

SECTION C
MINERALS AND WASTE DISPOSAL

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

Item C1

Expansion and improvement of Sludge Recycling Centre including improvements to the site access and access road at Aylesford Wastewater Treatment Works, Bull Lane, Aylesford – TM/05/4134

A report by Head of Planning Applications Group to Planning Applications Committee on 12 September 2006.

Expansion and improvements of the Sludge Recycling Centre including improvements to the site access junction with Bull Lane, improvements to visibility splays and creation of passing bays along the access road at Aylesford Wastewater Treatment Works, Bull Lane, Aylesford – TM/05/4134

For Permission

Local Member: Mr. G Rowe

Unrestricted

Introduction

1. Aylesford Wastewater Treatment Works (WWTW) dates back to the early 1900's, predating modern planning legislation and since this time has expanded incrementally over the years. No planning permission therefore covers the overall operation of the site. An extension to the WWTW was granted in 1971 and a replacement sludge press building was permitted in 1993. Permissions have been granted which allow industrial liquid waste to be treated at the works.
2. The WWTW provide preliminary, primary and secondary treatment for Aylesford and the wider Maidstone urban area, pumped to the site via the Allington Wastewater Pumping Station. The works discharges the treated effluent into the tidal reaches of the River Medway. The existing Sludge Recycling Centre (SRC) produces a 'conventionally' treated digested sludge cake product for use in agriculture. The current plant does not consistently meet the required standard and temporary lime treatment is often required to meet the microbiological standard. The SRC treats in the region of 2865 tonnes of dry solid per year (tds/y), most of which arises from Aylesford SRC. There are limited sludge liquid imports from neighbouring WWTW (approx. 800 tds/y).
3. Members visited the site on 21 March 2006, a copy of the notes of that visit are appended to this report.



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Aylesford Wastewater Treatment Works

Scale: 1:10 000

-  Extent of land owned by Southern Water
-  Planning application area

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The Site

4. The WWTW is located on a site between the villages of Aylesford and Eccles, off Bull lane. The Southern Water owned site is extensive, covering an area of 15.6ha, and extending as far as the River Medway to the south west. The planning application boundary covers the entire site although the Sludge Recycling Centre lies to the north and east of the main treatment works on land that is lower than the rest of the site.
5. A 2m high chain link fence surrounds this area with embankments to all sides. The embankments to the north, east and west are outside Southern Water's ownership and form part of the mineral excavation works operated by CEMEX. Two thirds of the SRC is taken up with sludge storage, comprising low concrete bays. The tallest structure in the SRC are the digesters, two of which are 10 m high however these are largely screened by the topography of the site.
6. To the south and south east, the WWTW is bordered by the arable fields that maintain the open rural setting of the Friars Priory. Quarrying activity is located to the north, north east and east of the WWTW, beyond which are large open arable fields gently undulating and rising towards the village of Eccles. There are various footpaths running through this area. To the west and north west, before the river, is the Island Site. This area is characterised by redundant industry, open concrete based storage areas intermingled with rough grassland, woodland pockets, reedbeds with standing deadwood and wet scrubland'.
7. There are two access routes to the WWTW off Bull lane. Southern Water with Cemex, shares the northern most access road. This is a narrow, enclosed macadam road and is the main access used by Heavy Goods Vehicles (HGV's) accessing the site. The second access is provided off a junction shared with the Friars. This access road provides vehicular access to Corporation Cottages along with the Island Site and in part is also a public right of way. Southern Water predominantly uses this access for light vehicles.

Background

8. Implementation of the Urban Waste Water Treatment Directive (UWWTD) and other EU Directives has meant that the amount of sludge produced in UK has risen, as a greater proportion of sewage is treated and higher treatment standards are required of that proportion. Southern Water in reviewing its Sludge Strategy has concluded that existing sludge treatment facilities in Kent are, overall, insufficient to meet future needs. 'Doing nothing' is not an option for them because it would lead to significant volumes of sludge either not being treated to the required standard for recycling to agricultural land, or not being treated at all.
9. Members will recall that they granted planning permission at the 20 June committee meeting for an expansion and upgrade of the Ashford Treatment Works and Sludge

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Recycling Centre that will deal with the East Kent catchment. This application seeks to expand and improve the Aylesford Sludge Recycling Centre and is intended to address the deficiencies in current sludge treatment provision in West Kent, and also provide additional capacity to treat the modest growth in sludge generation for this area.

Proposal

10. In brief the planning application to expand and improve the SRC proposes :

- enclosed sludge cake reception building and conveyor plant, sludge screens and sludge cake silo;
- liquid sludge reception tank;
- digested sludge transfer pumping station;
- new primary digester
- screened sludge storage tank and picket fence thickener;
- centrifuge building;
- liquor balance tank and pumping station;
- odour control system;
- new sludge storage bays.

11. Other existing plant within the SRC will be refurbished so that it can be used as part of the new SRC. All of the works would take place within the existing operational boundary of the site on largely previously developed land.

12. The northern most access would continue to be used for the expanded SRC It is proposed that moving the kerbline would widen the entrance to the access road and vegetation would be removed to improve the visibility splays. It is also proposed to incorporate passing bays along the access so that HGV's could pass one another.

13. The existing raw liquid sludge tanks are uncovered and there is no permanent odour control system. It is proposed to provide odour control plant to treat foul air arising from the raw sludge tanks, sludge cake reception building and the associated treatment plant.

14. Existing landscaping would be bolstered to further screen the new development.

15. Proposed site operation hours are 0700 to 1800 Monday to Friday and 0700 to 1300 on Saturdays. The plant itself operates on a 24 hour basis. It is intended that the construction phase would take 18 months from start to finish with construction working hours proposed to be 0700 to 1900 weekdays and 0700 to 1300 on Saturdays.

