

PLANNING APPLICATIONS COMMITTEE

Tuesday, 6th September, 2011

10.00 am

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



AGENDA

PLANNING APPLICATIONS COMMITTEE

Tuesday, 6th September, 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***

Membership (18)

Conservative (16): Mr R E King (Chairman), Mr J F London (Vice-Chairman),
Mr R E 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 F Manning, Mr R J Parry, Mr R A Pascoe,
Mr C P Smith Mr A T Willicombe

Liberal Democrat (1): Mr M B Robertson

Independent (1) Mr R J Lees

UNRESTRICTED ITEMS

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

A. COMMITTEE BUSINESS

1. Substitutes
2. Declarations of Interests by Members in items on the Agenda for this meeting.
3. Election of Chairman
4. Election of Vice-Chairman
5. Minutes - 26 July 2011 (1 - 4)
6. Committee meeting dates in 2012
 - Tuesday, 17 January 2012
 - Tuesday, 7 February 2012
 - Tuesday, 13 March 2012
 - Tuesday, 10 April 2012
 - Tuesday, 8 May 2012
 - Tuesday, 12 June 2012
 - Tuesday, 24 July 2012
 - Tuesday, 14 August 2012 (reserved)
 - Tuesday, 4 September 2012
 - Tuesday, 9 October 2012
 - Tuesday, 6 November 2012
 - Tuesday, 11 December 2012

7. Site Meetings and Other Meetings

B. GENERAL MATTERS

C. MINERALS AND WASTE DISPOSAL APPLICATIONS

1. KCC/SW/ 0194/2011 - Use of Building 15A for internal shredding and screening of wood; use of existing weighbridge, weighbridge office, site office and washroom/toilets to the south of Building 15A and use of external storage area to the north for storage of shredded wood at Ridham Dock (5 - 24)
2. KCC/SW/ 0209/2011 - Use of Building 15B to install and operate a Materials Recycling Facility (MRF) and a Refuse Derived Fuel (RDF) Facility and to use the existing weighbridge, weighbridge office, site office and washroom/toilets to the south of Building 15A at Ridham Dock (25 - 44)

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. TW/10/4051/R5 & R7 - Revised details of site levels of the development on Site 2 (condition 5) and surface water drainage on Site 2 (condition 7) pursuant to planning permission TW/10/4051 for the redevelopment of The Skinners Kent Academy, as granted planning permission on 30 March 2011 at: The Skinner's Kent Academy Blackhurst Lane Tunbridge Wells TN2 4PY (45 - 60)

E. COUNTY MATTERS DEALT WITH UNDER DELEGATED POWERS

1. County matter applications (61 - 68)
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
(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.)

Friday, 26 August 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, 26 July 2011.

PRESENT: Mr J F London (Vice-Chairman, in the Chair), Mr R E Brookbank, Mr H J Craske (Substitute for Mr R E King), Mr J A Davies, Mr T Gates, Mr W A Hayton, Mr C Hibberd, 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: Mrs C J Waters

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Team Leader - County Council Development), Mr R White (Development Planning Manager) Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

35. Minutes - 14 June 2011

(Item 4)

RESOLVED that the Minutes of the meeting held on 14 June 2011 are correctly recorded and that they be signed by the Chairman.

36. Site Meetings and Other Meetings

(Item A4)

(1) The Committee noted that its training session on Highways Considerations would take place on the rising of the meeting.

(2) The Head of Planning Applications Group advised that Members should hold the afternoons of future Planning Applications Committee meetings free for training.

37. General Matters

(1) The Committee noted that the County Council had agreed that the votes of each individual member of the Planning Applications Committee (whether for, against or in abstention) would be recorded whenever the Committee voted against the Head of Planning Applications Group's recommendation for permission or refusal of a planning application, together with the grounds and reasons for overturning the recommendation.

(2) The Head of Planning Applications Group informed the Committee of the very recent publication by the Government of the "Draft National Planning Policy Framework" for consultation. This document was a key part of the Government reforms to the planning system and would replace Planning Policy Guidance and Planning Policy Statements.

38. Proposal SH/11/189 - Inclusion and Family Centre at The Marsh Academy, Station Road, New Romney; Governors of The Marsh Academy
(Item D1)

(1) Mrs C J Waters was present for this item pursuant to Committee Procedure Rule 2.24 and spoke.

(2) Correspondence from New Romney Town Council was tabled. This contained a response from the Democratic Services Officer to its complaint that it had had insufficient opportunity to properly consider the report.

(3) RESOLVED that:-

(a) permission be granted to the Proposal subject to conditions, including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; the applicant following the terms of the statement regarding a one off payment to the Internal Drainage Board, or other licensed or approved maintenance body regarding 'the pumping station'; the submission of details of all materials to be used externally; details of all external lighting; a scheme of landscaping, including hard surfacing, its implementation and maintenance; measures to protect those trees to be retained; details of fencing, gates and means of enclosure, including colour finishes, including the vehicular access gate on Dymchurch Road; no tree removal during the bird breeding season; the development to accord with the recommendations of the ecological surveys; the submission of a bat survey, and details of any required mitigation and enhancement; the implementation of a programme of archaeological work; a BREEAM rating of 'Very Good' being achieved; the provision of vehicular visibility splays; the provision of access, car parking, and circulatory space, prior to first occupation, and their subsequent retention; the gated access on Dymchurch Road being locked at all times, and only opened to allow access to minibuses and emergency vehicles; car parking on the main Academy site being available out of school hours to accommodate evening and weekend use; hours of use of the facility being restricted to 0800-2100 Monday to Friday, 0930-1800 on Saturdays, Sundays and Bank Holidays; control of surface water drainage; control of contaminated land; hours of working during construction and demolition being restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; a construction management plan, including access, parking and circulation within the site for contractors and other vehicles related to construction and demolition operations; and measures to prevent mud and debris being taken onto the public highway; and

(b) the applicant be advised by Informative that account should be taken of the Environment Agency's advice relating to flood risk, land contamination, drainage, and the storage of fuel, oil and chemicals.

39. Proposal AS/11/594 - Installation of two classrooms in a pre-fabricated unit at Challock Primary School, Church Lane, Challock; KCC Capital and Premises Development Unit

(Item D2)

(1) The Head of Planning Applications Group reported the views of Mr R E King, the Local Member, in support of the Proposal.

(2) Following advice from the Development Planning Manager, the Committee agreed to the inclusion of a Condition requiring the School Travel Plan to be updated to include the applicants taking practical steps to ensure that vehicles parked in the vicinity of the site at dropping-off and picking-up times minimised the impact upon local residents.

(3) RESOLVED that permission be granted to the Proposal subject to conditions, including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; the submission of details of the colour finish of the building; no lighting, including security lighting, being installed on the southern elevation of the building, facing properties in Kiln Close; hours of working during construction being restricted to between the hours of 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; measures to prevent mud and debris being taken onto the public highway; and the updating of the School Travel Plan to include the applicants taking practical steps to ensure that vehicles parked in the vicinity of the site at dropping-off and picking-up times minimise the impact upon local residents.

40. Proposal SE/11/20 - Habitat pond to store flood water from the highway at Land opposite Field Cottage, Stone Street Road, Seal; KCC Kent Highways Services

(Item D3)

(1) The Head of Planning Applications Group reported correspondence from Mr N J D Chard, the Local Member, raising no objection to the Proposal.

(2) The Head of Planning Applications Group reported correspondence from the applicants confirming that the reptile survey was now underway and emphasised that any permission would be subject to its satisfactory completion and the submission of any necessary mitigation measures.

(3) RESOLVED that subject to the satisfactory completion of the reptile survey and the submission of any necessary mitigation measures, permission be granted to the Proposal subject to conditions, including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; the submission of an archaeological watching brief; the submission of details for prior approval of the biodiversity enhancement measures recommended by the Phase 1 Habitat Survey; the submission of details for prior approval of the proposed pollution prevention control measures to be installed; the submission of details for prior approval of the landscape works and planting scheme proposed; the re-instatement of hedgerows affected during construction; the ongoing maintenance of the

landscape scheme; controls over hours of operation during construction; and measures to prevent mud and other debris being deposited on the public highway.

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 (None);
- (c) County Council developments;
- (d) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact Regulations 1999 (None).

SECTION C
MINERALS AND WASTE DISPOSAL

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

Item C1

Use of building 15A for internal shredding and screening of wood and external storage of shredded wood, Unit 15A Ridham Dock Industrial Estate, Sittingbourne – KCC/SW/0194/2011

A report by Head of Planning Applications Group to Planning Applications Committee on 6 September 2011.

Application by Sita UK Limited for the use of building 15A for the internal shredding and screening of wood; use of existing weighbridge, weighbridge office, site office and washroom/toilets to the south of building 15A and use of external storage area to the north for storage of shredded wood at Unit 15A, Ridham Dock Industrial Estate, Ridham Dock Road, Ridham, Sittingbourne (KCC/SW/0194/2011).

Recommendation: Planning permission be granted, subject to conditions.

Local Member(s): Mr. M. Whiting and Mr. A. Willicombe

Classification: Unrestricted

Site Description

1. The application site is located on Ridham Dock Industrial Estate, which is a well established commercial and industrial wharf situated adjacent to the River Swale. The Dock is surrounded by sensitive ecological 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. The River Swale is a designated SPA under EC Directive 79/409 on the Conservation of Wild Birds and Ramsar citation as a wetland of national and international importance. It regularly supports internationally important numbers of wintering and breeding migratory waterfowl. The mudflats of the Swale are also rich in invertebrates and are rich in plant life, rare and common.
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 which is located along the eastern and northern boundary.
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 Aggregates, European Metal Recovery, Morgan Este and Arcelor Steel. Located within 2 kilometres of the dock are Kemsley Paper Mill and Knauf plasterboard facilities, together with a Countrystyle Recycling facility, Morrisons distribution warehouse and Ridham Sea Terminals.
4. The dock is accessed via a private spine road that traverses Ridham Dock, providing access to all land uses contained within the dock area. The private spine road connects to the public highway by becoming Sheppey Way to the north and via a four-arm roundabout with Barge Way to the south. Sheppey Way connects to the Strategic Road

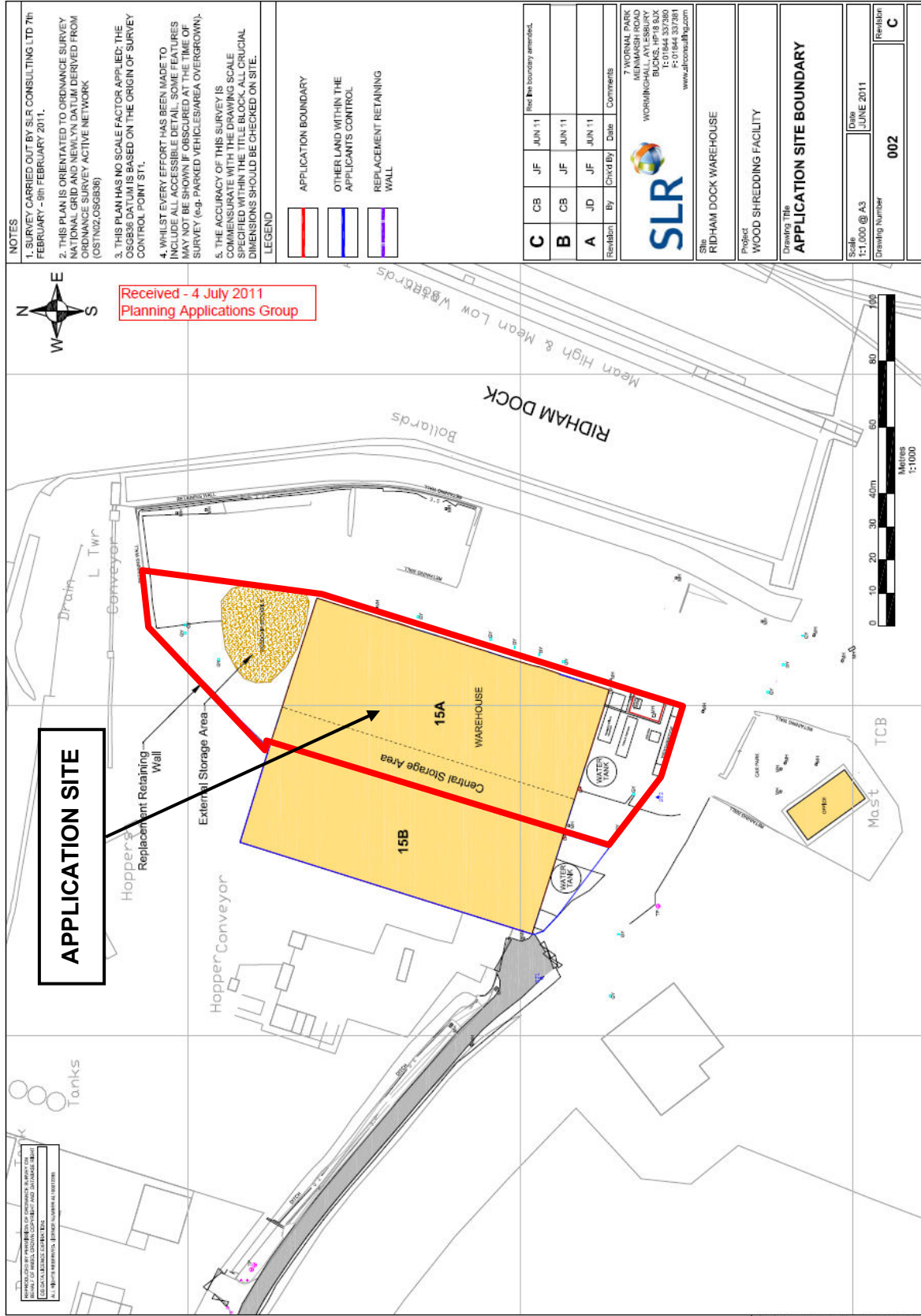
Internal shredding and screening of wood and external storage of shredded wood, Unit 15A Ridham Dock Industrial Estate – KCC/SW/0194/2011

General Location Plan



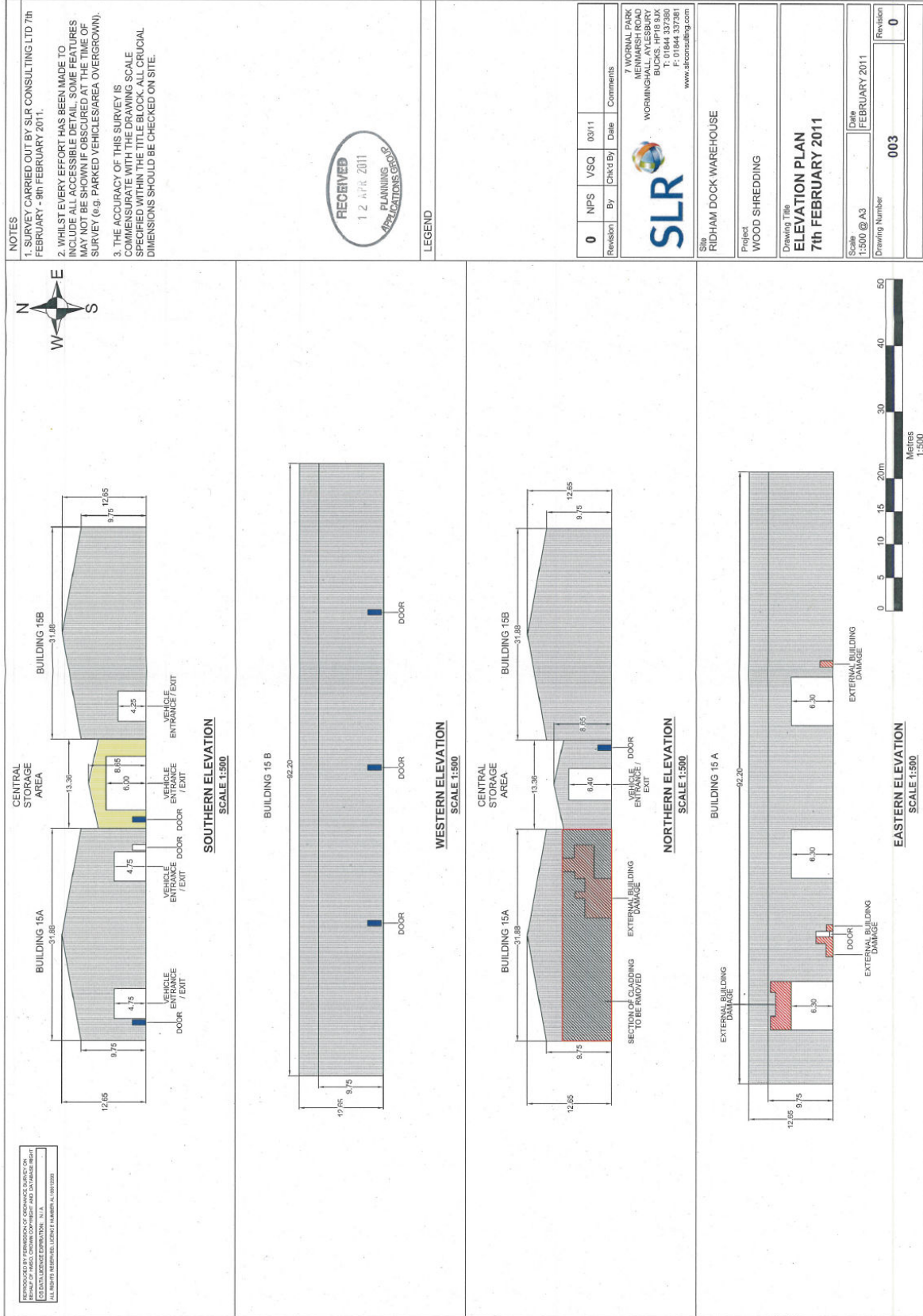
Internal shredding and screening of wood and external storage of shredded wood, Unit 15A Ridham Dock Industrial Estate – KCC/SW/0194/2011

Application Site Boundary



Internal shredding and screening of wood and external storage of shredded wood, Unit 15A Ridham Dock Industrial Estate – KCC/SW/0194/2011

Elevation Plan



Internal shredding and screening of wood and external storage of shredded wood, Unit 15A Ridham Dock Industrial Estate – KCC/SW/0194/2011

Network via a grade-separated roundabout and dedicated slip-roads, providing access to and from the south along the A249, approximately 1km to the west of the application site.

