

SECTION C
MINERALS AND WASTE DISPOSAL

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

Item C1

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

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

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

Recommendation: Planning permission be granted, subject to conditions.

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

Site Description

1. The application site is located on Ridham Dock Industrial Estate, which is a well established commercial and industrial wharf situated adjacent to the River Swale. The Dock is surrounded by sensitive ecological site designations including the Swale Special Protection Area (SPA), Ramsar site and a Site of Special Scientific Interest (SSSI). The Elmley National Nature Reserve is located east of the site, on the other side of the river. The River Swale is a designated SPA under EC Directive 79/409 on the Conservation of Wild Birds and Ramsar citation as a wetland of national and international importance. It regularly supports internationally important numbers of wintering and breeding migratory waterfowl. The mudflats of the Swale are also rich in invertebrates and are rich in plant life, rare and common.
2. The River Swale straddles the eastern and northern boundary of the dock and flows into the Thames estuary. The inlet point for the dock is located at the point the river sweeps across the northern boundary. The dock site is protected from flooding by the Ridham Dock wall flood defence which is located along the eastern and northern boundary.
3. The dock is currently used to import, export and store a wide range of cargo such as timber, steel, grain, aggregate and concrete products and contains various large scale buildings. Aside from the general wharf activity, the dock also harbours a range of industrial businesses such as Brett Aggregates, European Metal Recovery, Morgan Este and Arcelor Steel. Located within 2 kilometres of the dock are Kemsley Paper Mill and Knauf plasterboard facilities, together with a Countrystyle Recycling facility, Morrisons distribution warehouse and Ridham Sea Terminals.
4. The dock is accessed via a private spine road that traverses Ridham Dock, providing access to all land uses contained within the dock area. The private spine road connects to the public highway by becoming Sheppey Way to the north and via a four-arm roundabout with Barge Way to the south. Sheppey Way connects to the Strategic Road

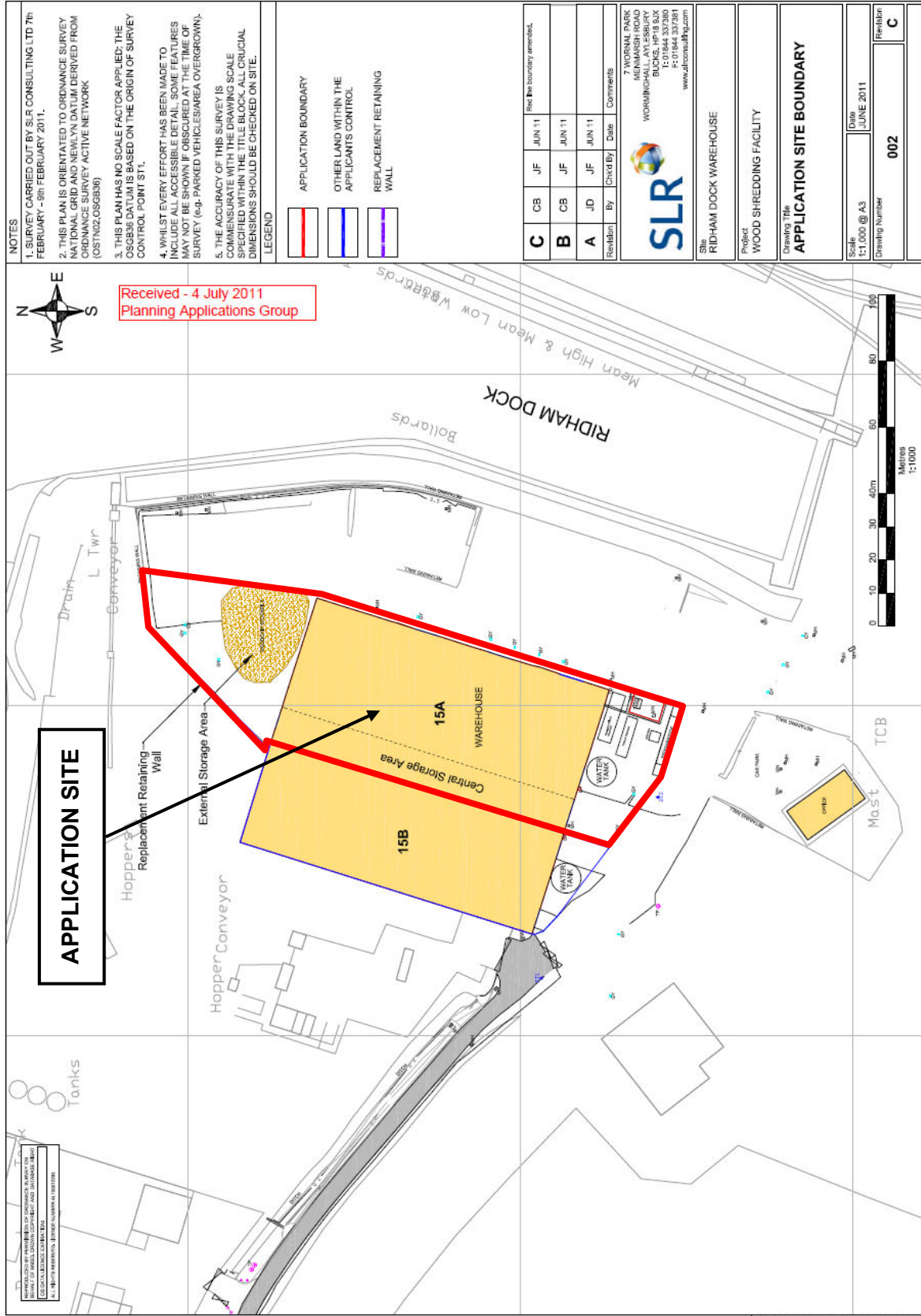
Internal shredding and screening of wood and external storage of shredded wood, Unit 15A Ridham Dock Industrial Estate – KCC/SW/0194/2011

