

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.

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**Item C1**

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

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

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

Recommendation: Permission be granted subject to conditions.

Local Members: Alan Marsh

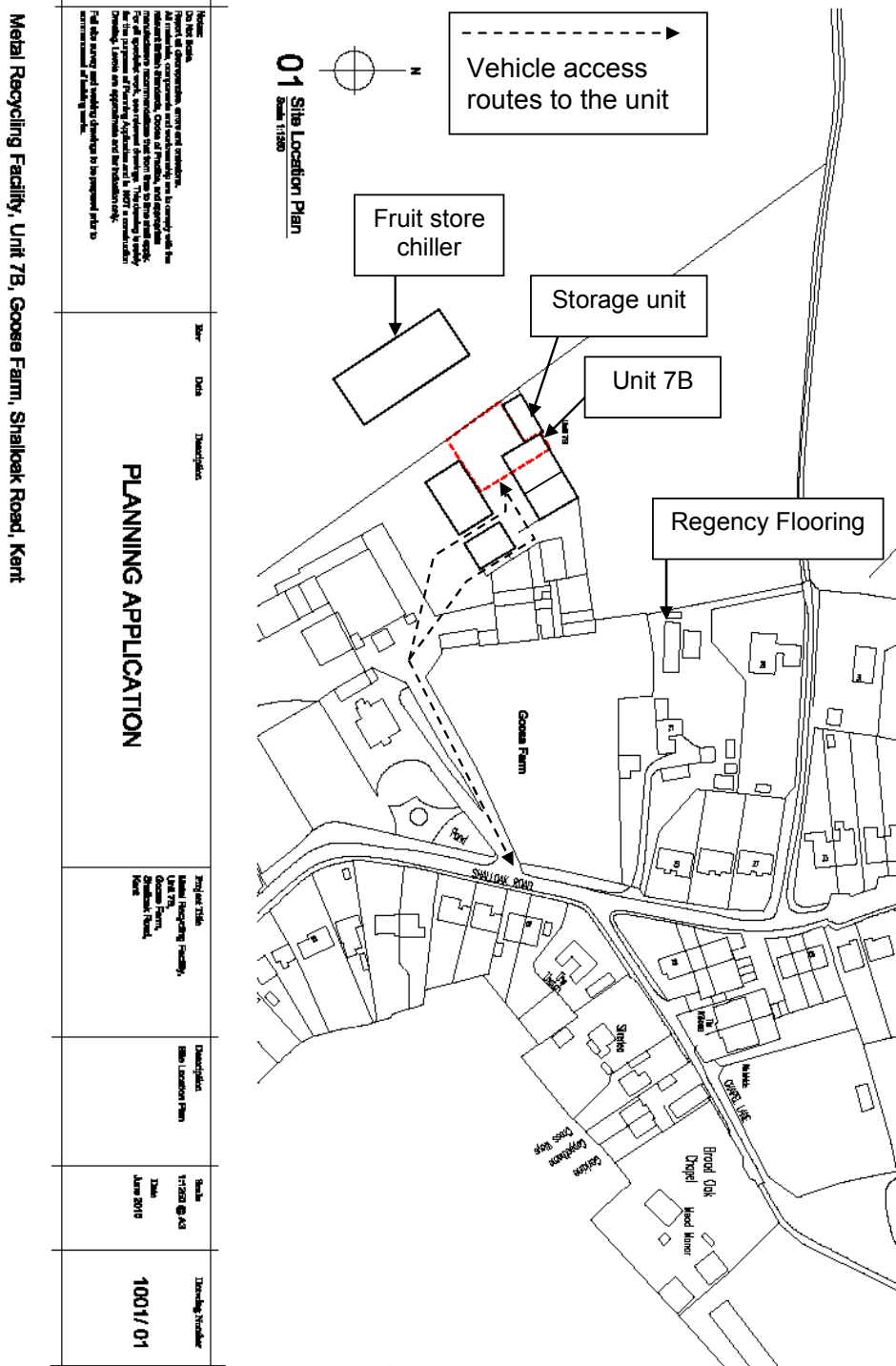
Unrestricted

**Site Description**

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

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**01 Site Location Plan**  
Scale 1:1500

