

## Item C2

### **AS/0256/2011 – Operation of a Waste Transfer Station as permitted under AS/06/4 and extended under condition (1) of permission AS/10/1010. Land at Waterbrook Park, Waterbrook Avenue, Sevington, Ashford. Robert Brett & Sons Limited.**

A report by Head of Planning Applications Group to Planning Applications Committee on 11 October 2011.

AS/0256/2011 – Application to vary conditions (2) and (7) of Planning Permission AS/10/1010 to allow for a minor re-alignment to the approved site access intended to serve the Waste Transfer Station. Waterbrook Park, Waterbrook Avenue, Sevington, Ashford (MR. 921 674)

Recommendation: Permission BE GRANTED subject to conditions.

Local Member: Mr G Koowaree and Mr A Wickham

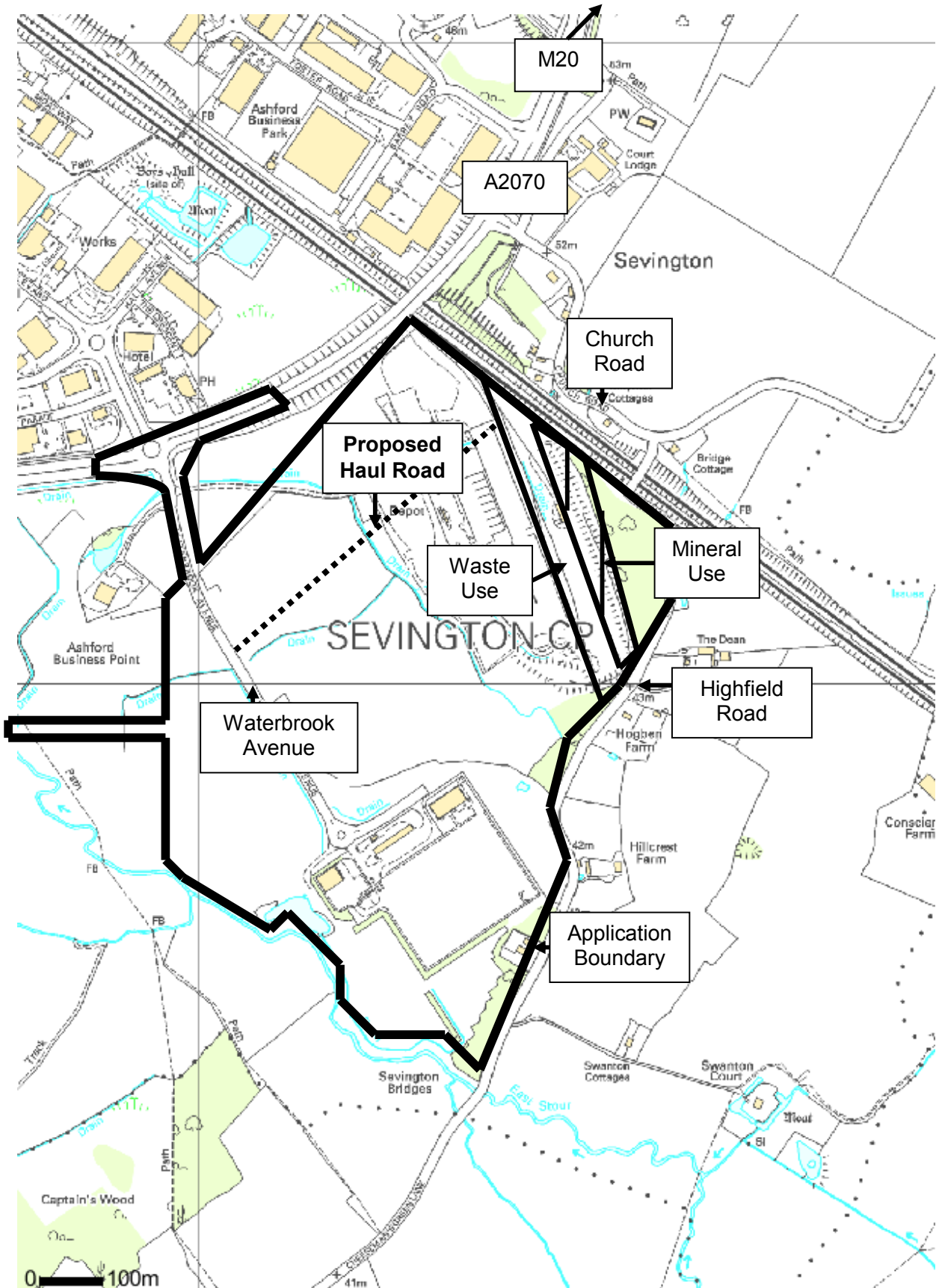
Classification: Unrestricted

#### **The Site and Background**

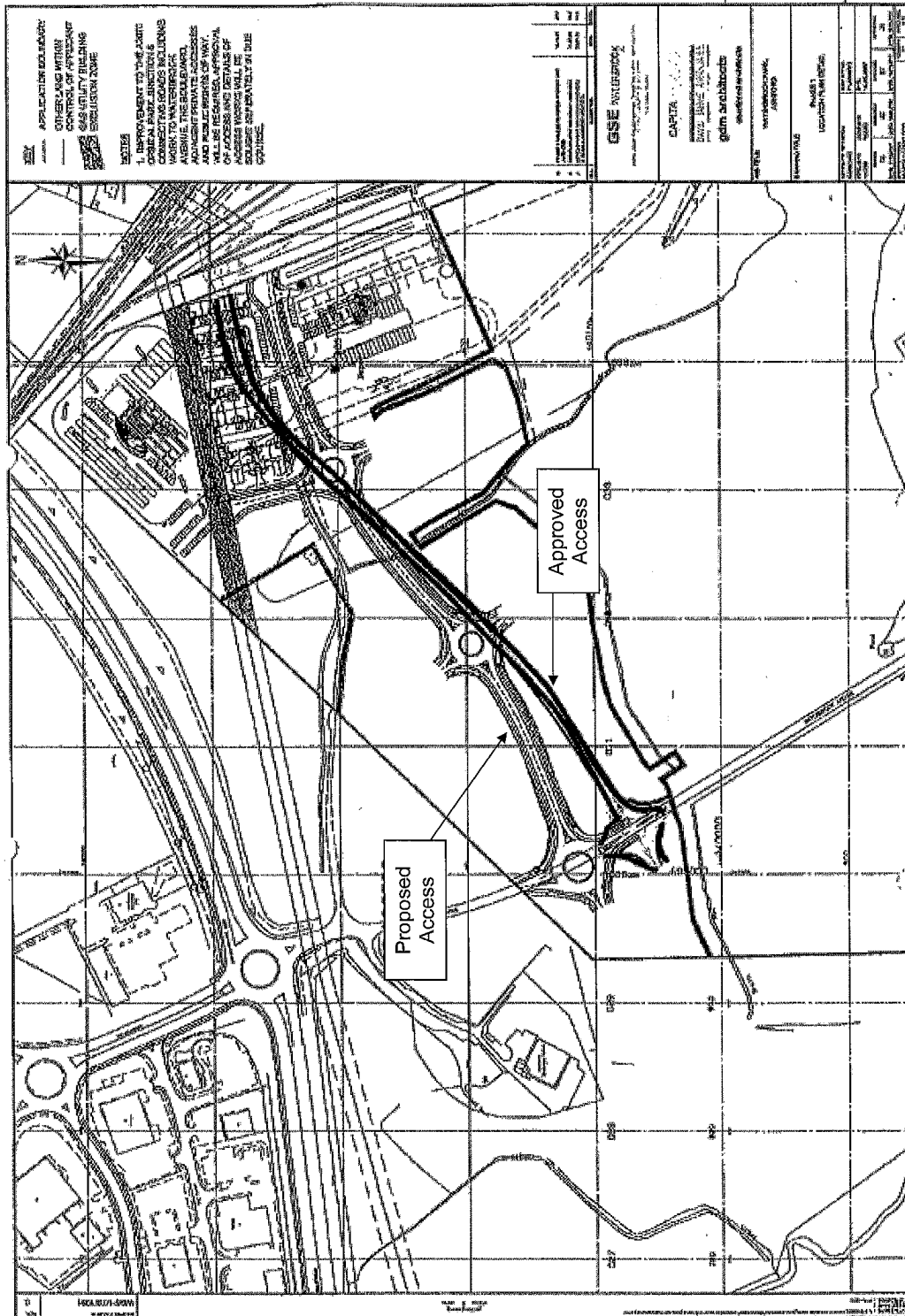
1. The site lies some 3 miles to the south east of Ashford Town Centre and approximately 1 mile south west of junction 10 of the M20. With the exception of an existing Rail Aggregate Depot which has been operational for a number of years and which served to supply materials for use in the construction of the Channel Tunnel and more recently the CTRL, the remainder of the site remains predominantly a mixture of agriculture and scrub. This area is yet to be expanded under the terms of two existing permissions granted to Robert Brett and Sons Ltd, one for the further development of the existing Rail Aggregate Depot and the other which relates to the Waste Transfer Station the subject of this report.
2. The nearest housing lies some 80 metres off the northern and south eastern 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. At the meeting of the Planning Applications Committee held on 2 November 2010 Members resolved to grant permission (Ref. AS/10/1010) to extend the timescale for the implementation of a previous permission granted (Ref. AS/06/4) for the development of a Waste Transfer Station at the site subject amongst other matters to conditions (2) and (7) which require the development to be implemented strictly in accordance with the details submitted with the application including detailed access improvements off Waterbrook Avenue into the development site.