5. The nearest residential areas in the surrounding environment are Kemsley (approximately 1.9km south), Iwade (approximately 1.5km west), Queenborough (approximately 2.5km north) and Minster (approximately 3.5km northeast). Beyond the industrial areas of the dock, the surrounding land consists of predominantly low lying grazing, agricultural and marshland areas. *A site location plan is attached on page C1.2.*
6. The application site is Unit 15A at Ridham Dock; an existing semi detached steel portal frame warehouse adjacent to Unit 15B (proposed to be used as a Materials Recovery Facility and the production of a Refuse Derived Fuel – as per Committee Agenda Item C2). The building has historically been used for general industrial and storage purposes and more recently for wood shredding by another operator. This previous wood shredding operation did not have the benefit of planning permission and is referred to in the report to the meeting of the next Regulation Committee on 7 September 2011 as constituting a breach of planning control. Should Members be minded to grant permission for this current application this would effectively regularise these activities. Included within the application boundary (as shown on page C1.3) to the south building 15A is an existing weighbridge, weighbridge office, mobile office and toilet/washroom. All of these would be ancillary to the operation of the wood shredding facility. An external area of hardstanding to the north of building 15A is included within the application site and is intended to be used as an external storage area for processed (shredded) wood awaiting transportation off site. The application site comprises an area of some 0.62 hectares.

Proposal

7. The proposal seeks permission to establish a wood shredding facility at the Ridham Dock site to process up to 75,000 tonnes of wood per annum. It is proposed that both clean and dirty wood (i.e. wood treated with paint or preservatives) be transported to the site by road from Kent, Surrey and East London. It is anticipated that the site would accept approximately 55,000 tonnes per annum (tpa) of dirty wood and 20,000 tpa of clean wood, imported to the site in 15 tonne articulated vehicles. These vehicles would arrive at site and pass over an existing weighbridge before depositing the wood in the building, ready for storage and processing internally within building 15A. A 360° grabber and loading shovel would be used to convey the wood to a mobile screener, with a magnet within the screener removing any metal fragments.
8. Following screening, the wood would then be conveyed to a shredder, which would shred it into 3 different size categories (0-30mm; 30-80mm; and residual waste including ferrous and non-ferrous metals and other residuals) as shown in Table 1. The larger pieces of dirty shredded wood (30-80mm) would be stockpiled outdoors, ready to be exported by ship. A small amount of clean shredded wood may also be stored outdoors within the designated storage area.

Item C1

Internal shredding and screening of wood and external storage of shredded wood, Unit 15A Ridham Dock Industrial Estate – KCC/SW/0194/2011

Dirty Wood	Tonnes per annum (tpa)	Clean Wood	Tonnes per annum (tpa)
0-30mm (28%)	15,400	0-30mm (28%)	5,600
30-80mm (67%)	36,850	30-80mm (67%)	13,400
Metal (ferrous and non-ferrous) (2%)	1,100	Metal (ferrous and non-ferrous) (2%)	400
Residual (3%)	1,650	Residual (3%)	600
Total Dirty Wood =	55,000	Total Clean Wood =	20,000

Table 1: Dirty and Clean Input/Output

- All of the shredded wood (38,150 tpa) would be transported off site in 24 tonne articulated lorries, with the exception of the 30-80mm dirty shredded wood (36,850 tpa) which would be sent to Sweden by ship using the dock facility. The ships used to transport the dirty wood to Sweden typically have a capacity of 1,800 tonnes, thus approximately 40 two-way ship movements per annum are anticipated. Residual wood and metal would be stored in a central storage area, bulked up and transported off site by road. A Transport Statement submitted with the application anticipates that the proposed development would generate in the region of 18 HGV movements (36 two-way movements) over the course of an average day. The wood shredding operation is anticipated to employ 10 members of staff which would generate 10 trips (20 two-way movements) over the course of an average day. The combined total of HGV and site personnel traffic as a result of the proposed development at Unit 15A would result in a total of 28 trips (56 two-way movements) over the course of an average day. The applicant's Transport Statement sets out that the proposed development is likely to cause a small but beneficial decrease in traffic associated with the site, based on the extant industrial use of Unit 15A.
- Permission is sought to operate the wood shredding facility on a 24 hour basis, in line with the operating hours of Ridham Dock and warehouses on the dock. The proposals require the following plant and machinery: 360° grabber; two loading shovels; screener and shredder.
- The application site comprises the existing building, known as Unit 15A, the existing weighbridge, weighbridge office, mobile office and mobile toilet/washroom. Cladding on the northern elevation of building 15A has been damaged through past usage of the building. The application proposes the opening up of the northern side of the building to allow the easy transport of shredded wood from within the building to a triangular section of land to the rear (north) of the building for external storage. The changes to the external treatment of Unit 15A are shown on page C1.4. The area of land to the rear (north) of the building has traditionally been used for the storage of material leaving Ridham Dock by ship. Following a number of concerns raised during the processing of this application, the applicant has made a number of operational changes and provided further information in support of their proposal, as set out in paragraph (25) below. This proposal is related to the proposal for Unit 15B (see Agenda Item C2) in so far as they would be managed by the same operator (SITA UK) and facilities such as the weighbridge, weighbridge office and welfare facilities would be shared, together with a Central Storage Area, as shown on page C1.3.

Planning Policy Context

- The key National and Development Plan Policies most relevant to the proposal are summarised below:

Internal shredding and screening of wood and external storage of shredded wood, Unit 15A Ridham Dock Industrial Estate – KCC/SW/0194/2011

- (i) **National Planning Policies** – the most relevant National Planning Policies are set out in PPS1 (Delivering Sustainable Development), PPS9 (Biodiversity and Geological Conservation), PPS10 (Planning for Sustainable Waste Management), PPS23 (Planning and Pollution Control), PPS24 (Planning and Noise) and PPS25 (Development and Flood Risk). Also relevant for consideration is the Waste Strategy for England 2007.
- (ii) **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), W17 (location of waste management facilities), CC1 (sustainable development), CC2 (climate change), CC3 (resource use), CC4 (sustainable design and construction), NRM4 (sustainable flood risk management), NRM5 (conservation and improvement of biodiversity) and NRM9 (air quality).

Important note regarding the South East Plan:

Members will already be aware of the relevant South East Plan (SEP) 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 as material considerations. However the weight to be accorded is a matter for the decision makers.

- (iii) **Kent Waste Local Plan (1998)** – the most relevant saved policies are: W7(i) (Ridham area identified for Category A waste for re-use), W9 (waste separation and transfer), W18 (noise, dust and odour), W19 (groundwater protection), W20 (drainage, flood control and rainwater infiltration), W21 (nature conservation), W22 (provision of adequate access arrangements, W25A (reuse of existing buildings) and W31 (visual impact and landscaping).
- (iv) The **Swale Borough Local Plan (2008)** – the most relevant policies are summarised below:

Policy SP1 Requires development proposals to accord with sustainable development principles.

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 visual, aural, ecological, historical, atmospheric and hydrological environment 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 need are judged to be the greater, the Council will require adverse impacts to be minimised and mitigated.

Internal shredding and screening of wood and external storage of shredded wood, Unit 15A Ridham Dock Industrial Estate – KCC/SW/0194/2011

Policy E2	All development proposals will minimise and mitigate pollution impacts.
Policy E4	Where there is considered to be a risk of flooding, development proposals will be accompanied by a Flood Risk Assessment.
Policy E12	Sites designed for their importance to biodiversity or geological conservation.
Policy B2	Provides for new employment.
Policy B10	Ridham identified as an existing committed employment site.

Consultations

13. **Swale Borough Council:** raises no objections to the proposed development subject to a suitable limitation of the height of the open storage to reflect the relative heights of the existing open storage.
14. **Iwade Parish Council:** object to the proposed development on the following grounds:
- increased HGV movements, 3 visits per hour will mean 6 lorry movements per hour of 24 ton articulated lorries, 24 hours a day, 7 days a week;
 - submitted noise assessment shows in general acceptable noise levels. However, the peak noise levels recorded at Woodpecker Drive and Lloyd Drive are at 79.2dB and 81.2dB respectively – 85dB being the level that the HSE requires wearing of hearing protection in the workplace;
 - there is a statement that (waste) residual wood 3% of gross and metal waste 2% of gross will be stored on site. No details of how this will be disposed of have been provided;
 - a flood assessment has been carried out and has been seen to not be an issue. What would be the environmental impact of a flood in the magnitude seen in the early 50's?
 - the site will employ 9 people with no on-site parking;
 - there is a lengthy assessment on the effects of dust in the environment. Dust monitoring is only undertaken in response to specific issues therefore there is no dust monitoring data for the area. There is no detail of how dust will be controlled in the process area, we would expect a filter system to control dust emissions;
 - surface water runoff into the Swale – the assessment does not see this as a significant issue. We would like to see an independence audit on the environmental viability of this plant.

A further response from Iwade Parish Council has been submitted which details that they are disappointed that this part of Kent is becoming a dumping ground for various waste proposals, all on the fringe of the SSSI/Ramsar site an adjacent to an area where it is planned to build more housing. They consider that the A249 is already having problems with the large amount of lorry movements and that the Highways Agency are constantly agreeing that they can see no issues with more proposals in this area, but on the other hand our Borough and County Councillor's agree that the A249 is fast becoming congested with traffic and it won't be long before it is unable to cope with the sheer volume.

Internal shredding and screening of wood and external storage of shredded wood, Unit 15A Ridham Dock Industrial Estate – KCC/SW/0194/2011

15. **Highways Agency:** raises no objections to the proposed development.
16. **Divisional Transportation Manager:** raises no objections to the proposed development subject to conditions being imposed on any decision to limit traffic movements and tonnage of material brought into and out of the site to reflect the details submitted within the application, as follows:
- the application suggests 36 HGV movements per day (18 in, 18 out), so suggest that a cap of 46 two-way movements per day is reasonable to allow for daily variations and that likely under the extant use;
 - limit importation cap to 75,000 tpa (as being applied for); and
 - cap 40,000 tpa to be transported away from the facility by road to help achieve the applicant's shipping target.
17. **Environment Agency:** raises no objections to the proposed development.
18. **The Royal Society for the Protection of Birds (RSPB):** raises no objections to the proposed development and is satisfied that the development would not have a significant adverse effect on the nearby Swale Special Protection Area (SPA).
19. **Natural England:** notes that the application site lies close to habitats which form part of the Swale SSSI and that the SSSI is part of the Swale SPA and Ramsar Site. However, raises no objection to the proposed development, subject to the avoidance measures included in the application being fully implemented as part of any future planning consent.
- Further consider that subject to the avoidance measures being fully implemented, it is their view that, either alone or in combination with other plans or projects, this proposal would not be likely to have a significant effect on the designated sites and that the permission may be granted under the terms of the Conservation of Habitats and Species Regulations 2010.
20. **County Council's Biodiversity Officer:** raises no objections to the proposed development and is satisfied that the impact from the development on the designated sites has been adequately considered.
21. **County Council's Noise, Dust & Odour Consultant:** makes the following comments:

Noise

"Taking into account the industrial nature of the site surrounding the application site, the majority of working being enclosed within the buildings and the distance to the nearest residential properties, the site is unlikely to result in any detriment to the noise environment of the nearest residential properties. In terms of traffic [noise] impacts, I note that it is predicted that there would be approximately 36 HGV two-way movements per day. Such low vehicle numbers will not result in adverse impacts for receptors on the local road network".

Dust and Odour

"The nearest residential receptors from the site is approximately 1,400 metres from the site boundary and the existing background levels are well below the Air Quality Objectives. With the containment of the processing and shredding activities within the

Internal shredding and screening of wood and external storage of shredded wood, Unit 15A Ridham Dock Industrial Estate – KCC/SW/0194/2011

building, I am of the opinion that the proposed site is unlikely to cause a detriment to the nearest residential receptors and ecological sites in terms of air quality.

I note from previous assessments in this area that Swale Borough Council have highlighted concerns regarding the re-suspension of dust by traffic along the site access road. We would wish the applicant to consider the use of appropriate mitigation measures to ensure there is no impact from the site access road”.

Local Member

22. The local County Members, Mr. M. Whiting and Mr. A. Willicombe, were notified of the application on the 9 May 2011. Mr. M. Whiting and Mr. A. Willicombe were notified of further details in respect of this application on 21 June 2011.

Publicity

23. The application was publicised by the posting of a site notice at the entrance to the Ridham Dock Industrial Estate, a newspaper advertisement in the Kent on Sunday (East Kent Edition), and the individual notification of business premises within 250 metres from the application site boundary.

Representations

24. I have received one letter of representation in respect of this application from an adjoining business. Concerns were expressed relating to the need for an adequate dust suppression system for the external stockpiling of shredded wood; the height of externally stockpiled shredded wood; the need to replace an existing section of boundary wall between Unit 15A and an adjoining site; fire safety concerns with the volumes of wood awaiting processing on site. These operational concerns have since been overcome through various changes made by the applicant to their proposal as outlined in paragraph (25) below.

Amended Proposal / Further information provided by the Applicant in support of their Proposal

25. Following the concerns received from an adjoining business unit within the Ridham Dock Industrial Estate, together with a number of operational changes since the time of making the application, the applicant has made the following changes and supplied further information in support of their proposals as follows:

- inclusion of an external dust suppression system in the form of rain guns to ‘dampen-down’ the larger (30-80mm) shredded wood stockpiled externally to the rear (north) of Unit 15A, awaiting transportation from the site via ship. The rain guns would operate during all works which involve handling of the stockpile and would be attached to a timer activated to set intervals at other times;
- installation of a dust suppression ‘sprinkler’ system within building 15A for the comfort of employees carrying out the wood shredding operation. This requires the installation of an external water storage tank, located to the front (south) of Unit 15A;

Internal shredding and screening of wood and external storage of shredded wood, Unit 15A Ridham Dock Industrial Estate – KCC/SW/0194/2011

- installation of a new 3m high wall between the boundary of the rear (north) of Unit 15A and the adjoining business unit to prevent material encroaching onto the adjacent land;
- confirmation that any replacement cladding used to repair existing damage to Unit 15A will match the existing building, as far as is reasonably possible;
- submission of details of a Flood Evacuation Plan for site personnel;
- confirmation that employees vehicles would be parked within an existing car parking area adjacent to the Ridham Dock Sea Terminals office;
- confirmation that residual materials and metals (as shown in Table 1 above) would be exported off site by road. These traffic movements have been taken into account as part of the applicant's submitted Transport Statement; and
- details of a fire safety risk assessment and fire response procedure.

Discussion

Introduction

26. The application seeks planning permission to establish a wood shredding facility to process up to 75,000 tonnes of clean and dirty wood per annum which would arrive at the site by road from Kent, Surrey and East London. The application is being reported to the Planning Applications Committee as a result of the objection received from Iwade Parish Council. In considering this proposal, regard must be had to the key National and Development Plan Policies outlined in paragraph (14).
27. 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. 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.
28. Former government advice required waste planning authorities to consider whether waste development proposals 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. Subsequent advice in PPS10 moved the consideration of BPEO principles to the plan making stage where it is to be considered as part of the Sustainability Appraisal (SA)/Strategic Environmental Assessment (SEA) process applied to the plan. However where planning authorities' current waste policies have not been subject to the SA/SEA process (as is the case with the current Kent Waste Local Plan), it is appropriate to consider applications against the principles of BPEO.
29. Until such time as the **Kent Waste Development Framework** (KWDF) reaches a more advanced stage, applications will be considered against the 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.
30. The application site falls within an area identified in the Kent Waste Local Plan as being suitable in principle for waste re-use, separation and transfer.
31. In my opinion having regard to the policy considerations and the issues raised above, the key material planning considerations in this particular case can be categorised under the following headings:

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- Need;
- Highway Issues;
- Noise, Dust and Odour;
- Nature Conservation and Ecology;
- Flood Risk;
- Employment; and
- Any other issues arising from consultation/publicity including cumulative impacts arising from other developments.

Need

32. In support of their case of need the applicant draws attention to the report 'Wood Recovery Infrastructure in South East England, April 2005' (commissioned by WRAP¹) which estimated that the total waste wood arising in South East England was in the region of 950,000 tonnes per year, arising from the following sources:
- 35% from construction and demolition waste;
 - 30% from packaging waste;
 - 25% from municipal waste (domestic and civic amenity sites);
 - 5% from secondary wood processing industry (mainly furniture industry); and
 - 5% from other sources.
33. 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. As part of the evidence base being used in the preparation of the KWDF a needs assessment undertaken on behalf of the County Council by its consultants Jacobs has identified a shortfall in capacity in Kent for dealing with commercial and industrial and construction and demolition waste during the early part of the plan period. These waste categories include an element of wood waste and I have no reason to doubt that in percentage terms they will be consistent with those estimated in the report referred to by the applicant as set out in paragraph 32 above.
34. Policy W3 of the South East Plan (Regional Self Sufficiency) states that waste planning 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 (Sub-Regional Self Sufficiency) requires waste planning authorities to plan for net sub-regional self sufficiency through the provision of waste management capacity equivalent to the amount of waste arisings requiring management within their boundaries with a degree of flexibility allowing for the transport of waste across sub-regions. The wood shredding facility would bring in wood from Kent and surrounding counties in the South East Region which would make a material contribution to managing waste arising in the region. In my view therefore I consider this proposal to be in accordance with South East Plan Policies W3 and W4 in so far as it would source waste wood from Kent, with the remainder coming from London and Kent's neighbouring counties.
35. Policy W5 of the South East Plan sets out overall diversion targets for the diversion of waste from landfill by encouraging the re-use, recycling and thermal treatment (energy

¹ WRAP is the Waste & Resources Action Programme, established to help local authorities, businesses and individuals to reap the benefits of reducing waste, develop sustainable products and use resources in an efficient way.

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recovery) of waste. As the Landfill Directive sets increasing targets for the reduction of biodegradable material going to landfill, increasing proportions of wood will be removed from landfill and so be available as a source of biomass fuel. In my view, given that the proposed development seeks to use waste wood which is likely to otherwise have been landfilled, to create a biomass fuel source, it is in accordance with Policy W5. Furthermore, I note that policy exists at the national, regional and local level which gives support in principle for the establishment of alternative waste management facilities to landfill, particularly those where waste is recovered as a resource to produce energy. This has most recently been reflected in an update to PPS10 following changes to the Waste Framework Directive which seeks to increase the use of waste as a resource including its use as a fuel.

