

**PLANNING APPLICATIONS COMMITTEE**

**Wednesday, 6th December, 2017**

**10.00 am**

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





## AGENDA

### PLANNING APPLICATIONS COMMITTEE

**Wednesday, 6th December, 2017, at 10.00 am**  
**Council Chamber, Sessions House, County Hall, Maidstone**

Ask for: **Andrew Tait**  
Telephone: **03000 416749**

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

#### **Membership (13)**

Conservative (10): Mr R A Marsh (Chairman), Mr R A Pascoe (Vice-Chairman),  
Mr A Booth, Mr P C Cooper, Miss E Dawson, Mr H Rayner,  
Mr C Simkins, Mrs P A V Stockell, Mr J Wright and Vacancy

Liberal Democrat (1): Mr I S Chittenden

Labour (1) Mr B H Lewis

Independents (1) Mr P M Harman

#### **UNRESTRICTED ITEMS**

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

#### **A. COMMITTEE BUSINESS**

1. Substitutes
2. Declarations of Interests by Members in items on the Agenda for this meeting.
3. Minutes - 8 November 2017 (Pages 5 - 12)
4. Site Meetings and Other Meetings

#### **B. GENERAL MATTERS**

1. General Matters

#### **C. MINERALS AND WASTE DISPOSAL APPLICATIONS**

1. Application AS/17/1347 (KCC/AS/0236/2017) - Section 73 application to vary Condition 11 of Permission AS/97/829 and Condition 8 of Permission AS/06/24 to allow a limited number of large vehicles to access the Wastewater Treatment Works on Bank (Public) Holidays at Ashford Wastewater treatment Works and Sludge Treatment Centre, Kinneys Lane, Canterbury Road, Ashford; Southern Water Services Ltd (Pages 13 - 32)

#### **D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL**

#### **E. COUNTY MATTERS DEALT WITH UNDER DELEGATED POWERS**

1. County matter applications (Pages 33 - 36)
2. County Council developments
3. Screening opinions under Town and Country Planning (Environmental Impact Assessment) Regulations 2017
4. Scoping opinions under Town and Country Planning (Environmental Impact Assessment) Regulations 2017

**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)*

John Lynch  
Head of Democratic Services  
03000 410466

Tuesday, 28 November 2017

*(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 section C, are available to Members in the Members' Lounge.)*

## KENT COUNTY COUNCIL

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### PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 8 November 2017.

PRESENT: Mr R A Marsh (Chairman), Mr R A Pascoe (Vice-Chairman), Mr I S Chittenden, Mr P C Cooper, Miss E Dawson, Mr P M Harman, Mr B H Lewis, Mr H Rayner, Mr C Simkins and Mr J Wright

ALSO PRESENT: Mr R W Gough, Mr S Holden and Dr L Sullivan

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mrs A Hopkins (Principal Planning Officer), Mr P Hopkins (Principal Planning Officer), Mr J Wooldridge (Principal Planning Officer - Mineral Developments), Mr D Joyner (Transport & Safety Policy Manager) and Mr A Tait (Democratic Services Officer)

### UNRESTRICTED ITEMS

**50. Minutes - 11 October 2017**  
*(Item A3)*

RESOLVED that the Minutes of the meeting held on 11 October 2017 are correctly recorded and that they be signed by the Chairman.

**51. Mr Ken Gregory**  
*(Item )*

The Committee stood for a minute's silence in memory of Mr Ken Gregory.

**52. Site Meetings and Other Meetings**  
*(Item A4)*

The Committee noted that the training session on the Education Commissioning Plan scheduled for the afternoon of 17 January 2018 was confirmed.

**53. Application TM/17/2264 (KCC/TM/0224/2017) - Section 73 application to vary Condition 14 of Permission TM/12/983 to allow out of hours vehicle movements associated with the importation of waste materials arising from road projects at Ham Hill Quarry, Snodland; Tarmac Ltd**  
*(Item C1)*

(1) The Head of Planning Applications Group reported correspondence from Birling PC in support of the proposed variation of conditions.

(2) RESOLVED that in order to minimise disturbance from operations and avoidance of nuisance to the local community, permission be granted to the variation of Condition 14 of Permission TM/12/983 to read:

“All operations associated with the Aggregate Recycling Facility shall only take place between the following hours:

“Mondays to Fridays: 08:00 hours to 18:00 hours; Saturdays: 08:00 Hours to 13:00 hours; and Sundays and Public Holidays: No operations with the exception of essential maintenance and then only between 08:00 hours and 18:00 hours.

“Vehicles associated with the importation of waste materials arising from road projects may enter or leave the site and deposit their loads outside of these hours.”

The condition shall be subject to a further limit of 35 HGV loads per night in association with the out-of-hours importation of road planings; noise monitoring of the out-of-hours importation of road planings being carried out every three months to demonstrate compliance with the noise limits in place and details being submitted in writing to the County Planning Authority; and all other conditions imposed on Permission TM/12/983 being repeated with the same wording except Conditions 2 and 17 which have been discharged following the submission of details of a noise attenuation barrier and a noise monitoring scheme.

**54. Application TM/17/2090 (KCC/TM/0195/2017) - Operation of an aggregate recycling facility for a temporary period of five years within the existing processing plant area at Wrotham Quarry, Trottiscliffe Road, Addington; Ferns Group**  
*(Item C2)*

(1) The Chairman informed the Committee of correspondence from the Local Member, Mrs S V Hohler in support of the recommendations.

(2) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried by 7 votes to 0 with 2 abstentions.

(3) RESOLVED that permission be refused on the following grounds:-

(a) The proposal constitutes major development in the context of the Kent Downs Area of Outstanding Natural Beauty (AONB). The County Planning Authority considers that there is no specific need for the development that is in the public interest, that there is scope to develop the waste use outside the designated area and that whilst any detrimental effects on the environment or landscape are limited and may be capable of being mitigated to an acceptable

degree there are no exceptional circumstances that would outweigh the presumption to refuse major development in the AONB as set out in paragraph 116 of the National Planning Policy Framework. The proposed development is therefore contrary to Policy DM2 of the Kent Minerals and Waste Local Plan (2016), Policies CP1 and CP7 of the Tonbridge and Malling Core Strategy (2007), Policy SQ1 of Tonbridge & Malling Managing Development and the Environment Development Plan Document (2010), Policies MMP2, SD1 and SD3 of the Kent Downs AONB Management Plan and paragraphs 115 and 116 of the National Planning Policy Framework. On the basis that the development is contrary to the above policies it would also be contrary to the requirements of Policies CSM1, CSM8, CSW1 and DM1 of the Kent Minerals and Waste Local Plan;

- (b) The proposal constitutes inappropriate development which by definition is harmful to the Green Belt. The County Planning Authority considers that there are no Very Special Circumstances that would outweigh the in-principle harm to the Green Belt by virtue of inappropriateness and the policy presumption to refuse the development in this instance. The proposed development is therefore contrary to Policy DM4 of the Kent Minerals and Waste Local Plan (2016), Policy CP3 of the Tonbridge and Malling Borough Core Strategy (2007) and paragraphs 87 and 88 of the National Planning Policy Framework. On the basis that the development is contrary to the above policies it would also be contrary to the requirements of Policies CSM1, CSM8, CSW1 and DM1 of the Kent Minerals and Waste Local Plan; and
- (c) The application fails to demonstrate the potential extent and significance of amenity impacts resulting from noise and/or dust that could be generated by the proposed use and does not adequately address the in-combination / cumulative impacts with the surrounding quarry operations to enable a proper assessment of the acceptability of the development in terms local amenity and local levels of tranquillity. On the basis of these deficiencies, the proposed development is contrary to Policies DM11 and DM12 of the Kent Minerals and Waste Local Plan, Policy CP24 of the Tonbridge & Malling Core Strategy, Policy SQ4 of the Tonbridge & Malling Managing Development and the Environment Development Plan Document and paragraphs 109, 115, 116, 118, 120 and 123 of the National Planning Policy Framework. On the basis that the development is contrary to the above policies it would also be contrary to the requirements of Policies CSM1, CSM8, CSW1 and DM1 of the Kent Minerals and Waste Local Plan.

**55. Proposal GR/17/674 (KCC/GR/0165/2017) - 2FE primary school with associated access and infrastructure on Land at St George's CE School, Meadow Road, Gravesend; KCC Property and Infrastructure Support**  
*(Item D1)*

(1) Mr R W Gough and Dr L Sullivan were present for this item pursuant to Committee Procedure Rule 2.27 and spoke.

(2) The Head of Planning Applications Group informed the Committee of the content of correspondence received from Mr S Mochrie-Cox, the Local Borough Councillor.