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Main Planning Policy Designations

16. There are no site-specific policies or planning and environmental designations covering Aylesford WWTW. The site is however considered to be in the Countryside and has a number of adjacent designations. Policies in the Kent and Medway Structure Plan and Tonbridge and Malling Preferred Options Report seek to protect the countryside but recognise there may be occasions when the need and nature of a proposed development may be acceptable in such locations. The nature of the WWTW means that traditionally they have been developed within the countryside, away from large population concentrations. The proposed expansion of the Aylesford SRC is required to meet improvements in treatment standards and growth of sludge arisings.
17. There are a number of employment areas allocated close to the WWTW within the Island Site. Immediately west of the WWTW, land is designated for industrial uses. A further allocation extends northwards along the River Medway, 30m from the site boundary. Here the allocation is for General Industrial Use and Open Storage Uses. Access to these sites is currently via Bull Lane.
18. Less than 100m north east of the WWTW is a significant area of land reserved for possible strategic housing provision. Policy P2/8 of the Tonbridge and Malling Borough Local Plan safeguards the land for its potential for meeting residential needs in the post 2011 period or earlier, should the need arise. The Local Development Framework Issues Report (2003) stated the intention to retain the safeguarding in the period up to 2021, in particular to capitalise on the significant recreation, nature conservation and transportation improvements that development could bring about for the East Bank of the River Medway. The Preferred Options Report published in 2005, takes this further by seeking to further expand the Area of Opportunity to include additional land around the WWTW and furthermore, incorporate the land into the Strategic Gap.
19. The WWTW is surrounded by land allocated as Strategic Gap to the north, east and south of the site where development will not be permitted which significantly extends the built confines of existing rural settlements or urban areas reserved for development. The proposed development, being within the existing operational area, would not affect the functioning of the Strategic Gap or any future proposed expansion of the Gap.
20. An Area of Local Landscape Importance is designated immediately south of the WWTW. In these areas development will not be permitted which would materially harm the landscape character of the area. The area west of the Friars is considered to be important in maintaining its rural setting. The Friars itself dates back to the 13th Century and is designated both as an Historic Park and Garden and a Conservation Area and contains a number of listed buildings.

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Planning Policy Context

21. There is a range of planning policy implications relating to the proposed scheme. The Supporting Statement and Environmental Report provides an overview of the key policies and guidance at European, national, regional and local levels, a summary of the relevant policies follows:

Government Guidance

22. Circular 17/91 – Water Industry Investment: Planning Considerations
Circular 06/05 – Biodiversity and Geological Conservation
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|-----------------------------------|---|
| Planning Policy Statement 1: | Delivering Sustainable Development |
| Planning Policy Statement 7: | Sustainable Development in Rural Areas |
| Planning Policy Statement 9: | Biodiversity and Geological Conservation |
| Planning Policy Statement 10: | Planning for Sustainable Waste Management |
| Planning Policy Guidance Note 13: | Transport |
| Planning Policy Guidance Note 17: | Planning for Open Space, Sport and Recreation |
| Planning Policy Statement 23: | Planning and Pollution Control |
| Planning Policy Guidance Note 24: | Planning and Noise |
| Planning Policy Guidance Note 25: | Development and Flood Risk |
| Planning Policy Statement 25: | Development and Flood Risk (consultation draft) |

Circular 17/91 – Water Industry Investment: Planning Considerations – acknowledges that local planning authorities have a key role in facilitating water industry development proposals. It confirms a presumption in favour of the expansion of wastewater treatment facilities in the interests of long term wastewater management, providing the need for such facilities outweighs any adverse land use or environmental impact, and that any such adverse impact is minimised. The circular advises, “*in considering development proposals expeditiously, local planning authorities should nevertheless assess and weigh thoroughly all material considerations and any conflicting demands*”.

Regional Policy

23. RPG 9 – Regional Planning Guidance for the South East 2001

The regional context for the proposed scheme is set out in RPG9, which identifies the following key development principles for the region:

- Urban areas should be the main focus for development,
- Greenfield development should normally take place only after other alternatives have been considered,

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- Protection and enhancement of the region's biodiversity, landscape and built and historic heritage.

RPG 9 calls for local authorities to establish or maintain ongoing liaison with the Environment Agency and sewage statutory undertakers in order to ensure timely and sustainable provision of infrastructure for the supply of water, sewage treatment and discharge systems.

The South East Plan (Regional Spatial Strategy)

24. The Planning and Compulsory Purchase Act 2004 sets out the statutory basis for a new system of spatial planning, based on Regional Spatial Strategies (RSS) and Local Development Frameworks. The South East England Regional Assembly (SEERA) is the responsible body charged with undertaking the preparation of the RSS for South East England, 'The South East Plan', which will set out the development framework for the period to 2026.
25. The Draft South East Plan was published for consultation in January 2005 and on 29 July 2005 the Draft South East Plan Part 1: Core Regional Policies was handed to Government. The full plan, to include Part 2 – sub-regional details was submitted for Government approval on 31 March 2006, with an examination in Public due to commence in late 2006.
26. In addressing wastewater and waste issues, the South East Plan takes 'Sustainable Natural Resource Management' as its theme. Its aim is to ensure greater efficiency in the use of natural resources, the reduction of pollution and waste and ensure that features of importance are protected and enhanced, including wildlife and landscapes.
27. The Plan recognises that with a growing population, extra demands will be placed on sewage treatment infrastructure and waters receiving effluent. Policy NRM1 deals with Sustainable Water Resources, Groundwater and River Water Quality Management and promotes a twin-track approach to demand management and water resources development, including the provision of wastewater infrastructure. Development should not give rise to unacceptable deterioration of water and should be in step with current and planned wastewater treatment infrastructure. Local Authorities are expected to work with water and sewerage companies and the Environment Agency to identify infrastructure needs and allocate areas and safeguard these for infrastructure development.

