

SECTION C
MINERALS AND WASTE DEVELOPMENT

BACKGROUND DOCUMENTS – the deposited documents, views and representation received as referred to in the reports and included in the development proposals dossier for each case and also as might be additionally indicated.

Item C1

Proposed Aggregate Importation Depot and Waste Recycling Facility, Sevington Railhead, Waterbrook Park, Ashford. – AS/06/4 & 5.

A report by Head of Planning Applications Unit to Planning Applications Committee on 13 February 2007.

Application by Robert Brett & Sons Ltd for (i); the permanent retention of the existing railhead and importation of aggregate and demolition and construction waste together with associated processing plant including crushing and screening plant, concrete batching plant and storage silos for hot roadstone; Construction and (ii); operation of a waste transfer station. Sevington Railhead, Waterbrook Park, Waterbrook Avenue, Sevington, Ashford, Kent.

Recommendation: Subject to the satisfactory conclusion of a Section 106 Agreement, Permission be granted subject to conditions.

Local Member: Mr C. Findlay and Mr S.J. Koowaree

Unrestricted

The Site and Background

1. The site lies some 3 miles to the south east of Ashford Town Centre and approximately 1 mile south west of junction 10 of the M20. The application sites share the same boundary, cover an area of 53.55 hectares and, with the exception of the existing railhead are currently predominantly a mixture of agricultural and scrub land. The majority of the site would be engineered involving the importation of suitable materials in order to raise levels above the flood plain and the installation of associated drainage as preparatory works for future development together with proposed habitat enhancement areas.
2. The nearest housing lies some 80 metres off the northern and southern site boundaries along Church Road and Highfield Road which are partly screened from views directly into the site by an existing belt of trees and a substantial bund at the southern end. Those along Church Road are further segregated by the main London to Dover rail line and the CTRL whose 4.5 metre high wooden sound barrier also serves to help screen the site along this boundary.
3. The actual combined 'built' development footprint of the two applications (i.e. operational element) which is located in the north eastern section of the site would cover an area of

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approximately 5.8 hectares with the mineral element adjoining the eastern side of the existing rail siding and the waste adjoining the western side. This area was previously used to import materials in connection with the construction of the Channel Tunnel and then in 2002, the Channel Tunnel High Speed Rail Link. The site is currently occupied by Bretts who import and distribute aggregate from the site under the terms of a temporary permission. As part of this built element it is intended when preparing the site to create a 3 metre high bund along the western boundary which would be planted on its outer slope with trees, the intention being that this would then act as a screen to any future development within the remainder of the application area, the majority of which lies adjoining to the south west of where this bund would be created.

4. In August last year representatives from your Committee visited the site and heard the views of Ashford Borough Council and Sevington and Mersham Parish Council. A note of the meeting is attached under Appendix 1.

Proposal

5. Each application contains distinct elements;
6. The mineral application proposes the retention of the existing rail sidings for the import of aggregate, the erection of a building to enclose crushing and screening equipment for the production of recycled aggregate from demolition and construction waste, a concrete batching plant, storage silos for hot roadstone, storage bins to contain the waste material to be recycled, recycled aggregate and primary aggregates. It is proposed that some 630,000 tonnes of primary aggregate would be imported to the site by rail each year. Additionally some 200,000 tonnes per annum of construction and demolition waste would be imported by road for recycling together with some 20,000 tonnes of hot coated roadstone. Bretts estimate that in total this would generate some 342 Heavy Goods Vehicle (HGV) movements to and from the site each day.
7. The waste application proposes the erection of a building for the transfer of both Municipal Solid Waste (MSW) and construction and demolition waste. It would be intended to import up to 115,500 tonnes of material each year generating some 118 daily HGV movements to and from the site.
8. Together the two applications would generate a combined total of 460 vehicle movements to and from the site, which it is claimed is less than the 700 vehicles observed taken from baseline survey data in 2002. Furthermore with regard to peak hour movements the 2002 survey indicated a two-way traffic flow of 73 HGV's during the a.m. peak hour period and 75 HGV's during the p.m. peak. From the information contained in the applications, the transport assessments estimate the proposed mineral peak hour traffic to be 32 two-way and the waste application peak hour 10 two way amounting to some 42 two way movements in total. On this basis the applicant concludes that in their view the proposal is therefore within the capacity of the surrounding road network.
9. Access would be via Waterbrook Avenue which runs north-west/south-east across the site and joins the A2070 (Southern Orbital Road) linking via junction 10 with the M20, with a dedicated new access being built off Waterbrook Avenue leading to the operational areas.

