addington Lane by HGVs and the applicant providing new lorry signage (by Section 106 Agreement as necessary – see Heads of Terms at [Appendix 3](#)), I am satisfied that the proposals would accord with the highways elements of the planning policies referred to in paragraph 108 above.

Public rights of way.

111. No objections have been received to the proposed temporary / permanent diversion of public footpaths MR177 and MR184 or to the continued impacts of site operations on footpath MR168 (which is crossed by the main haul road and access to the extraction area). However, Addington Parish Council is keen to ensure that the footpath diversions are carried out to avoid disruption to users and proper clear signage is provided (particularly during the process of diversion itself). KCC Rights of Way has not raised any objections to the proposed diversions but has reminded the applicant of its obligations and the need to obtain formal diversion Orders before the footpaths can be affected or diverted in any way. KCC Rights of Way has supported the proposed creation of a footpath around the western end of the existing quarry (linking footpaths MR184 and MR168) as this would create an off-road link between Addington and Trottiscliffe and allow pedestrians to avoid walking on the fast and busy Addington Lane. KCC's Landscape Consultant has also supported the new footpath as a very positive measure.
112. In so far as it relates to mineral working, the main national policies and guidance relating to public rights of way are set out in MPS1 and PPG17. These are reflected in Policies SP1 and QL17 of the KMSP and Policy CA21 of the KMLP CA.
113. Although the proposals would necessitate the diversion of existing public footpaths

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(temporary and permanent diversions), the applicant has included sufficient information at this stage to demonstrate that these would be acceptable. I am satisfied that any necessary further details on these matters (e.g. signage, infrastructure and associated landscaping) could be secured by condition and any legal costs which would otherwise be borne by the County Council in dealing with these matters secured by Section 106 Agreement. Although the new public footpath would run alongside the internal access road for a significant length until working and restoration of the site is completed (requiring some signage), the road would be removed and its route seeded with low maintenance grass mix thereafter. It would provide the benefits stated above and allow improved access to and through this part of the AONB more generally. The proposed new public footpath is therefore particularly welcomed. Again, I am satisfied that any necessary further details could be secured by condition and any legal costs which would otherwise be borne by the County Council in dealing with these matters and the entering of the new footpath on the Definitive Map secured by Section 106 Agreement.

114. Subject to the imposition of conditions to ensure that all the necessary detailed issues relating to the footpath diversions and new footpath are satisfactorily addressed and the applicant entering a Section 106 Agreement to provide assurances of matters such as funding of the County Council's costs associated with these (see Heads of Terms at [Appendix 3](#)), I am satisfied that the proposals would accord with the public rights of way elements of the above policies. The new public footpath would also contribute to the achievement of the objectives for the use of land in Green Belts as set out in paragraph 112 above.

Other issues.

115. Natural England has raised a number of issues relating to soil handling which are designed to ensure that, regardless of the proposed afteruse, the long term potential of the land for agricultural production is not prejudiced. These include measures designed to avoid compaction of soils. Whilst it would be difficult for the restored steep slopes to make any significant contribution to agricultural production and the land yet to be extracted is only classified as agricultural grade 3b, I am satisfied that the proposals are consistent with these "best practice" objectives which are reflected in MPS1, MPG7 and Policy E8 of RPG9, Policy MN3 of the KMSP. This aim should be reinforced by condition(s) if planning permission is granted.
116. As mentioned in paragraph 5 and elsewhere in this report, the applicant has submitted proposals to amend the current working and restoration proposals for the main part of the existing quarry and to allow the existing plant site to be used to process mineral from both the western extension and proposed northern extension. As no specific objections have been received to these submissions they can reasonably be dealt with by the Head of Planning Applications under delegated authority. Although I do not intend to discuss these other applications in any detail, it should be noted that the current proposal relies on the continued use of the plant site and that the application has been assessed on this basis. I am satisfied that conditions could be imposed to secure a landscape survey and additional planting near the plant site which would provide further mitigation to its continued use. It is also subject to other planning permissions that require the removal of plant and buildings and the subsequent

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restoration of the area. It should also be noted that whilst some minor changes could reasonably be required to the proposed working and restoration scheme for the existing site in respect of tree and plant sizes and hedgerow densities (following advice from KCC's Landscape Consultant), these would not entirely meet the wishes of Trottiscliffe Parish Council expressed in paragraph 76 above. In any event, if planning permission is granted for the proposed northern extension it will also be necessary for further changes to be made to the working and restoration scheme for the existing site in order that the two areas can be worked and restored seamlessly. This offers the opportunity to give further consideration to these and other detailed matters. I am satisfied that this can also be secured by condition.

Conclusion

117. Having accepted that the applicant has provided sufficient information to demonstrate workable silica and construction sand deposits (paragraphs 51 to 54 above), the key considerations in this case relate to whether the proposals meet the "tests" set out in paragraph 14 of MPS1 and Policy EN4 of the KMSP (in respect of major development in the AONB) and, in turn, whether they are acceptable in all other respects (including Green Belt). For the reasons discussed in paragraphs 55 to 75 above, I am satisfied that there is a need for the development and that there are currently no viable alternatives such that the proposals can be considered favourably in terms of these and related policies. I am also satisfied that the proposals are acceptable in terms of landscape and visual impact (paragraphs 76 to 88), the water environment and geotechnical stability (paragraphs 90 to 93 above), ecology (paragraphs 94 to 98), local amenity impacts (paragraphs 99 to 102), archaeology and historic landscape (paragraphs 103 to 106), highways and transport (paragraphs 107 to 110), public rights of way (paragraphs 111 to 114) and other issues (paragraphs 115 to 116) such that, subject to the imposition of various planning conditions and clauses in a Section 106 Agreement (see Heads of Terms at [Appendix 3](#)), they are consistent with the last part of the above "tests" and other development plan policies. I am also satisfied that the Head of Planning Applications can determine the related submissions to amend the current working and restoration proposals for the main part of the existing quarry and to allow the existing plant site to continue to be used under delegated authority. I therefore recommend accordingly.

Recommendation

118. 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 3](#) and conditions covering amongst other matters: duration of the permission; revised working scheme; hours of working; depth of extraction; slope stability; no importation of materials for restoration purposes; HGV movement restrictions; HGVs to only use the Ford Lane access; retention of height barrier at old access on Trottiscliffe Road; measures to prevent mud and debris on the highway; HGV sheeting; diversion of public footpaths and creation of new footpath; dust mitigation; maximum noise levels; adherence to the Code of Operating Practice and revised protocol; measures to safeguard the water environment; diversion of watercourse in new man made channel (incorporating detailed design and appropriate factor of safety); archaeological and historic landscape recording; new pond for Great Crested Newts (to ensure no fish);

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management plan (including mitigation and monitoring programme and other arrangements for ecology/biodiversity interests); revised landscaping scheme (to include proposals for tree planting adjacent to plant site); hedgerow translocation methodology and implementation; soil handling and storage; restoration levels; revised restoration scheme; aftercare scheme (for 10 year period).

Case Officer: Jim Wooldridge

Tel. no. 01622 221060

Background Documents: see section heading.

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APPENDIX 1 TO ITEM C1

NOTES of a Planning Applications Committee Members' site visit to Wrotham Quarry on Tuesday, 29 July 2008.

MEMBERS PRESENT: Mr R E King (Chairman), Mrs E Green, Mr C Hibberd, Mr J F London, Mr T A Maddison, Mr J I Muckle and Mr A R Poole.

OFFICERS: Mrs S Thompson and Mr J Wooldridge (Planning); Ms S Bandu (Kent Downs AONB Unit); Mr R Lovell (Jacobs Landscape) and Mr A Tait (Democratic Services).

TONBRIDGE AND MALLING BOROUGH COUNCIL: Mr M Balfour, Mr R Charteris and Mr H Rogers with Mrs K Stapleton (Planning).

TROTTISCLIFFE PARISH COUNCIL: Mrs A Kemp (also Tonbridge and Malling BC), Mr T Ledamun and Mr J Wickham.

WROTHAM PARISH COUNCIL: Mr P Gillin, Mr H Rayner and Mr R Saunders (also CPRE).

THE APPLICANTS: Hanson UK (Mr B Smith, Mr D Brown and Mr M Smith) SLR Consulting (Mr D Brittain).

- (1) The Chairman opened the meeting by explaining that its purpose was for the Committee Members to familiarise themselves with the site and to gather the views of interested parties.
- (2) Mr Wooldridge introduced the application by explaining its layout including the main HGV access and haul road, the nearest properties (Leney's Cottages and Chiralea) which were south of Addington Lane, 25m from the extraction area.
- (3) The existing site had a long history of mineral permissions and was to be restored to low level with no importation of inert waste. This restoration would take the form of south-facing sand faces and benches and north facing grassed slopes.
- (4) Mr Wooldridge continued by saying that the site lay north of the M20 in an AONB next to a SSSI with a SNCI and reservoir further to the west. The entire site lay within the Green Belt. Public Rights of Ways passed through both the existing and proposed sites. The site lay within a Minerals Consultation Area identified in the Kent Minerals Local Plan: Construction Aggregates.
- (5) Hours of operation are 0700 to 1800 Monday to Friday and 0700 to 1300 on Saturdays. HGV movements are restricted to a daily average of 112 (56 in 56 out) in any one week.
- (6) Mr Wooldridge then explained the application itself. This was for the extraction of 470,000 tonnes of sand. This consisted of 246,000 tonnes of industrial/silica sand below 224,000 tonnes of construction sand. The extraction area was about 4 hectares of the overall 12 hectare application area.

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- (7) In 2007, the applicants had stated that current reserves would be depleted in two years. The proposed extension would take about 5 years to work. The hours of operation would be the same as at present, with processing continuing in the existing plant area.
- (8) Mr Wooldridge then said that there would be a 3m high screening bund to the south of the nearest houses for the purpose of noise and visual attenuation. A working protocol would be in force to meet the issues raised by the Environment Agency and SE Water. The site would be worked to a depth of 38m AOD and restored to 42m AOD using overburden and soils from within the site. The application would involve the permanent diversion of Public Footpath MR177 and a linear stream.
- (9) Mr Wooldridge then turned to the Supplementary Statement, which had been submitted in June 2008 in response to objections from consultees. The main changes to the original application consisted of additional woodland and hedgerows as part of the restoration in the existing site, hedge translocation, changes to the screening bund, a bio-engineered stream diversion and a new public footpath around the existing site. The restoration scheme would be similar to the existing one with various improvements.
- (10) Mr Wooldridge outlined the national, regional and local planning policies as well as the key policies relating to minerals development in an AONB. These included MPS1 (paragraph 14) and Policy EN4 of the Kent and Medway Structure Plan.
- (11) Mr Wooldridge then gave details of comments made by Statutory Consultees, pointing out that not all of them had yet replied on the Supplementary Statement. Most had raised no objections subject to conditions or obligations. These comments had included three objections.
- (12) The first objection had been received from Wrotham PC on the grounds of insufficient enhancement of the AONB. It believed that the necessary exceptional circumstances had not been demonstrated to meet the criteria set out in Policy EN4 of the Kent and Medway Structure Plan. The Parish Council accepted that there were advantages to extending the existing quarry rather than starting a new one. It suggested a new restoration scheme for the entire site, including partial backfilling in the plant site area. Further comments were still awaited on the Supplementary Statement.
- (13) The second objection was from the Kent Downs AONB Unit. This was on the grounds that the development would be harmful to the AONB due to the loss of the existing tree line, which would be detrimental to views to and from site. It would be possible to see the north facing batters, which would be completely out of keeping with the landscape. The proposed landscaping was inadequate and incompatible with the AONB designation. It was also considered that there would be a long term adverse impact on AONB from the working and restoration process. Further comments were awaited in response to the amendments to the proposals.
- (14) The third objection was from CPRE. It had originally objected as the application had not addressed Policy EN4 of the Kent and Medway Structure Plan. It considered that this could be overcome if the landscape were to be enhanced. It wanted the

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restoration scheme broadened to deal with entire site (North and South of the M20) and suggested that it should be restored to lowland heath. Its comments on the Supplementary Statement maintained the concern that the restoration scheme did not address other parts of the site and about the loss of the tall tree screen. It suggested that planting failures around the plant site should be addressed as soon as possible and that additional lime trees should be planted to compliment those to the north of Addington Lane.

- (15) Mr Wooldridge reported one letter of representation from a local resident. This had strongly suggested that HGVs should be prevented from using Addington Land. Alternatively, a new access should be created to prevent vehicles turning in to Trottiscliffe. It had also proposed that the new pond created for Great Crested Newts should be made unsuitable for fishing in order to prevent break-ins, attacks on livestock and litter.
- (16) Mr Wooldridge concluded his presentation by outlining the main determining issues. These were: the quantity and quality of the mineral resource(s); the need or otherwise for the mineral(s) and alternative options; Landscape and visual amenity (including AONB issues); water environment (hydrology, hydrogeology and groundwater impacts); local amenity impacts (e.g. noise and dust / air quality); archaeology and the historic landscape; ecology; highways and transport; Public Rights of Way; Green Belt; and geotechnical stability.
- (17) Mr Bob Smith (Hanson UK) said that the premise behind the application was the need for continuity of production of industrial sand, which was a nationally scarce resource. If the mineral were not industrial sand, he acknowledged that the application would not receive support due to the AONB location.
- (18) Mr Saunders (CPRE) explained that ponds for Great Crested Newts needed to be located in a dry rough ground area, which would dry out in the summer and prevent the establishment of predatory fish. He noted that the proposed location of the pond was close to a neighbouring site where an application for stable waste importation and processing was being proposed. The implications of this on the habitat needed to be investigated. *Mr Wooldridge confirmed that ecological advice would be sought on this point.*
- (19) Mr Smith said that although the other pond that would be lost to the quarry working was inhabited by carp, and thus unsuitable for newts, provision for Great Crested Newts had been made elsewhere prior to the working of the Western Extension with considerable success.
- (20) Members moved to the area of the site close to the nearest properties (Leney's Cottages and Chiralea). Mr Wooldridge explained that the proposed bund could not be moved any nearer to the properties because water and electricity supplies would need to be diverted through this area.
- (21) Mr Smith described the geological composition of the site. He explained that the overburden consisted of gault clay which grew thicker from east to west. The upper levels were unstable when this clay was cut through so brown sand had to be used in

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order to stabilise it.