Draft Regional Economic Strategy for South East England, 2002-2012

28. Effective infrastructure and the sustainable use of natural resources are key objectives of the Regional Economic Strategy (RES). Priority 18 of the RES calls for sustainable management of water, waste and energy.

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The Kent and Medway Structure Plan

29. The Plan notes that water companies are “investing heavily in upgrading (wastewater) treatment processes provided at coastal sites”. The proposed policy for wastewater is Policy NR9, the relevant part of which states:

“The development of new or expansion of existing water supply or wastewater facilities will be supported where:

*There is a demonstrable need to serve existing and/or development proposed in accordance with the development plan; and
This represents the best environmental option; and
Land use and environmental impacts are minimised through appropriate mitigation.”*

The following policies are also relevant to this proposal:

SP1	seeks to conserve and enhance Kent's environment and ensuring a sustainable pattern of development.
SS3	seeks protection of Strategic Gaps
EN3	seeks to conserve, protect and enhance Kent's landscape and wildlife.
ENV8	seeks to protect, conserve and enhance biodiversity
QL11	seeks protection and enhancement of existing community facilities
QL17	protection and enhancement of public rights of way
TP3	seeks development to be located where there is a good choice of transport
TP15	seeks development which generates significant increases in traffic, especially HGV's, to be well related to the primary and secondary road network.
NR5	development should be designed to avoid or adequately mitigate, pollution impacts.
WM2	proposals should demonstrate that they represent the best balance between the most efficient and most environmentally sustainable method of managing a specific type of waste.

Kent Waste Local Plan 1998

30. The Kent Waste Local Plan 1998 recognises that the Urban Waste Water Treatment Directive will require the provision of additional treatment facilities. There are no specific policies for wastewater treatment in the Waste Local Plan. However the Plan correctly predicts, “Compliance with the EU Directives will lead to an increase in the quantity of sewage sludge created within Kent. At present, most sewage sludge within the County is used as a soil enhancer for agricultural land. The future of current agricultural practices is uncertain and it is likely that more advanced treatment will be required prior to applications to the land.”

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31. The relevant text concludes, “*Proposals for new wastewater treatment and sludge treatment works or extensions to existing works will be supported in principle.*”
32. Under the new planning system, the Kent Minerals and Waste Development Framework (MWDF) will replace the existing Waste Local Plan. ‘Preferred Options’ on the Waste Development Documents are expected to be published in January 2007.

Tonbridge and Malling Borough Local Plan

33. There are no site-specific policies in the Local Plan or designations covering Aylesford WWTW. The planning designations surrounding the site are discussed earlier in the report.

Consultees

34. **Tonbridge and Malling Borough Council:** Object on the following grounds:

- The local highway network of Bull Lane through the village of Eccles and its junction with Pilgrims Way is inadequate to accommodate the significant increase in Heavy Goods Vehicles without resulting in hazardous highway conditions for road users and pedestrians;
- The stated fall back position does not appear to be correct, as it is implied that the number of HGV movements will be in the same order than those predicted with the SRC. This indicates that the amount of sludge produced at Aylesford would be of similar order to the rest of West Kent. However, the existing and proposed sludge production tables on pages 18 & 19 show that the rest of West Kent deals with a greater proportion of sludge than Aylesford, not of a similar order;
- The increase in traffic movements will result in significant disturbance and harm to the residential amenity of the properties fronting onto Bull Lane;
- The proposed handling, storage and transportation of the digested sludge will result in odour nuisance unless an appropriate management plan can prevent the re-wetting of sludge and resultant production of ammonia;
- The development will result in the harmful impact on the quality of water through the discharge of water from the sludge recycling centre into the River Medway;
- The level of odour emissions should be assessed at the lower 10µgE/Cubic metre standard as this is a substantial new build, rather than relying on the 50µgE/Cubic metre standard for existing premises.

Aylesford Parish Council: Strongly objects to the project based on the current proposals for transport arrangements and the effect these would have on the village of Eccles. The Parish Council would wish to see the re-opening of the alternative rear access situated to the west of the site considered. The re-opening of this access could be considered in line with other site developments proposed by SCA. The expansion of the WWTW should not

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be opened until the new Court Road, Burham By Pass is created in conjunction with the new proposed river crossing.

Burham Parish Council: If planning permission is granted road improvements are necessary at the junction of Bull Lane/Pilgrims Way, the sight lines in this particular area are very restricted due to the layout of the roads. A code of conduct for all vehicles entering and exiting the site if no other access route is available. Vehicles should obey a 20 mph speed limit down Bull Lane in Eccles

English Nature: no objection, subject to no development commencing until a detailed mitigation programme for slow worms following good practice guidance is submitted and agreed.

Kent Wildlife Trust: no objection subject to conditions securing the proposed mitigation and compensation measures detailed in the application.

Environment Agency: no objection subject to appropriate groundwater and contaminated land mitigation measures, the present discharge consent being complied with, and appropriate dewatering licenses being applied for.

SEERA: consider the proposal does not conflict with or prejudice the implementation of the current regional spatial strategy (RPG9) and the Government's Proposed changes to the Regional Waste Strategy.

English Heritage: advise the application should be determined in accordance with national and local policy guidance.