<p><b>Notes:</b> This Site Plan, together with the accompanying application, is submitted to the Local Planning Authority for their consideration and approval. It is intended to be used in conjunction with the Planning Application Form and the Planning Application Fee. For all enquiries, please contact the Planning Authority. Details of the Planning Authority's website can be found at: <a href="http://www.canterbury.gov.uk">www.canterbury.gov.uk</a>. Details of the Planning Authority's contact information can be found at: <a href="http://www.canterbury.gov.uk">www.canterbury.gov.uk</a>. Details of the Planning Authority's contact information can be found at: <a href="http://www.canterbury.gov.uk">www.canterbury.gov.uk</a>. Details of the Planning Authority's contact information can be found at: <a href="http://www.canterbury.gov.uk">www.canterbury.gov.uk</a>.</p>	<p><b>PLANNING APPLICATION</b></p>	<p><b>Project Title:</b> Metal Recycling Facility, Goose Farm, Shalloak Road, Kent</p>	<p><b>Description:</b> B2a Location Plan</p>	<p><b>Date:</b> 17/02/2018 @ 4:03 PM June 2018</p>	<p><b>Tracking Number:</b> 1001/01</p>
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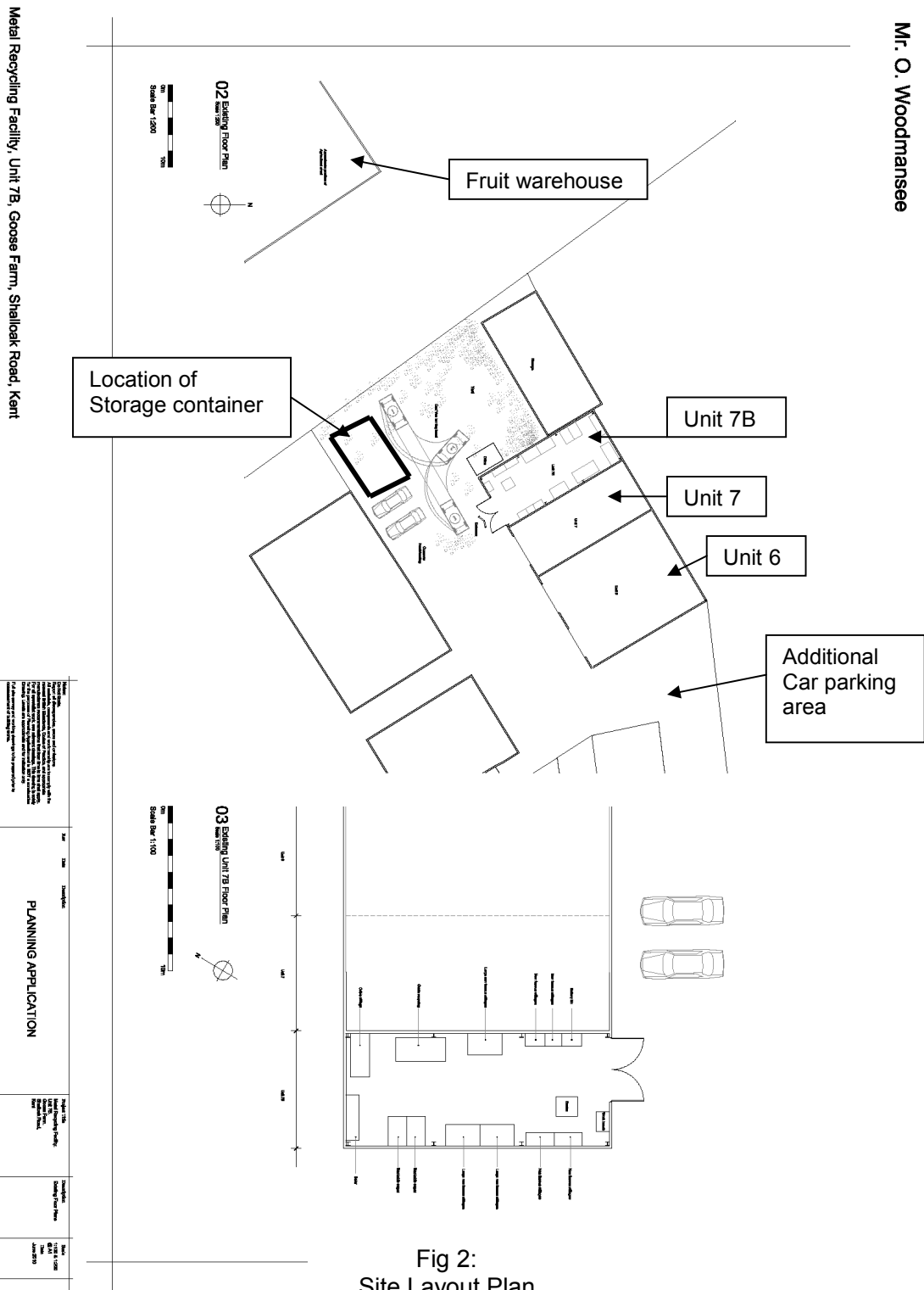
Metal Recycling Facility, Unit 7B, Goose Farm, Shalloak Road, Kent

Fig 1: Site Location Plan

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Mr. O. Woodmansee



**Fig 2:**  
Site Layout Plan

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

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

### **Proposal**

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

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**Planning Policy Context**

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

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

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

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

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

**Consultations (final comments)**

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

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

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

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

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

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

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

**Representations**

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

**Local Member**

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

**Discussion**

25. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. In the context of this application, the policies outlined in paragraph (15) above are of greatest relevance.
26. The use is located within an existing industrial estate surrounded by similar types of uses and as such therefore accords with the criteria set out under policies W3 and W9 of the Kent Waste Local Plan which encourages waste management proposals to be located within or adjacent to established general industrial-type areas.
27. The use also captures a proportion of waste metals from the surrounding and wider area that would have otherwise been sent to landfill. The use involves processing the waste

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

**Main Determining Issues:**

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

- Noise impact on surrounding area, and
- Traffic generation

*Noise impact on surrounding area*

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

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

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

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

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

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

*Traffic generation*

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

**Conclusion**

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



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

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

### **Recommendation**

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

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Case Officer: Sav Patel

Tel. no. 01622 221053

Background Documents: see section heading.