

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 Wastewater Pumping Station including change of use for land and the construction of a motor control centre kiosk, sub station kiosk, standby generator and steel palisade fencing by Southern Water Ltd at Land to the South of Alsops Road, Willesborough, Ashford AS/08/945**

A report by the Head of Planning Applications Unit to Planning Application Committee on 9<sup>th</sup> September 2008.

Application for change of use and structures associated with pumping station at land to south of Alsops Road, Willesborough, Ashford.

Recommendation: Permission be granted subject to conditions.

Local Member: Mr G Koowaree

Classification: Unrestricted

**The Site**

1. The application site lies within the Willesborough area of Ashford at the southern end of Alsops Road, on a vacant parcel of land between the Channel Tunnel Rail Link (CTRL) and the residential properties at the southern end of the road. The site is accessed directly off Alsops Road. To the south lies an acoustic close-boarded fence bounding the CTRL, which is on an embankment. The north east and west of the site are bounded by a chain link fence. Properties 6 and 13 Alsops Road lie beyond the fence immediately to the north of the site. Neither of the properties immediately adjacent to this application site have windows on their flank elevation.
2. The site is 0.2 hectares in area, including the temporary contractor's compound. The site consists of low level hard surfacing with moss and grasses growing on it. The site does not lie within any areas designated for nature conservation, or any other designation. The site is currently owned by CTRL however it would be purchased by Southern Water for use as a pumping station if planning permission is granted.

**Planning Background**

3. The site is currently vacant land, and was used as a construction compound for the CTRL works. Previously to this it was in residential use. The houses that occupied this site were demolished to make way for the CTRL.

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4. Southern Water, as a statutory sewage undertaker has extensive permitted development rights, i.e., development that it can carry out without first needing to obtain planning permission. It is currently undertaking significant works in the area to ensure the sewer network can accommodate the development growth of the Ashford area. This application seeks planning permission for the above ground elements of a new wastewater pumping station and associated infrastructure. The works below ground level benefit from permitted development rights.
5. The need for a pumping station in this area is driven by works to upgrade the sewage system in Ashford to help cope with the planned local population growth, - a nationally targeted increased of 31,000 new homes by 2031. The nearby Cheesemans Green area has outline planning permission for 800 new homes. To help with this predicted increase in flows in the sewerage system improvements are required in the Alsops Road area.

**The Proposal**

6. The elements associated with the pumping station which require planning permission and are the subject of this application include 'change of use of land' for use as a wastewater pumping station, a motor control centre (MCC) kiosk, sub station kiosk, fuel tank, standby generator and a 2.4m high palisade fence around the site. All the above ground structures are proposed to be concealed in rectangular box shaped structures constructed from glass reinforced plastic (GRP) and coloured dark green as per BS 4800 ref.14c39. The palisade fence would be finished with powder coated black paint.
7. The MCC kiosk would be located on the north west of the site as shown on the plan on C1.2. A rectangular box, dimensions of 8.07m x 3.07m and 3.00m high would form the kiosk. The purpose of the MCC kiosk would be to house the control panel and necessary electronic equipment to control and monitor the underground pumps and detention tanks. A sub station kiosk is proposed to be located approximately three metres north west of the MCC kiosk. This consists of a rectangular box of 3.10m x 2.82m by 2.48 high. The sub station kiosk would house the mains electrical power for the site.
8. On the south eastern side of the site two further structures are proposed. These are a generator fuel tank of 4.05m by 2.00m and 2.42m high and immediately adjacent to the east of fuel tank a standby generator kiosk of 8.80m x 2.40m and 2.65m high is proposed. These are proposed to enable the pumping station to remain operational in the event of a local power failure.
9. The 2.4m high steel palisade fencing would replace the existing chain link fence on the boundary of the site with Alsops Road and to the east of the site.
10. The site would be landscaped with a tarmac access road running to both the east and west sides of the site, providing access to the above ground structures. The areas of the site not finished in tarmac would be covered in gravel. The planting of Pyracantha (fire thorn) would soften the northern edge of the site and is intended to break up views of the site from

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nearby residential properties. It is also offered as a wildlife gain as fire thorn provides 'abundant berries', which would attract birds to the area.