Divisional Transport Manager: The Bull Lane/Pilgrims Way junction has a good safety record and tunnels under Bull lane are found to be stable. Following recent traffic calming improvements in Eccles, undertaken by Kent Highways, there has been requests for an additional central pedestrian island to be placed near to the recreation ground (adjacent to Alma Road), so as to help address community severance and give easier access to the school, church, shop and recreation ground. I understand that Southern Water is willing to enter an agreement to provide such a facility. Furthermore Southern Water is also willing to avoid traffic accessing its site to avoid school start and finish times which is to be welcomed. The footpath to the south of the village narrows and runs out on the eastern side at a point where pedestrian continuity transfers to the western side of Bull Lane. This crossing point represents the best place to cross on this section of road. Sight lines are adequate and there has been no history of crashes here in over 10 years. It is considered that for the section of footway that runs adjacent to the carriageway here on the eastern side, an improvement to the width of the footway and thereby to the safety of pedestrians, could be made simply by removing loose material that has accumulated at the back of the footway. This should be funded by the applicant and be undertaken at an early stage. The maximum number of HGV movements should be conditioned to 42 per day and permanent automatic

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traffic counters should be installed within the site access and data shared with the proposed community liaison group. The applicant has shown via the Transport Assessment (TA) that lorry movements are not prejudicial in terms of operational capacities to the junction of Bull Lane with the site access or the junction of Bull Lane with Pilgrims way. Appropriate visibility splays and right turning facilities are achievable subject to agreement with the Highway Authority. It is understood that whilst the construction phase is identified in the TA as a busy period, this does not conflict with the maximum HGV movement proposed above.

Jacobs (noise, dust and odour): no objection

Jacobs (landscaping): adverse effects generally slight hence no objection subject to appropriate planting and landscaping mitigation.

PROW: no objection

KCC Biodiversity Officer: no objection subject to mitigation strategy for reptiles and a biodiversity strategy being submitted, the employment of an ecological clerk of work and the avoidance of the bird breeding season.

County Archaeologist: no objection

Local Member

35. The Local Member, Mr Geoff Rowe was notified of the application on 15 December 2005. At the Members site visit Mr Rowe supported the local residents in objecting to the scheme.

Publicity

36. A neighbour notification exercise has been undertaken, the proposal advertised and several site notices posted in the surrounding areas. Approximately 544 letters of objection have been received (241 of which came via the local MP). The following points are made:

- The proposal will result in an unacceptable number of large vehicles transporting sewage through the village Eccles on roads which are totally unsuitable for any additional traffic, thereby increasing the risk of traffic congestion and accidents.
- There are usually cars parked along Bull Lane in the village reducing the width so that vehicles already have to stop and give way to each other., this proposal will only matters worse.
- The increase in traffic associated with the proposal will pass by the local schools and important play area resulting in dangerous road conditions for elderly, mothers with pushchairs and children.

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- The footpath from Aylesford Eccles is dangerous and too narrow for a mother to walk with a pushchair and other children as it is regularly overgrown with weeds, brambles and nettles.
- The route through the village of Eccles is already used by HGV's accessing the Island site and vehicles using the existing sewage works with the result that two lorries cannot pass each other and often mount the kerb; and they often travel at high speed with no regard to other road users and pedestrians.
- The junction of Bull Lane and Pilgrims Way is already an accident blackspot; adding further traffic here can only make matters worst.
- There are alternative routes out of the sewage works site that could be used with little effect on the villagers of Eccles.
- The unbearable smell from the sewage works forces us to keep our windows closed during the summer months and an expansion of this facility can only make matters worst.
- The tunnels that run beneath Bull Lane are structurally unsound.
- The Friars at the bottom of Bull Lane hold many events throughout the year already generating a significant volume of traffic through Eccles.
- Pollution levels from the extra traffic would rise significantly to the detriment of the village.
- Other sites within Kent are more suitably located for a sludge treatment facility.

37. The local MP Jonathan Shaw supports the local residents' strong objections to the scheme.

Discussion

38. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. There is a significant policy emphasis on supporting the provision of improvements to the wastewater infrastructure. It is acknowledged that the water industry is required to meet the increasingly stringent standards for water quality and sludge treatment set out in European directives. However this cannot be at any cost. It is therefore necessary to consider, in accordance with safeguarding policies, the environmental and amenity impacts the proposed development may have upon the existing surroundings. The report will discuss the main impacts in the following paragraphs. Although this application did not require an Environmental Impact Assessment the Applicants did consider alternative sites as part of a regional study prepared to consider the potential alternative locations and options for a sludge treatment facility in this part of Kent. The supporting statement and environmental report (SSER) accompanying the planning application explains the choice of sites and treatment methods and I will start with an examination of these considerations.