(3) Mr S Mochrie-Cox addressed the Committee in objection to the proposal. Mr Paul Mew (Paul Mew Associates) spoke in reply.

(4) During discussion of this item, the Committee agreed to amend the recommendations as follows:-

(a) An additional condition specifying that the areas identified on the submitted drawings for drop off/pick up areas (along both sides of the school access road and within the main car parking area, which combined provide space for 31 vehicles) shall be made available for use by parents/guardians at morning and afternoon peak school times and shall not be closed off or access restricted;

(b) An addition to the Travel Plan condition explaining that the effectiveness of the parent and visitor pick up/drop off facilities incorporated into the development shall be annually reviewed as part of the School Travel Plan;

(c) An additional Informative stating that in order to ensure the effectiveness of the drop off/pick up facility, the School shall put in and maintain appropriate site management arrangements to ensure that traffic flow is not impeded.

(5) On being put to the vote, the revised recommendations were agreed by 7 votes to 2.

(6) Mr B Lewis requested pursuant to Committee Procedure Rule 2.26 (3) that his vote against the proposal be recorded.

(7) RESOLVED that:-

(a) the application be referred to the Secretary of State for Communities and Local Government in respect of the objection from Sport England, and that subject to his decision, permission be granted to the proposal subject to conditions, including conditions covering the standard 5 year time limit for implementation; the development being carried out in accordance with the permitted details; the development being carried out using the external materials and colour finishes specified within the planning application documents unless otherwise agreed; roof plant being installed as shown on the submitted drawings unless otherwise



agreed; external lighting being provided in accordance with the submitted details unless otherwise agreed; boundary and internal fencing being provided in accordance with the submitted details unless otherwise agreed; a landscaping scheme being provided, including additional tree planting, soft landscaping, hard surfacing, and ecological enhancements in accordance with the submitted details unless otherwise agreed; tree protection methods, as shown on the submitted drawings being adopted to protect boundary hedgerows and those trees which are to be retained; the development according with the recommendations and precautionary mitigation methods detailed within the submitted ecological surveys/reports; no tree removal during the bird breeding season; the submission and approval of further details of community use relating to use of the indoor and outdoor facilities, including hours of use; use of the floodlighting being limited to between the hours of 0800 and 2200 on Mondays to Fridays, and between 0900 and 1900 on Saturdays, Sundays and Bank Holidays; the extinguishing of lighting when the pitch is not in use or within 15 minutes of its last use; lighting being installed in accordance with approved details, and checked for compliance on site prior to first use; the lighting levels not exceeding those specified within the application; the submission and approval of full details of the off-site highway works (which would need to be agreed under a Section 278/Section 38 Agreement with KCC Highways) prior to commencement of the development, including visibility splays; completion of the approved off-site highway works prior to expansion in school roll to over 210 pupils (over 1FE); the areas identified on the submitted drawings for drop off/pick up areas (along both sides of the school access road and within the main car parking area, which combined provide space for 31 vehicles) shall be made available for use by parents/guardians at morning and afternoon peak school times and shall not be closed off or access restricted; the submission and approval of a Travel Plan within six months of occupation, and its ongoing monitoring and review thereafter, including annual monitoring of the onsite car parking arrangement to allow the balance of staff parking and dropping off spaces to be adjusted if necessary and a review of car parking associated with community use. The effectiveness of the parent and visitor pick up/drop off facilities incorporated into the development shall be annually reviewed as part of the School Travel Plan; the provision and retention of car parking, access (vehicular and pedestrian), pick up/drop off, circulatory routes and turning areas prior to the occupation of phase 1 of the development; the submission and approval of details of the secure and weatherproof cycle and scooter parking and its subsequent provision prior to occupation; the submission and approval of a detailed Sustainable Surface Water Drainage Scheme and subsequent details of the implementation, maintenance and management of the approved Scheme; no infiltration of surface water drainage into the ground other than with the approval of the County Planning Authority; measures to control development should land contamination be identified; the implementation of archaeological field evaluation works and any subsequent archaeological investigations; hours of working during construction and demolition being restricted to between

0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; the submission and approval of a construction management strategy prior to the commencement of each phase of the development, including details of the location of site compounds and operative/visitors parking, details of site security and safety measures, lorry waiting and wheel washing facilities, details of how the site access would be managed to avoid conflict with peak school times, and details of any construction accesses; and

- (b) the applicants be advised by Informative that:-
- (i) their attention is drawn to the letter from Highways and Transportation in which it is noted that it is the responsibility of the applicant to ensure that all necessary highway approvals and consents where required are obtained, including a Traffic Regulation Order;
  - (ii) their attention is drawn to the letter from the Environment Agency in which advice is provided with regard to the disposal of waste material;
  - (iii) Gravesham BC has advised that the applicant should discuss Crime Prevention through Environmental Design (CPTED), Secured By Design (Schools) and BREEAM requirements with Kent Police; and
  - (iv) to ensure the effectiveness of the drop off/pick up facility, the School shall put in and maintain appropriate site management arrangements to ensure that traffic flow is not impeded.

**56. Proposal TW/17/3344 (KCC/TW/0271/2017) - Section 73 application to vary Condition 15 of Permission TW/12/1442 relating to traffic calming measures for the new Benenden Primary School at Land south of Rolvenden Road, Benenden; KCC Property and Infrastructure Support (Item D2)**

(1) Mr S Holden was present for this item pursuant to Committee Procedure Rule 2.27 and spoke.

(2) The Head of Planning Applications Group reported correspondence from Benenden PC requesting that the speed limit be reduced to 20 mph. It was advised that this was not a matter for consideration as part of the application which only sought to vary the timing of the traffic calming measures.

(3) RESOLVED that:-

- (a) in order to secure the provision of off-site traffic calming measures ahead of the first opening of the new Primary School,

permission be granted to the variation of Condition 15 of Permission TW/12/1442 to read:-

“Before the first occupation of the new Primary School, a scheme of off-site traffic calming measures (as outlined in "Supplementary Transport Report" dated July 2012 reference JSL/T0155 and on "proposed Traffic Calming Scheme" drawing number T0155/01 Revision P1, or other such scheme of works substantially to the same effect which has first been approved in writing by the Highway Authority) shall be implemented, subject [as necessary] to a Traffic Regulation Order, Safety Audit, and the prior approval of a scheme which shall first be submitted to and approved by the County Planning Authority in consultation with the Highway Authority. Thereafter the approved off-site traffic calming measures shall be maintained in perpetuity for the life of the development hereby permitted”; and

- (b) all other relevant conditions on Permission TW/12/1442 be restated except in so far as the wording of certain conditions takes account of the details that have already been submitted and approved.

**57. Proposal TW/12/1442 R14 - Code of Construction Practice pursuant to Condition 14 of Permission TW/12/1442 for the new Benenden Primary School at Land south of Rolvenden Road, Benenden; KCC Property and Infrastructure Support**  
*(Item D3)*

(1) Mr S Holden was present for this item pursuant to Committee Procedure Rule 2.27 and spoke.

(2) The Head of Planning Applications Group informed the Committee that no further views had been received and that an amended Code of Construction Practice had been received which addressed the matters raised by the Highway Authority. The recommendation was amended accordingly.

(2) RESOLVED that approval be given to the details of the Code of Construction Practice subject to a condition requiring the submission of a further Code of Construction Practice for approval by the County Planning Authority for the main contract before the commencement of the construction of the school building and related works.

**58. Matters 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) County Council developments;
- (c) Screening Opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017; and
- (d) Scoping Opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (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 also as might be additionally indicated.

Item C1

Section 73 application to vary condition (11) of planning permission AS/97/829 and condition (8) of planning permission AS/06/24 to allow a limited number of large vehicles to access the Wastewater Treatment Works on Bank (Public) Holidays which are currently restricted at Ashford Wastewater Treatment Works & Sludge Treatment Centre, Kinneys Lane, Canterbury Road, Ashford, Kent, TN24 9QB – AS/17/1317 (KCC/AS/0236/2017)

A report by Head of Planning Applications Group to Planning Applications Committee on 6 December 2017.