General Location Plan



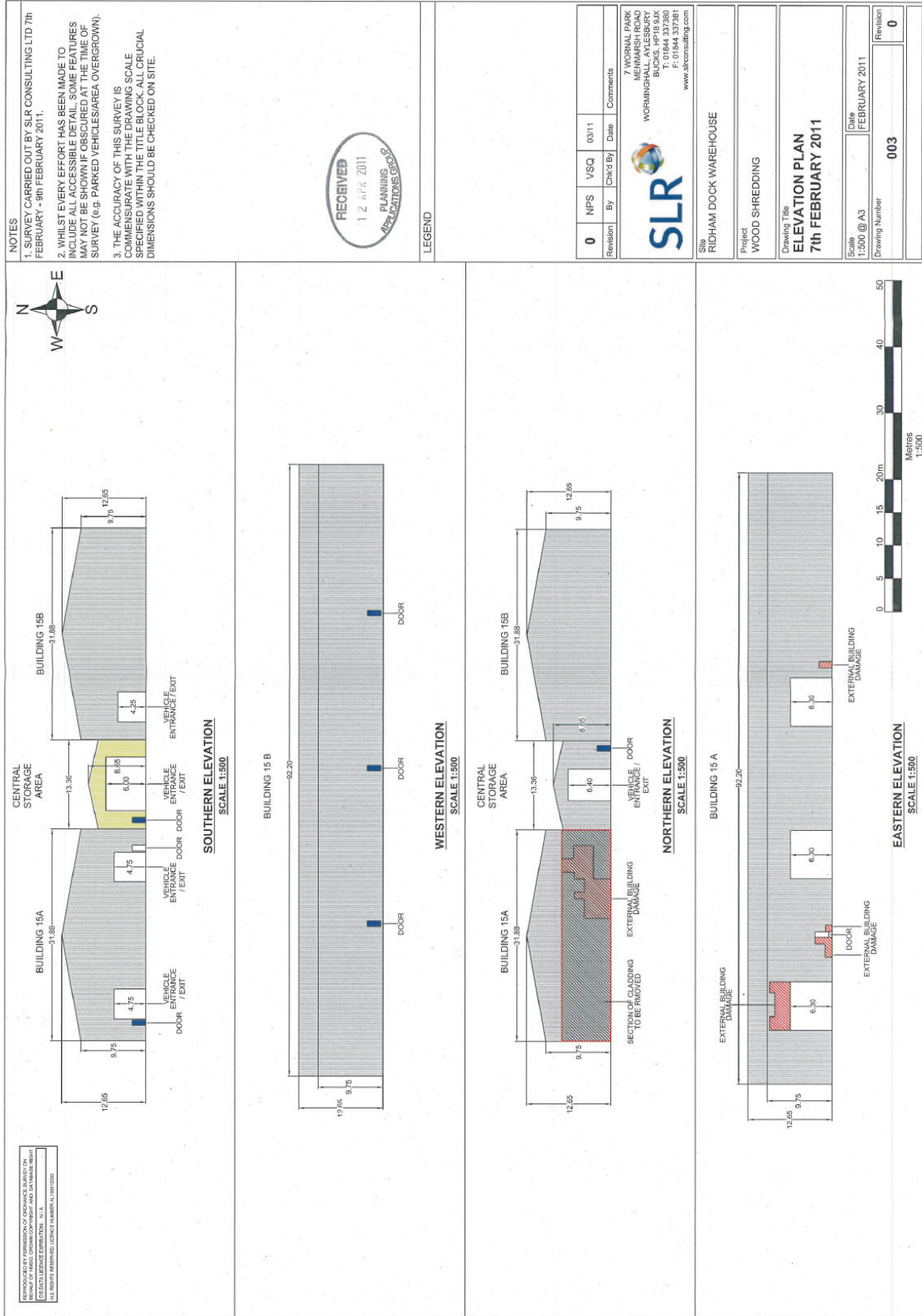
Internal shredding and screening of wood and external storage of shredded wood, Unit 15A Ridham Dock Industrial Estate – KCC/SW/0194/2011