Highway issues

36. Access for the delivery of waste wood to the site would be by road from the A249. There are two access points which link a private spine road that traverses the Ridham Dock Industrial Estate from the A249. One from the west assuming vehicles would exit the A249 at the roundabout with Old Ferry Road which leads into Sheppey Way, continuing on into the Ridham Dock Industrial Estate; the other to the south west via the Grovehurst Junction leading onto Barge Way. The applicant's Transport Statement identifies that both routes of vehicular access are considered to provide a suitable means of access to the application site.
37. The applicant predicts that the proposal would generate in the region of 18 HGV trips (36 two-way movements) between the hours of 07:00 and 19:00, seven days a week. This would equate to the hourly generation of approximately 2 HGV trips (4 two-way movements) per hour. Proposed staff movements would generate 10 trips (20 two-way movements) over the course of 24 hour operations on an average day. The total trip generation from the proposed facility would therefore be 28 trips (56 two-way movements) over the course of an average day. These proposed trip generation figures have been calculated based on the following key principles:
- deliveries of dirty wood (approximately 55,000 tpa) and clean wood (approximately 20,000 tpa) would be imported to the site in articulated HGVs with an average payload of 15 tonnes;
 - approximately 49% of the total amount of processed wood (i.e. 36,750 tpa) would be exported by ship directly from the application site;
 - the remaining processed wood (approximately 38,250 tpa) would be exported from the site by road using HGVs with an average payload of 26 tonnes;
 - residual waste transported off site by road;
 - the facility is anticipated to employ 10 members of staff, each driving to the application site individually; and
 - the site being operational for 365 days per year.
38. Concerns have 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 in the Ridham Dock area. I also note that similar concerns have been raised on the application for Unit 15B Ridham Dock, to be separately considered under Agenda Item C2.

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39. A Transport Statement has been submitted in support of the proposal which both the Highways Agency and the Divisional Transportation Manager (DTM) have been consulted on. The Transport Statement has considered the extant trip generation of the previous industrial use of Unit 15A (Use Class B8: Storage Warehouse) and notes that such extant use, during the course of a 12 hour period, could generate in the region of 37 trips (74 two-way movements). As a result, the Transport Statement identifies that the proposed development is likely to cause a small but beneficial decrease in traffic associated with the site. The DTM accepts that in terms of traffic generation, the proposed use is expected to have less impact than the extant use, and could therefore not object to the current proposals on these grounds. Instead, the DTM recommends that limits be placed on the volumes of waste wood to be processed and the number of HGV movements allowed per annum, reflecting the details set out in the Transport Statement. In this respect, he has suggested that a cap of 46 HGV movements (23 in, 23 out) is reasonable to allow for daily variations likely to occur, over and above the anticipated 36 HGV movements set out in the applicant's Transport Statement. The DTM further recommends that the total waste wood through-put be capped at 75,000 tpa as detailed in the application, and that a cap be placed to allow a maximum of 40,000 tpa of processed wood to be transported away from the facility by road, to help achieve the shipping target. Whilst I agree with the DTM that it is necessary to cap the total amount of waste through-put at the facility to 75,000 tpa and allow a maximum of 46 HGV movements (23 in, 23 out) per day, I do not consider it reasonable or necessary to cap the total amount of material taken away from the facility by road to 40,000 tpa. Instead, planning conditions restricting the total tonnage of waste wood processed per annum, together with limiting the daily maximum number of HGVs is sufficient in my opinion to secure the reasonable compliance with the Transport Statement as submitted by the applicant. Furthermore, I consider it appropriate to restrict the hours of HGV movements to/from the site to between the hours of 07:00 and 19:00 seven days per week, as detailed in the application.
40. I note that concerns have been raised by the Parish Council relating to the parking of staff vehicles within the Ridham Dock Industrial Estate. Since making these comments, the applicant has confirmed that adequate parking for employees vehicles would be provided within an existing car parking area adjacent to the Ridham Dock Sea Terminals Office. The DTM has accepted this confirmation and accordingly does not raise any objection to the proposal in respect of vehicle parking issues.
41. Having regard to the above comments and in the absence of any objections from the Highways Agency and the DTM, I do not consider that an objection on highway grounds is justified and that all relevant matters could be controlled by way of appropriately worded planning conditions. I also support the export of processed wood from the facility by ship, which is an environmental benefit, and note the sites appropriate location within the Dock.

Noise, Dust and Odour

42. The application is accompanied by an Air Quality Assessment which assesses the potential effects of the proposed development, considering wood dust emissions during the operational phases and traffic emissions during the operational phase against the existing baseline scenario at the site, having regard to the proximity of the Swale Ramsar/SPA/SSSI designations. I note that the applicant intends to install an internal dust suppression 'sprinkler' system within Unit 15A for the comfort of employees undertaking wood shredding operations, together with the installation of an external

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dust suppression system in the form of rain guns to 'dampen-down' the external stockpile of shredded wood. These rain guns would operate during all works involving the handling of the stockpile and would be attached to a timer activated to a set of intervals at other times. The conclusion of the air quality assessment is that the risk of impacts from dust or traffic emissions on either human or ecological receptors is considered to be negligible. The County Council's advisor on air quality notes that the nearest residential receptors from the site are at some 1,400 metres from the site boundary and that the existing background levels are well below the Air Quality Objectives. They further consider that with the containment of the processing and shredding activities within the building, the proposed site is unlikely to cause a detriment to the nearest residential receptors and ecological sites in terms of air quality. I therefore concur with our advisor on air quality 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.

43. The application is accompanied by a Noise Assessment which is based on noise measurements taken around the site over typical midweek daytime and night-time periods and on a Sunday daytime. The assessment considers the suitability of the site for the proposed use in terms of the potential impact from noise generated by the development on the noise-sensitive receptors close to the site. Both operational noise generated by the wood shredding facility and noise from road vehicles and ships accessing and leaving the site have been considered. The British Standard BS4142 assessment has shown that noise generated by site operations at the proposed facility would lead to a situation where complaints would be unlikely at the nearest noise-sensitive receptors (those located in Kings Hill Farm [within Elmley National Nature Reserve] – approximately 1.9km east; Woodpecker Drive [Iwade] – approximately 1.8km south-west; Lloyd Drive [relatively new housing adjacent to Barge Way] – approximately 2.2km south; western boundary of the application site nearest the Swale SPA and Ramsar Site – approximately 190m to the west; eastern boundary of the application site nearest the Swale SPA and Ramsar Site – approximately 250m east). The British Standard 5882 assessment has shown that noise generated by vehicles accessing and egressing the site would have a minor, barely perceptible, impact at worst at the nearest residential receptor. Finally, the Noise Assessment has also shown that the noise generated by all operations at the proposed wood shredding facility would be below the AQTAG09 noise guidance limits (note that these guidelines provide guidance to assist planning officers involved with Environmental Permit applications for installations with relevant noise emissions and relate these to the requirements of the Habitats Regulations) and therefore it is considered unlikely that there would be an adverse noise impact within the adjacent Swale SPA and Ramsar site.
44. The County Council's noise advisor has been consulted on the application and advises that taking into account the industrial nature of the site surrounding the application site, the majority of the work being enclosed within the building and the distance to the nearest residential properties, the site is unlikely to result in a detriment to the noise environment of the nearest residential properties and therefore no objection is raised to the application on noise grounds. In my opinion, having regard to the conclusions of the submitted Noise Assessment and the comments made by our noise advisor I do not consider there to be any overriding noise objections to the proposal. The noise levels stated by the Parish Council in their consultee view above are noise levels recorded during the baseline monitoring exercise and may well have been generated by local traffic or industrial operations nearby. They are not predicted noise levels associated with the proposed wood shredding facility.

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Nature Conservation and Ecology

45. Whilst the application site itself is not covered by any statutory nature conservation designations, it lies close to sensitive site designations including the Swale Special Protection Area (SPA), the Swale Ramsar site, the Swale Site of Special Scientific Interest (SSSI) and the Medway Estuary and Marshes SPA, Ramsar and SSSI sites. The Elmley National Nature Reserve is located east of the site, on the other side of the river. Under Regulation 61 of the Conservation of Habitats and Species Regulations 2010, a 'Competent Authority' (in this case Kent County Council as the Planning Authority) is required 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 along or in combination with other plans and projects; and (b) is not directly connected with or necessary to the management of that site.
46. The application is accompanied by a report which specifically assesses the likely significant effects of the proposed wood shredding operation as a stand-alone development and in-combination with other plans or projects within its zone of influence on the Swale European site. That assessment concluded that the proposed development of a wood shredding facility within Unit 15A is not likely to have an adverse effect on the integrity of the Swale SPA and Ramsar site or on any of the qualifying features for which the site was designated and/or classified, either as a stand-alone development or in-combination with other plans or project within its zone of influence. Members will note that Natural England concur with this view and that subject to the avoidance and mitigation measures included within the application being fully implemented through appropriately worded planning condition(s), they consider that either alone or in combination with other plans or projects, this proposal would not be likely to have a significant effect on designated sites and that permission may be granted under the terms of the Conservation of Habitats and Species Regulations. I also note that The Royal Society for the Protection of Birds (RSPB) have raised no objections to this proposal and is satisfied that the development would not have a significant adverse effect on the nearby Swale Special Protection Area (SPA). Similarly, the County Council's Biodiversity Officer is satisfied that the impact from the development on the designated sites has been adequately considered.
47. In my opinion, having regard to the conclusions of the applicant's report on the likely significant effects of the proposed wood shredding operation together with the professional advice received from Natural England, the RSPB and the County Council's own Biodiversity Officer, I am satisfied that this proposal would not have a significant effect on designated sites either as stand-alone development or in-combination with other plans or projects within the vicinity. Instead I recommend that the avoidance and mitigation measures included within the application, which include:
- management procedures to minimise the generation of excessive human disturbance and noise during the operation of the wood shredding facility;
 - no working or storage of material within the Swale SPA / Ramsar site or on the Ridham Wall flood defences;
 - ensuring best practice dust mitigation measures at all times during on site operations; and

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- use of “rainwater harvesting” techniques where the collected water is re-used in on-site for dust suppression to reduce the volume of surface water run-off being discharge from the site into the Swale estuary
be secured by appropriately worded planning condition(s), should Members be minded to resolve to grant planning permission for this proposal.

Flood Risk

48. Based on Flood Zone Maps published by the Environment Agency, the application site is shown to lie within ‘high probability’ Flood Zone 3a 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. The site is defended from tidal ingress and thereby out of the functional floodplain of the Swale tidal river. As a result the site falls within Flood Risk Vulnerability Classification 3a (as defined in PPS25).
49. Existing tidal flood defences offer 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 from the private sewer network, which may be exacerbated by tide-locking of the private drain and outlet to the River Swale during tidal flood conditions. The greatest flood consequence would, however, result from residual risk scenarios (i.e. breach of tidal defences) coinciding with significant tidal conditions.
50. The application is accompanied by a Flood Risk Assessment (FRA) which acknowledges the 1953 flood event, a concern expressed by the Parish Council. It notes that since 1953 flood defences have been reinforced and upgraded along the majority of the North Kent coastline. The FRA details that the applicant proposes to manage flood risk through the implementation of robust flood warning measures linked to tidal conditions, the formulation of a flood evacuation plan and the provision of a safe refuge within Unit 15A or an adjacent building. Flood risks and residual flood risks are deemed to be manageable over the lifetime of the development, subject to proposed management measures being implemented. The Environment Agency have been consulted and have not raised an objection to the application on the grounds of flood risk. Subject to the development being carried out in accordance with the details contained in the submitted Flood Risk Assessment and the Flood Evacuation Plan I am satisfied that there are no overriding objections on the grounds of risk from flooding.

Employment

51. The wood shredding operation is anticipated to employ some 10 members of staff, running on a continual 24 hour basis. Local Plan Policy B2 supports new employment within the Borough whilst Policy B10 identifies the Ridham Dock Industrial Estate as a committed employment site. Members will be aware that one of Government’s top priorities 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 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. It is my view that this proposal would meet the requirements of Local Plan Policy B2 which supports employment opportunities in the area.

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Any other issues arising from consultation / publicity

52. The application proposes the external stockpiling of processed (shredded) wood to the rear (north) of Unit 15A, pending transportation off site via ship. Externally stockpiled material would comprise larger shredded dirty wood (30-80mm) with a limited amount of clean shredded wood. The applicant has proposed that the stockpiling of material be permitted up to 6 metres in height from ground level of the existing concrete slab. Concerns were expressed regarding the external stockpiling of shredded wood (in particularly the resulting opportunity for wind blow dust arising from such stockpiling) by an adjoining existing business occupant. The applicant has since agreed to upgrade the boundary wall between Unit 15A and the adjoining site, which includes the erection of a 3 metre high boundary wall constructed from metal posts and railway sleepers. The applicant has also confirmed that they will install an external dust suppression system, in the form of “rain guns” to dampen down the processed wood to avoid the potential for wind blown dust. The proposed woodchip stockpiling is proposed to take place over a relatively large area to the rear (north) of Unit 15A and would be placed to a peak height of 6 metres. The applicant has confirmed that it would not require any retaining structure to provide support, and feels confident that it would be stable to the height proposed. Subject to the installation of the external dust suppression system together with the upgrade of the existing boundary wall prior to the first commencement of wood shredding operations on site, I see no overriding grounds of objection to the height of the woodchip stockpile being restricted to 6 metres in this instance.
53. Having considered the cumulative impacts of the proposed development in terms of other existing facilities and proposed developments within the area (including the proposal for Unit 15B – see Agenda Item C2) I am satisfied that there are no overriding grounds of objection to this proposal in this instance. Furthermore, I acknowledge that neither the HA and DTM has raised any objections to the proposal when assessing the impacts in terms of existing road capacity and in cumulative terms with the proposals for Units 15A and 15B at Ridham Dock. I also do not consider there to be any overriding objections in terms of cumulative impacts in respect of noise, dust or odour and as stated within paragraph (47) I am satisfied that this proposal would not have a significant effect on ecologically designated sites either as a stand-alone development or in-combination with other plans or projects in the vicinity. I am therefore satisfied that cumulative impacts in this instance have been adequately addressed.

Conclusion

54. In conclusion, I am satisfied that there is a need for this facility based on the available streams of waste wood arising within Kent, London and neighbouring counties such that the proposal, in my opinion, would meet the requirements of South East Plan Policies W3 and W4. Similarly, the proposal seeks to divert a biodegradable material from landfill which is supported by South East Plan Policy W5, and would process it into a source of biomass fuel. The site is one identified in the Kent Waste Local Plan as suitable in principle for waste uses and has ready access via a purpose built spine road with two access points onto/from the A249. Whilst I acknowledge that concerns have been raised in relation to vehicle capacity in the locality, this proposal itself represents no material increase in vehicle numbers on the local road network. Both the Highways Agency and the Divisional Transportation Manager have been consulted on this proposal and neither has sought to raise objections on highway grounds. Having considered their views and the sites close location to the existing highway network and purpose built access road to the industrial estate, I am satisfied that the proposal meets

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the requirements of Policy W22 of the Kent Waste Local Plan. I support the export of a percentage of the processed wood from the facility by ship, which is an environmental benefit, and note the sites appropriate location within the Ridham Dock Industrial Estate.

55. In terms of air quality, the potential impacts from wood dust emissions and traffic emissions during the operational phases have been considered and in my view the dust mitigation measures put forward by the applicant are suitable and can be controlled through suitably worded conditions, thereby satisfying the criteria of Policy W18 of the Kent Waste Local Plan and Policy NRM9 of the South East Plan.
56. In terms of noise, having assessed the potential noise impacts of the proposal on the nearest sensitive receptors (being both residential and ecological) I do not consider there to be any overriding noise objections to the proposal and that the proposal meets with the requirements of Kent Waste Local Plan Policy W18.
57. The site is located close to sensitive designated areas. Having considered the likely significant effects of the proposed wood shredding operation as a stand-alone development and in-combination with other plans or projects in the vicinity, based on the professional advice received from Natural England, the RSPB and the County Council's own Biodiversity Officer, I am satisfied that this proposal would not have a significant effect on designated sites subject to the imposition of suitably worded planning condition(s) to secure the implementation of ecological measures as detailed within the application.
58. Having considered flood risk issues, I am satisfied that the development accords with the requirements of PPS25. I am also satisfied that this proposal would meet the requirements of Local Plan Policy B2 which supports new employment opportunities in the area.
59. In view of the above, I therefore recommend that planning permission be granted for this proposal, subject to conditions as set out in paragraph (60) below.

Recommendation

60. I RECOMMEND that PLANNING PERMISSION BE GRANTED, SUBJECT TO conditions, including conditions to cover the following aspects:
 - 5 year implementation period;
 - the development to be carried out in accordance with the permitted details;
 - cap of 75,000 tpa of waste wood to be processed at the facility;
 - daily cap of 46 HGV movements (23 in, 23 out) per day;
 - restriction of HGV movements to/from the site between 07:00 and 19:00 seven days per week;
 - full implementation of ecological avoidance measures as detailed within the application;
 - external stockpile of processed wood not to exceed 6 metres in height and no stockpiling of wood except in the location shown within the application drawings;
 - installation of external dust suppression system (rain guns) in associated with external stockpile of shredded wood prior to first commencement of wood shredding

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operations. The guns shall thereafter be used in accordance with a management plan to be agreed with the Waste Planning Authority;

- installation of replacement boundary wall structure prior to first commencement of wood shredding operations;
- replacement cladding to match existing building in external appearance;
- development carried out in accordance with submitted Flood Risk Assessment and Flood Evacuation Plan;
- Use of rainwater harvesting techniques as detailed within the application.

Case officer – Julian Moat	01622 696978
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Background documents - See section heading
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Item C2**Use of building 15B for Materials Recycling Facility and Refuse Derived Fuel Facility, Unit 15B Ridham Dock Industrial Estate, Sittingbourne – KCC/SW/0209/2011**

A report by Head of Planning Applications Group to Planning Applications Committee on 6 September 2011.

Application by Sita UK Limited for the use of building 15B to install and operate a Materials Recycling Facility (MRF) and a Refuse Derived Fuel (RDF) Facility and use of the existing weighbridge, weighbridge office, site office and washrooms/toilets to the south of Unit 15A at unit 15B Ridham Dock Industrial Estate, Ridham Dock Road, Ridham, Sittingbourne (KCC/SW/0209/2011).

Recommendation: Planning permission be granted, subject to conditions.

