

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 other documents as might be additionally indicated.

Item C1

Improvement of existing waste management facility to include use of adjacent industrial unit land, construction of two steel framed buildings to facilitate recovery and recycling of waste material, weighbridge, office, parking and revised boundary treatment at Units 6, 13, 14 and Adjacent Unit, Detling Aerodrome Industrial Estate, Detling, Maidstone – MA/13/2191 (KCC/MA/0363/2013)

A report by Head of Planning Applications Group to Planning Applications Committee on 9 April 2014.

Application by Pinden Limited for improvement of existing waste management facility to include use of adjacent industrial unit land, construction of two steel framed buildings to facilitate recovery and recycling of waste material, weighbridge, office, parking and revised boundary treatment at Units 6, 13, 14 and Adjacent Unit, Detling Aerodrome Industrial Estate, Detling, Maidstone, ME14 3HU – MA/13/2191 (KCC/MA/0363/2013)

Recommendation: Permission be granted, subject to conditions

Local Member: Mrs J. Whittle

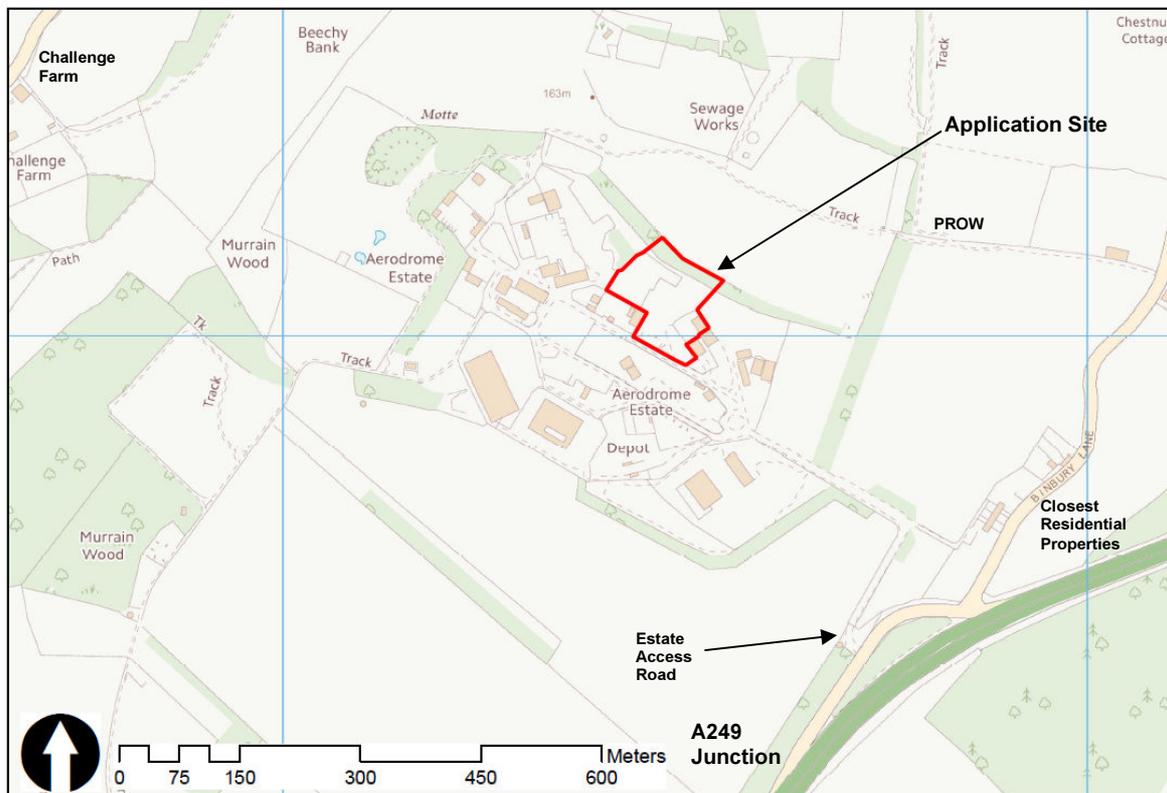
Classification: Unrestricted

Site

1. The application site forms an area of previously developed land within the existing Detling Airfield Industrial Estate, Detling. The industrial estate lies on the North Downs, to the north-east of the Kent County Show Grounds off the A249. The site is approximately 2.5 km north-east of Detling, 3km south-west of Stockbury and 6.5km north-east of Maidstone town centre. The industrial estate was created on a former RAF airfield and as such appears as an area of isolated commercial development within the wider rural landscape.
2. The entire estate and surrounding landscape is located within the Kent Downs Area of Outstanding Natural Beauty (AONB). The industrial estate is designated in the Maidstone Local Plan Proposal Map as an area of existing economic development with consented B1 (Business) and B2 (General Industry) uses (under Saved Local Plan Policy ED2). The Proposals Map also identifies the site within land designated as countryside (under Policy ENV28) and a strategic gap between Maidstone and Medway (under Policy ENV31).
3. The industrial estate covers an area of approximately 12 hectares and consists of a mix of industrial buildings and open storage, including B2 (General Industrial) and B8 (Warehouse & Distribution) uses. The commercial premises are served by a network of private estate roads linked to a dedicated access that connects directly to a slip road on the A249 dual carriageway, approximately 200m to the south-east of the industrial estate. A band of established landscape planting provides screening for built development within the estate.

