

PLANNING APPLICATIONS COMMITTEE

Tuesday, 14th June, 2011

10.00 am

**Council Chamber, Sessions House, County Hall,
Maidstone**



AGENDA

PLANNING APPLICATIONS COMMITTEE

Tuesday, 14th June, 2011, 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. Election of Vice-Chairman
3. Declarations of Interests by Members in items on the Agenda for this meeting.
4. Minutes - 10 May 2011 (1 - 6)
5. Site Meetings and Other Meetings

B. GENERAL MATTERS

C. MINERALS AND WASTE DISPOSAL APPLICATIONS

1. Application CA/10/1571 - Retrospective application for material change of use from B2 (general industrial) to scrap metal recycling facility at Unit 7b, Goose Farm, Shalloak Road, Broad Oak, Canterbury; Mr O Woodmansee (7 - 16)
2. Application SW/10/774 - Biomass Combined Heat and Power Plant including external and covered waste wood storage area, associated weighbridge, parking and underground pipework to pumping station at Ridham Dock, Iwade, Nr Sittingbourne; Biomass Power Plant Ridham Ltd (17 - 56)

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. Proposal SE/11/122 - Six bay modular building at Weald Community Primary School, Long Barn Road, Sevenoaks; KCC Education, Learning and Skills (57 - 66)
2. Proposal GR/11/181 - First floor extension above existing food technology rooms to provide two additional classrooms at Northfleet School for Girls, Hall Road, Northfleet; Governors of Northfleet School for Girls (67 - 78)
3. Proposal TW/11/121- Three bay modular building at Langton Green Primary School, Lampington Row, Langton Green, Tunbridge Wells; KCC Education, Learning and Skills (79 - 86)
4. Proposal DO/10/1183 - Retention of mobile classroom unit at The Downs CEP School, Owen Square, Walmer, Deal; KCC Property Group (87 - 94)

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, 6 June 2011

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, 10 May 2011.

PRESENT: Mr R E King (Chairman), Mr J F London (Vice-Chairman), Mr R Brookbank, Mr A R Chell, Mrs V J Dagger, Mr J A Davies, Mr T Gates, Mr W A Hayton, Mr C Hibberd, Mr P J Homewood, Mr J D Kirby, Mr R J Lees, Mr R F Manning, Mr R J Parry, Mr R A Pascoe, Mr M B Robertson, Mr C P Smith
Mr A T Willicombe

ALSO PRESENT: Mr K H Pugh Mrs P A V Stockell

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Team Leader - Waste Developments), Mr J Crossley (Team Leader - County Council Development), Ms A H Hopkins (Principal Planning Officer - Enterprise and Environment), Mr N Sarrafan (County Transport & Development Manager) Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

35. Minutes - 12 April 2011

(Item A3)

RESOLVED that, subject to an amendment of Minute 25 to read that Mr W A Hayton had replaced Mr K Smith on the Committee, the Minutes of the meeting held on 12 April 2011 are correctly recorded and that they be signed by the Chairman.

36. Site Meetings and Other Meetings

(Item 5)

(1) The Committee was informed that Mr C Hibberd had arranged a site tour of the East Kent Access works on 8 June 2011.

(2) The Committee agreed to hold a tour of permitted development sites on Tuesday, 28 June 2011 and that its next training session would take place on Tuesday, 26 July 2011 on Highways considerations.

37. Application TM/10/2029 - Westerly extension to Hermitage Quarry, Hermitage Lane, Aylesford; Gallagher Aggregates Ltd

(Item C1)

(1) Mr P J Homewood made a declaration of prejudicial interest in that he had a close personal association with the applicant. He left the Chamber and took no part in the discussion of this item.

(2) Mrs V J Dagger and Mr J D Kirby informed the Committee that they were members of the Kent Wildlife Trust. They had, however, had no previous involvement with the application and were both able to approach it with a fresh mind.

- (3) Mr R E King and Mr M B Robertson both informed the Committee that their wives were members of the Kent Wildlife Trust. Neither of them had had any previous involvement with the application and they were both able to approach it with a fresh mind.
- (4) Each Member of the Committee had received hundreds of e-mails and several letters from objectors to the application as well as a letter from the applicants since publication of the Committee report.
- (5) Correspondence from Mrs T Dean objecting to the application was tabled. In addition, the Head of Planning Applications Group informed the Committee of 19 letters of representation received by Officers since publication of the report. She also reported the formal views of Kent Highways Services raising no objection to the application.
- (6) The Head of Planning Applications Group tabled an amended paragraph 139 to the report which now read that the proposal met the requirements of "MPS2" rather than "Policy ENV21 of the Kent Structure Plan." She also asked the Committee to note that reference to Policy ENV21 of the Kent Structure Plan should be deleted from paragraph 128 of the report.
- (7) Mrs P A V Stockell was present for this item pursuant to Committee Procedure Rule 2.24 and spoke.
- (8) Mrs Sarah Cooper (Save Oaken Wood Action Group), Mr Chris Hall (Barming Parish Council), Mrs Fay Gooch (local Borough Councillor), Ms Christina Byrne (Kent Woodland Trust) and Mr Peter Budgen (local resident) addressed the Committee in opposition to the application. Mr Harry Rayner (Tonbridge and Malling CPRE) spoke in support. Nick Yandle (Chief Executive - Gallaghers) spoke in reply.
- (9) On being out to the vote, the recommendations of the Head of Planning Applications Group were agreed by 10 votes to 6 with 1 Abstention.
- (10) RESOLVED that the application be referred to the Secretary of State for Local Government and Communities and that, subject to him giving no direction to the contrary, permission be granted to the application subject to the prior satisfactory completion of a legal agreement to secure the Draft Heads of Terms set out in Appendix 4 to the report and to conditions, including conditions covering amongst other matters the standard time condition; noise and dust controls; hours of working; a scheme of working and restoration; the blasting regime; lorry sheeting; the imposition of a maximum number of HGV movements during any one calendar month to 30 during peak hours; a restriction on the highest monthly average of vehicle movements to 300 with no single day exceeding 600 movements (300 in/300 out); depth of working and ground water monitoring; and archaeological evaluation.

38. Application DO/10/954 - Waste management proposals including Materials Recycling Facility, Inert Materials Processing Facility, Soil Washing Plant and Anaerobic Digestion Plant at Sites A and B, Ramsgate Road, Richborough, Sandwich; Thanet Waste Services

(Item C2)

(1) The Head of Planning Applications Group reported that the Local Member, Mr L B Ridings had indicated that he fully supported the application. She also reported correspondence from Mr K Smith (in his capacity as a Member of the Internal Drainage Board) raising concerns about the effect on the flood plain.

(2) RESOLVED that permission be granted to the application subject to conditions including conditions covering the standard notification of commencement time condition; waste throughputs; waste handling; hours of operation (construction and operational); the development taking place in accordance with the layout plans contained within the planning application; daily vehicle movements; code of construction practice, noise restrictions and monitoring; a dust and odour management plan; a detailed drainage plan; a conservation management plan; a detailed contaminated land assessment; a programme of archaeological works; and avoidance of mud on roads.

39. Proposal TM/11/192 - Fencing with vehicular and pedestrian gates at The Malling School, Beech Road, East Malling; Governors of The Malling School

(Item D1)

(1) Correspondence from the Local Member, Mrs T Dean was tabled, requesting deferment pending a Members' site visit and objecting to the proposal in the event that no such visit took place. Correspondence from the Principal of The Malling School was also tabled.

(2) RESOLVED that:-

(a) permission be granted to the proposal as now amended subject to conditions, including conditions covering the standard time condition for implementation; the development being completed in accordance with the approved plans; a scheme of landscape planting being adopted, to include planting on the margins of the lake; and the fencing being painted dark green; and

(b) the applicants be advised by Informative to enter into dialogue with local representatives regarding the use and access to the land to be unfenced on the western end of the school land; and be reminded of the need to observe any existing covenants and/or access rights relating to School owned land, and of the need to ensure that maintenance agreements are abided by.

40. Proposal SW/10/1334 - Refurbishment of existing school buildings at Danley Middle School as part of the proposed Halfway House Primary School relocation at Halfway Road, Minster on Sea, Sheerness; KCC Education, Learning and Skills

(Item D2)

(1) Mr A T Willicombe informed the Committee that he was acquainted with Mr P Hayes, one of the objectors to the proposal. As this was not a close personal association, he was able to approach the proposal with an open mind.

(2) Mr K H Pugh was present for this item pursuant to Committee Procedure 2.24 and spoke.

(3) Correspondence from Minster-on-Sea Parish Council was tabled asking why correspondence between the Parish Council and the Cabinet Portfolio Holder for Education, Learning and Skills and with the Secretary of State for Education had not been included in the Committee report. The Head of Planning Applications Group explained that this was because she had not been made aware of it.

(4) In agreeing the recommendations of the Head of Planning Applications Group, the Committee asked for the inclusion of an Informative asking the School to consider positioning the fence in a way that did not jeopardise use on either side of it for sports purposes.

(5) RESOLVED that:-

- (a) the application be referred to the Secretary of State for Communities and Local Government and that, subject to him giving no direction to the contrary, permission be granted to the proposal subject to conditions, including conditions covering the standard time condition; the development being carried out in accordance with the submitted details and plans; the submission of material samples; the provision and maintenance of a drop off area and vehicle and cycle parking arrangements at the site prior to occupation of the building; provision on site of facilities to accommodate operatives and construction vehicles loading, off loading or turning; details of parking on site for construction site personnel, operatives and visitors; precautions on site to guard against transfer of mud and similar substances onto the public highway; provision of an adequate surface and drained vehicle parking space and of a vehicle loading/off loading and turning space area before the use commences; provision of cycle parking space before the building is occupied; completion of the access details shown to the satisfaction of the Local Planning Authority prior to the occupation of the site; revision of the school travel plan; submission of a full lighting scheme for the site and for lighting to be sited and angled to fall wholly within the school site; submission of boundary treatment proposals; and implementation of the mitigation measures detailed in the application in relation to reptiles, nesting birds, great crested newts, bats (including further bat survey work), toads and hedgehogs, plus the enhancement of the site for biodiversity; and
- (b) the applicants be informed by Informative of the Committee's view that the School should consider positioning the fence in a way that does not jeopardise use on either side of it for sports purposes.

41. County matter applications dealt with under delegated powers
(Item E1)

RESOLVED to note matters dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications;
- (b) consultations on applications submitted by District Councils and Government Departments;
- (c) County Council developments;
- (d) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact 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 also as might be additionally indicated.

Item C1

CA/10/1571 - Retrospective planning permission for the change of use from B2 to scrap metal recycling facility at Unit 7b, Goose Farm, Shalloak Road, Broad Oak, Canterbury, Kent, CT2 0GE

A report by Head of Planning Applications Group to Planning Applications Committee on 14 June 2011

Kent Metals - Retrospective planning permission to change the use from 'B2' use (general industrial) to scrap metal recycling facility (*Sui-generis* use class), Unit 7b, Goose Farm, Goose Farm, Broadoak Road, Canterbury.

Recommendation: Permission be granted subject to conditions.

Local Members: Alan Marsh

Unrestricted

Site Description

1. The application site is located within Goose Farm industrial estate. Goose Farm industrial estate is located in the small village of Broad Oak, which lies on the north eastern outskirts of Canterbury City.
2. The industrial estate, which was once a section of a working farm (known as Goose Farm) has incrementally grown over the last 30 years and is now occupied by various manufacturing, fabrication and motor trade businesses and uses. Many of the uses on site operate from within converted farm buildings.
3. Access to the industrial estate is via Shalloak Road, which is the main spine road through the village, off which most of the housing in the village is also located. The industrial estate is set back from the adjoining highway by a gated field, which extends approximately 80 metres east to west. The field also acts as a buffer to most of the houses to the north and east of the industrial estate (See Fig 1: Site Location Plan).
4. To the north-west, south and west of the industrial estate is open agricultural farm land. The nearest residential properties are located east of the industrial estate. There is also a cluster of small businesses that operate outside the industrial estate and along Shalloak Road such as a flooring company and motor vehicle garage.

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Mr. O. Woodmansee

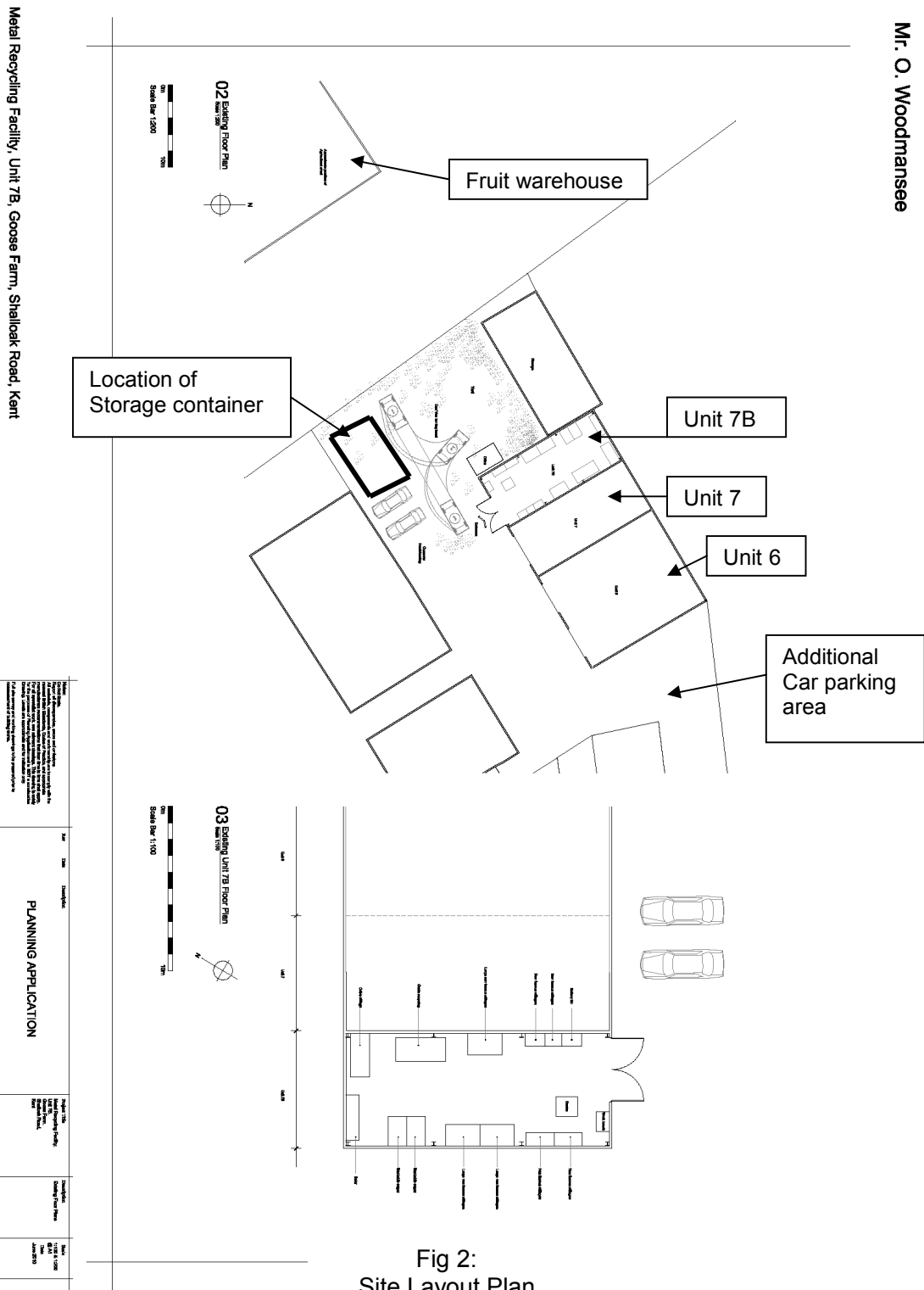


Fig 2:
Site Layout Plan

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The application site (Unit 7B) is located in the north western corner of the estate and backs onto open farm land. Unit 7B is the end section of a single block of three self-contained, single storey metal clad units (comprising units 6, 7 and unit 7B). All three units have side hung double doors. Except for the double doors, the unit does not contain any other openings or windows.

6. The application site is approximately 0.06 hectares and comprises the unit and the land around the use, which is used for car parking and storage of recycled materials.
7. To the west of the unit on the other side of the industrial estate boundary is a large fruit chiller storage warehouse that is operated by the adjoining farmer. The vehicles associated with collecting and delivering fruit to and from the warehouse share the existing industrial estate access.

Proposal

8. This application seeks retrospective planning permission to regularise the use of unit 7B as a waste transfer facility for recyclable metals.
9. The transfer activity comprises the importation, processing, storage and exportation of locally sourced waste metal. According to the operator, the annual throughput of waste from this facility is approximately 1,500 tonnes.
10. The use operates from 8:30am to 5:30pm Monday to Friday and 8:00am to 13:00pm on Saturdays, and closed on Sundays or Bank Holidays.
11. The use, which according to the operator has been operational for approximately two years, involves the breaking down of scrap metal objects including for example piping, window frames etc., into small pieces using a mechanical pressurised cutter. The processed metal is then sorted into containers within the unit and weighed before being transferred to one of two small outdoor storage containers. Once these storage containers are full, the operator transfers the content of the containers (by folk-lift truck) into a large metal container, which is then taken away once it has become full.
12. The transferring of metal from the small to the large container occurs approximately 3 times per hour (as a worst case). Once the storage container is full it is taken away for onward processing. No waste metal is tipped on Saturdays.
13. In terms of vehicle movements, the use attracts approximately 10 vehicle movements per day (Mon to Fri) for deliveries and collections using 3.5 tonne flat bed trucks together with some 7 HVGs per week (Mon to Fri) which visit the site to collect the bulked up material.
14. The site also includes a small portacabin, which adjoins the western elevation of the unit, and is used as an office. Car parking is also provided for 4 to 5 vehicles.

C1.4

CA/10/1571 - Retrospective planning permission for the change of use from B2 to scrap metal recycling facility at Unit 7b, Goose Farm, Shalloak Road, Broad Oak, Canterbury, Kent, CT2 0GE

Planning Policy Context

15. The Development Plan planning policies summarised below are relevant to consideration of the application:

National Guidance – The most relevant to this application is set out PPS10 (Planning for Sustainable Waste Management), PPS23 (Planning and Pollution Control) and PPG24 (Planning and Noise).

South East Plan (2009) – The most relevant policies are: NRM10 (Noise), W1 (Waste Reduction), W5 (Targets For Diversion From Landfill) and W17 (Location of Waste Management Facilities)

Kent Waste Local Plan (1998) – The most relevant saved policies are: W3 (Locational Criteria), W9 ((Waste Separation and Transfer), W18 (Noise, Dust and Odour), W22 (Provision for adequate access arrangements including the need for any off-site highway improvements), W25 (Plant and Buildings) and W31 (Visual Impact and Landscaping).

Canterbury City Council (2006) – The most relevant saved policy is: C41 (Waste Management and Recycling),

Consultations (final comments)

16. **Canterbury City Council** – The City Council have sought assurances that if planning permission is granted that the appropriate restrictions will be imposed on any permission to ensure that the use in operation does not detract from the amenity of the surrounding area due to the methods of working involved or by the times that these take place. Issues of particular concerns to the Council are the access and manoeuvring within the site, noise and visual impact. The City Council recommend that in the event that permission is granted conditions are imposed that sorting should only take place inside the building and limit the hours of operation, in particular weekend working.

17. **Sturry Parish Council** – No objections raised.

18. **The Divisional Transport Manager** – DTM has no objections to the use and their comments are as follows:

“Bearing in mind the existing use of the farm site and the existing use class in this location, I feel that this proposal is unlikely to result in a material increase in traffic movements on the local highway network. Therefore, I have no objection to the proposal in respect of highway matters.”

19. **Environment Agency** – No objection.

20. **Jacobs Noise** – Consider the existing noise environment of the site and nearby residential

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properties is dominated by industrial noise from other units on the industrial estate and road traffic from Shalloak Road. Provided a condition is attached ensuring noise levels do not exceed existing background noise levels then they do not consider the noise levels from the use would cause any adverse affects. Jacobs also do not consider the existing HGV movements (7 per week) would result in any adverse impact on residents, particularly given the vehicle movements generated by nearby industrial uses.

Representations

21. The application has been publicised by the displaying of a site notice on the fence within the bell mouth of the access and newspaper advertisement in the local press. Letters were also sent to near neighbours.
22. An objection has been received from the Chairman, Canterbury District, Protect Kent (CPRE). Their main concerns are the impact on the countryside, noise, traffic generation and setting a precedent for this type of use in this location.

Local Member

23. The County Council Member Mr Alan Marsh was consulted and, to date, no comments have been received.
24. A meeting was held on site with the operator and the local ward member for Canterbury, Tony Austin, to discuss comments he has received from local residents regarding noise from the use. At the meeting the operator was able to clarify the precise details of the use. In addition, a demonstration of the processing of waste metals and loading of waste material into the large container was carried out by the operator for the ward member's benefit.

Discussion

25. 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 paragraph (15) above are of greatest relevance.
26. The use is located within an existing industrial estate surrounded by similar types of uses and as such therefore accords with the criteria set out under policies W3 and W9 of the Kent Waste Local Plan which encourages waste management proposals to be located within or adjacent to established general industrial-type areas.
27. The use also captures a proportion of waste metals from the surrounding and wider area that would have otherwise been sent to landfill. The use involves processing the waste

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before it is 'bulked up' for onward distribution to a recycling facility. The diverting of waste from landfill and moving higher up the waste hierarchy accords with the objectives and targets of South East Plan policy W5.

Main Determining Issues:

28. Following consideration of the application and consultation responses, the main determining issues, in my view, are:

- Noise impact on surrounding area, and
- Traffic generation

Noise impact on surrounding area

29. The metal recycling use is located within a relatively well established industrial estate that is used by several other commercial and manufacturing businesses such as tyre fitter, sheet metal cutters and car spraying use. The estate is also surrounded by an active farm. The farmer also operates a large fruit chiller and storage facility, which is in regular use by tractors and HGVs.

30. The nearest residential properties are located at Mellow Farm, which are located approximately over 85 metres away from the unit. Unit 7B is located on the end of a row of 3 small units, which is furthest away from the closest residential property in Mellow Farm. Between the unit and the closest property are other businesses and the farmer's track that is used to access the gated field east of the estate (see Fig 1).

31. The metal recycling process is undertaken within the unit. There are no windows or openings other than the double swing doors at the front of the unit. The processed metals are sorted into relevant container bins within the unit to contain any noise.

32. The main source of noise is created from the transferring of scrap metals from small container to larger container outside of the building. This process is carried out approximately 3 times per hour during operating hours on Monday to Friday (no tipping occurs on Saturdays, Sundays or on any Bank Holiday). The noise created during this process is considered to be instantaneous and momentary. However, notwithstanding this, the operator instructed a noise consultant to undertake a noise survey of the background noise levels of the site and the use. Noise readings were also taken from the nearest residential receptor, at some 65m away, to assess the impact of noise created from the industrial estate and use. The noise survey concluded that the noise levels from tipping activity (over a 1 hour period) at the nearest residential properties are very similar to the existing background noise climate at these dwellings and should not result in an adverse effect on residential amenity, as the noise impact from the use is less than 'of marginal significance'. Therefore, on this basis, the noise consultant does not consider any additional noise mitigation measures are necessary. The County Council's noise advisor Jacobs, concurs with this view and has raised no objection subject to the imposition of a

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condition on any future permission which restricts noise levels such that they do not exceed existing background levels.

33. In my opinion provided a condition as recommended by Jacobs is imposed on any future permission the development would comply with the objectives of Kent Waste Local Plan Policy W18. Accordingly there are no overriding objections on noise grounds.

Traffic generation

34. The industrial estate hosts a wide variety of commercial and industrial uses that generate varying levels of vehicle movements. The access into the estate from off Shalloak Road is wide enough to accommodate and avoid any conflicts between vehicles entering and leaving the site.
35. Shalloak Road has a restricted speed limit of 30mph.
36. The metal processing use has been operational, albeit unlawfully, for 2 years and during this time no complaints or incidents have been reported to suggest or argue the traffic levels generated by the use are excessive.
37. According to the applicant the use generates 10 (3.5 tonnes flat bed trucks) movements per day comprising all deliveries and exportation of non – ferrous metals together with some 7 HGVs per week which visit the site to collect the bulked up materials (i.e. generating a combined total of some 12 vehicle movements to and from the site each day). These movements take place on Monday to Friday and between the hours of 08.30 to 17.30. This effectively equates to less than 2 HGV movements per hour.
38. The DTM has raised no objection on the basis that there is no material increase in traffic on the local highway network compared to the previous permitted use at the site.
39. Given that the number of vehicle movements associated with the use are considered to be acceptable and do not comprise the highway safety of vehicles using the local highway network in my opinion the use complies with the objectives of Kent Waste Local Plan Policy W22. Accordingly I do not consider there are any overriding objections on highway grounds.