- (22) Mr Saunders said that there was evidence that tree planting in the brown sand led to them dying back. Mr Smith replied that this needed to be investigated. Appropriate species needed to be chosen and the planting had to tie in with the water table.
- (23) Mr Rayner (Trottiscliffe PC) said that the fact that trees were dying brought the maintenance regime on site into doubt.
- (24) Mr Smith said that a number of the trees were self-seeding whilst others had been planted. He accepted that some had died back. There had been no conditions attached to the permission in the 1960s. This had resulted in the previous operators working right up to the boundaries. He added that it was clearly in the applicants' best interests to ensure that the tree planting scheme was viable since they would not wish to incur the considerable costs of replanting over a sustained period.
- (25) Mr Wooldridge confirmed that it would be possible to impose conditions requiring a viable planting regime. The applicant had been asked to look at past failings and to learn the lessons from them.
- (26) Mr Smith informed the meeting that the tree line referred to by the Kent Downs AONB Unit and CPRE had been planted shortly before 1984.
- (27) Members then walked past the stream to the northern edge of the current workings and looked out over the existing site where clay overburden had been deposited. Mr Wooldridge explained that the trees immediately to the east would disappear as part of the extension and that the applicants were intending to translocate the hedgerow adjacent to the footpath.
- (28) Mr Smith said that it would not be possible to translocate the trees. He then said that the hedgerows and trees on the outer limits of the site would break down the view of the workings into glimpses. Further mitigation was already provided by greening up the existing north facing quarry slopes as part of the restoration of that area.
- (29) Having inspected the point at which the new public footpath would join the current one, Members returned to the plant site. They were shown the current extraction area at the far western end of the site. Mr Smith explained that gault clay would be used to raise the base level of the site and soften the restoration slope. He also said that restoration would take the form of a series of benches with good quality soil and planting. He added that it would be possible to catch glimpses of the sand through the screening and that the tree species would be changed to something more in keeping with the native vegetation in the AONB.
- (30) Mr Wooldridge pointed out the route of the proposed new footpath. It would go all the way around the western end of the existing site before linking up with the existing path in the trees near the haul road to the west of the plant site.
- (31) Mr Brown (site manager) explained the operation of the site. Extracted sand was transported to the plant via a 0.75 mile conveyor. It was then separated and

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screened. The industrial sand was then washed, further graded and much of it then dried. Each grade (including two high quality grades) of sand product had different uses including use in foundries and in the manufacture of roof tiles.

- (32) In answer to a question, Mr Brown said that there had been a noise complaint some seven years earlier from a resident on the other side of the Motorway. As a result, improvements had been made to the drying plant and no further complaints had ensued.
- (33) Members inspected the eastern area of the plant where a number of trees had died, possibly as a result of a fire or due to the quality of material in the backfilled slope.
- (34) The Chairman thanked everyone for attending. The notes of the visit would be appended to the report at the determining Committee meeting.

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APPENDIX 2 TO ITEM C1

Planning Policy Context

National Planning Policies – the most relevant National Planning Policies are set out in PPG2 (Green Belts), PPS7 (Sustainable Development in Rural Areas), PPS9 (Biodiversity and Geological Conservation), PPG13 (Transport), PPG15 (Planning and the Historic Environment), PPG16 (Archaeology and Planning), PPG17 (Planning for Open Space, Sport and Recreation), PPS23 (Planning and Pollution Control), PPS25 (Development and Flood Risk), MPS1 (Planning and Minerals), MPS2 (Controlling and Mitigating the Environmental Effects of Minerals Extraction in England), MPG7 (Reclamation of Mineral Workings) and MPG15 (Provision of Silica Sand in England).

Regional Planning Policies – the most relevant Regional Planning Policies are set out in RPG9 (as amended) and the emerging South East Plan⁵. These include RPG9 Policies E1 (Landscape Quality), E2 (Biodiversity), E3 (Green Belts), E7 (Air and Water Quality), E8 (Soil and Land Quality), INF2 (Water Quality and Drainage), M3 (Primary Aggregates), M4 (Other Minerals) and emerging South East Plan Policies SP5 (Green Belts), NRM1 (Sustainable Water Resources, Groundwater and River Water Quality Management), NRM4 (Sustainable Flood Risk Management), NRM5 (Conservation and Improvement of Biodiversity), NRM9 (Air Quality), M3 (Primary Aggregates), M4 (Other Minerals), C3 (Areas of Outstanding Natural Beauty), C6 (Countryside Access and Rights of Way) and BE6 (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), EN4 (Areas of Outstanding Natural Beauty), EN6 (International and National Wildlife Designations), EN7 (County and Local Wildlife Designations), EN8 (Protection, Conservation and Enhancement of Biodiversity), EN9 (Trees, Woodland and Hedgerows), QL7 (Archaeological Sites), QL9 (Historic Landscape), QL17 (Rights of Way), TP12 (Development and Access to the Primary / Secondary Road Network), TP15 (Development Traffic & Heavy Good Vehicles), NR5 (Pollution Impacts), NR8 (Water Quality), NR10 (Development and Flood Risk), MN1 (Sources of Minerals Supply), MN3 (Assessment Criteria for Minerals Proposals) and MN7 (Silica Sand).

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

Kent Minerals Local Plan: Construction Aggregates (December 1993) – These include Policies CA6 (Areas of Search), CA7 (Provision of Geological Information), CA8D (Exceptions), CA12 (Silica Sand), CA16 (Traffic), CA18 (Noise, Vibration and Dust), CA19 and CA20 (Plant and Buildings), CA21 (Public Rights of Way), CA22 (Landscaping) and CA23 (Working and Reclamation Schemes).

⁵ As set out in the Secretary of State's Proposed Changes to the draft Regional Spatial Strategy (July 2008).

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Tonbridge and Malling Borough Local Plan (December 1998) – The Proposals Map identifies that the application site is in the Metropolitan Green Belt and the North Downs AONB, adjacent to a SSSI and that land to the west of the existing site is also a SNCI (Policy P3/2).

Tonbridge and Malling Borough Council Local Development Framework Core Strategy (September 2007) – Policies CP3 (Green Belt), CP7 (AONB) and CP8 (SSSI).

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APPENDIX 3 TO ITEM C1

Heads of Terms for Section 106 Agreement

Excluding clause 1, all to be effective only if planning permission is implemented

1. The applicant / landowner to pay KCC upon execution of the Agreement all of KCC's reasonable and proper legal costs for the preparation and completion of the Agreement;
2. The applicant to provide HGV signs on A20 / Ford Lane (the design and locations to be agreed) and pay for any associated mechanisms and costs associated with this (e.g. S278 or other KCC Highways and legal costs that may reasonably be incurred);⁶
3. The applicant / landowner to create a new public footpath around the western end of the existing Quarry north of the M20 as shown indicatively on drawing number WR6/2rev1 titled "Revised Restoration Scheme - Overall Quarry Area" (dated May 2008) to link points "X" and "Y" (to be defined) as shown on a plan *[to be included]* and undertake / pay for all implementation works and pay KCC's reasonable and proper legal and administrative costs associated with the formal adoption process;
4. The applicant / landowner to pay KCC's reasonable and proper legal and administrative costs associated with the proposed temporary and permanent diversions of public footpath MR177; and
5. The provision of a 10-year aftercare programme (with reference to specific details as appropriate).

⁶ Note: This clause could be removed from the Section 106 Agreement if the applicant has satisfactorily addressed this prior to its completion.

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Item C2

Construction of a motor control centre kiosk, vent stack and extension to parking area at Glebe Court, Pett's Crescent, Minster, Ramsgate, Kent. TH/08/921

A report by the Head of Planning Applications Unit to Planning Application Committee on 7th of October 2008.

Application for construction of a motor control centre kiosk, vent stack and extension of parking bay at Glebe Court, Pett's Crescent, Minster, Ramsgate, Kent, CT12 4DX.

Recommendation: Permission be granted subject to conditions.

Local Member: Mr Charles Hibberd

Classification: Unrestricted

The Site

1. The application site lies on the southern outskirts of Minster near Ramsgate. The site is accessed off Watchester Lane via High Street and Tothill Street, Minster. The total area of the proposed site is 0.6 hectares. The application site is located on an area of amenity space consisting of a grassed area with a number of trees of varying standards. The site is rectangular shape covering the entire of the amenity space. Residential bungalows flank the north and the east of the site. The nearest residential property to the development is approximately 22 metres from the proposal. Three residential parking spaces and Pett's Crescent bound the western side of the site. Watchester Lane bounds the southern side of the site, across Watchester Lane further south is a drainage ditch lined with mature trees and fields used as a horse paddock.
2. The site does not lie within any designated areas for nature conservation. However the ditch habitat across Watchester Lane from the site is a suitable habitat for water voles, which are a protected species and known to be present locally.
3. The site lies within the northern edge of an area shown as a 1:75 year risk of flooding by the Environment Agency web based Flood Risk Mapping. The site is also located in the Wantsum Flood Risk Area on the Thanet District Council Local Plan.

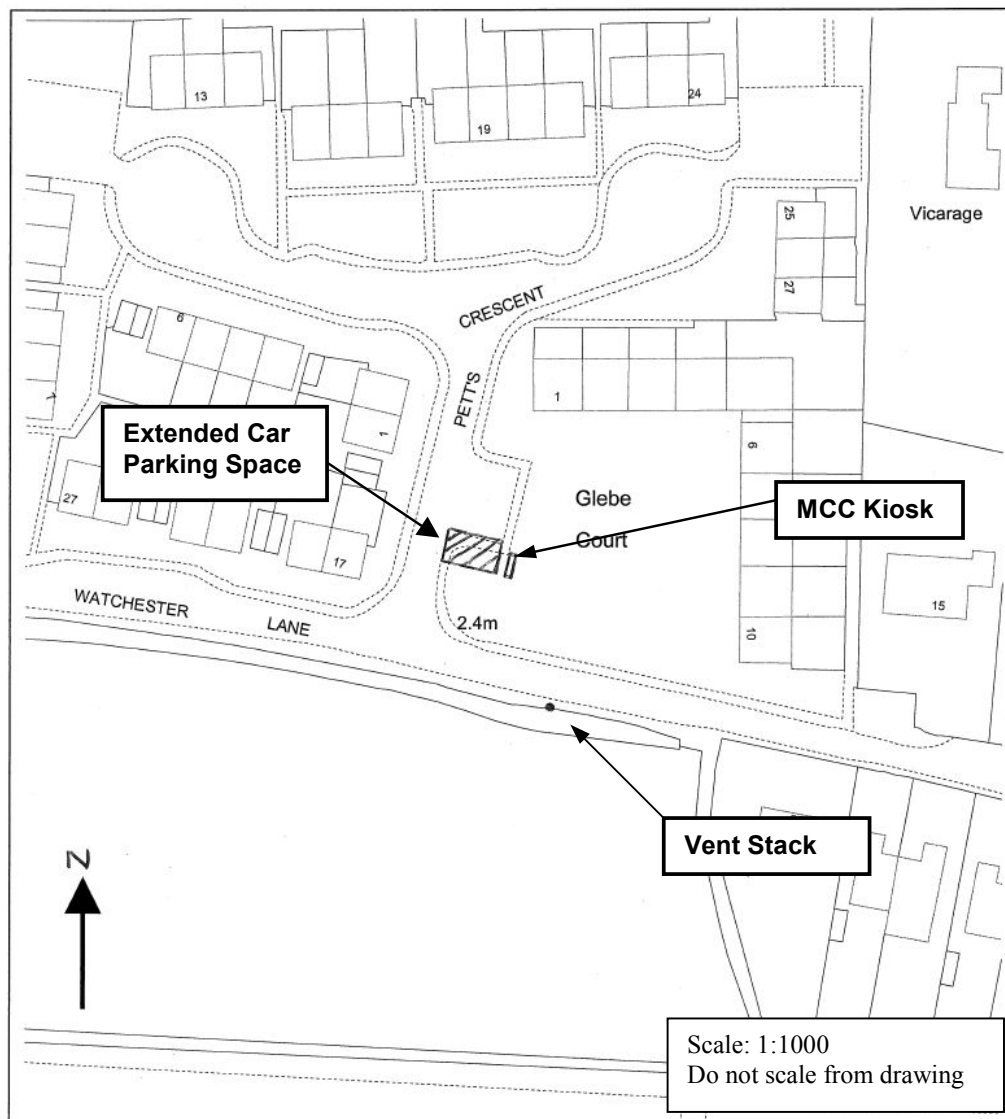
Planning Background

4. The amenity space was created during the development of the residential properties of Glebe Court to act as a pleasant open area for amenity use. There are two existing parking bays to the west of Glebe Court used for residents parking.
5. Southern Water, as a Statutory Sewage Undertaker has extensive permitted development rights, i.e., development that it can carry out without first needing to obtain planning permission. It is currently undertaking significant works in the area to ensure the sewer network can accommodate the development growth of the area and to address the potential for flood risk to residential properties in the area. This application seeks planning permission for the above ground elements of a new wastewater pumping station and associated infrastructure.

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TH/08/921.

Site Plan – Glebe Court, Pett's Crescent, Minster.



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6. The need for a pumping station in this area is driven by works to upgrade the sewer system. The purpose of these upgrade works are to remove four properties from the one in ten year flood register for internal sewer flooding, to protect a further five properties from risk of external sewer flooding and to reduce further the risk of highway flooding to Watchester Lane.

The Proposal

7. The elements associated with the pumping station which require planning permission and subject of this application include an extension of the car parking bay to the west of the site, the provision of a vent stack and a motor control centre (MCC) kiosk.
8. The MCC kiosk would be located on the western side of the site as shown on the plan. The kiosk would be a rectangular box shape of dimensions 3.00m x 0.70m and 1.50m high. The dimension area is determined by the size of the equipment it is intended to house. The purpose of the Kiosk would be to house the control panel and necessary electronic equipment to control and monitor the underground pumps and detention tanks. The kiosk would be finished in dark green Glass Reinforced Plastic (GRP) to BS4800. The Kiosk would be mounted on a concrete plinth, which would be 0.20m wider than the Kiosk and raised 0.15m above ground level. The purpose of the plinth would be to raise the kiosk above ground level to further protect electronic equipment from damage through flooding.
9. The proposed extension to the existing parking bay would be to the west of Glebe Court accessed of Pett's Crescent. This would be used for occasional access to the MCC kiosk by Southern Water operatives to carry out routine maintenance. The parking bay would be extended by 5.00m in width, whilst keeping the same depth as present.
10. The vent stack would be located to the south of Watchester Lane, opposite Glebe Court. The stack would be formed by a cast iron base and a GRP column, again coloured dark green to BS4800. The stack would be of 4.00m in height and of maximum external diameter of 0.25m. The stack's purpose would be to vent off air from the underground retention tank that would be displaced at time of heavy rainfall. The air would be deducted through a carbon filter, which is intended to remove odiferous molecules from the air.

Construction programme

11. The applicant states that construction program for the total wastewater works is estimated to last for 27 weeks. The applicants proposed hours of working are:

08:00 – 19:00 Monday to Friday
08:00 – 13:00 Saturdays

12. There is no requested working on Sundays or bank holidays. Some tasks however may require extended working hours, as such flexibility in any condition on working hours is sought by the applicant.

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Traffic Generation

13. The main traffic generation would occur during the construction phase of site development. Vehicle movements would consist of daily access to the site from site personnel and delivery of plant machinery and equipment. Vehicle movements per week, during the construction phase would be approximately:

8 Light Van p/day
8 Car p/day
4 Articulated Lorry p/day
8 Tipper Lorry p/day

14. On completion of construction, during the operation there will be occasional visits to site approximately every 3 months. These would be made during normal working hours by operational staff in light vans.
15. The application is accompanied by supporting information that includes environmental information, impacts upon protected species and arboricultural interests. Fifteen trees are proposed to be lost as part of the development (Including those through the permitted development elements of the wastewater scheme). These trees are proposed to be replaced on a 1 to 1 basis with replacement of trees of a heavy standard nature. Mitigation measures are identified for addressing any possible impacts on protected species.

Development Plan Policies

16. The key Development Plan Policies relevant to the consideration of the application are set out below.

Policies

- (i) The adopted **Kent & Medway Structure Plan (2006)**:

Policy SP1	Seeks sustainable patterns and forms of development.
Policy EN3	Seeks to conserve and enhance Kent's landscape and wildlife habitats.
Policy EN8	Wildlife habitats and species will be protected, conserved and enhanced, especially through long term management and habitat creation schemes, particularly where they have been identified as national and county priorities in the UK and Kent Biodiversity

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Action Plan(s), or where they are protected under wildlife legislation. Development likely to have an adverse effect on these sites will not be permitted unless there is a need which outweighs the local nature conservation interest and adverse impacts can be compensated.