Application Site Boundary



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

Elevation Plan



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

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

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

Proposal

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

Item C1

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

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

Table 1: Dirty and Clean Input/Output

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

Planning Policy Context

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

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

- (i) **National Planning Policies** – the most relevant National Planning Policies are set out in PPS1 (Delivering Sustainable Development), PPS9 (Biodiversity and Geological Conservation), PPS10 (Planning for Sustainable Waste Management), PPS23 (Planning and Pollution Control), PPS24 (Planning and Noise) and PPS25 (Development and Flood Risk). Also relevant for consideration is the Waste Strategy for England 2007.
- (ii) **South East Plan (2009)** – the most relevant policies are: W3 (regional self sufficiency), W4 (sub-regional self sufficiency), W5 (targets for diversion from landfill), W11 (biomass), W17 (location of waste management facilities), CC1 (sustainable development), CC2 (climate change), CC3 (resource use), CC4 (sustainable design and construction), NRM4 (sustainable flood risk management), NRM5 (conservation and improvement of biodiversity) and NRM9 (air quality).

Important note regarding the South East Plan:

Members will already be aware of the relevant South East Plan (SEP) policy considerations in relation to the proposed development, in that The Plan was revoked and later reinstated pending the enactment of the Localism Bill. Members will also be aware that they have to have regard to the policies in the SEP and the Government's intention to abolish the Regional Spatial Strategies as material considerations. However the weight to be accorded is a matter for the decision makers.

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

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

Policy SP2 In order to provide a robust, adaptable and enhanced environment, planning policies and development proposals will protect and enhance the special features of visual, aural, ecological, historical, atmospheric and hydrological environment of the Borough and promote good design in its widest sense.

Development will avoid adverse environmental impact, but where there remains an incompatibility between development and environmental protection, and development need are judged to be the greater, the Council will require adverse impacts to be minimised and mitigated.