Conclusion

40. I consider the use of the site for metal recycling as being worthy of support. The scale of the use is relatively low key when compared to most of the other surrounding industrial and commercial uses that are located nearby. The unit (7b) is considered to be located a sufficient distance away from residential properties (circa 85 metres) so as to not be considered harmful to their amenity. Furthermore there are other uses located between the use and nearest residential properties. On this basis, the impacts of the use on the

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residential amenity of the nearest residential properties would be difficult to distinguish and quantify from the impacts of those other uses which take place on the industrial Estate.

41. The main impact from the use results from the mechanical transferring of metals between skips. The operator advises us that this process occurs 3 times per hour (Max) during normal working hours. According to the operator's noise survey, the noise that is created during this process is below that of the existing background noise levels within the estate. This has been accepted by the County Council's noise advisors Jacobs, who have also advised that a condition should be applied to any permission to ensure that noise levels emanating from the facility at the nearby residential properties do not exceed existing background noise levels in accordance with BS 4142. Therefore, in my view, the metal recycling use including its ancillary operations do not create any adverse or overriding amenity issues that would warrant this application to be refused.
42. Furthermore, the use, in my view, does not generate adverse levels of vehicle movements (12 per day) such that it would cause conflict with existing operators or a highway safety issue. The DTM does not have any highways related objections to the use particularly given the activities from the current farm and occupiers in the industrial estate.
43. In conclusion, I am satisfied that the use of the site as metal recycling facility would be acceptable and that provided appropriate conditions are imposed to control any potential adverse impacts there are no overriding grounds that would reasonably warrant this application to be refused. In my opinion the development provides a valuable facility which helps contribute towards the diversion of waste from landfill and increases the volumes of this type of waste that can be recycled. Accordingly, I recommend that planning permission be granted subject to conditions.

Recommendation

44. I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO conditions including those to cover the following aspects:
 - Use to be carried out in accordance with the terms of the details as set out in the planning permission.
 - Restriction of vehicle movements to and from the site to no more than a combined total of 12 per day
 - Hours of operation shall only be between 0830 to 1730 Monday to Friday and 0800 to 1300 on Saturday with
 - No transfer of waste into the external storage skip shall take place on Saturdays
 - Rating Levels from the nearest residential property use must not exceed existing background noise levels from the facility
 - No burning of any material on site
 - All metal processing activity shall only occur within the building

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Case Officer: Sav Patel

Tel. no. 01622 221053

Background Documents: see section heading.

SW/10/774 – The proposed construction and operation of a Biomass Combined Heat and Power plant including external and covered waste wood storage area, associated weighbridge, parking and underground pipework to pumping station at Ridham Dock, Iwade, Nr Sittingbourne.

A report by Head of Planning Applications Group to Planning Applications Committee on 14 June 2011

This application has been submitted by SLR Consulting on behalf of Biomass Power Plant Ridham Ltd for the proposed development of a combined heat and power plant including the external provision of a waste wood storage area, weighbridge, parking and ancillary piping works for the pumping station, Ridham Dock, Iwade.

Recommendation: Subject to provision of suitable reed bed compensation area, permission be granted subject to conditions and subject to a legal agreement.

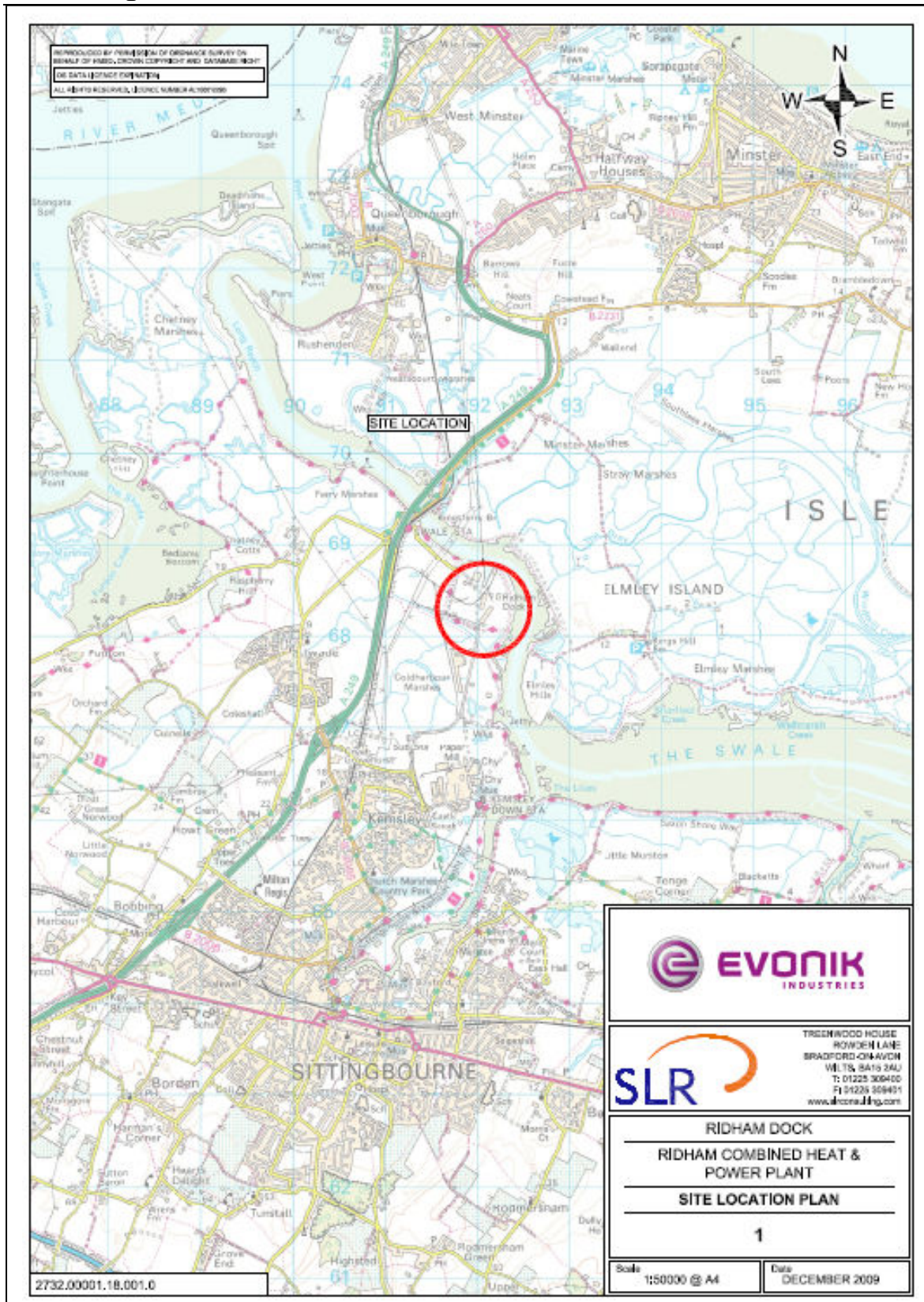
Local Member: Mr. M. Whiting and Mr. A. Willicombe

Unrestricted

Site Description

1. The application site is located on Ridham Dock, which is a well established commercial and industrial wharf situated adjacent to the river Swale. The dock is also surrounded by sensitive site designations including the Swale Special Protection Area (SPA), Ramsar site and a Site of Special Scientific Interest (SSSI). The Elmley National Nature Reserve is located east of the site, on the other side of the river.
2. The River Swale straddles the eastern and northern boundary of the dock and flows into the Thames estuary. The inlet point for the dock is located at the point the river sweeps across the northern boundary. The dock site is protected from flooding by the Ridham Dock wall flood defence (see Fig 2: Site Location Plan) which is located along the eastern and northern boundary. The toe of the flood defence wall is located 15 metres from the application site.
3. The dock is currently used to import, export and store a wide range of cargo such as timber, steel, grain, aggregate and concrete products and contains various large scale buildings. Aside from the general wharf activity, the dock also harbours a range of industrial businesses such as Brett Aggregate, European Metal Recovery, Morgan Este and Arcelor Steel.

SW/10/774 – The proposed construction and operation of a Biomass Combined Heat and Power plant including external and covered waste wood storage area, associated weighbridge, parking and underground pipework to pumping station at Ridham Dock, Iwade, Nr Sittingbourne.



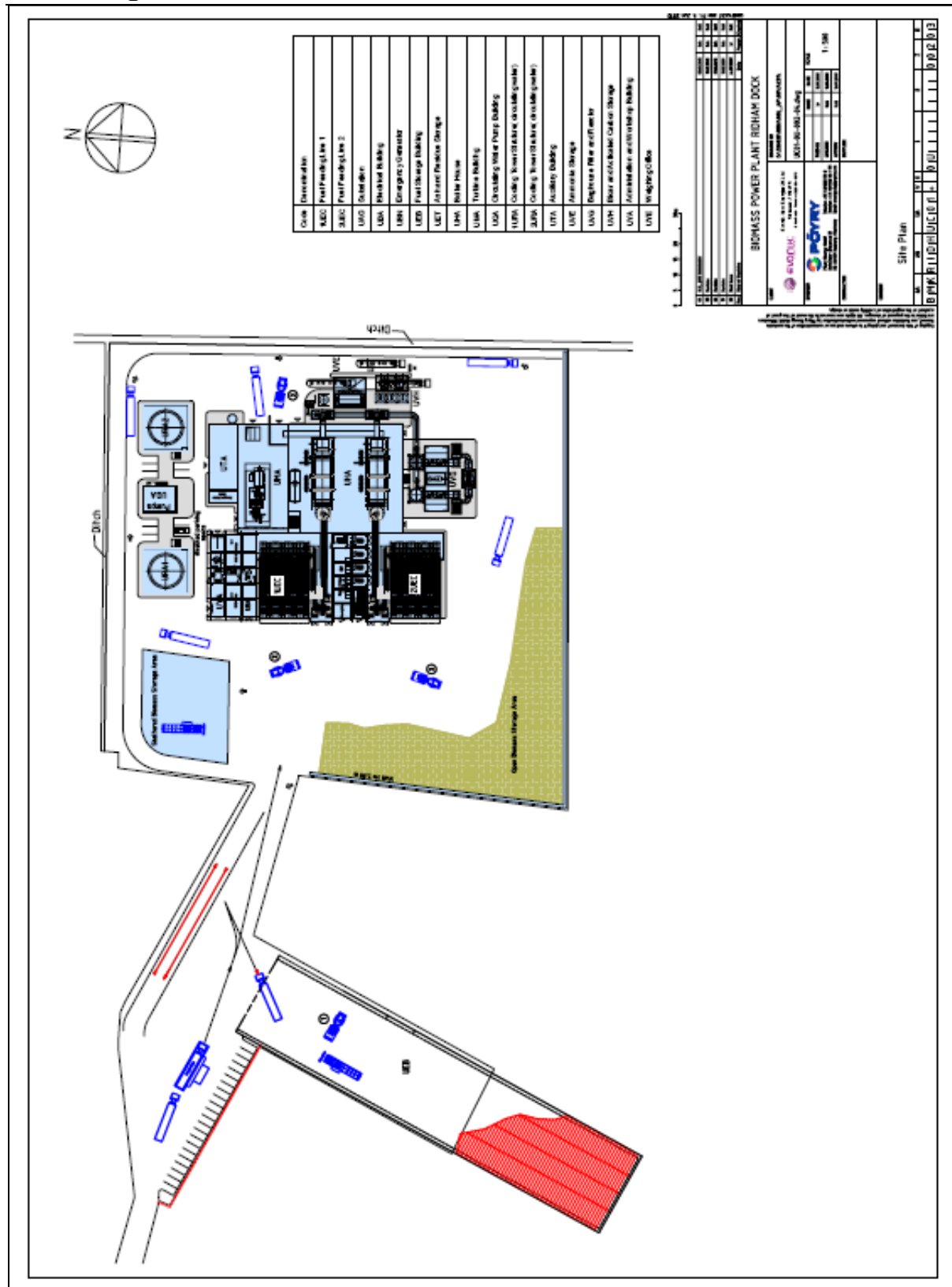
Site Location Plan (1)

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Site Location Plan (2)

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Proposed General Site Arrangement

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4. The villages of Iwade and Kemsley are the nearest settlements to Ridham Dock. Kemsley is located south and Iwade is located south-west of the dock. The village of Iwade is distinctly separate from the dock by the A249. Both settlements are approximately 2 kilometres away.
5. The application site is located close to the south eastern corner of the dock site and would occupy a site area of approximately 3.6 hectares. The site is currently surrounded by various industrial uses. To the north is a metal recycling facility and to the south is an aggregate processing works. To the west is the site access and main access route in and out of the dock site. To the east of the site is a ditch that runs along the eastern boundary of the dock and the flood defence wall.
6. The application site currently comprises an open area of derelict land and part of a large rectangular warehouse along the western boundary. Part of the north eastern section of the site is on lower ground than the rest of the site and as a result has become wet resulting in the establishment of a reed bed area.
7. There are two access routes to the dock site. The main access route is from the south via an unnamed road connected to Barge Way and at the north-western corner known as Sheppey Way.

Proposal

8. The proposal seeks to establish a new combined heat and power plant at the Ridham Dock site. The proposed plant would create 5,155m² of new building floor space and would be known as the Ridham Combined Heat and Power Plant (RCHPP). The proposed plant would exploit the energy content of low grade, used waste wood material such as chipboard, MDF, plywood and other types of fibre and particle board. This type of waste wood material would ordinarily have been disposed of at landfill, as it is difficult to recycle. The typical waste wood fuels include:
 - Wooden packaging containers;
 - Disused pallets;
 - Disused furniture not suitable for direct recycling;
 - Wood fraction from construction and demolition waste; and
 - Wood waste from landscape maintenance and gardening.
9. The proposed RCHPP would process approximately 150,000 tonnes of waste wood per annum, However the plant would have the capacity to process up to 177,200 tonnes per annum. In view of this, the applicant has used the 'up to' throughput rate in each of the technical assessments submitted in support of the application proposal to assess the potential impacts of the plant operating at maximum capacity and to assess the 'worst case scenario'.

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10. Based upon the maximum throughput rate the plant would have the capacity to generate approximately 25MW_e of electrical output (per hour) and 8MW_{th} thermal power, which would be used, in combination, to feed the energy demands of plant operations and any surplus exported into the National Grid. The steam produced in the two boilers will be supplied to the steam turbine generator, where the energy content of the steam will be transformed to electricity. The applicant is actively seeking a user for the surplus heat.
11. The proposed RCHPP would comprise of a single main building that would be made up of the following components:
 - Common reception and storage area
 - 2 feeding systems, one for each boiler, with oversize and metal separation
 - 2 moving grate boilers
 - 2 flue gas cleaning systems
 - Common energy utilisation system including turbine, generator and water-steam cycle
 - Common cooling water supply and return system
 - Common storage for reagents and ash
 - Common auxiliary systems like demineralised water or compressed air plant
 - Single stack
12. The main building, at some 37m in height, would also comprise a 90 metre high gas flue stack that would be attached to the southern side of the building (See Proposed Elevations). The height of the proposed stack is based upon finding of an air quality dispersion modelling assessment that the applicant carried out before this application was submitted.
13. The applicant has also consulted with the Civil Aviation Authority (CAA) as result of the height of the proposed stack. The CAA advised that a low intensity red light should be installed on the stack to increase it's visibility to low flying aircraft. This now forms part of the proposed design.
14. Outside the main building would be the following components:
 - Sheltered waste wood storage area and open storage area;
 - Weighbridge and portacabin for operatives; and
 - Cooling tower and pumping station
15. Essentially, the proposed operation would involve waste material being delivered in bulk containers vehicles via the existing purpose built road serving the industrial estate. Each vehicle would pass over a weighbridge to be recorded before the contents are deposited at specific locations within the site. A wheel loader would then collect the waste wood material and feed it into the shredder. The shredded wood material would then be stored in an external storage area that is located in the south western corner of the site. The shredded wood storage area would be big enough to accommodate approximately 3-4 days worth of material. An additional covered

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storage area is proposed in the north western corner of the site (see Proposed Site Layout Plan). The shredded wood would then be screened for oversized and ferrous materials. Any such material would be re-shredded or removed for recycling. The remainder would then be conveyed to the feeding buffers for each incinerator chamber within the main building.

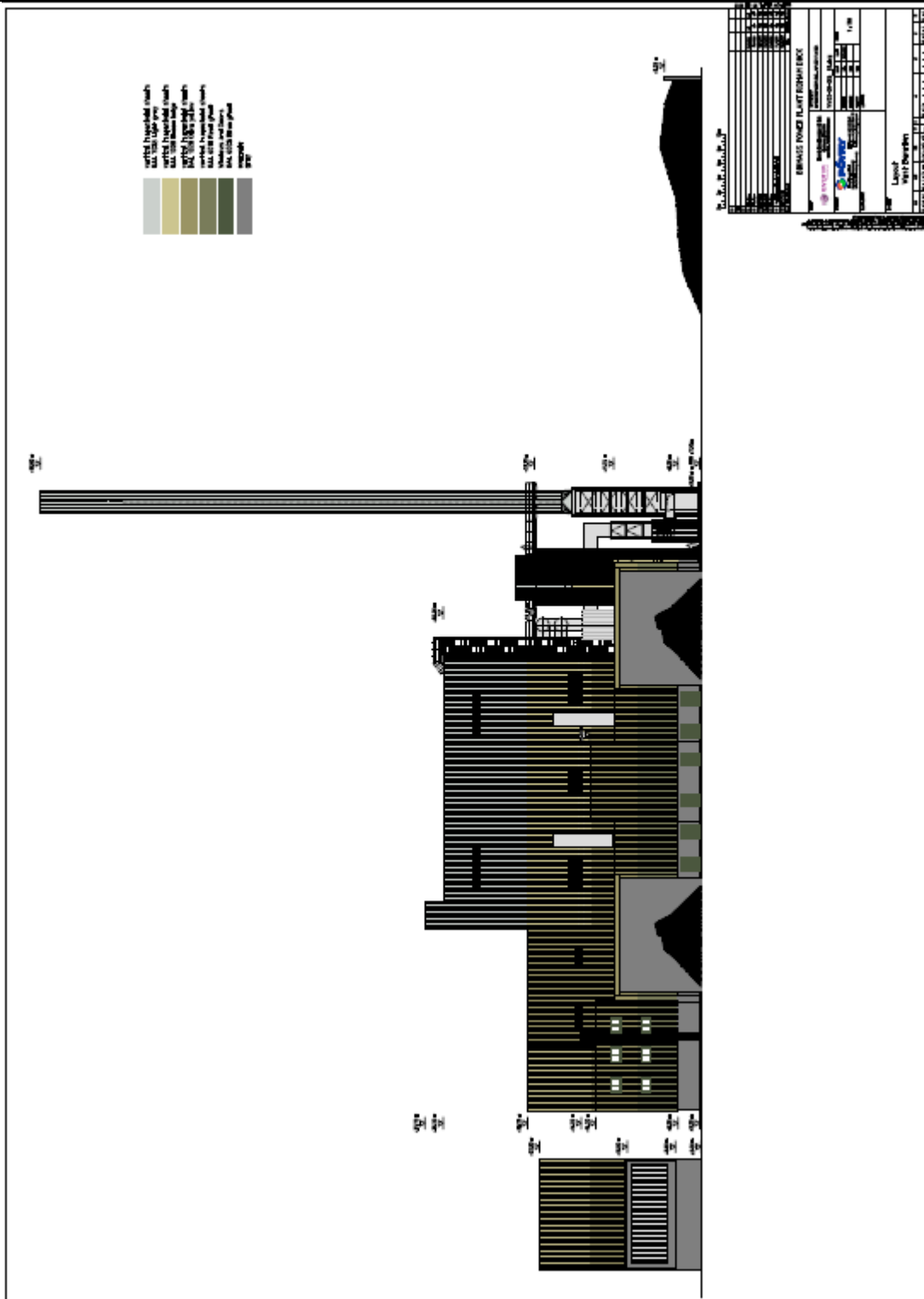
16. The applicant proposes to operate the proposed RCHPP 24 hours a day, 7 days a week. However, the majority of the HGV movements would be limited to take place between the hours of 06.00 to 20.00. The applicant estimates that the facility would generate 6 two way HGV trips (3 in 3 out) per hour which I estimate to be some 84 movements per day.
17. In terms of staff and staff car parking numbers, the applicant anticipates, during the construction phase, temporary employment opportunities for up to 90 workers. During the operational phase the applicant estimates that the proposed power plant could provide direct employment for approximately 26 permanent staff. To cater for the proposed staffing levels the applicant is proposing to create 32 parking spaces (including 1 disabled space) on site.
18. The applicant anticipates that subject to planning permission being granted, the construction phase of the RCHPP would take at least two years and a further year before the plant would come on-line.
19. The application is accompanied by an environmental statement which includes an assessment of the possible effects of the proposed development in relation to the existing conditions on site and its surroundings together with measures proposed to mitigate any adverse effects. Having regard to the specified information as required under the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988 (as amended), the following key matters have been taken into account;
 - i) Need
 - ii) Traffic
 - iii) Air Quality
 - iv) Landscape and visual Impact
 - v) Nature Conservation
 - vi) Hydrology
 - vii) Noise
 - viii) Socio Economic Impacts

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Proposed East Elevation

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Proposed West Elevation

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Planning Policy Context

20. Members will already be aware of the relevant South East Plan policy considerations in relation to the proposed development, in that The Plan was abolished and later reinstated pending the enactment of the Localism Bill. Members will also be aware that they have to have regard to the policies in the SEP and the Government's intention to abolish the Regional Spatial Strategies (RSS) as material considerations. However the weight to be accorded is a matter for the decision makers.
21. The key National and Development Plan Policies most relevant to the proposal are summarised below:
22. *Planning Policy Statement 1 (PPS1): Delivering Sustainable Development* - Encouraging decisions taken on planning applications to contribute to the delivery of sustainable development. The Supplement to PPS1 – Planning and Climate Change sets out how planning should contribute to reducing emissions and stabilising climate change. Tackling climate change is a key government priority in the planning system.
23. *Waste Strategy 2007* – aiming to reduce waste by making products with fewer natural resources, breaking the link between economic growth and waste growth; products should be re-used or their materials recycled. Energy should be recovered from other waste where possible.
24. *Planning Policy Statement 7 (PPS7): Biodiversity and Geological Conservation* – This sets out planning policies on protection of biodiversity and the geological conservation through the planning system.
25. *Planning Policy Statement 10 (PPS10): Planning for Sustainable Waste Management* – Underlines the importance of planning for and consenting the necessary number and range of facilities in order to ensure that adequate provision is made for the future management of our waste.
26. The key aim of moving waste management up the 'waste hierarchy' forms the underlying objective of national policy. The proximity of waste disposed and 'self sufficiency' are also expected to represent the fundamental key to securing such objectives to ensure that communities take responsibility for their own waste.
27. Through more sustainable waste management, moving the management of waste up the 'waste hierarchy' through the descending order of reduction, re-use, recycling and composting, using waste as a resource of energy and only disposing of waste to landfill as a last resort, government aims to break the link between economic growth and the growth of waste.
28. *Planning Policy Statement 22 (PPS22): Renewable Energy* – This sets out the valuable role that renewable energy can play in meeting Governments' commitment to addressing the impacts of climate change and maintaining reliable and competitive energy supplies. Renewable energy will contribute to the Governments' sustainable

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development strategy by meeting energy needs, reducing greenhouse gas emissions and the impact of climate change, the prudent use of natural resources and a reduction in the reliance on fossil fuels. Development proposals should demonstrate any environmental, economic and social benefits as well as how environmental and social impacts have been minimised through careful consideration of location, scale and design.