Local Member(s): Mr. M. Whiting and Mr. A. Willicombe

Classification: Unrestricted

Site Description

1. The application site is located on Ridham Dock Industrial Estate, which is a well established commercial and industrial wharf situated adjacent to the River Swale. The Dock is 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. The River Swale is a designated SPA under EC Directive 79/409 on the Conservation of Wild Birds and Ramsar citation as a wetland of national and international importance. It regularly supports internationally important numbers of wintering and breeding migratory waterfowl. The mudflats of the Swale are also rich in invertebrates and are rich in plant life, rare and common.
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 which is located along the eastern and northern boundary.
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 Aggregates, European Metal Recovery, Morgan Este and Arcelor Steel. Located within 2 kilometres of the dock are Kemsley Paper Mill and Knauf plasterboard facilities, together with a Countrystyle Recycling facility, Morrisons distribution warehouse and Ridham Sea Terminals.
4. The dock is accessed via a private spine road that traverses Ridham Dock, providing access to all land uses contained within the dock area. The private spine road connects to the public highway by becoming Sheppey Way to the north and via a four-arm roundabout with Barge Way to the south. Sheppey Way connects to the Strategic Road Network via a grade-separated roundabout and dedicated slip-roads, providing access to and from the south along the A249, approximately 1km to the west of the application site.
5. The nearest residential areas in the surrounding environment are Kemsley (approximately 1.9km south), Iwade (approximately 1.5km west), Queenborough

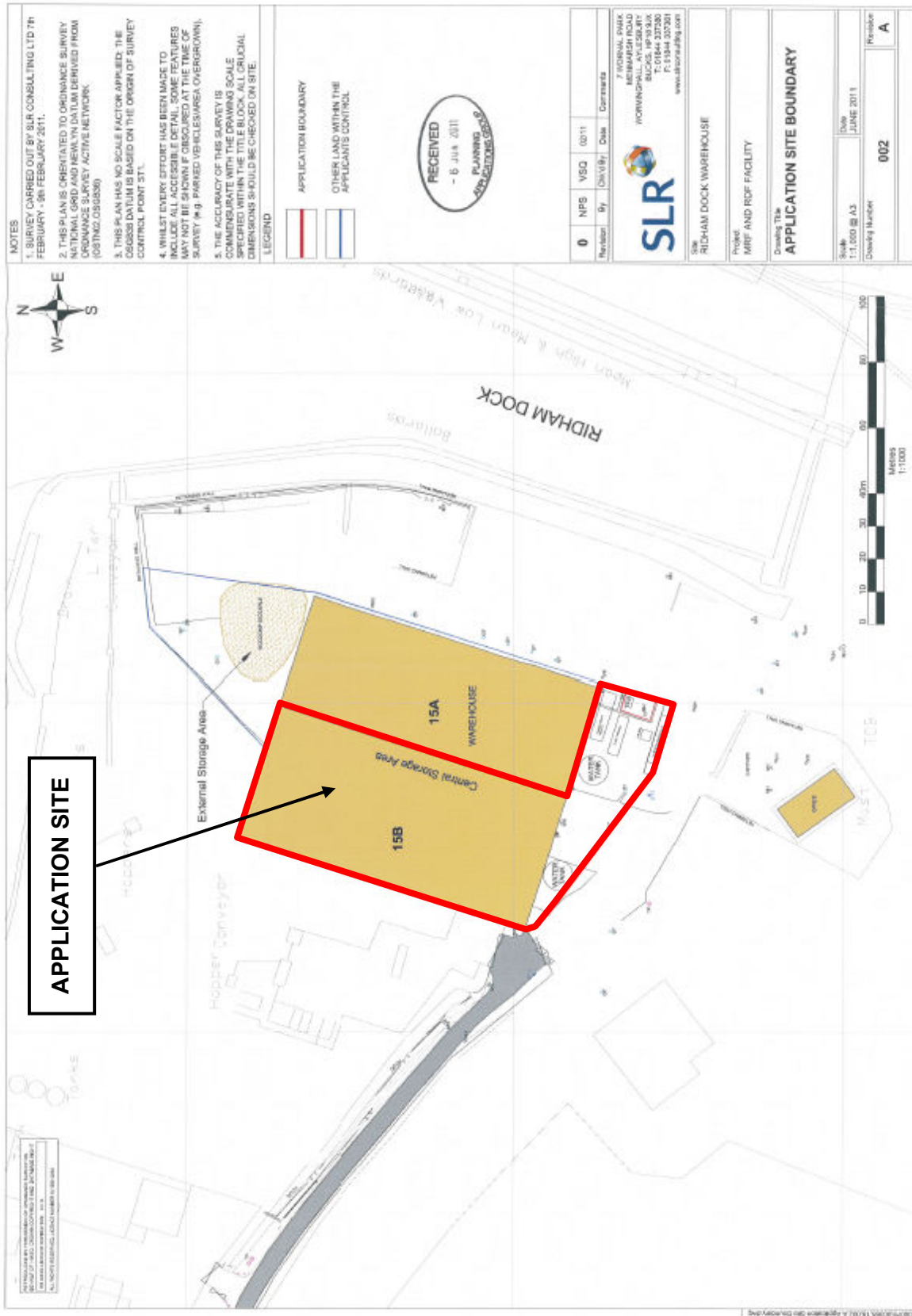
Materials Recycling Facility and Refuse Derived Fuel Facility, Unit 15B Ridham Dock Industrial Estate – KCC/SW/0209/2011

General Location Plan



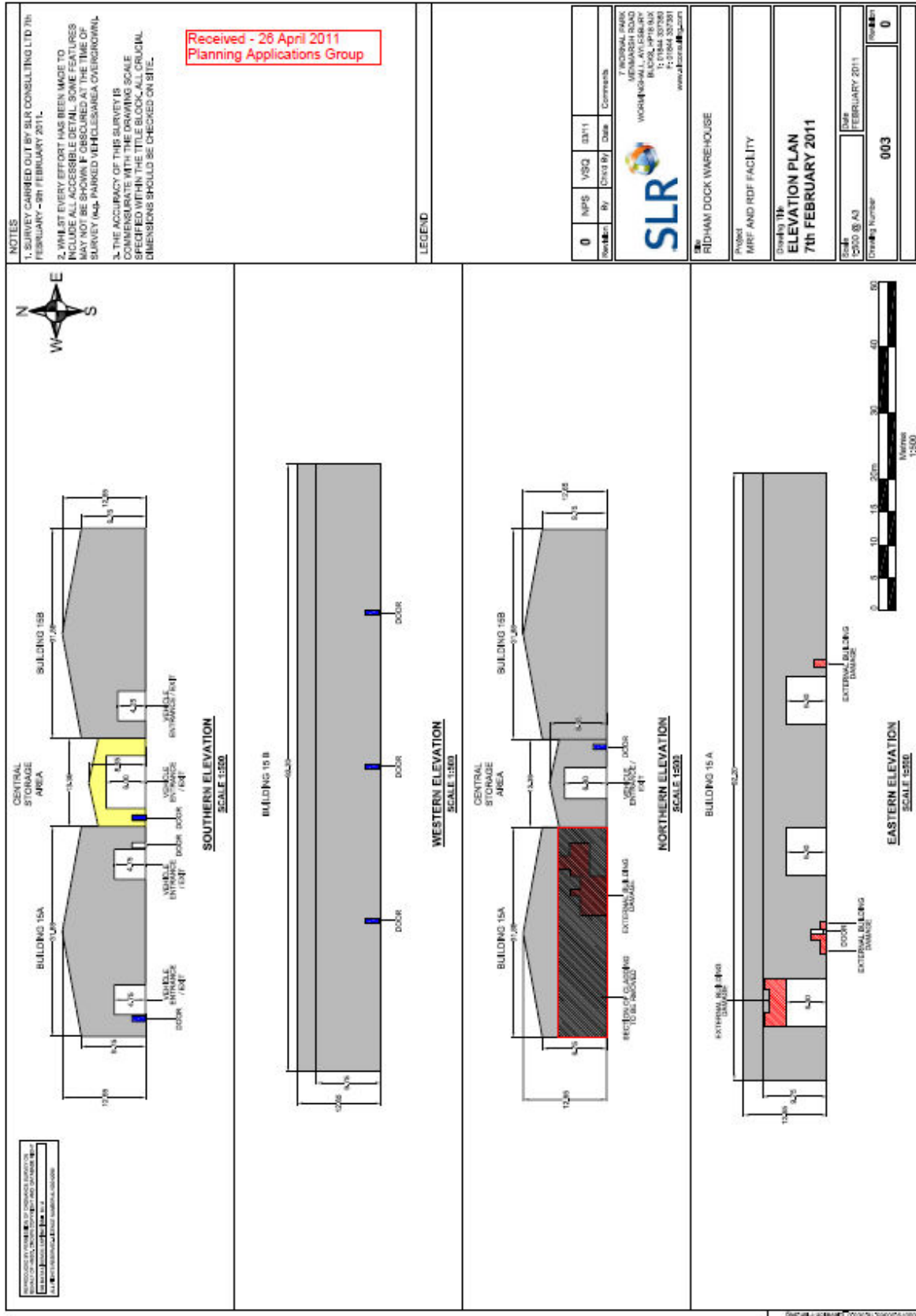
Materials Recycling Facility and Refuse Derived Fuel Facility, Unit 15B Ridham Dock Industrial Estate – KCC/SW/0209/2011

Application Site Boundary



Materials Recycling Facility and Refuse Derived Fuel Facility, Unit 15B Ridham Dock Industrial Estate – KCC/SW/0209/2011

Elevation Plan



Materials Recycling Facility and Refuse Derived Fuel Facility, Unit 15B Ridham Dock Industrial Estate – KCC/SW/0209/2011

(approximately 2.5km north) and Minster (approximately 3.5km northeast). Beyond the industrial areas of the dock, the surrounding land consists of predominantly low lying grazing, agricultural and marshland areas. *A site location plan is attached on page C2.2.*

6. The application site is Unit 15B at Ridham Dock; an existing semi detached steel portal frame warehouse adjacent to Unit 15A (proposed to be used as a wood shredding facility – as per Committee Agenda Item C1). The building has historically been used for a range of industrial and port related storage purposes since the late 1970's. Included within the application boundary (as shown on page C2.3) is an existing weighbridge, weighbridge office, mobile office and toilet/washroom (all located to the front of Unit 15A). All of these would be ancillary to the operation of the Materials Recycling Facility (MRF) and Refuse Derived Fuel (RDF) Facility. The application site comprises an area of some 0.5 hectares.

Proposal

7. The proposal seeks permission to install and operate a Materials Recycling Facility (MRF) and a Refuse Derived Fuel (RDF) Facility at the Ridham Dock site. It is proposed to import up to 25,000 tonnes per annum (tpa) of commercial and industrial waste to the MRF by road. Waste for the MRF would typically comprise mixed skip waste and would generally be bought to the site on 7 tonne skip lorries. Vehicles bringing in materials for the MRF would pass over the weighbridge before discharging their contents within a designated area within Unit 15B where it would be stored prior to processing. A 360° grabber and loading shovel would be used to convey the material to a mobile screener and then to a trommel. The trommel would be used to separate inert and fine materials before waste is conveyed to the picking station where pickers would manually separate any recyclable materials into different storage containers. The recyclable fraction of the MRF waste (approximately 50%) would be temporarily stored in a central storage area (between Unit 15A and Unit 15B) and exported by road to specialist recycling facilities and the residual 50% would go through the RDF process to extract every possible value.
8. Refuse Derived Fuel (RDF) is a fuel produced by shredding and dehydrating solid waste. RDF consists largely of combustible components of municipal waste such as plastics and biodegradable waste. The residual material can be sold in its processed form (depending on the process treatment) or it may be compressed into pellets, bricks or logs.
9. It is proposed to import up to 100,000 tpa of commercial and industrial waste to the RDF facility by road. Waste for the RDF facility would arrive at the site in 'bulked-up' loads by 22 tonne payload HGVs. Vehicles bringing in material for the RDF facility would pass over the existing weighbridge and proceed inside Unit 15B to deposit their material in a designated area. It is proposed to construct free standing concrete walls within the building to create storage bays. The RDF materials would arrive at the site pre-sorted thus would not need to go through the MRF for separation into waste streams. The RDF materials would first be fed into a low speed shredder which would shred the material to approximately 150mm in size. A magnet at the end of the shredder would remove any metal fragments. Following shredding, the materials would be conveyed to a heavy fraction separator which would remove the inert material. The remaining material would then proceed to two high speed shredders which would shred the material into particles less than 30mm in size ready for the final bailing and

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wrapping process. Once baled and wrapped, all of the RDF material would be exported from Ridham Dock by ship. Ships would have a typical capacity of 1800 tonnes.

10. Permission is sought to operate the MRF and RDF facility on a 24 hour basis, in line with the operating hours of Ridham Dock and warehouses on the dock. The proposals require the following plant and machinery: baler and wrapping machine; high speed shredders; low speed shredder; heavy fraction separator; magnet; picking station; trommel; loading shovel; 360° excavator / grab; and forklift. The MRF and RDF facility is anticipated to employ up to 16 members of staff.
11. The application site comprises the existing building, known as Unit 15B, the existing weighbridge, weighbridge office, mobile office and mobile toilet/washroom. This proposal is related to the proposal for Unit 15A (see Agenda Item C1) in so far as they would be managed by the same operator (SITA UK) and facilities such as the weighbridge, weighbridge office and welfare facilities would be shared, together with a Central Storage Area, as shown on page C2.3.

Planning Policy Context

12. The key National and Development Plan Policies most relevant to the proposal are summarised below:

- (i) **National Planning Policies** – the most relevant National Planning Policies are set out in PPS1 (Delivering Sustainable Development), PPS9 (Biodiversity and Geological Conservation), PPS10 (Planning for Sustainable Waste Management), PPS23 (Planning and Pollution Control), PPS24 (Planning and Noise) and PPS25 (Development and Flood Risk). Also relevant for consideration is the Waste Strategy for England 2007.
- (ii) **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), W17 (location of waste management facilities), CC1 (sustainable development), CC2 (climate change), CC3 (resource use), CC4 (sustainable design and construction), NRM4 (sustainable flood risk management), NRM5 (conservation and improvement of biodiversity) and NRM9 (air quality).

Important note regarding the South East Plan:

Members will already be aware of the relevant South East Plan (SEP) 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 as material considerations. However the weight to be accorded is a matter for the decision makers.

- (iii) **Kent Waste Local Plan (1998)** – the most relevant saved policies are: W9 (Ridham area identified as suitable in principle for waste separation and transfer), W18 (noise, dust and odour), W19 (groundwater protection), W20 (drainage, flood control and rainwater infiltration), W21 (nature conservation), W22 (provision of adequate access arrangements, W25A (reuse of existing buildings) and W31 (visual impact and landscaping).

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- (iv) The **Swale Borough Local Plan (2008)** – the most relevant policies are summarised below:

Policy SP1 Requires development proposals to accord with sustainable development principles.

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 visual, aural, ecological, historical, atmospheric and hydrological environment 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 need are judged to be the greater, the Council will require adverse impacts to be minimised and mitigated.

Policy E2 All development proposals will minimise and mitigate pollution impacts.

Policy E4 Where there is considered to be a risk of flooding, development proposals will be accompanied by a Flood Risk Assessment.

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

Policy B2 Provides for new employment.

Policy B10 Ridham identified as an existing committed employment site.

Consultations

13. **Swale Borough Council:** raises no objections to the proposed development subject to the imposition of any conditions recommended by consultees on this proposal.

14. **Iwade Parish Council:** object to the proposed development on the following grounds:

- concern about increased traffic on the A249. In light of recent applications at this site and the surrounding area, has Kent County Council looked at all the quoted lorry/traffic movements (adding together all the extra movements from each application) to ascertain the exact impact on the highway infrastructure? The A249 is already suffering problems due to increased traffic; there are alternatives as regards transport – the river and there is an old railway line which could be regenerated – this would have an impact on decreasing emissions from vehicles and alleviate the impact on the surrounding highway network;
- fire precautions – as various combustible materials would be stored at this facility would fire breaks be placed in strategic points in the possible event of spontaneous combustion and what other precautions would be taken?

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- following a site visit with the operators, Members of the Parish Council were encouraged by the steps that the applicant is taking and how it is seeking to address environmental/health issues.
15. **Highways Agency:** raises no objections to the proposed development on the basis that the total volume of material through the site be controlled by planning condition. Based on the application details consider that there is unlikely to be a detrimental impact on the Strategic Road Network. During pre-application discussions, the applicant indicated their intention to use Sheppey Way for vehicular access to the A249. This is a marked HGV route to Ridham Dock. However, this application mentions use of the Grovehurst junction. The Grovehurst junction will potentially be coming under stress in future years from the amount of development already permitted and that planned within the developing Core Strategy for the area. Would strongly advise that traffic associated with this proposal is directed to use the marked HGV route to Ridham Dock, via Sheppey Way and not via the Grovehurst junction.
16. **Divisional Transportation Manager:** having carried out a sensitivity test using TRICS database to compare the traffic movements associated with the extant use of the site against those of the proposed development, concurs that HGV movements would be virtually similar to the extant use. Therefore raises no objections to the proposed development subject to conditions being imposed on any decision to limit traffic movements and tonnage of material brought into and out of the site to reflect the details submitted within the application, as follows:
- the application suggests 48 HGV movements per day (24 in, 24 out), so suggest that a cap of 58 two-way movements per day is reasonable to allow for daily variations and that likely under the extant use;
 - limit importation cap of 125,000 tpa [25,000 tpa for MRF and 100,000 tpa for RDF] (as being applied for); and
 - cap 14,000 tpa to be transported away from the facility by road to help achieve the applicant's shipping target.
17. **Environment Agency:** raises no objections to the proposed development subject to the imposition of conditions covering compliance with the submitted Flood Risk Assessment and the Flood Evacuation Plan. The Agency further state that: an Environmental Permit will be required for the proposed operations; that the storage of a large amount of combustible materials take place in accordance with their Draft Pollution Prevention Guide Number 29: "Safe Storage – Combustible Materials, Prevent and Control Fire"; and that consideration be given to material escaping from the facility as windblown litter and dust.
18. **The Royal Society for the Protection of Birds (RSPB):** raises no objections to the proposed development and is satisfied that the development would not have an adverse effect on the nearby Swale Special Protection Area (SPA). This is subject to the mitigation measures set out in the application being secured by appropriately worded planning condition(s).
19. **Natural England:** notes that the application site lies close to habitats which form part of the Swale SSSI and that the SSSI is part of the Swale SPA and Ramsar Site. However, raise no objection to the proposed development.

Further consider that in their view, either alone or in combination with other plans or projects, this proposal would not be likely to have a significant effect on the designated

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sites and that the permission may be granted (subject to other planning considerations) under the terms of the Conservation of Habitats and Species Regulations.

20. **County Council's Biodiversity Officer:** raises no objections to the proposed development and is satisfied that the development would have minor or no impact on the designated sites.
21. **County Council's Noise, Dust & Odour Consultant:** makes the following comments:

Noise

"Taking into account the industrial nature of the site surrounding the application site, the majority of working being enclosed within the buildings and the distance to the nearest residential properties, the site is unlikely to result in a detriment to the noise environment of the nearest residential properties. In terms of traffic [noise] impacts, I note that it is predicted that there would be approximately 48 HGV two-way movements per day. Such low vehicle numbers will not result in adverse impacts for receptors on the local road network. However, I note from the previous application for Unit 15A (see Committee Agenda Item C1) that 36 HGV movements per day are associated with wood shredding operations. When considering the combined impact of these applications, the total movements associated with Unit 15A and Unit 15B would result in a total of 84 HGV movements. The nearest residential receptors are located on Samuel Drive and Lloyd Drive, approximately 20 metres from Swale Way [these properties are the relatively new housing constructed immediately south of Barge Way, the main spine road into the Ridham Dock Industrial Estate].

The noise assessment assumes that vehicle movements would be restricted to daytime hours. Should HGV movements occur through the night we would wish for the noise impact to be considered further in particular on the nearest residential receptors alongside the road access to the facility.

