

Temporary consent (5 years) for the operation of a construction and recycling facility for concrete and road base/planings and ancillary plant storage areas, reception, weighbridge office and parking at Eastern Quarry, Off Watling Street, Swanscombe, Kent (KCC/DA/0226/2013)

A report by Head of Planning Applications Group to Planning Applications Committee on 24 January 2014

Application by OCL Regeneration Ltd. for temporary consent (5 years) for a recycling facility for concrete and road base/ planings and ancillary plant and storage areas, reception, weighbridge, office and parking at Land at Eastern Quarry, Off Watling Street, Swanscombe, Kent (KCC/DA/0226/2013)

Recommendation: Permission be granted subject to conditions.

Local Member: Peter Harman

Classification: Unrestricted

Site Description:

1. Eastern Quarry is a former chalk quarry which supplied minerals to the now defunct Northfleet cement works. The whole quarry site has an outline planning permission (some areas with detailed consent) for a major mixed use development site. The eastern half of the site is the first to be built out, although the main estate roads, some drainage infrastructure and earth moving and landscaping has already taken place. Some of the former mineral related development remains in a derelict state and there are a number of hard standing areas around the site. The western half of the quarry is largely occupied by a lake which will be re-modelled as the approved development moves forward.
2. The application site within the red-line boundary, is approximately 0.6 hectares, 1.8 hectares including the long access road (approximately the size of a football pitch), at the south of the Eastern Quarry Development.
3. The access leading from the Roman Road (Leading from Bluewater to the A2) is approx. 180m from the Roman Road access to the facility, and slopes gradually down into the site, with the facility itself approx 5m lower than the Roman Road, separated from the boundary of the quarry by a dense layer of trees and scrubland atop a steep chalk face. To the north of the facility and set another 5m below this is a disused cement processing facility, which has mostly been demolished although a small number of buildings and hard standings remain.
4. The site is predominantly at an even level and partly screened from the north by existing trees and shrubs. At present there are two portacabin offices on the site and an aggregate processing machine.

Item C2

Temporary consent (5 years) for the operation of a construction and recycling facility for concrete and road base/planings and ancillary plant storage areas, reception, weighbridge office and parking at Eastern Quarry, Off Watling Street, Swanscombe, Kent (KCC/DA/0226/2013)



Background / Relevant Planning History

5. The application site is a small part of an area previously used for the production of cement, construction aggregates and concrete and provided access to the now demolished office and production buildings.
6. Outline planning permission was granted by Dartford Borough Council for the Major Redevelopment of this old Quarry in 2007. It will be developed in a number of phases, providing over 6,000 dwellings, business premises, education facilities, sports, leisure and retail outlets. The planning permission itself covers a number of requirements for further submissions and completion of legal agreements. Some schemes have been submitted and approved by Dartford Borough Council and the first phase of the housing development has now commenced at the east of the wider former quarry.
7. A number of conditions of the planning permission relate to the initial ground works and creation of the development platform. It was the intention of that permission that recycling of inert waste found on site (in the form of disused buildings and hard standings) be used where possible to avoid the need to

Temporary consent (5 years) for the operation of a construction and recycling facility for concrete and road base/planings and ancillary plant storage areas, reception, weighbridge office and parking at Eastern Quarry, Off Watling Street, Swanscombe, Kent (KCC/DA/0226/2013)

import construction aggregates for these ground works. On that basis the applicant already has equipment within the site (Just to the north west of the red line boundary of this application).

8. However, the applicant now also wishes to import and export waste material to supplement on-site material and on that basis the proposal becomes more than just ancillary to the redevelopment scheme and therefore its planning merits fall to the County, rather than the Borough to assess.

Proposal

9. The application is for the establishment of an aggregate recycling facility just to the southeast of an area of the larger Quarry currently being used for the recycling of aggregates from the approved mixed used development.

10. The process will involve the depositing, screening, sorting and crushing of two waste streams at one time; Concrete (5,000t) and Road Base / Planings (10,000t). A maximum annual operational throughput of 25,000 tonnes per annum (tpa) in the first year rising to 40,000 tpa in the second year is proposed. The materials will then be exported for use to the local road maintenance market. Approximately a third of the material is intended to be used within the quarry as part of the creation of the development platform for the wider development referred to in Paragraph 6. The following description of the operational process is taken from the applicant's submission:

- *Incoming materials are visually inspected, and once approved, weighed-in at the weighbridge.*
- *Yardman then instructs lorry which of the two stockpiles to deliver material to.*
- *From here the stockpiled material is screened (and if necessary crushed) to a known technical grading before being put to one side for approval as the mixer feedstock.*
- *Once approved as technically suitable for the mixing of the company's value-added recycled materials (Foambase™ and HBM) the material enters the mixing loop whereby it is loaded into the mixer and processed before being discharged to the ground and then placed in small stockpiles according to the end-use and product specification.*