Policy NR5	Requires development to be planned and designed so as to avoid or minimise pollution impacts. Where impacts cannot be reduced to an acceptable level the development will not be permitted.
Policy NR6	Requires development which would be sensitive to adverse levels of noise, light and other pollution, where such conditions exist, or are in prospect, and where mitigation measures would not afford satisfactory protection.
Policy NR8	Development will not be permitted where it would give rise to an unacceptable impact on the quality or yield of Kent's watercourses, coastal waters and/or ground water resources
Policy NR9	Development of new wastewater facilities will be required and supported where there is demonstrable need, it offers best environmental option and land use and environmental impacts are minimised through appropriate mitigation.
Policy NR10	Development will be planned to avoid the risk of flooding and will not be permitted if it would adversely affect the land to drain.
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.
Policy QL1	Development should be well designed, be of high quality and respect its setting.

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

Policy W18	Requires satisfactory controls over noise, dirt, odours and other omissions.
<i>Policy W19</i>	<i>General protection of surface and groundwater interests.</i>

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17. Consultations

Thanet District Council: Raise no objection to the proposals but wish to see conditioning of the colour of the MCC kiosk and vent stack to green.

Minster Parish Council: Object to the application on the grounds that there is a more appropriate location for the development to the south of Watchester Lane. The sites location on Glebe Court would decimate the mature trees. An alternate location would move the vent stack further away from the residential properties, it would allow for any overflow to be away from residential dwellings and allow provision of a security fence. They also would like to see a standby generator to provide power in the event of power outage.

Environment Agency: Raise no objection to the proposal, however offer informatives in relation to “development and flood risk” and “groundwater and contaminated land”.

Natural England: Raise no objection to the proposals, Natural England are happy with the mitigation strategies supplied by the applicant in relation to protected species.

Jacobs (Landscaping): Offer advice that landscaping should include “Heavy Standard” size tree’s to give an immediate effect in restoring the site to its prior condition. Jacobs are happy that the landscaping plan would mitigate the negative impacts of the scheme as far as practicably possible.

Jacobs (Noise and Air Quality): Jacobs have no concerns with the proposal in relation to noise or air quality.

Local Member

The Local County Member for Birchington and Villages, Mr Charles Hibberd, was notified of the application on 14 July 2006. No comments have been received to date.

Representations

The application was advertised in a local paper and a site notice was posted. In addition I also wrote to the occupiers of 67 residential properties who would potentially be the most directly affected by the proposals. To date I have received 1 letter of support and no letters of objection.

Discussion

18. 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 addition there is a requirement to consider relevant national and regional policy and guidance.

19. The adopted Kent and Medway Structure Plan (2006) is based on the principles of

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sustainable development. The key policies in this case are set out in paragraph 17 above. These policies identify the strategic need for improved wastewater facilities, balanced against a need to ensure that development should be sensitive to the environment in terms of its pollution impacts and its design. Where necessary the need for mitigation measures should be considered.

20. Having considered the above policies I believe the main determining issues relate to the need for the proposal, its amenity impacts and the chosen location for the proposal.

Need

21. This site was chosen for the location of the wastewater pumping station as it forms part of a scheme to upgrade the sewerage system in Minster, this is to accommodate future growth and to meet targets set by OFWAT. These targets are to reduce sewer flooding both internally and externally to both residential properties and to the street itself. The choice of site is therefore largely dictated by operational requirements and the availability of vacant land sufficiently large enough to accommodate the infrastructure requirements.

Location

22. The Parish Council has raised concern over the principle of the greater scheme in this location. I remind members that the wider scheme is permitted development and therefore not for consideration by this Planning Authority. However I would like to inform Members that the applicant initially 'scoped' out 3 alternative options to address the problem of sewer flooding in Watchester Lane. These included;

- a) Upsizing of the sewer in Marsh Farm Road – This however was not considered practicable due to the single lane nature of the road. Construction would involve the closure of a route that is required to remain open at all times to maintain access to Minster Wastewater Treatment Works.
- b) Off-line storage via a retention-tank in the field to south of Watchester Lane. This option was discounted because it would require a new permanent access to be created into the field suitable for tankers. The applicant claims it would place the development in an area more likely to flood. This would also extend the area of built development into the undeveloped countryside, and have to cross a ditch habitat suitable for water voles, a protected species known to be locally present. As such this option would therefore be less acceptable in planning terms being contrary to Development Plan policies. The Parish Council are in favour of this option.
- c) The third option is the proposal discussed in this report; which is the offline pipeline, which would go through the paddock opposite but will then cross the ditch to Glebe Court where the main pumping station and underground equipment would be located.

23. The Parish Council have raised concern over the location of the proposed development in terms of the MCC kiosk, the parking space and the vent stack. The kiosk would be located in-front of the extended parking space. This would be located at the edge of the amenity space and would be of a low scale.

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24. The vent stack, located across Watchester Lane, would be set amongst heavy standard replanted trees to help the new structure blend into the existing line of tree's which line the paddock opposite Glebe Court. This would also be painted green as per BS4800, to blend more effectively into the tree line.
25. It is considered in planning terms that the option discussed in this report would be acceptable, due to the short-term nature of the impacts and full restoration of the site on a like for like basis. All underground structures that are permitted development would be grassed over, with the exception of a manhole and access path. As the site would be restored with 'Heavy Standard' sized trees the overall impact of the development would be minimal.

Residential amenity Impacts (noise, odour and visual impact)

26. Policies NR5 and NR6 of the KMSP seek to ensure that development such as this should be planned and designed to avoid or adequately mitigate pollution impacts. Development where mitigation would not afford protection should not be supported.
27. It should be noted that the greatest impact upon residential amenity from the improved wastewater treatment works would occur during the construction period. Most of the impact (albeit temporary) would occur through the installation of the underground equipment, which is permitted development and as such is not the subject of this planning application.

Noise

28. The Parish Council has raised concerns over temporary disturbance through noise and loss of amenity space for the nearby residential properties of Glebe Court. It is accepted that the noise from construction could cause a temporary detrimental effect to occupiers at home during the day in the closest residential properties. However, noisier construction impacts are intended to be limited to normal working hours to minimise disturbance and would be of short duration. Kent County Council's noise advisor was consulted on this matter and raises no concerns in regards the noise impacts of the development. Once operational there would be no noticeable increase in noise levels. I am satisfied that any potential noise impacts could be appropriately mitigated by the use of planning conditions and best working practices to ensure that disturbance is minimised.

Odour and Dust

29. The vent stack has a carbon filter odour control system, this needs to be maintained and replaced periodically. Regular maintenance of the site will ensure that this is done as and when it is required. This could be controlled by way of planning condition. It is considered that there would not be any potential odour impacts from this development due to vent stack only operating during limited periods of heavy rainfall and the use of the carbon filter system. The County Council's Odour and Air Quality advisors did not raise any concerns over potential odour issues.

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30. Dust impacts which may arise during construction will be minimised through the adoption of best practice measures.

Landscaping of restored amenity land.

31. Upon completion of the construction of the proposal the site would be fully reinstated. The majority of the pumping station equipment would be grassed over, with the exception of a small footpath to a manhole which is required for maintenance. The landscaping plan will include replacement of trees with 'heavy standard' trees of similar size and variety to those removed, as recommended by Kent County Councils landscape consultants.

Visual Impacts

32. I consider that the main long term impact of this proposal would be the visual impact of the kiosk on the edge of the amenity space and the vent stack which would be located in the tree line across Watchester Lane. The County Council's landscape advisors were consulted on this aspect of the development, and consider that the kiosk and the stack would have a slight visual impact being that they are both of relatively small scale. Painting of the kiosk and the vent stack green to BS4800 would mitigate the effect of this as far as practically possible. The planting of the proposed ornamental rose bed screen, which would surround the kiosk's visible elevations from Glebe Court properties, would further reduce the kiosk's visual impact on the properties of Glebe Court. This together with the proposed planting of 'Heavy Standard' trees on the amenity space, would in my opinion, make the visual impact on the landscape of this development minimal.

Nature Conservation Impacts

33. The site does not lie within any designated areas for nature conservation, the applicant has however employed a qualified ecologist to undertake a desktop study and walkover survey of the site. This concluded that there would be no significant ecological impacts. Natural England and the Environment Agency raise no objections to the proposals. Further to this Natural England are satisfied with the mitigation strategies proposed to ensure protected species are not significantly impacted upon by the development in accordance with The Wildlife and Countryside Act (1981). In conclusion I am satisfied that the proposal will not cause any detrimental impacts on nature conservation.

Water Resources

34. The proposal lies just within an area likely to flood as designated by the Environment Agency and Thanet District Council. The applicant has selected this site partly because it is at a marginally higher level than the land in option b (paragraph 21). To further protect against any potential flooding issues. The kiosk would be raised on a concrete plinth 0.20 metres above ground level with sensitive electronic equipment located in the upper part of the kiosk. The applicant has also adopted specified procedures in the event of a flood. It is considered that these measures are sufficient to ensure that the development follows local and national guidance on flooding and has been designed so that it will not increase the risk of flooding.

Item C2

Application for construction of a motor control centre kiosk, vent stack and extension of parking bay at Glebe Court, Pett's Crescent, Minster, Ramsgate. TH/08/921.

Extension to Parking Bay

35. The proposal includes a dedicated parking space for future maintenance of the kiosk. It is an extension to an existing parking area as such it would ensure that parking space is not removed from residential use and in my view it does not raise any unacceptable amenity impacts.

Conclusion

36. The new pumping station and associated infrastructure are being proposed as part of the applicant's programme of investment to meet OFWAT targets for the improvement of the wastewater network, to prevent sewer flooding in the immediate vicinity of the development. Due to the applicant's permitted development rights, only those minor elements above ground require planning permission. The location of the site has been chosen following detailed consideration of a number of alternatives, and is well related for its purpose, it does not encroach onto undeveloped land and will be suitably restored and maintained once construction has been completed. Appropriate planning conditions could be imposed to control the temporary construction impacts and operational activities. As such I am satisfied that the proposal is acceptable in planning terms.

Recommendation

37. I RECOMMEND that PERMISSION BE GRANTED subject to appropriate conditions including standard time condition, noise controls, construction hours, details of parking loading arrangements and measures to prevent mud or debris on the highway.

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

SECTION D
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

2 Form Entry Amalgamated Primary School – Manor Community Primary School, Swanscombe – DA/08/982

A report by Head of Planning Applications Group to Planning Applications Committee on 7 October 2008.

Application by KCC Property Group for the construction of a new 2 form entry amalgamated primary school, on the site of the existing Sweyne Junior School in Swanscombe. One block of the existing accommodation is retained. The proposal also includes a new vehicular access off Swanscombe Street and areas of new hard play and car parking to replace the existing at the Manor Community Primary School, Keary Road, Swanscombe (Ref: DA/08/982)

Recommendation: permission be granted subject to conditions

Local Member(s): Mr Ivor Jones

Classification: Unrestricted

Site

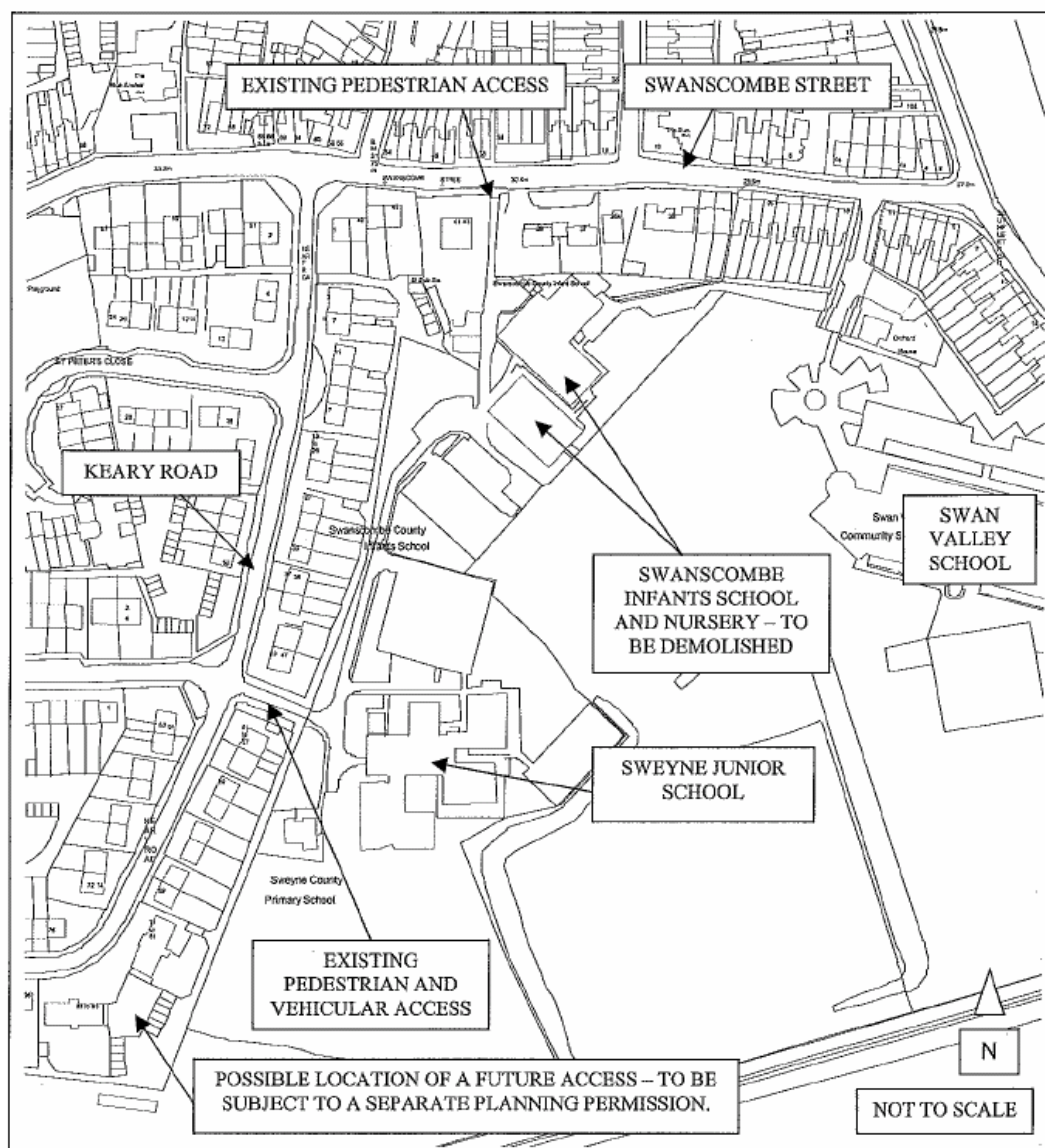
1. The Manor Community Primary School would be formed by the amalgamation of Swanscombe Infants School and Sweyne Junior School. These two schools occupy neighbouring sites in Swanscombe, with shared vehicular and pedestrian access from Keary Road, and a pedestrian only access from Swanscombe Street. The Junior School is located to the centre of the site, with playing fields extending to the south, and the Infants School to the north. A stand alone nursery building lies adjacent to the Infants School. The school site sits on the periphery of the suburban area, with residential properties in Keary Road bounding the eastern site boundary, and properties in Swanscombe Street bounding the northern boundary. To the east of the site lies the recently completed Swan Valley School, beyond which lies Southfleet Road and the Northfleet Landfill Site. Allotment gardens lie to the southern boundary of the site, beyond which a public footpath is located and thereafter open countryside. A site plan is attached.