Dust and Odour

"The nearest residential receptors from the site is approximately 1,400 metres from the site boundary and the existing background levels are well below the Air Quality Objectives. The containment of the processing activities within the building, I am of the opinion that the proposed site is unlikely to cause a detriment to the nearest residential receptors and ecological sites in terms of air quality.

I note from previous assessments in this area that Swale Borough Council have highlighted concerns regarding the re-suspension of dust by traffic along the site access road. We would wish the applicant to consider the use of appropriate mitigation measures to ensure there is no impact from the site access road".

Local Member

22. The local County Members, Mr. M. Whiting and Mr. A. Willicombe, were notified of the application on the 14 June 2011.

Publicity

23. The application was publicised by the posting of a site notice at the entrance to the Ridham Dock Industrial Estate, a newspaper advertisement in the Kent on Sunday, and the individual notification of business premises within 250 metres from the application site boundary.

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Representations

24. I have not received any letters of representation to date in respect of this application.

Further information provided by the Applicant in support of their Proposal

25. Following views received from consultees the applicant has supplied further information in support of their proposals as follows:

- details of fire safety risk assessment and fire response procedure;
- confirmation that employees vehicles would be parked within an existing car parking area adjacent to the Ridham Dock Sea Terminals office;
- confirmation that HGVs would only be permitted to/from the site between the hours of 07:00 and 19:00 seven days per week;
- submission of a Flood Evacuation Plan for site personnel; and

Discussion

Introduction

26. The application seeks planning permission to install and operate a Materials Recycling Facility (MRF) and a Refuse Derived Fuel (RDF) Facility at the Ridham Dock site. The MRF and RDF facility would import mixed commercial and industrial waste from Kent, East London and Surrey. It is proposed that up to 25,000 (tpa) of commercial and industrial waste would be imported to the MRF and up to 100,000 tpa of commercial and industrial waste imported to the RDF, both streams arriving at the site by road. The application is being reported to the Planning Applications Committee as a result of the objection received from Iwade Parish Council. In considering this proposal, regard must be had to the key National and Development Plan Policies outlined in paragraph (12).
27. 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. 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.
28. Former government advice required waste planning authorities to consider whether waste development proposals 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. Subsequent advice in PPS10 moved the consideration of BPEO principles to the plan making stage where it is to be considered as part of the Sustainability Appraisal (SA)/Strategic Environmental Assessment (SEA) process applied to the plan. However where planning authorities' current waste policies have not been subject to the SA/SEA process (as is the case with the current Kent Waste Local Plan), it is appropriate to consider applications against the principles of BPEO.
29. Until such time as the **Kent Waste Development Framework** (KWDF) reaches a more advanced stage, applications will be considered against the 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.

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30. The application site falls within an area identified in the Kent Waste Local Plan as being suitable in principle for waste re-use, separation and transfer.
31. In my opinion, the key material planning considerations in this particular case can be categorised under the following headings:
- Need;
 - Highway Issues;
 - Noise, Dust and Odour;
 - Nature Conservation and Ecology;
 - Flood Risk;
 - Employment; and
 - Any other issues arising from consultation/publicity including cumulative impacts arising from other developments.

Need

32. In support of their case of need the applicant highlights that around 106 million tonnes of commercial, industrial and municipal waste is produced in England and Wales each year. Around 54% of commercial and industrial waste and 83% of municipal waste is landfilled. Regulatory and environmental pressures require that these landfill levels are greatly reduced. One means of reducing waste going to landfill is to process waste into fuels for manufacturing and renewable energy industries. This type of fuel is referred to as a Refuse Derived Fuel (RDF). It has recently been reflected in an update to PPS10 following changes to the Waste Framework Directive that there is strong policy support for the increased use of waste as a resource, including its use as a fuel, particularly in energy from waste plants.
33. As part of the evidence base being used in the preparation of the KWDF a needs assessment undertaken on behalf of the County Council by its consultants Jacobs has identified a shortfall in capacity in Kent for dealing with commercial and industrial and construction and demolition waste during the early part of the plan period.
34. Policy W3 of the South East Plan (Regional Self Sufficiency) states that waste planning 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 (Sub-Regional Self Sufficiency) requires waste planning authorities 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. The MRF and RDF facility would bring in mixed commercial and industrial waste from Kent, East London and Surrey which would make a contribution to managing waste arising in the Region. In my view therefore I consider the proposal to be in accordance with South East Plan Policies W3 and W4.
35. Policy W5 of the South East Plan sets out overall diversion targets for the diversion of waste from landfill by encouraging the re-use, recycling and thermal treatment (energy recovery) of waste. As the Landfill Directive sets increasing targets for the reduction of biodegradable material going to landfill, increasing proportions of biodegradable material will be removed from landfill and so be available as a source of biomass fuel. In my view, given that the proposed development seeks to use waste which is likely to otherwise have been landfilled, to create a biomass fuel source, it is in accordance with Policy W5. Furthermore, I note that policy exists at the national, regional and local level which gives support in principle for the establishment of alternative waste management

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facilities to landfill, particularly those where waste is recovered as a resource to produce energy.

Highway issues

36. Access for the delivery of commercial and industrial waste for the MRF and RDF would be by road from the A249. There are two access points which link a private spine road that traverses the Ridham Dock Industrial Estate from the A249. One from the west assuming vehicles would exit the A249 at the roundabout with Old Ferry Road which leads into Sheppey Way, continuing on into the Ridham Dock Industrial Estate; the other to the south west via the Grovehurst Junction leading onto Barge Way. The applicant's Transport Statement identifies that both routes of vehicular access are considered to provide a suitable means of access to the application site.
37. The applicant predicts that the proposal would generate in the region of 24 HGV trips (48 two-way movements) between 07:00 and 19:00 seven days per week. Staff movements are predicted to generate 16 trips (32 two-way movements) over the course of the 24 hour operational day. This would equate to the hourly generation of approximately 3 HGV trips (6 two-way movements) per hour during day-time periods. The total trip generation from the proposed facility would therefore be 40 trips (80 two-way movements) over the course of an average day. These proposed trip generation figures have been calculated based on the following key principles:
- 100,000 tpa of mixed commercial and industrial waste imported to the RDF facility via the road network in articulated HGVs with an average payload of 22 tonnes;
 - 25,000 tpa of mixed commercial and industrial waste imported to the MRF via the road network in skip lorries with an average payload of 7 tonnes;
 - the MRF process having a recovery rate of 50%, resulting in 12,500 tpa of recycled waste being exported via the road network in articulated HGVs with an average payload of 20 tonnes;
 - the remaining waste from the MRF process (12,500 tpa) is sent to the RDF facility;
 - 112,500 tpa of RDF product is exported by boat directly from the application site;
 - 16 members of staff employed at the site, each driving to the application site; and
 - the site being operational for 365 days per year.
38. Concerns have 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 in the Ridham Dock area. I also note that similar concerns have been raised on the application for Unit 15A Ridham Dock, as considered under Agenda Item C1.
39. A Transport Statement has been submitted in support of the proposal which both the Highways Agency and the Divisional Transportation Manager (DTM) have been consulted on. The Transport Statement has considered the extant trip generation of the previous industrial use of Unit 15B (as Use Class B8: Storage Warehouse or Use Class B2: General Industrial Operations – both of which are known to have taken place in the building in the past), using TRICS database based on a building footprint of some 2,895 sq. metres. The extant use of Unit 15B could expect to generate in the region of 5 movements during the peak hours which, during the course of a 12 hour period, could generate in the region of 37 trips (74 two-way movements). As a result, the Transport Statement identifies that the proposed development is likely to result in a similar trip generation pattern during peak hours (07:00 to 19:00). The DTM accepts that in terms of traffic generation, the transport impacts of the proposed use is expected to be

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virtually similar to that of the extant use, and could therefore not object to the current proposals on the grounds of traffic generation. Instead, the DTM recommends that limits be placed on the volumes of commercial and industrial waste to be imported to the site and the number of HGV movements allowed per annum, reflecting the details set out in the Transport Statement. In this respect, he suggests that a cap of 58 HGV movements (29 in, 29 out) is reasonable to allow for daily variations likely to occur, over and above the anticipated 48 HGV movements per day set out in the applicant's Transport Statement. The DTM further recommends that the total volume of imported waste to the site should be capped at 125,000 tpa (100,000 tpa for the RFD and 25,000 tpa for the MRF) as detailed in the application. He also recommends that a cap be placed to allow a maximum of 14,000 tpa of processed material to be transported away from the facility by road, to help achieve the applicants shipping target. Whilst I agree with the DTM that it is necessary to cap the total amount of waste through-put at the facility to 125,000 tpa and allow a maximum of 56 HGV movements (28 in, 28 out) per day, I do not consider it necessary to cap the total amount of material taken away from the facility by road to 14,000 tpa. Instead, planning conditions restricting the total tonnage of waste imported to the facility per annum, together with limiting the daily maximum number of HGVs is sufficient in my opinion to secure the reasonable compliance with the Transport Statement as submitted by the applicant. Furthermore, I consider it appropriate to restrict the hours of HGV movements to/from the site to between the hours of 07:00 and 19:00 seven days per week, as detailed in the application.

40. I also note that the Highways Agency has raised no objection to the application subject to the total volume of material through the site being controlled by planning condition. I also note that they have advised that all HGVs accessing the site should be directed to use Sheppey Way from the A249 as opposed to using the Grovehurst junction. The applicant has suggested that they are prepared to make every reasonable attempt to instruct delivery drivers to use Sheppey Way instead of the Grovehurst junction. In light of the advisory nature of the HA advice, in my opinion it would not be appropriate or reasonable in my opinion to formally secure the routing of HGV traffic by planning condition or legal agreement in this instance. Instead, I would seek to place an informative on any decision advising the applicant to make every reasonable attempt to ensure that HGVs use Sheppey Way to gain access to/from Unit 15B.
41. I note that staff vehicles would be parked nearby to the application site within an existing car park adjacent to the Ridham Dock Sea Terminals Office. The DTM has accepted that staff parking in respect of this proposal is adequate and accordingly does not raise any objection to the proposal in respect of vehicle parking issues.
42. Having regard to the above comments and in the absence of any objections from the Highways Agency and the DTM, I do not consider that an objection on highway grounds is justified and that all relevant matters could be controlled by way of appropriately worded planning conditions. I also support the export of RDF product from the facility by ship, which is an environmental benefit, and note the sites appropriate location within the Dock.

Noise, Dust and Odour

43. The application is accompanied by an Air Quality Assessment which assesses the potential effects of the proposed development, considering the potential for the MRF and RDF facility to impact upon air quality in the vicinity of the application site at Ridham Dock. The Air Quality Assessment considers the proposed operational phases and traffic emissions against the existing baseline scenario at the site, having regard to the

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proximity of the Swale Ramsar/SPA/SSSI designations. The conclusion of the air quality assessment is that the risk of impacts from dust or traffic emissions on either human or ecological receptors is considered to be negligible. The County Council's advisor on air quality notes that the nearest residential receptors from the site are at some 1,400 metres from the site boundary and that the existing background levels are well below Air Quality Objectives. They further consider that with the containment of the processing activities within building 15B, the proposed site is unlikely to cause a detriment to the nearest residential receptors and ecological sites in terms of air quality. I therefore concur with our advisor on air quality 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.

44. The application is accompanied by a Noise Assessment which is based on noise measurements taken around the site over typical midweek daytime and night-time periods and on a Sunday daytime. The assessment considers the suitability of the site for the proposed use in terms of the potential impact from noise generated by the development on the noise-sensitive receptors close to the site. Both operational noise generated by the MRF and RDF facility and noise from road vehicles and ships accessing and leaving the site have been considered. The British Standard BS4142 assessment has shown that noise generated by site operations at the proposed facility would lead to a situation where complaints would be unlikely at the nearest noise-sensitive receptors (those located in Kings Hill Farm [within Elmley National Nature Reserve] – approximately 1.9km east; Woodpecker Drive [Iwade] – approximately 1.8km south-west; Lloyd Drive [relatively new housing adjacent to Barge Way] – approximately 2.2km south; western boundary of the application site nearest the Swale SPA and Ramsar Site – approximately 190m to the west; eastern boundary of the application site nearest the Swale SPA and Ramsar Site – approximately 250m east). The British Standard 5882 haul route assessment has shown that noise generated by vehicles accessing and egressing the site would have a minor, barely perceptible, impact at worst at the nearest residential receptor. Finally, the Noise Assessment has shown that the noise generated by all operations at the proposed MRF/RDF facility would be below the AQTAG09 noise guidance limits (note that these guidelines provide guidance to assist planning officers involved with Environmental Permit applications for installations with relevant noise emissions and relate these to the requirements of the Habitats Regulations) and therefore it is considered unlikely that there would be an adverse noise impact within the adjacent Swale SPA and Ramsar site.
45. The County Council's noise advisor has been consulted on the application and advises that taking into account the industrial nature of the site surrounding the application site, the majority of the work being enclosed within the building and the distance to the nearest residential properties, the site is unlikely to result in a detriment to the noise environment of the nearest residential properties and therefore no objection is raised to the application on noise grounds. When considering the combined noise impacts of traffic movements in respect of this proposal and the proposal for Unit 15A (see Agenda Item C1), the County Council's noise advisor notes that the nearest residential receptors are relatively new housing located some 20 metres from Barge Way, part of the Ridham Dock access road leading from the Grovehurst junction. However, he notes that the noise assessment used is based on HGV movements taking place between daytime hours only and should movements occur through the night he would wish for further noise assessment modelling to be undertaken. Accordingly, and as outlined above, I recommend that the hours of HGV movements be restricted to daytime hours (07:00 to 19:00) seven days per week should permission be granted for this proposal. I note that the same approach has also been applied on the proposal at Unit 15A Ridham Dock. In my opinion, having regard to the conclusions of the submitted Noise Assessment and

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the comments made by our noise advisor I do not consider there to be any overriding noise objections to the proposal.

Nature Conservation and Ecology

46. Whilst the application site itself is not covered by any statutory nature conservation designations, it lies close to sensitive site designations including the Swale Special Protection Area (SPA), the Swale Ramsar site, the Swale Site of Special Scientific Interest (SSSI) and the Medway Estuary and Marshes SPA, Ramsar and SSSI sites. The Elmley National Nature Reserve is located east of the site, on the other side of the river. Under Regulation 61 of the Conservation of Habitats and Species Regulations 2010, a 'Competent Authority' is required 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 along or in combination with other plans and projects; and (b) is not directly connected with or necessary to the management of that site.
47. The application is accompanied by a report which specifically assesses the likely significant effects of the proposed wood shredding operation as a stand-alone development and in-combination with other plans or projects within its zone of influence on the Swale European site. The in-combination effects take account of plans or projects within the vicinity, including the proposal at Unit 15A (Agenda Item C1). That assessment concluded that the proposed development of a MRF and RDF facility within Unit 15B would not be likely to have an adverse effect on the integrity of the Swale SPA and Ramsar site or on any of the qualifying features for which the site was designated and/or classified, either as a stand-alone development or in-combination with other plans or project within its zone of influence. Members will note that Natural England concur with this view and consider that either alone or in combination with other plans or projects, this proposal would not be likely to have a significant effect on designated sites and that permission may be granted (subject to other planning considerations) under the terms of the Conservation of Habitats and Species Regulations. I also note that the Royal Society for the Protection of Birds (RSPB) have raised no objections to this proposal and is satisfied that the development would not have a significant adverse effect on the nearby Swale Special Protection Area (SPA), subject to the mitigation measures set out in the application being secured by appropriately worded planning condition(s). Similarly, the County Council's Biodiversity Officer has raised no objection to the proposal and is satisfied that the development would have minor or no impact on the nearby designated sites.
48. In my opinion, having regard to the conclusions of the applicant's report on the likely significant effects of the proposed MRF and RDF facility, which has taken into account potential cumulative impacts from noise, air quality, flood risk and traffic generation of proposals at Unit 15A and Unit 15B together with other plans and projects in the area, together with the professional advice received from Natural England, the RSPB and the County Council's own Biodiversity Officer, I am satisfied that this proposal would not have a significant effect on designated sites either as stand-alone development or in-combination with other plans or projects within the vicinity. Instead I recommend that the avoidance and mitigation measures included within the application, which include:
- Sensible management procedures to minimise the generation of excessive human disturbance and noise during the operation of the MRF and RDF facility;
 - no working or storage of material within the Swale SPA / Ramsar site or on the Ridham Wall flood defences;

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- ensuring best practice dust mitigation measures at all times during on site operations, including damping down of areas where there is a high risk of dust being generated, wheel washing of vehicles, and good housekeeping and cleaning of site during its operation; and
- use of “rainwater harvesting” techniques where the collected water is re-used in on-site for dust suppression to reduce the volume of surface water run-off being discharge from the site into the Swale estuary

be secured by appropriately worded planning condition(s), should Members be minded to resolve to grant planning permission for this proposal.

Flood Risk

49. Based on Flood Zone Maps published by the Environment Agency, 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. The site is defended from tidal ingress and thereby out of the functional floodplain of the Swale tidal river. As a result the site falls within Flood Risk Vulnerability Classification 3a (as defined in PPS25).
50. Existing tidal flood defences offer 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 from the private sewer network, which may be exacerbated by tide-locking of the private drain and outlet to the River Swale during tidal flood conditions. The greatest flood consequence would, however, result from residual risk scenarios (i.e. breach of tidal defences) coinciding with significant tidal conditions.
51. The application is accompanied by a Flood Risk Assessment (FRA). The FRA details that the applicant proposes to manage flood risk through the implementation of robust flood warning measures linked to tidal conditions, the formulation of a flood evacuation plan and the provision of a safe refuge within Unit 15B or an adjacent building. Flood risks and residual flood risks are deemed to be manageable over the lifetime of the development, subject to proposed management measures being implemented. The Environment Agency have been consulted and have not raised an objection to the application on the grounds of flood risk. Subject to the development being carried out in accordance with the details contained in the submitted Flood Risk Assessment and the Flood Evacuation Plan I am satisfied that there are no overriding objections on the grounds of risk from flooding.

Employment

52. The MRF and RDF facility is anticipated to employ some 16 members of staff, running on a continual 24 hour basis. Local Plan Policy B2 supports new employment within the Borough whilst Policy B10 identifies the Ridham Dock Industrial Estate as a committed employment site. Members will be aware that one of Government’s top priorities 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 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. It is my view that this proposal would meet the requirements of Local Plan Policy B2 which supports employment opportunities in the area.