Application by Southern Water Services Limited for Section 73 application to vary condition (11) of planning permission AS/97/829 and condition (8) of planning permission AS/06/24 to allow a limited number of large vehicles to access the Wastewater Treatment Works on Bank (Public) Holidays which are currently restricted at Ashford Wastewater Treatment Works & Sludge Treatment Centre, Kinneys Lane, Canterbury Road, Ashford, Kent, TN24 9QB – AS/17/1317 (KCC/AS/0236/2017)

Recommendation: Permission be GRANTED subject to conditions

Local Member: Mr Paul Bartlett

Classification: Unrestricted

Site

1. The site is located at Ashford Wastewater Treatment Works (WWTW) & Sludge Treatment Centre, Canterbury Road, Ashford. It is located to the north of Ashford town centre, immediately to the north of the M20 motorway, to the east of the site is the Canterbury railway line. The road and railway are elevated on steep vegetated banks, dominating the edge of the works site. To the north beyond the Great Stour the land is flat flood plain, beyond which is housing. To the north west of the site boundary is Ashford Rugby Club and their playing fields. The Great Stour river is designated a Local Wildlife Site and forms the northern and western boundary of the WWTW site.
2. The A28 Canterbury Road to the west is the access and egress point into the site and is approached via Kinneys Lane, a single carriageway road which also provides access to 4 residential properties and to the rugby club. The Lane varies in width from approx. 5 metres at its narrowest point (for about 50 metres length) to over double that at its widest with substantial off road hard surfaced passing areas. Stourfields, the three properties on the north-west side of the access road and Hamilton House to the south-east side were granted planning permission in 2000 and 2003 respectively by

Section 73 application to vary conditions to allow a limited number of large vehicles to access the treatment works on Bank (Public) Holidays at Ashford Wastewater Treatment Works & Sludge Treatment Centre, Kinneys Lane, Canterbury Road, Ashford, Kent, TN24 9QB – AS/17/1317 (KCC/AS/0236/2017)

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- Ashford Borough Council. The access road is also a cycle route for part of its length. The A28 Canterbury Road at this point is characterised by ribbon residential development and a number of commercial developments flank the road heading south west towards the motorway. The properties either side of the access road on Canterbury Road also have access to the rear of their properties from Kinneys Lane.
3. Part of the larger WWTW site to the north of the main works (largely the site of the old reed beds) lies within Flood Zone 2 area, land assessed as having between a 1 in 100 and 1 in 1,000 annual probability of river flooding. Flood Zones are used to determine the probability of land experiencing flooding from a river or the sea, with 1 being the lowest and 3 being the highest. The aim of national flood policy is to steer development towards area with the lowest probability of flooding. Development proposals located within an area prone to flooding should be accompanied by a suitable flood risk assessment where they have the potential to impact upon it.
  4. The area of land between the rear of the residential properties and the Hotel on Canterbury Road and the Great Stour river is designated a Green Corridor in the Ashford Borough Local Plan. The green corridor is a network of largely open areas mostly surrounding the rivers that have remained undeveloped mainly due to being in the flood plain. Policies EN13 and EN14 of the Ashford Borough Local Plan as drafted to protect and enhance these green corridors and land adjacent to them, to provide access for pedestrians and cyclists, and leisure opportunities whilst improving their appearance and nature conservation value. In 2000 the Borough Council produced Supplementary Planning Guidance to the Local Plan, 'SPG1- Green Corridor Action Plan', to help guide development affecting Ashford's riverside. Policy has evolved and these policies are replaced by Policy TC26 of the Ashford Town Centre Area Action Plan - February 2010 and supplementary planning document 'Public Green Spaces & Water Environment SPD - July 2012' which forms part of the Ashford Borough Council's Local Development Framework and sets out how policy is applied to protect these green spaces and the water environment throughout the Borough.
  5. As set out above Kinneys Lane is part of Route 17 of the Sustrans National Cycle Network (a 42 mile route that is intended to run from Kent to the south coast when fully developed). At the end of the lane the cycleway meets with National Route 18 which runs alongside the river and is part of a 61 mile route from Canterbury to Tunbridge Wells (via Ashford).

#### Background and Site History

6. Ashford WWTW currently provides sewage treatment to a population of circa 105,000 which is predicted to grow to 119,250 by 2025. The site was historically used purely as a wastewater treatment site having been constructed in 1966 and the addition of sludge processing capacity was added in 1998. The site currently processes waste received from the following sources:

Section 73 application to vary conditions to allow a limited number of large vehicles to access the treatment works on Bank (Public) Holidays at Ashford Wastewater Treatment Works & Sludge Treatment Centre, Kinneys Lane, Canterbury Road, Ashford, Kent, TN24 9QB – AS/17/1317 (KCC/AS/0236/2017)

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- Waste received via the sewer network from the Ashford Catchment Area, (Ashford and its surrounding area).
- Southern Water wastes from other wastewater treatment works, sludge treatment centres (wastewater, sludge, grit and screenings) and water supply works (where Ashford is the nearest regional facility).
- Domestic Tankered Waste from private residences (septic tank waste and cess).

7. The wider WWTW has an area of approximately 36 ha and currently includes the following operational infrastructure:

- 6 x Storm Tanks
- 16 x Filter Beds
- 3 x Primary Settlement Tanks
- 6 x Sedimentation Tanks
- 4 x Nitrating Trickling Filters
- 8 x Humus Tanks
- 6 x Deep Bed Sand Filters

8. The most relevant planning history is set out below:

Reference	Description of Development	Decision	Relevant Conditions/Notes
AS/97/829	Extension to sludge treatment facilities to accommodate imported sludge from a wider catchment area.	Granted 14/10/97	(11) After commissioning of the sludge treatment centre, large vehicle traffic movements shall be confined to: 0700-1800 hours Monday to Friday, 0700-1300 hours Saturday, and excluding Sundays, Bank and other Public Holidays with the exception of operational emergencies.
AS/97/1587	Erection of three GRP Kiosks to house monitoring equipment.	Granted 25/02/98	No restriction on working hours/days.
AS/98/775	Temporary non-compliance with condition (8) of	Granted 13/08/98	No heavy vehicle movements (construction activities) except between 0700-1800

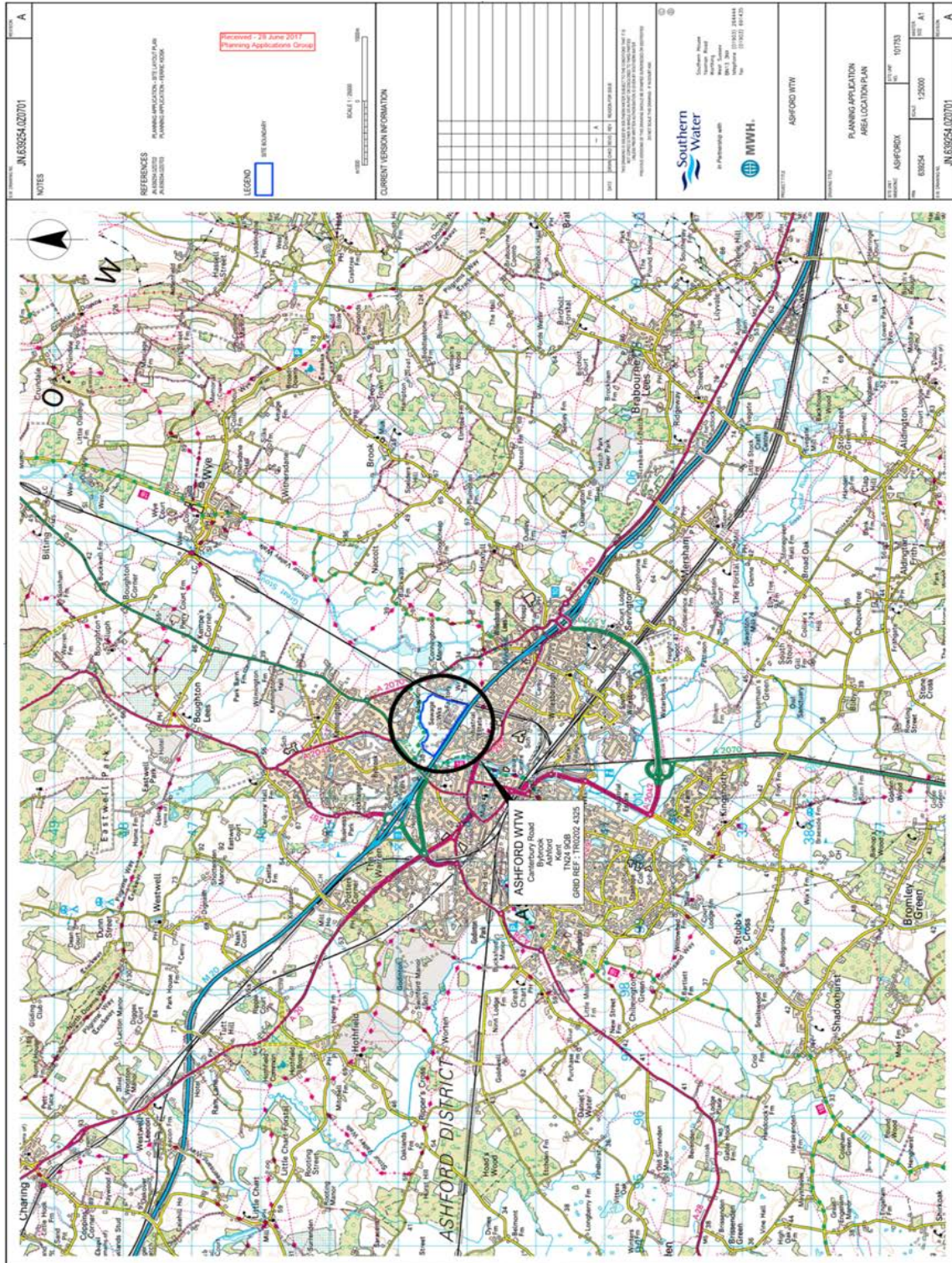
Section 73 application to vary conditions to allow a limited number of large vehicles to access the treatment works on Bank (Public) Holidays at Ashford Wastewater Treatment Works & Sludge Treatment Centre, Kinneys Lane, Canterbury Road, Ashford, Kent, TN24 9QB – AS/17/1317 (KCC/AS/0236/2017)