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10. The applicant states that the hours during which raw materials would be imported by rail is dictated by pathways available on the rail network. These are given as being 0600 hours, 1200 hours and 1600 hours. With deliveries taking up to 4 hours to unload operations would therefore run from 0600 hours to 2000 hours. Normal operating hours for other activities would be between 0600 to 1800 hours Mondays to Fridays and 0600 to 1300 hours on Saturdays with no operations on Sundays or Bank Holidays. Fixed plant would not commence operating until after 0700 hours
11. The application is accompanied by an environmental statement which includes an assessment of the possible environmental effects of the proposed development in relation to the existing conditions on site and its surroundings. Having regard to the specified information as required under the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988 (as amended), the following matters have been identified as having to be taken into account;
- (i) Noise
 - (ii) Socio Economics
 - (iii) Archaeology
 - (iv) Ground conditions
 - (v) Transport
 - (vi) Hydrology
 - (vii) Landscape
 - (viii) Ecology
 - (ix) Air Quality
12. Various mitigation measures have been proposed which take account of the possible environmental effects. This mitigation has been transposed into the overall project design.
13. The applications also share a common boundary with an application submitted to Ashford Borough Council. This application, which was made in outline, relates to the development of some 102,000m² of the site for employment development including B1 (light industry/offices), B2 (general industrial) and B8 (warehousing) use and adjoins the western boundary of the operational element of the Bretts site. The application was considered by the Borough Council's Planning Committee at their meeting last August when it resolved to permit the application subject to the completion of a Legal Agreement, with matters such as the detailed site layout and details of the various buildings and units being reserved for separate approval. A prime element of this proposal relates to the necessary enabling works identical to those set out in the Brett's applications relating to the need to import fill materials to raise existing levels across the site and the installation of associated drainage works, together with similar measures to enhance habitat for the purposes of nature conservation.

National, Regional and Development Plan Policy

Waste

14. Planning Policy Statement 10 (PPS10), PPS23 and Waste Strategy 2000 (as amended in July 2005) together provide for a more integrated and effective framework for

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delivering the significant expansion in new waste facilities required to meet EU obligations. The new PPS10 underlines the importance of planning for, and consenting the necessary number and range of facilities in order to ensure that adequate provision is made for the future management of our waste.

15. The key aim of moving waste management up the ‘ waste hierarchy ‘ has not been changed. However the proximity of waste disposed and ‘self sufficiency’ have been re-formulated and are now set out as objectives to ensure that communities should take more responsibility for their own waste (self sufficiency), and that waste should be disposed of in one of the nearest appropriate installations (proximity).
16. The role of the Best Practicable Environmental Option (BPEO) in decision making has also been reviewed. In future the tenets that underlie BPEO will be delivered in spatial planning through plan-led strategies that drive waste management up the ‘ waste hierarchy ‘.
17. Through more sustainable waste management, moving the management of waste up the ‘waste hierarchy’ through the descending order of reduction, re-use, recycling and composting, using waste as a source of energy and only disposing of waste as a last resort, Government aims to break the link between economic growth and the growth of waste.
18. Proposed changes to Regional Guidance for the South East (RPG9) Waste and Minerals (August 2005) contains policies which reinforce national guidance, particularly in relation to the need to aim for regional self-sufficiency (W4), targets for the diversion of waste from landfill (W5), recycling and composting targets (W6), capacity requirements (W7) and location of waste management facilities (W17).