29. In decision making, local planning authorities should also have regard to the following key principles. Renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic and social impacts can be satisfactorily addressed: development plan policies should promote and encourage such development; the wider environmental and economic benefits of renewable energy projects irrespective of scale should be given significant weight in decision making; assumptions about the technical and commercial feasibility of the project is not a consideration and developments should demonstrate any environmental, economic and social benefits as well as how any environmental benefits have been minimised through location, scale and design considerations.
30. *Planning Policy Statement 23 (PPS23): Planning and Pollution Control* – LPAs must be satisfied that planning permission can be granted on land use grounds taking full account of environmental impacts. This will require close co operation with the E.A. and or the pollution control authority and other relevant bodies. It states that controls under the planning and pollution control regimes should compliment and not duplicate each other. In considering proposals LPAs should take account of the risks of pollution and land contamination and how these can be managed or reduced. The policy advice is clear in that the Planning System should focus on whether the development itself is an acceptable use of the land and the impacts of those uses, rather than the control of those processes or emissions themselves. Planning Authorities should work on the assumption that the relevant control regime will be properly applied and enforced. The need to avoid duplication in regulatory processes is reiterated in the supplement to PPS1 Planning and Climate Change.
31. *Planning Policy Statement 24 (PPS24): Planning and Noise* – Outlines the consideration to be given to those developments with the potential to generate noise and the need to ensure that adequate mitigation can be put in place to prevent any adverse effects on nearby noise sensitive land uses.
32. *Planning Policy Statement 25 (PPS25): Development and Flood Risk* – The aim of planning policy should be to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding and to direct developments away from areas at high risk. Where new development is necessary in such areas policy aims to make it safe without increasing flood risk elsewhere.
33. **South East Plan (2009)** – The most relevant policies are: W3 (Regional Self Sufficiency), W4 (Sub-Regional Self Sufficiency), W5 (Targets for Diversion from Landfill), W11 (Biomass), W12 (Other Recovery and Diversion Technologies), W17

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(Location of Waste Management Facilities), CC1 (Sustainable Development), CC2 (Climate Change), CC3 (Resource Use), CC4 (Sustainable Design and Construction), NRM4 (Sustainable Design and Construction), NRM5 (Conservation and Improvement of Biodiversity), NRM9 (Air Quality), NRM11 (Development Design for Energy Efficiency and Renewable Energy), NRM12 (Combined Heat and Power), NRM13 (Renewable Energy Targets), NRM14 (Sub Regional Targets for Land Based Renewable Energy), NRM15 (Location of Renewable Energy Development), and NRM16 (Renewable Energy Development Criteria).

34. **Kent Waste Local Plan (1998)** – The most relevant saved policies are: W3 (Locational Criteria), W6 (Consideration of need), W7(i) (Ridham area identified for Category A waste for re-use), W9 (Waste separation and transfer), W11 (Other Processing: Waste to Energy), W17 (Protecting the Environment: Air Quality – Incinerator), W18 (Noise, Dust and Odour), W19 (Groundwater protection), W21 (Nature Conservation), W22 (Provision for adequate access arrangements including the need for any off-site highway improvements), W25 (Plant and Buildings) and W31 (Visual Impact and Landscaping).

35. **Swale Borough Local Plan**

Policy SP2: In order to provide a robust, adaptable and enhanced environment, planning policies and development proposals will protect and enhance the special features of the visual, aural, ecological, historical, atmospheric and hydrological environments of the Borough and promote good design in its widest sense.

Development will avoid adverse environmental impact, but where there remains an incompatibility between development and environmental protection, and development needs are judged to be the greater, the Council will require adverse impacts to be minimized and mitigated. Where a planning decision would result in significant harm to biodiversity interests, which cannot be prevented or adequately mitigated against, appropriate compensation measures will be sought.

Policy E12: Sites designated for their importance to biodiversity or geological conservation.

Policy B2: Providing for new employment.

Policy U3: Renewable Energy - The Borough Council will permit proposals for renewable energy schemes where they demonstrate environmental, economic and social benefits and minimise adverse impacts. Before planning permission is granted, the Borough Council will consider such matters including the contribution to the regional requirement for renewable energy.

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Policy B10: Ridham as an existing committed employment site.

Policy B11: Identifies the area in which the application site falls as having outline permission for a mix of employment uses including general industrial and storage and distribution. In this context the Borough Local Plan considers the area to be of strategic importance and considers it is unique within the borough and the wider sub-region for the range of plot sizes it can accommodate.

36. **Consultations**

Swale Borough Council: Views awaited.

Bobbing Parish Council: No comments to make.

Minster Parish Council: The Parish Council raise objections in relation to the following:

- The effects of the increase in traffic on the A249 and Northern Relief Road and wish to see alternative methods of transporting materials to the site i.e. by barge.
- They raise concerns over the use of outdated traffic data in the application
- The lack of justification for another proposal such as this in the Ridham area raising specific concerns as to the potential increase in carbon emissions.
- The effects of the proposed development on Elmley and Brambledown which would be effected by particles carried by the prevailing wind.

Protect Kent (Campaign to Protect Rural England): Raise objections to the proposal on the grounds of cumulative impact (emissions), origin of fuel source, traffic impact and heat end-user. Protect Kent also comment that of the three most recent proposals in the Ridham area, this proposal in their view represents the weakest on the basis that it is not integrated with an existing operation.

South East England Partnership Board: No comments to make.

SEEDA: No comments to make on the basis that in their view the application does not have any strategic economic implications.

English Heritage: No comments to make.

KCC Archaeological Officer: No objection is raised subject to the imposition of the following condition:

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of:

- (i) *archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local*

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- Planning Authority; and*
- (ii) *following on from the elevation, any safeguard measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority.*

The Archaeological Officer further comments that an initial archaeological evaluation would include geoarchaeological boreholing and also archaeological trial; trenching or test-pitting. Following the results of that first stage of works, it would be possible to formulate appropriate mitigation works in their view.

Health Protection Agency: No comments received.

Jacobs Landscape, Noise, Odour and Dust: – comments are as follow:

The Landscape advisor states the following in relation to the proposal:

“The development would not directly affect the designated SLA and, although there are major adverse landscape and visual effects, they are generally localised and they represent an intensification of an existing industrialised landscape. Whilst industrial development in this location would not be inappropriate to the existing context, the scale and bulk of the proposed development on the edge of the Swale, does raise considerable landscape concerns. However, the landscape arguments are extremely finely balanced, so that I do not feel that there would be an overriding landscape objection in the absence of any other material objections to the planning application.”

In terms of dust and odour, Jacobs indicate that the proposed site is unlikely cause a detriment to the nearest residential receptors and ecological sites in terms of air quality.

They further comment that appropriate mitigation measures to ensure there is no impact from the site access road during the temporary construction period.

In relation to noise, having regard to the supporting information provided by the applicant the facility is unlikely to result in advise impacts on the nearest residential premises or nearby designated areas. Therefore no objection is raised to the application on noise grounds.

Natural England: Raise no objection subject to a condition requiring the monitoring of over wintering birds in order to ascertain impact following construction for a two year period.

Royal Society for the Protection of Birds (RSPB): - The RSPB have outstanding concerns regarding the limitations of the breeding bird surveys, which did not cover the full breeding season from late March to early July. They remain concerned that despite its limitations the breeding bird survey identified a marsh harrier as ‘possibly breeding in close proximity [to the site]’ indicating that the marsh harrier is an Annex 1 species and a qualifying feature of the Swale SPA.

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Sittingbourne Society: The Society considers that emissions quality measurements should be available in real time, on line, for public scrutiny. In addition, there should be monitoring of the fuel source. The report provided refers to “typical” fuels, which is not adequate in their view. Concerns have also been raised in relation to emissions, with the potential for noise and odour.

KCC Bio-diversity Officer: - No objection is raised subject to bat and reptile surveys being carried out prior to any commencement of development. In addition, details of the receptor site is required as part of an Environmental Management Plan.

Environment Agency: No objection is raised to the proposal subject to the imposition of conditions covering flood risk, biodiversity and land contamination.

KCC Planning Policy: The following comments have been received

“In summary, if the issues of sourcing the waste wood mainly from Kent and the final disposal route and quantities of the residues could be established and sustainable solutions agreed, then (subject to other normal environmental aspects being controlled suitably to ensure there is no significant effect upon the nearest sensitive receptors), the grant of permission may well contribute towards the aspirations of the Kent M&WDF in reducing the amount of C&I waste being sent to landfill.”

Iwade Parish Council (IPC): - The Parish Council express its extreme concern that another power plant burning waste wood containing substantial quantities of plastic material is proposed on the edge of a 2km arc ENE to SE of the village of Iwade.

In summary their specific concerns relate to the cumulative effects from emissions on residents as well as on the Swale SSSI Ramsar site and route into Ridham Dock to be used by HGVs, i.e. the A249, which would have a detrimental effect on the highway and local residents.

Divisional Transportation Manager (DTM): The DTM raises no objection to the proposal indicating that the traffic generated by the proposed Biomass Combined Heat and Power Plant *“is considered to be fairly insignificant in terms of its increase on the local network.”*

Whilst no objections are raised the DTM would wish conditions to be imposed on any permission which would cover the following:

- a) Mitigation to prevent the deposit of mud debris on to the public highway
- b) Site parking details
- c) Vehicle parking area shall be completed and thereafter used for no other purpose
- d) The vehicle loading, off-loading and turning space shall be completed and thereafter used for no other purpose.

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Publicity

37. The application was publicised by the posting of a site notice, advertisement in the local newspaper and the individual notification of 14 neighbouring units.

Representations

38. Two letters of representation have been received raising objections to the proposal. In particular concerns are raised over the level of emissions of CO² in Swale, source of waste and principle of burning waste rather than recycling it.
39. A letter of objection has also been received from the Member of Parliament for Sittingbourne and Sheppey, Gordon Henderson in which he expresses concerns relating to increased levels of traffic flow, need to upgrade the highway network to accommodate a proposal to this scale, EIA and Transport Assessment do not adequately consider the potential impacts, and fallout affects on the sensitive designations that surround the dock site.

Letter of support

40. The letter received in support of the proposal indicates that they would wish further consideration to be given to using the railway line at the dock for the importation of waste material in order to reduce traffic on the local road network.

Local Member

41. The County Council Members Alan Willicombe (Swale Central) and Mike Whiting (Swale Central) and Members for the adjoining areas Keith Ferrin (Swale West), Andrew Bowles (Swale East), Adrian Crowther (Sheppey) and Ken Pugh (Sheerness) were also consulted. To date, no comments have been received.

Discussion

42. 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.
43. Prior to the publication of PPS10 and Waste Strategy 2007, former advice required planning authorities to consider whether waste planning applications constituted the Best Practicable Environmental Option (BPEO). Case law established that consideration of BPEO against individual applications should be afforded substantial weight in the decision making process.

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44. The new advice in PPS10 moves the consideration of BPEO principles to the Plan making stage where it is to be the Kent Waste Local Plan), it is appropriate to consider planning applications against the principle of BPEO.
45. Until such time considered as part of the Sustainability Appraisal (SA)/Strategic Environmental Assessment (SEA) process applied to the Plan. However, where planning authorities' current waste policies have not been subject to the SA/SEA process (as is the case with as the Kent Waste Development Framework (WDF) reaches a more advanced stage, applications will be considered against relevant saved Kent Waste Local Plan Policies and other development plan policies. This is fully consistent with the approach Local Planning Authorities are advised to adopt as set out in PPS10.
46. Policy exists at both the national, regional and local level which give support in principle for the establishment of alternative waste management facilities to landfill. These include Waste to Energy Plants, particularly where they also involve combined heat and power generation (CHP), where waste should be recovered as a resource to produce energy. Such objectives also support the aim of how planning should contribute towards reducing the carbon footprint by lowering emissions and stabilising climate change.

Main Determining Issues

47. In the light of the above policy considerations and the issues raised, I consider the key determining issues to be:
 - Need
 - Traffic
 - Air Quality
 - Water Quality and Floodrisk
 - Landscape
 - Nature conservation and ecology
 - Noise
 - Employment

Need

48. In support of their case of need the applicant draws attention to the Waste Strategy for England 2007 (DEFRA May 2007) which states that of the 7.5 million tonnes of waste wood arising in the UK, the vast majority (80%) is landfilled, 1.2 million tonnes (16%) re used and recycled, with energy being recovered from just 0.3 million tonnes (4%). In terms of the south east, the report 'Wood Recovery Infrastructure in South East England April 2005' (commissioned by WRAP) estimated that the total waste wood arising in SE England was in the region of 950 000 tonnes per year, arising from the following sources;

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- 35% from construction and demolition waste,
 - 30% from packaging waste,
 - 25% from municipal waste (domestic and civic amenity sites),
 - 5% from the secondary wood processing industry (mainly furniture industry) and
 - 5% from other sources.
49. In Kent, the majority of waste wood is landfilled, although some is exported to Waste Incineration Directive (WID) compliant biomass plants in the north of England and abroad. An element of this is currently exported via Ridham Dock. Although the CHP plant at Ridham represents waste recovery rather than waste recycling, in my opinion using this waste wood for CHP at the point at which it arrives is significantly more sustainable than either landfilling, or transporting the waste for incineration elsewhere.
50. I have consulted with the County Council's Policy Team who sought further clarification on waste sources associated with this proposal. The applicant indicates that a survey of waste wood currently coming into the Ridham Dock for shipment to Germany was undertaken and as a result the applicant estimates that some 75% of waste wood material would be sourced from the Kent catchment area and the remainder from the South East region.
51. Policy W3 of the South East Plan 'Regional Self Sufficiency' states that waste authorities should provide management capacity equivalent to the amount of waste arising and requiring management within the Region's boundaries, plus a declining amount of waste from London. Policy W4 requires WPAs to plan for net sub-regional self sufficiency through the provision of waste management capacity equivalent to the amount of waste arising requiring management within their boundaries with a degree of flexibility allowing the transport of waste across sub-regions. In my view this proposal is in accordance with Policy W3 as it would source waste wood primarily from Kent, with the remainder coming from London and Kent's neighbouring counties.
52. Policy exists at both the national, regional and local level which give support in principle for the establishment of alternative waste management facilities to landfill. These include Waste to Energy Plants, particularly where they also involve combined heat and power generation (CHP), where waste should be recovered as a resource to produce energy. Such objectives also support the aim of how planning should contribute towards reducing the carbon footprint by lowering emissions and stabilising climate change.

Traffic

53. Access for the delivery of waste to the site would be by road from the west assuming vehicles would exit at junction 5 of the M2 via the A249 and Swale Way. The applicant predicts that when operating at full capacity the proposal would generate some 6 HGV movements per hour (3 in and 3 out) between the hours of 0600 and 2000, seven

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days a week. Whilst it is currently assumed all waste would be delivered by road the applicants have indicated that they are pursuing other options for delivery by water and /or rail should this be feasible.

54. Concerns have however been raised over the potential adverse impacts from lorry traffic on the local road network in terms of the existing capacity available. Members will be aware that this issue has been raised previously as a concern in relation to other planning applications reported to the Planning Applications Committee this year.
55. A Transport Impact Assessment (TIA) has been submitted in support of the proposal and upon which the Highway Agency and Divisional Transport Manager (DTM) has been consulted. The DTM acknowledges that the TIA submitted has predicted baseline traffic flows for the operational years of 2014 to 2024 and acknowledges there being consideration of other proposed or planned projects in the area. He also notes that the TIA makes no acknowledgement of the opening of the Sittingbourne Northern Relief Road (SNRR) in November 2011, which will in the future link Swale Way through to Castle Road and the industrial centre of Sittingbourne, providing a strategic route between the town centre and the A249. Having regard to this and the traffic generation levels predicted for this development, at some 6 movements per hour, the DTM considers the traffic level associated with this development would represent approximately 2% of the total HGV traffic and therefore not represent a material increase. The proposed traffic figures provided by the applicant is shown to generate relatively insignificant increases on the local network as a whole and the DTM concurs with the conclusion that the development would have a negligible impact on the local highway network. Subsequently the DTM has raised no objection to the application subject to the imposition of appropriate conditions, including the safeguarding of mud on the public highway, on site parking details, surfaced and drained parking area and a plan showing vehicle loading, off-loading and turning space.
56. Having regard to the above comments and in the absence of any objections from the Highways Agency and DTM, I do not feel an objection on highway grounds is justified and that all other relevant matters could be controlled by way of appropriately worded planning conditions.

Air Quality

58. Concerns have been raised over the potential impacts from the proposal on local air quality both in terms of stack emissions and their effects on health and the surrounding ecological designations, together with the effects from vehicle exhaust fumes which were found to be insignificant based on the low level of trips proposed in this case. The environmental statement includes an air quality assessment and detailed dispersion modelling of combustion emissions from the CHP has been undertaken which is based on a comparison of the baseline (current and projected without the development proposals) position against the air quality impacts resulting from the development proposal scenario. The assessment also includes the effects of both stack and vehicle exhausts along with dust emissions having regard to existing

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baseline conditions, and has assessed their potential impacts on human health and the nearby habitats which form part of the Swale SPA, Ramsar site and Swale and Medway Estuary SSSI's. The potential for cumulative effects derived from other planned or proposed industrial sources within the Ridham area has also been included as part of the assessment. The assessment provided by the applicant concludes that with the appropriate mitigation measures in place, emissions from all sources when measured against existing background levels would be negligible.

59. The assessment covers construction dust management, traffic exhaust emissions and a combustion emissions risk assessment as well as an assessment of the potential effects on human health. In this regard sensitive receptors can be regarded as persons, locations or systems that may be susceptible to changes as a direct result of the proposed development.
60. The applicant assesses the site, during the construction phase, to be a high risk site based on the Control of Construction Dust Guidance. On this basis the applicant proposes that the standard mitigation measures be employed at the site in order to reduce the risk of dust impact. Once operational the applicant considers that the potential sources of dust could arise from the handling and processing of incoming waste wood and export of bottom ash. However the assessment concludes that provided all material taken to and from the site is either transported in enclosed vehicles or sheeted, dust could be managed. During unfavourable weather conditions, dampening down measures would be employed on site. Overall once the site is operational the design of the plant and handling areas would present little dust nuisance. I consider that provided the appropriate mitigation measures are put in place, dust nuisance would be negligible.
61. Residual impacts from the operational phase both from stack emissions and traffic are also considered negligible based on the findings of the submitted assessment and not likely to exceed EU Directive emission limits or local air quality standards. Accordingly residual impacts on human health risk and ecological impacts are not considered significant by the applicant despite remaining concerns.
62. In relation to air quality the EA have raised no objection to the proposal indicating that a technical assessment would be undertaken as part of their assessment of an application for an Environmental Permit. A Permit application was submitted to the EA in September 2010 and on which the County Council were formally consulted. As part of their assessment of the application the EA would look not only at the potential effects as a result of the emissions from the proposed development itself but also the combined effects of new and existing permissions, plans and projects that are relevant to an area protected under the Habitats Regulations due to the close proximity of the site to the various habitats which form part of the SPA/SSSI/Ramsar.
63. Jacobs the County Council's advisor on such matters as air quality, note that the nearest residential receptors from the site are at some 1,400 metres from the site boundary and the existing background levels are well below the air quality objectives for the area. Jacobs concur with the applicant's view that based on the findings of the air quality modelling, that whilst the proposed development may result in minor

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increases in emissions, they would still continue to be well below the objectives with the proposed development in place. I would therefore concur with Jacobs view that the proposed development, should Members be minded to grant planning permission, would be unlikely to cause a detriment to the nearest sensitive receptors and ecological sites in terms of air quality.

64. Given the EA have also not raised an objection to the proposal, in the event that Members resolve to grant planning permission for the proposed development, the applicant would be required to gain a Permit prior to operation of any plant. I am also mindful of policy advice set out in PPS23 which provides clear advice that the planning and pollution control regimes should compliment and not duplicate each other. Most fundamentally Planning Authorities are asked to work on the assumption that the relevant control regime will be properly applied and enforced. In this context, having regard to paragraph (62) above I am satisfied that there are no material reasons to justify refusing the application on the grounds of adverse effects on air quality.

Water Quality and Flood Risk

65. The eastern boundary of the site is with the Ridham Wall flood defence which runs adjacent to the west bank of the Swale tidal river. A Metal Fragmentation Plant site adjoins the northern boundary of the site and existing industrial development is located north-west and south of the site. Existing and former land uses are heavy industrial. The site is located adjacent to the Ferry Reach of the Swale tidal river. The Ridham Wall flood defence abuts the eastern boundary of the site.
66. An unnamed drain runs adjacent and outside of the northern site boundary before running adjacent to the Ridham Wall within the eastern site boundary. The EA have confirmed that the unnamed drain is designated as an ordinary watercourse, which outfalls to Ridham Fleet, approximately 250m south of the site which is designated as Main River and is under the jurisdiction of the Environment Agency (EA). Ridham Fleet flows easterly passing approximately 180m south of the site at its closest point prior to outfalling to the Swale via a gravity flapped outfall. The applicant indicates that surface water runoff from the existing site currently drains via overland routes or via the underlying groundwater table to the unnamed drain which runs around the northern and eastern site boundaries. A large proportion of the surface water runoff will flow (via groundwater or overland routes) into the low lying marsh land first, eventually draining to the unnamed drain and the Swale tidal river when tidal conditions allow.
67. The applicant has assessed the likely impact the development may have on contamination of ground and surface waters, the potential for flooding to be caused by the development and other potential impacts.
68. The application site is shown to lie within 'high probability' Flood Zone 3 which represents an annual probability of greater than 0.5% of a tidal flood occurring in any one year or greater than 1% of a fluvial flood occurring in any one year.

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69. The site benefits from tidal flood defences, deemed by the EA to be offering a standard of protection of between 5 and 50 year standard, despite crest heights exceeding the 1:200 year tidal level incorporating an allowance for sea level risk to 2070. The primary risk of flooding associated with the site is fluvial and which may be exacerbated by tide-locking of the Ridham Fleet outlet to the Swale River during tidal flood conditions. However, the greatest flood consequence could result from a breach of tidal defences coinciding with significant tidal conditions. It is proposed to manage the risk by elevating finished floor levels of vulnerable development wherever practical to do so, thereby providing safe refuge within buildings, and by implementation of robust flood warning measures linked to tidal conditions and an evacuation plan. Surface water management facilities would be designed to limit off-site runoff rates to those generated by the existing site. Due to space constraints the use of 'hard' SuDS are proposed in the form of underground tank storage would be provided in the form of an open surface water attenuation pond, supplemented with attenuation provided in the form of carefully profiled above ground storage areas designed to temporarily detain floodwater to a shallow depth (<300mm).
70. Flood risks and residual flood risks are deemed to be manageable by the Applicant over the lifetime of the development, subject to proposed mitigation, management and resilience measures being implemented.
71. The EA have been consulted and have sought to raise no objection to the application on the grounds of flood risk provided a condition is imposed on any future permission requiring the development to be carried out in accordance with the FRA submitted as part of the application and subject to the imposition of a number of planning conditions covering, amongst other matters, flood risk and an evacuation plan, along with the submission of a surface water drainage scheme. On this basis I am satisfied that there are no overriding objections on the grounds of risk from flooding.

Landscape and Visual Impact

72. The proposed site is located within the existing Ridham Dock Industrial Estate and is surrounded by a number of other major developments including the Thamesteel site to the immediate north, the Knauf Plasterboard factory and the Morrisons Distribution depot. To the south of the site is the existing Countrystyle Recycling Ltd site and Kemsley Paper Mill, for which the County Council have recently granted planning permission for the development of a sustainable energy plant to serve it.
73. The applicants have undertaken a landscape and visual appraisal of the proposed development which includes an assessment of the visual impact when viewed from various locations surrounding the site that are considered most sensitive to the development. These are identified in the table below.