	planning permission AS/97/829 to allow relaxation of construction working hours for limited period.		hours Monday to Friday, 0700-1300 hours Saturday.
AS/06/24	Tertiary wastewater treatment facilities and new sludge digestion and drying facilities built alongside the existing treatment facilities.	Granted 02/08/06	8) After commissioning of the new development hereby permitted, HGV movements associated with this development to and from the site shall be confined to: 0700-1800 hours Monday-Friday, 0700-1300 hours Saturday and excluding Sundays, Bank and other Public Holidays with the exception of operational emergencies.
AS/08/953	Installation of a combined heat and power unit to enhance the efficiency and cleanliness of the treatment process and to convert to a sustainable energy resource.	Granted 17/07/08	No restrictions on working hours / days.



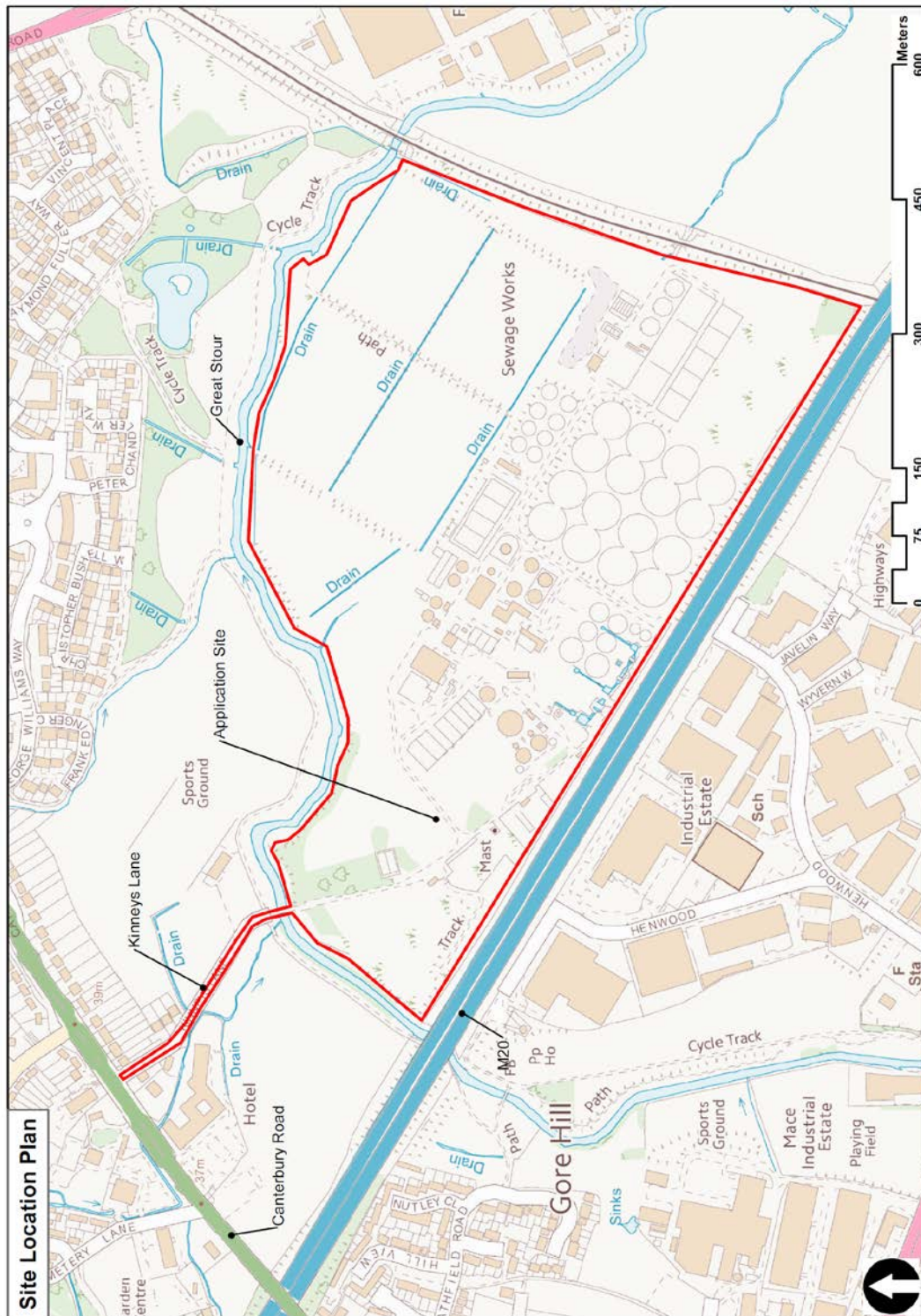
Section 73 application to vary conditions to allow a limited number of large vehicles to access the treatment works on Bank (Public) Holidays at Ashford Wastewater Treatment Works & Sludge Treatment Centre, Kinneys Lane, Canterbury Road, Ashford, Kent, TN24 9QB – AS/17/1317 (KCC/AS/0236/2017)

**General Location Plan**



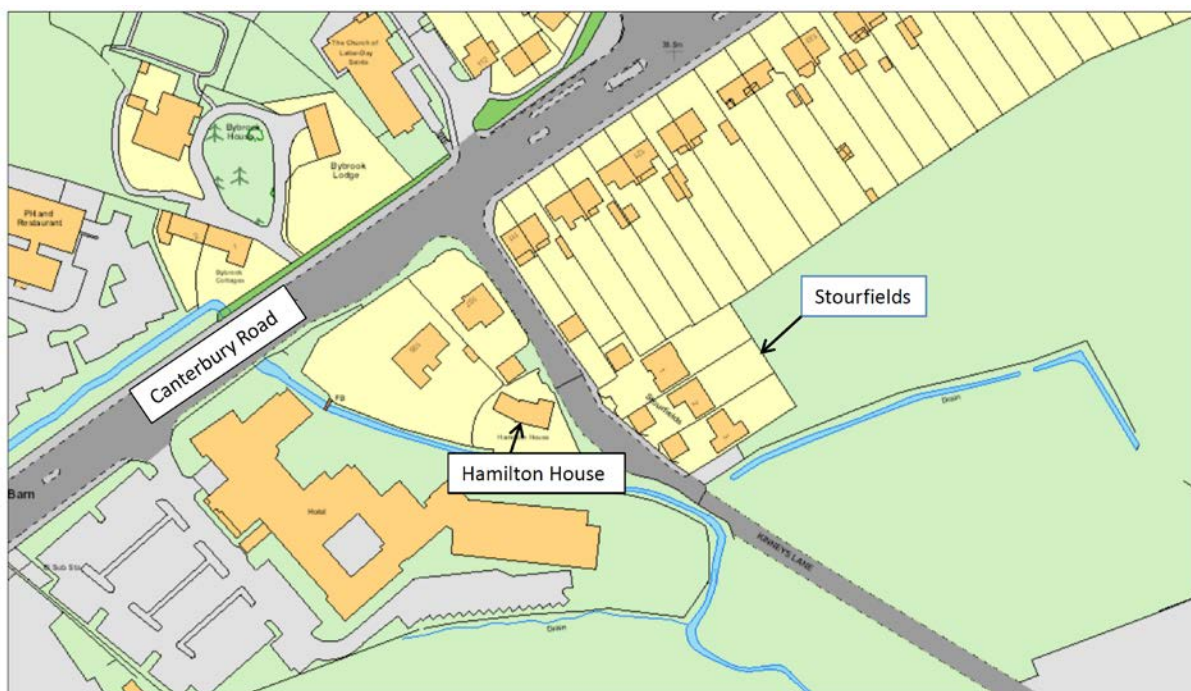
Section 73 application to vary conditions to allow a limited number of large vehicles to access the treatment works on Bank (Public) Holidays at Ashford Wastewater Treatment Works & Sludge Treatment Centre, Kinneys Lane, Canterbury Road, Ashford, Kent, TN24 9QB - AS/17/1317 (KCC/AS/0236/2017)