11. The applicant states that construction program should last for 43 weeks. The applicant's proposed hours of working are:

07:30 – 18:30 (BST) Monday to Friday  
07:30 – 17:30 (GMT) Monday to Friday  
07:30 – 14:00 Saturdays

12. There would be no working on Sundays or bank holidays. The applicant considers that some tasks however may require extended working hours, as such flexibility in any condition on working hours is sought by the applicant.

#### Traffic Generation

13. The main traffic generation would occur during the construction phase of site development and are chiefly related to the permitted development aspects of the development. Vehicle movements would consist of daily access to the site from site personnel and delivery of plant machinery and equipment. Vehicle movements per week for the total wastewater works, during the construction phase would be approximately:

40 Light Van p/w  
10 Car p/w  
6 HGV p/w  
140 Dumper Truck p/w

14. Upon completion of construction, there would be occasional visits to the site (approximately every 3 months). These would be made during normal working hours by operational staff in light vans.

### **Development Plan Policies**

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

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

Policy SP1	Seeks sustainable patterns and forms of development.
Policy SS1	Indicates that major new development should occurring at major urban areas including Ashford specifically.
Policy AS1	Area policy for Ashford sets out the areas regional importance as a growth area.

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Policy NR5	Requires development to be planned and designed so as to avoid or minimise pollution impacts. Where impacts cannot be reduced to an acceptable level the development will not be permitted.
Policy NR6	Development which would be sensitive to adverse levels of noise, air, light and other pollution, will not be supported where such conditions, or are in prospect, and where mitigation measures would not afford satisfactory protection.
Policy NR9	Development of new wastewater facilities will be required and supported where there is demonstrable need, it offers the best environmental option and land use and environmental impacts are minimised through appropriate mitigation.
Policy TP15	Development, which generates significant increases in traffic, especially heavy goods vehicles, will not be permitted if it is not well related to the primary or secondary road network or if it would result in increased risk of crashes or significant traffic.
Policy QL1	Development should be well designed, be of high quality and respect its setting.
Policy WM2	Proposals should reflect the principles of the Best Practicable Environmental Option (BPEO).
(ii) The adopted Kent Waste Local Plan (1998):	
Policy W18	Requires satisfactory controls over noise, dirt, odours and other omissions.
Policy W19	General protection of surface and groundwater interests.
(iii) The adopted <b>Ashford Local Plan</b> :	
Policy CF6	New development should be connected to the main drainage system. Sewerage systems within development areas should be constructed to standards required for adoption.

## **Consultations**

16. **Ashford Borough Council (ABC)** : no objection to the proposal, subject to condition to begin development within 3 years of the date of the permission.

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**Environment Agency:** no objection but offers advice on groundwater vulnerability, drainage, land contamination and storage of fuels/chemicals.

**Jacobs (Noise and air quality):** no objection to the proposal in terms of noise or air quality issues. Noise and dust impacts are highly likely to occur during the construction period. However these can be adequately mitigated by conditioning of hours of working and through best practice. Noise impacts during operation have been identified as emanating from the standby generator. As the applicant has revised the specification of the generator and acoustic shrouding to give a manufacturer guaranteed rating of 55dB(A) at 1m, Jacobs are satisfied that adverse impacts will not occur when the generator is in operation. To ensure this Jacobs have asked for a condition to ensure that the rating level emanating from the generator when measured at the nearest residential receptor should not exceed 35 dB LAeq,T.

**Divisional Transport Manager:** no objection to the proposals in respect of highway matters, subject to specified conditions being attached to the grant of any future planning permission. These include matters concerning:

1. Provision of space on site for loading, off-loading and turning of operatives and construction vehicles.
2. Prior submission and approval of parking details for site operatives before commencement of development.
3. Details of methods of disposing of surface water within the site, without allowing discharge onto the highway.
4. Provision shall be made to ensure that no mud or debris is brought onto the public highway.

