

Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050

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

Construction of a new Household Waste Recycling Centre including the provision of receiving small amounts of trade waste at land at the end of Mountfield Road, New Romney – SH/09/1050

A report by Head of Planning Applications Group to Planning Applications Committee on 16 March 2010

This application has been submitted by Capita Symonds (Agent), on behalf of Kent County Council Waste Management (KWM) for a new Household Waste Recycling Centre (HWRC) and will act as a permanent replacement to the existing temporary weekend facilities at Station Road, Lydd and Church Road, New Romney.

Recommendation: Permission be granted subject to the completion of a Legal Agreement and conditions

Local Members: Mr Willie Richardson

Unrestricted

Site and surroundings

1. The application site is located on land currently in arable use adjacent to the southern end of the existing Mountfield Road Industrial estate on Mountfield Road. Mountfield Road Industrial Estate is located in the centre of New Romney and lies adjacent to the western side of the Romney Hythe & Dymchurch railway line.
2. Mountfield Road forms an uncontrolled priority junction with Station Road, which is the main link between the east and west of New Romney.
3. Mountfield Road is essentially a long cul-de-sac that is largely occupied by an industrial estate currently used by large and heavy goods vehicles accessing the commercial and industrial premises. A small number of residential properties lie adjacent to the western side of Mountfield Road immediately within the entrance off Station Road. The industrial estate is defined by the road layout which is in a 'd' shape arrangement.
4. The Mountfield Road industrial estate is the largest industrial estate in the Romney Marsh area, at approximately 9 hectares. The application site is a rectangular shape and relatively flat and covers approximately 1.31 hectares. The overall site dimensions are 120 metres in length (north to south; and 145 metres at the deepest point) and

Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050

approximately 77 metres wide.

5. The application site which forms part of the permitted industrial estate is located on undeveloped agricultural land that is detached from the main built up area of Mountfield Industrial Estate.
6. The industrial estate is the predominant use along Mountfield Road. However, there is a small housing estate at the north-western extremity of the site comprising Greenly Way, Wells Close and Imbert Close. The residents of the housing estate share Mountfield Road with the industrial estate.

Background

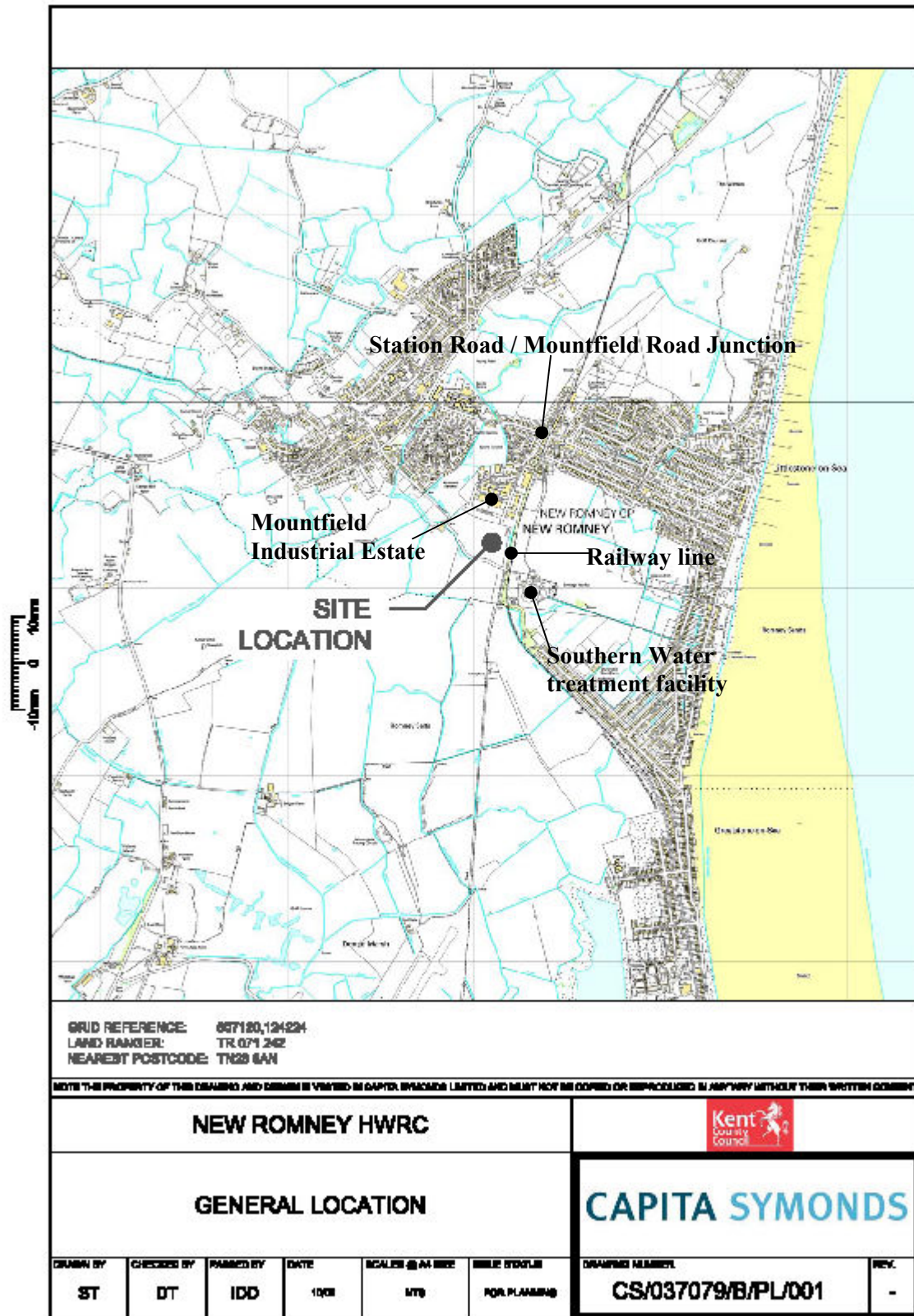
7. There are currently two temporary facilities located at Station Road, Lydd and Church Road, New Romney which both provide a limited service for householders to dispose of their unwanted bulky waste items. Both sites are operating under the terms of temporary permissions providing a weekend facility only. The temporary permissions were granted as a means of allowing a more permanent site to be found to serve the residents of Lydd and New Romney. The current proposal is considered by the applicant to represent an appropriate site.