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Alternatives Sites

39. The Aylesford sludge recycling scheme forms an integral part of Southern Water's Sludge Strategy for Kent which itself was prepared in the light of Government Guidance for sustainable waste management (PPS10) and of emerging regional spatial strategy and the County Council's own Waste Development Framework. PPS10 advises planning authorities that "the planned provision of new (waste management) capacity and its spatial distribution should be based on clear policy objectives, robust analysis of available data and information, and an appraisal of options and the application of sustainability appraisal". The methodology used to identify the preferred option for sludge treatment in Kent followed a similar approach and is set out in detail within the supporting statement and environmental report. The study is submitted to inform the planning application. The study looked at end use options, sludge treatment options and then further considered those options against objectives, such as use of resources, health impacts, traffic, feasibility and deliverability and so on.
40. Having identified a preferred option for treating the sludge this was then considered against a series of siting and locational criteria. The preliminary appraisal process identified 6 sites that were then considered in further detail, Aylesford, Ham Hill, Edenbridge, Tunbridge Wells North, Tunbridge Wells South and Bidborough. The SSER concludes that Aylesford is the optimum location. The other sites are either more remote, not technically feasible or would involve development that would be a major departure from the development plan. I am satisfied with this conclusion, however following Ham Hill being proposed by a number of residents in Eccles as a better location than Aylesford (largely because of its location adjoining the strategic highway network) the Applicants have revisited the selection process as far as it relates to this site. They have given significant attention to the existing uses, land availability, sensitivity of surrounding areas and the need to make provision for future expansion of the wastewater treatment facilities to meet future catchment growth. They conclude that to develop an SRC at Ham Hill would result in the need to relocate wastewater tankering, the development would have significant visual impact and there would then be no room for future growth. Ham Hill along with Tonbridge and Edenbridge Wastewater Treatment Works (WWTW's) would still need to act as intermediate sludge recycling centres to dewater liquid sludge and hence reduce the volume before onward transfer to the main centralised sludge recycling centre. This by itself may result in the need for some additional facilities, irrespective of meeting growth in population within their own catchments.
41. Aylesford WWTW by contrast is the main works providing treatment for the Maidstone Urban Area and covers 15ha. Of all the WWTW's within the study area it produces by far the greatest volume of indigenous sludge (2,535 tds/y by 2015 compared to the next largest producer Ham Hill which would have an output of 1,465 tds/y). It is worth noting that even if the SRC were built somewhere other than Aylesford the liquid sludge arisings from its own catchment would need to be tankered away for treatment at the regional SRC. The flows of HGV traffic associated with this would be greater than those associated with this application

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and could be generated without any planning control. I will discuss the traffic issues further later in my report.

42. I am satisfied that the Aylesford scheme was selected following a comprehensive and robust strategic assessment of sludge disposal, treatment and siting options. It should be remembered that the County Council has to consider the application in front of it not all the alternatives and therefore I shall now turn to consider the specific environmental issues arising from the proposed development at Aylesford.

Traffic

43. Members may recall that similar traffic concerns were also raised for a partly retrospective application submitted in 2003 for the infilling of storage lagoons using inert wastes on the nearby Island Site. This proposal also involved the use of Bull Lane through Eccles by HGV traffic. In considering this application (Ref TM/03/487), Members resolved to impose conditions restricting HGV movements to no more than 100 per day and the controlling of timing of these movements to a submitted code. As a consequence of this permission a vehicle monitoring group which was given a remit to review HGV movements in the area was established. This met several times in 2003 but has not met since the completion of infilling at the Island Site.
44. The SSER submitted with this application considers alternative proposals to access the site, across the Cemex quarry to Rochester Road and accessing the site from the north west utilising the private access track within the Island Site. It also considers the use of rail transport and river transport. It concludes that these alternatives are not viable or environmentally acceptable. The Transport Assessment submitted with the application concludes that the existing highway network has the capacity to accommodate the increase in vehicle movements and consequently it is proposed that the existing northern most access is used to enter and exit the application site. It is proposed that new passing bays be provided along the private access track which is shared with Cemex vehicles accessing the adjacent sand quarry. It is also proposed that the existing junction (and thus visibility) with Bull Lane is improved. The Divisional Transport Manager concurs with these conclusions.
45. As discussed above, the proposal would without doubt result in an increase in traffic accessing the public highway. The reasons for this are twofold. Firstly the SRC would be a centralised treatment centre for the West Kent catchment and therefore imports into the site would increase. Secondly due to the increased volumes of sludge being taken into the site the volume of treated sludge cake for export to agricultural land would also increase thereby resulting in an increase in HGV traffic both to and from the site. This has been a significant area of concern for local residents, as evidenced by the earlier application for infilling on the Island Site, who do not consider that Bull Lane is adequate to accommodate this additional traffic and are concerned that the junction with Pilgrims Way is unsafe. The Divisional

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Transport Manager has commented that the junction has a good safety record because drivers do approach with caution. Following further investigation he has also been able to confirm that the two tunnels beneath Bull Lane are both structurally sound.

46. I have had regard to the concerns of local residents and have asked the Applicants to give further consideration to traffic generation from the proposed scheme. As a result the Applicants have submitted an Operational HGV Traffic Regime, which looks at management of HGV movements. The traffic forecasts have now been further clarified and are now lower than those presented in the planning application. The planning application predicts an average of 32 visits (64 movements), with a maximum of 63 visits (126 movements). The operating regime estimates traffic to be, during normal operations, 17 visits (34 movements) during import only periods and 37 visits (74 movements) during import and export periods. The import and export periods is estimated to be for 12 periods within each year; the length of operations will depend upon agricultural demand for sludge and the distance from the SRC where the number of HGV visits may rise to 42 (84 movements). The main reason for the reduction is that Southern Water has agreed to divert liquid sludge imports to Ham Hill for dewatering, which greatly reduces their volume, before export to Aylesford SRC. It is proposed that HGV movements in and out of the works be restricted to 0700-1800 Monday to Friday and 0700-1300 on Saturdays, although it is not anticipated that there will be any HGV movements associated with the SRC on Saturday mornings. Furthermore, no HGVs would leave the works or be accepted into it a quarter of an hour before and after school start and finish times in Eccles. The Applicant has also suggested that a liaison group for the Aylesford WWTW and SRC be established. These proposals are similar to the controls which were required by condition in the permission granted in May 2003 for the Island Site.
47. The Divisional Transport Manager comments that he welcomes the opportunity to establish a liaison group with particular regard to traffic monitoring but he considers that it would be appropriate to condition the upper limit of HGVs to 42 a day. He also considers that it would be appropriate to further secure a financial contribution towards pedestrian improvements along Bull Lane. These being a pedestrian traffic island near to the main pedestrian entrance to the recreation ground (adjacent to Alma Road) and some footway clearance and widening along part of Bull Lane.
48. It should be borne in mind that even if the SRC is not located at Aylesford the number of vehicle movements likely to be generated in association with the need to transport liquid sludge from Aylesford would be similar those generated as a result of this SRC proposal. This export of liquid sludge to another site would take place without any opportunity for any planning control. Locating the SRC at Aylesford presents the possibility to place restrictions on HGV movements, secure highway safety improvements and traffic management measures.
49. To summarise, whilst I appreciate the longstanding concerns of local residents to traffic using Bull Lane, the Divisional Transport Manager raises no objection subject to imposition of conditions on traffic movements and timing. If Members are minded to grant permission I

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recommend that in addition, Southern Water be requested to re-establish a new Liaison Group to replace the vehicle monitoring group which met on several occasions in 2003.