Proposal

2. This planning application has been submitted by Kent County Council Property Group and proposes the construction of a new 2 form entry amalgamated primary school, on the site of the existing Sweyne Junior School in Swanscombe. One block of the existing accommodation would be retained, and a new vehicular access would be created off Swanscombe Street. New areas of hard play and car parking would be provided to replace the existing. The current buildings of the two schools are approximately 40 years old and do not meet the needs of the curriculum in the 21st Century, with the classrooms being too small to allow a full range of teaching techniques and technology to be used. The applicant also advises that the condition of the buildings is poor, and as well as being situated remotely from each other, the building's heating, lighting and power supplies are not sufficient within the classrooms. Many facilities are poor, including the main hall space, which is substandard in size and does not allow the whole school to attend assemblies in one sitting. I am also advised that the buildings do not conform to the requirements of the Disability Discrimination Act.

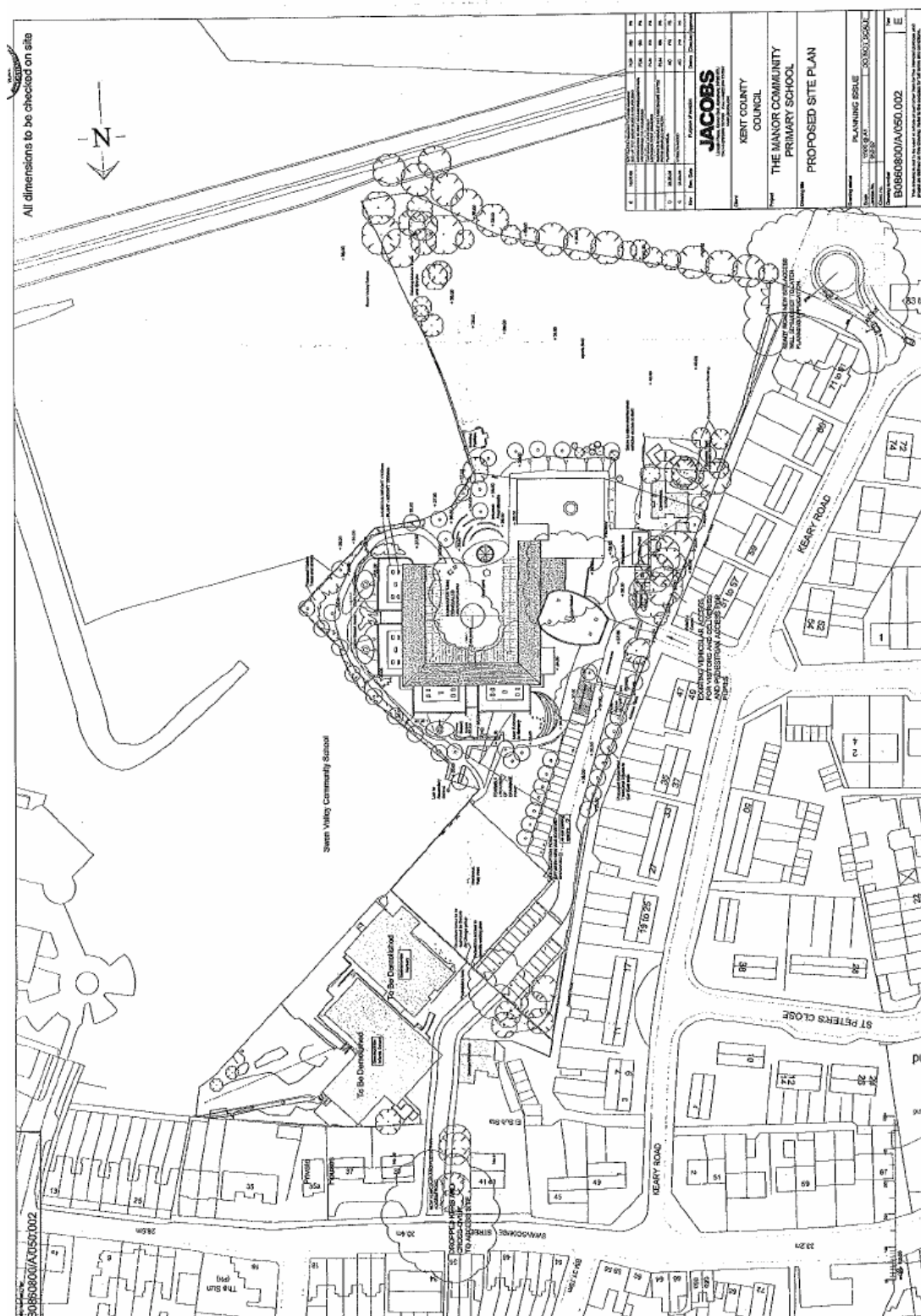
2 Form Entry Amalgamated Primary School – Manor Community Primary School, Swanscombe – DA/08/982

Site Location Plan

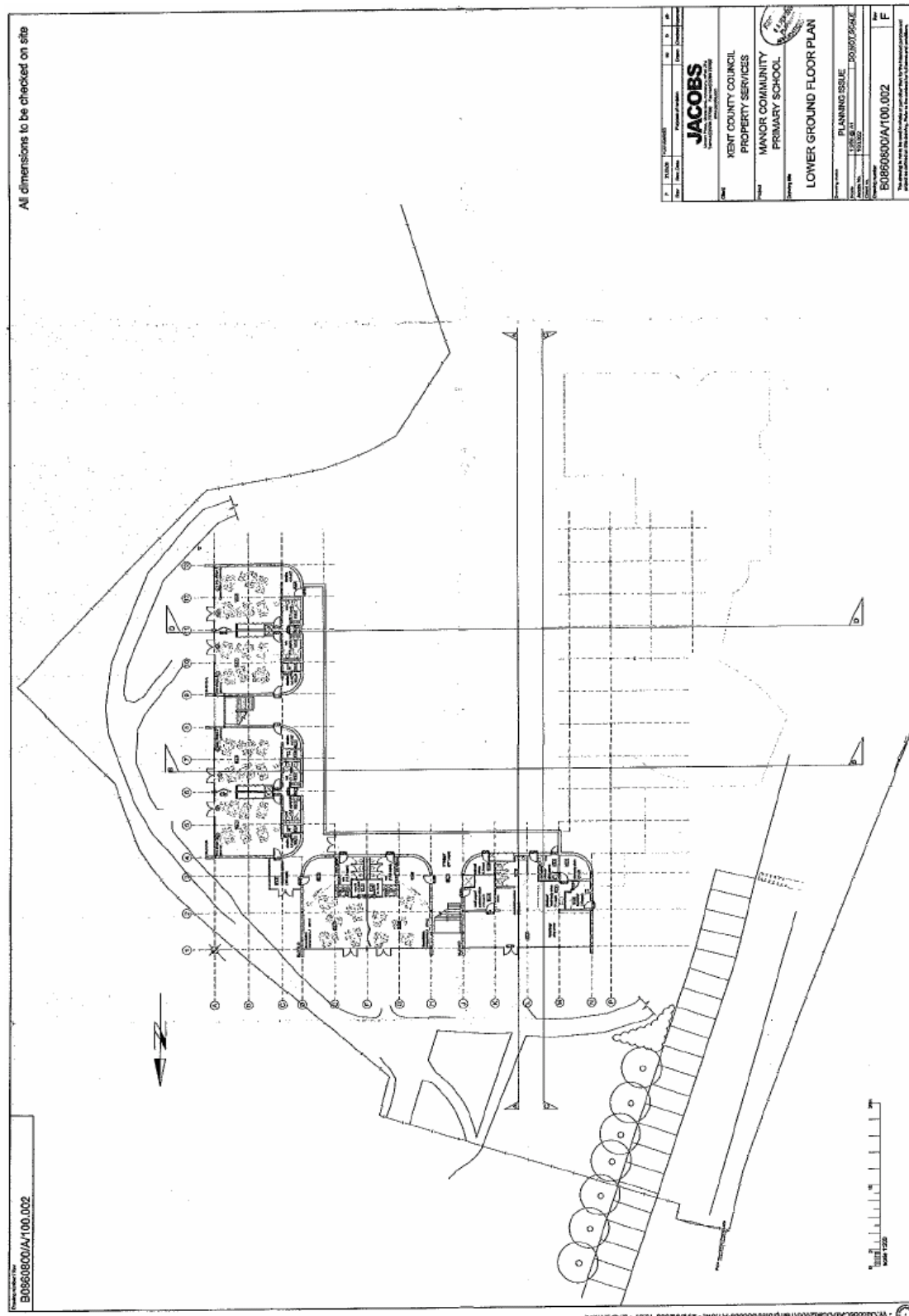


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2 Form Entry Amalgamated Primary School – Manor Community Primary School, Swanscombe – DA/08/982









2 Form Entry Amalgamated Primary School – Manor Community Primary School, Swanscombe – DA/08/982

3. The applicant states that the new development would meet the statutory duty to provide safe and appropriate primary school accommodation by replacing the existing building stock with more efficient and fully accessible buildings. It is proposed that the existing junior, infants and nursery buildings (except the recent extension to the junior school which is to be retained) be demolished, and a new school be built upon the site of the existing junior school. The existing caretakers lodge would also be retained. The retained 'L' shaped block of the junior school would be refurbished and incorporated into the new amalgamated primary school building. The new primary school would be a 2 form entry with a 2 class nursery. The applicant does not therefore envisage an increase in pupil numbers beyond the existing 420 place capacity of the 2 schools.
4. Part of the northern area of the school site, where the infants school building is currently located, is not included within the boundary of the new school site. Future intentions for this area of the site are currently unknown and any future development of it would need to be subject to a separate planning application. The main part of the proposed development would, therefore, be contained within the southern portion of the site. Analysis of the site, the required schedule of accommodation for the new school building and the need to construct the school within the existing school campus, whilst it continues to deliver the nation curriculum, have all informed the siting of the building and the detailed design proposals. The siting of the building adjacent and linked to the existing retained block would perform a number of functions, including:
 - the new building would be highly visible from the site entrance and would signal new capital investment in the school, raising its profile within the community;
 - the location best suits the constraints of the site, allowing minimum disruption to the running of the school whilst it has decanted to the infants school and temporary accommodation;
 - the location would allow a simple connection to the retained block, providing one continuous, easily accessible building;
 - separating the classroom blocks, whilst connecting them by means of a circulation street, would provide a clear identity for the year groups but full integration with the rest of the school;
 - the layout of the building would be highly rational, intuitive to users by providing clearly defined and efficient enclosed circulation serving separate and flexible classroom blocks or clusters arranged around a new external landscaped courtyard space;
5. The new school would accommodate a nursery, 2 foundation classrooms, 4 Key Stage 1 classrooms, 8 Key Stage 2 classrooms, a SEN room and 3 resource spaces. In addition a 280 seat performance hall, a small hall, ICT suite, library and other ancillary accommodation would be provided. This accommodation would be provided over 2 floors in part. However, as the floor level of the existing block is used as a datum, by using the existing topography of the site the lower ground floor would be tucked in underneath the ground floor. Therefore, from certain elevations the building would appear to be single storey. The proposed hall would lie approximately 3 metres closer to the boundary than the existing buildings on site, but would still be 15 metres from the boundary, and over 25 metres from the rear façade of the closest residential property. The remainder of the new building would be further from the boundary than the existing.
6. The classrooms are designed over the two floors in a modular framed arrangement, allowing flexibility of internal layout to meet future needs. The upper ground floor accommodation would link directly with level access to a new courtyard space, whilst the lower ground floor accommodation would link directly with level access to external spaces to the north and east of the proposed building. An internal 'street' would link to

2 Form Entry Amalgamated Primary School – Manor Community Primary School, Swanscombe – DA/08/982

classrooms, and would be constructed using a powder coated aluminium curtain walling system, with glazing. Feature panels of coloured glass are proposed to run the length of the 'street', adding colour and interest to the façade. The classroom spaces would be single aspect with large glass walls spanning the full extent of the external wall.

7. Externally the class modules would be constructed from a palette of self coloured render, with aluminium powder coated windows. The roof would be hidden from view by a parapet, but would be a sedum or similar green roof, emphasising the green credentials of the design. A key element of the schools design is the new school hall, which would be sited opposite the entrance from Keary Road. The hall would be curved in plan, a functional requirement for the performance space, and a deliberate contrast to the other more regular blocks.
8. The applicant is proposing to improve the site access as part of this proposal. The existing site access from Keary Road would be retained and used for visitor and delivery vehicle access, as well as a pedestrian access for pupils. A new vehicular access is proposed by way of upgrading and widening an existing pedestrian access to the north of the site, from Swanscombe Street, which would run through the area which currently accommodates the Infants School to a new access gate and car parking area to the north of the proposed school site. This access would be used for staff access, together with pedestrian access for pupils. The applicant is also considering the opportunity for a third site access, to the south-west corner of the site, which could provide for a drop-off/pick-up facility. This third access is subject to land ownership issues and may be considered as a separate planning application.
9. The design proposals would be developed in line with the principles of the BREEAM School's requirement. It is proposed that a rating of 'very good' would be the minimum standard achieved, and the BREEAM assessment would be used to inform the detailed design development of the proposals.
10. Landscaping would form an integral element of the overall design of the school and site masterplan. The quality of landscaping would enhance the building proposals and form the link with the site and context. Although detailed landscaping proposals would be drawn up at a later date, the applicant has provided indicative details at this stage. Landscaping would be concentrated within the courtyard that the new buildings would create, the external play areas to the lower ground floor classrooms and in the area of the main entrance. A total of 39 trees would need to be removed as a result of this development, all of which are well within the site, and only 4 of which are considered to be of high quality and value. All boundary planting is to be retained where possible, and protected in accordance with BS5837; Trees in relation to construction.
11. The applicant is proposing wider community use of the school buildings and grounds. Adult Education is proposed to take place in the library and the first 'pod' of teaching accommodation adjacent to it. Adult Education would take place during the school day and out of hours. External sports clubs are expected to use the sports facilities and pitches, both after school hours and at the weekends. Use of the performance hall is anticipated by local drama clubs and community groups, during evenings and possibly weekends. Overflow parking would be provided on the hard playground if required. The applicant advises that the use of amplified music is not envisaged, however, recorded and live instrumental performance would be likely, by the school during school hours, and both by the school and community users out of hours and at weekends. Social evenings for bingo in the performance hall are planned for local residents, which has emerged following consultation by the applicant with the local community. Seasonal social events would be subject to further discussion with the local community, as would the holding of fetes, BBQs, craft shows and sporting events. Hours of evening and weekend use have not been provided by the applicant.

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12. The following documents have been submitted in support of the planning application: *BS5837: Tree Report, School Travel Plan (and revisions), Archaeological Desk-Based Assessment, Archaeological Desk Top Assessment (Palaeolithic), Field Evaluation (Palaeolithic), Geotechnical Survey Report & a Geo-Environmental Desk Study.*

Reduced copies of the submitted drawings showing the site layout, elevations and floor plans are attached.