Minerals

19. Minerals Policy Statement 1 (MPS1) ‘ Planning and Minerals ‘gives recognition to the essential role minerals play in the nation’s prosperity and quality of life and the need therefore to ensure an adequate supply of material to provide the infrastructure , buildings and goods that society, industry and the economy needs . With this principle in mind it advises that mineral planning authorities should therefore aim to provide a framework for meeting such needs whilst seeking to avoid any detrimental effects on the environment through appropriate mitigation. Particular emphasis is given towards the need to safeguard existing, planned and potential rail heads and associated storage, handling and processing facilities for the bulk transport by rail, of aggregates including recycled, secondary materials.
20. Proposed changes to RPG9 seek to encourage the development of construction practices with the long term aspiration that annual consumption of primary aggregates will not grow from the 2025 level in subsequent years (Policy M1). In order to help meet the objectives of Policy M1 the use of secondary and recycled materials shall be increased (Policy M2). Mineral planing authorities are also asked to assess the need for wharf and rail facilities for the handling and distribution of imported and processed materials, and identify strategic sites for safeguarding in their minerals development frameworks. Existing sites should also be identified and safeguarded.

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21. National Policy is therefore to increase the use of secondary aggregates and recycled materials together with a corresponding decrease in the use of primary aggregates to the extent that by 2016 (by the end of the plan period) growth in the annual consumption of primary aggregates as currently experienced will stabilise.

22. Development Plan Policy

Kent and Medway Structure Plan July 2006

Waste

- Policy SP1:** Promotes sustainable development ensuring a pattern of development and the enhancement of Kent's environment including the re-use of land and buildings more efficiently, reducing the need to travel and encouraging the availability of a choice of transport.
- Policy SS1:** Sets priorities for development and investment in certain areas of Kent including Ashford
- Policy NR5:** Requires development to be planned and designed to avoid or adequately mitigate pollution impacts.
- Policy WM1:** Provides for the integrated management of waste, reflecting the principles of BPEO, the national waste hierarchy and national and regional targets for waste management and requires wherever practicable that facilities should be located to enable the use of rail and /or water based transport.
- Policy WM2:** Proposals for the treatment, storage, transfer, processing or disposal of waste will be required to show that they represent the most efficient and environmentally sustainable method of managing a specific type of waste.
- Policy WM4:** Makes provision for and maintenance of integrated waste management capacity sufficient for 15 years.
- Policy WM6:** Seeks a pattern of strategic waste management facilities.
- Policy TP12:** Requires development proposals to be assessed against whether it would increase the risk of accidents and/or result in traffic delays.
- Policy TP15:** Requires development to be well related to the primary route network.
- Policy EN1:** Seeks to protect and enhance Kent's countryside for its own sake
- Policy EN3:** Requires Kent's landscape and wildlife habitats to be protected, conserved and enhanced.

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Policy EN8: Aims to protect, conserve and enhance wildlife habitat and species, especially through long term management and habitat creation schemes.

Minerals

In addition to the above Structure Plan Policies;

Policy MN1: Supports proposals for the provision of minerals through recycling, the use of secondary materials and the facilitation of imports.

Policy MN3: Sets criteria for assessing proposals for minerals including associated plant, buildings and minerals recycling facilities.

Policy MN4: Seeks to protect and safeguard existing marine and rail depots.

Kent Waste Local Plan March 1998

Policy W1: The Local Planning Authority will make provision in accordance with the principles of sustainable development for waste arising in Kent to be dealt with in Kent based on the waste hierarchy.

Policy W2: Waste management proposals will not be permitted if they would cause a significant adverse impact on ground water and sites of nature conservation interest.

Policies W7 & W9:

Identify the site at Sevington as suitable in principle for the transfer and recycling of category A, B and C waste and also set down criteria against which proposals at other locations would be considered including whether they seek to minimise impacts on the local and natural environments, have or could secure adequate access and are within or adjacent to an existing waste management facility or are part of an established or committed general industrial use.

Policies W16 to W26:

Set out the operational criteria against which applications for waste management will be assessed including the need to ensure matters such as noise, dust and odour can be satisfactorily controlled.

Kent Minerals Local Plan for Construction Aggregates December 1993

Policy CA1: Requires that proposals for Rail Depots should have no adverse impact on the road network and avoid residential areas.

