

Change of Use from warehouse/storage to waste transfer station/waste segregation and storage of non-hazardous waste streams at Unit 2, Thomas R Hills Ltd Site, Cobbs Wood Industrial Estate, Brunswick Road, Ashford AS/12/1322 (KCC/AS/0033)

A report by Head of Planning Applications Group to Planning Applications Committee on 7 June 2013

Application by B Ball Contractors. Proposed change of use from warehouse/storage to waste transfer station/waste segregation and storage of non-hazardous waste streams at Unit 2, Thomas R Hills Site, Cobbs Wood Industrial Estate, Brunswick Road, Ashford.

Recommendation: Permission be granted subject to conditions.

Local Member: Jim Wedgbury

Classification: Unrestricted

Site description and Background

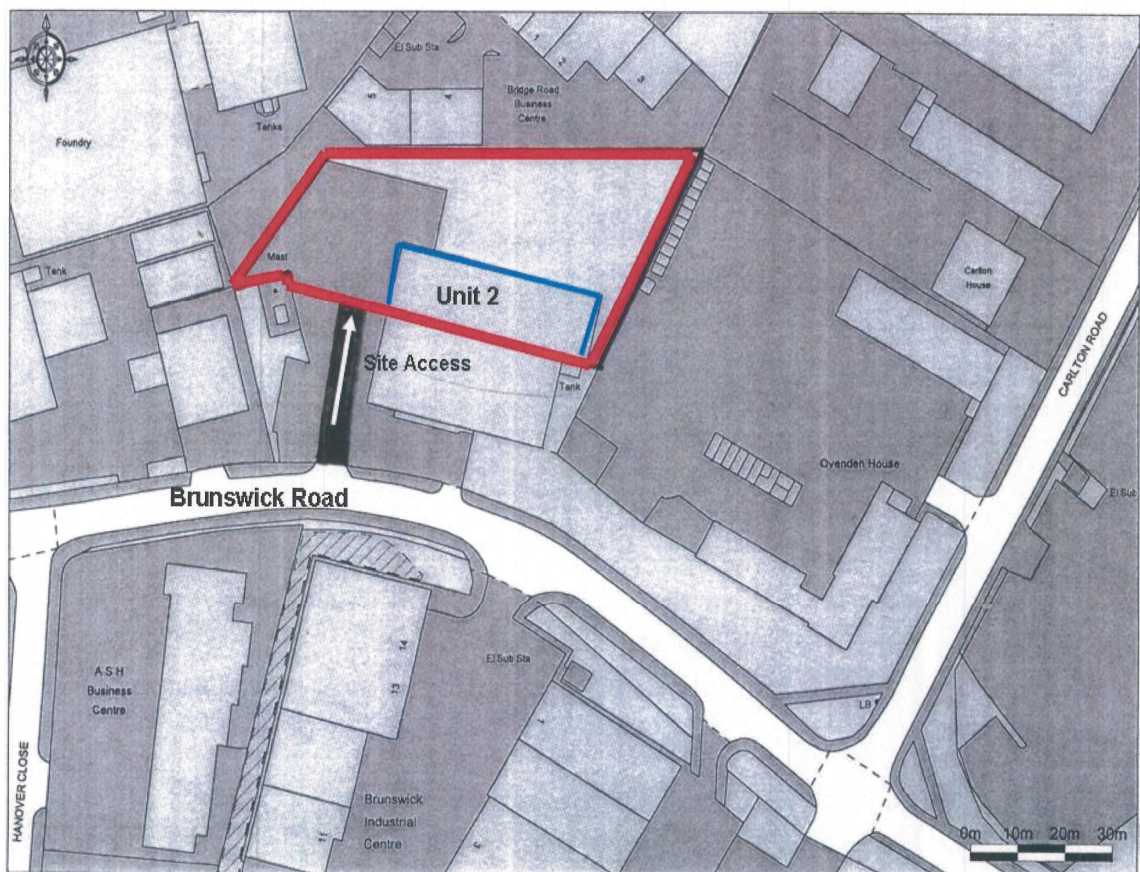
1. The application site lies centrally within the large industrial area known as Cobbs Wood Industrial Estate in Ashford. It is bordered to the north and west by a scrap metal recycling facility and foundry and to the south by a retail plumbing merchant. To the northeast is a business centre. To the immediate east and on the corner of Brunswick Road and Carlton Road are a vehicle hire depot and a vehicle recovery business. The wider industrial area is characterised by dense development of commercial and industrial premises ranging from offices, business centres and light retailing (trade counters) through to HGV servicing and waste transfer stations. Further industrial type uses are located beyond the railway to the south on Leacon Road.
2. The application site as a whole lie to the north of Brunswick Road which forms the main spine road serving the industrial estate. Chart Road (A28) comprises the primary access route to Cobbs Wood Industrial Estate, providing direct links to the M20 and surrounding highway network. There are three main access points into the estate leading off Chart Road, via Brunswick Road, Hilton Road and Carlton Road (off Chart Road/ Templer Way Roundabout).
3. At this western end of Brunswick Road lies the KCC Household Waste Recycling Site and at the eastern end is the Viridor waste transfer station, European Metal Recycling Ltd., and Green Box Recycling (skip hire and recycling business).
4. The application site itself is roughly rectangular in shape and measures 0.1ha. It is relatively flat with a landscaped bank which rises to the north and east of the site. Access to the site is via a shared driveway directly from Brunswick Road, which passes an industrial unit occupied by a plumbers' merchant. The access passes this unit into the yard area of the application site and Unit 2 is attached at the rear to the plumbers' merchants building. The existing sectional building measures approximately 13.4m x 42.8m and contains existing offices, kitchen and toilets. Planning permission was granted by the Borough Council (10/01703/AS) for external changes to the appearance of the building to create a multifunctional Head Office for the applicant. Some of these have taken place as have some additional internal