Proposal

8. The proposed development involves the construction of a new HWRC comprising new hard-standing area, access road, car parking, hard and soft landscaping (including lighting columns and bund) and a balancing pond to accommodate surface water drainage.
9. The proposed facility is intended to provide local residents with a convenient and accessible, purpose-built, modern facility to deposit their recyclable materials and bulky waste/unwanted items. The proposal also makes provision for receiving a small amount of local trade waste such as building waste material and green waste cuttings.
10. The proposed facility would accept a range of materials including small quantities of special and hazardous waste i.e. engine oil and car batteries. In general, the type of waste would consist of paper/card, plastics, scrap metals, aluminium, glass, timber, textiles, spectacles, gypsum boards, asbestos sheets, florescent tubes, waste electrical and electronic equipment (WEEE), car and dry cell batteries, oils (mineral and cooking), soil and hardcore, tyres, garden green waste and residual waste. Separate bins would be provided to cater for the difference types of waste material.
11. The waste generated would be removed from the site in bulk containers by HGVs. The applicant expects that the HGV trips will be generally outside the highway peak hours to minimise their impact. Dependent upon the proposed throughput of waste, at maximum capacity, the applicant expects there will be less than 2no. HGV movement per hour, however this may increase during peak days or peak months, although this is unlikely to exceed 2no. HGVs per hour at any time.

Site location plan

Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050



Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050

Proposed Layout Plan



REV		CH	PA	DATE	NOTES	NEW ROMNEY HWRC			Kent County Council	
						GENERAL ARRANGEMENT PLAN			CAPITA SYMONDS	
DRAWN BY	CHECKED BY	ISSUED BY	DATE	SCALE @ A1 SIZE	SCALE STATUS	DRAWING NUMBER		REV.		
ST	DT	IDD	10/09	1:500	FOR PLANNING	CS/037979/B/PL/003		-		

Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050

12. No mechanical treatment or sorting of waste is proposed on site. Instead segregation of waste will be made at point of deposit. However, there is proposed to be a limited amount of hand sorting to remove misplaced waste items. In order to make efficiency use of the containers and limit the number of HVG movements, the applicant may incorporate the use of specialist mobile equipment to compact waste material. However this will be reviewed after six months of operating.
13. At maximum throughput, the applicant anticipates the proposed facility would be capable of catering for up to 10,000 tonnes of waste per annum.
14. The proposed layout features two distinct elements; an area for the public to use and deposit waste items and an area where HGVs and site operatives would operate delivering and removing bulk containers (operations area). The public user area would be approximately 1,380m² with a width of 23 metres and length of 60 metres. The operations area (on the western side) would be approximately 1,170m² with a width of 30 metres and length of 39 metres
15. Overall, the proposed facility would comprise the following elements:
 - 6 grade waste container bins (including smaller recycling bins)
 - 10 bulk container bins (including 2 spare storage containers)
 - 2 storage containers
 - 'Drop off' parking area
 - Site cabin (approx' 4m² and 2.55 metres in height)
 - Staff car parking (plus 4 cycle spaces)
 - Entrance gate
 - 2.1 metre high perimeter fence
 - 1.0 metre high post and wire fence
 - 'Help point' cabin (approx '27.33m² and 2.55 metres in height)
 - 11, 8 metre high lighting columns
16. The proposed facility would be split level to enable public users to deposit/drop their recyclables and waste items into the appropriate bins/containers without having to negotiate stairs/steps. This proposed split level design would be created by raising the land at the user 'drop off' area by 1.6 metres to enable safe deposit. The dual level would create a clear distinction between the operator area and the user/public area. This feature would also enable the site operators to safely remove and replace the containers when necessary without disrupting the public users.
17. At the vehicular access point for the public user area, a height restriction of 2 metres is proposed, to regulate the size of vehicles that enter this part of the site. Trade vehicles will be limited to less than 3.5gvw and charged an appropriate fee. A separate trade waste container would be made available for these vehicles.
18. HGVs and operator vehicles will access the site along the western side of the facility and public users will enter along the eastern side in order to avoid conflict between users and site operators.
19. The compound of the proposed facility would be constructed of reinforced concrete

Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050

retaining walls and walkways and would include asphalt and concrete hardstanding areas.

20. The proposed facility would be illuminated (during operational hours) by 11 static lighting columns located around the compound. Each proposed lighting column would be 8 metres in height and would be directed downwards to minimise any glare/illumination overspill beyond the perimeter of the site. The applicant's lighting assessment states that the level of illumination would not spill over more than 16 metres from the boundary.
21. In order to soften the appearance of the proposed facility, the applicant is proposing to incorporate soft landscaping throughout the site particularly along the southern and western boundary. A 2.0 metre high bund is proposed to wrap around the southern and western perimeter of the facility. The slope of the proposed bund would be 1:4 (max) easing to 1:5 at the corner and at the south face.
22. The proposed landscaping would include the planting of native species to create a habitat enhancement feature focussed on the southern aspect of the site incorporating the balancing pond to also create a wetland area. The proposed landscaping includes the planting of native hedgerows on all four aspects of the site including between the balancing pond and facility compound. The proposed hedgerow along the western boundary would run along the ridge of the 2.0 metre high bund in order to soften the impact of the facility from wider views.
23. A 1.0 metre high post and wire fence is also proposed along the southern boundary, set behind the proposed hedgerow. A 50 metre stretch of fence is also proposed along the eastern boundary and 35 metre stretch on the western boundary. A maintenance access gate is proposed on the southern boundary to enable access from Church Lane which runs some 200 metres to the south of the site.
24. The proposed balancing pond would be set in from the southern boundary by 7 metres and would cover an area of approximately 811m². The pond would have a capacity designed to accommodate surface water drainage from the site via an interceptor.
25. The proposal facility would employ 4 full time staff.
26. The applicant is proposing to operate the facility to enable an extended opening hours on Wednesdays during the Spring to Autumn period. The proposed operating hours set out below which are similar to those operated at other HWRC's would also enable the site to be prepared for opening and tidied at the end of the day:
 - 1st April to 31st September
 - Monday to Saturday: 07:30 to 18:00 hours
 - Wednesday: 07:30 to 20:30 hours
 - Sunday/Bank Holidays: 0830 to 16:30 hours
 - 1st October to 31st March
 - Monday to Saturday: 08:00 to 16:30 hours
 - Sunday/Bank Holidays: 08:30 to 16:30 hours