**Item C2**

**AS/0256/2011 – Operation of a Waste Transfer Station as permitted under AS/06/4 and extended under condition (1) of permission AS/10/1010. Land at Waterbrook Park, Waterbrook Avenue, Sevington, Ashford. Robert Brett & Sons Limited.**



**AS/0256/2011 – Operation of a Waste Transfer Station as permitted under AS/06/4 and extended under condition (1) of permission AS/10/1010. Land at Waterbrook Park, Waterbrook Avenue, Sevington, Ashford. Robert Brett & Sons Limited.**



<p><b>NOTES</b></p> <p>1. APPLICATION SUBJECTS: OTHER THAN WITHIN CONTROL OF PLANNING IN A DESIGNATED ZONE.</p> <p>2. THE PLAN IS TO BE USED FOR THE PURPOSES OF THE APPLICATION ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED THEREIN.</p> <p>3. THE PLAN IS TO BE USED IN CONNECTION WITH THE APPLICATION ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED THEREIN.</p>	
<p><b>GENERAL NOTES</b></p> <p>1. THE PLAN IS TO BE USED FOR THE PURPOSES OF THE APPLICATION ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED THEREIN.</p> <p>2. THE PLAN IS TO BE USED IN CONNECTION WITH THE APPLICATION ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED THEREIN.</p>	
<p><b>APPENDIX A</b></p> <p>1. THE PLAN IS TO BE USED FOR THE PURPOSES OF THE APPLICATION ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED THEREIN.</p> <p>2. THE PLAN IS TO BE USED IN CONNECTION WITH THE APPLICATION ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED THEREIN.</p>	
<p><b>APPENDIX B</b></p> <p>1. THE PLAN IS TO BE USED FOR THE PURPOSES OF THE APPLICATION ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED THEREIN.</p> <p>2. THE PLAN IS TO BE USED IN CONNECTION WITH THE APPLICATION ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED THEREIN.</p>	

**AS/0256/2011 – Operation of a Waste Transfer Station as permitted under AS/06/4 and extended under condition (1) of permission AS/10/1010. Land at Waterbrook Park, Waterbrook Avenue, Sevington, Ashford. Robert Brett & Sons Limited.**