Planning Policy

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

The Kent & Medway Structure Plan 2006:

- | | |
|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Policy SP1 | Seeks to conserve and enhance Kent's environment and to ensure a sustainable pattern of development. |
| Policy SS6 | Seeks to improve the built and natural environment, the functioning and appearance of the suburbs, including the provision of services and facilities that serve local needs. |
| Policy QL1 | Seeks to ensure that all development is well designed and of a high quality that responds positively to the local character. Development, which would be detrimental to the built environment, amenity, function or character of the area, will not be permitted. |
| Policy QL7 | Where important or potentially important archaeological remains may exist, developers will be required to arrange for archaeological assessment and/or field evaluation to be carried out in advance of the determination of planning applications. |
| Policy QL11 | Provision will be made to accommodate additional requirements for local community services in response to growth in demand from the community as a whole. The services will be located where they are accessible by walking, cycling and by public transport. |
| Policy TP3 | States that the local planning authority should ensure that development sites are well served by public transport, walking and cycling. |
| Policy TP19 | States that development proposals should comply with vehicle parking policies and maximum standards adopted by the County Council. |
| Policy NR5 | Development should not result in an unacceptable level of pollution i.e. noise levels. |

The adopted (1995) Borough of Dartford Local Plan:

- | | |
|------------|------------------------------------------------------------------------------------------------------------------|
| Policy S2 | Encouragement will be given to the provision of community facilities. |
| Policy T19 | Proposals for development will not normally be permitted where they are not appropriately related to the highway |

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network and generate volumes of traffic in excess of the capacity of the highway network.

Policy B1 The following factors will be taken into account in considering development proposals:

- Proposed Use, which should be appropriate for its location and should not have a detrimental effect on the local area through visual impact, traffic generation, noise or other factors.
- Design, which should be of a high standard and respect and integrate with the surroundings. Particular attention should be paid to the mass, form and scale of the proposed development and its impact on the environment and neighbouring uses.
- Materials, which should be of good quality, pleasing in appearance and durable.
- Amenity of adjoining properties, particularly in the case of residential properties, should not be materially detracted from by development proposals. This includes the loss of daylight or sunlight, and overlooking from habitable rooms.
- Access and parking.

Policy B12 Development proposals may be permitted where it can be demonstrated that the site can be preserved either in situ or by making a detailed record of it for future archaeological reference. Appropriate conditions would be attached to any planning permission.

Policy CF3 The Borough Council will encourage and support the provision of social, community, educational and cultural facilities and infrastructure to meet the current and future needs of the Borough.

Consultations

14. **Dartford Borough Council:** raises no objection subject to the imposition of conditions requiring the submission of a landscaping scheme and a contaminated land assessment. In addition, the Borough Council consider that Kent Highway Services should be satisfied over parking and access arrangements.

Swanscombe and Greenhithe Town Council: strongly object to the planning application on the grounds that the safety of children, parking, transport and access arrangements are not suitable for the local area.

The Town Council suggest that the access points be reconsidered and that a more suitable location would be between the flats in the top corner of Keary Road. This has an area which used to be occupied by garages and a wall, and is sufficiently wide enough to get a road through. The Town Council also consider that it would be possible to include parental parking areas/drop off zones within this area which would relieve the congestive parking currently experienced. The proposed entrance in Swanscombe Street is not a beneficial one and is dangerous as many children use this road.

Divisional Transportation Manager: raises no objection to the development subject to the submission of a revised Travel Plan.

The Environment Agency: raises no objection to the proposal subject to the imposition of conditions and informatives regarding surface water drainage and contaminated land.

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County Archaeologist: states that the site lies in a very sensitive area archaeologically. There is a high potential for important palaeolithic remains to survive on site. Formal archaeological investigation works at the adjacent Swan Valley School located significant palaeolithic remains and important Roman remains. An Archaeological Deskbased Assessment, including a palaeolithic specialist assessment has been undertaken. On the basis of this information the County Archaeologist has agreed appropriate next steps for early field evaluation works. These include a borehole survey, monitoring of geotechnical works and evaluation trial trenching.

The County Archaeologist advises that it is important that these evaluation works are undertaken prior to determination of the application. I am advised that trial trenching is yet to be undertaken as the specification needs to be informed by the results of the borehole and geotechnical works, especially the specialist palaeolithic works.

The County Archaeologist recommends that this application is not determined until further appropriate archaeological fieldwork has been undertaken.

The County Councils Landscape Advisor: comments as follows:

“A significant amount of existing trees and vegetation would require removal to accommodate the proposals, much of which is semi mature/mature. Two of the trees to be removed are identified as being of high arboricultural/amenity value (Tree Report, Jacobs, June 2008). The amount of necessary tree removal would cause an adverse effect, although some critical existing vegetation would be retained. It is recommended that the landscape proposals include adequate tree planting to mitigate the necessary removal, and that some trees are specified as heavy standards. Tree protection fencing to BS5837: 2005 Trees in Relation to Construction should be erected prior to any delivery/demolition/construction work beginning on site.

Landscape Impact

We understand that landscape proposals are being developed for the site and recommend that a native hedgerow is planted along the western boundary of the site as well as standard trees, north of the existing access off Keary Road, to provide a stronger visual buffer between housing along Keary Road and the extended car parking area. We also suggest that any new boundary fencing is supported with hedgerow planting, to soften the visual impact of the fencing.

Visual Impact

The proposal involves building the new amalgamated school building partly across the footprint of an existing building to be demolished. The scale and massing of the proposed building would not be vastly different to that of the building to be demolished, although the design and layout would be. Whilst the change in layout would not cause any significant visual impact, we consider that some of the proposed exterior colour treatment to be rather bright and contrasting, and recommend that more subtle colours are considered, especially on those elevations which are overlooked by neighbouring residential properties.”

Local Member

15. The local Member Mr. I Jones was notified of the application on the 17 June 2008.

Publicity

16. The application was publicised by the posting of 2 site notices, advertisement in a local newspaper and the individual notification of 78 nearby properties.

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Representations

17. 6 letters of representation have been received in response to the proposal, 4 in support and 2 objecting. The main points of objection are summarised as follows:

- Residents do not want parents parking in Keary Road;
- Swanscombe Street already has double yellow lines and traffic from the A2, additional traffic and parking cannot be accommodated;
- The position of the school may have been acceptable when originally built but the surrounding area is totally inadequate for the traffic that the school now generates. There are few places to park legally so many drivers delivering/collecting children park with little regard to the law or consideration to local residents;
- The proposal for the new vehicular access onto Swanscombe Street is a cause for concern. The entrance/exit of the proposed access is in an area of traffic calming measures, incorporating road humps and width restrictions;
- It is noted from the plans that the area of the present infants school has been fenced off. It would be interesting to know what is happening to this area;

The main points of support are summarised as follows:

- The community benefits of this scheme would bring opportunities and education to the people of Swanscombe, and provide 1st class facilities that the school currently lacks. The building would be a valuable community asset;
- With the school's strong links to Swan Valley Community School, the campus would be able to offer a doctors surgery, dentist, children's centre and new primary and secondary school's;
- The design is exciting, environmentally aware, and would be a joy for the staff and students to use;
- Whilst the traffic difficulties in the area are appreciated, this scheme actually provides greater access to the site than the single access currently available in Keary Road. This is not a new school site so any problems with access already exist and the details of this scheme go a long way to reduce the impact on local residents;

DiscussionIntroduction

18. 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. Issues of particular relevance include siting & design, impact upon residential amenity, archaeology and access and parking.
19. Policy QL1 of the Kent and Medway Structure Plan and Policy B1 of the Dartford Borough Local Plan require new developments to be of a high quality and well designed, and not to lead to a loss of residential amenity. Further, consideration should be given to the Kent and Medway Structure Plan Policy QL12 and the Dartford Borough Local Plan Policy CF3 that encourage decision makers to make provision for community facilities. In conjunction with these and other relevant policies, these issues are considered and discussed below. In principle, I see no overriding objection on planning policy grounds, on the basis that site is already well established for the accommodation of educational services.

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Siting and design

20. The siting and design of the proposed buildings has not met with objection, in fact, letters from local residents endorsing the design of the new school have been received. Although the proposed hall would project approximately 3 metres closer to the boundary than the existing building, the remainder of the new building would be further from residential properties than the existing. The school hall would be 15 metres from the boundary of the site, and over 25 metres from the rear facades of properties in Keary Road. These distances fall well within the distances specified within the Kent Design Guide, and draw me to the conclusion that the siting of the building would not have a detrimental impact upon the locality. The County Council's Landscape Advisor considers that the scale and massing of the building would not be vastly different to that of the building to be demolished. The changing levels of site mean that the lower ground floor can be inserted under the ground floor, reducing the massing of the building, and maintaining a single storey appearance from the site entrance from Keary Road. As the site is surrounded by 2 storey residential development and Swan Valley School, which is 5 storey in part, the height and massing of the proposed building is not out of character with surrounding development. In light of the above, I consider that the scale, massing and siting of the development is acceptable and would not have a significantly detrimental impact upon the local landscape or the amenity of local residents.
21. However, the County Council's Landscape Advisor has questioned the design of the school, in terms of the exterior colour treatment, which they consider to be rather bright and contrasting. It is recommended that more subtle colours are considered, especially on those elevations which are overlooked by neighbouring residential properties. Although the applicant has given an indication of the materials that they would like to use, and specified an intention to use coloured glazing and feature panels, exact details of external materials could be required under planning condition. I consider it appropriate to condition that details of all external materials be submitted for approval prior to the commencement of development, at which time colour finishes can be considered in greater detail, ensuring that they would not have a detrimental impact upon the amenity of the locality. Subject to the imposition of this condition, I do not consider that the design of the school would be detrimental to the amenity of the locality. In fact, the modern design, which incorporates many sustainable features, could improve the visual amenity and landscape value of the area, having a positive influence on the community as a whole.
22. As outlined in paragraph 4 of this report, part of the northern area of the school site, which currently accommodates the infants school, would not form part of the amalgamated school grounds. Local residents have questioned what the future of this area of the site will be. I am advised by the applicant that the future intentions for this area of the site are unknown at this time. However, any future development would need to be subject to a separate planning application, at which stage neighbouring local residents would have an opportunity to comment.

Access and Car parking

23. Neighbour objection to the proposed development is solely based on the traffic and highway implications of the scheme. Swanscombe and Greenhithe Town Council also raise strong objection on the grounds that parking, transport and access arrangements are not suitable for the local area. It is important to note that this application is proposing to amalgamate two existing schools, which are both currently accessed by a vehicular and pedestrian access from Keary Road and a pedestrian only access from Swanscombe Street. Should permission be granted, staff and pupils numbers would not increase and the two schools would merely be amalgamated into one new building.

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Existing highway concerns, although regrettable, would not be exacerbated by the proposed development. In fact, the widening of the existing pedestrian access on Swanscombe Street to create a vehicular access would aid in alleviating local congestion around peak school times. Parents already use this access as a drop off/pick up point, and this would not change by upgrading the access to accommodate vehicles. However, the provision of two vehicular access points would aid in alleviating congestion in the local area, especially around the existing single vehicular access on Keary Road. The applicant proposes that the existing site access would be retained for use by visitors and delivery's, and the new access would be used by staff only. This would split the vehicle movements associated with the school, potentially alleviating existing congestion around peak school times.

24. The applicant is proposing that the new vehicular access would run through the area which currently accommodates the Infants School to a new access gate and car parking area to the north of the proposed school site. A total of 49 car parking spaces would be provided on site, extending existing parking provision thereby alleviating parking on local residential streets. Kent Highway Services have not raised any objections to the application, but do recommend that a revised Travel Plan be submitted for approval. I therefore consider that, should Members be minded to grant permission, a condition of consent be the submission of an updated Travel Plan, which should be subject to ongoing monitoring and review. In addition, it should be conditioned that the car parking and access arrangements shown on the submitted plans be completed and fully operational prior to the first occupation of the new buildings. As there would be no increase in staff or pupil numbers as a result of this application, and existing access arrangements and parking on site would be improved, I consider that subject to the imposition of the conditions outlined above, the proposed development would not have a significantly detrimental impact upon the local highway network. I therefore see no reason to refuse the application on highway grounds.
25. Swanscombe and Greenhithe Town Council have suggested that the access points to the site be reconsidered, and that a more suitable access location would be between the flats in the top corner of Keary Road. The Town Council considers that this area is wide enough to accommodate an access and a drop off/pick up zone. The applicant advises that they are considering the provision of an access to the site between the flats in the top corner of Keary Road, and that this may be pursued in the future, pending resolution of land ownership and highway considerations. This would require a separate planning application and would need to be considered on its own merits at the time of submission. However, it is important to note that the highway implications of this application, as discussed above, are not considered significant enough to warrant recommending refusal of the proposal without the provision of an access between the Keary Road flats.

Residential Amenity

26. The applicant is proposing that the school and its grounds be available for wider community use, as detailed in paragraph 11 of this report. Adult Education is proposed to take place during the school day and out of hours. External sports clubs are expected to use the sports facilities and pitches, both after school hours and at the weekends. Use of the performance hall is anticipated by local drama clubs and community groups, during evenings and possibly weekends. In addition, social evenings for bingo in the performance hall are planned for local residents, which has emerged following consultation by the applicant with the local community. Seasonal social events would be subject to further discussion between the school and the local community, as would the holding of fetes, BBQs, craft shows and sporting events.

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27. However, precise hours of evening and weekend use have not been provided by the applicant. Given the sites location, within a residential area, it is essential that community use of the facility does not have an adverse impact upon the amenity of local residents. I do not consider it reasonable to condition hours of use at this stage as the applicant has not provided any indicative hours and, therefore, should hours be conditioned they may be to restrictive or to lenient. Therefore, I consider it would be more appropriate that a condition of consent be the submission for approval of a report, detailing proposed community uses and hours of use, including details of management etc, prior to the first occupation of the development. This would allow hours of use to be considered in detail, ensuring that the amenity of local residents would not be adversely affected by the development.

Landscaping

28. As outlined in paragraph 10 of this report, this application would result in the removal of 39 trees, all of which are well within the site boundary and would have little impact on screening of the site. A total of 101 trees were surveyed on site, and of the 39 to be removed, four trees were graded A, which are of high quality and value, 12 graded B, which are of moderate quality and value, and the remainder graded C, which are of low quality and value. The submitted tree survey details the methods that would be adopted to protect the trees to be retained and, should permission be granted, tree protection measures would form a condition of consent. The County Council's Landscape Advisor state that the amount of necessary tree removal would have an adverse effect, although some critical vegetation would be retained. It is recommended that adequate replacement tree planting be provided, some of which should be at heavy standards. The Landscape Advisor makes further suggestions regarding replacement planting, all of which have been forwarded to the applicant. In addition, Dartford Borough Council raise no objection to the proposed development, subject to the submission of a scheme of landscaping. There, I consider that should permission be granted, a detailed scheme of landscaping be submitted, to include replacement tree planting and the recommendations of the County Council's Landscape Advisor, prior to the commencement of development at the site. Subject to the conditions outlined above, I consider that any detrimental impact resulting from tree removal on site can be mitigated by replacement planting and additional landscaping.