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**Table 11-2
Selected Viewpoints**

Viewpoint		Grid Reference		Description
		Easting	Northing	
A	Saxon Shore Way Nr Ferry Reach	591493	168981	View from the Saxon Shore Way (long distance path) near The Sheppey Crossing and Kingsferry Bridge
B	Public Footpath	592341	168092	View from public footpath adjacent to eastern boundary of the application site
C	Saxon Shore Way	592129	167804	Direct view looking north from the Saxon Shore Way
D	Elmley NNR	592899	168099	Direct view over the Swale from the Elmley NNR
E	Edge of Iwade (New Housing)	590295	167534	View from a new housing development on the edge of Iwade
F	Edge of Kemsley	591291	166538	View from the area of new housing on the northern edge of Kemsley
G	Saxon Shore Way Nr Little Mursdon	592815	166235	View north along the Swale from the Saxon Shore Way (long distance path) adjacent to Little Mursdon Nature Reserve
H	Cheyney Fm / Beefsteak Cottages	592720	170387	Representational of views from adjacent residential properties and public footpath
I	Thistle Hill, Southern edge of Minster	593971	171636	Representational of views from road junction / housing

Source: page 11-7 SLR Landscape and visual assessment

74. The assessment provided by the applicant includes comparative photomontages which identifies that, when viewed from viewpoints E, F, I and J minor or minor to moderate visual impacts are considered. Views from viewpoints A, G and H are assessed by the applicant as being moderate in terms of significant of visual impact. Having viewed the site from a distance, I consider that the more distant views are already dominated by large industrial buildings. In my opinion the additional visual impacts from the proposed development would not therefore significantly alter this industrial landscape.
75. When in close proximity to the site, particularly when viewed from the Saxon Shore Way, the impact would be more severe and is assessed by the applicant as moderate to major when assessed from viewpoint B, C and major at viewpoint D (Elmley NNR). In order to help mitigate the visual impact of the proposed development particularly when viewed from a distance, the applicants propose that the external finish of the building and stack reflect the character of the local landscape and that the proposed colours be used in a way which would break up the mass of the building and help reduce its impact when seen against the sky. The applicant therefore proposes a graduated colour scheme such that at the lower level the colour would graduate from a

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reed green towards a green beige leading to a pale in order to reflect the range of shades seen in the adjacent marshes and grassland throughout the seasons and allow for a subtle progression into a pale grey colour for the upper section of the proposed building and chimney stack.

76. The County Council's landscape consultants Jacobs, have been consulted and agree with the applicant's assessment that major adverse effects would occur as a result of the proposal. They also consider that it should be recognised these are localised major adverse impacts on the landscape character and that the development is set within an existing partly industrialised landscape. Jacobs consider that the visual impact should be considered and weighed up in terms of the cumulative effect it would have when viewed within the context of both existing and other proposed development in the area. Jacobs consider that the proposed colour scheme for the structure and chimney stack has been carefully considered by the applicant and is of the view that this would provide mitigation as much as possible. On the basis of the supporting information I concur with the views of the County Councils landscape consultant that the landscape arguments are finely balanced and that it would be difficult to sustain an objection on landscape grounds alone. This view is also likely, in my opinion, to become more predominant as further industrial development becomes established given the strategic importance of the area for future employment as reflected in those policies set out in the Swale Borough Local Plan. Having considered the proposal within its current and future landscape context, I do not therefore consider there are any overriding landscape objections to the proposal.

Nature Conservation and Ecology

77. The proposed site includes a 0.9 ha reedbed area which would be lost as a result of the development. Whilst the site itself is not covered by any statutory nature conservation designations it lies close to habitats which form part of the Swale SSSI and the Medway Estuary and Marshes SSSI. These SSSIs are part of the Swale SPA and Ramsar Site and the Medway Estuary and Marshes SPA and Ramsar Site. Natural England (NE) initially raised an objection to the proposal on the basis that the applicant had not supplied sufficient information to determine the possible effects on the Swale SPA and Ramsar site. They requested further information on air quality, noise disturbance to SPA bird interests, bird data for the adjacent grazing marsh and visual impact on bird interest. Further information has been supplied by the applicant and as such NE have removed their objection to the proposal provided a condition be placed on any permission requiring the applicant to undertake monitoring of over-wintering birds, in order to ascertain impact from the proposed building, on birds for a two year period following construction. On this basis the County Council as the 'Competent Authority' consider that having regard to the Habitats Regulations there would be no likely significant adverse effect upon the Swale SPA and Ramsar. NE now confirm that based on the information contained in the application it is their view that the proposal is not likely to have a significant effect on the Swale SPA and Ramsar Site, either alone or in-combination with other plans and projects in the area.

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78. The applicant has assessed the potential impacts on ecology and nature conservation including a desk based study together with walkover surveys of the site and surrounding areas. These surveys sought to identify: Reptiles, Invertebrates, Birds, Water Voles, Great Creased Newts and Macroinvertebrates.

Marsh Harrier

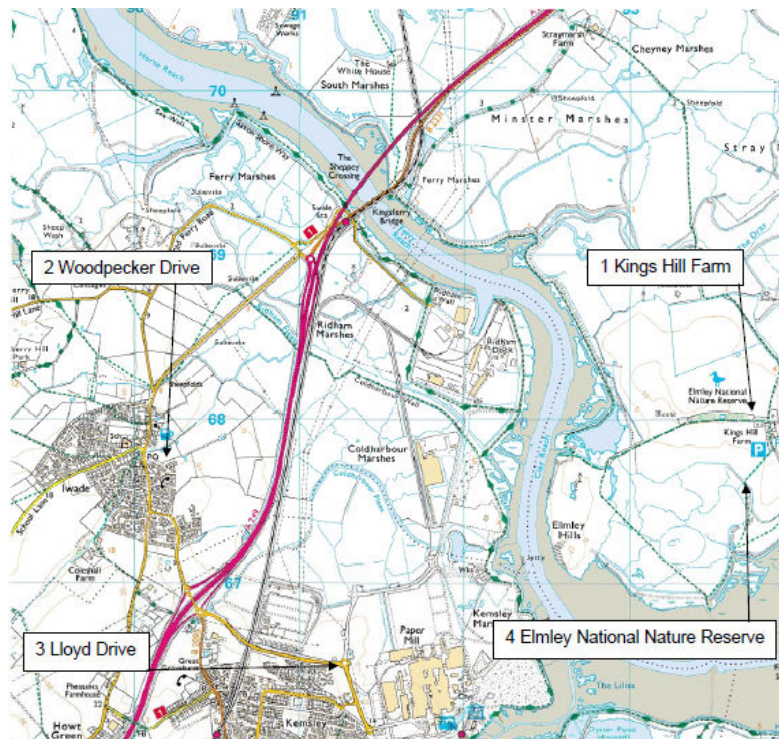
79. Whilst the applicant carried out a breeding bird survey in support of the planning application, the RSPB have raised some concern over the timings of the survey work undertaken by the applicant. The RSPB confirm that the marsh harrier is an Annex I species and a qualifying feature of the Swale SPA. They further confirm that just 24 pairs of marsh harrier are listed on the Swale SPA citation and that the survey undertaken was limited in their view. At the time of reporting the recent Kemsley Paper Mill proposal to Members, NE confirmed that that they were aware from RPS, consultants for Regis Paper, that a pair of marsh harrier were nesting in a reedbed 1km to the south of Ridham Dock last year. Notwithstanding the timing of the survey work undertaken by the applicant for the proposed site, which found no birds to be present as a precautionary approach I would recommend that if Members are minded to grant permission, that further breeding bird surveys are conditioned before any works take place and if marsh harrier are found to be present on site, that no works may take place that would impact the reed bed, until the end of the breeding season. This in my view could be conditioned. Additionally, to maintain the amount of breeding and foraging habitat for marsh harrier it would be appropriate for the loss of reed bed to be compensated. NE has advised that this was the stance taken in respect of the Kemsley Mill proposal. Although in this particular case the reed bed was not directly impacted there were concerns that the building works and operation may deter marsh harrier from using the reed bed as a result a 1 ha area of reed bed is to be created and managed at a separate site on the Isle of Sheppey adjacent to a core breeding area to offset these potential effects. Having regard to this recent approach and to the advice provided by NE, I consider that a suitable area to compensate for the lost reed bed habitat, should be provided and managed offsite in line with the requirements of the Conservation of Habitats and Species Regulations 2010, in order to secure this, in the event that members resolve to grant planning permission, this could be secured by way of a formal section 106 legal agreement the proposed Heads of Terms for which are appended to this report (Appendix 2).
80. The results of on site surveys revealed that the most likely potential significant impacts from the development as being the direct impacts resulting from the loss of suitable habitat for reptiles and invertebrate from the development site. As a precautionary approach it is proposed that appropriate mitigation measures for reptiles and water voles would be included within an Environmental Management Plan (EMP) for the development including the use of a suitable receptor site which has been identified to the west of the proposed site.
81. Water vole mitigation would require habitat creation/enhancement works whether to an on or off-site receptor and we propose that within an EMP for the development proposals would be included that will compensate for some of the reed bed habitat

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that would be lost as part of the development with benefits for some of the other species of fauna that have the potential to be affected by the development.

Noise

82. A Noise Assessment has been submitted in support of the application and which has considered both the potential for the construction and operational phases of the proposed development. The applicant identifies the nearest sensitive receptors as being Kings Hill Farm, Woodpecker Drive and Lloyd Drive as show on the location plan below:



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Construction Phase

83. The assessment concludes that construction noise levels are predicted to be below the 75dB criterion adopted for at all receptors. However by way of on site mitigation to reduce noise levels the applicant proposes the use of Best Practice methods to control noise impacts during construction activities. These would typically include amongst others, the use of machinery that would have silencers, the delivery of materials during the daytime only and the use of screens and barriers to reduce noise potential impacts. NE however have commented that in their view there would be a slight increase in the existing noise levels during the construction stage particularly when piling works would be programmed to take place. Whilst piling works themselves would only take place over a 24 week period, they consider that the noise generated from this activity would not allow for over-wintering and passage birds sufficient time to become accustomed to such activities due to its temporary nature. I would therefore agree with NE that in the event that Members are minded to grant planning permission for this proposed development that any piling works should be restricted to being carried out outside the period of October to February inclusive. This could in my view be controlled by way of a suitably worded planning condition.

Operational Phase

84. In terms of potential noise impacts once operational, a BS4142 noise assessment has been carried out in order to determine whether noise emissions from fixed plant would be likely to give rise to complaints from the nearest sensitive receptors identified above.

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Table 8-9
Midweek BS4142 Assessment, free-field, dB

Location	Period	Measured Background Noise Level L_{A90}	Predicted Rating Level $L_{Ar,T}$	Difference
1. Kings Hill Farm	Night-time	51.2	30.5	-20.7
	Daytime	43.5	32.4	-11.1
2. Woodpecker Drive	Night-time	38.0	25.9	-12.1
	Daytime	43.8	33.1	-10.7
3. Lloyd Drive	Night-time	40.3	25.4	-14.9
	Daytime	47.3	33.0	-14.3

8.76 The Sunday BS4142 assessment is shown in Table 8-10 below.

Table 8-10
Sunday BS4142 Assessment, free-field, dB

Location	Period	Measured Background Noise Level L_{A90}	Predicted Rating Level $L_{Ar,T}$	Difference
1. Kings Hill Farm	Daytime	40.8	32.4	-8.4
2. Woodpecker Drive	Daytime	44.6	33.1	-11.5
3. Lloyd Drive	Daytime	46.4	33.0	-13.4

Source: page 8.12 Appendix 8 SLR Environmental Assessment

85. BS4142 advises that a difference of around 10dB or higher indicates that complaints are likely. A difference of around 5dB is of marginal significance and a difference of -10dB is a positive indication that complaints are unlikely. Both tables above indicate that the noise rating levels generated by the proposed development would lead to a situation where there would be a positive indication that complaints would be unlikely during the midweek daytime and night-time periods and on Sundays at all locations assessed. The County Council's noise advisor Jacobs has been consulted on the application and advises that on the basis of the information submitted in support of the proposal the proposed development is unlikely to result in any adverse impacts on the nearest residential receptors and therefore no objection is raised to the application on noise grounds. In my view having regard to the conclusions of the Noise Assessment and the comments made by Jacobs I do not consider there are any overriding noise objections to the proposal.

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Employment

86. The applicant estimates that at the construction stage, the development could provide temporary employment opportunities for up to 90 workers at any one time. Once operational the RCHPP would provide direct employment for around 26 permanent staff. The applicant states that staff would be employed in a number of roles within the site, including: weighbridge operation, facility operation, clerical and administration staff as well as plant management. There may also be a need for temporary and contract workers for periodic maintenance and other irregular tasks.
87. Members may be aware of an announcement made in the coalition government's Budget in March when the Chancellor of the Exchequer issued a call to action on growth, publishing an ambitious set of proposals to help rebuild Britain's economy. The Government's top priority is to promote sustainable economic growth and jobs, and as a fundamental means to achieve this considers the planning system has a key role to play by ensuring that the sustainable development needed to support economic growth is able to proceed as easily as possible. Government's clear expectation therefore is that there should be a strong presumption in favour of development except where this would compromise the key sustainable development principles set out in national planning policy. In my view whilst this particular proposal would not generate the same level of employment opportunities as say, that recently related to the Kemsley Mill proposal, the proposed development in itself still meets the requirements of Policy B2 of the Swale Borough Local Plan which supports employment opportunities in the area.

Conclusion

88. In conclusion, I am satisfied that there is a need for this facility based on the available waste stream of which some is currently being shipped to Germany from the Ridham area. The site is one identified as suitable in the KWLP and has ready access via a purpose built route via the A249/barge Way. Whilst a number of issues of concern have been recently raised in relation to vehicle capacity in the locality, this proposal in itself represents a relatively small increase on the local road network. Both the Highway Authority and DTM have been consulted on the proposal and neither have sought to raise objections on highway grounds. Having considered their views and the sites close location to the existing highway network and purpose built road to the industrial estate, I am satisfied that the proposal meets the requirements of Policy W22 of the KWLP.
89. In terms of air quality, the potential impacts from construction related dust and stack emissions have been considered and in my view the dust mitigation measures put forward by the applicant are suitable and can be controlled by way of suitably worded conditions and therefore satisfy the criteria of W18 of the KWLP and policy NRM9 of the SEP. With regard to potential stack emissions, the EA have been consulted and do not raise any objections to the proposed development on air quality grounds. In the event that members resolve to grant planning permission, the applicant would be

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required to submit an Environmental Permit to the Agency who would be the regulating authority for such matters. This is wholly consistent with the requirements and advice set out in PPS23.

90. With regard to water quality and flood risk the EA have requested that any permission would be subject to conditions requiring, amongst other matters, a flood risk and evacuation plan as well as the submission of a surface water drainage scheme. No objection is raised on the grounds of water quality or floor risk, therefore the proposal meets the requirements of PPS25 and W19 of the KWLP.
91. This view is also likely, in my opinion, to become more predominant as further industrial development becomes established given the strategic importance of the area for future employment as reflected in those policies set out in the Swale Borough Local Plan. Having considered the proposed location of the proposal within its current industrial location and future development proposed in the area which will continue to alter the landscape, having regard to policy W31 of the KWLP along with the scale of the proposed building, I consider that the applicant has sought to mitigate its impact as far as possible. In the absence of an objection from Jacobs, our landscape advisors, I do not consider there to be an overriding landscape objection in this case.
92. The site is located close to sensitive designated areas and the applicant has considered, along with advice from the relevant nature conservation bodies the necessary mitigation required in relation to the development. In particular the loss of the existing reed bed at the site would need to be recreated and managed elsewhere, as would the receptor site already identified by the applicant to the west of the proposed site. Having regard to policy NRM5 of the SEP, W21 of the KWLP and policies SP2 and E12 of the Swale Borough Local Plan a scheme for the creation and long term management of both would need to be secured by way of a formal section 106 legal agreement to ensure the proposal meets nature conservation policies.
93. Finally having assessed the potential noise impacts of the proposal on the nearest sensitive receptors being both residential and ecological and the potential for the proposal to generate employment opportunities in the area, I am satisfied that policy W18 of the KWLP and B2 of the Swale Borough local Plan can be met.
94. In view of the above, I therefore recommend that planning permission be granted subject to conditions for this proposal.

Recommendation

95. I RECOMMEND that:
 - a) SUBJECT TO within 6 months of the date of this Committees resolution, the Applicant providing an alternative 0.9 hectare site for the creation of a reed bed habitat to mitigate the loss of reed bed habitat on the development site, and

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- b) SUBJECT TO the satisfactory completion of a Legal Agreement to secure the Draft Heads of Terms as set out in Appendix 2

PERMISSION BE GRANTED SUBJECT TO conditions covering amongst other matters, hours of working, waste throughput, dust management, noise restrictions, flood risk, a surface water drainage scheme, archaeology, lighting, ecology, mud on the road, vehicle parking, turning and surface details, details alternative users of power generation, construction materials and colour, along with an informative requiring the applicant to investigate the use of alternative use of rail and waste sources.

Case Officer: Angela Watts

Tel. no. 01622 221059

Background Documents: see section heading.

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APPENDIX 1

APPROPRIATE ASSESSMENT

RIDHAM COMBINED HEAT AND POWER PLANT

CONSERVATION OF HABITATS AND SPECIES REGULATIONS ASSESSMENT

Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (Habitat Regulations), requires a competent authority to make an Appropriate Assessment of the implications for European sites in view of a site’s conservation objectives, before deciding to undertake, or give consent, permission or other authorisation for, a plan or project which:

- a. is likely to have a significant effect on a European site, either alone or in combination with other plans and projects; and
- b. is not directly connected with or necessary to the management of that site.

This is a record of the Appropriate Assessment, required by Regulation 61 of the Habitats Regulations undertaken by Kent County Council as the Competent Authority, in accordance with the Habitats Directive (Council Directive 92/43 EEC). in respect of the proposed Ridham Combined Heat and Power (CHP) Plant at Ridham Dock, Sittingbourne.

Having considered that the plan or project would have a “likely significant effect” (Stage 1) on the Swale Special Protection Area and Ramsar Site and that the scheme was not directly connected with or necessary to the management of the site, an Appropriate Assessment (Stage 2) has been undertaken of the implications of the proposal in view of the site’s conservation objectives.

Natural England was consulted under the provisions of Article 10 of the Town and Country Planning (General Development Procedure Order) 1985, Section 28 of the Wildlife and Countryside Act 1981 (as amended) and Regulation 61 of the Habitats Regulations and their comments to which the County Council has had regard, are attached. The conclusions of this Appropriate Assessment are in accordance with the advice and recommendations of Natural England.

Title:	Construction and Operation of a Biomass Combined Heat and Power Plant at Ridham Dock
Location:	Ridham Dock, near Iwade, Sittingbourne, Kent
Brief Description of Proposal	Biomass Power Plant Ridham Limited is proposing to construct and operate a Biomass CHP Plant which will generate electricity and heat by the combustion of waste wood. The maximum achievable throughput of the plant will be 177,200tpa but the plant is expected to operate at a

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	<p>throughput of approximately 150,000tpa. Electrical output will be around 25 MW_e and will be used to power the CHP and have inputs into the National Grid.</p> <p>A more detailed description of the development can be found in the Environmental Statement and Planning Supporting Statement accompanying the application.</p>
<p>European Site Name and Status:</p>	<p>In accordance with Environment Agency requirements for new applications for environmental permitting the following European sites lie within a 10km radius of the proposed development including:</p> <ul style="list-style-type: none"> • The Swale Special Protection Area (SPA) and Wetland of International importance under the Ramsar Convention (Ramsar site) • Medway Estuary and Marshes SPA and Ramsar site. • Thames Estuary and Marshes SPA and Ramsar site
<p>Brief description of the European site and list of interest features</p>	<p>The Swale SPA</p> <p>The Swale was classified as a SPA in 1982 because it is an important area for breeding, feeding, wintering and migration of rare and vulnerable species of birds. The site qualifies under Article 4.1 of the EC Directive on the Conservation of Wild Birds (79/409/EEC) (Birds Directive) because it regularly supports populations of European importance of species listed on Annex I of the Directive including during the breeding season: Avocet (<i>Recurvirostra avosetta</i>); Marsh Harrier (<i>Circus aeruginosus</i>); and Mediterranean Gull (<i>Larus melanocephalus</i>); and over winter Avocet; Bar-tailed Godwit (<i>Limosa lapponica</i>); Golden Plover (<i>Pluvialis apricaria</i>); and Hen Harrier (<i>Circus cyaneus</i>).</p> <p>It also qualifies under Article 4.2 of the Birds Directive as it is regularly supports populations of European importance for migratory species including on passage: Ringed Plover (<i>Charadrius hiaticula</i>), and over winter: Black-tailed Godwit (<i>Limosa limosa islandica</i>); Grey Plover (<i>Pluvialis squatarola</i>); Knot (<i>Calidris canutus</i>); Pintail (<i>Anas acuta</i>); Redshank (<i>Tringa totanus</i>); and Shoveler (<i>Anas clypeata</i>).</p> <p>In addition to the above, the original SPA citation and 1993 updated Natura 2000 Data Form lists Dark-bellied Brent Goose (<i>Branta bernicla bernicla</i>) and Dunlin (<i>Calidris alpina alpina</i>). Where there is a mismatch between the species listed in extant citations and listed in the 2001 SPA Review, the Joint Nature Conservation Committee (JNCC) advises that the 2001 SPA Review should be taken as the definitive list of qualifying species.</p>

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	<p>The site also qualifies under Article 4.2 as a wetland of international importance by regularly supporting at least 20,000 waterfowl including: White-fronted Goose (<i>Anser albifrons</i>); Golden Plover; Bar-tailed Godwit; Pintail; Shoveler; Grey Plover; Knot; Black-tailed Godwit; Redshank; Avocet; Comorant (<i>Phalacrocorax carbo</i>); Curlew (<i>Numenius arquata</i>); Dark-bellied Brent Goose; Shelduck (<i>Tadorna tadorna</i>); Widgeon (<i>Anas Penelope</i>); Gadwall (<i>Anas strepera</i>); Teal (<i>Anas crecca</i>); Oystercatcher (<i>Haematopus ostralegus</i>); Lapwing (<i>Vanellus vanellus</i>); Dunlin; and Little Grebe (<i>Tachybaptus ruficollis</i>), with 5 year peak mean counts 1991/2-1995/6 of 65,390 individual waterfowl.</p> <p>The Swale Ramsar Site</p> <p>Designated a Ramsar site in 1982, under the criteria adopted by the Meetings of the Conference of the Contracting Parties to the Convention on Wetlands (Ramsar, Iran 1971), the site qualifies under:</p> <ul style="list-style-type: none"> • Criterion 2 because it supports several nationally scarce plants including: Saltmarsh Goosefoot (<i>Chenopodium chenopodioides</i>), Hog's Fennel (<i>Peucedanum officinale</i>), Slender Hare's-ear (<i>Bupleurum tenuissimum</i>), Small Cord-grass (<i>Spartina maritima</i>), Golden Samphire (<i>Inula crithmoides</i>), Divided Sedge (<i>Carex divisa</i>), Sea Clover (<i>Trifolium squamosum</i>) and Sea Barley (<i>Hordeum murinum</i>); and at least seven British Red data book invertebrates including: the weevil <i>Bagous cylindrus</i>, the crane fly <i>Erioptera bivittata</i>, the hoverfly <i>Lejops vittata</i>, the rove beetle <i>Philonthus punctus</i>, the water boatman <i>Micronecta minutissima</i>, the beetle <i>Clanoptilus strangulates</i> (formerly known as <i>Malachius vulneratus</i>) and the true flies of <i>Campsicnemus magius</i>, <i>Elachiptera rufifrons</i> and <i>Myopites eximia</i>. • Criterion 5 because of its international important assemblage of waterfowl (5 year peak mean winter counts 1998/9-2002/3 of 77,501 individuals); and • Criterion 6 because, based on 5 year peak mean counts 1998/9-2002/2 the site supports: <ul style="list-style-type: none"> ○ Peak counts in spring/autumn of 1712 individuals, representing an average of 1.4% of GB population, of Common Redshank; ○ Peak counts in winter of 1633 individuals, representing an average of 1.6% of GB population 	
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	<p>of Dark-bellied Brent Goose; and 2098 individuals, representing an average of 3.9% of the GB population of Grey Plover.</p> <p>Subsequent to its designation, other species for possible future consideration under Criterion 6 include Ringed Plover for its peak counts in spring/autumn as well as Wigeon, Northern Pintail, Shoveler and Black-tailed Godwit.</p> <p>Medway Estuary and Marshes SPA</p> <p>A complex arrangement of tidal channels, which drain around large islands of saltmarsh and peninsulas of grazing marsh covering 4684.36ha.</p> <p>Classified as a SPA in 1993 because it regularly supports populations of European importance of species listed on Annex I of the Birds Directive (79/409/EEC) including: breeding Avocet and little tern; and over wintering Avocet.</p> <p>It also qualifies because it regularly supports populations of European importance for migratory species including Ringed Plover, Black-tailed Godwit, Dark-bellied Brent Goose, Dunlin, Grey Plover, Pintail, Redshank, Ringed Plover and Shelduck as well as a wetland of international importance by regularly supporting at least 20,000 waterfowl.</p> <p>Medway Estuary and Marshes Ramsar Site</p> <p>Designated in 1993 the site qualifies under:</p> <ul style="list-style-type: none"> • Criterion 2 because it supports a number of rare plants and animals, holds several nationally scarce plants and at least 12 British Red data book invertebrates; • Criterion 5 because of its international important assemblage of waterfowl (5 year peak mean winter counts 1998/9-2002/3 of 47,637 individuals); and • Criterion 6 because, based on 5 year peak mean counts 1998/9-2002/2 the site supports: <ul style="list-style-type: none"> ○ Peak counts in spring/autumn of 3103 individuals, representing an average of 1.2% of GB population, of Grey Plover and 3709 (1.4%) individuals of Common Redshank; ○ Peak counts in winter of 2575 individuals, representing an average of 1.6% of GB population of Dark-bellied Brent Goose; 2627 (3.3%) Common Shelduck, 1118 (1.8%) Northern Pintail, 540 (1.6%) Ringed Plover, 3021 (1%), Red Knot, and 8263 (1.4%) Dunlin. 	
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	<p>Subsequent to designation other species for possible future consideration under Criterion 6 include Black-tailed Godwit for its peak counts in spring/autumn.</p> <p>Thames Estuary and Marshes SPA</p> <p>Extensive marshes and intertidal areas covering 4838.94ha.</p> <p>Classified as a SPA in 2000 because it regularly supports populations of European importance of species listed on Annex I of the Birds Directive (79/409/EEC) including over wintering Avocet and Hen Harrier.</p> <p>It also qualifies because it regularly supports populations of European importance for migratory Ringed Plover as well as a wetland of international importance by regularly supporting at least 20,000 waterfowl.</p> <p>Thames Estuary and Marshes Ramsar Site</p> <p>Designated in 2000 the site qualifies under:</p> <ul style="list-style-type: none"> • Criterion 2 because it supports one endangered plant, at least 14 nationally scarce plants of wetland habitats and supports more than 20 British Red data book invertebrates; • Criterion 5 because of its international important assemblage of waterfowl (5 year peak mean winter counts 1998/9-2002/3 of 45,118 individuals); and • Criterion 6 because, based on 5 year peak mean counts 1998/9-2002/2 the site supports: <ul style="list-style-type: none"> ○ Peak counts in spring/autumn of 595 individuals, representing an average of 1.8% of GB population, of ringed plover and 1640 (4.6%) individuals of Black-tailed Godwit; <p>Peak counts in winter of 1643 individuals, representing an average of 3.1% of GB population of Grey Plover, 7279 (1.6%) Red Knot, 15171 (1.1%) Dunlin, and 1178 (1%) Common Redshank.</p>	
<p>Is the proposal directly connected with or necessary to the management of the site for nature conservation</p>	<p>No</p> <p>The proposed development is not directly connected with or necessary to the management of any of the SPAs and Ramsar sites.</p>	
<p>Is the potential</p>	<p>Yes</p>	