11. This process already takes place just to the west of the site, agreed with Darftford Borough Council as part of the Eastern Quarry Development, but presently the materials are imported and exported from the mixed used development at the quarry and in this respect, the operation is "self-contained". The main difference, therefore, is that the proposed operation would now result in materials imported and exported from *outside* of the Eastern Quarry, with deliveries made via a an internal access leading from

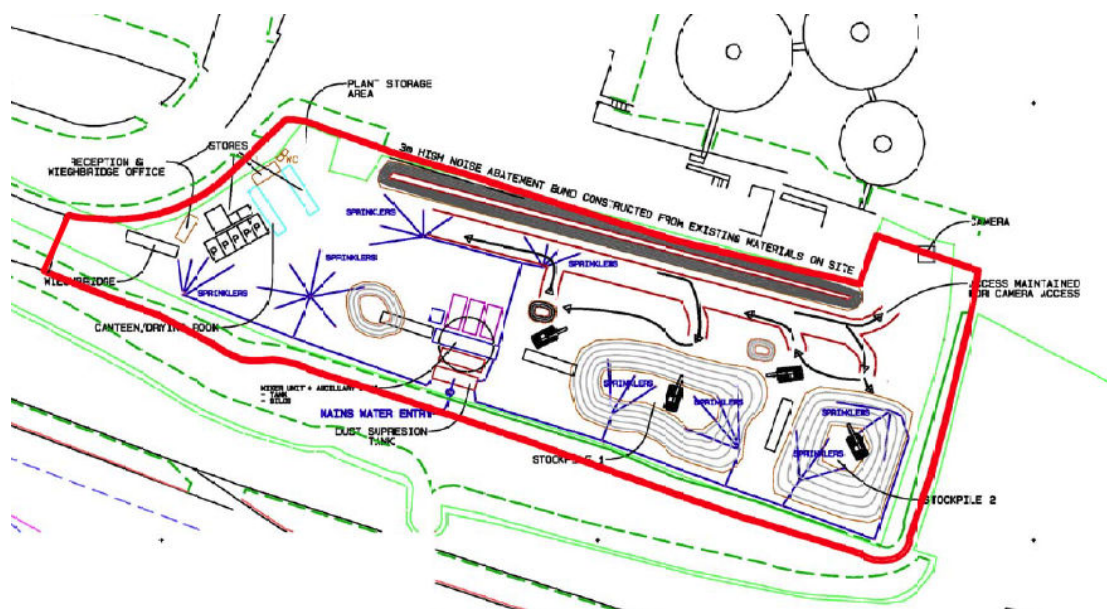
Item C2

Temporary consent (5 years) for the operation of a construction and recycling facility for concrete and road base/planings and ancillary plant storage areas, reception, weighbridge office and parking at Eastern Quarry, Off Watling Street, Swanscombe, Kent (KCC/DA/0226/2013)

the Roman Road (which itself, leads from Blue Water to the A2). The applicant reports that approximately a third of materials processed on the site will be destined for the Eastern Quarry Development with the remaining two thirds for projects elsewhere.

12. The structures would comprise temporary portacabins, save for one permanent stores building, which already exists. A breakdown of buildings and equipment proposed and associated with the application is as follows;

- Reception/Weighbridge office (Converted Steel Shipping Container)
- 2 x Portacabins comprising a canteen and drying room approx 12m (40ft) long and approx 3m in height (8-10ft)
- 1 x stores building (existing)
- 1x mobile dust suppression tanker trailer
- 4 x mobile screeners (according to the plan submitted)
- 3 x stockpiles with incoming materials no higher than 6m and finished product materials no higher than 3m.
- 3m high noise abatement bund running along the northern boundary (to be constructed from materials on site)



Temporary consent (5 years) for the operation of a construction and recycling facility for concrete and road base/planings and ancillary plant storage areas, reception, weighbridge office and parking at Eastern Quarry, Off Watling Street, Swanscombe, Kent (KCC/DA/0226/2013)

13. The processing facility is proposed to operate between the hours of 0600hrs and 1800hrs Monday to Friday (processing), 0600hrs to 1200hrs on Saturday (cleaning and maintenance) and at night time for essential deliveries only to suit the road maintenance market. There are no operating hours proposed on Sundays or Bank Holidays.
14. There are five allocated parking spaces on site, 4 for staff and 1 for visitors
15. The applicant calculates that there will be no more than 10 HGV movements a day (5 in and 5 out) and 8 car movements from staff vehicles (4 in and 4 out) and 1 LGV a day with most movements anticipated to be pre rush hour in the morning and between the hours of 14:00-15:00 in the afternoon. The methodology for these calculations is shown in the discussion section of this report under "highways".