Site Location Plan



Section 73 application to vary conditions to allow a limited number of large vehicles to access the treatment works on Bank (Public) Holidays at Ashford Wastewater Treatment Works & Sludge Treatment Centre, Kinneys Lane, Canterbury Road, Ashford, Kent, TN24 9QB – AS/17/1317 (KCC/AS/0236/2017)

**Plan showing entrance from A28 Canterbury Road**



**Proposal**

9. This planning application seeks to amend two of the existing conditions pertaining to the sludge treatment centre to allow access for 6 HGV's on Bank (and other public holidays). It is proposed that an access window of 0800-1300 hours is proposed on these days.
10. As set out above Permission AS/97/829 Condition (11) reads:

*After commissioning of the sludge treatment centre, large vehicles traffic movements shall be confined to 0700-1800 hours Monday to Friday, 0700 -1300 hours Saturday, excluding Sundays, Bank and other Public Holidays with the exception of operational emergencies.*

It is proposed to amend the wording as follows:

*After commissioning of the sludge treatment centre, large vehicles traffic movements shall be confined to 0700-1800 hours Monday to Friday, 0700 -1300 hours Saturday, and 0800-1300 hours on Bank and other Public Holidays (subject to a maximum of 6 in-out large vehicle movements). Excludes any Sundays with the exception of operational emergencies.*

Section 73 application to vary conditions to allow a limited number of large vehicles to access the treatment works on Bank (Public) Holidays at Ashford Wastewater Treatment Works & Sludge Treatment Centre, Kinneys Lane, Canterbury Road, Ashford, Kent, TN24 9QB – AS/17/1317 (KCC/AS/0236/2017)

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11. Planning Permission AS/06/24 Condition (8) currently reads:

*After commissioning of the new development hereby permitted, HGV movements associated with this development to and from the site shall be confined to 0700-1800 hours Monday to Friday, 0700-1300 hours Saturday. Excluding Sundays, Bank and other Public Holidays with the exception of operational emergencies.*

It is proposed the wording be amended as follows:

*After commissioning of the new development hereby permitted, HGV movements associated with this development to and from the site shall be confined to 0700-1800 hours Monday to Friday, 0700-1300 hours Saturday, 0800-1300 hours Bank and Public Holidays (subject to a maximum of 6 in-out large vehicle movements). . Excluding Sundays with the exception of operational emergencies.*

12. There are six permanent Bank Holidays in England, (New Year's Day, Easter Monday, Early May Bank Holiday, Spring Bank Holiday, August Bank Holiday and Boxing Day) and Good Friday and Christmas Day are Public Holidays. The government may also occasionally agree other additional public holidays such as the Queens Jubilee.

#### Planning Policy

13. **National Planning Policy Framework (NPPF) (March 2012)** sets out the Government's planning policies for England and is a material consideration in the determination of planning applications. The Framework does not vary the status of the development plan (included below), which remains the starting point for decision making.

The NPPF contains a presumption in favour of sustainable development, which includes economic, social and environmental dimensions that should be sought jointly and simultaneously through the planning system. In terms of delivering sustainable development in relation to this development proposal, Chapters 1 (Building a strong, competitive economy), 3 (Supporting a prosperous rural economy), 4 (Promoting sustainable transport), 10 (Meeting the challenge of climate change, flooding and coastal change), 11 (Conserving and enhancing the natural environment), and 13 (Facilitating the sustainable use of minerals) are of particular relevance.

The NPPF seeks local planning authorities to look for solutions rather than problems and to approve sustainable development that accords with the development plan, unless material considerations indicate otherwise. Where the development plan is absent, silent or out-of-date, the Framework seeks that permission be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against NPPF policies.

**National Planning Policy Guidance (NPPG) (March 2014 (as updated))** supports the NPPF including guidance on planning for air quality, climate change,

Section 73 application to vary conditions to allow a limited number of large vehicles to access the treatment works on Bank (Public) Holidays at Ashford Wastewater Treatment Works & Sludge Treatment Centre, Kinneys Lane, Canterbury Road, Ashford, Kent, TN24 9QB – AS/17/1317 (KCC/AS/0236/2017)

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environmental impact assessment, flood risk and coastal change, light pollution, minerals, natural environment, noise, transport and waste (amongst other matters). The waste section of NPPG advises that the aim should be for each Local Planning Authority to be self-sufficient in dealing with their own waste in the context of the 'proximity principle'. It requires waste planning authorities to plan for sustainable management of waste including wastewater. Adequate water and wastewater infrastructure is needed to support sustainable development. A healthy water environment will also deliver multiple benefits, such as helping to enhance the natural environment generally and adapting to climate change.

**National Planning Policy for Waste (NPPW) (October 2014):** The NPPW should be read in conjunction with amongst other matters the NPPF and Waste Management Plan for England (WMPE) 2013. It recognises the need to drive the management of waste up the 'Waste Hierarchy' and the positive contribution that waste management can bring to the development of sustainable communities. It recognises that planning plays a pivotal role in delivering this country's waste ambitions through amongst other matters helping to secure the recovery of waste without endangering human health and without harming the environment.

**Waste Management Plan for England (WMPE) 2013:** The key aim of the WMPE is to help achieve the Government's objective of moving towards a zero waste economy as part of the transition towards a sustainable economy. Amongst other matters, one of its objectives is to conserve water quality by reducing harmful emissions to water bodies.

#### 14. **Development Plan Policies:**

**Kent Minerals and Waste Local Plan (KMWLP) 2013 – 2030 (July 2016):** As set out in the NPPF the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF requires that policies in local plans should follow the approach of the presumption in favour of sustainable development. The KMWLP is therefore founded on this principle. Policy CSW 1 gives support where, when considering waste development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development as set out and supported by National Policy.

The plan recognises that some modifications to existing facilities will require planning permission. Whilst Policy CSW 15 relates primarily to new treatment works it recognises the need to locate and connect to the existing wastewater network. Policy CSW16 seeks to safeguard sites that have permanent planning permission for waste management, or are allocated in the Waste Sites Plan from being developed for non-waste management uses.

There are also a number of Development Management Policies included in the Plan relevant to the consideration of the proposed development: Policy DM1 (Sustainable Design), DM3 (Ecological Impact Assessment), DM8 (Safeguarding Minerals Management, Transportation Production & Waste Management Facilities), DM10

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(Water Environment), DM11 (Health and Amenity), DM12 (Cumulative Impact), and DM13 (Transportation of Minerals and Waste).

**Ashford Borough Council Core Strategy July 2008:** Policies CS18a (Strategic Recreational Open Spaces) and Policy CS19 (Development and Flood Risk).

**Ashford Town Centre Area Action Plan February 2010:** Policy TC26 (Green Corridors in the Town Centre).

**Public Green Spaces & Water Environment SPD July 2012**

**Ashford Local Plan 2030 (Draft) - Ashford Integrated Water Management Strategy July 2007 and Ashford Borough Council Water Cycle Study 2016:** Policy documents feeding into the Local Plan and recognise the need for wastewater infrastructure to serve future growth.

#### Consultations

15. **Ashford Borough Council** – Consulted on 28 August 2017, no comments received to date.
16. **Environment Agency** – No comment
17. **Amey Dust & Odour** - The changes to air and dust emissions with the potential to impact on sensitive receptors as a result of the application relate to vehicle gases and raised dust. The application proposes a maximum of 6 two-way HGV movements to and from the site in the window 08.00-13.00 hours on Bank (& Public) Holidays. This is a small number of vehicles and is considered highly unlikely to be the source of sufficient exhaust gas pollutants or raised dust that could impact on human health or amenity. Vehicles passing Ashford Rugby Club on Kinney's Lane are likely to be noticeable but as a community leisure facility human exposure is likely to be minimal at this location. The changes to permitted hours alone do not produce a significant impact on air quality or amenity because the sensitivity of the receptors or likelihood of receptors does not change. As this application will not significantly increase traffic on Bank (& Public) Holidays, we are satisfied that there is no risk to air quality amenity from emissions resulting from the application. Furthermore we do not envisage any risks to health or amenity resulting from cumulative impacts during the construction of the ferric dosing kiosk due to the low number of additional vehicles related to this application. We are satisfied there is no risk to amenity from odour emissions.
18. **Amey Noise** - The nearest residential dwellings to the site are located on Kinneys Lane close to the junction with Canterbury Road. The cumulative effect of the additional vehicle movements on road traffic noise is likely to be negligible due to the nearby proximity of the A28 and M20. Although pass by noise from individual vehicles may cause high  $L_{AFMAX}$  levels, the number of occurrences would be low and therefore

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the overall impact should not be considered as being unacceptable. Although the application is for all Bank and Public Holidays, the waste planning authority may wish to consider whether an exception should apply to Christmas Day due to its additional degree of sensitivity.