Odour

50. The potential for odour nuisance from this site is not surprisingly another major concern amongst local residents and for the Borough Council. The closest residents at Corporation Cottages (former workers cottages on site) have also expressed concerns about odour. The SRC proposals would improve upon existing odour control within the works. It is proposed that an Odour Management Plan for the SRC would set stringent operating standards that would have to be met. Proposed mitigation measures seek to reduce odour emissions by a combination of best practice, best practicable means and use of appropriate technology. However Tonbridge and Malling Borough Council raise particular issues about odour emanating from re-wetted sludge and the odour compliance monitoring level that is proposed. The Applicants have clarified that in their experience re-wetted limed sludge is a potential source of ammonia odour but that re-wetted digested sludge is not and liming operations at the site would cease as a result of the proposed scheme. The Applicant's interpretation has been confirmed by DEFRA (Department for Environment, Food and Rural Affairs) the authors of the 'Code of Practice on Odour Nuisance from Sewage Works. Jacobs the County Councils odour consultants raise no objections to the proposals and are satisfied with the odour monitoring standard and scope for the proposed odour management plan.

51. The applicants have responded to TMBC's comments that the level of odour emissions should be assessed at the lower 1 ouE/m³ standard as the proposal is substantial new build and not at 5 ouE/m³ as proposed. They dispute that this proposal represents a substantial new build and refer to other KCC decisions (including Ashford WWTW's in June 2006 and the Margate and Broadstairs schemes in January 2005) where the latter standard has been approved. Jacobs have confirmed that they accept that the standard proposed by the applicants is acceptable.

Ecology

52. The WWTW is considered to be of limited ecological value but some protected species have been identified at the site. The Applicant would be required by condition to submit a Code of Construction Practice which would include a commitment to:

- working in accordance with a badger licence from DEFRA;
- preparing a reptile mitigation strategy, which includes enhancing reptile habitat within the WWTW;
- employing an ecological clerk of works; and
- precautions to avoid disturbance to nesting birds.

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English Nature has no objection to the proposals subject to the provision of a mitigation programme for slow worms following good practice guidance. Kent wildlife Trust has no objection in principle to the proposals subject to a condition securing the mitigation and compensation measures contained in the SSER.

53. There will be no significant impact, arising from the minor change to the WWTW discharge, on the Burham Marshes SSSI, which is 12km downstream of the WWTW and this would still be within the current discharge consent. The Environment Agency do not object to the proposals.

Landscape

54. The WWTW is located within a landscape of varying quality and was the subject of a landscape and visual assessment. The embankments formed by the adjacent mineral extraction works largely screen the SRC. The majority of these embankments are vegetated by scrub and trees, which is likely to develop over time. Additionally, it is proposed to extend a large internal vegetated mound which already helps to screen the site from external views. This mound would be increased in size by utilising suitable materials from structures currently on site which are to be demolished as part of a current asset management scheme. The enlarged bund will then be planted using appropriate species. These proposals would also have the added benefit of expanding the variety of planting and thus the diversity of species habitat. The County Council's landscape advisers is satisfied that the 'slight' adverse effects on countryside character could be mitigated through appropriate hedge planting and other landscape works; and the 'very slight' adverse visual impacts on residential properties and slight adverse visual impacts on public footpaths could be reduced through appropriate landscape works.

Conclusion

55. The existing sludge treatment facilities in Kent are insufficient to meet future needs resulting from more stringent standards and population growth. The Applicants in reviewing their Sludge Strategy for Kent have identified a need to extend treatment capacity and capability for both east and west Kent. 'Doing nothing' is not an option because it would lead to significant volumes of sludge either not being treated to the required standard for recycling to agricultural land, or not being treated at all. The Aylesford SRC is designed to deal with the increase in sludge arising in the West Kent catchments. This site has been chosen following a comprehensive sustainability appraisal of alternative treatment and location options.
56. There is considerable policy support for the provision of improvements to the wastewater infrastructure. It is acknowledged that the water industry is required to meet the increasingly

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stringent standards for water quality and recycling of sludge set out in European directives. The need for the development is outlined above and given the policy support for such infrastructure improvements is considered in principle to be in accordance with the development plan. There is of course, always the potential for significant environmental impact resulting from such proposals and the choice of site. Following the presentation of Aylesford as the favoured location the SSER highlights that the physical redevelopment of Aylesford WWTW would be limited and that it would benefit from the re-use and modification of the existing sludge treatment units. The proposal also offers the opportunity to improve the access road and junction with the public highway as well as improving landscaping within the site and thus species diversity. Furthermore an odour management plan could be adopted for the SRC, incorporating an odour control regime where none presently exists of the same order as those likely to be generated by this proposal. I am satisfied that with appropriate mitigation as discussed above the proposed improvements are both necessary and acceptable and hence recommend that planning permission be granted.