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alterations such as the creation of a mezzanine first floor and an internal dry store.

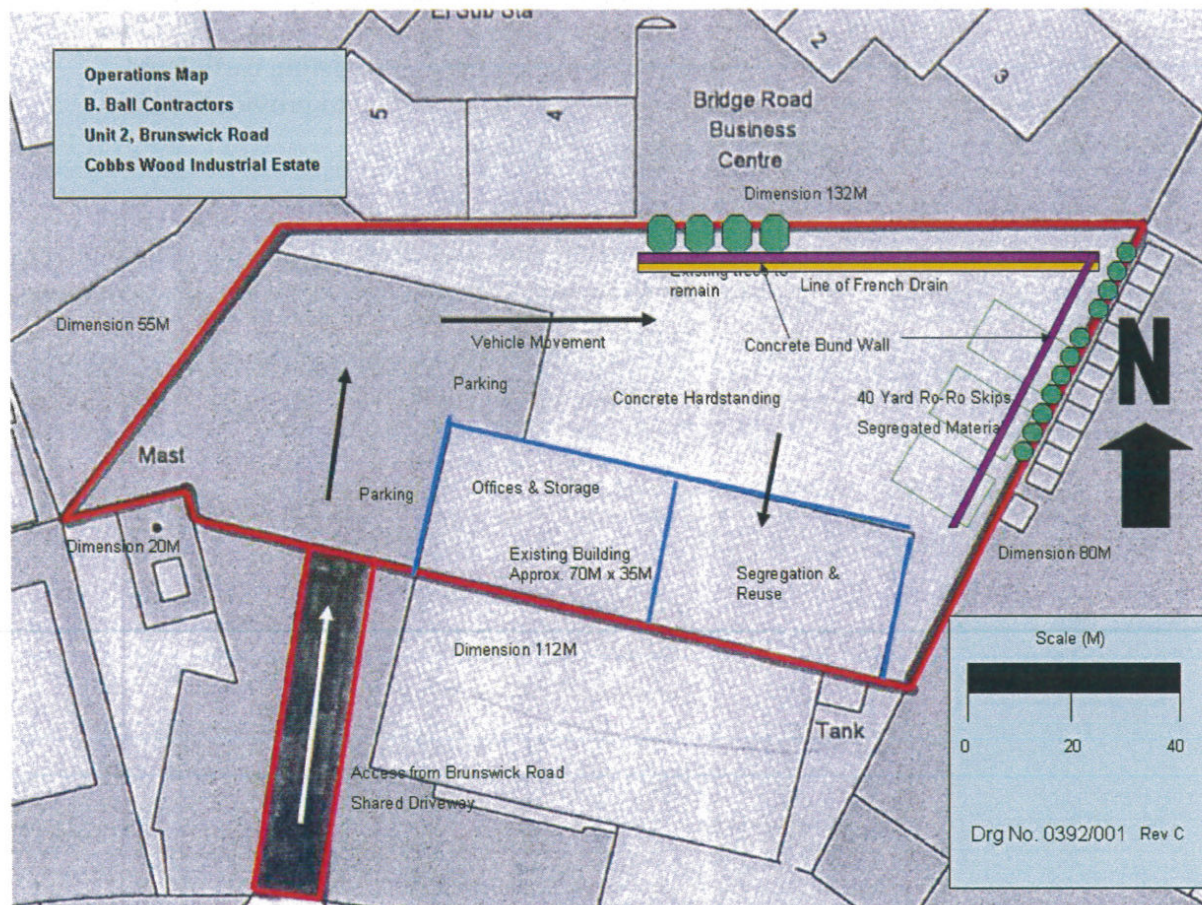
5. The yard area is laid to concrete and has separate foul and surface water drainage including an interceptor connected to the surface water drain.
6. The application site is located within the confines of the urban area as defined by the Ashford Local Development Framework Proposal Map. There are no other site specific designations, although more general Development Plan policies are set out later in the report.

Fig. 1 Site Location Plan



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Fig. 2 Site Layout Plan



Proposal

- The application seeks a change of use from warehouse/storage use to a waste transfer station/ waste segregation and storage of non-hazardous waste streams. It is proposed that skip vehicles will bring the waste to the site and deliver the skips into the waste sorting section of the building. It is then intended that the waste will be hand-picked and sorted into the various waste streams and then deposited into the roll-on, roll-off (Ro-Ro) containers on the yard for onward delivery to reprocessing plants as and when they are full. This is anticipated to be approximately three to four times a month. An area would be set aside for the storage of empty skips within the yard. The only machinery anticipated at this point is a baling machine for cardboard