19. **Transportation Planning** - The site is accessed from Kinneys Lane which is a private street and is therefore not within KCC's control. The junction of Kinney's Lane and Canterbury Road has adequate visibility plays and has provision of a right turn lane. The varying of condition (11) of planning permission A/97/829 and condition (8) of planning permission AS/06/24 to allow a limited number of large vehicles to access the site on Bank Holidays is unlikely to create a highway safety issue, therefore do not wish to oppose the application.
20. **Sustainable Drainage** – No comment
21. **Public Rights of Way (East Kent PROW Team)** – No views received

Local Member

22. The local County Member Mr Paul Bartlett (and neighbouring Members Mrs Clair Bell and Mr George Koowaree) were notified of the application on 25 August 2017, no views have been received to date.

Publicity

23. The application was publicised by the posting of a site notices, an advertisement in a local newspaper, and the individual notification of 8 residential properties adjacent to the access road.

Representations

24. Objection letters have been received from six residential neighbours and the main points of objection are as follows:

Amenity

- There are already frequent tanker deliveries outside of the permitted hours from early morning to late at night and including Sundays and Bank Holidays.
- Already local residents have to endure unacceptable impact 5 ½ days a week, these proposals would result in no respite at all.
- Local residents cannot sit and enjoy their back gardens already, Bank Holiday movements as proposed would make matters even worse.
- The delivery vehicles contaminate the environment with noise, vibration, diesel fumes, obnoxious smells and debris on the road, especially those removing the waste.

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#### Access/Traffic

- The Lane is barely wide enough for a single HGV at points and is widely used by disabled, dog walkers, commuters, cyclists and children walking to school.
- The access road is damaged by the large vehicles with pot holes and cracks in the surface which the lorries clatter over at speed putting pedestrians at severe risk of injury.
- The traffic and associated noise, dust and odour are contrary to the Waste Local Plan Policies which are supposed to safeguard against such impacts.
- Southern Water (SW) removed the speed humps so the drivers now go even faster.
- SW have previously suggested they would need an average of 16 vehicles per Bank Holiday to address the needs of the digesters, yet now they are saying only 6, they appear to be making things up, why the discrepancy?
- We have never seen any monitoring of vehicle speed despite assurances they were being carried out.
- SW should look at finding an alternative access for this site as the current one is no longer fit for purpose, particularly if they are to take up the permitted capacity at the works.

#### Operations

- SW do not stick to the rules now so why would they in the future.
- Is the import of sludge on a Bank Holiday the only way to solve the problem?
- Why has this only become necessary now? An independent report should be compiled on this and the above issue for Planning Committee.
- Is there not enough sludge from the wastewater arriving at the site through the sewerage network to feed the digesters, if not directly then sucked out from the storage tanks and cannot the sludge be stockpiled to cover the three day weekends?
- Ashford Borough Council has stated that they have made no agreement with SW relating to access over the Bank Holidays.
- Previous complaints and correspondence between local residents, KCC and SW about Bank Holiday access have only referred to operational emergencies and not the need to feed the digesters.
- Why do the rectangular waste removal vehicles need to access the site every Bank Holiday and why is the odour from these vehicles not checked?

#### Discussion

25. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that applications are determined in accordance with the development plan, unless material considerations indicate otherwise. Therefore the proposal needs to be considered in



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the context of the Development Plan Policies, the National Planning Policy Framework, National Planning Policy for Waste and other Government Policy and any other material planning considerations. In considering this proposal the planning policies outlined in paragraphs 13 and 14 above are particularly relevant. The key planning considerations in this case include:

- Need and sustainability
- Traffic
- Noise
- Odour

### **Need and Sustainability**

26. Southern Water as a sewerage undertaker are obliged to provide the appropriate facilities for the treatment of wastewater to the standard required by the Water Resources Act 1991 and the Urban Wastewater Treatment Regulations 1994. The site operates under a number of extant planning permission, outlined earlier in the report and also an Environmental Permit (EPR/BP3296SB), administered by the Environment Agency, which allows for 690,000 tonnes per annum of imported waste to be processed. At present only around 271,000 tonnes per annum is being processed under the permit. The site currently processes approximately 3,560,000 tonnes per annum of waste via the sewer network (i.e. delivered to the site by the sewer pipe network).

### Operations

27. The site has operated as wastewater treatment works since 1966 with the addition of sludge processing capacity being added in 1998. As set out above there are two separate waste streams into the site; the wastewater which comes in from the Ashford Sewerage Catchment (direct through sewer pipes) and sludge imports in cake and liquid form from other treatment works. A smaller element of waste imports relates to tankered in liquid waste from commercial waste collection companies. Additional wastewater treatment and sludge digestion facilities were granted permission in 2006.
28. The wastewater treatment processes produces a treated effluent which is discharged to the Great Stour River. Vehicle movements associated with this side of the process are limited to the screenings and grit removed by the preliminary treatment which is taken to appropriate waste disposal facilities and vehicles used by operatives and maintenance personnel. There are no restrictions in relation to these operations.
29. Sludge imports are blended with indigenous sludge arising from the wastewater treatment process and treated by screening, thickening, anaerobic digestion (producing a biogas to feed a combined heat and power unit supplying the site), and then dewatered to produce an agricultural soil conditioner and fertiliser. Liquors arising from the sludge treatment are returned back to the wastewater treatment process. It is the vehicles associated with the importation of the sludge that are controlled by condition in terms of the times they can travel to and from the site.

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30. The processes described above need to operate on a permanent basis (24 hours a day, 7 days a week) in order to effectively manage all the wastes coming into the site.

The digestion process

31. To expand further; the digestion process is complex and consists of 3 phases of biological action reducing the amount of volatile solids and generating mainly water, methane and carbon dioxide in the process. To keep these processes steady the plant requires a stable feed in terms of sludge quantity (strength and volume), as well as sludge quality (freshness and calorific value). If this is not achieved the plant becomes unstable and the health of the digesters deteriorates rapidly with a subsequent loss of the destruction rate of the solids and a reduction in the volume and quality of biogas produced. Once the digesters are destabilised in this way it can take a number of days or even weeks to return to steady and healthy operation.
32. The Applicant has developed a region-wide sludge plan which identifies which Sludge Treatment Centre (STC) receives sludge from which wastewater treatment works (WTW) for optimal sludge operations. Southern Water has 16 STC's across the SW region (Kent, Sussex and Hampshire) serving the smaller WTW's. In Kent these are at Gravesend, Ham Hill (Snodland), Aylesford, Motney Hill (Gillingham), Queenborough, Canterbury and Ashford. Ashford is the largest of these, serving the majority of South Kent area and is the only one in Kent able to import sludge cake (other STC's are smaller and their digesters can operate only being fed by indigenous sludge arisings). The feed requirements of the digesters at Ashford exceed the production capacity of indigenous sludge. Ashford is the closest STC for Weatherlees and Broomfield Bank where 80% of their sludge cake imports come from. Edenbridge and Tunbridge Wells also produce cake but as they are to the west of the county Southern Water has the option to take some of this into Sussex if required.
33. There is limited storage capacity at each site, including Ashford, to provide some flexibility to smooth out any fluctuations in the feed volumes to the digesters and this is typically used at Ashford over a normal two day weekend. However the storage is not sufficient to allow for the longer bank holiday periods, where there are two days in a row when sludge cannot be imported to the site. The satellite works clearly continue to generate volumes of sludge that require treatment and they too often have limited storage capacity. Furthermore storing sludge for longer periods of time can reduce its effectiveness during the digestion process as well as potentially leading to an increase in odour problems so it is not simply a case of extending the storage facilities.
34. The need for this development is therefore driven by a technical requirement to ensure that the digesters and wider processes at Ashford continue to work effectively. Being unable to import sludge over a bank/public holiday weekend results in a destabilising of part of the system which can have a significant impact on the wider treatment process. Storing greater quantities of sludge on site does not provide an environmentally sound solution to the problem and has been dismissed as a reasonable option. Southern Water has a statutory responsibility to deal with the treatment of wastewater in accordance with national legislation and environmental

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regulations and have deemed importing a limited but sufficient amount of sludge with no more than 6 vehicles visiting the site to be the most appropriate way to address the problem. On this basis and following the presumption in favour of sustainable development in the NPPF and national waste policy, the proposals accord with Policy CSW1 of the Kent MWLP.