The opening hours, in which site will be open to the public are as follows:

Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050

- 1st April to 31st September
 - Monday to Saturday: 08:00 to 16:30 hours
 - Wednesdays: 08:00 to 19:00 hours
 - Sundays/Bank Holidays: 09:00 to 16:30 hours

- 1st October to 31st March
 - Monday to Saturday: 08:00 to 16:30 hours
 - Sunday/Bank Holidays: 09:00 to 16:00 hours

Further Information

27. The Divisional Transport Manager (DTM) and the County Council's noise advisor (Jacobs) raised some initial concerns and requested further information to satisfy their concerns. The information related to further clarification on the methodology used to assess traffic impacts and the modelling process used to assess the noise impact on the facades of the residential properties on Mountfield Road. Information subsequently provided satisfied their concerns.

Planning Policy Context

28. The planning policies summarised below are relevant to consideration of the application:

National Guidance – The most relevant to this application is set out PPS10 (Planning for Sustainable Waste Management), PPS23 (Planning and Pollution Control), PPG24 (Planning and Noise) and PPS 25 (Development and Flood Risk)

Regional Planning Policies – The most relevant Regional Planning Policies are set out in the South East Plan (adopted 2009), Policy W5 (Targets For Diversion From Landfill), W6 (Recycling and Composting), Policy W8 (Waste Separation), W17 (Location of Waste Management Facilities).

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

Shepway Local Plan Review (saved policies) 2006 – These include Policies SD1 (Sustainable Development), E2 (New Employment Opportunities), U10 (Waste Disposal and Recycling), U15 (Light Pollution), TR11 (Access to the Highway network) and CO1 (Development in the Countryside).

Shepway Proposal Maps – The application site is located within an area designated for B1, B2 and B8 use (i.e. light industrial, storage and distribution). The site designation is linked to Local Plan Policy E2.

Consultations (final comments)

29. **Shepway District Council** – Raised no objections, in principle. Their full comments are set out below:

Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050

“The Shepway District Council, the Planning Authority under the Town and Country Planning Act 1990 has now considered the details submitted with your consultation in relation to the above matter and has raised no objection to the proposal, but wishes to make the following comments:

- i) That no objection be raised in principle to the proposed household waste recycling centre*
- ii) That road infrastructure improvements be brought forward at an early stage with regard not only to the junction of Mountfield Road and Station Road but also with regard to other junctions and access routes in the area.*
- iii) That Kent County Council consult with Shepway District Council and New Romney Town Council with regards to the road infrastructure requirements of the proposed development.*
- iv) That Kent County Council screen the proposals with regard to Environment Impact Assessment*
- v) That should planning permission be granted then a condition be included that requires approval of measures to ensure suitable site management of the facility.*
- vi) That should planning permission be granted it includes a condition regarding approval of proposed lighting for the facilities”.*

30. Cinque Port Town of New Romney – Their final comments are set out below:

“Following lengthy discussion it was recommended, and subsequently ratified by Full Council, that a further letter be sent to you referring to attendance at the meeting of Development Control Committee and the support of Shepway District Council; reiterating that, in principle, the Town Council did not object to the proposal, with the exception of the objection made with regard to access/egress; pointing out that the suggested installation of traffic lights at the junction of Mountfield Road/Station Road could cause additional problems, especially insofar as the March Academy was concerned; requesting that, if approval is given to the application, a condition of such approval be that a new road from Hammonds Corner or Mountfield Road Industrial Estate is built within 3-5 years maximum.

31. The Divisional Transport Manager – No objection subject to compliance with Shepway Local Plan policy E2. Their comments are summarised below:

“I have no objections in principle to the development of the above site for a Household Waste Recycling Centre subject to a contribution being made towards junction improvements to the Mountfield Road/Station Road junction in accordance with Policy E2 D(ii) of the Shepway Local Plan Review - Adopted March 2006. The junction improvements have been estimated at £220,000. The size of the HWRC plot is approximately 1/5th of the Phase IV land subject of the Policy and as such I would apportion the cost at 1/5th of

Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050

the overall cost which amounts to a contribution required of £44,000. Whilst the submitted TA does not demonstrate a negative impact at this stage of the build out I have taken the approach always adopted by the Highway Authority of apportioning the cost between all of the developers of a multiple occupation site (as they submit applications) to address the junction proposals when the need arises since they will all have a cumulative affect on the traffic increase.

The applicants agents have submitted swept path analysis and I can accept that Mountfield Road, throughout its entire length and at its junction with Station Road, has sufficient width to accommodate the type of vehicles to be generated by the site.

It will be necessary for the applicants to submit details of a Construction Management Plan for approval prior to commencing work on site since considerable lorry movements will be generated by the land raising operation. Wheel washing facilities will need to be provided on site during construction to prevent the deposit of mud on the public highway and provision will need to be made for contractors vehicles, plant and site personnel vehicles to be parked off the public highway during the construction period.

Subject to the above being appropriately addressed I do not wish to recommend the application for refusal.”

32. **Environment Agency** – no objections to the proposal subject to the submission and approval of details of a foul and surface water drainage scheme.

33. **KCC Noise Consultant (Jacobs)** – No objection. Their comments are set out below:

The frequency of the HGV movements to the site (6 movements per day) during the normal operational times of the site would appear to remove the reasons for my initial queries regarding the possibility of disturbance to the residential properties adjacent to the access road.

I therefore do not see any reason to raise any further queries or an objection to the proposal on the noise.

34. **Natural England** – has no objections to this proposal subject to biodiversity enhancement conditions.

35. **Kent Wildlife Trust** – no comments have been received to date. However, during the public consultation process, KWT confirmed they were in support of the application proposal.