Recommendation

57. I RECOMMEND that subject to the prior completion of a legal agreement to secure a financial contribution towards the highway safety improvements discussed in the report above (and any other matters appropriately covered by legal agreement) PLANNING PERMISSION BE GRANTED subject to conditions covering amongst other matters, time limit, details of materials, hours of operation for vehicle movements, submission of traffic operating regime, submission of a code of construction practice, submission of an odour management plan, limits to the number of HGV's, avoidance of school start and finish times for visiting HGVs, mitigation measures for ecological interests and landscaping details.
58. I FURTHER RECOMMEND that Southern Water be requested to instigate the setting up of a community liaison group to involve representatives from the local community and Parish and District Council representatives.

Case Officer: Andrea Hopkins

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Background Documents - see section heading
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Appendix 1

APPLICATION TM/05/4134 – PROPOSED EXPANSION AND IMPROVEMENTS TO THE SLUDGE RECYCLING CENTRE AT AYLESFORD WASTEWATER TREATMENT WORKS, BULL LANE, AYLESFORD

NOTES of a Planning Applications Committee Members' site meeting at Aylesford Wastewater Treatment Works on Tuesday, 21 March 2006.

MEMBERS PRESENT: Mr R E King (Chairman), Mr J A Davies, Mrs E Green, Mr G A Horne, Mr T A Maddison, Mr J I Muckle, Mr W V Newman, Mr A R Poole and Mr F Wood-Brignall. *Mr G Rowe was present as the Local Member.*

OFFICERS: Mrs A Hopkins and Mr M Hare (Planning); Mr T Drury (Kent Highways) and Mr A Tait (Democratic Services).

THE APPLICANT: Southern Water: Mr P Kent; Mr M Ayres (AD); Mr M Hendry and Mrs S Ellis (Adams Hendry)

OTHER LOCAL AUTHORITIES: Tonbridge and Malling BC: Cllrs Mrs C Ridsdill-Smith, D Davis, D Dalton; Mr A Hill (Planning); Aylesford PC: Cllrs Walrond, Leach, Stokes; Mr Flindell (Clerk)

ENVIRONMENT AGENCY: Mr R Kenway and Mr J Priddey.

ALSO PRESENT were three members of the public who had been invited by the Chairman to join the site inspection.

- (1) Prior to the meeting, Members met about 40 local residents outside the site gates. The Chairman thanked them for indicating the strength of feeling about the traffic implications of the application and invited them to send a few representatives to join the visit.
- (2) The Chairman opened the meeting by explaining that its purpose was for Members of the Committee to see the application site and listen to the views of those present.
- (3) Mrs Hopkins introduced the application by saying that Southern Water currently treated sludge so that it could be used as an agricultural soil conditioner. This

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treatment took place on site at the Sludge Recycling Centre (SRC). As sludge treatment standards were now becoming more stringent, a number of Southern Water's facilities needed to be modernised.

- (4) Mrs Hopkins went on to say that it was intended that the existing West Kent sites at Ham Hill, Tonbridge and Edenbridge would continue as intermediate sites, before transporting sludge to Aylesford. The applicants had said that locating to Aylesford would involve the fewest number of vehicles of all the options available.
- (5) Mrs Hopkins then pointed out the location of the proposed sludge cake silo and additional treatment plant. She explained that after digestion and dewatering, the treated product would be transported to the cake storage bay for a period of 70 days. It would then be treated in the Waste Water Treatment Works with the purified liquid being discharged into the River Medway. The hours of operation at the site would be 7am to 6pm on weekdays and 7am to 1pm on Saturdays. The plant itself operated on a 24 hour basis, so access to the site might be needed outside these hours for maintenance or emergencies.
- (6) Mrs Hopkins continued by saying that construction was expected to take place over an 18 month period, including 15 weeks for commissioning. The hours of construction activity would be 7am to 7pm on weekdays and 7am to 1pm on Saturdays.
- (7) Mrs Hopkins then turned to the question of access. This was shared with Cemex. The proposal was to widen the access road and improve access onto Bull Lane. The proposal would generate 32 HGV visits (64 movements) per day, via Pilgrims Way and Bull Lane. There would be additional sludge tankers, sludge import trucks and sludge cake export vehicles.
- (8) Mrs Hopkins said that the Borough Council's Development Control Committee was due to meet in two day's time. The County's Biodiversity Officer had responded to consultation by asking for a detailed mitigation strategy for reptiles. He had also asked to see details on badgers, bat roosts and enhanced biodiversity. In addition, there had been a large number of representations from local residents and the local MP. These were principally concerned over the traffic impacts of the proposal.
- (9) Mr Kent from Southern Water said that the site had been chosen after a great deal of thought. It was the best possible site for the proposed operation.
- (10) Mrs Ellis (Adams Hendry) said that the operation currently generated 30 vehicle movements per day. The figure for vehicle movements given in the proposal took

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these movements into account.

- (11) Mr Davies asked how many HGV movements took place daily along Bull Lane through Eccles. Mr Drury (Kent Highways) replied that he was not aware of the HGV figure but that the figure for all vehicles was 2,000 per day. He said that he would investigate what the overall figure for lorries was.
- (12) Mr Poole asked whether the sludge could be collected elsewhere. Mr Kent said that most of the sludge came from the sewer. It would not be economic to put in a pipeline for the quantities involved.
- (13) Mrs Hopkins said that the volume of sludge brought on site would be determined by condition. This amount could only be brought in along Bull Lane as the only possible alternative route through Aylesford Village was closed to vehicles of this size.
- (14) Mr Stokes (Aylesford PC) said that he was curious about the proposed hours of operation. Lorries were already travelling to the site, starting well before 6am, travelling down Bull Lane throughout the night. They were also working on Sundays.
- (15) Mr Kent said that, at present, there were no constraints on working arrangements at the site. Conditions on hours of working could only be imposed if permission were granted.
- (16) Mr Kent replied to a question by saying that Southern Water did not take water from the River Medway. Discharge into the river had Environment Agency consent.
- (17) Mr Couch (a local resident) suggested that another access route could be built between the villages of Burham and Eccles. He asked why Southern Water had not held discussions with the neighbouring landowners, Trent Hall with the aim of reducing traffic impact. This was particularly important as it was likely that the number of tankers entering and exiting the SCA Island site would also increase.
- (18) Mr Hill from Tonbridge and Malling BC said that his Council would be considering a report on this application in two day's time. Officers were recommending a strong objection on the grounds that the local highways network was inadequate to cope with the significant increase in HGVs; that there would be a harmful impact on residential amenity and properties arising from the additional traffic; that the handling, storage and transportation of the digested would result in odour nuisance unless an appropriate management plan could prevent the rewetting of sludge and resultant production of ammonia; and that air quality would deteriorate for the