Materials Recycling Facility and Refuse Derived Fuel Facility, Unit 15B Ridham Dock Industrial Estate – KCC/SW/0209/2011

Any other issues arising from consultation / publicity

53. Concerns have been expressed from the Parish Council relating to fire risk within building 15B on the basis of the treatment and storage of a large amount of combustible materials. The applicant has confirmed that fire risk is a matter which is dealt with through their application for an Environmental Permit (from the Environment Agency). However, the applicant has detailed that they will install fire fighting equipment within the building, that any warm material arriving at the site would be segregated and thoroughly dampened down to reduce fire risk and that there will be an established fire response procedure in place before the facility becomes operational. I am therefore that fire risk matters have been satisfactorily addressed in this instance and will be further considered through the Environmental Permitting Regime. It is not necessary or appropriate for the Planning Authority to seek to control matters which would otherwise be dealt with under the Permitting Regime.
54. Having considered the cumulative impacts of the proposed development in terms of other existing facilities and proposed developments within the area (including the proposal for Unit 15A – see Agenda Item C1) I am satisfied that there are no overriding grounds of objection to this proposal in this instance. Furthermore, I acknowledge that neither the HA and DTM has raised any objections to the proposal when assessing the impacts in terms of existing road capacity and in cumulative terms with the proposals for Units 15A and 15B at Ridham Dock. I also do not consider there to be any overriding objections in terms of cumulative impacts in respect of noise, dust or odour and as stated within paragraph (48) I am satisfied that this proposal would not have a significant effect on ecologically designated sites either as a stand-alone development or in-combination with other plans or projects in the vicinity. I am therefore satisfied that cumulative impacts in this instance have been adequately addressed.

Conclusion

55. In conclusions, I am satisfied that there is a need for this facility based on the available commercial and industrial waste streams arising within Kent, East London and Surrey such that the proposal, in my opinion, would meet the requirements of South East Plan Policy W3 and W4. Similarly, the proposal seeks to divert waste streams from landfill which is supported by South East Plan Policy W5, and would process it into a source of biomass fuel as supported in principle through a recent change to PPS10. The site is one identified in the Kent Waste Local Plan (Policy W9) as suitable in principle for the separation and transfer of waste and has ready access via a purpose built spine road with two access points onto/from the A249. Whilst I acknowledge that concerns have been raised in relation to vehicle capacity in the locality, this proposal itself is not anticipated to result in any detrimental increase in vehicle numbers on the local highway network. Both the Highways Agency and the Divisional Transportation Manager have been consulted on this proposal and neither has sought to raise objections on highway grounds. Having considered the consultee views received and the sites close location to the existing highway network and purpose built access road to the industrial estate, I am satisfied that the proposal meets the requirements of Policy W22 of the Kent Waste Local Plan. I support the export of RDF product from the facility by ship, which is an environmental benefit, and note the sites appropriate location within the Ridham Dock Industrial Estate.
56. In terms of air quality, the potential impacts from the MRF and RDF facility, in terms of dust emissions and traffic emissions during the operational phases, have been considered and in my view do not represent a detrimental impact on nearby sensitive

Materials Recycling Facility and Refuse Derived Fuel Facility, Unit 15B Ridham Dock Industrial Estate – KCC/SW/0209/2011

residential or ecological receptors. I therefore consider that the proposal satisfies the criteria of Policy W18 of the Kent Waste Local Plan and Policy NRM9 of the South East Plan.

57. In terms of noise, having assessed the potential noise impacts of the proposal on the nearest sensitive receptors (being both residential and ecological) I do not consider there to be any overriding noise objections to the proposal and that the proposal meets with the requirements of Kent Waste Local Plan Policy W18.
58. The site is located close to sensitive designated areas. Having considered the likely significant effects of the proposed MRF and RDF facility within Unit 15B as a stand-alone development and in-combination with other plans or projects in the vicinity (including the proposals for Unit 15A as considered under Agenda Item C1), based on the professional advice received from Natural England, the RSPB and the County Council's own Biodiversity Officer, I am satisfied that this proposal would not have a significant effect on designated sites subject to the imposition of suitably worded planning condition(s) to secure the implementation of ecological measures as detailed within the application.
59. Having considered flood risk issues, I am satisfied that the development accords with the requirements of PPS25. I am also satisfied that this proposal would meet the requirements of Local Plan Policy B2 which supports new employment opportunities in the area.
60. In view of the above, I therefore recommend that planning permission be granted for this proposal, subject to conditions as set out in paragraph (61) below.

Recommendation

61. I RECOMMEND that PLANNING PERMISSION BE GRANTED, SUBJECT TO conditions, including conditions to cover the following aspects:
- 5 year implementation period;
 - the development to be carried out in accordance with the permitted details;
 - cap of 125,000 tpa of commercial and industrial waste to be processed at the facility per year (25,000 tpa for the MRF and 100,000tpa for the RDF);
 - daily cap of 58 HGV movements (29 in, 29 out) per day;
 - restriction of HGV movements to/from the site between 07:00 and 19:00 seven days per week;
 - full implementation of ecological avoidance measures as detailed within the application;
 - any replacement cladding to Unit 15B to match existing building in external appearance;
 - no external stockpiling of material in respect of the MRF/RDF facility;
 - development carried out in accordance with submitted Flood Risk Assessment and Flood Evacuation Plan.
62. I FURTHER RECOMMEND that the applicant BE ADVISED by way of an INFORMATIVE that they take all reasonable steps to advise HGVs entering and leaving the facility to use Sheppey Way to gain access to/from the A249 and only use the Grovehurst junction when Sheppey Way is not in use.

Item C2

Materials Recycling Facility and Refuse Derived Fuel Facility, Unit 15B Ridham Dock Industrial Estate – KCC/SW/0209/2011

Case officer – Julian Moat	01622 696978
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Background documents - See section heading
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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 proposal dossier for each case and also as might be additionally indicated.

Item D1

Details of site levels and surface water drainage scheme for the development on Site 2 pursuant to planning permission TW/10/4051 for the redevelopment of The Skinners Kent Academy, Blackhurst Lane, Tunbridge Wells – KCC/TW/4051/R5&R7

A report by Head of Planning Applications Group to Planning Applications Committee on 6 September 2011.

Submission of details by Kent County Council Building Schools for the Future & Academies Team required by conditions imposed on planning permission TW/10/4051 for the redevelopment of The Skinners Kent Academy. These details relate to: revised details of site levels of the development on Site 2 (condition 5) and details of a surface water drainage scheme on Site 2 (condition 7). The Skinners Kent Academy, Blackhurst Lane, Tunbridge Wells (KCC/TW/10/4051/R5&R7).

Recommendation: Approval be given for the submitted details relating to site levels and surface water drainage for the development on Site 2.

Local Member: Mr. K. Lynes

Classification: Unrestricted

Site Description and Background

1. Members of the County Council's Planning Applications Committee will recall that they resolved to grant planning permission for the redevelopment of Skinners Kent Academy (SKA), subject to conditions, at their Meeting on 15 March 2011. A decision notice granting planning permission was issued in accordance with Member's resolution on 30 March 2011. The planning consent contains some 41 planning conditions covering, amongst other matters, the control of development, the submission of details for prior approval of the County Planning Authority, the timing of works, off site highway junction improvement works and hours of use of Academy and community facilities.
2. The SKA currently comprises the existing buildings and grounds of the former Tunbridge Wells High School located to the east side of Tunbridge Wells. The site is located just north of the Pembury Road (A264), the main arterial route connecting Tunbridge Wells town centre with the A21, Pembury Village and other outlying villages further east of the town centre. The site is accessed principally from Blackhurst Lane, with a secondary entrance off Sandown Park. Both are residential streets leading north from Pembury Road. The centre of Tunbridge Wells is located some 2.4km west where Tunbridge Wells railway station is located, whilst the suburban centre of High Brooms and its railway station are located some 2.7km north west. The A21 is situated approximately 1.6km to the east of the application site and provides the only direct road access to the M25 from Tunbridge Wells.
3. The SKA site, extending to approximately 5.3 hectares in total area, is split into two distinct areas, known as "Site 1" (the main campus containing Academy buildings) and

Details of site levels and surface water drainage scheme for Site 2 as part of the redevelopment of The Skinners Kent Academy, Tunbridge Wells – KCC/TW/10/4051/R5&R7

“Site 2” (an existing school sports field where it is proposed to construct a new non-floodlit All Weather Pitch under the Academy redevelopment). Additional land owned by the Academy is located to the south of Pembury Road (known as “Site 3”). The details which are the subject of this Committee Report relate to the heights of ground levels and a scheme of surface water drainage of the development on Site 2.

4. The topography of Site 2 rises approximately 2 metres in a gentle slope from the north adjacent to Sandown Park (approximately 150m AOD) to the south adjacent to Pembury Road (approximately 152.6m AOD). The site is bounded by Pembury Road along its southern boundary where a 2 metre high timber close-boarded fence has recently been installed behind a hedgerow and linear tree planting adjacent to Pembury Road. The site is bounded by the rear garden of properties along Sandown Park along the south western side of the site where established tree and evergreen vegetation is present. On the north eastern side rear gardens of properties in Sandown Close back onto the site, with the grounds of the Leonard Cheshire Disability Seven Springs care home adjoining most of this boundary. Site 2 is secured by a substantial hedge with a timber close-boarded access gate along the boundary with Sandown Park and significant screening along the south western and north eastern sides from trees and shrubs located along these boundaries. Access to the site is largely pedestrian (with limited emergency vehicle access) and is solely from Sandown Park. Site 2 is located within the urban area of Tunbridge Wells and is defined within the Limits of Built Development within the Tunbridge Wells Borough Local Plan. The far southern edge of the site (nearest to Pembury Road) falls within the Pembury Road Conservation Area. Site 2 is also located adjacent to two Areas of Landscape Importance (defined by Local Plan Policy EN22) to the east and west, and an Important Landscape Approach to the south along Pembury Road (defined by Local Plan Policy EN23). The site does not contain any protected trees and is not located in any other designated area of environmental or landscape importance.
5. As part of the redevelopment of SKA, planning permission was granted for the construction of a non-floodlit All Weather Pitch (AWP) on Site 2 measuring some 82 x 55 metres (plus runoff). There were a number of changes made to the AWP proposals during the processing of the planning application for the Academy redevelopment, including changes to its size, positioning within Site 2, the removal of floodlighting and alterations to its hours of use. Permission was granted for the installation of a non-floodlit third generation polyethylene sand and rubber filled synthetic grass pitch on the southern end of Site 2. The hours of use of the AWP were restricted through planning condition such that the pitch can only be used between the hours of 08:30-21:00 Monday to Thursday; 08:30-20:00 Friday; 10:00-16:00 Saturday; and no use on Sundays or Bank Holidays. Conditions were attached to the planning permission requiring the applicant to submit details of ground levels and a scheme for the disposal of surface waters in respect of Site 2 before any works in connection with that site are undertaken.
6. Construction works on the redevelopment of SKA commenced on 25 July 2011, with operations focussing to date on site set up and enabling works on Site 1. Prior to the start of construction activities on Site 1 the County Planning Authority received and considered (including a period of public consultation) details required by the planning permission relating to (amongst other matters) external materials for the new buildings, ground levels and finished floor levels of the development on Site 1, details of a foul and surface water drainage scheme, ground contamination, a Code of Construction Practice and a programme for the implementation of off-site highway junction improvement

Item D1

Details of site levels and surface water drainage scheme for Site 2 as part of the redevelopment of The Skinners Kent Academy, Tunbridge Wells – KCC/TW/10/4051/R5&R7

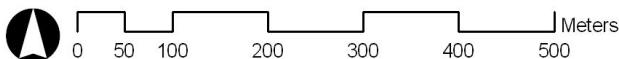
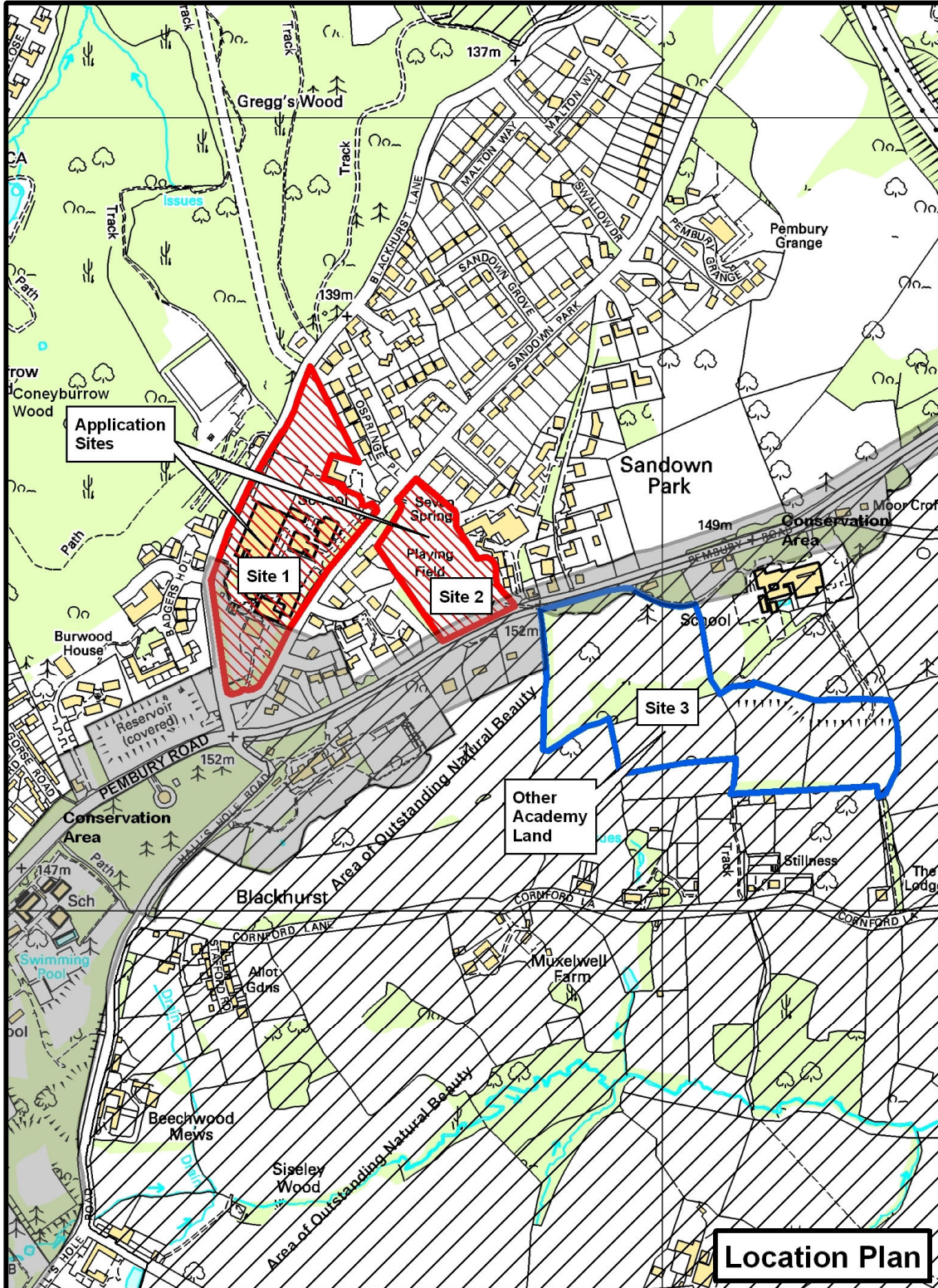
works. Those details were formally approved under delegated powers on 14 July 2011 prior to the commencement of construction activities.

7. Details of proposed ground levels and a surface water drainage scheme for Site 2 were originally submitted by the applicant to the County Planning Authority for approval in May 2011. A consultation with key stakeholders (including the Borough Council and Environment Agency) was undertaken on the submitted details, together with the notification of all properties which shared a common boundary with this site. The proposed level details met with concerns from the Borough Council, specifically in relation to the raising of the grass pitch through 'fill' material excavated as part of the construction works on Site 1. These initial concerns were also shared by my officers and therefore the applicant was asked to reconsider the proposed levels for Site 2 and invited to resubmit revised details for consideration.
8. Revised level details together with an amended surface water drainage scheme relating to Site 2 were subsequently submitted by the applicant in July 2011. A fresh consultation was undertaken with key stakeholders (including the Borough Council and the Environment Agency) together with the individual notification of all properties who share a common boundary with this site. The revised level details and surface water drainage scheme are being reported to the Planning Applications Committee as they have met with objection from the local community.
9. Members should be aware that this Report considers only the merits of the submitted revised level details and surface water drainage scheme relating to Site 2 in planning land use terms. It does not consider any other matters which were considered by this Committee under the main planning consent.
10. A site location plan identifying Sites 1, 2 and 3 together with the key landscape and heritage designations can be found on page D1.4. Plans showing the level details and surface water drainage scheme are also attached to this report. Copies of these plans will be available at a larger scale for Members to view at the Committee Meeting itself.