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- and paper which would be located within the building and a small front loading wheeled vehicle to handle the small quantities of hardcore that are anticipated.
8. It is anticipated that the proposed development would generate an estimated 36 vehicle movements (18 in and 18 out) per day. These vehicle movements comprise 16 light goods vehicles and cars, and 20 made by HGV's, however on average it is expected that there would be only 6 HGV movements per day, including the collection of the Ro-Ro containers. Twelve parking spaces would be created for site staff and visitors. In addition it is proposed there would be a single space reserved for disabled parking and a further parking area would be designated for motorcycles. An area adjacent to the existing building would be allocated for secure cycle storage.
 9. The proposed hours of operation would be:
 - 0730 – 1730 hours Monday to Friday
 - 0800 – 1400 hours on Saturday
 - no working on Sundays or Bank Holidays.
 10. It is proposed that existing on site drainage would be utilised which currently has separate foul and surface water drainage including an interceptor has connected to the surface water drain. It is proposed that a low bund wall would be constructed at the base of the bank which houses the trees and shrubs on the north and eastern boundaries of the yard area. Adjacent to the northern section it also proposed to install a French drain to further protect the tress and bank.
 11. The Application is accompanied by a Predictive Noise Assessment and a Transport Assessment, as well as a Planning, Design and Access Statement.