---

4. In February 2009 permission was granted on appeal to GSE Ltd in respect of Phase 1 of their proposals to develop the Waterbrook site for future employment use. Phase 1 along with other areas to be developed by GSE fall within the boundary of the two permissions granted to Robert Brett and Sons Ltd, albeit outside the physical development footprint of these two permissions. With regard to the access into this area off Waterbrook Avenue, it is the intention that this will be a shared access between GSE and Brett into their respective sites. Whilst the access proposed in respect of the phase 1 application granted to GSE on appeal is generally along the same alignment as that permitted under the two Brett applications, there are nevertheless one or two very minor inconsistencies including the point along which it exits off Waterbrook Avenue where it is proposed some 30 metres further north. With the exception of these minor inconsistencies, the design of the access, including the number and position of four proposed spurs off a mini roundabout where it joins Waterbrook Avenue, the design and alignment remains the same.

### **Proposal**

5. At the time of the GSE appeal inquiry the Phase 1 drawings were well advanced, having been through a stage 1 safety audit. In the light of this Brett have applied to vary conditions (2) and (7) of the permission for the Waste Transfer Station ( Ref. AS/10/1010 ) such that the proposed means of access to their sites is fully consistent with that permitted to GSE Ltd in respect of Phase 1 of their employment development.

### **National, Regional and Development Plan Policy**

6. **Planning Policy Statement 10 (PPS10) 'Planning for Sustainable Waste Management'** 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.
7. **The South East Plan (May 2009)**
  - **Policy W16** recognises the need for facilities, such as bulking and transfer stations, to minimise travel by smaller waste collection vehicles.
  - **Policy W17** recognises that many facilities will need to be developed close to the source of waste and will therefore generally be close to urban areas.

## Item C2

### **AS/0256/2011 – Operation of a Waste Transfer Station as permitted under AS/06/4 and extended under condition (1) of permission AS/10/1010. Land at Waterbrook Park, Waterbrook Avenue, Sevington, Ashford. Robert Brett & Sons Limited.**

---

#### 8. Saved Policies of the Kent Waste Local Plan ( March 1998 )

- **Policy W9** identifies the site as suitable in principle for proposals for waste separation and transfer
- **Policy W22** requires that a satisfactory means of access to the site can be provided including any offsite improvements if they are necessary and the number of vehicle movements that would be generated by the proposal can be safely accommodated on the local highway network having regard to the existing network

#### **Ashford Borough Council Core Strategy July 2008.**

9. Identifies strategic locations at the edge of Ashford which are aimed at meeting Ashford's role as a growing sustainable community and where at Waterbrook Park mixed uses of employment are proposed.

#### 10. **Consultations**

Ashford Borough Council:

Highways Agency:

Kent Highway Services:

Mersham & Sevington Parish Council:

No objections

#### **Local Members**

11. The two local Members Mr Andrew Wickham and Mr George Koowaree were notified of the applications initially on 6 June 2011.

#### **Representations**

12. The application was advertised in the local press and notices were posted on site. As a result I have received one letter of representation from a firm of consultants acting on behalf of the Church Commissioners raising an objection to the application. Their objection is made on the basis that in their view there has been no justification made in the submission which demonstrates why the changes as proposed to the approved site access is needed or explanation given of what changes in circumstances there have been since the original permission was granted. They argue that Waterbrook should form part of a comprehensive planning exercise and therefore development should not be allowed which might preclude

**AS/0256/2011 – Operation of a Waste Transfer Station as permitted under AS/06/4 and extended under condition (1) of permission AS/10/1010. Land at Waterbrook Park, Waterbrook Avenue, Sevington, Ashford. Robert Brett & Sons Limited.**

---

the long term development aspirations of the area which includes a mixed use development containing employment and residential uses. They state that there is no evidence presented as to how this proposed development will relate to the future delivery of this area.