**Local Member**

17. The Local County Member for Ashford East, Mr G Koowaree was notified of the application on 30 May 2008. No comments have been received to date.

**Representations**

18. The application was advertised in a local paper, a site notice was posted and 207 local residents were consulted. 2 letters of **objection** from members of the public have been received. The main reasons for objection can be summarised as;

- Noise and odour pollution
- Concern of fire from the fuel tank

**Discussion**

19. 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. The adopted Kent and Medway Structure Plan (KMSP)

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(2006) is based on the principles of sustainable development. Policy includes a presumption against development that would cause demonstrable environmental harm. The key policies in this case are set out in paragraph 15 above. These policies identify the strategic need for improved wastewater treatment facilities, balanced against a need to ensure that development should be sensitive to the environment in terms of its pollution impacts. Where necessary the need for mitigation measures should be considered.

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

**Need for Proposal**

21. This site was chosen for the location of the pumping station as it forms part of a scheme to upgrade the sewerage system in Ashford to accommodate future growth in the area. The Alsops Road site is central to the areas of planned growth and forms a previously developed parcel of land suitable for the development. The choice of site is therefore largely dictated by operational requirements and the availability of vacant land sufficiently large to accommodate the infrastructure requirements. The site appears well located to serve its intended purpose, subject to satisfactory amenity impacts.

**Residential amenity impacts**

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

**Noise**

24. Concern has been raised over potential noise impacts by a local resident. Initially concerns were also raised by the Council's noise advisor and Ashford Borough Council's Environmental Health Officer (EHO). In particular, concern was raised regarding the noise impact from the running of the standby generator, which would temporarily operate during times of power failure. The generator was originally planned to produce a noise rating of 75 dB at 1 metre. At this level, it was considered that the generator would have a significant noise impact on the nearest residential receptors. Further noise assessment was therefore undertaken and the application was amended to include a generator with an acoustic shroud which would provide a noise rating of 55 dB at 1 metre. This would produce a rating level at the nearest receptor of 35dB, being 1 dB below background level.
25. In light of the amended proposal, the Council's noise consultant is now satisfied that the proposal is acceptable and that it can be operated at noise levels no higher than the existing

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background noise levels at the nearest sensitive receptors in Alsops Road.

**Visual impact**

26. In terms of visual and other amenity impacts, the proposal has been well located on the site and has been selected and designed to minimise visual impact upon local residents. In visual terms the CTRL works and acoustic barrier fencing dominate the site and the local townscape. The impact of the proposals on the landscape would therefore in my view be minimal.

**Access**

27. It is noted that no objection has been raised to the proposed access arrangements, which would be of infrequent low usage particularly once the site is operational. Kent Highway Services' concerns set out in paragraph 16 above regarding details of site parking, offloading, drainage and measures to prevent mud on the road can be adequately addressed via condition.

**Fuel Storage and Odour**

28. Local residents have raised concerns over potential hazards associated with the storage of fuel on this site. These can be adequately addressed by standard good practice in accordance with Environment Agency guidance. Should planning permission be granted, I would recommend including informatives giving such guidance as advised by the Environment Agency.
29. Concerns have also been raised over potential odour impacts from the proposal. As there are no operational above ground structures or vents associated with the development. Odour issues are unlikely to occur.

**Conclusion**

30. The new pumping station and associated infrastructure are being proposed as part of the applicant's programme of investment to meet the population growth predicted and planned for the Ashford Growth Area. Due to the applicant's permitted development rights, only those elements above ground require planning permission. The site is well related for its purpose and does not raise unacceptable amenity impacts. Appropriate planning conditions could be imposed to control the temporary construction impacts and operational activities. As such I am satisfied that the proposal is acceptable in planning terms.

**Recommendation**

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



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32. I also RECOMMEND that INFORMATIVES sought by the Environment Agency regarding groundwater vulnerability, drainage, land contamination and storage of fuels/chemicals be attached to any permission..

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