Archaeology

29. As outlined in paragraph 14 of this report, the County Archaeologist considers that the application site lies in a very sensitive area archaeologically, and that there is a high potential for important palaeolithic remains to survive on site. An Archaeological Desk Based Assessment was submitted in support of this application, but the County Archaeologist considers that further more detailed survey work needs to be undertaken prior to the determination of this application. It is considered that a borehole survey, monitoring of geotechnical works and evaluation trial trenching all need to be undertaken. The applicant advises that the trial trenching is yet to be undertaken as the specification needs to be informed by the results of the borehole and geotechnical works, especially the specialist palaeolithic works.
30. Without the completion of the trial trenching, and the submission of a subsequent report, the County Archaeologist recommends that this application is not determined. The applicant has advised that the trial trenching is being undertaken at the time of writing this report, and that the subsequent results/report will be submitted to the County Archaeologist before the Planning Applications Committee Meeting on the 7 October 2008. Providing this report is submitted in the timeframe advised by the applicant, the

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County Archaeologist anticipates that formal comments on the application will be made prior to the Planning Applications Committee Meeting, allowing final comments to be reported verbally to Members. Therefore, as this is the only outstanding matter, the recommendation is subject to the final views of the County Archaeologist.

Land Contamination and Pollution of Controlled Waters

31. The Environment Agency initially objected to this application on the grounds that there was insufficient information to demonstrate that the risk of pollution to controlled waters was acceptable. In light of this objection, the applicant undertook further survey work and submitted a Geotechnical Survey Report and Geo-Environmental Desk Study. Following the submission of this additional information, the Environment Agency withdrew its objection subject to the imposition of conditions and informatives. Dartford Borough Council have also raised no objection to the application subject to the imposition of a condition regarding the submission of further survey work concerning land contamination. Therefore, I consider that subject to the imposition of a condition requiring the submission of a scheme to deal with the risks associated with contamination of the site prior to the commencement of the development, the development could be controlled to ensure that it would not result in unacceptable pollution levels. In addition, at the request of the Environment Agency, should permission be granted a condition would be imposed to ensure that no infiltration of surface water drainage into the ground be permitted other than with the express consent of the County Planning Authority. Again, this would ensure that the development would not result in an unacceptable level of pollution, in accordance with the principles of Policy NR5 of the Kent & Medway Structure Plan.

Conclusion

32. In summary, I consider that the proposal would provide a welcome increase in the provision of new and modern education & community facilities. Subject to the views of the County Archaeologist, I am satisfied that subject to the imposition of conditions, this proposal would not have a significantly detrimental effect on the amenity of local residents, the character of the local landscape or the local highway network. In my view it would not give rise to any significant material harm and is in accordance with the general thrust of relevant Development Plan Policies. There are no material planning considerations that indicate that the conclusion should be made otherwise. However, I recommend that various conditions be placed on any planning permission, including those outlined below.

Recommendation

33. I RECOMMEND that subject to the views of the County Archaeologist PERMISSION BE GRANTED SUBJECT to conditions, covering:

- the standard time limit;
- the development to be carried out in accordance with the permitted details;
- the submission of details of all materials to be used externally;
- details of all external lighting;
- a scheme of landscaping, its implementation and maintenance;
- measures to protect trees to be retained;
- details of fencing, gates and means of enclosure, including colour finishes;
- contaminated land assessment;
- details of surface water drainage;
- development to accord with the recommendations made in the submitted Ecological Scoping Survey;
- revision of the School Travel Plan;

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- the provision of car parking and access prior to occupation;
 - the provision of overflow parking out of school hours, should in be required;
 - details of community use, including hours of use;
 - hours of working during construction;
 - prevention of the deposition of mud on the local highway network;
- In addition, any conditions required by the County Archaeologist would be incorporated into the planning permission.

Case officer – Mary Green	01622 221066
Background documents - See section heading	

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Item D2**Two 2-bay mobile units, Kingsdown & Ringwould CE Primary School – DO/08/767**

A report by Head of Planning Applications Group to the Planning Applications Committee on 7th October 2008

DO/08/767 – Application by Kent County Council Children, Families and Education for the provision of two 2-bay mobile units, Kingsdown & Ringwould CE Primary School, Glen Road, Kingsdown.

Recommendation: Planning permission be granted subject to conditions.

Local Member(s): Mrs Eileen Rowbotham

Classification: Unrestricted

Site

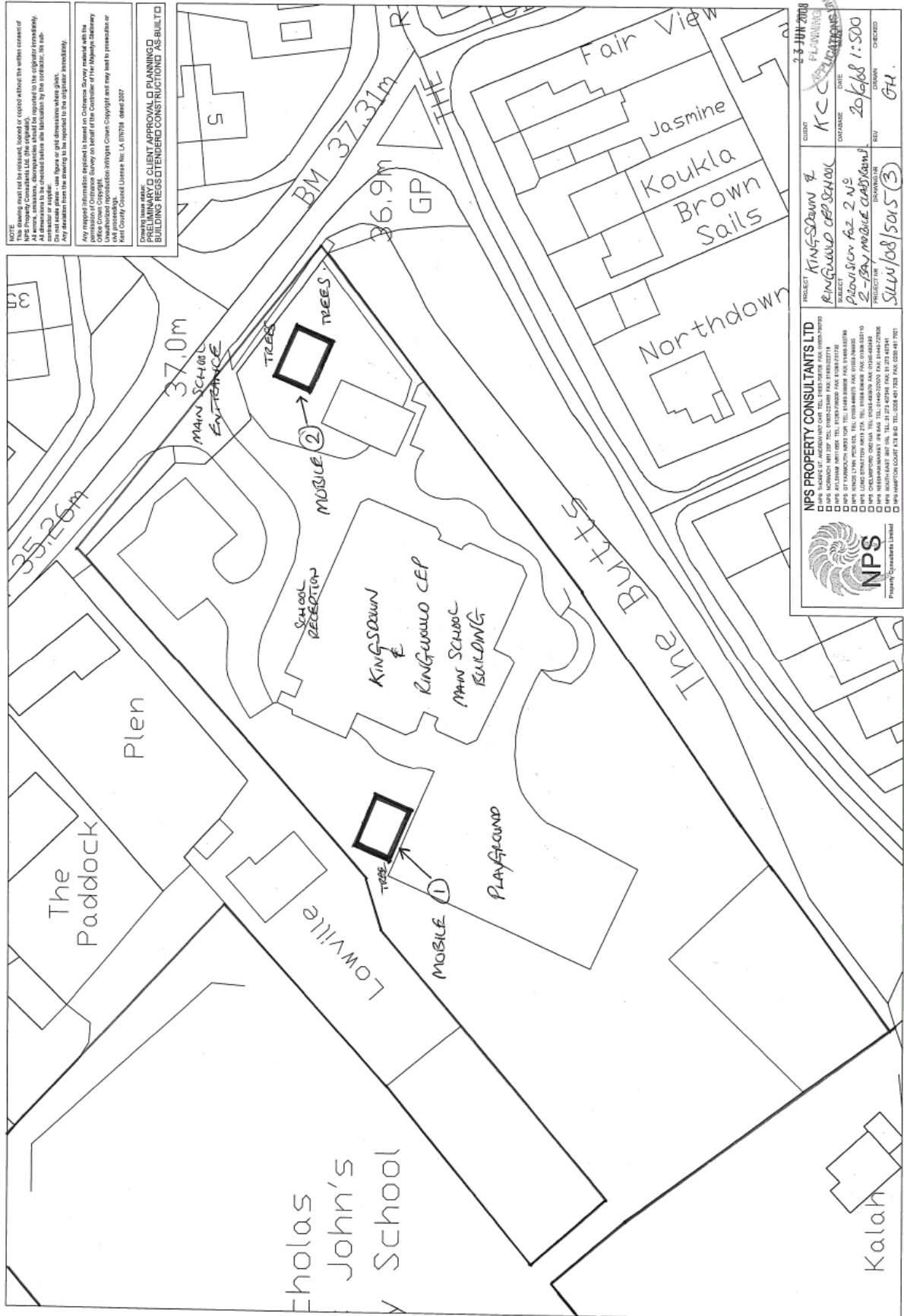
1. Kingsdown and Ringwould Church of England Primary School occupies a site fronting Glen Road in Kingsdown. The school site is largely surrounded by residential development, but backs on to open farmland. The main building is of a modern design and the grounds are well landscaped with a variety of trees, shrubs and hedgerows.

Background

2. Kingsdown and Ringwould CE Primary School was built in the mid-1980s. At the time the architect originally designed it to be a five-classroom school, but this was reduced to four classrooms based upon an assessment of the predicted roll. However, the predictions rose shortly after, partly due to the closure of a local public school, and a fifth classroom was incorporated into the design.
3. In 1990 the school once again experienced a jump in numbers, this time attributed to the Education Authority's scheme for the admission of four year-olds. That warranted the need for a mobile classroom, which was granted permission in 1991. In that instance, the mobile classroom was removed after the expiry of its permission in 1994, due to the building of an additional science classroom. The school roll then increased again, beyond the additional capacity created by the new building, requiring further mobile classrooms to be installed on site. It is therefore evident that the school has been either at full capacity, or beyond, since it was built. Recent rolls were 2006 – 203, 2007 – 203, 2008 – 206.
4. The two mobile classrooms proposed for retention within this application have existed on site for a number of years and have had their temporary consents renewed on several occasions. Although installed at separate times, they now form one application for renewal. The most recent permission was granted in 2005 for a period of three years and expired in March 2008.



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5. In 2005, permission was granted for an extension that would have replaced the need for the mobile classrooms. However, that has not been enacted due to lack of funding, but demonstrates the School's commitment to a permanent solution. Funding has been made available to improve the ability of schools in the Deal area to provide sufficient accommodation. Kingsdown & Ringwould Primary, despite making a strong case, missed out on the funding as the money was directed towards providing places at schools within Deal itself.

Proposal

6. The application proposes the retention of the 2 existing mobile classrooms sited within the school grounds, by seeking a new temporary permission. The previous temporary planning permission granted by the County Planning Authority expired on 31 March 2008. The Education Authority has requested a consent for the period of five years, which they state is the minimum time in which they will be able to secure funding for a permanent solution.
7. The mobile classrooms can be considered to be of standard design and are similar in structure and appearance to many other units located at other schools across the County. They are both finished in dark green colour in order to blend into the surrounding vegetation and have a grey/green felt flat-roof material. The units have wooden slatted skirting to cover the void at the base of the units, and to provide airflow.
8. Mobile 1, situated to the rear of the school next to the playground, provides 51.6m² of floor space and stands at a height of 3.3m². It has one tree to the rear, which is kept cut back. The unit is not easily visible from Glen Road.
9. Mobile 2 is of the same dimensions as Mobile 1, and is located to the left of the main entrance gate, parallel to the boundary fence along Glen Road. The unit has various trees around it, which act as screening when viewed from Glen Road, and is not overly noticeable when driving past due to these features. Most of the trees were planted as part of the original consent and are cut back to avoid branches overhanging the roof of the unit.
10. The mobile units presently accommodate Year 3 and Year 4 classes and both were assessed as being in 'fair condition'.

Planning Policy

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

- (i) The adopted **Kent and Medway Structure Plan 2006**

Policy SP1 Seeks to conserve and enhance Kent's environment and achieve a sustainable pattern of development. Encouraging 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 QL1 Requires that all development be well designed and of high quality that respond positively to the local character. Development that would be detrimental to the built environment, amenity, function, and character of settlements or the countryside, will not be permitted.

Two 2-bay mobile units. Kingsdown & Ringwoud CE Primary School – DO/08/767

Policy QL11 Existing community services and recreation facilities will be protected as long as there is a demonstrable need for them.

(ii) The adopted **Dover District Local Plan 2002**:

Policy DD1 Requires proposals that are acceptable in terms of layout, siting, scale, architectural style, materials, spatial and visual character of the area, landscaping, privacy and amenity.

Policy CF2 Planning permission for mobile classrooms will only be granted where there is a proven short term need; they are located so as to minimise visual harm; and their siting would not result in the loss of or damage to important trees.

Consultations

12. **Dover District Council** raises an objection on the grounds that the proposal is considered to be contrary to Dover District Local Plan Policy CF2, which states that mobile classrooms should only be granted for a short-term need. The District Council commented that *as permission for the units has been renewed several times already, and there is no evidence provided that there is any intention to replace the units with permanent classroom accommodation in the near future, this council raises objections to the proposal.*

Ringwoud with Kingsdown Parish Council has no objection to the application. However they comment that *permanent classrooms added to the school would be a much better option, and that it is about time that Kent County Council provided these. There is concern that mobile classrooms with low ceilings (and therefore a low cubic volume of fresh air) are unsatisfactory for large numbers of children together.*

Divisional Transport Manager: raises no highway objection to the proposal.

Local Member(s)

13. The local County Member for Dover North, Mrs E. Rowbotham, was notified of the application on the 27 June 2008.

Publicity

14. The application was advertised by the posting of a site notice and the notification of 13 neighbours.

Representations

15. One letter of representation was received from a local resident. The main comments are as follows:

- Although in principle they are not against the school expanding, they would prefer to see a more permanent structure that would be more in keeping with the village.

Two 2-bay mobile units. Kingsdown & Ringwold CE Primary School – DO/08/767

Discussion

16. In considering this proposal regard must be had to Development Plan Policies outlined in paragraph (4) above. 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, 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.
17. The main issue with this application is that Dover District Council identified that the proposal is contrary to Policy CF2 of the Dover District Local Plan 2002, which states that planning permission for mobile classrooms will only be granted *where there is a proven short term need*. These mobile classrooms have remained on site for many years and have had their permissions renewed on a number of occasions. Thereby demonstrating a long-term need and an intention to keep them beyond the short term.
18. Under the previous Planning Permission granted in March 2005, Dover District Council passed no objection on condition that the permission would last no more than three years. They also included the following comments: *'Bearing in mind Policy CF2 of the Dover District Local Plan and the length of time, some 13 years, that there have been mobiles at the site, despite the permanent extension already built, the District Council would be unlikely to wish to see a further renewal of a temporary permission at this site, particularly bearing in mind the location of the mobile classroom on the frontage to Glen Road. Within this further period the District Council would hope that a more permanent proposal can be put forward.'*
19. The County Council as Education Authority has stated that it is committed to replacing temporary classrooms with permanent accommodation and that Kingsdown and Ringwold is being considered within the Government funded Primary Capital Programme, which will provide funding for replacement/refurbishment schemes over the next 15 years. The teaching space within the school is cramped with most classrooms being undersized and below Primary Brief Standard.
20. The School has commissioned a feasibility report into the provision of permanent accommodation to replace the temporary classrooms and this initial study will inform the extent of investment required. The School requests a consent period of five years, to allow the Government funding to come fully on stream.

Siting, Design and Appearance

21. The siting of the mobile classrooms was a central issue in the discussions leading up to the initial planning permissions. Although the mobile unit located adjacent to Glen Road is in a prominent location, this was considered to be the best position and a degree of planting was done to offer some screening. This planting has now matured and offers effective cover to the mobile when viewed from Glen Road. Therefore the exploration of alternative locations for the mobiles is not appropriate for this application as they can be seen to be in the best locations at present.
22. In considering the design of the mobile classrooms proposed to be retained, in relation to the planning policies, I would advise that the development consists of mobile buildings similar in construction to a number of units used across the County. Kent and Medway Structure Plan 2006 Policy QL1 and Dover District Local Plan 2002 Policy DD1 both seek proposals that are well designed, and appropriate in the context of the existing

Two 2-bay mobile units. Kingsdown & Ringwould CE Primary School – DO/08/767

pattern of development in the local area. Whilst these buildings are not of an appropriate design to be a permanent feature in the locality (the single-storey flat-roof construction cannot be said to enhance the character of the existing built environment), the retention for a short temporary period would not result in an unacceptable impact on the surrounding built environment. The design of the mobile units is generally accepted as the standard for mobile classrooms in all locations, as long as they are sited only for a limited period.