Representations

- The application has been publicised by the displaying of a site notice adjacent to the application site off Mountfield Road and newspaper advertisement in the local press. In addition, 42 properties surrounding the site were notified of the proposals. At the

Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050

time of writing this report, two representations have been received objecting to the proposal on the grounds of increased traffic, congestion, air pollution, vermin and property value.

Local Member

36. The County Council Member Mr William Richardson has made the following representation:

“As the Kent County Councillor for the Romney Marsh I am in full support for a Recycling Centre in New Romney but I am very concerned about the effects of even more through traffic in New Romney High Street. Myself and Carole Waters, Shepway District Councillor for New Romney would like to propose a new road to be installed from Hammonds Corner to Mountfield Road, this would by-pass New Romney High Street and Station Road where the Romney Marsh Academy is situated which is already a very big congestion area.”

“On the long-term plan, Shepway District Council are planning to put 400 new houses in New Romney so with the greatest respect could you and/or the Planning Department at Kent County Council look at the bigger picture and come up with some joined up thinking to prevent future traffic problems on the A 259 which is already gridlocked at times.”

Discussion

37. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. In the context of this application, the policies outlined in paragraph (28) above are of greatest relevance.

38. It should be noted that prior to the submission of this application, the applicant undertook an online public consultation exercise using the County Council’s website and also had pre-application discussions with relevant parties to draw out the main issues that would need to be considered. A summary of the responses received from the consultation and pre-application process are set out below.

39. Cinque Port Town of New Romney comments to this consultation were ratified at Full Council on the 12th October 2009. The Town Council agreed a HWRC was required however objected to the proposal on the following grounds:

- Unsuitable access
- Unsuitable location for a waste disposal operation
- Noise and smell impact on local residents
- Site area too large for a HWRC

40. Lydd Town Council confirmed, following their Committee Meeting on 5th October 2009, their support for a new HWRC and stated that it was their policy to support such a proposal as it would improve the level of recycling and reduce fly tipping.

41. Informal pre-application discussions were also held with the Planning Applications Group

Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050

at KCC. The applicant's were advised that due to the potential for increased traffic generation any application should be accompanied by a Transport Assessment (TA) to demonstrate what impact would be caused to the local highway network. The applicant was also advised to bring the site closer to the existing industrial estate.

42. The applicant also consulted with the Environment Agency and the Divisional Transport Manager. The EA advised that a Sequential Test and Exceptions Test would need to be undertaken to demonstrate that there were no other reasonably available sites in the area with lower probability of flooding.

43. The DTM advised that an assessment of the main junctions should be carried out to determine their respective capacities to accommodate additional traffic levels and flows. The following junctions were to be assessed:

- Mountfield Road/Station Road
- Station Road/A259 High Street/Dymchurch Road, and
- A259 Lydd Road/B2075 Romney Road

44. The applicant was also advised to undertake a parking beat survey at the Mountfield Road/Station Road junction on a Saturday to determine whether residential parking would interfere with the junction for users of the HWRC.

Main issues:

45. Following formal consultations the main determining issues relate to:-

- Appropriate site/location for the proposed development
- Impacts from emissions and Noise on residential amenity
- Traffic generation

46. Currently, the residents of Lydd and New Romney are served by a limited weekend only bulking up facility operating under the terms of temporary permissions.

47. The proposed facility would replace those currently operating at Lydd and New Romney and create a permanent, fit for purpose facility that operates 7 days a week. The proposed hours of operation are detailed in paragraph 26 of this report. The applicant considers the current waste recycling arrangement is no longer appropriate for the growing demand and recycling needs of the area.

48. The nearest full time, permanent facility is located approximately 17 miles away, in Chart Leacon, Ashford. The proposed facility would therefore reduce car journeys to this facility and reduce the number of car miles travelled.

49. In the absence of any specific sites identified in the Development Plan relating to this area, the applicant, as part of their site finding process, carried out a site selection assessment in which 16 potential sites in Lydd and New Romney were identified to determine the most suitable location for the proposed facility.

50. Given there are no designated Waste Management Facility sites in New Romney or Lydd the sites identified were assessed on their accessibility, compatible land uses,

Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050

location, size, impact on surrounding environments, flood risk and affordability.

51. Following the assessment of each of the 16 sites, most of which were considered unsuitable for a permanent HWRC mainly due to the sites being too small to meet Kent County Council's minimum size requirements for a HWRC (at least 1.01 hectares), the proposed site was considered as representing the most suitable.
52. The South East Plan advocates a growth in waste management facilities reflecting the waste hierarchy, which priorities reduction, re-use, recycling and recovery (in that order). The Plan seeks to reduce waste that is directed to landfill and, in these terms, Policy W5 (Targets for Diversion from landfill) states that a substantial increase in recovery of waste and reduction in waste to landfill is required in the region. Also, as part of the Plan are targets for the recovery of waste, Policy W6 (Recycling and Composting) sets regional targets for increasing the amount of all waste recycled and composted from around 9 million tonnes in 2002/03 to over 15 million tonnes by 2015 and almost 20 million tonnes by 2025. The proposed facility would therefore help contribute towards the Plan's objectives of reducing the amount of waste to landfill and improve waste recovery.
53. Policy W17 (Location of Waste Management Facilities) of the South East Plan advises potential new HWRC sites should be located in areas with compatible land uses such as previous or existing industrial land uses, land adjacent to sewage treatment works or contaminated or derelict land. The policy also advises that potential new sites should be assessed on good accessibility from urban areas or major new or planned development and good transport provision such as rail or water, where possible. The supporting paragraph 10.55 states that new facilities need to be developed close to the source of the waste and therefore close to urban areas. However, development in the countryside, particularly the urban fringe would also be appropriate.
54. Paragraph 20 of PPS10 states that in identifying suitable sites, waste planning authorities should consider a broad range of locations including industrial sites. In these terms, although the application site is on undeveloped land, the site is designated for employment use comprising the following classes B1, B2 and B8 in the District Council's adopted Proposals Map and has outline planning permission for such uses. Therefore, the principle of an industrial use in this location is established by the District Council in their current planning policy framework.
55. The proposed development is considered to be a Sui-Generis use. This means that the use does not fall within any of the use classes (under the Use Classes Order) as it is a combination of uses. The application site is located in an area where similar uses and activities are present. The blanket designation of the site also encourages this area to be used for industrial purposes and there is no specific restriction on the type of 'B' class use or the level/type of traffic permitted along Mountfield Road.
56. In order to determine whether the location of the proposed facility is entirely suitable, Annex E of PPS10 states that regard should be given to the following factors; a) protection of water resource, b) land instability, c) visual intrusion, d) nature conservation, e) historic environment and built heritage, f) traffic and access, g) air emission, including dust, h) odours, i) vermin and birds, j) noise and vibration, k) litter and, l) potential land use conflicts. Not all these factors would apply to the proposed development. Nevertheless, each factor has been assessed against the proposed

Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050

development and details submitted in the application. These factors are also outlined in Kent Waste Local Plan policies W3 (Locational Criteria) and W9 (Waste Separation and Transfer).

a) Protection of water resource:

57. The applicant has undertaken a Flood Risk Assessment (FRA) to investigate whether the proposed development is safe from all sources of flooding in line with PPS25 (Development and Flood Risk). The assessment states that the site is located within the Environment Agency's Flood Risk Zone 3a (meaning it is at high risk of flooding with a 1% Annual Exceedance Probability (AEP) (1 in 100) chance of flooding from rivers in any given year and a 0.5% AEP (1 in 200) chance of flooding from the sea in any given year and the proposed land use is classified (under PPS25) as being 'more vulnerable' (between 'highly vulnerable' and 'less vulnerable'). The proposed development would therefore need to pass the 'Exceptions Test' in order to be considered acceptable.
58. In order to pass the 'Exceptions Test' it must be demonstrated that a) the development provides a wider sustainability benefit to the community that outweighs flood risk, b) the development should be on developable previously developed land or if it is not possible then development on undeveloped land will only be acceptable where no reasonable alternative sites on previously developed land are available, and c) a FRA must demonstrate that the development will be safe, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
59. Taking each element of the 'Exception Test', I make the following comments (a) – the proposed development would provide a modern, accessible HWRC with the capacity to process up to 10,000 tonnes of waste per annum (pa) in the longer term. The proposed development is expected to process approximately 7,000 tonnes pa on opening, meaning that the design has sufficient capacity to accommodate population growth in the Romney Marsh catchment area. With there being no permanent facility in the Romney Marsh, residents have to travel to Chart Leacon in Ashford to deposit their waste/recyclables. This facility is located approximately 17 miles away. The proposed development would therefore reduce the need to travel to, and overburden, this existing facility. The proposed facility would therefore create a sustainability benefit to the community in terms of accessibility.
60. The modern design of the proposed facility would incorporate a split level layout which would provide a distinct and natural division between the operation and public user zones. This design feature would ensure public safety is maintained. The proposed facility would also accept a wide variety of bulky waste items and recyclable materials, which would be segregated into individual recyclable and waste containers. On site operatives will also be on hand to ensure users deposit their waste/recyclable items correctly and safely. In these terms, the proposed development would represent a sustainability benefit to the community and in my opinion complies with element (a) of the test.
61. In terms of element (b) – As mentioned previously, the applicant undertook a site selection assessment in order to determine which site would be the most suitable to accommodate the proposed facility. In total, 16 sites were considered. The proposed site was finally selected as being the most appropriate due to its size, availability and location. Although the site is undeveloped agricultural land, it is located in an area

Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050

designated for 'New Employment' uses in the Shepway District Local Plan and has outline planning permission for general industrial use. Therefore, based upon the applicant's site selection assessment, the site is considered to be appropriate for development in this regard and would thus comply with element (b) of the test.

62. In terms of element (c) – The applicant's FRA states that although the site is at risk from inundation (tidal) from the sea the proposed HWRC can be operated safely without increasing flood risk elsewhere. The FRA also states that the risk of tidal flooding occurring if the sea defences (which are 1.5km away) failed would be extremely low, but advises the effects of climate change is to increase the chances of failure over time. However, the residual risk could be safely managed through operational procedures.
63. Aside from the FRA, the applicant has also submitted a Drainage Design Strategy for the proposed development. It states that any surface water will be collected via a carrier drainage system fed via gullies or channel and pumped to the proposed balancing pond at the southern end of the site. The system would be designed to store a 1 in 30 year event with any surface flooding. In a 1 in 100 year plus event surface flooding would be allowed to collect in the operation area away from the container bins.
64. In terms of foul drainage, the Strategy states there will only be two requirements for this on the site from the site office and any contaminated surface water from areas subject to washdown. The nearest foul sewer is located approximately 120 metres away in Mountfield Road. The Strategy proposes that foul water from the site office would be discharged into the pumping station for the washdown storage tank to be located between the facility and balancing pond. The tanks would be sized to accommodate a 1 in 30 year return period storm. The Strategy also advises that the alternative solution would be to pump the discharge to Southern Waters Sewage Treatment plant located to the south east of the site.
65. In light of the above, I consider the proposed development to comply with the Exceptions Test in terms for flood risk and agree with the findings in the applicant's FRA and proposals of the Drainage Strategy. Also, the Environment Agency has raised no objections to the proposed development subject to a condition requiring a foul and surface water drainage scheme to be submitted and approved before the development is completed.

b) Land instability

66. Having regard to factor (b) Annex E of PPS10, the applicant has undertaken a Phase 1 Desk Study which has considered the site's geology, hydrogeology and hydrology and also identifies what surrounding environs are located in a 1000m buffer zone from the site. The study recommends that an intrusive ground investigation is undertaken to confirm the relevance of potential pollutant linkages and the contamination risk at the site.

c) Visual intrusion

67. Although the proposed development is located on agricultural land, the site is bound to the north by the buildings in Mountfield Road industrial estate and the railway embankment to the east. Against this backdrop, in my opinion the proposed facility would not cause any undue harm to the visual amenity of the area and nearby residents.

Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050

However, in order to soften the visual appearance of the facility in terms of the operational aspect, the applicant is proposing to envelope the western and southern aspects of the site with a 2 metre high earth bund. The bund is proposed to be landscaped with native shrubs and trees in order to further reduce/soften the visual appearance of the facility. The level and type of landscaping proposed is considered to be appropriate and is considered an acceptable means by which to mitigate any concern regarding visual impact.

d) Nature conservation

68. The site is not located in or adjacent to an area of nature conservation such as a SSSI and nor is it located in any other statutory or non-statutory nature conservation designation. Notwithstanding this, the applicant has submitted an Ecological Scoping Report which advises that the land area of the proposed facility has limited ecological value and does not have the potential to support amphibians, reptiles, badger, bats, dormouse, otter, water vole, white clawed crayfish and notable invertebrates. However, the assessment states that if trees located close to the site boundary are affected or to be removed as a result of the proposed development then further survey maybe required. Other than this the report advises that no further surveys for any protected species are recommended. However, the report makes some recommendation that should be implemented during the construction phase, such as:

- Construction of an exclusion fence to prevent potential ingress of reptiles and great crested newts during the construction period
- Strim the small area of grassed land at the south of Mountfield Road to encourage any potential reptiles to disperse prior to commencement. Works to be overseen by an ecologist
- Should any of the elder trees be removed between March and August a pre-clearance nest check must first be completed by an ecologist.

69. The applicant has also submitted a landscape plan showing the areas of new planting around the operational area including a new balancing pond. All the new planting will be of native species. In addition to this, particular biodiversity enhancements have been proposed for habitat creation at the southern end of the site. The landscaping measures proposed are considered to be suitable to address any concerns regarding nature conservation and would in my opinion contribute towards improving the flora and fauna of this area. Should members be minded to grant permission I would recommend a condition be imposed requiring the submission of a detailed scheme of landscaping.

70. Kent Wildlife Trust and Natural England have raised no objections, however have requested conditions to be included on any permission that seeks bio-diversity enhancements.

e) Historic environment and built heritage

71. The site does not form part of historic site and there are no Listed Buildings within close proximity to the site.

f) Traffic and access

72. The applicant has submitted a Transport Assessment (TA), which has assessed the

Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050

level of trip generations and capacity of the ‘hot spot’ junctions to accommodate additional traffic flows using existing road traffic data and model testing programmes.

73. The junction ‘hot spots’ are:

- Mountfield Road / Station Road junction
- Station Road / A259 High Street / Dymchurch Road junction and,
- A259 Lydd Road / B2075 Romney Road junction

74. These junctions were highlighted by the DTM during pre-application discussions as the three junctions that should be assessed in the context of traffic impact from the proposed development. The TA advises that the current waste recycling facilities attract 300 householders on Saturdays and around 200 on Sundays. These existing traffic levels were incorporated into the junction assessments model used in the TA. The TA concluded that each of the ‘hot spot’ junctions would have sufficient capacity up to 2020 to accommodate additional traffic generation.

75. The TA demonstrated that the Mountfield Road junction with Station Road, and the Hammonds Corner proposed roundabout work within capacity and the signal timings at the Station Road /A259 High Street junction could be increased to provide sufficient capacity to mitigate any detrimental effects.

76. In order to assess the potential vehicle trips to the proposed facility, the TA has taken into consideration the trips generated for an existing, similar sized facility, in a similar catchment area. The TA has also taken into consideration the proposed highway improvement works (roundabout) at Hammonds Corner which are associated with the proposed expansion works at Lydd Airport. In respect of trip generation, using the Deal facility as a model, the TA has predicted the following level of trip generations in from opening and up to 2020:

Development Trip Generation			
2010 Increased Development Flows	Arrivals	Departures	Total (two-way)
AM Peak (08:00-09:00)	23	23	66
PM Peak (17:00-18:00)	15	15	30
Sat Peak (12:00-13:00)	62	62	124
2020 Increased Development Flows			
AM Peak (08:00-09:00)	30	30	60
PM Peak (17:00-18:00)	20	20	40
Sat Peak (12:00-13:00)	82	82	164

77. The above table contains the traffic flows already on the road network, either using the existing facilities or ‘passing’ the site whilst travelling for other purposes. The TA has used the traffic flow associated with the Deal HWRC as new trips in their assessment of the proposed facility. The above table gives an accurate indication of the levels of trips that are likely to be generated in and out of the proposed site.

78. The applicant has also submitted a sweep path plan for a 16.5m articulated HGV and a standard 9m HGV, which demonstrates that the junction has sufficient capacity to allow

Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050

HGVs to safely manoeuvre without causing any conflict with other road user. In these terms, HGV movements are not expected to exceed two per hour at the busiest times and 6 movements overall per day.

79. A parking beat survey was also undertaken to show that although there were a number of cars parked on Mountfield Road during the morning, this number significantly reduced during the day. The minimum number of parked cars were 3 at 16.00 hours. However during the peak hours of 12:00 to 14:00 there was a maximum of 7 vehicles which reduced to 4. The TA states that the number of parked cars is unlikely to create any potential hazards or capacity issues at the junction of the proposed development.
80. During the consultation process, the DTM requested further clarification on 3 aspects of the TA and proposal. The first aspect was regarding the survey results from the proposed roundabout junction at Hammonds Corner. The DTM requested further survey data from the junction without the proposed roundabout in place, as permission for the roundabout had not been granted, at that stage. The second aspect was to confirm the future of the existing facility at Lydd and the third aspect was to confirm the proposed number of employees. The requested information was submitted to the DTM for consideration. The DTM confirmed that the additional information provided was acceptable and satisfied his concerns to the extent that the proposed facility would not cause any adverse impact on the local highway network. On the basis of this advice, notwithstanding the request by the Town Council and local member Cllr Richardson for a new access road to be created from Hammonds Corner to Moutfield Road Industrial Estate, in my opinion this is not justified. However, the DTM also confirmed that a financial contribution would be required to comply with Policy E2 of the Shepway District Local Plan, which seeks to secure highway improvements in the form of traffic signals at Mountfield Road junction.
81. Following discussions between the DTM and Shepway District Council, an agreement has been reached over the level of contribution that should be sought from the applicant towards the overall cost of installing traffic signals at the junction of Station Road / Mountfield Road. The DTM has subsequently requested that the applicant make a contribution of £44,000 towards the overall cost of installing this traffic signal system, which will amount to some £220,000 in total. This level of contribution is based upon the application site forming one fifth of the land area of Phase IV of the industrial estate remaining to be developed (220,000 / 5). The rest of the £220,000 would be then made up on a pro-rata basis once all the remaining plots in Phase IV have come forward. In order to secure this contribution a Legal Agreement will need to be completed between the relevant parties including Shepway District Council, who own the site.
82. Mountfield Road has been designed to accommodate the type of traffic and traffic levels associated with an industrial estate. Improvement works to the highway were last completed for the Phase III element of the Industrial estate in 1998.