Planning Policy Context

12. **National Planning:** The National Planning Policy Framework came into force on 27 March 2012; it replaces all previous national planning policy guidance. However, the framework does not contain specific waste policies since national waste planning policy is to be published alongside the National Waste Management Plan for England. Pending this, Planning Policy Statement 10 (Planning for Sustainable Waste Management) is to remain in place. The other matters addressed in the framework primarily carry forward previous national planning policy guidance.
13. The NPPF presumes in favour of sustainable development. Sustainable development seeks to ensure that society can meet the needs of the present without compromising the ability of future generations to meet their own needs. The new Framework also refers to the UK Sustainable Development Strategy Securing the Future which sets out 5 guiding principles for sustainable development: living within the planet's environmental limits; ensuring a strong, healthy and just society, achieving a sustainable economy; promoting good governance and using sound science responsibly. In terms of the planning system, the NPPF identifies that there are 3 dimensions to sustainable development which create 3 overarching roles in the

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planning system -- economic, social and environmental. These roles are mutually dependent. In facilitating the delivery of these roles the Framework also requires that local planning authorities should look for solutions rather than problems. It states that those determining applications should seek to approve applications for sustainable development where possible.

14. **Kent Waste Local Plan (Saved Policies) (March 1998):** Policies W3 (Locational Criteria), W6 (Need), W7 (Re-use), W9 (Separation and Transfer - Location of facilities), W18 (Noise, Dust and Odour), W19 (Surface and Groundwater), W20 (Land Drainage and Flood Control), W22 (Road Traffic and Access), W25 (Plant and Buildings), W27 (Public Rights of Way), W21 (Landscaping).
15. **Kent Minerals and Waste Local Plan Draft:** Draft Policy CSW16 of the Kent Minerals and Waste Local Plan: Strategy and Policy Directions Consultation (May 2011)
16. **Ashford Local Development Framework (LDF) Adopted July 2008:** There are a number of sustainability policies that specifically seek to address waste reduction; CS1 (Guiding Principles), CS9 (Design Quality) and CS10 (Sustainable Design and Construction) as well as other general policies which should be considered CS15 (Transport).

Consultations

19. Consultations were carried out and the following comments received:

Ashford Borough Council: No objection subject to conditions controlling the hours of use, the nature and amount of waste that can be handled on the site and the protection of the important trees on the boundary of the site.

Environment Agency: No objection, but offer advice to the applicant that a full drainage plan should be designed for the site, demonstrating no discharge of potentially contaminated drainage to the ground; hardstanding should leave no paths for potential contaminants to drain through, should be regularly maintained and cracks sealed at the earliest opportunity. All storage for waste should be sealed and secured at night when the site is not in operation.

Divisional Transport Manager (East Kent): No objection subject to the following conditions being attached:

The total number of daily HGV movements shall not exceed 20 (10 in and 10 out). A log book of all daily HGV movements shall be kept and made available on request to the Local Planning Authority.

KCC Noise, Dust and Odour Consultant (Jacobs): makes the following comments as set out under the following sub-headings:

Change of Use from warehouse/storage to waste transfer station/waste segregation and storage of non-hazardous waste streams at Unit 2, Thomas R Hills Ltd Site, Cobbs Wood Industrial Estate, Brunswick Road, Ashford AS/12/1322 (KCC/AS/0033)

Noise

No objection. There would be negligible noise increases resulting from the anticipated worst case daily HGV movements. Again the noise impacts from the operations on site are considered to be negligible due to proximity of sensitive receptors, existing noise levels in the area, the screening effect of other units around the site, the baling machine being within the building and nearest commercial premises already being exposed to high levels of noise.

Dust

No Objections subject to employment of the measures set out in the Dust Management Plan

Odour

No objection.

KCC Landscape Comments: No objections however suggest conditions requiring materials other than concrete for protective wall and submission of a more detailed drainage plan showing the exact location of the drain and wall in relation to all trees on the site.