Need

23. Kingsdown and Ringwould Primary School has a Pupil Admission Number of 210 and has a waiting list of 36 against 30 spaces for the 2009 admission. The KCC Capital Strategy Unit advises that it is essential that the two mobile classrooms be retained to provide sufficient capacity for the existing number of pupils at the school. There is no scope within the existing main school buildings to incorporate the two classes served by the mobile units. There is also no space within schools in the surrounding area to accommodate the 60 pupils who would be displaced if the mobile units were removed. It is noted that Kingsdown and Ringwould CE Primary School serves a wider area than the immediate village.
24. If the 60 pupils were to be displaced by removal of the mobile classrooms then this would result in them being moved to other schools in the surrounding area. As these schools are at full capacity, then this would likely result in mobile classrooms being needed at the other schools.

Conclusion

25. Bearing in mind the observations raised by the Dover District Council to the previous permission mentioned in paragraph (5), the School did actively seek to abide by the informative on that Planning Permission. An application was submitted and approved in June 2005 for a permanent building that would negate the need for the mobile classrooms. That permission was not used due to lack of funding, however it does evidence that the School has in fact accorded with the District Council's wishes since a 'more permanent proposal' was put forward.
26. Although the last permission was granted for a period of 3 years, I would advise that, from the evidence provided, a 5-year consent is required in this instance. During this period the KCC Capital Strategy Unit has committed itself to securing funding to assist in providing an alternative and permanent solution to the mobile classrooms. They have given a minimum time-scale of 5 years; therefore granting a 3-year consent would result in the need for the permission to be renewed yet again. During this period I would urge the applicant to ensure that this school remains a high-priority for modernisation.
27. On balance, I advise that the granting of a further temporary permission, although not desirable, is more acceptable to Development Plan Policies than requiring the removal of the mobile classrooms. Removal of the units would seriously impede the service provided by the School to the community, and would have an adverse impact on surrounding schools. This would be in contravention of Kent and Medway Structure Plan 2006 Policy QL11, which seeks to protect and enhance community facilities.

**Two 2-bay mobile units. Kingsdown & Ringwould CE
Primary School – DO/08/767**

Recommendation

28. I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO the imposition of a condition requiring the building be removed and the site restored within 5 years of the grant of planning permission.

29. I FURTHER RECOMMEND THAT the applicant BE ADVISED of the following informative

- Planning Permission is granted for a further temporary period to enable the preparation of a scheme to provide more suitable permanent accommodation at the school.

Case officer – Jeff Dummett	01622 221071
Background documents - See section heading	

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Item D3**Multi-use games area, St. Mark's CE Primary School, Eccles, Aylesford – TM/08/1896**

A report by Head of Planning Applications Group to Planning Applications Committee on 7 October 2008.

Application by the Governors of St. Mark's Church of England Primary School for the provision of a multi-use games area and erection of pergolas for sitting and shade at St. Mark's CE Primary School, Eccles Row, Eccles, Aylesford (TM/08/1896)

Recommendation: Planning permission be granted subject to conditions.

Local Member(s): Mr. G. Rowe

Classification: Unrestricted

Site

1. St. Mark's Church of England Primary School is a newly built eco-school on the fringes of Eccles. The school building embraces renewable technologies, through the use of a green roof, solar photovoltaic cells and rainwater harvesting techniques. The school is located on the northern boundary of the village of Eccles, north-west of Aylesford and the County Town of Maidstone. The site is accessed through a residential cul-de-sac (Eccles Row), and is bordered on the south and eastern sides by residential properties that overlook the school's grassed fields. *A site location plan is attached on page D1.2*

Background & Proposal

2. The proposal involves the creation of a multi-use outdoor sports court for the sole use of the pupils of the school. The proposal is to transform an area of approximately 1000 sq. metres of grass space, currently not used by the school as playing fields, into a tarmac-finished sports court with a surrounding seating area. The actual court would consist of an area of 450 sq. metres, and would provide the school with additional required outdoor play space.
3. As part of the proposal, the application seeks permission to erect seating areas surrounding the court, which would consist of two timber pergolas to provide areas for pupils to sit in shade when not taking part in sports activities. It is important to note that the application does not propose any means of fencing to surround the games area, or any form of external lighting.
4. The proposed multi-use games court would be finished in black tarmac. The School intend to use the multi-use games court during normal school hours, and do not proposed to hire out the court for out-of-school hours use.

Amended Proposal

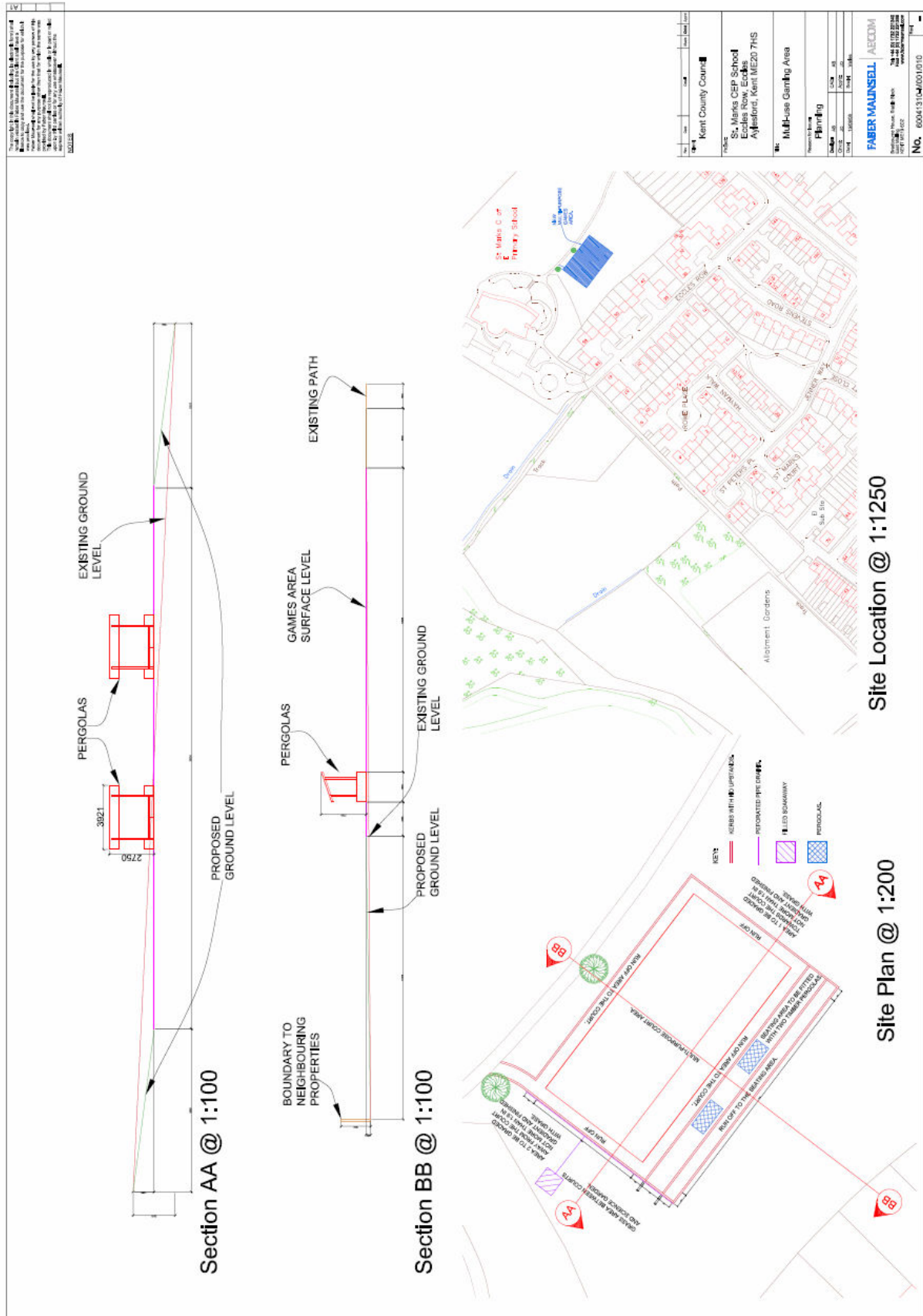
5. The application has been amended to take into account the views received in the residential objection petition, as outlined in paragraph (11) below. The games court has since been rotated through 90 degrees from its original orientation, resulting in a separation distance from the corner of the ancillary seating/drainage area surrounding the court to the nearest residential boundary being just over 15 metres. A copy of the amended plan can be seen on page D3.3, and as such the discussions contained within this report focus on the amended proposal.

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Multi-use games area, St. Mark's CE Primary School, Eccles – TM/08/1896

Proposed Location of Multi-Use Games Court



Multi-use games area, St. Mark's CE Primary School, Eccles – TM/08/1896

[illegible]

Multi-use games area, St. Mark's CE Primary School, Eccles – TM/08/1896

Planning History

6. Planning permission was granted for the construction of the new St. Mark's Church of England Primary School at the meeting of the county planning committee in May 2001, under reference TM/01/646.

Planning Policy

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

- (i) The adopted 2006 **Kent & Medway Structure Plan**:

Policy SP1 – The primary purpose of Kent's development and environmental strategy will be to protect and enhance the environment and achieve a sustainable pattern and form of development. This will be done principally by, amongst other matters:

- protecting the Kent countryside and its wildlife for future generations;
- protecting and enhancing features of importance in the natural and built environment;
- encouraging 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 QL1 – All development should be well designed and be of high quality. Developments, individually or taken together, should respond positively to the scale, layout, pattern and character of their local surroundings. Development which would be detrimental to the built environment, amenity, functioning and character of settlements or the countryside will not be permitted.

Policy QL11 – Provision will be made for the development and improvement of local services in existing residential areas and in town and district centres, particularly where services are deficient. Flexibility in the use of buildings for mixed community uses, and the concentration of sports facilities at schools, will be encouraged.

Policy TP3 – Local planning authorities should ensure that development sites are well served by public transport, walking and cycling, or will be made to do so as a result of the development. Travel Plans should be encouraged for larger developments that generate significant demand for travel, to promote the use of these means of transport.

Policy NR5 – The quality of Kent's environment will be conserved and enhanced. Development should be planned and designed to avoid, or adequately mitigate, pollution impacts, including noise and levels of light intrusion.

- (ii) The adopted 1998 **Tonbridge & Malling Borough Council Local Plan Saved Policies**:

Policy P3/17 – In considering proposals for noise-generating development, the proposal should not have a significant adverse impact on any nearby noise-sensitive uses. As far as practically possible, noise generating

Multi-use games area, St. Mark's CE Primary School, Eccles – TM/08/1896

developments should be located in areas where noise will not be an important consideration and where its impact can be minimised. Areas where the background noise levels are very low and which are important for their recreational and amenity value will not be considered suitable for noisy development.

Policy P4/11 – Development proposals must not harm the particular character and quality of the local environment, and wherever possible should make a positive contribution towards the enhancement of the area. Proposals will only be permitted where the development, amongst others, is appropriate in terms of scale, siting, mass, form, and in terms of the impact on adjacent buildings; is of a high quality of design, detailing and the use of appropriate materials; has regard to 'Kent Design' principles; and includes landscaping proposals

(iii) The adopted **Tonbridge & Malling Borough Council Local Development Framework - Core Strategy (2007)**:

Policy CP1 – All proposals for new development must result in a high quality sustainable environment. The need for the development will be balanced against the need to protect and enhance the natural and built environment.

Policy CP2 – Seeks development that is well related to public transport, cycling and pedestrian routes and is compatible with the character and capacity of the highway network in terms of volume and nature of traffic generated.

Policy CP5 – Unless justified by special circumstances, development will not be permitted that would harm the function of the mid-Kent Strategic Gap as a physical break maintaining the separation and separate identities of built up areas

Policy CP24 – Seeks all development to be well designed, of a high quality, and must through its scale, density, layout, siting, character and appearance be designed to respect the site and its surroundings. Development that would be detrimental to the built environment, amenity or function and character will not be permitted.

Consultations

8. **Tonbridge & Malling Borough Council**: has raised no objection to the original application. The views received regarding the amended layout will be reported verbally at the Committee meeting.

Aylesford Parish Council: were notified of the original application on 13 June 2008, and the amended proposal on 16 September 2008. Any views received will be reported verbally at the Committee meeting.

Divisional Transportation Manager: has raised no objection.

Environment Agency: has raised no objection.

Multi-use games area, St. Mark's CE Primary School, Eccles – TM/08/1896

Sport England: notes that the original location of the Multi-Use Games Area (MUGA) will not impinge on the use of any playing field or any other sport and recreational facilities at the school. In addition, notes that the MUGA will improve the sporting provision at the school enabling greater opportunities to increase participation in sport and recreation. Consequently, Sport England does not raise an objection to the proposed development and supports the development of the MUGA.

Any additional views on the amended proposal will be reported verbally at the Committee meeting.

KCC Noise Advisor (Jacobs): notes that the new proposed orientation of the multi-use games area does not result in the boundary being closer to the nearest residential property than the previous proposed location. Would therefore reiterate previous comments that the proposed location is within an area that currently has the potential to be used for games. Given that, considers that the proposed multi-use games area is unlikely to cause a detriment to the nearest residential properties provided that as stated by the applicant, the games area is only used on weekdays between the hours of 09:00 and 16:00.

KCC Landscape Advisor (Jacobs): The alternative positioning of the proposed multi-use games area leaves a greater distance between the proposal and the neighbouring properties. The visual impact experienced by receptors in neighbouring properties would however, be slightly increased as a result of the alteration, largely due to the position of the pergolas. Although the distances would be increased, the positioning of the pergolas would partly obscure the view of the North Downs from neighbouring properties, due to the orientation of the pergolas. However, as the pergola construction is fairly open, the visual impact would be slightly adverse.

They question the accuracy of the positioning of the two existing trees in relation to the proposed MUGA. Their position should be accurately verified to ensure they are not adversely affected by the proposal. Tree protection measures should be used to ensure their protection during construction works.

In summary, the amended positioning of the proposal would increase the adverse visual impact experienced by receptors in nearby properties. Some mitigation tree planting may be beneficial. Although the original proposal would be slightly less intrusive in terms of visual impact, they are in principle satisfied with the proposal, should this scheme be preferential to local residents.

Local Member

9. The local County Member, Mr. G. Rowe was notified of the original application on 13 June 2008, and notified of the amended proposal on 16 September 2008.

Publicity

10. The application was publicised by the posting of a site notice on the main entrance of the school, and the individual notification of 39 neighbouring residential properties.

Multi-use games area, St. Mark's CE Primary School, Eccles – TM/08/1896

Representations

11. I have received a petition containing 24 signatures of local resident who object to the application for the following reasons:

- The current noise levels from the school during playtime and other external activities are barely tolerable now;
- Some residents who work varied shift patterns who have their present sleep patterns disturbed will find their sleep disturbed even more;
- The location of the proposed area will directly overlook the rear of all the tenants concerned and this will seriously compromise their individual privacies.

The signatories of the residential petition were re-notified of the amended proposal on 18 September 2008 via the author of the original petition letter. Any additional views received on the amended proposal will be reported directly at the Committee meeting.