Policy CA3: Proposals for depots to receive aggregates requires that they do not adversely affect local features of identified importance and can be operated consistent with the criteria set out in Policies CA16 to 26.

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Policy CA4: Identifies Sevington as being suitable in principle as an import point for construction aggregates.

Policy CA5: Supports the use of secondary and recycled materials in meeting the needs for construction.

Policies CA16 to CA26:

Set out the operational criteria against which proposals for minerals will be considered.

The Core Minerals Strategy Development Plan Document

Primary Mineral Development Control Policies Development Plan Document

Construction Aggregates Development Plan Document

23. In November 2006 following pre-submission public participation with the community and other stake holders on the preferred options, the County Council formally submitted these documents to the Secretary of State for independent examination. Once adopted the documents, which constitute Development Plan Documents (DPD) , will form the Kent Development Framework and also become a part of the Kent Development Plan. Their draft policies seek to develop the Government's objectives for minerals planning. As these documents progress towards formal adoption the extent to which they represent a material consideration will gain in weight. Consistent with the objectives of the existing development plan policies, and having regard to these two current applications, proposed Policy CA9 of the Construction Aggregates DPD makes specific reference to the application sites in so far as it recognises this relates to an existing planning permission for the importation of construction aggregates and which will therefore need to be protected from development that would prejudice its continued operation.

Ashford Borough Local Plan

24. Under Policy S14 Waterbrook Park is proposed primarily for warehousing and distribution uses (B8) and also suitable for light general employment uses (B1 and B2), whilst S14 (f) specifically seeks to retain the existing railhead and avoid prejudicing opportunities for its future use.

25. Consultations

Ashford Borough Council: - Originally commented on the application following the meeting of their planning committee held on 9 August 2006 (A copy of the minutes of their meeting is attached under Appendix 2). Following amendments made to the application by Bretts in order to specifically address the Borough Council's requirement for contributions towards highway improvements in accordance with Supplementary Planning Guidance SPG6, the Council made further comments (These are also attached under Appendix 3)

Sevington and Mersham Parish Council:– Raise objection on the grounds that the proposal would lead to an increase in noise and light pollution and irreversibly destroy a considerable amount of wildlife and ruin the rural character of the area

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Southern Water:- Raise no objections in principle to the proposals subject to the imposition of a condition requiring that ‘ Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water’.

Natural England:-(formerly English Nature)- Is pleased to see in the light of further information submitted in support of the application that the applicant is committed to the installation of Great Crested Newt Breeding Ponds at 250 metre intervals along the corridor. Recommends that a condition be imposed to any consent requiring that ‘ no development shall commence on the site until a mitigation scheme for Great Crested Newts has been implemented in full

Environment Agency: Raise no objection subject to the imposition of conditions requiring the submission and prior approval of surface water drainage works before development commences and the retention of an 8 metre marginal strip of land on the side of the East Stour river, alongside the development site. The addition of informatives drawing attention to the requirements of the Wildlife & Countryside Act 1981, and the need to obtain a separate Waste Management Licence from the E.A.

South East England Development Agency: Support the applications on the assumption that much of the material will be used within the Ashford Growth Area and in recognition that the use of rail to transport material will reduce the amount of HGV traffic on the local road network. Also welcomes the creation of new jobs.

South East England Regional Assembly: Requires more information on the source type and quantity of material in order to be satisfied that the proposal is consistent with the aims of Policy M1 of RPG9 and Policies W3 and W4, M1 and M3 of the Government’s Proposed Changes to the Regional Waste and Minerals Strategy. Also requests that the local authority be satisfied that the proposed mitigation measures to maintain and enhance biodiversity are appropriate in line with Policy E2 of RPG9

Union Property: Objects to the proposal on the grounds that it conflicts with the policies of the adopted Ashford Local Plan insofar as the proposed use is in direct conflict with the objectives of Policy S14 which would diminish the attractiveness of the remaining part of the area allocated on the proposals map for B2/B8 uses. Unacceptable impact on their property located in Highfield Lane

Highways Agency: Comments that both applications fall within the criteria set out under SPG6 given that the site is located within the 5 minute isochrone of J10 of the M20. Requests in the event of permission being granted that a condition/s be imposed restricting vehicle movements to and from the site to within peak hours subject to the County Council being satisfied that such conditions can be properly enforced

EDF ENERGY: No objection but requests that the applicant contact their connections team given the proximity of their underground cables.