HS1: No Objection

Representations

20. The application has been publicised both by site notice and newspaper advertisement and the nearest neighbouring properties were notified. Two letters of representation have been received. The following comments have been received:
- There is a proliferation of waste sites on this industrial estate with the associated dust and filth;
 - The waste operators damage the image of the industrial estate and those more prestigious companies who occupy nearby units;
 - Brunswick Road is crumbling badly and this proposal will make matters worse;
 - Tipper lorries thunder up and down the roads;
 - Parked cars and vans near to this site seriously reduce visibility for other drivers.

Local Members

21. The County Council Member at the time of consultation was Mrs Elizabeth Tweed who was notified of the application and the additional information/response to consultees. No written comments have been received to date. The Member for this area following local elections is now Mr Jim Wedgbury.

Change of Use from warehouse/storage to waste transfer station/waste segregation and storage of non-hazardous waste streams at Unit 2, Thomas R Hills Ltd Site, Cobbs Wood Industrial Estate, Brunswick Road, Ashford AS/12/1322 (KCC/AS/0033)

Discussion

22. The Development Plan - Specifically 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. Material planning considerations include the National Planning Policy Framework (NPPF) which promotes sustainable development and the local plan policies.
23. Given the nature of the proposal the NPPF it is of less relevance in this case as PPS10 is to remain in place until any new waste policies are published alongside the new National Waste Management Plan for England. However the presumption in favour of sustainable development still applies, particularly on previously developed land and of specific relevance are the following: Delivering Sustainable Development, Part 1 – Building a strong, competitive economy; Part 7 – Requiring good design; Part 10 – Meeting the challenge of climate change, flooding and coastal change and Part 11 - Conserving and enhancing the natural environment (paragraphs 120 and 123, pollution and noise respectively). I will discuss the details in so far as they are relevant to the proposal later in the report.
24. Location - Policies W3, W6, & and W9 of the Kent Waste Local Plan identify the location criteria against which individual proposals will be considered, whilst policies W18 to W22 and W25, W27 and W31 set out the operational criteria. Saved Policy W9 of the Kent Waste Local Plan supports proposals for waste development where they are not specifically allocated, where they are within or adjacent to existing waste management facilities or are part of a location within an established or committed general industrial-type area. The application site lies centrally within an established general industrial area and the proposed change of use therefore accord with this policy.
25. The evolving Minerals and Waste Local Plan also seeks to support waste related development. Draft Policy CSW16 of the Minerals and Waste Local Plan: Strategy and Policy Directions Consultation (May 2011) states that forms of waste development not covered by specific policies in the Core Strategy will be granted planning permission subject to there being a proven need for the facility and it would not cause unacceptable harm to the environment or communities.
26. Furthermore as part of the work being done to develop the Minerals and Waste Local Plan, assessments are being made of all industrial estates in Kent for suitability for future waste management developments in addition to sites being specifically identified in the Waste Sites Plan. It is expected this would culminate in a policy giving a presumption in favour of waste development in identified industrial estates, providing that all waste handling is carried out within buildings, in the Core Strategy. The preferred industrial estates are being identified through the predominance of existing B2/B8 uses and site visits. The Cobbs Wood Industrial Estate in Ashford is one of the potential preferred estates.

Change of Use from warehouse/storage to waste transfer station/waste segregation and storage of non-hazardous waste streams at Unit 2, Thomas R Hills Ltd Site, Cobbs Wood Industrial Estate, Brunswick Road, Ashford AS/12/1322 (KCC/AS/0033)