g) Air emissions including dust & h) Odours

83. The applicant has submitted an Air Quality Assessment which has assessed the impact of traffic emissions and also the effects of dust and odours that could arise from the operational element of the proposed development. Dust and odour mitigation measures have also been proposed to reduce any adverse impact on the users of the site and

Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050

surrounding sensitive receptors. In addition, future predicted road traffic flows have been used to model air pollution levels.

84. The assessment has been undertaken in accordance with specific international, national and local policy and guidance such as the EU Air Quality Framework Directive 96/62/EC, EU Framework Directive on Waste, UK Air Quality Strategy 2007, Environment Act 1995, Environmental Protection Act 1990 and Kent Waste Local Plan 1998. As part of the assessment the location of the main sensitive receptors have been identified such as housing areas and schools.

85. In terms of traffic emissions, the assessment has calculated the concentration of NO₂ (Nitrogen Dioxide) and PM₁₀ (fine particles) levels at selected sensitive receptors for 'without development' and 'with' development scenarios. It should be noted that there are no sensitive receptors such as houses or schools within 200 metres of the site. The calculations also took into account the background pollutant levels. The assessment advises that Church Road would be the worst affected receptor from traffic emissions due to the development. However, it is predicted there would be a "*very small increase*" in NO₂ which would have a negligible effect on this receptor. In terms of PM₁₀, the worst affected receptor is located along Dymchurch Road. However the assessment predicts the traffic due to the proposed development would cause an "*extremely small increase*" in PM₁₀ levels. This small increase would have a negligible effect.

86. In terms of the dust and odour nuisance, the assessment has considered the effects from the construction and operational aspects of the proposed development and proposed measures to mitigate any adverse effects on surrounding receptors. Again, as with the traffic emissions assessment, the development has been assessed according to the location of sensitive receptors. The assessment advises that as there are no sensitive receptors within 200 metres of the proposed development the effects of dust nuisance arising from the operational development would be negligible. However, notwithstanding this, it states that best practice mitigation measure be implemented to reduce impact particularly during the construction phase through transport of material off site. The assessment advises on a number of way to reduce dust emissions in terms of site management, wetting and washing techniques, barrier techniques and direct clean up, such as:

- Limiting vehicle speed
- Paving any dirt tracks on the approach to the site
- Ensuring roads on site meet certain standards to give a smaller surface area for the settling and re-suspension of dust
- Washing down wheels of vehicles entering and leaving the facility
- Periodic washing down of roads and other hard standing areas
- Considering wetting waste
- Sheeting or netting vehicles and skips
- Making covered transfers between waste containers
- Using sealable containers
- Installing rubber doors/strips sheeting at the entrances to enclose waste
- Erecting windbreaks around areas where waste is moved or stored
- Installing shaker bars and dry wheel spinning rollers to remove dust and mud from vehicles.

Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050

87. In respect of odours nuisance, the assessment advises that there is no agreed odour limits with regarding to planning development and therefore each situation needs to be assessed individually. The 'Planning for Waste Management Facilities: A Research Study published by the ODPM, states that there is a limited potential for odour effects at a civic amenity site, and in any case the facility will operate under an (environmental) Permit imposing operating conditions which are defined and monitored by the Environment Agency.
88. The assessment advises that the odour situation at the proposed facility is complicated by the existing waste water treatment facility located 140 metre south east. The close proximity of the treatment facility makes it "extremely difficult" to determine which activity is generating malodours (Malodours is an odour that is created as a result of biological activity in the absence of oxygen, which can form ammonia, hydrogen sulphide , amines and mercaptans). However, the assessment states that odours nuisance can be readily controlled using simple measures and if operational measures are implemented the potential for odours will be negligible. The techniques suggested in the assessment are based upon the suggested methods produced by the Environment Agency such as:
- Residual waste: Attention to end of day cleanliness
 - Ages of waste: Process household waste quickly
89. However, although the proposed facility would accept residual waste, it is likely that most of the residual waste in the area will have been collected during weekly household waste collections. The assessment concludes that subject to the implementation of best practice measures, where relevant, the development is unlikely to have a significant effect on nearby sensitive receptors. In these terms, the proposed development is considered to be acceptable in this regard. However, conditions to ensure the mitigation measures proposed are implemented, where necessary.
90. No objections have been raised from the Environment Agency in this regard.

i) Vermin and birds

91. No specific assessment has been undertaken to assess the existing level of vermin and birds in this area. Although, were vermin and birds to cause an issue to public health and safety then the applicant would need to take appropriate measures to remove and control any likely infestation or harm arising.
92. No objections have been received from the Kent Wildlife Trust and Natural England.

j) Noise and vibration

93. The applicant has submitted a noise assessment to assess the noise impact from the proposed facility on surrounding receptors. The nearest noise receptors are the housing estates located north of the site along Mountfield Road and north-west at Church Lane. Both are approximately 450 metres away from the site in each direction.
94. The noise assessment has been carried out in accordance with the standards and guidance set out in BS5228 – 1:2009, Code of Practice for Noise and Vibration Control on Construction and Open Sites Part 1, BS4142:1997 Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas, Planning Policy Guidance 24 (Planning

Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050

and Noise), Calculation of Road Traffic Noise (CRTN), World Health Organisation (WHO) guidelines and Shepway District Council's noise requirements.