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<p>scale or magnitude of any effect likely to be significant alone</p>	<p>The assessment identified four potential hazards likely to have significant effects on The Swale SPA and Ramsar site from the proposed development including:</p> <ul style="list-style-type: none"> • air quality – operational emissions; • disturbance – construction noise; • visual impact of development and risk of collision; and • introduction and spread of non-native invasive species – Pacific oyster. • Marsh harrier <p>Given concerns raised by the RSPB on the impacts on Marsh Harrier, an SPA interest species, if they are using the existing Reed Bed on site, it is proposed that a replacement site be created to offset this loss.</p> <p>In addition, operational emissions were also assessed as likely to have significant effects on the Medway Estuary and Marshes SPA and Ramsar site and the Thames Estuary and Marshes SPA and Ramsar site. In particular existing background air pollution levels of NO_x were found to be at a level prompting further analysis.</p> <p>The assessment has concluded that the proposed development of the Ridham CHP Plant, with appropriate avoidance and mitigation measures as set out in the appendix attached incorporated in the design of the development is not likely to have an adverse effect on the integrity of any of the European sites within the proposed development's zone of influence or on any of the qualifying features for which these sites were designated and/or classified.</p> <p>Given the concerns raised by NE it has been agreed with the applicant that they will undertake monitoring of over-wintering birds for a two year period following construction of the proposed development.</p>
<p>Is the potential scale or magnitude of any effect likely to be significant in combination with other plans or projects</p>	<p>Yes</p> <p>Consideration of the in-combination effects of other plans and projects identified that the potential significant effect on the European sites would be from the cumulative impact of other proposed combustion plants in the vicinity of the Ridham CHP Plant and the effects on air quality. A cumulative assessment of NO_x on the European sites would indicate that the cumulative effects of the Ridham CHP Plant with other combustion plants would not have a significant adverse effect</p>

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	on any of the European sites.
<p>Conclusion – is the proposal likely to have a significant effect either “alone or in-combination” on a European site</p>	<p>Yes</p> <p>The E.A. have carried out an assessment and concluded that that there will be no impact on the integrity of the site either alone or in combination. It is concluded therefore that the proposed development of the Ridham CHP Plant is not likely to have any significant adverse effect either alone or in combination with other projects on The Swale SPA and Ramsar site, Medway Estuary and Marshes SPA and Ramsar site and Thames Estuary and Marshes SPA and Ramsar site.</p> <p>For those plans and projects where impacts are unknown at this time, best practice would be followed to reduce and mitigate impacts so that overall the in-combination effects would be negligible.</p>

<p>Name of County Council Officer:</p>		<p>Date:</p>
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SW/10/774 – The proposed construction and operation of a Biomass Combined Heat and Power plant including external and covered waste wood storage area, associated weighbridge, parking and underground pipework to pumping station at Ridham Dock, Iwade, Nr Sittingbourne.

Appendix to Appropriate Assessment

Compensation

- The provision of an alternative 0.9 hectare reed bed site to mitigate the loss of reed bed habitat on the development site and secure such site by s106 planning obligation within 6 months of the date of the resolution of this Committee

Mitigation Measures

- The creation and long - term management of the newly formed habitat on land shown on the drawings as 'Area C'.
- Deep drilled piling methods shall be used at the construction stage. No impact pile driving shall be used on site during the over-wintering season.

SW/10/774 – The proposed construction and operation of a Biomass Combined Heat and Power plant including external and covered waste wood storage area, associated weighbridge, parking and underground pipework to pumping station at Ridham Dock, Iwade, Nr Sittingbourne.

Appendix 2

DRAFT HEADS OF TERMS

For Agreement in connection with Planning Application SW/10/774 – Proposed Construction and Operation of a Biomass Combined Heat and Power Plant including External and Covered Waste Wood Storage Area, Associated Weighbridge , Parking and Underground Pipework to Pumping Station at Ridham Dock, Iwade Nr Sittingbourne, Kent.

Prior to the issue of the Planning Permission the applicant shall enter into all of the necessary legal agreements required to secure the following matters at no cost to the County Council:

1. The Developer will not commence development on the application site until:-
 - (a) a scheme for the creation and long - term management of the newly formed habitat on land shown outlined in () on plan () and being land under the applicant's control has been submitted to and approved by the County Council.
 - (b) a scheme for the creation and long – term management of the area of 0.9 ha of land which is to be secured offsite for a New Reed Bed has been submitted to and approved by the County Council.
 - (c) a commuted sum in the sum of (£) has been paid in full to a nominated body for the purposes of undertaking the creation and long – term management of the area referred to in (b) above. The commuted sum will be indexed linked from the date of this Agreement to the date of payment. The Index to be the Retail Price Index.

2. The applicant to pay all the County Council's reasonable legal and professional costs prior to the completion of the Agreement.

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

Six bay modular building at Weald Community Primary School, Long Barn Road, Sevenoaks - SE/11/824

A report by Head of Planning Applications Group to Planning Applications Committee on 14 June 2011

Application by Kent County Council, Children Families and Education for the placement of one, six bay modular building at Weald Community Primary School, Long Barn Road, Sevenoaks, TN14 6PY- SE/11/824

Recommendation: Permission be granted subject to conditions

Local Member: Mr. Nick Chard

Classification: Unrestricted

Site

1. Weald Community Primary School is situated within a residential development in a rural village, approximately three miles south of Sevenoaks town centre. The land surrounding the village on all sides is designated as being within both the Metropolitan Green Belt and the Kent Downs Area of Outstanding Natural Beauty (AONB), although the built confines of the village itself, including the school buildings and associated hard-standing falls outside of these designations. The school is located in the centre of the village on Long Barn Road, one of the main routes through the village, bordered to the east and west by residential properties, by the village green to the south and playing fields to the north. The school site is split in two by Wickhurst Road which wraps around the rear of the playground, with tennis courts and marked sports pitches on land immediately to the north. It is important to note that that part of the school site is included in the Green Belt and AONB designations. A site plan is attached.

Background and proposal

2. The proposal is for the placement of one, six bay modular building on the northern boundary of the school playground. There is currently a smaller mobile classroom and some play equipment situated in the same area which will be removed to allow the proposed structure to be accommodated. The mobile classroom unit would measure 19.65 metres in length, 8.5 metres in width, and 3.2 metres in height and provide two classrooms, two store rooms, two toilets and one accessible toilet. The application documents specify that the mobile classroom would have a dark green textured finish, aluminium double glazed windows and a black shallow felt pitched roof. The School have stated that the larger building is required to provide additional teaching space for the next academic year when the school roll will increase by 5 pupils. Although the rise in pupils is only slight, the increase will necessitate a sixth class to prevent large class sizes and hence the need for an additional classroom.

Item D1

Six bay modular building at Weald Community Primary School, Long Barn Road, Sevenoaks

Site Plan



Aerial photograph



Six bay modular building at Weald Community Primary School, Long Barn Road, Sevenoaks

Elevations



3. The current mobile unit has been on site for over 25 years and was renewed most recently in 2008 on a temporary planning permission which is due to expire in 2012. Other recent planning applications at the school have included permission to erect a pergola to form an external teaching area under reference SE/03/1840, the construction of a single-storey extension to the rear of an existing classroom under reference SE/05/1674 and the replacement of UPVC windows under reference SE/08/1216.

Planning Policy

4. The development plan policies summarised below are relevant to consideration of the application:

(i) **Planning Policy Guidance 2 – Green Belt**

There is a general presumption against inappropriate development within the Green Belt, which is by definition harmful and should not be permitted unless it can be justified by very special circumstances. The construction of new buildings within the Green Belt is inappropriate unless it is for the following purposes:

- agriculture or forestry
- essential facilities for outdoor sport and outdoor recreations, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purpose of including land in it
- limited extension, alteration or replacement of existing dwellings.

Six bay modular building at Weald Community Primary School, Long Barn Road, Sevenoaks

- limited infilling in existing villages and limited affordable housing for community needs
- limited infilling or redevelopment of major existing developed sites identified in adopted local plans.

(ii) The adopted (2009) **South East Plan**

Regional policy is contained within the South East Plan 2009. Members will already be aware of the relevant South East Plan policy considerations in relation to the proposed development, in that The Plan was revoked and later reinstated pending the enactment of the Localism Bill. Members will also be aware that they have to have regard to the policies in the SEP and the Government's intention to abolish the Regional Spatial Strategies (RSS) as material considerations. However the weight to be accorded is a matter for the decision makers. The relevant policies to this application are:

Policy SP5: Any strategy aiming to focus new development into sub-regions and existing settlements needs to be reinforced by a strong policy to maintain separation of settlements.

Policy CC1: Seeks to achieve and maintain sustainable development in the region.

Policy CC4: Expects that all new development will adopt and incorporate sustainable construction standards and techniques.

Policy C3: High priority will be given to conservation and enhancement of natural beauty in the region's Areas of Outstanding Natural Beauty (AONBs) and planning decisions should have regard to their setting. Proposals for development should be considered in that context.

Policy S3: States that Local Planning Authorities should work to ensure adequate provision of school facilities.

(iii) The adopted (2000) **Sevenoaks Local District Plan**

Policy EN1: General Principles of development; all forms of development must comply with development plan policies, unless there are overriding material considerations. Development should: be compatible to the site in design, scale and density; respect the topography and retain important features; not affect the amenities of the locality; and provide appropriate facilities for those with disabilities.

Policy GB1: Extent of land included within the Green Belt. The permanence of the land within the Green Belt must be maintained. The extent of the Green Belt must only be altered in exceptional circumstances.

Six bay modular building at Weald Community Primary School, Long Barn Road, Sevenoaks

(iv) The adopted (2011) **Sevenoaks Core Strategy**

Policy SP1: All new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated. The District's heritage assets and their settings, including landscapes and outstanding views will be protected and enhanced.

Consultations

5. **Sevenoaks District Council** raises an objection to the application, stating that the proposed mobile classroom has a detrimental impact upon the setting of the school and village green, and therefore does not comply with the provisions of the Policy EN1 of the Sevenoaks District Plan and SP1 of the Core Strategy.

The Divisional Transport Manager raises no objection to the proposal, but recommends that a travel plan be prepared if the School do not already have one.

Weald Parish Council initially raised objection on the grounds of:

- appearance of the mobile classroom not being in keeping with the Village Design Statement
- the building is too large for the site and will result in a loss of outdoor playing area
- the building would spoil the outlook from the AONB
- the increase in traffic and parking problems associated with the rise in pupil numbers
- if permission is granted for the proposed mobile classroom the Parish would expect the hedge on Wickhurst Road to be protected to provide screening.

Subsequently the Parish Council reviewed their comments after discussions with representatives from the School and now supports the application, subject to conditions covering a 5 year temporary time period for the classroom and assurances that the hedge along Wickhurst Road is protected.

Local Member(s)

6. The local County Member, Mr Nick Chard was notified of the application on the 31 March 2011.

Publicity

7. The application was publicised by the posting of a site notice and the individual notification of 6 nearby residential properties. The application documents were also made available for public viewing on Kent County Council's website.

Representations

8. Representations have been received from 11 parents of children at the school. Subsequently, 8 objections were withdrawn after the School agreed to relocate the play equipment that it being removed (details of which have not been submitted as part of this application). The concerns and objections raised to the proposal can be summarised as:

Six bay modular building at Weald Community Primary School, Long Barn Road, Sevenoaks

- health and safety issues arising from reduced playground space, coupled with an increase in pupil numbers
- suggestion that a 2-storey building would be a better solution to the problem
- increase in traffic and parking pressures as a result of a wider catchment area
- suggestion to expand the school on the land across Wickhurst Road
- lack of pavements outside the school create a safety hazard for pupils and other pedestrians, an increase in pupils will exacerbate the problem.

Discussion

Introduction

9. This proposal has arisen out of the School's need to provide additional teaching accommodation for an additional class. The school roll is currently 147 and this is due to increase to 152 in September 2011, and forecasts predict further rises in the coming years. The applicant explains that the rise in pupils has come from increased local pressures on primary school places and consequently the Local Education Authority has increased the admission numbers for the next academic year. As already stated, there is a mobile classroom unit in the same area as that proposed, which is of a smaller footprint, measuring 7.7 metres (width) by 9 metres (length), giving a floor space of 69.3 square metres. As well as being too small for the additional class, the applicant advises that due to the condition of the existing mobile classroom, it is proving uneconomical to maintain and without a replacement the delivery of the national curriculum would be seriously compromised. They also advise that a permanent building would be the preferred solution for the School but this is not feasible within the current capital spending programme.
10. As summarised in paragraphs 5 and 8 above, representations received in respect of this application have identified issues relating to the health and safety implications of the proposal and traffic and parking problems associated with children coming to the school from outside the village. Alternative options for the provision of additional teaching accommodation have also been suggested by concerned parents. Impacts of the mobile classroom on the setting of the school, village green and AONB have been identified by the District and Parish Councils. These issues need to be considered in the context of the relevant development plan policies outlined in paragraph 4 above.

Siting and design

11. Both the Parish Council and District Council have objected to this application on the grounds of siting and design and have particular concerns over the impact of the mobile classroom on the setting of the school, village green and AONB. As illustrated on the site plan on page 2, the location of the proposed mobile classroom is in the north of the school grounds, and is bordered by Wickhurst Road, with the school playing fields and tennis courts beyond to the north, residential properties to the east and west and the village green to the south. The school's southern boundary is demarcated by low-level palisade fencing and an un-obscured vantage point of the school can be gained from the village green. Intermittent planting partially screens the site and the existing mobile classroom from the northern boundary.

Six bay modular building at Weald Community Primary School, Long Barn Road, Sevenoaks

12. Mindful of the sensitive location of the school site, the applicant has proposed measures to mitigate the appearance of the building. The submitted Design and Access Statement states that the mobile classroom would be dark green and finished in a low maintenance plastisol-coated galvanised steel cladding. It is envisaged that the colour of the proposed mobile classroom would complement the existing surroundings, and the foliage on Wickhurst Road would go some way to mitigate the visual impacts of the building when viewed from the AONB. The applicant has also agreed to continue the planting along the Wickhurst Road boundary to provide full screening of the mobile.
13. The existing mobile classroom is now in poor condition and painted a pale green which tends to draw undue attention to it. Although a larger unit, arguably the overall appearance of the replacement building, providing that it is painted in a dark green, would be an improvement. It is also worth noting that a large proportion of the mobile classroom would not be visible from the village green because it would be obscured by the main school building which is at the front of the school site. Taking into account the Wickhurst Road boundary treatment and the presence of the existing mobile classroom, I do not consider that there would be a significant visual impact from either the village green to the south or the land designated as being within the AONB to the north or the visual amenities of the Green Belt land also to the north. The design of the mobile classroom would generally be considered contradictory to certain Local Plan policies, arguably not responding to the distinctive local character of the area, as referred to in Policy SP1 of the Sevenoaks Core Strategy. However, it is important to acknowledge the temporary nature of the mobile classroom, with a view for the School to review the situation in the future and therefore less emphasis can be placed on the design of the building in this instance.



Photograph of existing mobile classroom from the village green looking north

Six bay modular building at Weald Community Primary School, Long Barn Road, Sevenoaks



Photograph of existing mobile classroom from playing fields looking south

Health and safety issues

14. All of the representations received in respect of this application have identified what is perceived as a risk to health and safety through the placement of the proposed mobile classroom. The objectors state that outdoor space is limited with the current mobile classroom in situ, resulting in segregated break-times to avoid accidents, and the prospect of a larger mobile classroom would further reduce the outdoor space, leading to the potential for more accidents. I understand from officers of the Education Authority, that whilst there are statutory minimum requirements in place for soft team games areas (playing fields), there are no such requirements for hard play areas. The Department of Education (DfE)- Building Bulletin 99 'Briefing Framework for Primary Projects' has produced a formula for calculating suggested minimum hard play areas for primary pupils:

- Hard games court area = $2\text{m}^2 \times \text{number of pupils plus } 600\text{m}^2$
- Hard informal and social area = $1.5\text{m}^2 \times \text{number of pupils plus } 400\text{m}^2$

15. Using the DfE's formula, the current amount of hard informal and social area (playground) is 611.7m² and with the proposed mobile unit installed this figure would reduce to 513.975m². This is below the suggested minimum of 628m² on the presumption that the school roll will be 152 in September 2011. However, it is important to remember that the figures offered by the DfE are only guidelines and there is no statutory minimum requirement. Whilst the safety of children is obviously a concern, this is not considered to be material to the determination of the planning application and is a matter for the School and the Education Authority to come to terms with and manage as appropriate. In particular, where a school has to operate within a limited site area, it is

Six bay modular building at Weald Community Primary School, Long Barn Road, Sevenoaks

essentially a matter for the Education Authority as to how best to use the operational space that is available, eg. whether indoor teaching accommodation is more important than outdoor playspace.

Alternative solutions

16. Suggestions have been made that the mobile classroom could be located on the school site to the north of Wickhurst Road. As earlier stated the site is designated as Green Belt land and also forms part of the Kent Downs AONB where there would be a strong presumption against any development except in exceptional circumstances. Furthermore, it would compromise its current use by the School for recreation and sport, as well as being more visually intrusive in the wider landscape setting. The main school site is very much constrained by a lack of space, and I accept that the proposed area for the mobile classroom is the only viable option. A two storey option has also been suggested for the mobile classroom but in my view this would result in an unacceptable visual impact.

Traffic and parking

17. Increased vehicular traffic and parking pressures as a result of the extra pupils has been identified by objectors. The school is situated in the centre of the village, a few hundred metres from a crossroads. Parking within the school is limited, so parents dropping off and picking up students park outside the school on Long Barn Road and the surrounding streets, which are unrestricted. Whilst the majority of students live within walking distance of the school and are encouraged to walk to school, inevitably some parents choose to drive and thus there is a build-up of cars during peak times of the school day. The applicant has stated that the majority of the pupils joining the school in September are siblings of existing pupils and therefore additional vehicles movements should be kept to a minimum. Whilst there is the potential for a slight increase in traffic, the Divisional Transportation Manager has not raised a highway objection to the proposal but has requested that a School Travel Plan is submitted if planning consent is given, and is revised accordingly if pupil numbers continue to rise in subsequent years.

Conclusion

18. The applicant's reason for the installation of the mobile classroom will be noted. Whilst the proposal does not fully accord with Development Plan Policies relating to design, given the temporary nature of the building, and the context of the school site, I do not consider that the proposal would have a significant detrimental impact on the setting of the site or on the surrounding Kent Downs AONB. I also consider that it is otherwise in accordance with the general aims and objectives of Development Plan Policies, which include general support for the provision of community facilities such as those for education purposes. I therefore recommend that planning permission be granted for a temporary period of 5 years from the date of the permission and conditions relating to the colour of the mobile classroom and a planting scheme along the Wickhurst Road boundary.

Item D1

Six bay modular building at Weald Community Primary School, Long Barn Road, Sevenoaks

Recommendation

19. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT to a condition requiring the mobile classroom to be removed from the site no later than 5 years from the date of this permission, conditions covering the painting of the mobile classroom in dark green, boundary planting and the submission of a school travel plan.
20. I FURTHER RECOMMEND that the applicant be advised by way of INFORMATIVE that the permission granted for the above mentioned mobile classroom is for a temporary period and that the applicant urgently seek to address the issue of finding a permanent solution.

Case officer – Jo Ritter	01622 696100
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Background documents - See section heading
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Item D2**First floor extension to provide two additional classrooms at Northfleet School for Girls – GR/11/330**

A report by Head of Planning Applications Group to Planning Applications Committee on 14 June 2011.

Application by the Governing Body of Northfleet School for Girls for first floor extension above existing Food Technology rooms to provide two additional classrooms at Northfleet School For Girls, Hall Road, Northfleet, Gravesend – GR/11/330

Recommendation: Planning permission be granted subject to conditions.