Southern Gas: No objection but has contacted the applicant given the proximity of their pipeline to the site.

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British Pipeline Agency: No Government Pipeline are located within the vicinity of the site.

Jacobs (Noise/Dust /Odour): With regard to the potential impact from noise notes that the existing background noise levels from the M20 is the dominant noise source which does not vary significantly between weekdays and weekends. Is of the opinion that ground bourne vibration will not be a significant issue. Levels of PM10 (small particulates)is not a significant pollutant in the area whose levels measured were in the order of 29ug/m³ compared to an air quality objective of 40ug/m³. Considers it unlikely therefore that the proposal will significantly increase this

Jacobs (Landscape): Notes that views into the site from surrounding residential properties are obscured by existing screening particularly from along Church Road whose view is obscured by the 4.5 metre CTRL barrier. Therefore considers the impact from the proposal ,including proposed lighting where it is recognised current lighting is already visible, would be of slight – negligible influence given that the site would be viewed within the current setting of the CTRL and other urban influences . Whilst the top of the storage silos for hot coated road stone would be visible, in the event that it is not possible to relocate their position within the site, recommends that a condition be imposed as recommended by Ashford Borough Council in respect of landscaping expanded to include screening of these silos.

Divisional Transport Manager: Is satisfied that the new 7.3 metre wide carriageway leading to the site from off Waterbrook Avenue, which will replace the existing private road serving the site, which must be closed, and the dual c/w of Waterbrook Avenue junction will be suitable to serve the proposed development. The effect of the development on the Waterbrook Avenue/A2070 junction will be considered by the H.A.

Public Rights Of Way: No public rights of way crossing the site shall be obstructed until such times as the necessary Diversion Orders are confirmed and the noew routes provided. The minimum width of any path diverted shall be 4 metres whose surface shall either remain as grass where they fall outside the immediate development area or surfaced with a type 1 material and finished with a limestone topping or similar where they fall within it.

County Archaeologist: No objection subject to the imposition of appropriate conditions preventing the commencement of the development until the applicant has secured the implementation of archaeological field evaluation works including preservation in situ and/or further archaeological recording in accordance with a written specification and timetable, details of which shall first be submitted to and approved by the Local Planning Authority.

County Ecologist: Agrees that the mitigation strategies for these applications are consistent with that which applies to the outline employment application submitted to Ashford Borough Council. Considers it would be appropriate to impose a condition requiring that a licence shall be obtained from DEFRA in respect of the translocation of Great Crested Newts and the creation of mitigation ponds.

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Local Members

26. The two local Members Mr Findlay and Mr Koowaree were notified of the applications on 18 January 2006. To date I have not received any written comments from them.

Representations

27. The applications were advertised in the local; press and notices posted on site. In accordance with neighbourhood notification procedures I also wrote to 33 properties in the surrounding area. As a result I have received representations from 9 local residents objecting to the applications on the grounds that the development would result in an unacceptable impact in terms of;

- Noise
- Dust
- Visual impact
- Odour
- Traffic
- Nature Conservation

Discussion

28. 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 in considering these applications the policies referred to under paragraphs (14) to (24) are particularly relevant.

29. In addition to the saved policies of the Minerals and Waste Local Plans account should also be taken of the emerging Development Plan Policies. The operational area of the site is identified under the saved policies of the Kent Minerals Local Plan for Construction Aggregates and also the Kent Waste Local Plan as being suitable in principle for the transfer and recycling of Category A, B and C waste, together with its use as an import point for construction aggregates. Notwithstanding comments made by SEERA requesting more information on the source, type and quantity of material in order to be satisfied that the proposals are consistent with proposed changes to RPG9, I am satisfied that the proposal is consistent with the objectives of those policies to which they refer. This is particularly in terms of helping to meet Kent's apportioned contribution towards regional mineral requirements together with making future provision for sub-regional self sufficiency by increasing capacity for waste recycling.