Planning Policy Context

16. **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.
17. The NPPF (2011) 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 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.
18. **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), W32 (Operation and Aftercare).

Item C2

Temporary consent (5 years) for the operation of a construction and recycling facility for concrete and road base/planings and ancillary plant storage areas, reception, weighbridge office and parking at Eastern Quarry, Off Watling Street, Swanscombe, Kent (KCC/DA/0226/2013)

19. **Kent Minerals and Waste Development Framework (KMWDF) Pre-submission Consultation (January 2014):** CSM6 (Policy for Secondary and Recycled Aggregates), CSW2 (Waste Hierarchy), Policy DM1 (Sustainable Design), Policy DM12 (Transportation of Minerals and Waste), Policy DM20 (Aggregate Recycling) CSW16 of the Kent MWDF Minerals and Waste Core Strategy: Strategy and Policy Directions Consultation (May 2011)
20. **Dartford Local Development Framework (LDF) 1995** In the transition towards the new Local Development Framework, a number of old policies were 'not saved'. Following the adoption of the first LDF documents in 2011, a number of other policies have been replaced by Adopted Core Strategy Policies, however the Proposals Map rolls forward allocations and policy designations as 'saved Policies'. Relevant Policies are: DL1 (Encouragement of Restoration Schemes); T19, (Relationship of Development to the Highway Network and Capacity), B1 (Criteria for Consideration of Development Proposals)

Consultations

21. A summary of responses received to consultations are as follows

Dartford Borough Council raise no objection

Southfleet Parish Council raise no objection on the basis that the development could not proceed in a satisfactory manner without such provision.

Environment Agency raise no objection subject to a planning condition added to any grant of planning permission preventing infiltration of surface water drainage into the ground other than with the express consent of the Local Planning Authority.

KCC Highways and Transportation raise no objection

KCC noise, dust and odour consultant (AMEY) Consider that the proposed activity is expected to cause noise impacts of less than "of marginal significance" in accordance with the relevant British Standard, based on noise assessments carried out by the applicant. They have no comment on odour and dust. **No objection**

Local Members

22. The County Council Member Mr Peter Harman was notified of the application. No written comments have been received to date.

Temporary consent (5 years) for the operation of a construction and recycling facility for concrete and road base/planings and ancillary plant storage areas, reception, weighbridge office and parking at Eastern Quarry, Off Watling Street, Swanscombe, Kent (KCC/DA/0226/2013)

Publicity

23. The application has been advertised by site notice, press notice and individual notification letters. In response to neighbour notification, one **objection** has been received from a nearby car wash business on Roman Road, on the following grounds;

- The development will result in mud on the highway and clients vehicles
- Slippery road surface as a result of vehicle sweeping the highway
- Vehicles exiting the site on the Roman Road will be a highway safety hazard.

Discussion

24. 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 recently published National Planning Policy Framework (NPPF) which promotes sustainable development and the local plan policies set out in paragraphs 19 to 20.

25. Given the nature of the proposal the NPPF 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 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).

26. The main issues to be considered in this case relate to:

- a. Need
- b. Location
- c. Traffic and Access
- d. Drainage
- e. Noise and Dust,
- f. Visual Impact

27. Need - 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*

Temporary consent (5 years) for the operation of a construction and recycling facility for concrete and road base/planings and ancillary plant storage areas, reception, weighbridge office and parking at Eastern Quarry, Off Watling Street, Swanscombe, Kent (KCC/DA/0226/2013)

growth and the environmental impact of waste”.

28. The evolving Minerals and Waste Development Framework seeks to support these aims. Draft Policy CSW16 of the Kent MWDF Minerals and Waste Core Strategy: 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.
29. The application proposes a quite specific storing and sorting activity for aggregates which is generally low volume high value. The operations would comprise recycling waste into useful reusable products, moving up the “waste hierarchy” and resulting in a sustainable form of waste management. It would provide materials for local infrastructure which would otherwise have to be sourced afresh from local quarries, using up valuable mineral resources. In this sense the proposal is a good example of sustainable development, in accordance with the National Planning Policy Framework. It would help to support a strong competitive economy by supporting a local business and offering employment as well as the social planning role, by providing materials to help build a quality environment that meets a local need.
30. 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.
31. The application site is not an allocated waste site within the Local Plan nor is it identified as such in the evolving Waste Local Plan. However it is on a former industrial site in the process of being redeveloped which is considered appropriate for such a use and has already been used for processing materials on site. Policy W3 of the KWLP specifically states that proposals outside of those identified on the proposals map would be acceptable ‘*within or adjacent to an existing waste management operation, or within an area of established or proposed general industrial use*’. Policy W9 recognises the need for such proposals to minimise impact on the local and natural environments as well as having acceptable access and good road links. These issues will be discussed further below.
32. Traffic and access - . The applicant calculates that there will be no more than 10 HGV movements a day (5 in and 5 out) and 8 car movements from staff vehicles (4 in and 4 out) and 1 LGV a day. The following is taken from the submitted supporting statement:

Anticipated vehicle movements assuming maximum 40000 t per annum throughput (Yr2)

Assumes 1 vehicle 1 trip to site = 2 net movements (in and out)

Item C2

Temporary consent (5 years) for the operation of a construction and recycling facility for concrete and road base/planings and ancillary plant storage areas, reception, weighbridge office and parking at Eastern Quarry, Off Watling Street, Swanscombe, Kent (KCC/DA/0226/2013)

Of that 40,000t 60% is handled on 8 wheeled tippers (20t net payload) and 40% is handled on articulated lorry (30t net payload), Hence:

40,000 t x 60% /20t loads = 1200 two-way vehicle movements per annum (2400 net movements)

40,000 t x 40% /30t loads = 533 two-way vehicle movements per annum (1066 net movements)

Total number of one-way movements = 3466 per annum (or 12 per 24 hr period based on 5.5 days and 52 weeks), now factor-in that 80% are in fact NOT two-way movements and actually both arrive and leave loaded. This reduces the amount of vehicle movements to:

Of the 3466 single movements per annum 20% or 693 (1386 net) are unavoidably only loaded in one direction and account for 13,860t of the 40,000t cumulative annual throughput, this leaves 26,140t that will be carried on the basis that the vehicle is loaded on its way in and its way out so this means that the remaining tonnage can be moved by 1307 vehicle movements. Adding back in the 1386 movements that we unavoidable only loaded in one direction gives us a total of (1386+1307) or 2693 net movements compared to the 3466 if the lorries are only loaded in one direction. So at our maximum throughput (Yr2):

*2693 movements (two-way) per annum / 52 weeks / 5.5 days = **9.41 vehicle movements per day.***

This is a worst case scenario as it has not factored in that 33% of the material is modelled to stay on site for use in the Ebbsfleet Development (Eastern Quarry).

*Add in 4 staff cars per day = **8 car movements per day***

*Add in occasional delivery / removal traffic at an average of 1 per day = **1 LGV movement per day***

The majority of these movements happen pre - rush hour in either the morning (06:00 – 07:00) or the afternoon (14:00 - 15:00) such is the nature of the industry.”

33. The vehicles will enter and leave the site from/to the Roman Road to the south as this is the most direct route from/to the wider highway network. The Kent County Council Highways and Transportation Officer raises no objection and does not consider there would be sufficient grounds to recommend refusal of the proposal. It is considered that the relatively low proportion of

Temporary consent (5 years) for the operation of a construction and recycling facility for concrete and road base/planings and ancillary plant storage areas, reception, weighbridge office and parking at Eastern Quarry, Off Watling Street, Swanscombe, Kent (KCC/DA/0226/2013)

traffic that would be generated by the development compared with the overall level of traffic in the vicinity (especially from the neighbouring Bluewater Shopping Centre) would not be detrimental to highway movements. Also taking into consideration that the proposal will be for a temporary period and vehicle numbers can be controlled by condition and all recycling will take place on the site, the proposal is considered acceptable in this respect.