Local Member: Mr L. Christie & Mr H. Craske

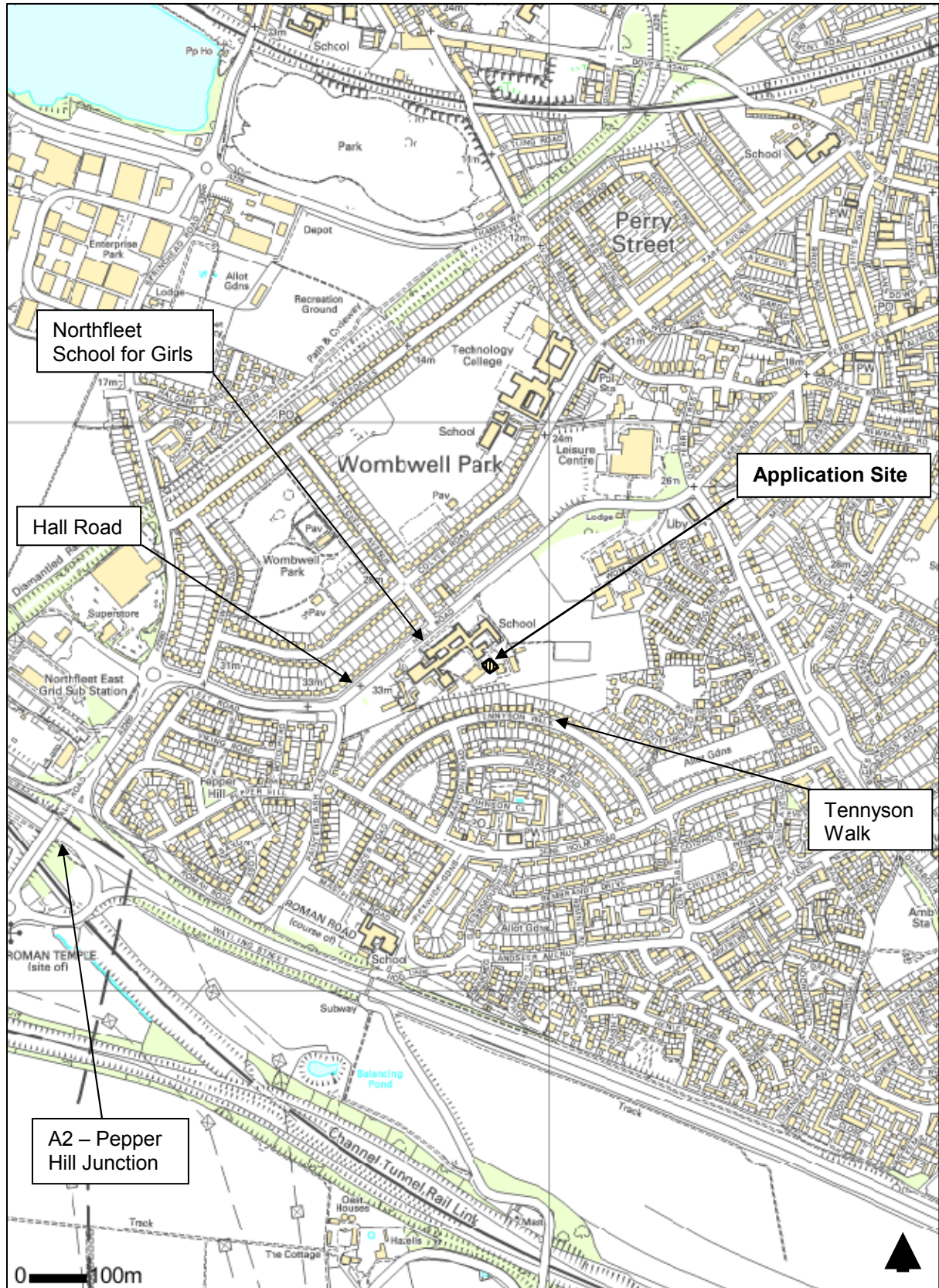
Classification: Unrestricted

Site

1. The application site falls within the grounds of Northfleet School for Girls. The school is located approximately 2 km south-west of Gravesend town centre, and 0.5 km to the north-east of the Pepper Hill junction on the A2 – see attached location plan. The school grounds extend to approximately 7.9 hectares, consisting of playing fields, a variety of modern single and two storey school buildings, associated car parks, courtyards and hard play areas. The pedestrian and vehicular accesses are located along the southern side of Hall Road. Residential properties adjoin the school grounds on all sides, the closest of which to the application site are approximately 30m to the south on Tennyson Walk.
2. The proposed site forms a flat roofed area above a single storey food technology building that abuts an adjoining two storey building at first floor level. The proposed location is to the rear of the school grounds and is not visible within the Hall Road street scene. The flat roof lies between two-storey buildings to the east and west; to the north are the bulk of the main school buildings, including internal court yard areas, with an area of hard standing, a mature landscaped boundary and properties in Tennyson Walk positioned to the south.
3. The application site falls within a designated built-up area, as defined in the Gravesham Borough Local Plan (1994) Proposals Map. The site is also identified within the Local Plan Second Review (deposit version) as part of an existing Green Grid (Policy LT2). The Local Plan Second Review did not proceed to adoption and the green grid is not referred to within the saved policies within the First Review (1994). There are no other site-specific Development Plan Policies identified in connection with the application site, although general policies are set out in paragraph (9).

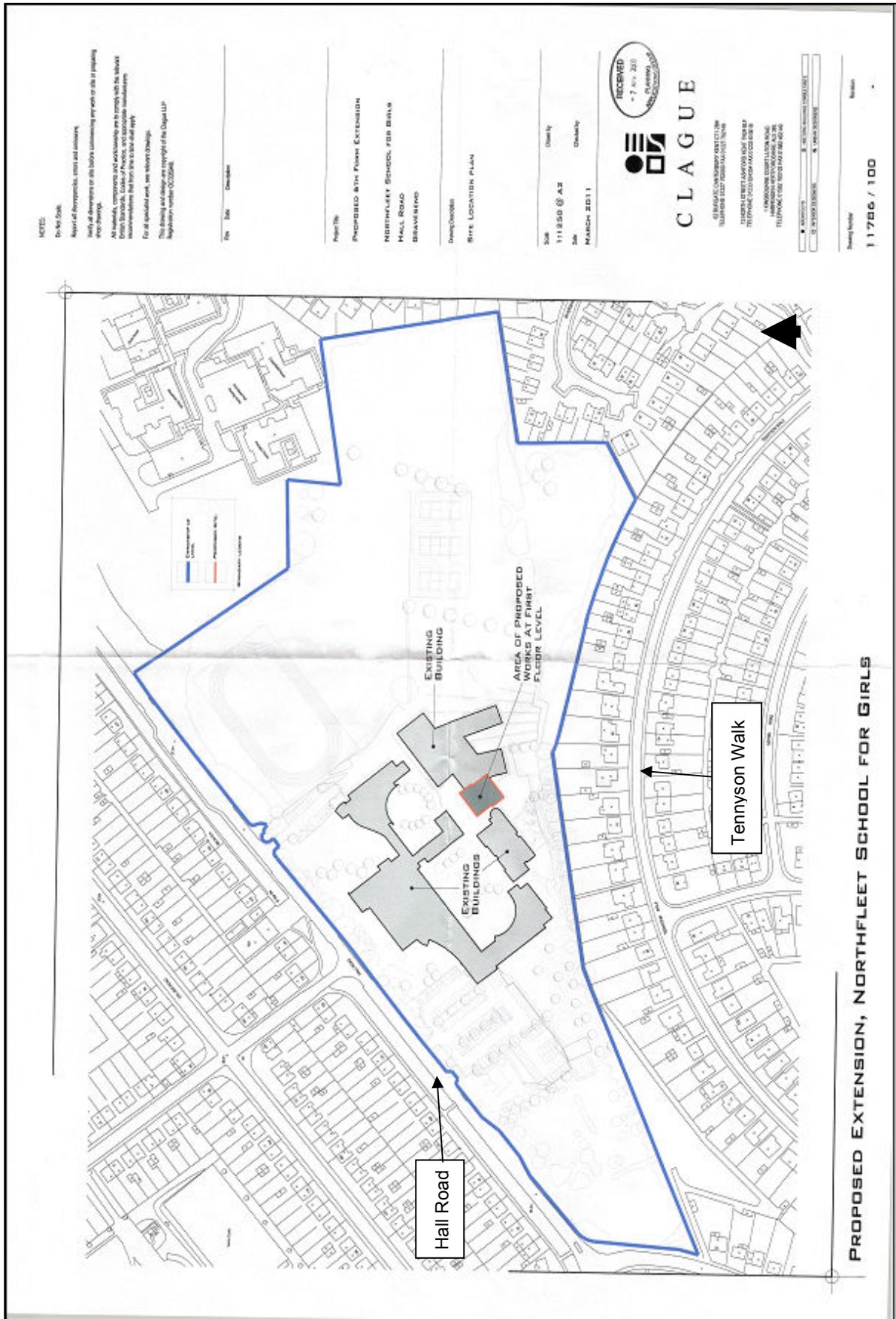
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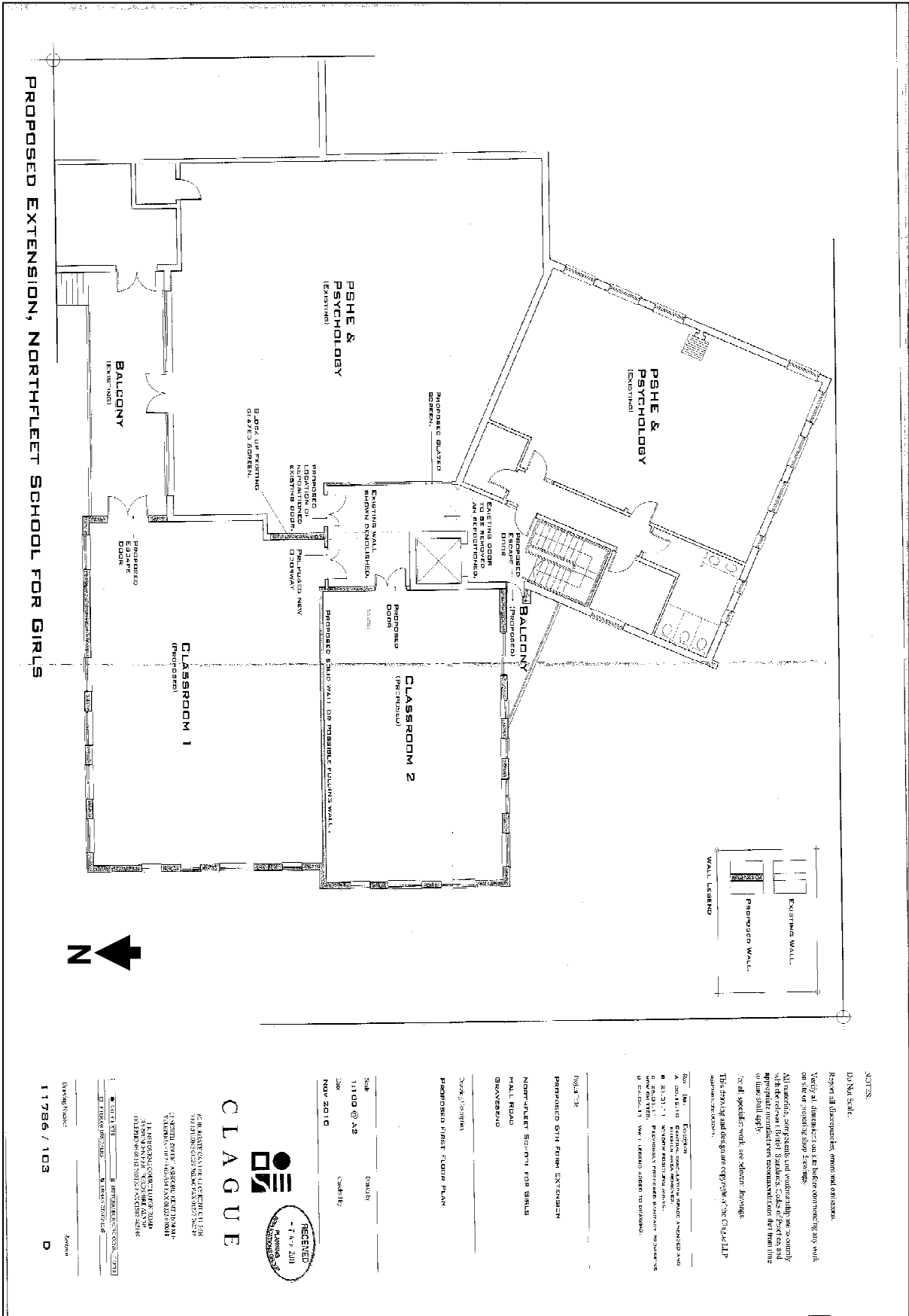


Site Location Plan

First floor extension to provide two additional classrooms at Northfleet School – GR/11/330

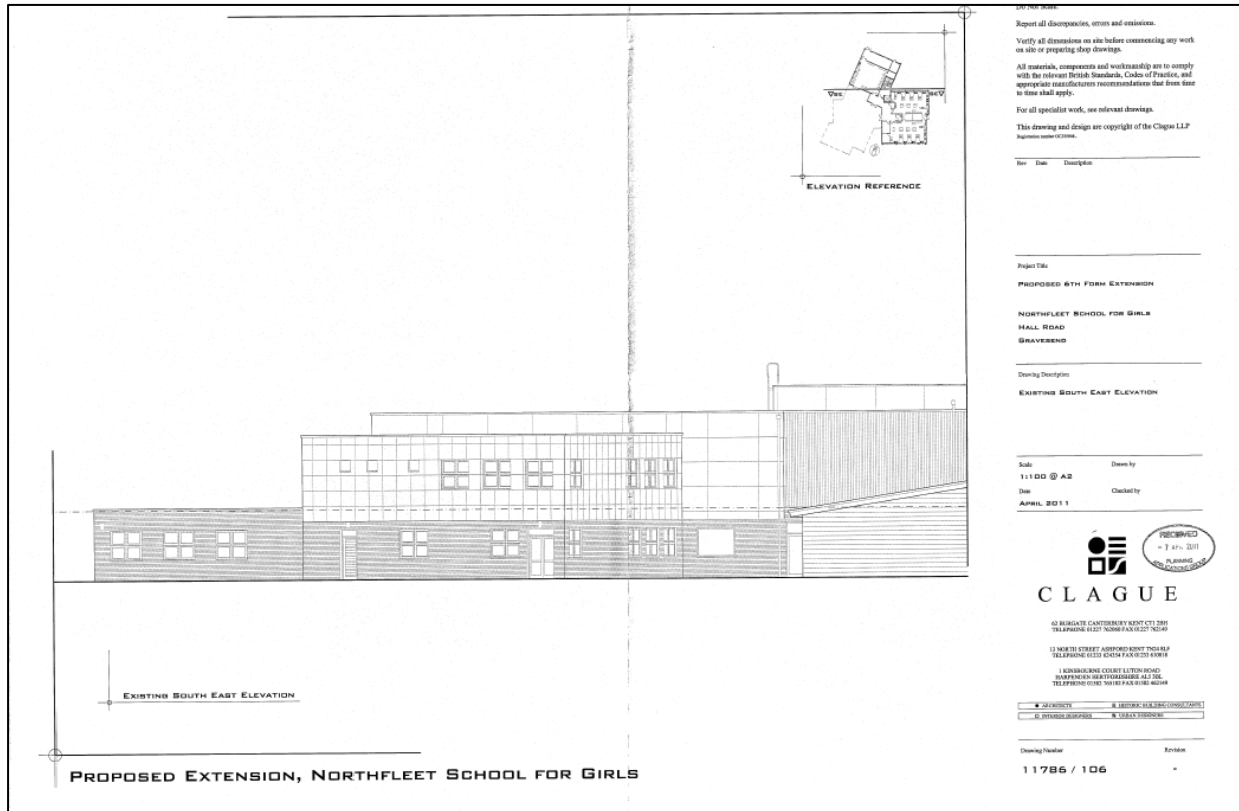


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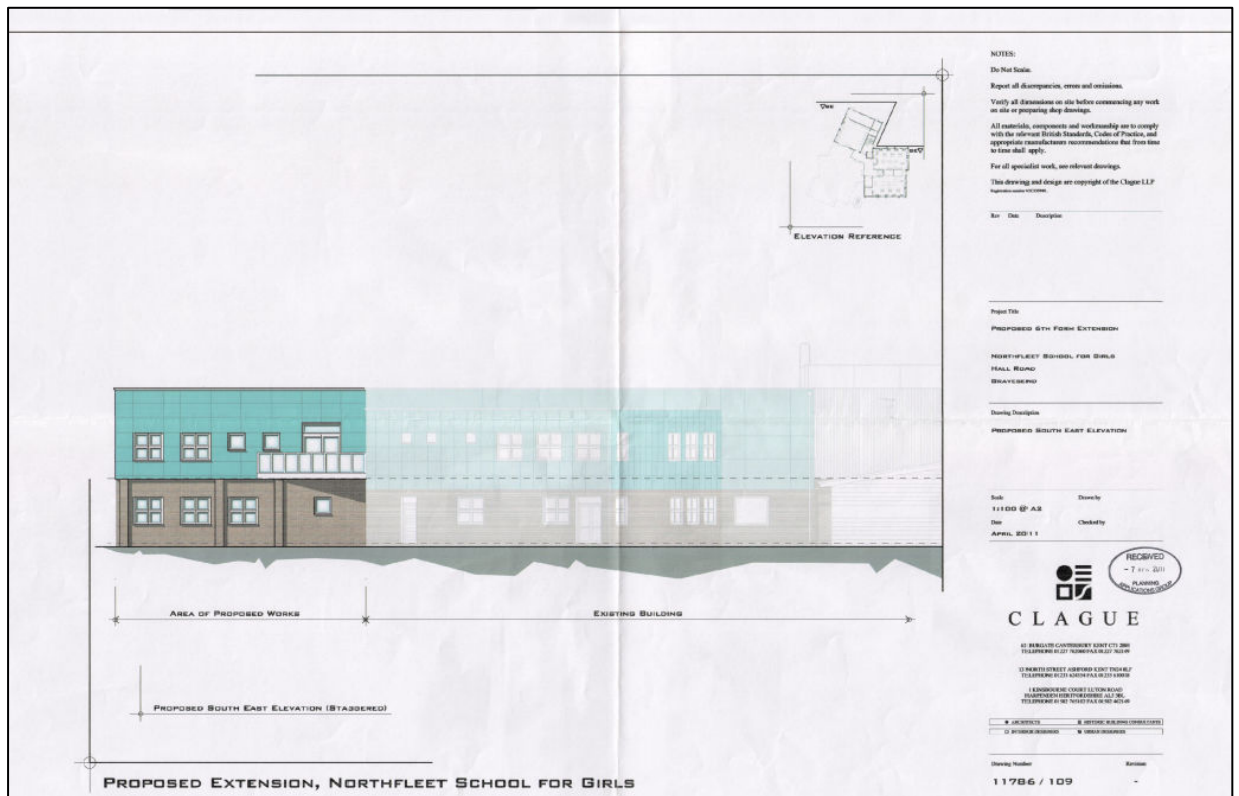


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Existing South East Elevation



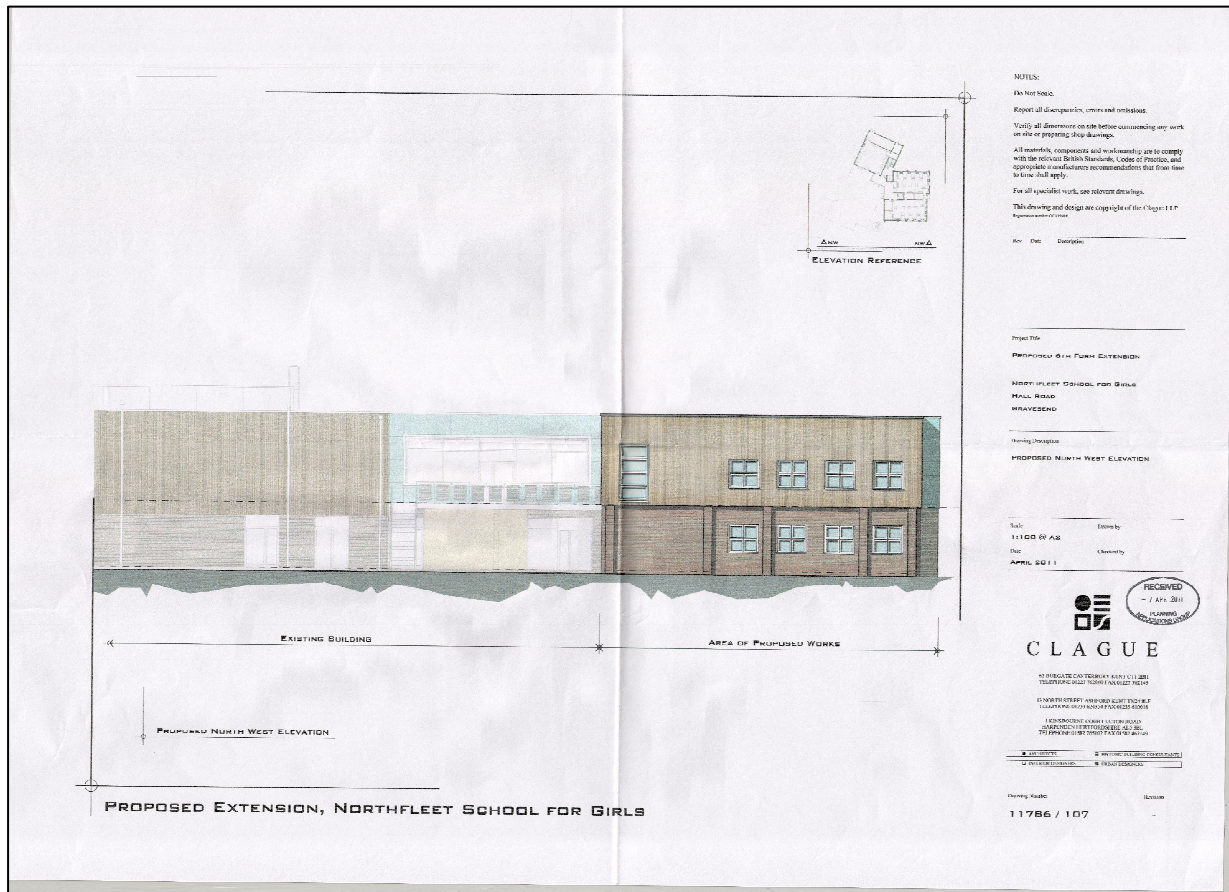
Proposed South East Elevation

Item D2

First floor extension to provide two additional classrooms at Northfleet School – GR/11/330



Proposed South West Elevation



Proposed North West Elevation

First floor extension to provide two additional classrooms at Northfleet School – GR/11/330

Background

4. Northfleet School for Girls is currently undergoing significant redevelopment as part of the County Council's Building Schools for the Future (BSF) programme, under planning permission GR/08/229. This programme included the retention, refurbishment and extension of part of the building stock, as well as major demolition and new build. The above site location plan details the approved final site layout on completion of the BSF programme. This programme is currently in its final phases with the major construction largely complete, demolition phases and general landscape works ongoing.
5. Other recent planning history for the site includes retention of a mobile classroom unit (planning reference GR/11/54), and construction of a general teaching block, technology block, extended access road and new car park (GR/04/678).

Proposal

6. The application has been submitted on behalf of the Governors of Northfleet School proposing the construction of a first floor extension to an existing school building to provide two additional classrooms. The two new classrooms would be accommodated over an existing flat roof building, providing approximately 285m² of floor space. The proposal is designed in a similar fashion to the existing school buildings, continuing the vernacular through use of vertically mounted timber weatherboarding and cyan colour cladding panels to match the surrounding development.
7. The application indicates that it has always been the School's intention to provide first floor accommodation in the proposed location. The existing building was originally designed with the extension in mind; the staircase and lift are located accordingly and the foundations and roof structure constructed to easily allow for a first floor extension. The School had wished to include this development within the BSF programme, however there was insufficient budget as part of that project to complete the extension.
8. The applicant confirms that the classroom space is needed by the School to support the educational needs of its 6th form (post-16) pupils. The applicant notes that the design of the new school buildings delivered through the BSF programme reflects the need for more practical spaces for vocational subjects. However, this has resulted in large open plan teaching areas that are not conducive to the study of more academic subjects by 6th form pupils. The application also indicates that in the current climate the School is finding that more pupils are remaining on into the 6th form, which has expanded the school roll from the 1062 pupils intended under the BSF programme to over 1200 pupils as of September 2010. The two classrooms would help to improve the space available to support the educational needs of the current number of 6th form pupils, who have restricted study and social space within the BSF buildings.

Planning Policy

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

(i) The adopted 2009 South East Plan:

Policy SP3 Seeks to focus development within urban areas to foster access to services and avoid unnecessary travel.

First floor extension to provide two additional classrooms at Northfleet School – GR/11/330

- Policy CC1** Seeks to achieve and maintain sustainable development in the region.
- Policy CC4** Seeks new development to adopt sustainable construction standards and techniques.
- Policy CC6** Seeks sustainable and distinctive communities that respect the character of settlements and landscapes, and achieve a high quality built environment.
- Policy KTG1** Amongst other matters, seeks to set high standards of design and sustainability, and to raise standards of education.
- Policy S3** Seeks to ensure the adequate provision of pre-school, school, and community learning facilities.

Members will already be aware of the relevant South East Plan policy considerations in relation to the proposed development, in that The Plan was revoked and later reinstated pending the enactment of the Localism Bill. Members will also be aware that they have to have regard to the policies in the SEP and the Government's intention to abolish the Regional Spatial Strategies (RSS) as material considerations. However the weight to be accorded is a matter for the decision makers.