95. Noise monitoring surveys were carried out at the two receptors to determine the background (baseline) noise levels of the area. The assessment states that the nearest significant noise source to the noise monitoring locations was from trains (every 30 minutes) passing along the railway line adjacent to the proposed facility. However, the other noise source was from general noise emanating from the existing occupiers in the industrial estate i.e. delivery vehicles etc...
96. The assessment also included noise levels survey from a similar sized facility at Foots Cray (Maidstone Road, Bexley) in order to predict and assess the noise impact arising from the proposed facility. Two surveys were undertaken at Footscray to take into account the different noise levels on weekdays and weekends. In total 5 noise activities were recorded on the site which included mechanical compactors equipment. The proposed facility does not currently benefit from this. The survey of this site concluded that the dominant noise sources were from lorries unloading and loading containers, deposit of hard and heavy objects such as metal, glass wood into their containers and the operation of compacting containers. The noise levels from the mechanical compactors were the most dominant at 88.6 $L_{Aeq, 5 \text{ mins}}$ (at 10m dB) and 105.6 L_{AMAX} (at 10m dB) and therefore used to provide the basis of a 'worst-case' scenario in the noise modelling process. (For reference, the general noise levels inside a bus is between 80-90 dB(A) and an alarm clock which is 1 metre away is between 100-110 dB(A)).
97. The noise levels recorded from the Footscray site and the background noise levels at the proposed site were then used to predict the noise levels at the façade of the nearest residential properties. The World Health Organisation (WHO) guidelines were used to assess the predicted noise levels. The WHO recommends an external noise limit of 50dB. The assessment concluded that noise levels at the façade of the nearest residential properties to the site would be below the WHO recommended external noise levels.
98. The noise level data was also used to predict the noise levels arising from road traffic to and from the site on the nearby residents between 2010 and 2020. This assessment predicts there will be a 1dB increase in noise levels on the façade of the properties along Mountfield Road, Station Road, The Meadows and Church Lane. However, the assessment advises that the predicted increase in noise levels may be reduced by approximately 3.5dB when resurfacing of Mountfield Road is undertaken during the period of 2010 and 2020.
99. The noise assessment concludes that noise levels from the operations at the proposed facility and from road traffic will not produce any adverse noise impact at the nearest dwellings to the proposed facility. No objections have been raised from the County Council's noise consultant (Jacobs) and therefore, in these terms, the proposed facility is considered to be acceptable from a noise impact perspective.

k. Litter

100. The applicant will need to apply to the Environment Agency (E.A.) for an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2007. However, a permit can only be applied for once planning permission

Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050

has been granted. A permit requires the operator to undertake and deliver the following requirements:

- Identification, assessment and management of environmental impacts;
- Compliance with legal and other requirements applicable to activities impacting on the environment;
- Establish operational controls to prevent and minimise significant environmental impact;
- Preventative maintenance programmes for relevant plant and environment;
- Emergency planning and accident prevention;
- Appropriate training;
- Monitoring and control mechanisms;
- Communication and reporting of incidents of actual or potential non-compliance and complaints; and
- Corrective action to analyse faults and prevent recurrence.

101. In these terms, litter would be controlled under any future Permit issued by the E.A.

I. Potential land use conflict

102. The application site forms part of Phase IV of Mountfield Road Industrial Estate, which is designated, in the adopted Proposals Map, for B1, B2 and B8 uses and has outline planning permission for such uses. In my opinion, the proposed use of the land as a HWRC would, in principle, be appropriate in this location and would not conflict with other potential land uses.

103. The District Council have raised no objections to the location of the proposed facility subject to necessary contributions towards highway improvements.

Conclusion

104. Having assessed the proposed development and supporting technical documents in conjunction with the relevant national guidance and regional and Development Plan Policies, I consider the proposed development would be located in a suitable location for the specific reasons identified above.

105. Whilst I note the Town Council have objected to the proposal on highway grounds the applicant's Transport Assessment concludes that the existing infrastructure has sufficient capacity to support the proposed facility. I am satisfied having regard to comments made by other consultees including the DTM that the proposed facility would not cause any significant adverse impact on the local highway network.

106. Other than the Town Council, only two other objections were received from the neighbour notification process. The objections related to highway congestion and safety, air pollution, vermin, and property value. The latter objection is not a material planning consideration and therefore cannot be considered. In all other respects, I am satisfied that the applicant has provided sufficient information in order to demonstrate that the proposed facility would not have a detrimental impact. The DTM has raised no objections to the proposed facility, subject to a contribution towards road improvements. In terms of air pollution, the applicant has demonstrated in their Air Quality Assessment

Application for a new Household Waste Recycling Centre including the provision for receiving small amounts of trade waste on land south of Mountfield Road, New Romney – SH/09/1050

that the proposed facility would not create any adverse air or dust nuisances due to the distance (over 200 metres) from sensitive receptors such as houses and schools. Notwithstanding this, the assessment has recommended some mitigation measures which the applicant could implement if considered necessary. I do not consider it appropriate that specific air or dust mitigation measures would be required for the proposed facility due to its distance from sensitive receptors (over 400 metres) and location behind an established industrial estate and adjacent to an existing railway line. Any infestation of vermin would need to be appropriately controlled and monitored. It would be the applicant responsibility to ensure vermin does not create a public health and safety issue. This would also be controlled under separate legislation.

107. In conclusion, I am satisfied that provided appropriate conditions are imposed to control any potential adverse impacts there are no overriding objections to the proposal and consider the facility would be of benefit to the local communities of Lydd and New Romney. On this basis, I recommend that planning permission be granted subject to the satisfactory completion of a legal agreement and conditions.

Recommendation

108. I RECOMMEND that SUBJECT TO the satisfactory completion of a legal agreement to secure a contribution towards local highway improvements PERMISSION BE GRANTED SUBJECT TO conditions including those to cover the following aspects:

- Standard three year time limit;
- The development to be carried out in accordance with the permitted details;
- Details of a programme for the implementation of landscaping on the site including specific details of habitat creation
- A scheme for foul and surface water drainage
- Groundwater protection
- Operating hours
- Noise restriction
- Details of signage
- Details of construction of bunding
- Ecological works (as set out in paragraph 68 of this report)
- Construction Management Plan

Case Officer: Sav Patel	Tel. no. 01622 221053
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Background Documents: see section heading.
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