DiscussionIntroduction

12. The application seeks planning permission for the provision of a multi-use games area to be solely used by St. Mark's Church of England Primary School for educational related purposes. The application proposes a single games court of approximately 450 sq. metres, of which a footprint of 1000 sq. metres would be hard-paved to provide space for associated drainage and seating areas surrounding the main court. The location of the proposed MUGA is within an area of unused grass, which I believe has remained as such since the school was first constructed. The application proposes no net increase in either staff or pupil numbers at the school, proposes that the games court would be used for educational purposes during normal school operation hours only, and proposes no means of floodlighting. The application is being reported for determination as a result of the objection received in the form of a resident's petition from neighbouring properties, as summarised in paragraph (11) above.
13. In considering this proposal, regard must be had to the Development Plan Policies outlined in paragraph (7) 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 the 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. Issues of particular relevance in this case include the location and design of the proposed development, the potential impact of the proposed development on the surrounding residential amenity, in particular through the potential for increased noise and visual intrusion and the potential impact of the proposal in landscape terms. The above should be balanced against the benefits of these improvements to the sports facilities for the school.

Location and visual impacts

14. St. Mark's Primary School is located on the edge of the built confines of the village of Eccles. The site, as previously noted, is bordered on the south-eastern and south-western side by residential properties. The location of the proposed multi-use games area would be located approximately 15 metres from the nearest residential property boundary, and approximately 25 metres to the nearest noise receptor [elevation of

Multi-use games area, St. Mark's CE Primary School, Eccles – TM/08/1896

residential property fronting Eccles Row]. The boundary between the nearest residential properties are separated by a chain link fence planted with various shrubs / low level trees which formed part of the original landscaping scheme implemented when the school was built. It is noted that the existing boundary treatment can be described as relatively 'open' in its nature, and as such allows residents of the properties in Eccles Row to enjoy wider views through the school fields and out across the Kent Downs. As noted above by the KCC Landscape Advisor (paragraph 8), that the amended location of the MUGA, in particular the revised location of the two pergola structures, would cause a slight visual intrusion from properties in Eccles Road across the Kent Downs. However, in my opinion I consider that the pergola structures as proposed are relatively 'open' in their nature (see details on page D3.4), and therefore would not cause an unacceptable amount of visual intrusion, or significantly block wider views across the Kent Downs. I further note that the individual right to a view is not strictly a material planning consideration.

15. I note that the location of the proposed court is in an area which does not appear to be widely used at present by the School. The location consists of an area of infrequently mown grassland, currently not used as school playing field. However, I note that to the immediate north-west of the proposed games court is a wildlife/nature garden. This area is largely used by the School and consists of an environmental garden with a nature pond and various play structures. The proposal is to cluster the 'built-development' together adjacent to this existing nature area in an attempt to reduce visual impacts on wider landscape. In terms of the intensifying of the use of this particular location, I recognise that noise generation (as discussed below) has the potential to increase above-and-beyond existing levels on the basis that the area is not currently used for children during school playtimes at present. However, in my opinion I see no reason why the area is not capable of being formed into an additional playing field, and used intensively as such, through the regular mowing of this grassland.
16. I note that the KCC Landscape Advisor has highlighted the potential impact upon two adjacent trees as part of the construction works. In my opinion, I consider that these trees should be retained as part of the proposed scheme and as such would recommend that they be afforded protection during construction works with tree protection measures in accordance with the latest British Standards. In terms of additional landscaping, I am of the opinion that additional tree planting would not bring any benefit to the scheme and would in any case reduce wider views from residential properties across the Kent Downs.
17. I note that concern has been raised by local residents [regarding the original proposal] with regards to potential overlooking. I note that the applicants have attempted to address this issue through the rotation of the MUGA by 90 degrees, moving the proposal further away from the nearest residential boundary. I note that at the closest point, the corner of the hard-paved surface surrounding the proposed multi-use games area would be approximately 15 metres from a residential boundary. Across this distance, a grass surface would be maintained (as currently exists) with low level vegetation/shrubs growing along the boundary fence between the school and the properties fronting Eccles Row. Given the distances involved, I do not consider overlooking to be an issue in this particular instance, and note that although this area is not at present extensively used by the School for sporting activities, I see no reason why this area could not be further utilised by the School, should they choose to do so.
18. In summary, I consider that the proposal is acceptable in landscape and visual terms and would seek to ensure that existing trees are protected on site during construction. In this instance, I would not seek to provide additional landscaping measures as part of

Multi-use games area, St. Mark's CE Primary School, Eccles – TM/08/1896

this scheme, and consider that the proposal is in general accordance with the Development Plan, most notably Policy EN9 of the Kent and Medway Structure Plan and Policy P4/11 of the Tonbridge & Malling Borough Council Local Plan.

Noise pollution

19. In terms of the potential for the proposal to give rise to adverse noise implications for nearby residents, in particular those residential properties fronting Eccles Row, I note the comments of the County Council's Noise Consultants in paragraph (8) above. They recognise that the amended orientation of the proposed MUGA is in such a location that it could already be used for existing sporting activities (albeit currently not done so). Given this, the KCC Noise Advisor has advised that the proposal is unlikely to cause a detriment to the nearest residential properties provided that as stated by the applicant, the games area is only used on weekdays between the hours of 09:00 and 16:00.
20. I consider that on the basis of the games court being used on a low-frequency basis (compared to similar multi-use games courts on different school sites across the County, which are typically larger in nature and shared with the wider community), the potential impact of increased noise levels would be minimal in this particular case. In terms of potential noise attenuation features which could be insisted upon as part of this proposal, I do not consider such measures to be warranted due to the scale and nature of the proposal, and would, in my opinion, cause a significant visual screen between the residential properties, the school site and wider views enjoyed across the Kent Downs.
21. In terms of the scope for an alternative location of the games pitch elsewhere within the school grounds, I note the location has been chosen by the applicants on an area of unused grassland adjacent to the existing School's 'wildlife' area. In my opinion, having visited the site there would seem to be no alternative location which could be considered more favourably along the south-western boundary of the school site on the basis that residential properties adjoin the boundary at all locations along this boundary.
22. Whilst I recognise that the location of the proposed multi use games area is located on an area which is visible from nearby noise receptors, on the basis of the separation distances concerned, the advice received from the County Council's Noise Advisor and the current potential for the site to be used as playing space at present (albeit currently not used as such), I am of the opinion that the proposal is in general conformity with the Development Plan. Most notably, I consider the proposal to be in accordance with Policy NR5 of the Kent and Medway Structure Plan and Policy P3/17 of the Tonbridge & Malling Local Plan. In addition, whilst I note that noise attenuation features could be insisted upon, I consider that these would in fact cause additional visual intrusion on neighbouring properties, further reducing their views across the school to the Kent Downs. Accordingly, I would not seek to raise an objection to the proposed development on noise grounds.

Light pollution

23. I note that the application proposes no lighting as part of the development of the multi-use games area. In order to retain control over this aspect of the proposal, I recommend that a condition be placed on any decision to ensure that no external lighting can be installed at the multi-use games area without the prior written permission of the County Planning Authority.

Multi-use games area, St. Mark's CE Primary School, Eccles – TM/08/1896

Hours of use

24. In terms of the hours of use of the court, I note this aspect has the potential to generate detrimental noise nuisance to the local amenity during typically quieter periods. However, based on the limited nature and scope of the games court proposed, and the low-intensity use by the school pupils only, I see no reason to depart from the hours of use suggested by the applicant in this case. On this basis, I recommend that the hours of use of the court be limited to the following:

Monday to Friday (term time only): 09.00 – 16.00
No use on Saturdays, Sundays, or Bank Holidays

Conclusion

25. Having regard to the Development Plan Policies, and the material planning considerations received from both consultees and a local resident, I consider the proposal to be an acceptable solution in terms of its design, scale and visual appearance. I consider that the proposal would not cause a significant detrimental impact on nearby noise receptors, nor would it be unacceptable in landscape or visual terms. On this basis, I consider the proposal to be in general accordance with the Development Plan for those reasons indicated above. Accordingly, I recommend that planning permission should be granted, subject to the following conditions as set out in paragraph (25) below:

Recommendation

26. I RECOMMEND that PLANNING PERMISSION BE GRANTED, SUBJECT TO conditions, including conditions to cover the following aspects:
- Standard time limit;
 - The development to be carried out in accordance with the permitted details;
 - No trees, shrubs and hedges shall be removed, and trees in close proximity shall be afforded protection during construction works in accordance with British Standard 5837:2005 – Trees in Relation to Construction;
 - Hours of use limited to those applied for: -
 - Monday to Friday (term time only): 09.00 – 16.00
 - No use on Saturdays, Sundays, or Bank Holidays
 - No external lighting to be installed on or around the MUGA without the prior written permission of the County Planning Authority;

Case officer – Julian Moat	01622 696978
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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.

AS/07/273	Application for determination of new conditions under the terms of the Environment Act 1995 (Section 96 and paragraphs 6 and 10 of Schedule 14) for the continued extraction of sand and gravel. Conningbrook Quarry, Willesborough Road, Ashford
CA/08/881	Change of use of premises for the recycling of photographic processing waste and silver recovery. Unit 1, Joseph Wilson Industrial Estate, Milstrood Road, Whitstable
DA/83/341/R(ii)	Request pursuant to condition (ii) to import materials from an alternative source. South Pit 3 Landfill, Swanscombe Marsh, Swanscombe
DA/08/1007	Application for the installation and operation of supplementary materials recycling equipment. Pinden Quarry, Green Street Green Road, Dartford
DA/08/1122	Stationing of 2-storey portacabin to be used as a training centre and mess room in connection with the Easyload Ltd waste transfer station. Lees Yard, Old Rochester Way, Dartford
DO/03/477/R2&R3	Amendments to approved site layout. Integrated Waste Management Centre, Ramsgate Road, Sandwich
MA/08/1369	Construction of a motor control kiosk and standby generator as part of sewer upgrade works. Gabriel's Wharf, Lockwood House, Castle Road, Maidstone
SH/08/862	Construction of a motor control centre kiosk and temporary contractors compound required as part of sewer upgrade works. Sandgate Esplanade, Sandgate

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.

None

E.1

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/08/1140	Climbing hall containing a climbing wall as a facility that will be available for both the school curriculum and extended hours use. The North School, Essella Road, Ashford
AS/08/1305	Installation of a 9.86 kWp flat-roof mounted photovoltaic (solar electric) microgeneration system on two flat roof areas of the school. Tenterden C of E Junior School, Recreation Ground Road, Tenterden
CA/07/469/R4A	Archaeological Evaluation Report – Construction of new vehicular entrance from Pilgrims Way and extension of playground. Barton Court Grammar School, Longport, Canterbury
DA/08/1121	Extension to existing staffroom and incorporated meeting room within extension. Joydens Wood Junior School, Birchwood Drive, Dartford
DA/08/1232	Renewal of planning permission for one mobile building. Bean Primary School, Southfleet Road, Bean, Dartford
DO/08/866	Classroom extension with path linked to playground at wheelchair accessible gradient. Green Park Community Primary School, The Linces, Dover
DA/08/919	Provision of a mobile classroom. Lydden Primary School, Stonehall Road, Lydden, Dover
GR/08/339/R4	Details of landscape scheme pursuant to condition (4) of planning permission GR/08/339 for Life Skills Centre. Ifield School, Cedar Avenue, Gravesend
GR/08/702	Removal of existing two 2-bay mobile classrooms to be replaced with proposed 5-bay mobile classroom. Meopham Community Primary School, Longfield Road, Meopham, Gravesend
GR/08/733	Retention of a mobile classroom. Rosherville C of E Primary School, London Road, Northfleet, Gravesend
GR/08/735	Single storey extension with flat roof. Shears Green Infant School, Packham Road, Northfleet, Gravesend

MA/06/118/R2&R9	Variation from permitted floodlighting details together with actual results – all weather football pitch with associated fencing and floodlighting. Maplesden Noakes School, Buckland Road, Maidstone
MA/08/1457	Demolition of an existing single storey classroom building and the construction of a two storey applied learning centre. Maidstone Grammar School, Barton Road, Maidstone
MA/08/1524	Single storey extensions to existing technology block. Creation of new entrance and internal refurbishment to provide mezzanine floor for a new vocational centre. Swadelands School, Ham Lane, Lenham, Maidstone
MA/08/1644	To construct a new single storey extension with a mono-pitched roof, comprising of a new classroom, new entrance and hallway. Hunton CE Primary School, Bishops Lane, Hunton, Maidstone
SH/08/562	New community building with a new playground space and removal of 2 mobile buildings. Christ Church CEP School, Brockman Road, Folkestone
SH/08/839	Two mobile buildings, fencing and five parking spaces. Highview School, Moat Farm Road, Folkestone
SW/08/841	Erection of a canopy (75m ²) over reception play area. Graveney Primary School, Seasalter Road, Graveney, Faversham
TH/08/534	Demolition of the existing dining hall and the erection of a creative arts block, roofing over the internal quadrangles to the main building and the creation of a new multi use games court to the rear of the sports hall and associated works, including hard and soft landscaping. King Ethelbert School, Canterbury Road, Birchington
TH/08/945	Renewal of planning permission for the retention of 5 mobile classrooms. Chatham House Grammar School, Chatham Street, Ramsgate
TH/08/1037	Demolish and rebuild the pavilion sited on Newington Playing Field. Newington Playing Field, Marden Avenue, Ramsgate
TH/08/1067	Extension of fence height from 1.8m to 2.5m for a total length of 50.5m. Ellington School For Girls, Newlands Lane, Ramsgate
TW/07/2426/R26	School Travel Plan – Replacement 5 classroom primary school with nursery, external hard landscaping and car parking. Sissinghurst Primary School, Common Road, Sissinghurst
TW/08/2802	Installation of roof-mounted and wall-mounted 10kW solar-photovoltaic cells on science wing. The Skinner's School, St John's Road, Tunbridge Wells
TW/08/2688	Small scale timber building to be used as an extra teaching space. Sissinghurst CEP School, The Street, Sissinghurst, Cranbrook

E4 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:-

DC29/08/SH/0001 - Expansion of existing green waste composting facility at Hope Farm, Crete Road East, Hawkinge, Folkestone

SH/08/TEMP/0028 - Amendment to condition C10 of planning permission SH/99/1003/MR69 to vary the restoration proposals shown on drawing number P2/177/8/1 (final restoration) at Denge Pit, Kerton Road, Lydd

TM/08/TEMP/0054 - Amendments to the scheme of working as a consequence of not constructing the haul road to Park Farm Quarry through Nepicar Sand Quarry and resubmission of details of quarry dust attenuation scheme at Nepicar Sand Quarry, pursuant to condition 29 of planning permission TM/98/1815 at Nepicar Sand Quarry, Maidstone Road, Wrotham Heath

TM/08/TEMP/0056 - Erection of a new special school, parking, play area, landscaping and ancillary works at Wrotham School, Borough Green Road, Wrotham, Sevenoaks

TM/08/TEMP/0058 - Temporary variation of condition 12 of planning permission TM/06/762 to allow up to 15,000 tonnes of waste to be imported from Essex for composting over the 18 month period from October 2008 to March 2010 at Blaise Farm Quarry Composting Facility, Kings Hill, West Malling

TM/08/TEMP/0059 - Variation of condition 22 of planning permission TM/02/2663/MR97 to allow amendments to the previously approved interim restoration scheme for the area outlined in blue on drawing number P1/1782/2 dated June 2002 (clay extraction area) together with the submission of an aftercare scheme pursuant to condition 27 of planning permission TM/02/2663/MR97 on land at Park Farm, Wrotham

- (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

E5 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