(ii) The adopted Gravesham Local Plan First Review (1994) (saved policies):

- Policy TC0** Seeks to conserve and enhance the built environment; particular importance will be attached to the design of new development and environmental improvements.
- Policy TC1** Presumes against new development which would cause harm to interests of acknowledged importance. Seeks new development that respects: the scale and massing of its surroundings; the principles of the Kent Design Guide; the character and appearance of the existing built development; the privacy and amenity of adjoining residents; and uses good quality materials that are sympathetic to the area concerned.

(iii) The deposit version Gravesham Borough Local Plan Second Review (2000):

The policies contained in the deposit Local Plan 2nd Review are a material consideration for the purposes of Development Control but it is acknowledged that they have limited weight except where they are consistent with current government guidance and the saved policies in the Local Plan 1st Review.

- Policy BE1** Seeks to conserve and enhance the built environment; particular importance will be attached to the design of new development and environmental improvements.
- Policy BE12** Seeks all new development to be of a high standard of design that: respects the character and appearance of the surrounding environment, including in terms of the scale, massing and height; and incorporates good quality materials and sustainable design principles.

First floor extension to provide two additional classrooms at Northfleet School – GR/11/330

Policy LT2 Seeks to preserve and protect the existing Green Grid network.

Policy SC3 Seeks to support schools as important community resources.

Consultations

10. **Gravesham Borough Council** – no comments have been received at the time of writing this report; any received prior to the Committee Meeting will be reported verbally.

Local Members

11. The local County Members for Gravesend West, Mr Christie and Mr Craske, were notified of the application on 12 April 2011.

Publicity

12. The application was publicised by the posting of a site notice, and the notification of 9 individual neighbouring properties.

Representations

13. In response to the publicity, 1 letter of representation has been received from a neighbouring property on Tennyson Walk. The key points raised can be summarised as follows:

- Objects to the noise that would be generated during the construction period;
- Notes that many of the neighbouring residents are retired and are therefore at home during the day; as such they are more heavily affected by the nuisance and noise generated within the site;
- Notes that the school grounds adjacent to Tennyson Walk have been subject to intermittent building works for 9 years, with the current BSF programme due to finish in the near future. Raises concern that the BSF project has overrun the construction period originally indicated;
- Considers it would be unfair and unjust to permit a further building programme.

Discussion

14. The application seeks planning permission for the construction of a first floor extension to an existing school building to provide two classrooms. The proposal is being reported to the Planning Applications Committee as a result of one letter of objection received from a nearby resident; this letter raises concerns about noise and disruption that would be generated during construction (please see paragraph (13)).

15. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph (9) 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 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.

First floor extension to provide two additional classrooms at Northfleet School – GR/11/330

16. In my opinion, the key material planning considerations in this case can be summarised by the following:

- the development plan policy context
- siting and design; and
- other material considerations.

Policy context, siting and design

17. The application site is located within the built confines of Northfleet as defined in the Gravesham Borough Local Plan Proposals Map. The site is identified within the Local Plan Second Review as part of a green-grid within the built up area. However, the application proposes a first floor extension to an existing building and as such would not impact on open space within the school grounds. The key Development Plan policies seek to ensure any new development conserves and enhances the existing built environment through a high standard of design, encouraging sustainable development that respects the character and appearance of the existing built development, including the privacy and amenity of neighbouring property.

18. The design solution proposed draws on the surrounding school buildings seeking to match and enhance the character of the built development to the east and west, including through the use of the external materials detailed. The proposal would not extend the footprint of the existing building, which is approximately 30 metres from the school's boundary with residential property in Tennyson Walk. The distance to the boundary and the existing mature planting on this boundary would serve to ensure that there would be no material impact on the privacy within the rear gardens of property in Tennyson Walk as a result of this proposal. It is noted that a number of the existing two storey buildings along this boundary extend closer to adjacent properties than the proposed scheme. I am satisfied that the development as proposed would accord with the Development Plan in terms of its siting and design.

Other material considerations

19. One letter of objection has been received from a nearby resident, objecting to the potential for disruption and noise that would be caused during any construction period. Gravesham Local Plan (1994) Policy TC1 presumes against new development that would harm the amenity of adjoining residents.

20. Members will note that there have been a number of recent construction projects permitted at this school, including the ongoing redevelopment under the BSF programme. The BSF programme has continued on site for well over a year involving the major redevelopment of almost all buildings on site. The construction project has inevitably resulted in a level of noise and disruption; however I am aware that the lead contractor has attempted to minimise this impact as far as practicable.

21. As previously indicated, the application site falls within a line of buildings that run almost parallel to southern boundary of the school with residential properties on Tennyson Walk. The site is approximately 30 metres from the boundary, with mature planting running along the perimeter of the grounds. This landscaped area, which has been enhanced over the years, provides a mitigating screen between the school grounds and residential property.

First floor extension to provide two additional classrooms at Northfleet School – GR/11/330

22. The applicant has indicated that if planning permission were to be granted the proposed construction would be programmed to overlap the current BSF construction activity. The BSF project is expected to be completed in August, six weeks after the proposed scheme would start on site if planning permission were to be granted. The proposed extension would then be programmed to be completed by mid December 2011.
23. The applicant has confirmed that the type of construction work proposed is different to that which has preceded it under the BSF project. Firstly, there is no demolition and little excavation work required, which is often the most disruptive from a noise point of view. Furthermore, the vast majority of external building activity is expected to be complete by mid October, after which all the work would be confined within the building, thus minimising the noise significantly. The applicant has also advised that after September 2011 the construction work would be taking place directly above teaching spaces that will be occupied by the school. Consequently, the level of noise would need to be kept to a minimum for both students and residents.
24. The construction method would incorporate the use of a timber frame for the external envelope, removing the need for cement mixers and other noisy plant after the columns at ground floor have been encased in brickwork. This should also serve to minimise any dust resulting from construction on site. In addition, the applicant advises that power would be taken from the existing school supply removing the need for compressors or generators on site. Also, because the construction would not incorporate use of any large format construction materials, other than steel columns, there would be minimal movements involving larger vehicles after the initial stages of construction.
25. The contractor's compound would have to be located on the hard standing south of the application site between the school buildings and Tennyson Walk because access to any other position is not practicable. However, the applicant indicates that the contractor would be signed up to the Considerate Contractor's Scheme and would be bound by Gravesham Borough's own Code of Practice for Construction; both of these seek to minimise unnecessary disturbance to nearby residents, ensure best practice and encourage contractors to be considerate neighbours.
26. Whilst the proposal would inevitably result in some disruption to the surrounding residential properties, the project would not be on the scale of the previous BSF programme. Given the considerations set out above, I am satisfied that the temporary construction period would not have an unacceptable impact on residential amenities through noise and disruption. If planning permission were to be granted, works on site would be controlled under the Borough Council's Environmental Health Department's Code of Practice for Construction, and the Considerate Contractors Scheme. I further recommend that any planning permission be subject to the imposition of a condition controlling the hours of construction to 0800 to 1800 hours Monday to Friday (excluding bank holidays) and 0900 to 1300 hours on a Saturday only.

Conclusion

27. In conclusion, I am satisfied that the proposed development would be acceptable in terms of its siting, design and appearance, and that, subject to appropriate conditions, any impacts upon residential and local amenities could be adequately mitigated and managed during any construction period. Taking into account the provisions of the Development Plan and material considerations raised, I recommend that planning

First floor extension to provide two additional classrooms at Northfleet School – GR/11/330

permission be granted subject to the conditions set out within the recommendation below.

Recommendation

28. I RECOMMEND THAT PERMISSION BE GRANTED, SUBJECT TO the imposition of conditions, including:

- the standard time limit;
- the development to be carried out in accordance with the permitted details;
- the development to be constructed using the materials set out in the drawings received; and
- hours of working during construction.

Case officer – James Bickle	01622 221068
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Background documents - See section heading
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Item D3**Three bay modular building at Langton Green Primary School, Lampington Row, Tunbridge Wells- TW/11/855**

A report by Head of Planning Applications Group to Planning Applications Committee on 14 June 2011

Application by Kent County Council, for the placement of one, three bay modular building at Langton Green Primary School, Lampington Row, Tunbridge Wells, TN3 0JG- TW/11/855

Recommendation: Permission be granted subject to conditions.

Local Member: Mr. John Davies

Classification: Unrestricted

Site

1. Langton Green Primary School is situated on the far western edge of the built confines of the village. The village itself is located approximately three miles west of Tunbridge Wells town centre, north of the A264 (Langton Road). The school buildings are all located in the eastern half of the site and are considered to be within the built development of the village, whilst the school playing fields and land beyond to the north, south and west is designated as being within both the Metropolitan Green Belt and the Kent Downs Area of Outstanding Natural Beauty (AONB) - see map extract from Tunbridge Wells Local Plan on page 2. The site for the proposed mobile classroom is immediately outside the Green Belt boundary and the AONB. Residential development adjoins the eastern boundary. A site plan is attached.

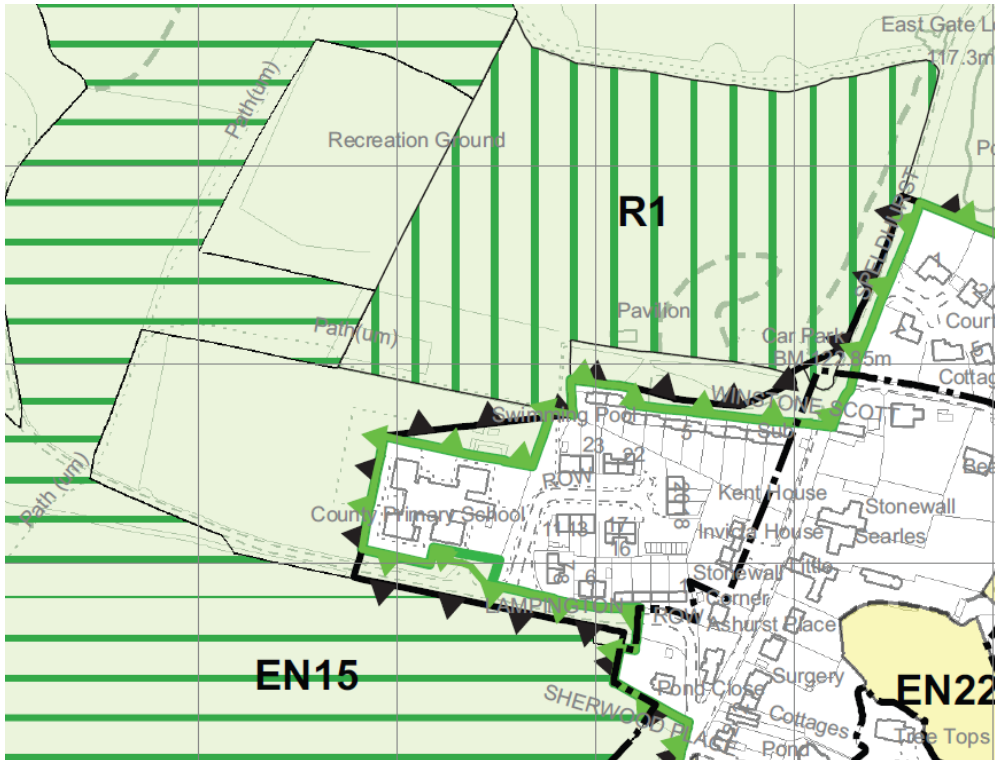
Background and Proposal

2. The proposal is for the placement of a three bay mobile classroom to be sited south-west of the main school building. Originally the application was for a six bay mobile unit, but this was amended to a three bay during the consultation phase by the applicant. The applicant has stated that the school roll will increase by 10 pupils in September 2011 and the modular building would provide much needed additional teaching space. The mobile classroom would measure 10 metres in length, 8.5 metres in width and have a height of 3.4 metres. The application documents originally specified that the mobile classroom would be of standard design, with a dark green textured finish, aluminium double glazed windows and a black shallow felt pitched roof. However, after consultation with Tunbridge Wells Borough Council, the applicant has amended the exterior of the mobile classroom to be cedar clad. There is currently a shelter installed on the playground and this would be relocated (location yet to be confirmed) to accommodate the proposed mobile classroom.
3. The school has undergone a number of developments over the last decade including two single storey extensions to the main school building, one in the north under reference TW/07/45 and one in the south under reference TW/09/1572, the development of a reception class play area under reference TW/02/2744 and the erection of a canopy adjacent to the reception classroom under reference TW/09/2192.

Three bay modular building at Langton Green Primary School, Lampington Row, Tunbridge Wells



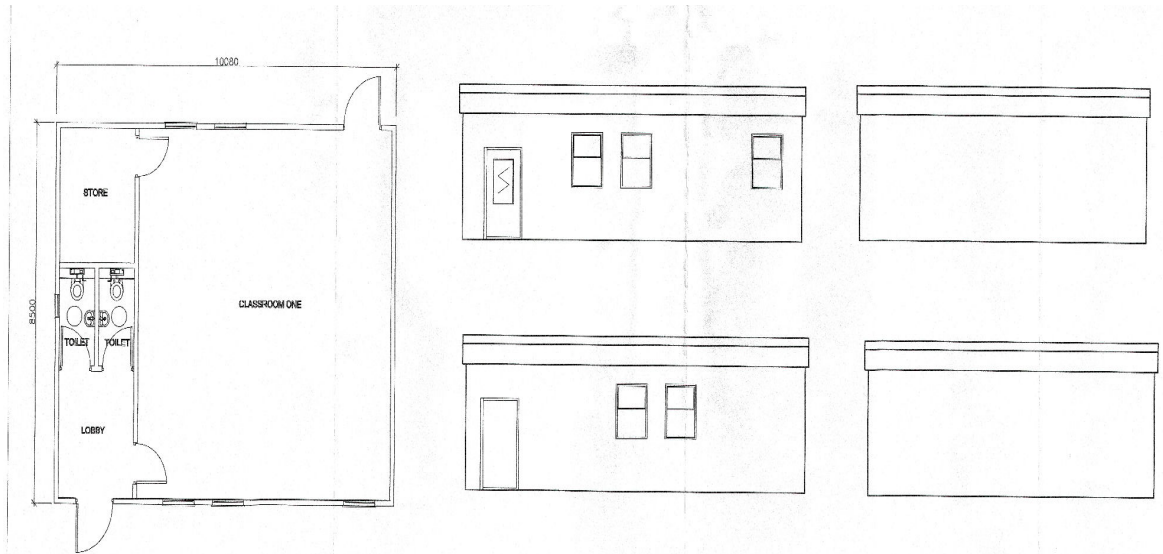
Site Plan



Extract from Tunbridge Wells Local Plan Inset 7- Langton Green
 Metropolitan Green Belt (MGB1) - Denoted by green layer
 Area of Outstanding Natural Beauty (EN26) - Denoted by black triangles
 Kent Special Landscape Area (EN27) - Denoted by green triangles

Item D3

Three bay modular building at Langton Green Primary School, Lampington Row, Tunbridge Wells



Elevations (standard design)

Planning Policy

4. The development plan policies summarised below are relevant to consideration of the application:

(i) **PPG 2 – Green Belt**

There is a general presumption against inappropriate development within the Green Belt, which is by definition harmful and should not be permitted unless it can be justified by very special circumstances. The construction of new buildings within the Green Belt is inappropriate unless it is for the following purposes:

- agriculture or forestry
- essential facilities for outdoor sport and outdoor recreations, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purpose of including land in it.
- limited extension, alteration or replacement of existing dwellings.
- limited infilling in existing villages and limited affordable housing for community needs
- limited infilling or redevelopment of major existing developed sites identified in adopted local plans.

(ii) The adopted (2009) **South East Plan**

Regional policy is contained within the South East Plan 2009. Members will already be aware of the relevant South East Plan policy considerations in relation to the proposed development, in that The Plan was revoked and later reinstated pending the enactment of the Localism Bill. Members will also be aware that they have to have regard to the policies in the SEP and the Government's intention to abolish the Regional Spatial Strategies (RSS) as material considerations. However the weight to be accorded is a matter for the decision makers. The relevant policies to this application are:

**Three bay modular building at Langton Green Primary School,
Lampington Row, Tunbridge Wells**

Policy SP5: Any strategy aiming to focus new development into sub-regions and existing settlements needs to be reinforced by a strong policy to maintain separation of settlements.

Policy CC1: Seeks to achieve and maintain sustainable development in the region.

Policy CC4: Expects that all new development will adopt and incorporate sustainable construction standards and techniques.

Policy C3: High priority will be given to conservation and enhancement of natural beauty in the region's Areas of Outstanding Natural Beauty (AONBs) and planning decisions should have regard to their setting. Proposals for development should be considered in that context.

Policy S3: States that Local Planning Authorities should work to ensure adequate provision of school facilities.

(iii) The adopted **Tunbridge Wells Borough Core Strategy 2010:**

Policy CP2: There will be a general presumption against inappropriate development that would not preserve the openness of the Green Belt. Any new development should accord with the national planning provisions of PPG2.

Policy CP4: Seeks to conserve the locally distinctive character of the Borough's urban and rural landscapes, including the High Weald Area of Outstanding Natural Beauty.

Policy CP5: Requires all new development to employ sustainable design and construction standards and techniques. Developments should also be of high-quality design which will create safe, accessible, legible and adaptable environments, and conserve and enhance the public realm.

Policy CP9: Development must conserve and enhance the landscape and heritage and biodiversity assets, including the surrounding AONB, to secure its special character in the long term.

(iv) **Tunbridge Wells Borough Local Plan 2006** saved policies:

Policy LBD1: Most development should be concentrated within the built up area whilst limiting development in the surrounding countryside.

Policy EN1: Expects development to be of a high quality design which contributes to the character of the surrounding environment.

Policy MGB1: The openness of the Metropolitan Green Belt will be preserved and no development which would conflict with the purposes will be permitted.

**Three bay modular building at Langton Green Primary School,
Lampington Row, Tunbridge Wells**

Consultations

5. **Tunbridge Wells Borough Council** raises objection to the application on the grounds of the proposed building's siting, design and materials and the impact on the openness of the Green Belt and the character of the adjoining Area of Outstanding Natural Beauty.

Speldhurst Parish Council supports the application.

Local Member(s)

6. The local County Member, Mr John Davies was notified of the application on 24 March 2011, re-notified of the revisions to the proposal on 26 May 2011 and supports the application.

Publicity

7. The application was publicised by the posting of a site notice and the individual notification of 27 nearby residential properties. The application documents were also made available for public viewing on Kent County Council's website. The application was also advertised in the local press because the site location is on the boundary of the Metropolitan Green Belt.

Representations

8. No representations have been received in respect of this application.

Discussion

Introduction

9. This proposal has arisen out of the School's need to provide additional teaching accommodation for the next academic year. The school roll will increase by 10 pupils, bringing the total number of pupils to 226 in September 2011. As stated earlier, the application was originally for a 6 bay mobile classroom but this was reduced to a 3 bay unit during the consultation phase of the application because it was considered that the increase in the school roll did not justify the larger building. The decision to change the exterior of the mobile classroom to cedar cladding was influenced by the objection raised by the Borough Council. As summarised in paragraph 5 above, Tunbridge Wells Borough Council has raised objection to the application on the grounds of the proposed building's siting, design and materials and the impact on the openness of the Green Belt and the character of the adjoining Area of Outstanding Natural Beauty.

**Three bay modular building at Langton Green Primary School,
Lampington Row, Tunbridge Wells**

Siting

10. The application area is on the boundary of both the Green Belt and the AONB, but not actually within the designated areas. Whilst this has been acknowledged by Tunbridge Wells Borough Council, they are of the opinion that the mobile classroom would have a detrimental visual impact on both the AONB and Green Belt. The north, south and western boundaries of the school are demarcated by lines of mature trees, as illustrated by the photograph below. It is accepted that the trees are deciduous and therefore during the winter months, the trees would not be in leaf, leading to the potential for the school site to be visible from certain vantage points.
11. However, I consider that the proposed location for the mobile classroom is within the general footprint of the school buildings, partially on hard-standing and with a sizeable playground immediately to the west. There are also two reasonably sized sheds immediately to the north of the proposed which effectively extends the line of the built development further west within the site. Although the proposed building would not be inside the Green Belt or AONB, I accept that there are implications for such policies if the development is visible from those areas. However, taking into account the boundary treatment and the footprint of the school's built development, I do not consider that the development would be unduly visible or would significantly compromise the openness of the Green Belt, nor have a significant detrimental impact on the visual amenity of the wider AONB. Therefore I do not consider an objection on the grounds of siting would be justified in these respects.



Aerial photograph of the School site

Item D3

Three bay modular building at Langton Green Primary School, Lampington Row, Tunbridge Wells



Photograph of the site showing the two sheds to the west and the shelter to be relocated

Design

12. Tunbridge Wells Borough Council also raised an objection to the 'utilitarian' design of the mobile classroom in the original planning documents. The design of standard mobile classroom units would generally be considered contradictory to certain local plan policies, arguably not contributing to the character of the surrounding environment, as referred to in Policy EN1 of the Tonbridge Wells Borough Local Plan. However, the applicant has taken measures to mitigate the visual impacts of the building. Mindful of the sensitive location of the school site, the applicant has since amended the exterior of the building to cedar cladding to reflect the natural and built surroundings. Furthermore, in my opinion the mobile classroom would be in-keeping with the general scale and massing of the other school buildings which are entirely single-storey and flat roofed. It is also important to note that any permission granted would be on a temporary 5 year basis, with the expectation that the applicant would review the accommodation situation in the future. For the reasons outlined above, I do not consider that an objection on design grounds would be warranted.

Item D3

Three bay modular building at Langton Green Primary School, Lampington Row, Tunbridge Wells



Example of a cedar clad mobile classroom, similar to what is proposed

Conclusion

13. The applicant's reason for the installation of the mobile classroom will be noted. Whilst the proposal does not fully accord with Development Plan Policies relating to design, given the temporary nature of the building, and the context of the school site, I do not consider that the proposal would have a significant detrimental impact on the openness or visual amenity of the Green Belt or on the surrounding Kent Downs AONB. Moreover, the applicant has made a conscious effort to address the visual impact of the development by improving the external appearance of the building. I also consider that it is otherwise in accordance with the general aims and objectives of other Development Plan Policies, which include general support for the provision of community facilities such as those for education purposes. I therefore recommend that planning permission be granted for a temporary period of 5 years from the date of the permission and conditions relating to the cedar cladding of the mobile classroom.

Recommendation

15. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT to a condition requiring the mobile classroom to be removed from the site no later than 5 years from the date of this permission and conditions covering the colour of cedar cladding, specifications of the windows and the fascias on the exterior of the building.