### **Traffic**

35. This proposal seeks to vary the conditions which currently restrict the times that HGV's importing sludge may visit the site. It should be noted that there are no restrictions on the numbers of vehicles associated with these deliveries.
36. The nature of these restrictions should be viewed in the context of operations at the treatment works. Treatment of wastewater and associated waste arisings from the process necessarily takes place on a 24 hours/7 days a week basis. The majority of traffic movements from the sewage treatment process arise as a result of the need to move quantities of sludge arisings from the network of wastewater treatment works across the region. Southern Water has developed and invested in a strategic network of sludge treatment sites. These sites offer an additional level of treatment to produce a waste product that can be recycled as an agricultural fertiliser whilst at the same time utilising the biogas, produced as a by-product of the digestion process, to provide heat power back to the treatment works.
37. These strategic arrangements necessarily require the movement of the sludge from the works where they arise to an appropriate Sludge Treatment Centre. Planning conditions restricting vehicle movements have only been imposed at sites where there has been the potential for impacts upon residential amenity as a result of the vehicles visiting the site. At Ashford WWTW just such conditions have been attached to planning permissions relating to the sludge treatment centre (and tertiary wastewater treatment) in order to control when large vehicles may visit the site. It is noted that only 2 other of the 16 STC's in Southern Water's region have restrictions on Bank Holiday movements (Gravesend and Motney Hill) and 10 of the remaining 14 have no time restrictions at all.
38. Currently large vehicles are only permitted to visit the site 0700-1800 hours Monday to Friday and 0700-1300 hours on a Saturday. No such visits are permitted on Sundays or Bank/Public Holidays. It is therefore proposed that a maximum of 6 large vehicles (12 movements) be permitted to visit the site between 0800-1300 on Bank/Public Holidays.
39. Southern Water have assessed the minimum requirements to keep the digesters at a healthy and sustainable level and consider that the proposed 6 large vehicles would be sufficient to maintain the appropriate balance over the three day weekend. Consideration has been given to the type and size of vehicle so as to minimise the number of trips that may be required. Furthermore it is also proposed to maximise the sludge storage capacity in the run up to the Bank Holiday so that importation is kept to the bare minimum. The applicant is also proposing a reduced window of working be implemented on Bank Holidays, from 0800-1300 hours. They calculate that delaying

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access to an hour later than normal weekend (Saturday) visits would still give sufficient time for the vehicles travelling from the more remote satellite works to unload and exit within the shorter window of time.

40. Kinneys Lane is a private road owned by Ashford Rugby Club. The applicant has identified a number of measures recently put in place to manage the traffic on the access road. This has included new signage and removing speed bumps at the request of local residents who expressed concerns about the noise associated with vehicles slowing down, clanking over it and then speeding up again. However others have argued that taking it away encourages drivers to speed. Two speed bumps remain in place at either end of the access road. The applicant state they have also carried out regular speed checks to ensure vehicles are adhering to the 10mph speed limit. Drivers caught speeding are reported and disciplined by the respective vehicle operating companies.
41. I consider that the applicant has acknowledged the potential impacts upon the six local residents on Kinneys Lane and at the junction with Canterbury Road and made efforts to minimise the number of vehicle movements associated with this proposal. The result is a limited number of movements for restricted morning operations on Bank/Public Holidays. This along with the measures to control and monitor the speed of vehicles approaching the site would minimise the potential impacts from those additional movements. In addition the applicant has loggers which register time and volume of discharge of liquid tankers and on-site telemetry to show discharge of cake bins and therefore are able to monitor that discharge hours are being adhered to.
42. The Highways Officer advises that the junction of Kinneys Lane with Canterbury Road has provision of a right turn lane and adequate visibility splays and the limited number of vehicles proposed is unlikely to create a highway safety issue.

## Noise

43. Local residents have expressed concerns in relation to the noise of the vehicles that currently visit the site and the potential for this noise intrusion to increase as a result of the proposed Bank Holiday movements. There are currently a range of types of vehicle that visit the site and the suggestion is that the main noise impact comes from the vehicles clattering as they go over the speed humps along Kinneys Lane. As set out above following discussion with local residents Southern Water have taken away one of the speed humps which was immediately adjacent to the properties at Stourfields. However this has not satisfied all of the residents, some of whom prefer the humps to remain in place to control the speed of the vehicles using the access road. The current situation is that two speed bumps remain in place, one closer to the junction with Canterbury Road, and the other just before the road crosses over other cycleway/footpath and then the bridge over the Great Stour and into the site beyond. It is my view that this represents the best compromise between controlling the traffic speeds and the potential disturbance of vehicles crossing over the humps.

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44. My noise advisor comments that the cumulative effect of the additional vehicle movements on road traffic noise is likely to be negligible due to nearby proximity of the A28 and M20. He further comments that although pass by noise from individual vehicles may cause high  $L_{AFMax}$  levels, the number of occurrences would be low and therefore the overall impact should not be considered as being unacceptable. He has however suggested that we may like to consider whether an exception should apply to movements on Christmas Day. I have raised this possibility with the Applicant who could avoid Christmas Day movements although this would mean having to take sludge in each day either side i.e. Christmas Eve and Boxing Day. This is the only period in the normal calendar where two consecutive bank/public holidays occur and given the added sensitivity I propose that Christmas Day is excluded from the days being applied for.

#### **Air quality and Odour**

45. Exhaust fumes from vehicles visiting the site have the potential to impact upon air quality in the vicinity. However my air quality advisor comments that this is a small number of vehicles and is considered highly unlikely to be the source of sufficient exhaust gas pollutant or raised dust that could impact on human health or amenity. Vehicles passing Ashford Rugby Club on Kinneys Lane are unlikely to be noticeable but as community leisure facility human exposure is likely to be minimal at this location. He comments that the changes to permitted hours alone do not produce a significant impact on air quality or amenity because the sensitivity of the receptors or likelihood of receptors does not change. He is therefore of the view that because the increase in traffic on Bank/Public Holidays is not significant there is no risk to air quality amenity from emissions resulting from the application.
46. There have been concerns expressed about odours arising from vehicles transporting sludge to the site. It is not always clear whether these odours are experienced when vehicles arrive at site or when they are leaving having deposited the sludge, however these could be mitigated by proper containment and ensuring vehicles are kept clean and free of debris. I am advised that it is not possible to apply conditions regarding measurable odour levels to transitory vehicles, however good management practice and ensuring that drivers are instructed appropriately would minimise potential odour impacts, the matter has been raised with the applicant and discussions are on-going as to how such measures might be included within the Odour Management Plan for the site (see further comments below). Vehicle movements associated with the wastewater treatment element carried out at the works are not are subject to specific planning controls but should be also be managed appropriately so that amenity impacts are minimised. Furthermore Southern Water is undergoing a scheme to install chemical dosing at a number of their sites which would reduce the odour from the material being transported to Ashford.
47. It is acknowledged that there have been a number of complaints regarding odour issues from the site more generally. Southern Water has acknowledged that the level of odour complaint has increased and has been carrying out investigations into what could be causing increased odour. Currently two potential sources have been

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identified and odour suppression units have been installed to address the odours, the effectiveness of these is currently being monitored. A full odour assessment of the site has been carried out recently to identify any further potential sources. A revision to the Odour Management Plan (OMP) is currently being reviewed by the Environment Agency who is responsible for pollution control in relation to the permit for sludge imports, the combined heat and power plant and the discharge consent. They are working with Southern Water and the Borough Council Environmental Health Officer to try and resolve odour issues from the site. Specifically in relation to this application, the applicant has dismissed the idea of increased sludge storage capacity as this has the potential to increase odour arisings from the sludge awaiting treatment through the process. Following agreement with the Environment Agency it is the intention of the applicant to submit an updated OMP to the County Council for approval pursuant to the requirements of the conditions in relation to the treatment works. I would look to ensure that appropriate good practice management measures are included and applied to the cleanliness of the vehicles importing the sludge to the site.

### **Other Issues**

48. The applicant has explained that imports of sludge have historically been taking place (on Bank/Public holidays), over a number of years, on an informal basis and this has indeed been the case. However it is important to understand that the County Council was not aware of this situation until recently. Southern Water has I understand been liaising with officers at Ashford Borough Council and had incorrectly assumed that they were the correct authority to seek permission from regarding imports outside of the permitted hours. Agreement had been made, often by telephone, between the site manager and the Environmental Protection Team at the Borough Council who had not appreciated that those discussions should have been with the County Council as waste planning authority.
49. Local residents have suggested that the applicant should find an alternative access into the site. Southern Water has historically looked into using a direct access point from the M20 motorway but this was not pursued due to cost and would be unlikely to be supported by Highways England. They continue to look at other options for an alternative solution in the future however in order to secure the effective and efficient function of the site in the short term considers utilising the existing access is the only viable option.