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

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

Consultations

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

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

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

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

Noise

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

Dust and Odour

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

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

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

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

Local Member

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

Publicity

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

Representations

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

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

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

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

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

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

Discussion

Introduction

26. The application seeks planning permission to establish a wood shredding facility to process up to 75,000 tonnes of clean and dirty wood per annum which would arrive at the site by road from Kent, Surrey and East London. The application is being reported to the Planning Applications Committee as a result of the objection received from Iwade Parish Council. In considering this proposal, regard must be had to the key National and Development Plan Policies outlined in paragraph (14).
27. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.
28. Former government advice required waste planning authorities to consider whether waste development proposals constituted the Best Practicable Environmental Option (BPEO). Case law established that consideration of BPEO against individual applications should be afforded substantial weight in the decision making process. Subsequent advice in PPS10 moved the consideration of BPEO principles to the plan making stage where it is to be considered as part of the Sustainability Appraisal (SA)/Strategic Environmental Assessment (SEA) process applied to the plan. However where planning authorities' current waste policies have not been subject to the SA/SEA process (as is the case with the current Kent Waste Local Plan), it is appropriate to consider applications against the principles of BPEO.
29. Until such time as the **Kent Waste Development Framework** (KWDF) reaches a more advanced stage, applications will be considered against the relevant saved Kent Waste Local Plan Policies and other Development Plan Policies. This is fully consistent with the approach Local Planning Authorities are advised to adopt as set out in PPS10.
30. The application site falls within an area identified in the Kent Waste Local Plan as being suitable in principle for waste re-use, separation and transfer.
31. In my opinion having regard to the policy considerations and the issues raised above, the key material planning considerations in this particular case can be categorised under the following headings:

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

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

Need

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

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

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

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

Highway issues

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

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

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

Noise, Dust and Odour

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

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

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

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

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

Nature Conservation and Ecology

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

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

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

Flood Risk

48. Based on Flood Zone Maps published by the Environment Agency, the application site is shown to lie within ‘high probability’ Flood Zone 3a which represents an annual probability of greater than 0.5% of a tidal flood occurring in any one year or greater than 1% of a fluvial flood occurring in any one year. The site is defended from tidal ingress and thereby out of the functional floodplain of the Swale tidal river. As a result the site falls within Flood Risk Vulnerability Classification 3a (as defined in PPS25).
49. Existing tidal flood defences offer a standard of protection of between 5 and 50 year standard, despite crest heights exceeding the 1:200 year tidal level incorporating an allowance for sea level risk to 2070. The primary risk of flooding associated with the site is fluvial from the private sewer network, which may be exacerbated by tide-locking of the private drain and outlet to the River Swale during tidal flood conditions. The greatest flood consequence would, however, result from residual risk scenarios (i.e. breach of tidal defences) coinciding with significant tidal conditions.
50. The application is accompanied by a Flood Risk Assessment (FRA) which acknowledges the 1953 flood event, a concern expressed by the Parish Council. It notes that since 1953 flood defences have been reinforced and upgraded along the majority of the North Kent coastline. The FRA details that the applicant proposes to manage flood risk through the implementation of robust flood warning measures linked to tidal conditions, the formulation of a flood evacuation plan and the provision of a safe refuge within Unit 15A or an adjacent building. Flood risks and residual flood risks are deemed to be manageable over the lifetime of the development, subject to proposed management measures being implemented. The Environment Agency have been consulted and have not raised an objection to the application on the grounds of flood risk. Subject to the development being carried out in accordance with the details contained in the submitted Flood Risk Assessment and the Flood Evacuation Plan I am satisfied that there are no overriding objections on the grounds of risk from flooding.

Employment

51. The wood shredding operation is anticipated to employ some 10 members of staff, running on a continual 24 hour basis. Local Plan Policy B2 supports new employment within the Borough whilst Policy B10 identifies the Ridham Dock Industrial Estate as a committed employment site. Members will be aware that one of Government’s top priorities is to promote sustainable economic growth and jobs, and as a fundamental means to achieve this, considers the planning system has a key role to play by ensuring that sustainable development needed to support economic growth is able to proceed as easily as possible. Government’s clear expectation therefore is that there should be a strong presumption in favour of development except where this would compromise the key sustainable development principles set out in national planning policy. It is my view that this proposal would meet the requirements of Local Plan Policy B2 which supports employment opportunities in the area.

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

Any other issues arising from consultation / publicity

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

Conclusion

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

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

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

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

Recommendation

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

Item C1

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

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

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

Case officer – Julian Moat	01622 696978
----------------------------	--------------

Background documents - See section heading
--