30. The site is also shown in the Greater Ashford Development Framework (GADAF) for mixed employment use. This together with the Borough Council Core Strategy identifies alternative development to that in the current Borough Local Plan in terms of the proposed density and form of development. For this reason in resolving to grant permission for the outline employment application the Borough Council made this conditional upon the completion of a Section 106 Agreement which, whilst allowing the enabling works to go ahead similar to those proposed in the Bretts submission, reserved the details relating to the built development for separate approval. Most importantly, in

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the context of the determination of the Bretts applications, the Agreement also specifically excluded any development being located on the operational area of these sites

31. Also of relevance to these applications are the broader implications of the GADAF which represents a 30 year Master Plan and which seeks to direct the comprehensive growth of Ashford leading to the expansion of the town by adding a further 31,000 homes to the existing housing stock. To achieve such growth will require a significant volume of construction materials along with associated facilities to ensure the towns future waste management requirements can be satisfactorily met.
32. The two applications do not therefore conflict with either existing Development Plan Policies or emerging Development Plan Documents.

Main Determining Issues

32. Given that the principle of such developments at this site have already been established via existing development plan policies and where clearly there will be a future need for such facilities if the longer term growth aspirations of the town are to be realised, in the light of consultee comments and representations received, I consider the main determining issues fall under the following categories;

- Traffic
- Ecology
- Noise, Dust, Odour, Vibration and Air Quality
- Visual Impact
- Archaeology

Traffic

33. Whilst no objections have been raised by statutory consultees on highway grounds I am mindful of their comments, particularly those made by Ashford Borough Council in respect of SPG6 relating to the South Ashford Transport Study. Waterbrook Park is specifically listed as one of a number of sites in the locality falling within the scope of SPG6. Furthermore it is also clear that the site falls within the criteria set out against which any other future development proposal would need to be considered, given that it is well within a 5 minute off peak isochrone of junction 10 of the M20 and would generate at least 100 two-way vehicle trips between 7a.m and 7p.m. In response to the Borough Council's initial comments as set out in their letter dated 18 August 2006 together with attached minutes (see Appendix 2), the applicant amended the applications such that vehicles entering and leaving the site would avoid the morning and evening peak hours. The Highway Agency have recommended that this be imposed as a condition on any future permission which would overcome the need for a condition as was originally being suggested by the Borough Council (see their recommended condition (7) in Appendix 2) for the completion of improvements to the Waterbrook Avenue/A2070 junction .

34. In their letter dated 21 December 2006 providing further comments in the light of these amendments (see Appendix 3) the Borough Council confirmed their agreement that the

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peak hours periods should be taken to be 0800-0900 and 1700-1800 hours. On this basis when considering the applications against the requirements of SPG6, given the specific nature of the operations and with an absolute requirement to prevent traffic movements to and from the site during peak hours would mean a zero SPG6 contribution. Members will see their letter also advises on what they consider would be the most appropriate means by which this requirement should be conditioned.

35. In the event that permission is granted I would recommend that conditions be imposed which prevent vehicle movements during the morning and evening peak hour periods, together with a restriction on the maximum number of heavy Goods Vehicle movements to those stated in the applications as set out under paragraph 8. Above.

Ecology

36. An ecological appraisal of the site identified habitats supporting European protected species, namely Great Crested Newts and Bats and reptiles. Provision is made as part of a Landscape Management Plan to mitigate against the impact of the proposals on these habitats including the translocation of the newts from their existing breeding pond into newly created habitats together with the provision of Owl and Bat boxes and refugia for reptiles. These works will need to be subject of a separate licence obtained from DEFRA before they are undertaken. The licence will cover various matters, including for example the precise location of the newly created ponds. Natural England who welcome the creation of these new breeding ponds have recommended that a condition be imposed on any permission requiring the scheme of mitigation is implemented in full prior to the commencement of the development. I am satisfied that provided such a condition is imposed the proposal would be consistent with those development plan policies, which seek to protect ecological interests.