### **Conclusions**

50. This application seeks to amend the conditions to allow a maximum of 6 vehicles to visit the treatment works within the limited time of 0800-1300 hours on Bank/Public Holidays to import sludge to ensure stable operation of the on-site digesters.
51. The site has been an operational wastewater treatment works since the 1960's for the Ashford catchment area and provides a regional treatment facility for sludge arisings from the smaller satellite treatment works. It offers the only location for treating sludge cake and is the main facility for the south of Kent, forming an important facility in

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Southern Water's sludge strategy for their area. The operations at the treatment works take place 24 hours a day, 7 days a week but vehicle movements associated with the importation of the sludge were restricted to Monday-Friday and Saturday mornings. The applicant has continued to struggle to achieve steady feed conditions and have in the more recent past requested on an informal basis to be allowed to import sludge outside of the permitted hours. They now wish to regularise this situation to reduce the chance of the digesters malfunctioning and impacting on the wider treatment processes. There is a recognised need to ensure the stability of the digester and on this basis and following the presumption in favour of sustainable development in the NPPF and national waste policy, the proposals accord with Policy CSW1 of the Kent MWLP.

52. The proposed numbers and types of vehicles have been calculated as the minimum to ensure a steady supply of sludge over a longer Bank/Public holiday weekend and there is no objection from a traffic safety perspective to the proposals. The main impacts are minimal, very local and largely confined to those upon the amenity of the residential properties that share the western end of the access road. I am satisfied that the applicant has made every effort to minimise the number of vehicles and timeframe within which they could visit the site on these additional days, and I further propose also to exclude activities on Christmas Day. With the appropriate management of the drivers and their vehicles the impacts would be kept to a minimum.
53. On balance I consider the proposal allows for a sustainable management solution to dealing with the sludge arisings that are served by Ashford Sludge Treatment Centre.

#### Recommendation

54. I RECOMMEND that PLANNING PERMISSION BE GRANTED TO:

- (i) vary condition (11) of planning permission AS/97/829 and condition (8) of planning permission AS/06/24 to allow no more than 6 HGV vehicles to access the site between 0800-1300 hours on Bank/Public Holidays (excluding Christmas Day); and
- (ii) the following informative:
- the applicant include appropriate measures to ensure that vehicles importing sludge to the site do not give rise to odour complaints within the wider Odour Management Plan to be submitted pursuant to condition 7 of AS/06/24.

Case Officer: Andrea Hopkins	Tel. no: 03000 413394
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Background Documents: see section heading
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**E1 COUNTY MATTER APPLICATIONS AND DETAILS PURSUANT  
PERMITTED/APPROVED/REFUSED UNDER DELEGATED POWERS -  
MEMBERS' INFORMATION**

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

**Background Documents** - The deposited documents.

- AS/17/1054/R5      Details pursuant to condition 5 (Construction Management Plan) of planning permission AS/17/5054 - Installation of Ferric Dosing Kiosk. Ashford Wastewater Treatment Works & Sludge Treatment Centre, Kinneys Lane, Canterbury Road, Ashford, Kent, TN24 9QB  
Decision: Approved
- GR/14/615/R4      Details pursuant to condition 4 (Construction Environmental Management Plan) of planning permission reference GR/14/615 for ecological and landscape enhancements to Alpha Lake & Chalk Lake. Alpha Lake and Chalk Lake, North Sea Terminal, Salt Lane, Cliffe, Kent, ME3 7SX  
Decision: Approved
- SW/16/501484/R    Non-material amendment of consent reference SW/16/501484 to amend the elevation details (including signage) of the gypsum building. Countrystyle Recycling Storage Land, Kemsley Fields Business Park, Ridham Dock Road, Sittingbourne  
Decision: Approved
- TM/17/1223        The permanent retention of the Allington Waste Management Facility. Allington Waste Management Facility, Laverstoke Road, 20/20 Business Park, Allington, Maidstone.  
Decision: Permitted
- TM/17/1336        Section 73 application to vary conditions 2, 3, 5, 11 & 16 of planning permission TM/10/1481 to extend the end date for extraction until 17 May 2027, increase the annual amount of extraction, extend the extraction period and amend the working and restoration schemes. Wrotham Quarry, Land south of M20 Motorway, Ford Lane, Wrotham Heath  
Decision: Permitted

**E2 COUNTY COUNCIL DEVELOPMENT APPLICATIONS AND DETAILS  
PURSUANT PERMITTED/APPROVED UNDER DELEGATED POWERS  
MEMBERS' INFORMATION**

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

**Background Documents** – The deposited documents.

- DA/17/1626 Retention of 3 temporary classroom units (permitted under consent reference DA/16/799) to accommodate the 2017 allocation of pupils. Wilmington Academy, Common Lane, Wilmington, Dartford  
Decision: Permitted
- DO/16/229/R14 Details of a Community Use Agreement pursuant to Condition 14 of planning permission DO/16/229. Aylesham Primary School, Attlee Avenue, Aylesham, Kent, CT3 3BS  
Decision: Approved
- MA/16/507463/R4 Details of landscaping pursuant to condition 4 of planning consent MA/16/507463. Maidstone Grammar School, Barton Road, Maidstone  
Decision: Approved
- MA/16/507463/R12 Details of construction management plan pursuant to condition 12 of planning permission MA/16/507463. Maidstone Grammar School, Barton Road, Maidstone  
Decision: Approved
- MA/17/502387/R3 Details of external materials pursuant to condition 3 of planning permission MA/17/502387. Maidstone Grammar School, Barton Road, Maidstone  
Decision: Approved
- MA/17/502387/R10 Details of external lighting pursuant to condition 10 of planning permission MA/17/502387. Maidstone Grammar School, Barton Road, Maidstone  
Decision: Approved
- MA/17/502387/R13 Details of Construction Management Plan pursuant to condition 13 of planning permission MA/17/502387. Maidstone Grammar School, Barton Road, Maidstone  
Decision: Approved
- MA/17/504900 Change of use from agricultural land to school playing field incorporating a hard surfaced play area. Land adjoining St Margaret's School, Collier Street, Nr Marden, Tonbridge, Kent, TN12 9RR  
Decision: Permitted

- TM/16/853/RVAR Application to discharge conditions 3 (Materials), 8 (Ecology), 9 (Archaeology), 12 (Foul & surface water disposal) and 13 (Surface water drainage) of planning application TM/16/853.  
Land adjacent to Hall Road, Wouldham, Kent  
Decision: Approved
- TM/17/2215 Construction of a new school hall, children's wc's and storage.  
Ryarsh Primary School, Birling Road, Ryarsh, West Malling, Kent, ME19 5LS  
Decision: Permitted
- TW/12/1442/R8, 10, 11 Details of sustainable energy measures (condition 8), cycle parking facilities (condition 10) and lighting scheme for the carpark and general areas (condition 11).  
Land south of Rolvenden Road, Benenden  
Decision: Approved
- TW/12/1442/R9&16 Details pursuant to condition 9 (foul and surface water drainage) and condition 16 (visibility splays) of planning permission TW/12/1442.  
Land south of Rolvenden Road, Benenden  
Decision: Approved

**E3 TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 – SCREENING OPINIONS ADOPTED UNDER DELEGATED POWERS**

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**Background Documents –**

- *The deposited documents.*
  - *Town and Country Planning (Environmental Impact Assessment) Regulations 2017.*
  - *The Government's Online Planning Practice Guidance-Environmental Impact Assessment/Screening Schedule 2 Projects*
- (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/SCR/DA/0293/2017 Request for a Screening Opinion as to whether the proposed St Clements Way improvement scheme requires an Environmental Impact Assessment (EIA).  
A206 St Clements Way and A226 London Road, Greenhithe, Kent

- KCC/SW/0315/2017      Section 73 application to amend the site layout pursuant to conditions 2 and 8 (including area for processed waste storage in bays) and discharge of condition 5 (car parking details) of planning permission SW/15/500146 (Recycling Facility).  
London & Kent Metals, Unit D9, Eurolink Business Park, Sittingbourne
- KCC/SCR/TW/0291/2017      Request for a Screening Opinion as to whether the proposed upgrade works requires an Environmental Impact Assessment (EIA).  
Iden Green Wastewater Treatment Works, Standen Street, Iden Green, Kent, TN17 4HD
- KCC/SCR/TW/0292/2017      Request for a Screening Opinion as to whether the proposed upgrade works requires an Environmental Impact Assessment.  
Sandhurst Wastewater Treatment Works, Crouch Lane, Sandhurst, Kent, TN18 5PA

- (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

**E4      TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 – SCOPING OPINIONS ADOPTED UNDER DELEGATED POWERS**

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- (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) Regulations 2017.*
- *The Government’s Online Planning Practice Guidance-Environmental Impact Assessment/Preparing an Environmental Statement*

None