34. As well as highway safety, concern has been raised by a neighbouring business regarding depositing of mud/debris from wheels on the highway. On this issue, it is considered that there will be no significant impact; notwithstanding that there will be a condition requiring the proposed wheel wash facilities to be operational, it is considered that the relatively low frequency of vehicles and nature of the operation would mean that the amount of mud/debris on the highway will be not be significant enough to an extent that would justify a refusal of planning permission. It is also worth noting the length of the internal access road, which a vehicle would have to travel before it reached the egress onto the public road, upon which it is likely any excess residue would drop off from a vehicle before reaching the main public road.
35. Drainage – The Environment Agency raise no objection to the proposals subject to conditions ensuring that no infiltration of surface water drainage into the ground is permitted other than with express written consent of the Planning Authority, as the site overlies a chalk aquifer used for drinking water supply locally. It is recommended that a condition be added accordingly to any grant of planning permission.
36. Noise – The applicant proposes a noise abatement bund on the northern edge of the boundary. A noise assessment has been carried out by the applicant, measuring noise levels from 3 locations of proposed and nearest existing residential properties from 300m to 1km away, taking into consideration the noise abatement bund, typical noise levels from machinery of the type to be used at the site and suggesting noise mitigation measures. The conclusion is that the noise impact from the site will be less than “of marginal significance” when measured against British Standard 4142 (the standard for assessing Industrial noise affecting mixed industrial and residential areas), a conclusion verified by Council’s noise consultants. On this basis complaints are considered unlikely, and given that the existing operations to the northwest of the site would (with approval from Dartford Borough Council) not differ significantly from that proposed, and the distance to the closest noise sensitive receptors (approx 300m), no objections are raised in this respect.
- 37.
38. Dust – The applicant proposes dust and odour assessments to be made three times a day in line with their own environmental logs and Local Authority Integrated Pollution and Control (LA-IPPC) Regulations. There will also be sprinkler systems in operation throughout the site. A condition is

Temporary consent (5 years) for the operation of a construction and recycling facility for concrete and road base/planings and ancillary plant storage areas, reception, weighbridge office and parking at Eastern Quarry, Off Watling Street, Swanscombe, Kent (KCC/DA/0226/2013)

recommended that these measures are put in place prior to implementation of the permission but otherwise, it is considered there will be no significant impact to nearby receptors as a result of dust and odour from the development. Vehicles are proposed to be sheeted, which would reduce the potential for dust and could be conditioned if permission is granted.

39. Visual Impact – It is considered there will be no significant impact arising from the development beyond that arising from its existing use. The design and layout is to be as expected of this type of development in visual terms being industrial and utilitarian. The site is well screened; from the north owing to its significant difference in land level below the chalk face and; from the south by existing vegetation as well as the proposed 3m high noise abatement bund. Given the secluded location of the site it is considered that an allowance of 6m high stockpile would be reasonable.

Conclusion

40. The proposed development is considered to accord with the relevant policies of the Kent MWLP, the Dartford Local Plan and the National Planning Policy Framework. It would contribute positively to waste management of the County, at the higher end of the “waste hierarchy” in an appropriate location. The proposed development will have no significant impact on the locality in terms of design or visual amenity especially given its secluded location. Being an application for a proposal very similar to the operations currently being carried out ancillary to the redevelopment of the whole site, it is considered any additional impact arising from imported/exported material will be minimal especially given its temporary nature. It is considered that the alteration of access arrangements, with vehicles now entering and exiting the site from Roman Road (leading to the A2), will not have a significant additional impact on the highway owing to the fairly moderate frequency of movements and measures, secured by condition, to mitigate mud and debris being deposited from wheels. Overall, it is considered that the proposal would accord with Local Plan Policies, would be sustainable development and accordingly approval of this application is recommended.

Recommendation

41. I RECOMMEND that PERMISSION BE GRANTED subject to the following conditions:
- Standard time limit for implementation (3 years from the date of decision)
 - The operation to cease no later than 5 years from the date of planning permission.
 - Development to be carried out as per approved plans,
 - Hours of operation (between the hours of 0600hrs and 1800hrs Monday to Friday and 0600hrs to 1200hrs on Saturday with no operating hours on

Item C2

Temporary consent (5 years) for the operation of a construction and recycling facility for concrete and road base/planings and ancillary plant storage areas, reception, weighbridge office and parking at Eastern Quarry, Off Watling Street, Swanscombe, Kent (KCC/DA/0226/2013)

Sundays or Bank Holidays) and essential deliveries of waste awaiting recycling at night time.

- No. of vehicle movements (no more than 10 HGV movements a day (5 in and 5 out) and 8 car movements from staff vehicles (4 in and 4 out) and 1 LGV a day).
- Limit the annual throughput to 40,000 tonnes per annum
- Submission of detailed surface water drainage scheme to accommodate mitigation of potential impacts on groundwater,
- Retention of parking spaces for vehicles and covered cycle spaces, safeguarding of vehicle turning areas,
- Provision for loading/unloading and turning space for construction vehicles within site during construction,
- Stockpile heights to be limited to 6m
- Parking for visitors and staff on site during construction,
- Detailed scheme of wheel wash facilities for period of construction (including methods for washing underside of vehicles).
- Details of any surface alterations with an agreed timescale for restoration prior to the use ceasing.
- All vehicles delivering waste and exporting processed material to be sheeted.

Case Officer: Harry Burchill

Tel. No. 01622 221058

Background Documents: see section heading.
--