Item D1

Details of site levels and surface water drainage scheme for Site 2 as part of the redevelopment of The Skinners Kent Academy, Tunbridge Wells – KCC/TW/10/4051/R5&R7

Site Location Plan

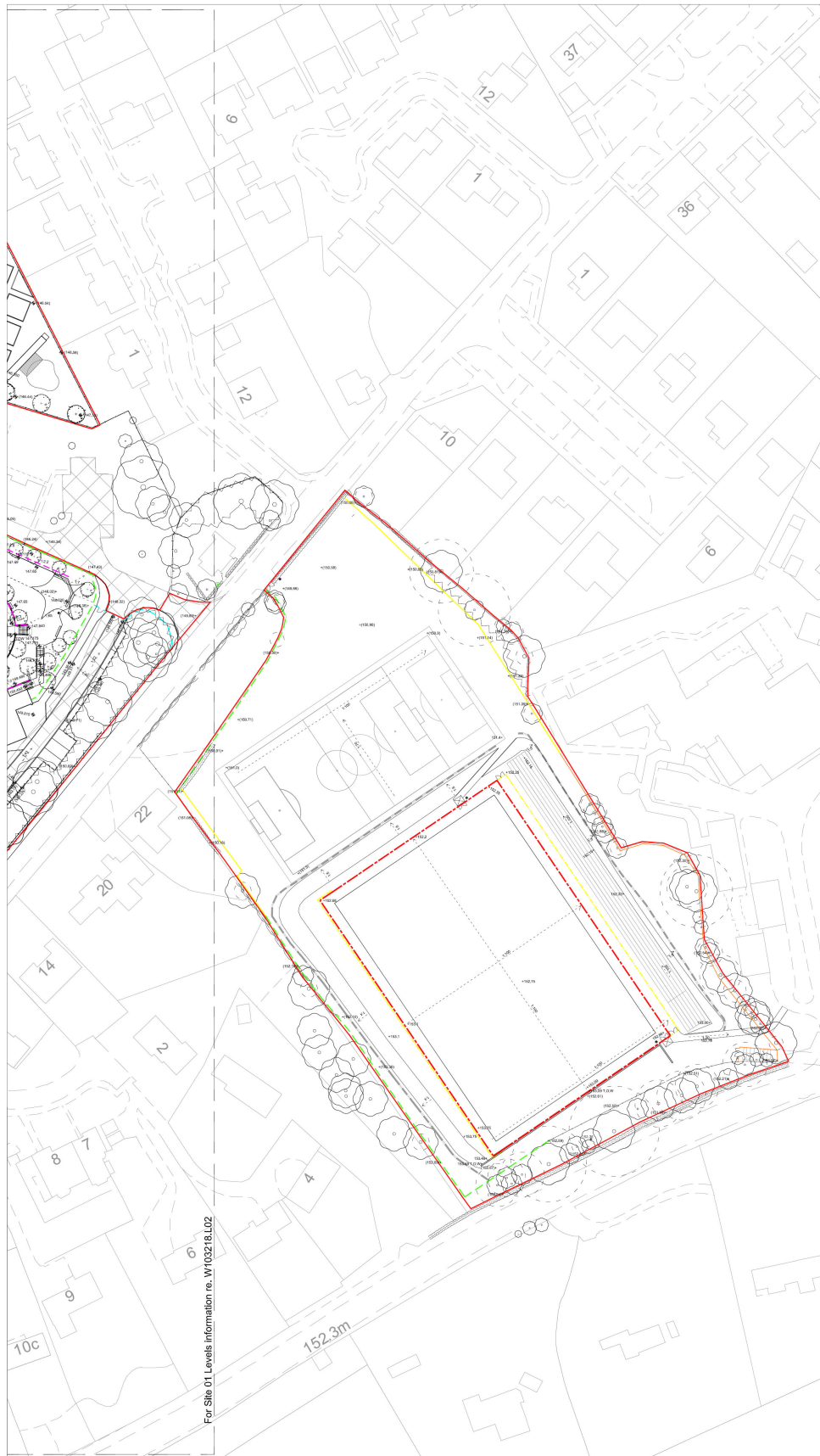


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Item D1

Details of site levels and surface water drainage scheme for Site 2 as part of the redevelopment of The Skinners Kent Academy, Tunbridge Wells – KCC/TW/10/4051/R5&R7

Site 2 Level Details



SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION
In addition to the responsibilities normally associated with the types of work detailed on this drawing, note the following:

CONSTRUCTION

1. Excavation work to be carried out in accordance with the relevant regulations, including the use of shoring, trench shields and trench shields.
2. Working on or near overhead power lines.
3. Working on or near underground services.

MAINTENANCE/CLEANING

1. Maintenance of Planting beds and trees to be carried out in accordance with the relevant regulations.
2. Regular maintenance of roads.
3. Access to road area. Risk of drowning.

DECOMMISSIONING/DEMOLITION

*
It is assumed that all works will be carried out by a competent contractor working, where appropriate, to an approved method statement.

Key:

- 00.00 Existing survey level retained
- 00.00 Proposed level
- 1:42 Proposed gradient
- Site boundary

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NO.	DATE	BY	DESCRIPTION
01	15/03/11	W.D.	Issue for information
02	15/03/11	W.D.	Issue for information
03	15/03/11	W.D.	Issue for information
04	15/03/11	W.D.	Issue for information
05	15/03/11	W.D.	Issue for information
06	15/03/11	W.D.	Issue for information
07	15/03/11	W.D.	Issue for information
08	15/03/11	W.D.	Issue for information
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49	15/03/11	W.D.	Issue for information
50	15/03/11	W.D.	Issue for information

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E: mail@grontmij.com

Stage E

CLIENT: WILLMOTT DIXON

PROJECT TITLE: SKINNERS ACADEMY

DRAWING TITLE: SITE 02 LEVELS ARRANGEMENT

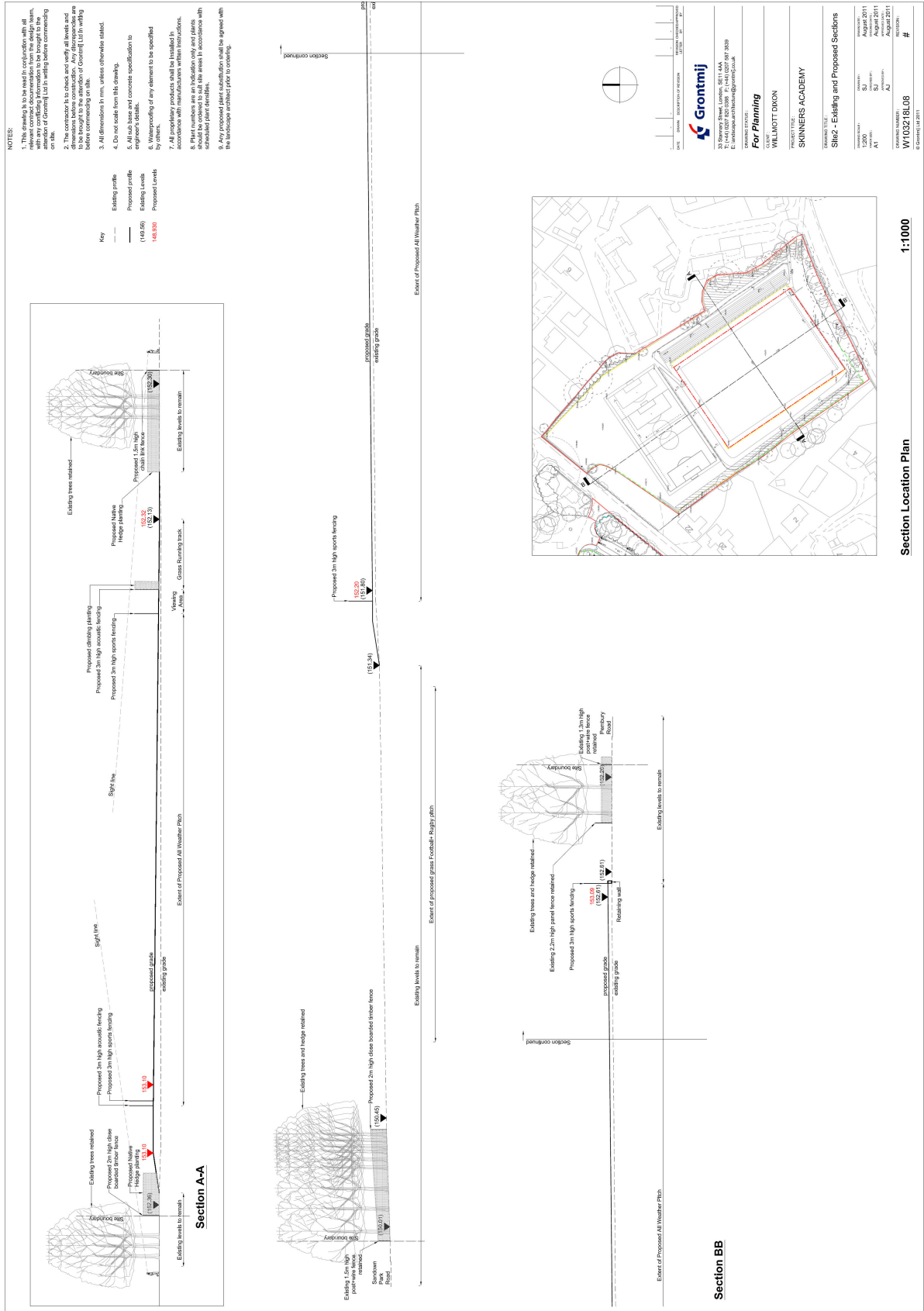
REVISED	BY	DATE
01	LN	09.03.11
02	KD	09.03.11
03	DR	09.03.11

DRAWING NUMBER: 103218L03

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Details of site levels and surface water drainage scheme for Site 2 as part of the redevelopment of The Skinners Kent Academy, Tunbridge Wells – KCC/TW/10/4051/R5&R7

Site 2 Existing and Proposed Level Sections through Site 2



Details of site levels and surface water drainage scheme for Site 2 as part of the redevelopment of The Skinners Kent Academy, Tunbridge Wells – KCC/TW/10/4051/R5&R7

Proposed Details

11. As set out above, this matter relates to the consideration of details of site levels (pursuant to condition 5) and a surface water drainage scheme (pursuant to condition 7) both relating to the development on Site 2, as required under the terms of planning permission TW/10/4051 (granted in March 2011). This report considers the merits of the information submitted in respect of both conditions in planning land use terms and does not consider other matters relating to the wider redevelopment project, as previously considered in determining the main planning application. The principle of the AWP on Site 2 is already established.
12. The proposals for Site 2 include the raising of ground levels of the area covered by the AWP, running track and immediately surrounding area by between 0.2 and 1.2 metres. The raised levels would be achieved using construction spoil excavated during the building works for the new Academy development on Site 1. Although it should be pointed out that this would not include all of the construction spoil arising from Site 1. As a result, there would be a need to transport excess construction material off site to authorised disposal sites particularly throughout the early stages of the construction process. Comparing the existing and proposed ground levels at the four corners of the AWP indicates the proposed level changes: North = +0.85 metres; East = +0.16 metres; South = +0.82 metres; West = +1.18 metres. Comparing the existing and proposed ground levels at the mid point of the four sides of the raised area of the AWP and grass running track (as shown on existing and proposed level sections through Site 2) indicates the proposed level changes: North boundary = +0.4 metres; East boundary = +0.19 metres; South boundary = +0.48 metres; West boundary = +0.74 metres. The AWP would be constructed with a 1:100 fall across the pitch width from west to east and a 1:100 fall across the length from south to north. The proposed grass mini football / rugby pitch to the north end of Site 2 would remain at the existing site levels (i.e. there would be no raising of levels on this part of the site).
13. It is also proposed to install positive drainage into Site 2 which would cover both the grass pitch and AWP. The proposed drainage scheme would consist of the installation of French drains, carrier drains and soakaways for the grass mini football/rugby pitch and AWP. The AWP would be surrounded by a drainage swale on the north, eastern and western perimeters where the ground level would fall at a gradient of between 1:4 and 1:5 from the height of the AWP down to surrounding existing ground levels of the playing field, except at the southern end where a retaining wall would be constructed. It is important to note that prior to the redevelopment of the Academy, Site 2 has not benefited from any surface water drainage with the resulting effect of a frequently waterlogged pitch surface during winter months.

Planning Policy

14. The key National and Development Plan Policies most relevant to the proposal are summarised below:
 - (i) **National Planning Policies** – the most relevant National Planning Policies are set out in PPS1 (Delivering Sustainable Development), PPS5 (Planning for the Historic Environment), PPS9 (Biodiversity and Geological Conservation), PPS17 (Planning for Open Space, Sport & Recreation), PPG24 (Planning and Noise) and PPS25 (Development and Flood Risk).

Details of site levels and surface water drainage scheme for Site 2 as part of the redevelopment of The Skinners Kent Academy, Tunbridge Wells – KCC/TW/10/4051/R5&R7

(ii) **South East Plan (2009)** – the most relevant policies are:

- Policy CC6** Promotes the creation of sustainable and distinctive communities that respect the character of settlements and landscapes, and achieve a high quality built environment.
- Policy NRM2** Water quality will be maintained and enhanced through avoiding adverse effects of development on the water environment.
- Policy NRM4** Confirms that the sequential approach to development in flood risk areas set out in PPS25 will be followed.
- Policy NRM10** Seeks to locate new, noise sensitive development away from existing or planned new sources of significant noise.
- Policy BE6** Gives support to proposals which protect, conserve and, where appropriate, enhance the historic environment and the contribution it makes to local and regional distinctiveness and sense of place.
- Policy S1** Supports measures for developing and shaping healthy sustainable communities, including: community access to amenities such as open spaces and physical recreation activity; and healthier forms of transport.
- Policy S5** Increased and sustainable participation in sport, recreation and cultural activity should be encouraged by Local Authorities.
- Policy S6** Encourages the mixed use of community facilities in order to make effective use of resources and reduce travel and other impacts, and requires community facilities to be located and designed appropriately.
- Policy W2** Requires development design, construction and demolition which minimises waste production and associated impacts.

Important note regarding the South East Plan:

Members will already be aware of the relevant South East Plan (SEP) 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 as material considerations. However the weight to be accorded is a matter for the decision makers.

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

- 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. Refers to the Borough Local Character Assessment 2002 being used to manage, conserve and enhance the landscape as a whole. Applies a hierarchical approach to nature conservation and biodiversity protection seeking to avoid net loss and states opportunities will be taken for biodiversity enhancement. Heritage assets, including Listed Buildings, Conservation Areas and Scheduled Ancient Monuments, will be conserved and enhanced with special regard had to their settings.
- Policy CP5** Requires all new development to employ sustainable design and construction standards and techniques and to make efficient use of water resources, comply with the sequential test set out in PPS25

Details of site levels and surface water drainage scheme for Site 2 as part of the redevelopment of The Skinners Kent Academy, Tunbridge Wells – KCC/TW/10/4051/R5&R7

in respect of reducing flood risk, have regard to and implement the renewable energy and energy efficiency targets sets out in the South East Plan, manage and seek to reduce air, light, soil and noise pollution and be designed to reduce waste creation and disposal. 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 CP8 Seeks to maintain and enhance where appropriate the capacity, quality and accessibility of community facilities and importantly pledges specific support for the provision of additional facilities where there is a continuing demonstrable need and this will be provided on a single site or provide multi-use facilities.

Policy CP9 Reaffirms the priority of conserving the towns built and natural heritage and landscape assets.

(iv) The adopted **Tunbridge Wells Borough Local Plan** (Saved Policies):

Policy EN1 Requires all proposals for development to satisfy certain criteria, including: no unacceptable loss of/affect on amenity; respect for the context of the site; no loss of significant buildings, related spaces, trees, shrubs, hedges or other features important to the character of the area; services for foul and surface water sewerage and water supply have sufficient capacity/can be improved; no significant adverse effect on any features of nature conservation importance; and design, layout and landscaping take account of the security of people and property.

Policy EN5 Sets out criteria for development within conservation areas including, amongst others: that the proposal would preserve or enhance the buildings, related spaces, vegetation and activities which combine to form the character and appearance of the area; the use, or intensity of use, would be in sympathy with the character and appearance of that part of the conservation area in which the proposal would be situated; the proposal would not result in the loss of trees, shrubs, hedges or other features important to the character of that part of the conservation area in which the proposal would be situated; and, in meeting the car parking and access requirements, the character and amenity of the area would not be adversely affected.

Policy EN22 Small areas, to the west of the western end of site 1 and to the east and west of site 2, are identified on the Proposals Map as areas of landscape importance. Policy EN22 states that proposals for development will only be permitted where no significant harm would be caused to the appearance or landscape character of the designated area and the development would not materially detract from the contribution which that area makes to the locality.

Policy EN23 Pembury Road is identified as an Important Landscape Approach characterised by being lined principally by mature hedges and native trees which partly conceal built development and give the impression of the countryside extending into the built up area. The policy seeks to protect this character and to prevent discordant elements of development.

Item D1

Details of site levels and surface water drainage scheme for Site 2 as part of the redevelopment of The Skinners Kent Academy, Tunbridge Wells – KCC/TW/10/4051/R5&R7

(v) Other relevant guidance/documents:

1. **Royal Tunbridge Wells and Rusthall Conservation Areas Appraisal (2000).**
This details the special character of the Borough's Conservation Areas.

Consultations

15. **Tunbridge Wells Borough Council:** has no further observations to make in relation to these submissions. The Borough Council commented on the previous Site 2 level details, that in its opinion levels should not be raised from existing ground levels for both pitches and the track, and there should be more 'cutting' than 'filling', subject to any effect on trees.
16. **Environment Agency:** raises no objections to the submitted surface water drainage scheme.
17. **County Council's Noise Consultant:** raises no objections to the submitted level details. They note that 3 metre high acoustic fencing [to be considered separately under another consultation] running to the east and west of the AWP would also be raised, with its height remaining relative to that of the AWP surface. The attenuation, provided by the barriers would not be appreciably altered, and the previously made comments on the main application remain valid – *"in considering these prevailing conditions the maximum noise levels from the AWP whilst being audible would not therefore exceed those noise levels currently experienced in the area by local residents."*

Local Member

18. The local County Member, Mr. K. Lynes was notified of the submitted details on the 26 July 2011.

Publicity

19. The submitted details were publicised by the posting of two site notices and the individual notification of 11 neighbouring properties who share a common boundary with Site 2. A copy of the submitted details were sent to the Sandown Park and Blackhurst Lane Local Community Group, as well as being made accessible online for inspection via the County Council's website.

Representations

20. To date I have received 7 letters of objection to the submitted details, including one letter from the Sandown Park and Blackhurst Lane Local Community Group. The main points of objection can be summarised as follows:
 - Local Community Group, representing the residents of Sandown Park and Blackhurst Lane, are still concerned by Willmott Dixon's [the applicant's agent and construction company] revised plans for Site 2;
 - disappointed that Willmott Dixon has chosen to ignore the recommendations of the Borough Council which was to not increase the levels of either pitch;

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Details of site levels and surface water drainage scheme for Site 2 as part of the redevelopment of The Skinners Kent Academy, Tunbridge Wells – KCC/TW/10/4051/R5&R7

- the revised submission shows an increase in height of the AWP of a minimum of 0.33m and a maximum of 1.18m above existing levels. An increase in height of 1.18m would have a significant impact on noise levels and would undermine the performance of the proposed acoustic fence. The original acoustic tests which supported the original planning application are now invalid;
- increased affect on surrounding residential amenity through additional noise nuisance;
- raising the levels of the AWP and the use of surrounding downward-sloping banks would place spectators at a lower level than the pitch, making spectating difficult;
- concerned that the SKA Project Team is more concerned by the cost of removing surplus soil from the SKA site than meeting the recommendations of the Borough Council and mitigating the impact of noise from the AWP on residential properties that bound the site. We understand that the cost of removing material from the site and disposing of it in landfill would be significant – however we would like to suggest that this is an important step to take in minimising the impact on the community;
- requests that KCC rejects the revised details and reinforces the recommendations of the Borough Council;
- the revised level of the grass junior football/rugby pitch (i.e. maintaining the existing levels) is acceptable;
- the revised arrangements for drainage of the junior football/rugby pitch, with soakaways in place of the earlier swales, is acceptable; and
- concerned that in the event of heavy rainfall the run off would flow straight into adjacent land and fears flooding of adjacent garden and house;

Discussion

Introduction

21. The site level details and a scheme for the disposal of surface water drainage for the development on Site 2 submitted pursuant to planning permission TW/10/4051 are being reported to the Planning Applications Committee for determination as a result of the objections received from local residents as summarised in paragraph (20) above. These primarily relate to a perceived increase in noise impact on surrounding residential properties as a result of raising ground levels for the AWP. It has been suggested that by increasing the height of the AWP surface, the noise attenuation provided by the proposed 3 metre high acoustic fencing (as detailed and relied on as supporting justification in the main planning application) would be reduced, and therefore the previous noise impact assessment becomes invalid.
22. In considering the proposed details pursuant to the planning permission for the redevelopment of SKA, regard must be had to the most relevant Government Guidance/Statements and adopted Development Plan Policies as outlined in paragraph (14) and any other key material planning considerations relevant to take into consideration in the decision making process. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications (and submissions pursuant to planning permissions) must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Regard must also be had to the terms of the main planning consent for the SKA redevelopment in so far as the principle of an AWP has been established in planning terms and that these matters relate to the approval of technical details under that consent.