27. Concern has been expressed at the proliferation of waste activities on this estate. Each waste proposal must be considered on its own merit and against the relevant policy for locating these types of activities. In policy terms the industrial location of this particular site is considered acceptable in principle, however it is also appropriate to consider the potential amenity impacts that might arise from the proposed operations on this particular site, given its context and surroundings. This I will do later in my report.
28. Need - The Applicant is a well-established Ashford based business whose core operations are the refurbishment of property owned and operated by Ashford Borough Council, principally replacement of kitchens and bathrooms and refurbishment of empty properties. In recent years B. Ball Contractors has established its own waste management business, to transport and dispose of its own waste arising from the refurbishment projects, and also runs a small skip hire business. The company seeks to maintain high environmental credentials and has worked closely with Remade South East to minimise its environmental impact. Working with a range of local, national and regional partners, including the County Council and Ashford Borough Council, Remade seeks to minimise the region's environmental footprint by saving natural resources and reducing CO2 emissions, encouraging recycling and creation of new products from waste. (B Ball Contractors is also involved in the Green Deal an initiative to establish a framework to enable private firms to offer consumers (households, communities and workplaces) energy efficient improvements to their homes, at no upfront cost, paying back the cost of such improvements through their energy bills). To further their sustainable approach to the business this application proposes a change of use of the building and yard area from general warehousing to a small waste transfer station
29. PPS 10 states the overall objective of Government policy for waste is to protect human health and the environment by producing less waste and using it as a resource wherever possible; it states *"By more sustainable waste management, moving the management of waste up the 'waste hierarchy' of prevention, preparing for reuse, recycling, other recovery, and disposing only as a last resort, the Government aims to break the link between economic growth and the environmental impact of waste"*. In terms of the waste hierarchy, the proposed development aims to separate waste into the various streams, and increase recycling of waste and would provide a more desirable waste management option for up to 12,000 tonnes per annum. The proposal would therefore contribute to sustainable waste management in the form of diversion of waste from landfilling to recycling. Whilst the tonnage contribution to such diversion would be minimal, planning policy supports such development. It is acknowledged that there is sufficient general waste management capacity already existing in Ashford, but the proposed facility would provide a specific increase in capacity for recycling in Ashford and would assist in moving the management of waste up the waste hierarchy.
30. Whilst it can be seen there is in principle support for this proposal in this specific location it is also relevant to consider the potential impacts arising from the proposed

Change of Use from warehouse/storage to waste transfer station/waste segregation and storage of non-hazardous waste streams at Unit 2, Thomas R Hills Ltd Site, Cobbs Wood Industrial Estate, Brunswick Road, Ashford AS/12/1322 (KCC/AS/0033)

operations at the site.

31. Traffic – The planning application is accompanied by a Transport Assessment in support of the proposals which considers access to the site as well as circulation space within it, and existing and proposed vehicle movements.
32. The assessment identifies that access to the site would be from The TA roundabout, via Carlton Road and onto Brunswick Road into the site. Whilst it would not be possible to condition that vehicles take this route it is within the gift of the Applicant to ensure that all their own vehicles do indeed follow this approach. In practice it is likely that most vehicles would use this route in any case as it offers the nearest exit on to the main highway network and avoids the busier junction with Chart Road at the other end of the industrial estate and Brunswick Road.
33. There is sufficient room for all vehicles to turn around within the site so that they could leave in a forward gear thus avoiding any obstructions on the highway. Similarly the transport assessment acknowledges that proper management would ensure that there would be no queuing of vehicles on the public highway waiting to enter the site. No alterations are proposed to the current access arrangements and vision splays. Whilst I acknowledge the concerns relating to traffic and the state of Brunswick Road, the level of traffic associated with this development is relatively low compared to overall use of the industrial estate.
34. My Highways Advisor has no objection to the proposals subject to a condition limiting the number of daily HGV movements to 20 (10 in and 10 out) and log being kept and made available upon request.
35. Landscape – This particular site is unusual for an industrial estate in having a number of trees within the boundary which contribute to softening the appearance of the site and its surroundings. The existing trees help to break up the extensive areas of hard standing surrounding the site and also provide some seasonal variety and add some amenity value to the site. It is therefore imperative that these trees are maintained and protected. To that end it is proposed that a retaining wall is constructed at the base of the bank which contains the trees to ensure that there is no possibility of the vehicles manoeuvring on site and damaging the tree roots by driving into the bank. It is also proposed that a French drain would be installed at the base of the bund wall. To ensure the trees are adequately protected a condition requiring a plan plotting the exact location of all the trees (including details of their species and root spread) relative to the wall and drain be submitted for approval could be attached to any permission granted.
36. Subject to conditions securing the approval of materials for the bund wall and the landscape plan (to include details of seeding of the bank) referred to above my Landscape Advisor has no objection to the proposals.
37. Noise, Dust and Odour – The planning application is accompanied by a Predictive Noise Assessment in support of the proposals. It submits that noise increases from