Noise, Dust, Odour, vibration and Air Quality

37. Concerns have been raised over the potential impacts from these matters by local residents. Ashford Borough Council have also recommended that further information be provided on the predicted emissions from the proposed activities including dispersion modelling. With regard to air quality the County Council's consultant Jacobs do not consider that PM10 (small particulates) is currently a significant pollutant in the area and it is therefore unlikely that the proposal will significantly increase this with levels expected to stay below the current air quality objectives.
38. In terms of the impacts from noise Jacobs point to the existing background levels produced dominantly by traffic on the M20. Those Members who attended the site visit may also recall at the time of their visit there were frequent occasions when the meeting was disrupted by noise from passing trains both on the main line and CTRL. In my opinion, under these circumstances and having regard to the proposed noise mitigation measures as set out in the applications, together with the attenuation already provided by the existing CTRL noise barrier, noise from operations would be satisfactorily controlled to acceptable levels. Furthermore I am also satisfied that the proposed dust and odour controls would ensure that these do not cause a nuisance.
39. With regard to ground vibration Jacobs do not consider this will create any significant impacts on nearby properties given the nature of the operations. I share this view where

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in my opinion, ground vibrations if any are far more likely to be caused by the existing rail infrastructure which is positioned closer to these properties.

Visual Impact

40. As I have already mentioned under paragraph 2, the site is currently partially screened from views into the site, particularly along the northern and eastern boundary by a combination of existing trees and the CTRL sound barrier. It is also proposed as part of the site preparation works to create a 3m high bund along the south western side of the operational area which will also be planted with trees. The proposed Landscape Management Plan, includes a tree survey and assessment which highlights the existing landscape features on site. It also makes provision for additional planting across the remainder of the application site as part of the habitat creation proposals. Whilst I am mindful that as part of the site preparation works some of the existing trees along the northern boundary will be removed a substantial amount of the existing plant will remain and therefore continue to help screen the development.
41. In the light of the objections raised regarding visual intrusion and having regard to the comments made by Jacobs (landscape) I consider it would be appropriate for a condition to be imposed on any permission requiring the submission of further proposed landscaping details in order to supplement that already proposed. In my view this would then overcome the objections raised and help further assimilate the development into the landscape.

Archaeology

42. The County Archaeologist is satisfied that the provision made in the application to safeguard any archaeology interest is consistent with the approach already adopted in respect of the outline employment application and accordingly has recommended appropriate conditions which secure the implementation of a programme of works. In my view this will ensure archaeology interests are properly safeguarded.

Conclusion

43. The site represents an important strategic location in terms of providing the key facilities necessary to meet the future demand for aggregates and also in being able to ensure the satisfactory management of future waste arisings in the locality. In my view this is particularly important given the planned future growth of Ashford. The importance of the site for such purposes is already recognised in both existing and emerging development plan policies. I am satisfied that provided appropriate conditions are imposed controlling operations there are no overriding objections to the proposal which would be consistent with the relevant development plan policies against which this type of development should be considered. Accordingly I recommend that permission is granted subject to the imposition of appropriate conditions.
44. In the event that permission is granted Bretts have also indicated that this would effectively replace similar facilities which exist at their site at Conningbrook Quarry along with an unimplemented permission for a waste recycling/transfer station at Chart Leacon

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industrial estate in Ashford. Therefore should Members be minded to grant permission I consider it would be appropriate secure such matters by way of a Section 106 Legal Agreement. In this respect I have already agreed Draft Heads of Terms with the applicant and these are set out under Appendix 4.

Recommendation

45. I RECOMMEND that SUBJECT TO the satisfactory completion of a legal agreement to secure the Heads of Terms as set out under Appendix 4 PERMISSION BE GRANTED subject to conditions including; hours of working including peak hour restrictions, number of vehicle movements, landscaping and floodlighting, noise, dust, and odour controls, archaeological investigation, drainage, footpath diversions and ecological mitigation.

Case Officer – Mike Clifton

tel no. 221054

Background Documents - see section heading
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