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residents of Corporation Cottages. He asked the Committee Members to note that the Environmental Statement did not cover the question of air pollution despite the flare stacks and boilers that formed part of the application.

- (19) Mr Leach (Aylesford PC) said that the application neglected the fact that it would result in serious concern arising from its major impact on the village. He said that a similar application had been refused in 1993 on the grounds of traffic impact. He was aware that the applicants had undertaken a survey that had not treated the road network as a significant matter.
- (20) Mr Walrond (Aylesford PC) said that the number of HGV movements proposed was 64, whereas it had been 126 in 1993. There was concern throughout the village that the number of such movements could eventually escalate beyond the figure initially conditioned.
- (21) Mrs Ridsdall-Smith (Tonbridge and Malling BC) said that a large number of coaches travelled to the Friars. It would be impossible for these coaches and HGVs to pass one another. She asked whether the applicants had consulted them on their proposals. Mr Kent confirmed that the Friars had been consulted on this question.
- (22) Mr Davies (Tonbridge and Malling BC) said that Bull Lane had seen a number of accidents as a result of its layout and narrowness. Furthermore, the Pilgrims Way dual carriageway to the north of Bull Lane was not in the best of condition. Vehicles could and had turned over. Whenever this happened, Burham, Wouldham and Eccles became cut off from the rest of the road network.
- (23) Mr Dalton (Tonbridge and Malling BC) asked Members to note a pending traffic calming scheme along Bull Lane to cope with its current traffic problems. This would be jointly funded by KCC and Tonbridge and Malling at a cost of £40k.
- (24) A resident from Bull Lane said that this road was not suitable even for the limited amount of traffic that used it at present. Only the previous week, a bus had digressed from the road onto the path. The proposed development represented a major construction for today's world. It needed to be served by a more modern road such as the dual carriageway that served Ham Hill. In the past, Bull Lane had been a cart track. Now it was being asked to cater for enormous vehicles without any significant improvements having ever been undertaken. This would only get worse as ever more houses were built, producing ever more sludge. He also believed that the stench from the development would represent a health hazard for the entire village. An alternative site needed to be found.

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- (25) Another local resident questioned whether it would be feasible to maintain a code of conduct. She did not believe that it would be possible to stop HGVs mounting the kerb, as the drivers would simply not care whether they did so or not. She said that as the HGV drivers currently disobeyed the law by using mobile phones whilst driving, it was unlikely that they would conform to a code of conduct.
- (26) Mr Rowe (Local Member) said that no less than half a million people visited the Friars each year. The figure for HGV movements along Bull Lane could be found by reading through the report on the SCA application in 2004.
- (27) Mr Rowe went on to say that the local residents were concerned that the road infrastructure was not suitable for an increase in large tanker movements of up to 126 per day. This would equate to 5 per hour throughout the day if these movements were over 24 hours. If there was an 8 hour day, this figure would rise to 15 per hour (11 per hour if the movements were contained within the 7am to 6pm hours of operation). All in all, this would amount to 1 movement every 5 minutes. Such an increase would destroy the quality of life for Eccles residents and would also make Bull Lane unsafe. It would be impossible in places for one of these tankers to pass other vehicles (particularly large ones such as double decker busses). There was evidence, reported by residents that vehicles already had to mount kerbs and overrun the verges.
- (28) Mr Rowe then said that the people of Eccles were concerned that a tunnel under Bull Lane would not be able to sustain continuous use by HGV vehicles over a protracted period. There was a similar concern over a similar weakness at the western side of the entrance to Bull Lane/Rochester Road. These concerns would need to be investigated by the Planners.
- (29) Mr Rowe then turned to the question of odour emissions. He said that these were already intolerable at times and would be compounded by this extended operation. The extent of putrescent odour was such that people often had to leave their gardens and go inside. If approval was granted, odour nuisance would not only affect Burham and Eccles residents, it would also affect other areas over whichever routes the lorries took. Whilst he accepted that improved odour management measures might be brought in, this would need to be measured against greater productivity. He noted the views of the Borough Planners that there could be a health effect on the residents of Corporation Cottages due to reduction of air quality.
- (30) Mr Rowe also said that there were concerns about the robustness of nature conservation initiatives and added that the Borough Council had stressed the need to protect slow worms.

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- (31) Mr Rowe concluded by saying that many of the local residents would like the opportunity to bring their local experiences to the attention of Members of the Planning Applications Committee and would like a public meeting in order to do so.
- (32) Mr Kent said that although the sludge dryer was not going to be changed (as was the case at Ashford), the application represented an opportunity to produce an odour management plan.
- (33) Mrs Ellis said that the application contained the introduction of a significant odour control system.
- (34) The Chairman thanked everyone for taking part in the meeting. The notes would be appended to the Head of Planning Application Group's report to the determining Committee meeting.