Change of Use from warehouse/storage to waste transfer station/waste segregation and storage of non-hazardous waste streams at Unit 2, Thomas R Hills Ltd Site, Cobbs Wood Industrial Estate, Brunswick Road, Ashford AS/12/1322 (KCC/AS/0033)

the traffic associated with the proposals would be negligible due to the existing high numbers of vehicles on the estate roads versus the relatively low numbers expected with the application. I am also advised that noise increases from the site operations are also likely to be negligible. The site is more than 200 metres from the nearest residential property which is currently exposed to relatively high existing noise levels from the roads, rail and the industrial estate. Due to the shielding effects of surrounding industrial units and containment of the baling machine within the building the resulting noise level at the residential premises is likely to be very low. The nearest commercial premises are already exposed to high levels of noise associated with existing industrial units and it is unlikely that for the reasons stated above, noise from the application site would result in elevated noise levels over and above the general noise background.

38. Following initial concerns relating to dust issues the Applicant has now submitted a Dust Management Plan, which contains a number of measure to minimise and manage dust arising from the operations at the site. Essentially dampening down with a water bowser and sprays as required and careful management of the waste handling activities will ensure that dust generation is minimised and adequately suppressed. The access road, manoeuvring areas and the vehicles themselves will be kept free of mud and debris, and loads will be sheeted as appropriate to and from the site.
39. The waste streams entering the site are inert and therefore will not give rise to odour emissions.
40. It is concluded that subject to conditions securing the measures outlined in the application for the control of noise and adherence to the Dust management Plan there are no outstanding objections on the grounds of noise, dust and odour.

Conclusion

41. The proposed development is considered acceptable in principle given that the site lies within an established industrial estate. There is also strong support for moving waste up the waste hierarchy, away from landfill and increasing waste separation for recycling. The Applicant already operates in areas local to the site providing a service to the Borough Council by upgrading and refurbishing local housing stock and municipal buildings. The application site affords the opportunity to increase recycling of waste materials arising in the local area by sorting, separating and bulking up the various waste streams, in addition to allowing for reuse back to local outlets including a number of local charities. The Applicants are keen to maintain their sustainable approach to their business by selecting as many local reprocessing companies as possible, thereby reducing their carbon footprint.
42. The likely impact arising from this small scale waste management proposal would not result in any significant harm and would, with appropriate conditions, be acceptable in all respects. On this basis, the application accords with the relevant development plan

Change of Use from warehouse/storage to waste transfer station/waste segregation and storage of non-hazardous waste streams at Unit 2, Thomas R Hills Ltd Site, Cobbs Wood Industrial Estate, Brunswick Road, Ashford AS/12/1322 (KCC/AS/0033)

policies and there are no material planning considerations that lead me to any conclusion other than that planning permission should be granted for this sustainable waste management proposal.

Recommendation

43. I RECOMMEND that PERMISSION BE GRANTED subject to conditions including, amongst other matters: time limit for implementation, strictly in accordance with the application plans and details, restriction on types waste and throughput, hours of operation, use of equipment within the building, safeguarding areas for storage of skips, containers, parking and manoeuvring, restriction on number of HGV's, submission of landscape plan including details of existing tree and shrubs and, retaining wall and French drain, adherence to dust management plan.

Case Officer: Andrea Hopkins

Tel. No. 01622 221056

Background Documents: see section heading.
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