**Discussion**

13. Section 38 (6) of the Planning and Compulsory 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 (6) to (9) are particularly relevant.
14. When members were minded to grant permission for the last application to operate a waste transfer station at the site regard was had to the policy support given at both the national, regional and local level for the development of such facilities. Furthermore, at that time it was recognised that there were sound planning reasons for the establishment of a permanent facility at this location if the longer term growth aspirations of the town were to be realised in order to allow the handling of Ashford's future household waste arisings in a more efficient manner. In my opinion this position has not changed and the site remains an important strategic location for the future bulking up and transfer of Ashford's waste.
15. Following formal consultations and publicity on the proposal, with the exception of an objection on behalf of the Church Commissioners no other objections have been raised either by statutory consultees or other third parties.
16. The existing Rail Aggregate Depot at Waterbrook has been operational at the site for a number of years since when, it has become well established as a strategic site and which will provide a key facility necessary to meet the future demands for aggregates in the area. Its importance as a site for waste recycling, separation and transfer is also reflected in the policy support afforded to it in the saved policies of the Kent Waste Local Plan. Accordingly it was in the context of this policy support that permission was granted for both the expansion of the existing Rail Aggregate Depot and also the future development of the site as a Waste Transfer Station.
17. In my opinion having regard to the position as set out in paragraph (16) above, the current application represents what is a relatively minor proposal to amend the existing permission for the Waste Transfer Station. It has been the long term intention as part of the comprehensive mixed development of Waterbrook Park that Brett and GSE would share the access off Waterbrook Avenue into their respective development sites. The general design of the access approved under the latest Waste Transfer permission establishes this principle. Notwithstanding the objection raised on behalf of the Church Commissioners who argue that there has been no justification to demonstrate the need for the proposed changes to the approved Waste Transfer Station access, the current application has been justified on the basis that a stage 1 safety audit undertaken in respect of the GSE Phase 1 employment proposal which will share the same access off Waterbrook Avenue into the site, has resulted in the need for some minor alterations to that approved under the Waste

## Item C2

### **AS/0256/2011 – Operation of a Waste Transfer Station as permitted under AS/06/4 and extended under condition (1) of permission AS/10/1010. Land at Waterbrook Park, Waterbrook Avenue, Sevington, Ashford. Robert Brett & Sons Limited.**

---

Transfer permission. It is therefore for this very reason that in order to avoid any inconsistencies in what has been approved in terms of the access into the Brett and GSE sites that the application has been made.

18. With regard to the Church Commissioners concerns that the proposal might also preclude the long term development aspirations of the area which provide for a mix of uses at the site, in my opinion what is proposed does not substantially depart from what has already been established in principle by virtue of the existing Brett and GSE permissions. Furthermore, any future developments at Waterbrook Park which may also be served off the access the subject of this application would be considered on their merits in the context of the longer term development strategy for the area as set out in the borough council's Core Strategy, at which time the Church Commissioners along with other interested parties would have the opportunity to comment.

#### **Conclusion**

19. On the basis of the above I see no grounds for refusing the application and am firmly of the view that there are very sound planning reasons for supporting the application.

#### **Recommendation**

20. I RECOMMEND that PERMISSION BE GRANTED for a variation to conditions (2) and (7) of Planning Permission AS/10/1010.

Accordingly conditions (2) and (7) of Planning Permission ASD/10/1010 shall now read:-

- (2) The development hereby permitted shall be carried out and completed in all respects strictly in accordance with the details submitted with the application and applications AS/06/4 and AS/10/10 together with those further details to be submitted for approval ;

*Reason; For the avoidance of doubt and to maintain control over the site*

- (7) The detailed access improvements including those necessary to upgrade Waterbrook Avenue to adoptable standards and which makes provision for footways/cycleways as shown on the Cannon Consulting Engineers ' Phase 1 Location Plan Detail' drawing no. WB/P1/TS/1001 Rev D, shall be constructed before the completion of the development.

*Reason; In the interest of highway safety pursuant to policy W22 of the Kent Waste Local Plan March 1998*

Case Officer: Mike Clifton 01622 221054 Background Documents: See Section Heading
--