Case officer – Jo Ritter	01622 696100
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Background documents - See section heading
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Item D4**Retention of a mobile classroom unit at The Downs CE
Primary School, Deal - DO/10/1183**

A report by Head of Planning Applications Group to Planning Applications Committee on 14 June 2011

Application by Kent County Council for retention of a mobile classroom unit at The Downs CEP School, Owen Square, Walmer, Deal CT14 7TL - DO/10/1183

Recommendation: Permission be granted subject to conditions

Local Member(s): Mr K.Smith & Mrs J.Rook

Classification: Unrestricted

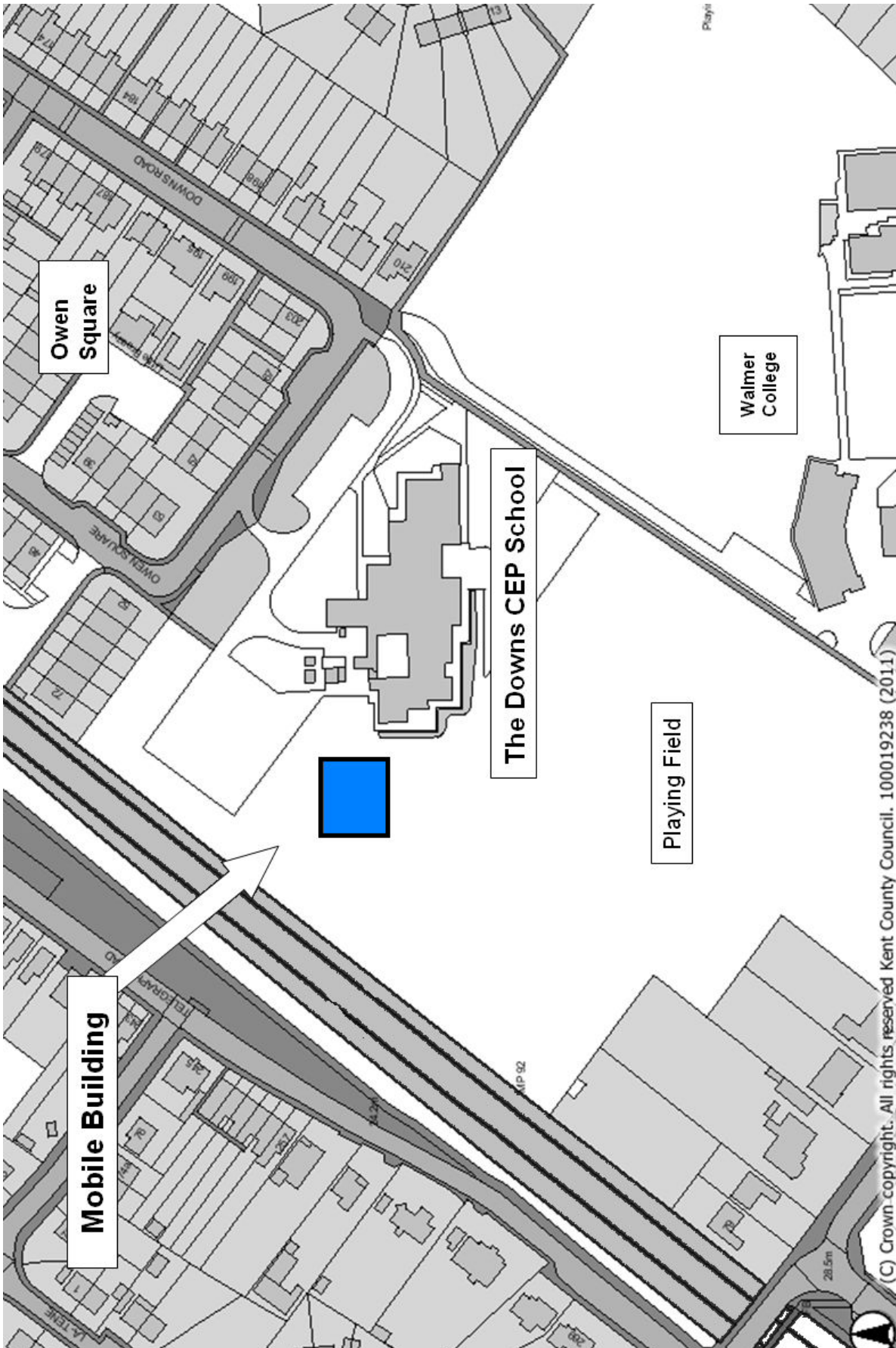
Site

1. The Downs Church of England Primary School is situated on a large site west of Walmer, approximately 1.5km south of Deal in a predominantly residential area. A railway line forms the north-western boundary and the sports grounds of Walmer Science College to the south and eastern boundary. The School's main access is from Owen Square, which runs along the north eastern boundary, with an alternative vehicular access from Downs Road. The mobile building is sited immediately to the west of the main school buildings, and is approximately 65 metres from the nearest residential property. It is surrounded by a number of semi mature trees and is partially visible from Owen Square. A site location plan is attached.

Background and Proposal

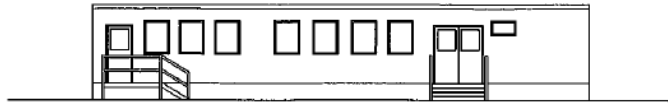
2. There has been a number of planning applications relating to the school in recent years. Most recently, permission was granted in 2010 for a detached single storey building to be used as a nursery and children's centre. In 2009 and 2010 for a covered walkway at the school (reference D0/09/1141 and DO/09/259), in 2008 for a canopy (DO/08/1249) and alterations to the entrance facade (DO/08/1089).
3. The mobile building referred to within this application was originally placed on site in 1990, and has remained on site under various temporary planning permissions, with the most recent application (DO/07/994) expiring on 30 November 2010. The applicant is applying for the mobile building to remain on site.
4. The mobile building is of standard design, and contributes four classrooms of teaching space for a School roll of 394 pupils. The applicant has stated that the school continues to be under consideration for a permanent building as part of the Modernisation Programme, which gives priority to replacing poor quality mobiles with permanent buildings. The mobile was rated as 'satisfactory' in its most recent condition survey and the applicant indicates that its condition will continue to be reviewed as part of the Modernisation Programme. As it has not been possible to secure funding for a replacement building as yet, the School is applying for the continued retention of this building to supply the four classrooms. It should be noted that replacement permanent accommodation would only be forthcoming, under the above Modernisation Programme, if the temporary accommodation remains in situ in the interim period.

Retention of a mobile classroom unit at The Downs CE Primary School, Deal - DO/10/1183

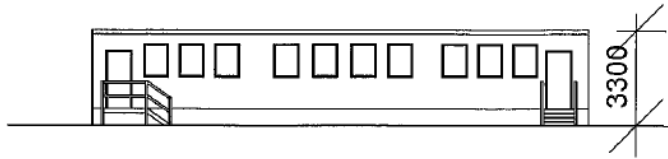


Item D4

**Retention of a mobile classroom unit at The Downs CE Primary School,
Deal - DO/10/1183**



east elevation



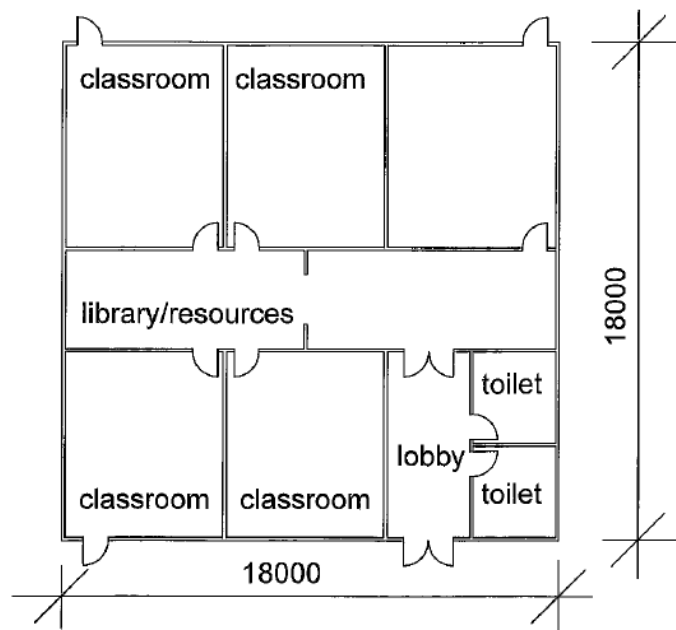
west elevation



north elevation



south elevation



Retention of a mobile classroom unit at The Downs CE Primary School, Deal - DO/10/1183

5. Following receipt of objections to the proposal, the applicant submitted further information to justify the application. The applicant states that the Modernisation fund was due to provide support for capital projects at schools that do not feature until the later stages of the Building Schools for the Future Programme. However, following the withdrawal of that scheme it was not possible to put forward a permanent alternative for this school, and this is unlikely to be possible within the next three years, therefore the mobile unit is still required during this period.

Planning Policy

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

- (i) National **Planning Policy Statement 1: Delivering Sustainable Development**

The Government is committed to developing strong, vibrant and sustainable communities and to promoting community cohesion in both urban and rural areas. This means meeting the diverse needs of all people in existing and future communities, promoting personal well-being, social cohesion and inclusion and creating equal opportunity for all citizens.

- (ii) The adopted (2009) **South East Plan**

Members will already be aware of the relevant South East Plan policy considerations in relation to the proposed development, in that The Plan was revoked and later reinstated pending the enactment of the Localism Bill. Members will also be aware that they have to have regard to the policies in the SEP and the Government's intention to abolish the Regional Spatial Strategies (RSS) as material considerations. However the weight to be accorded is a matter for the decision makers.

Policy CC1 Seeks to achieve and maintain sustainable development within the region.

Policy CC4 Expects that all development will adopt and incorporate sustainable construction standards and techniques.

Policy CC6 Seeks sustainable and distinctive communities that respect the character of settlements and landscapes, and achieve a high quality built environment.

Policy S6 States that local planning authorities, taking into account demographic projections, should work with partners to ensure adequate provision of pre-school, school, and community learning facilities.

Policy BE1 In managing an Urban Renaissance, Local Authorities will promote and support design solutions relevant to context and which build upon local character and distinctiveness and sense of place.

- (iii) The adopted **Dover District Local Plan Saved Policies**

Policy CF2 Does not support the renewal of temporary planning permissions for a period longer than five years

Retention of a mobile classroom unit at The Downs CE Primary School, Deal - DO/10/1183

Consultations

7. **Dover District Council** raises no objection, but makes the following comments:

The District Council draws attention to the letter it sent in to the previous application (DO/07/994) in which it advised that Dover District Local Plan Policy CF2 does not support renewal of temporary planning permissions for a period longer than five years. This is with the intention that this provides time for a permanent replacement to be sought. In line with policy CF2, the Council would like to see efforts made to replace the mobile unit with a permanent building.

Given the length of time that the mobile unit has been in situ, the number of temporary permissions that the mobile unit has had, the fact that no material harm has been identified, and since this application seeks planning permission for the retention of the mobile classroom (rather than as previously, to extend the time limit on the temporary condition), it is suggested that it is no longer necessary or reasonable to attach such a temporary condition.

Walmer Parish Council: Strongly objects to the proposal. Members recognise the need for additional classroom space; however they fully support the following comments made by the Head of KCC Planning Applications Group, in the conclusion to his report on Planning Application DO/07/994 as quoted: *“the design of the proposed development is not acceptable in this location as a permanent solution to the shortfall in teaching accommodation” and “the continued retention for any period exceeding three years would severely jeopardise the School’s ability to provide primary education in acceptable teaching conditions. Accordingly, I strongly advise that the applicant urgently promote the school for consideration within the County Council’s Modernisation Programme for Schools”*

Following the receipt of additional information justifying the proposal, the following comments were received on 12 May 2011: *“The information is to be noted, and the Committee’s previous objections remain extant.”*

Local Member

8. The local County Members for Deal, Mr K. Smith and Mrs J. Rook, were notified of the application on the 16 December 2010.

Publicity

9. The application was advertised by the posting of a site notice and the notification of 12 neighbouring addresses.

Representations

10. No letters of representation have been received.

Discussion

11. In considering this proposal regard must be had to Development Plan Policies outlined in paragraph (6) above. Section 38(6) of the Planning and Compulsory Purchase Act

Retention of a mobile classroom unit at The Downs CE Primary School, Deal - DO/10/1183

(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 Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.

12. This application has been brought for determination by the Planning Applications Committee following the objections of the Parish Council. The objections are based upon the conclusion in the Committee report for a previous application (DO/07/994), which also sought a temporary permission for the mobile building referred to within this report. The conclusion is quoted in the objections of the Parish Council above and relates to the opinion that the building is not appropriate in the longer term due to its design, and would not provide acceptable teaching conditions; therefore the applicant should promote this School's accommodation needs in the Modernisation Programme.
13. The comments from the previous decision are material in determining this application; however each application must be decided on its own merits and the consideration should focus upon the individual planning issues of granting, or refusing, planning permission for the proposed four classroom mobile building in the light of the material considerations applying at the time of its determination.

Design

14. The design of the mobile classroom has previously been ~~is~~ considered not appropriate for permanent retention. However, the District Council has now passed no objections to the proposal and stated that a permanent permission should be granted, instead of new temporary permissions, since it has repeatedly been found that the building has not created material harm. I would disagree with this assessment and state that although the building has been on site for a number of years, and that continued temporary retention has been deemed acceptable, the previous planning permission has expired and this application must be decided upon its individual merits. Mobile buildings, by their design, materials and appearance are not appropriate for permanent retention. The proposal does not amend the building design, external appearance or roof and cladding materials to make it more acceptable – however, as the building is of a single storey, flat-roof design, it does not appear incongruous in comparison to the existing school buildings. Overall, whilst the design is not damaging to visual amenity, and generally no more unsightly than the main school buildings, I consider that a permanent permission is still not appropriate because of the temporary nature of the building.

Location

15. The location of the mobile classroom is immediately adjacent to the west of the main school building, and is approximately 70m from the nearest residential property, and 65m from the nearest visible point from the public highway. There are residential properties 140m to the southwest, but due to the distance and topography, the visual amenity of these properties would not be affected. There are a number of trees planted around the building, as part of the original consent, and these provide a very good level of screening. The current location is the most suitable for the building as it does not encroach upon the sports fields, and whilst being set-back slightly from the principal elevation of the main school, it appears to blend in as a continuous extension of the built form on the site. Therefore, in my opinion, the current location remains the best suited to minimise visual impact, and reduce the material harm to the area of the temporary design.

Case of need

Retention of a mobile classroom unit at The Downs CE Primary School, Deal - DO/10/1183

16. The applicant has stated that the mobile building provides four classrooms providing important teaching space for approximately 120 children out of a total 394 pupils. The Downs School has been put forward for consideration in the Modernisation Programme (which seeks to replace temporary buildings at schools around Kent - which are not included within the early rounds of BSF - with permanent accommodation. However as the scheme prioritises resources towards schools with poor quality mobile accommodation, and the building in this application is actually rated 'satisfactory', the Downs CEP School has not featured or been slotted in this programme so far.
17. In my opinion the reasons given for not finding a permanent solution are not to be given much weight as a planning argument. However, refusing permission for the mobile accommodation and the effect this would have on the School and its ability to provide education, as well as the knock-on effect on the Schools in the wider community, is in my opinion a material consideration.
18. The Parish Council is of the opinion that the provision of teaching space within the mobile building jeopardises the ability of the School to provide satisfactory primary education. Neither the Parish Council nor I are in a position to verify that assumption, which is essentially an education matter for the School to pursue. However, I can accept that the effect of removing four classrooms would be extremely detrimental to the School, its pupils and the area as a whole, given that the pupils are already attending the school, and would be contrary to the social cohesion and equal opportunity objectives of sustainable development. Policy CF2 of the Dover District Local Plan states that mobile classrooms should only be used to meet a short term need, and should not normally be given consent for more than five years. Whilst I agree with intentions of the Policy, I believe its applicability is limited due to the exceptional circumstances at this school. The situation at present is that there is a proven permanent need, and even if permanent accommodation was currently forthcoming it has to be borne in mind that it would probably occupy the same part of the site and with similar physical proportions and visual impact as the current mobile accommodation.
19. In my opinion, the lack of a credible immediate alternative to providing classroom space for 120 pupils, and the detrimental effect that refusal would have on the School and outlying schools due to pupil displacement, is an overriding material consideration in this particular case.

Conclusion

20. In my opinion the provision of teaching space without an immediate alternative is an overriding material consideration warranting the granting of a temporary planning permission for the mobile building. I understand the position of the District Council, however granting a permanent consent is not appropriate due to the temporary design and nature of the building, and may discourage the applicants from seeking a more permanent alternative as long preferred here.

Recommendation

21. I RECOMMEND that PERMISSION BE GRANTED to the proposal, subject to conditions:

**Retention of a mobile classroom unit at The Downs CE Primary School,
Deal - DO/10/1183**

- A temporary time consent for 5 years to keep the situation under review and maintain eligibility for replacement accommodation;
- The development to be completed in accordance with the approved plans.

and SUBJECT TO the following informative:

The County Planning Authority is aware of the funding issues constraining inclusion of The Downs CE Primary School in the Modernisation Programme, however the building has been on site for a number of years and its condition is likely to deteriorate. Therefore the School should continue to have its condition assessed, and at the end of this consent period be able to demonstrate specifically what steps are being taken to address the situation.

Case officer – Jeff Dummett	01622 221975
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Background documents - See section heading
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E1 COUNTY MATTER APPLICATIONS AND DETAILS PURSUANT PERMITTED/APPROVED/REFUSED 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/10/1547/R7 & R9 | Details of the protective bunding to go around the storage tank and container area and details of a site management plan pursuant to conditions 7 and 9 of planning permission AS/10/1547.
Unit 18, Henwood Industrial Estate, Ashford |
| MA/10/1931 | Change of use of land at unit 13 and 14 of Detling Aerodrome Estate to provide for skip hire depot including retention of existing portacabins for use as office, canteen and toilet (dual use with adjoining waste transfer facility – Unit 6).
Unit 13 and 14 at Detling Aerodrome Estate, Detling, Maidstone |
| MA/10/1932 | Erection of a replacement building for waste processing on unit 6 with provision of revised access and parking.
Unit 6 at Detling Aerodrome Estate, Detling, Maidstone |
| SH/11/134 | 2 kiosks and temporary construction compound associated with works to improve and upgrade Lydd WTW.
Lydd Wastewater Treatment Works, Jury's Gap Road, Lydd |

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

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/10/20/R10	Details of compensatory flood storage – Cable stay foot/cycle bridge over the M20 motorway. Land to the east of Junction 9 between Eureka Leisure Park and Warren Retail Park, Ashford
AS/10/20/R20	Details relating to the implementation of a programme of archaeological work – Cable stay foot/cycle bridge over the M20 motorway. Land to the east of Junction 9 between Eureka Leisure Park and Warren Retail Park, Ashford
AS/11/20	New planning application for alternative proposal for new primary school wing (originally granted planning permission under consent AS/10/380) and consequential changes to floor plans, elevations and external works to facilitate a phased development. The Wyvern School, Great Chart Bypass, Ashford
AS/11/373	Application to extend the time limit for implementation of planning permission AS/08/153 (demolition of flat roofed timber store and replacement with extension to provide music recital room and sixth form accommodation, including associated new disabled parking bays and new service access road). Highworth Grammar School for Girls, Quantock Drive, Ashford
CA/09/1769/R2	Non-material amendment relating to existing permission CA/09/1769 for the addition of a canopy above the building's principal entrance. St Marys Catholic Primary School, Northwood Road, Whitstable
CA/11/542	Single storey detached building to be connected to the main building via a new inclined path and steps and an oversailing lightweight canopy. The new building would replace the existing autism unit which is currently housed in a sub-standard, time expired building. Joy Lane Primary School, Joy Lane, Whitstable
CA/11/563	Demolition of existing single storey flat roofed rear extension and replacement with a larger single storey extension to incorporate a new car suite and storage area. Chislet C of E Primary School, Church Lane, Chislet, Canterbury
DA/09/193/R20 & R25	Details of a revised school travel plan and details of a report setting out expected community use. Longfield Academy, Main Road, Longfield
DA/11/272	Installation of two mobile classroom units. Maypole Primary School, Franklin Road, Dartford

DO/11/190	Erection of a covered play area/canopy. Aycliffe Primary School, St David's Avenue, Dover
DO/11/208	Proposed amendments to the car park access arrangements in order to provide separate access and car parking facilities for the children's centre and nursery and the Downs CEP School, together with pedestrian footpath and crossing, vehicle gates and internal fencing. The Downs CE Primary School, Downs Road, Walmer, Deal
DO/11/216	Extended use of portacabins for use by the school following resiting of the child care centre to a new building. Warden House School, Birdwood Avenue, Deal
GR/08/138/R31 & R32	Details of a Community Use Agreement and hours of use pursuant to conditions (31) and (32) of planning permission GR/08/138 for replacement secondary school. Northfleet Technology College, Colyer Road, Northfleet, Gravesend
GR/11/201	Construction of a classroom block and re-siting of mobile classrooms. Holy Trinity C of E Primary School, Trinity Road, Gravesend
MA/08/2186/R32	A report setting out expected community use of the facilities pursuant to condition (32) of planning permission MA/08/2186. Cornwallis Academy, Hubbards Lane, Maidstone
MA/09/1014/R17	Details of a construction management strategy pursuant to condition (17) of planning permission MA/09/1014. Maidstone Grammar School For Girls, Buckland Road, Maidstone
MA/10/787/R5	Details of a scheme of landscaping. Aylesford Highways Depot, Doubleday House, St Michaels Close, Aylesford
MA/11/495	Improvement works to front reception area. Loose Infant School, Loose Road, Maidstone
MA/11/507	Provision for new access to playground from classroom and the erection of a protective canopy over. Leeds & Broomfield CEP School, Lower Street, Leeds, Maidstone
SE/11/996	The placement of one, six bay, modular building. Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks
SH/11/325	Proposed enclosure of roof fire escape to St. Stephens block. Folkestone School for Girls, Coolinge Lane, Folkestone

SW/10/64/R6&9	Details pursuant to condition 6 (drainage) and condition 9 (flood resilience measures) – Outline application for the redevelopment of site, involving demolition of existing buildings and erection of new school buildings and facilities for up to 970 pupils, including 2 storey family units and shared facilities building, sports pitches, car parking provision, new cycle storage, new boundary treatment, tree works and landscaping. Isle of Sheppey Academy (west site), Jefferson Road, Sheerness
SW/10/64/R11,R13,R14 & 23	Details pursuant to condition 11 (phasing), condition 13 (construction parking), condition 14 (wheel washing facilities) and condition 23 (sports pitch fencing) – Outline application for the redevelopment of site, involving demolition of existing buildings and erection of new school buildings and facilities for up to 970 pupils, including 2 storey family units and shared facilities building, sports pitches, car parking provision, new cycle storage, new boundary treatment, tree works and landscaping. Isle of Sheppey Academy (west site), Jefferson Road, Sheerness
SW/10/64/R34&R35	Details pursuant to condition 34 (archaeology) and condition 35 (building record) – Outline application for the redevelopment of site, involving demolition of existing buildings and erection of new school buildings and facilities for up to 970 pupils, including 2 storey family units and shared facilities building, sports pitches, car parking provision, new cycle storage, new boundary treatment, tree works and landscaping. Isle of Sheppey Academy (west site), Jefferson Road, Sheerness
SW/10/1332/R16 & R21	Details of a scheme to improve the quality of the proposed playing pitches, and details of a surface water drainage scheme pursuant to conditions 16 and 21 of planning permission SW/10/1332. Isle of Sheppey Academy, East Site, Minster Road, Minster-on-Sea, Sheerness
SW/11/81	Erection of 1.8M galvanised steel palisade security fence along two boundaries to west and south of playing fields, replacement of emergency access gate within 1.8M palisade paired gates. The Sittingbourne Community College, Swanstree Avenue, Sittingbourne
SW/11/360	To extend the existing car park to the north boundary to provide an additional seven parking spaces plus a disabled parking bay. The proposal also includes the construction of a new bin store behind the existing palisade fence. St Edwards Roman Catholic Primary School, New Road, Sheerness

SW/11/395	The erection of a single storey extension to the existing main building to provide a new speech and language unit within the existing campus. The Sittingbourne Community College, Swanstree Avenue, Sittingbourne
TH/08/167/R28	Revised School Travel Plan – The replacement of existing secondary school buildings with new two storey building with associated landscaping works, car parking etc. St Georges Church of England Foundation School, Westwood Road, Broadstairs
TH/11/266	Small single storey extension to existing classroom to provide a food technology teaching space. Chatham House Grammar School, Chatham Street, Ramsgate
TW/11/836	Provision of an early years canopy. Speldhurst CE Primary School, Langton Road, Speldhurst, Tunbridge Wells

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:-

KCC/AS/0228/2011 - To install 2 classrooms and toilets in a prefabricated building and associated groundworks including an extension to the playground at Challock Primary School, Church Lane, Challock, Ashford

KCC/SE/0244/2011 - Section 73 application to vary condition (29) and (30) of permission SE/98/234 to retain the Cowden Exploration Site, access and wellhead valve assembly for a further period of one year to complete current planned testing operations at Cowden Exploration Site, Field No. 0002 Claydene Farm, Off Hartfield Road, Cowden, Edenbridge

KCC/TM/0195/2011 – Retention of rail sidings for permanent use to import construction aggregates and relocation of the ready-mix concrete plant at East Peckham Quarry, Hale Street, East Peckham

- (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:-

KCC/EIA/SW/0150/2011 – Proposed extension of time for disposal of hazardous waste and variations to approved phasing scheme at Norwood Quarry, Lower Road, Brambledown, Isle of Sheppey

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.*

KCC/EIA/SW/0150/2011 – Proposed extension of time for disposal of hazardous waste and variations to approved phasing scheme at Norwood Quarry, Lower Road, Brambledown, Isle of Sheppey