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23. The details being considered here only relate to proposed ground levels and a scheme for the disposal of surface water for the development on Site 2. As mentioned above, consideration of matters relating to the wider Academy redevelopment are not directly relevant for consideration within this Report. Members will be aware that details reserved by condition pursuant to a planning permission are generally matters of a 'technical' nature which are, in most cases, agreed with relevant statutory consultees (such as the Borough Council and Environment Agency) and approved under delegated powers.
24. The key planning land use considerations in this particular case can be categorised under the following headings:
- consideration of the impact of raised levels of the permitted AWP and grass running track in terms of need and impact on residential amenity in terms of noise and visual impacts; and
 - consideration of the impact of the proposed surface water drainage installation scheme on Site 2 ground conditions and in terms of potential flooding impacts on surrounding properties;

Consideration of Site 2 levels

25. As outlined above, the principle has already been established for the construction of a non-floodlit AWP on Site 2, through the grant of planning consent for the Academy redevelopment. That consent was granted on the basis that the development was considered to accord with the general aims and objectives of Development Plan Policies. The heights of the ground level across this site were reserved out for later consideration by planning condition as the full details were not finalised at the main planning application stage and it was important to maintain planning control over the final details. It is however normal for there to be a degree of engineering works necessary to facilitate the construction of a new AWP on a previously undeveloped grass playing field site.
26. Ground levels across Site 2 are variable but generally sloping with an approximate 2 metre gentle slope upwards from the north adjacent to Sandown Park (approximately 150m AOD) to the south adjacent to Pembury Road (approximately 152.6m AOD). The AWP surface would be constructed at approximately 153.75m AOD at its highest part at the southern corner sloping downwards with a 1:100 gradient to 152.68m in the western corner. The pitch surface would also fall with a 1:100 gradient to the eastern corner to a height of approximately 152.86m AOD and 152.35m AOD at the northern corner. The level changes proposed for the AWP surface and running track range between approximately 0.2 and 1.2 metres above existing ground levels at the four corners, whilst the mid point level change on the four sides of the pitch range between approximately 0.19 and 0.74 metres. The raised AWP levels would be made up with some of the excess material removed from Site 1 as part of the construction works.
27. Whilst it is recognised that there would be an element of the raising of levels to construct the AWP surface and adjacent grass running track, it should be noted that on the basis of the existing sloping nature of the site it is inevitable that an element of 'fill' material would be required to construct the AWP, with an appropriate sub-base and below-ground drainage works. It should also be noted that in environmental and sustainability terms it is best practice for construction waste to be re-used on site as far as is reasonably possible to avoid unnecessary diversion to landfill. This approach

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is supported by Tunbridge Wells Core Strategy Policy CP5 which requires new development to accord with sustainable construction standards and techniques which seek to reduce waste creation and disposal. It is also in accordance with Policy W2 of the South East Plan which requires development to minimise waste production. In my view, the proposals to raise the AWP and adjacent grass running track represent a reasonable balance between the use of some construction spoil arising from Site 1, the need to install an appropriate sub-base and below ground drainage works, and the protection of surrounding residential amenity.

28. It should be noted that relative to the raised height of the AWP surface, the 3 metre high acoustic fence which would run along the eastern and western boundaries of the pitch surface would be on the edge of the area raised. That is to say that relative to the pitch height, the height of the fence would not alter. The applicant has submitted further documentation from their own Acoustic Consultant who has reviewed the submitted level details and has confirmed that the original Noise Impact Assessment Report (as submitted in support of the main application) still remains factually accurate in so far as the noise reduction through the acoustic fencing would still deliver the same acoustic performance as that detailed in the original noise assessment report. Members should note that the County Council's own Noise Consultant has been asked to comment on the submitted level details, and is satisfied that that the details contained in the original noise assessment report still remain valid. He therefore does not raise any objections to the submitted level details in respect of noise impacts.
29. In my view the raising of the pitch surface and surrounding area by between 0.2 metres and 1.2 metres would not have any overriding detrimental impact in visual terms on surrounding residential amenity or in terms of the Pembury Road Conservation Area. The proposed change in levels are generally not considered significant and in any case would be graded into existing levels with slopes of 1:4 and 1:5, reducing their visual impact. The principle of the AWP in this location has already been established in planning land use terms through the main application and the site would be subject to additional landscape infill planting under the terms of the main planning permission. The site is also subject to a further consultation on the details of fencing bordering the eastern and western boundaries with the final details subject to the approval of the County Planning Authority.
30. I am therefore satisfied that the level details submitted by the applicant in this instance are reasonable and that they would not cause any undue amenity impacts on neighbouring properties. I consider that the proposals accord with the general aims and objectives of South East Plan Policy W2 and Core Strategy Policy CP5 which seeks to re-use construction material on site and other key Development Plan Policies, notably Local Plan Policy EN1 which seeks to preserve residential amenity, Core Strategy Policy CP4 and Local Plan Policy EN5 which seek to preserve and enhance Conservation Areas.

Consideration of surface water drainage scheme

31. The applicant has submitted details of a surface water drainage scheme which include the installation of drainage measures on a site previously not benefiting from such measures. It is proposed that the drainage works would cover both the grass mini football/rugby pitch together with the new AWP. The scheme has been drawn up by the applicant's engineers who have designed the scheme to reduce the risk of flooding, with the knowledge of existing ground conditions.

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Details of site levels and surface water drainage scheme for Site 2 as part of the redevelopment of The Skinners Kent Academy, Tunbridge Wells – KCC/TW/10/4051/R5&R7

32. Based on the professional advice received from the Environment Agency, I am satisfied that the submitted surface water drainage scheme is fit for purpose and would clearly bring benefit to the playing field which hitherto often becomes waterlogged during winter months reducing the potential for use by the Academy. I am also satisfied that the scheme would not lead to a detrimental impact in flooding terms on surrounding properties. I consider that the proposals accord with the general aims and objectives of South East Plan Policy NRM4, Core Strategy Policy CP5 and Local Plan Policy EN1 which seek to ensure that adequate provisions are put in place to deal with the management of surface waters.

Conclusion

33. The submitted details, primarily those relating to the proposed levels of the AWP, have met with local objection as summarised in paragraph (20) above. Notwithstanding the concerns received, I do not consider that the proposed levels would have any overbearing impact on residential amenity or in wider visual terms on the setting of the nearby Conservation Area. Furthermore, the concerns raised relating to a perceived noise impact as a result of the pitch level being raised cannot in my view be sustained in planning terms in this instance on the basis of the professional views received from the County Council's Noise Consultant on this specific matter.
34. I am satisfied that the raising of the ground levels for the AWP using some construction spoil arising from Site 1 is reasonable in this instance in environmental terms having regard to best practice techniques for the re-use of construction material on site, whilst recognising that additional construction waste would inevitably have to be transported off site to authorised disposal sites. I note that the height of the grass mini football/rugby pitch would be maintained at the existing level which I fully support in this instance. I am also satisfied with the proposed surface water drainage scheme submitted in this instance and note that the Environment Agency has raised no objections to these details.
35. I consider that the submitted details accord with the general thrust of key Development Plan Policies and therefore recommend that approval be given to the submitted details as set out in paragraph (36) below.

Recommendation

36. I RECOMMEND that APPROVAL BE GIVEN to the site levels of the development on Site 2 (condition 5) and surface water drainage on Site 2 (condition 7) pursuant to planning permission TW/10/4051 for the redevelopment of SKA, as granted planning permission on 30 March 2011.

Case officer – Julian Moat 01622 696978

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/93/1204/R3 Details submitted pursuant to condition (3) to allow an extension to the time limit for the temporary cessation of operations until 31 December 2012.
Pluckley Brickworks, Station Road, Pluckley
- AS/11/488 Development of three buildings (GRP Kiosks) as part of upgrading to Charing Wastewater Treatment Works.
Charing Wastewater Treatment Works, Dog Kennel Lane, Maidstone Road, Charing, Ashford
- MA/11/646 Installation of two walk in kiosks within boundary of wastewater treatment works.
Lenham Wastewater Treatment Works, Lenham Heath Road, Lenham, Maidstone
- SE/11/1396 Section 73 application to vary conditions (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.
Cowden Exploration Site, Field No.002, Claydene Farm, Off Hartfield Road, Cowden, Edenbridge
- TM/09/1888/R8A Approval of annual report as required by condition 8 of planning permission TM/09/1888 outlining proposed soil importation and restoration works for 2011.
Offham Landfill Site, Teston Road, Offham, West Malling

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.

- CA/09/680/R9&R26 Details of a scheme of new pedestrian footpath to the north of the site adjacent to Bullockstone Road (condition 9) and follow up archaeology report (condition 26) required pursuant to planning permission CA/09/680.
Herne Bay High School, Bullockstone Road, Herne Bay
- CA/10/1790/R4,
R7 & R14 Details of external lighting, a scheme of landscaping, and archaeological works pursuant to conditions (4), (7) and (14) of planning permission CA/10/1790.
Spires Academy, Bredlands Lane, Sturry, Canterbury
- DA/11/820 Proposed extension to be used as a corridor/walk-way.
St. Albans Road Primary School, St. Albans Road, Dartford
- DA/11/892 Renewal of planning consent for the retention of two storage containers.
Fleetdown Primary School, Lunedale Road, Dartford
- DO/11/542 Removal of existing mobile classroom and erection of a single storey teaching classroom with equipment store.
Sibertswold CE Primary School, Coldred Road, Shepherdswell, Dover
- GR/09/680/R2 Non material amendment pursuant to condition (2) of planning permission GR/09/680 to include: lift shaft level to replacement toyshop raised due to lifting beam; rear door to Carnegie providing roof access changed to a window; entrance matting to Carnegie increased; roof level guard rail amended; end flanges to Corten steel shop front chamfered.
Gravesend Library, Windmill Street, Gravesend
- GR/11/492 Single storey extension to north facing elevation.
Lawn Primary School, High Street, Northfleet, Gravesend
- GR/11/536 Retention of two storey mobile classroom building.
Gravesend Grammar School for Boys, Church Walk, Gravesend
- MA/09/2250/R5 Details pursuant to condition 5 (materials for internal access road) of planning permission MA/09/2250.
Maidstone Grammar School for Boys, Barton Road, Maidstone
- SE/11/1522 Removal of 1.2m high chestnut boundary fence and timber gate and replacement with 1.5m high green weld mesh fence and gate.
Horton Kirby CEP School, Horton Road, Dartford

SE/11/1523	Installation of a freestanding canopy to the southern elevation of the proposed early years classroom block. Hever C of E Primary School, Hever Road, Hever, Edenbridge
SH/09/822/R	Application for a non-material amendment to the approved development; location of sprinkler tank adjusted; windows and doors moved/increased slightly; roof areas now single ply & balustrade to non-teaching terraces updated. The Marsh Academy, Station Road, New Romney
SH/11/552	The conversion of farm buildings into cookery school and café. Brockhill Park Performing Arts College, Sandling Road, Saltwood
SH/11/661	Construction of a new single classroom educational facility for visiting school use and the introduction of GP-Flex system to overflow car parks. Brockhill Country Park, Sandling Road, Saltwood
SW/10/64/R25	Details pursuant to condition 25 (landscaping). Isle of Sheppey Academy (West Site), Jefferson Road, Sheerness
SW/10/64/R32	Details pursuant to condition 32 (noise). Isle of Sheppey Academy (West Site), Jefferson Road, Sheerness
SW/10/492/R5	Details of a scheme to incorporate flood proofing measures into the building. 38-42 High Street, Sheerness
SW/11/564	Removal of existing window and door and replacement with new, including a wider door entrance and new timber windows, in keeping with the rest of the property. Davington Primary School, Priory Row, Faversham
SW/11/740	The construction of a new car park for 44 vehicles on the existing access to the playing field and cricket pitch. Gilbert Hall Playing Field, St Georges Church of England Primary School, Chequers Road, Minster, Sheppey
SW/11/803	Renewal of temporary permission for a mobile classroom unit. Rodmersham School, Rodmersham Green, Rodmersham, Sittingbourne
SW/11/924	Retention of a single mobile classroom. Bysing Wood Primary School, Lower Road, Faversham
TH/08/242/R2B	Non-material amendment to previously approved scheme including new external lift and staircase, alterations to window positions, new screens to hide roof plant and retention of bin store. The Charles Dickens School, Broadstairs Road, Broadstairs
TH/08/242/R5	Details of a landscaping and boundary treatment scheme pursuant to condition (5) of planning permission TH/08/242. The Charles Dickens School, Broadstairs Road, Broadstairs

TH/10/227/R12A	Details and specification of new u14 junior football pitch within Garlinge Recreation Ground as required pursuant to condition (12 part A) of planning permission TH/10/227. Land annexed from Garlinge Primary School & Nursery, Westfield Road, Margate
TH/11/490	Erection of new boundary fencing and gates for the school grounds which run along the public right of way. Laleham Gap School, Northdown Park Road, Margate
TH/11/499	Installation of a twin classroom mobile unit. Bromstone Primary School, Rumfields Road, Broadstairs
TM/10/497/R14,15,16	Details of location of contractors site compound, access circulation and parking for construction vehicles and measures to prevent the deposit of mud or other debris on the highway – Provision of a teaching and demonstration “food pod” facility. Wrotham School, Borough Green Road, Wrotham, Sevenoaks
TM/11/1281	Demolition of an existing single storey timber clad classroom building and erection of a new building with outdoor play space to provide accommodation for the existing Centre for Autism on site, together with the erection of two single storey modular buildings along the northern boundary to re-provide the accommodation lost as result of the above demolition. Cage Green School, Cage Green Road, Tonbridge
TM/11/1675	Renewal of 3 no. 5-bay mobile units. Ridge View School, Cage Green Road, Tonbridge
TM/11/1676	Tarmac an area of grass to provide playground area. Woodlands Junior School, Hunt Road, Tonbridge
TM/11/1707	Extension to Topaz class and installation of photo-voltaic panels to concealed roof in main hall. St. Peters CE Primary School, Mount Pleasant, Aylesford
TM/11/1933	Extension of boiler house and storeroom. Tunbury Primary School, Tunbury Avenue, Walderslade, Chatham
TW/09/1033/R3&R20	Details of all materials to be used externally and a construction method statement. Skinners School, St Johns Road, Tunbridge Wells
TW/10/4051/R3	Details of external materials pursuant to condition (3) of planning permission TW/10/4051 for the redevelopment of Skinners Kent Academy. The Skinners Kent Academy, Land east of Blackhurst Lane and between Sandown Park and Pembury Road, Tunbridge Wells
TW/10/4051/R4	Details of site levels, finished floor levels and building heights of the development on site 1 pursuant to condition (4) of planning permission TW/10/4051 for the redevelopment of Skinners Kent Academy. The Skinners Kent Academy, Land east of Blackhurst Lane and between Sandown Park and Pembury Road, Tunbridge Wells

TW/10/4051/R6	Details of foul and surface water drainage on site 1 pursuant to condition (6) of planning permission TW/10/4051 for the redevelopment of Skinners Kent Academy. The Skinners Kent Academy, Land east of Blackhurst Lane and between Sandown Park and Pembury Road, Tunbridge Wells
TW/10/4051/R8	Details of ground contamination pursuant to condition (8) of planning permission TW/10/4051 for the redevelopment of Skinners Kent Academy. The Skinners Kent Academy, Land east of Blackhurst Lane and between Sandown Park and Pembury Road, Tunbridge Wells
TW/10/4051/R10	Details of code of construction practice pursuant to condition (10) of planning permission TW/10/4051 for the redevelopment of Skinners Kent Academy. The Skinners Kent Academy, Land east of Blackhurst Lane and between Sandown Park and Pembury Road, Tunbridge Wells
TW/10/4051/R22	Details of acoustic fencing surrounding the multi use games area on site 1 pursuant to condition (22) of planning permission TW/10/4051 for the redevelopment of Skinners Kent Academy. The Skinners Kent Academy, Land east of Blackhurst Lane and between Sandown Park and Pembury Road, Tunbridge Wells
TW/11/1160	Placement of six bay modular unit. Claremont Primary School, Banner Farm Road, Tunbridge Wells
TW/11/1721	Retention of a mobile classroom unit. Southborough CEP School, Broomhill Park Road, Southborough, 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/EIA/TM/0317/2011 – Metals Recycling Facility. New Hythe Lane, Aylesford

KCC/AS/0269/2011 - Revised proposal for the Multi Agency Specialist Hub (originally granted planning permission under consent AS/10/380) including a reduction in building footprint with consequential changes to floor plans and elevations; roof structure and materials changes; alteration of external facing brick; and details of proposed landscaping and boundary treatment. The Wyvern School, Great Chart Bypass, Great Chart

KCC/AS/0367/2011 – Erection of new 1FE Primary School including school building, outdoor recreational and learning areas, planted and hard surfaced areas including pedestrian and vehicular access/parking. Goat Lees School site between Hurst Road and Guernsey Way, Kennington, Ashford

KCC/SW/0271/2011 - Application for a revised proposal for the Multi Agency Specialist Hub (originally granted planning permission under consent reference SW/10/334) including a reduction in building footprint with consequential changes to floor plans and elevations, roof structure and material changes, and details of proposed landscaping and boundary treatment. Former St Bartholomew's School, Attlee Way, Sittingbourne

KCC/SW/0309/2011 – Retention of a mobile classroom unit. Sheldwich Primary School, Lees Court Road, Shedwich, Faversham

KCC/TH/0275/2011 - Revised proposal for the Multi Agency Specialist Hub (originally granted planning permission under consent TH/10/227) including a reduction in building footprint with consequential changes to floor plans and elevations; roof structure and materials changes; and details of proposed landscaping and boundary treatment including the addition of landscaping spoil bunds. Garlinge Multi Agency Specialist Hub (MASH) at land annexed from Garlinge Primary School and Nursery, Westfield Road, Margate

KCC/TM/0360/2011 – Development of a hazardous waste transfer station. Cleansing Service Group Ltd, Quarry Wood Industrial Estate, Mills Road, Aylesford

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

None

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

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

Background Documents -

- *The deposited documents.*

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

KCC/EIA/TH/0281/2011 – Richborough Energy Park. Richborough Power Station, Ramsgate Road, Sandwich

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