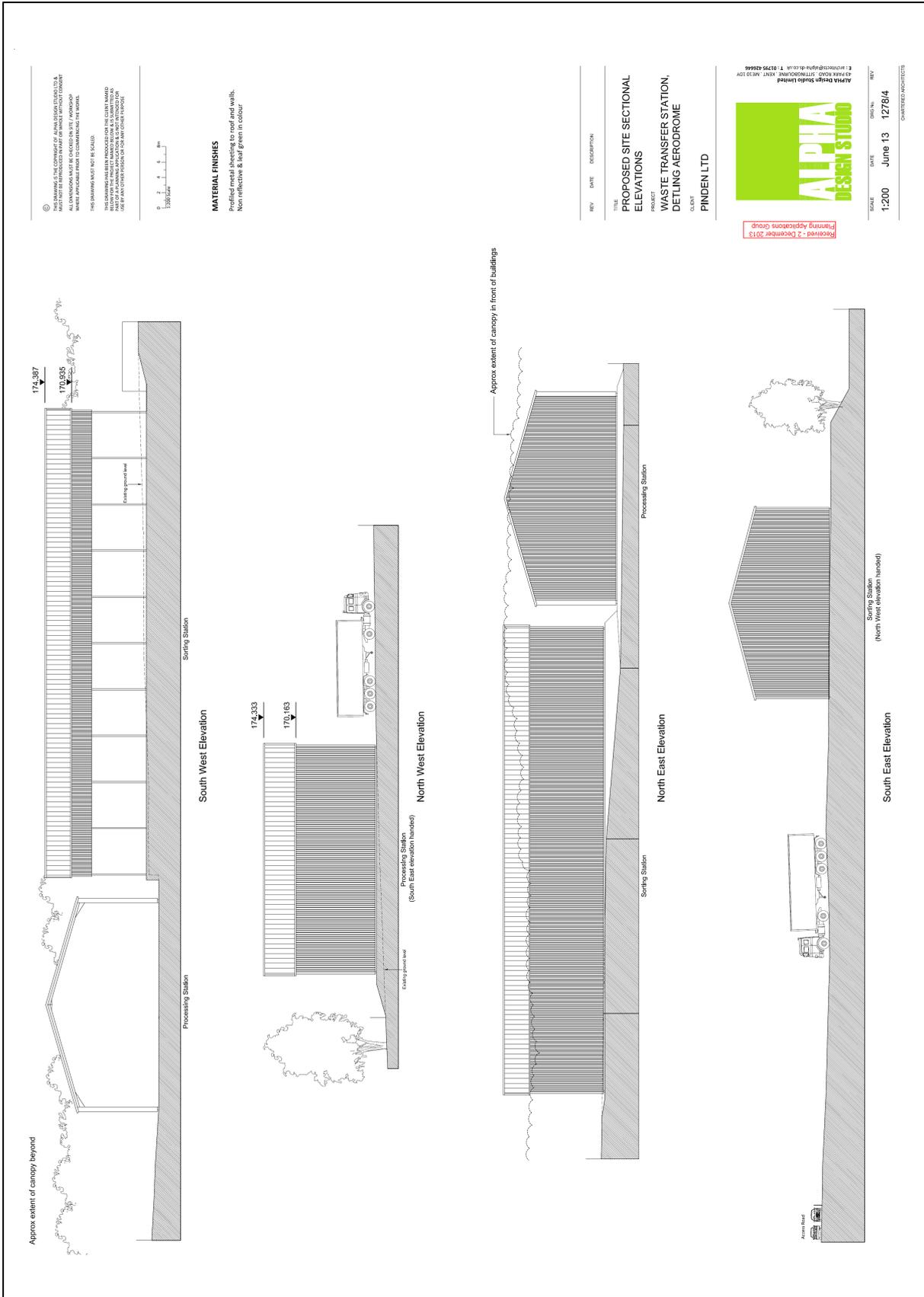
Improvement of waste management facility at Units 6, 13, 14 and Adjacent Unit, Detling Aerodrome Industrial Estate – MA/13/2191

Site Location Plan



Improvement of waste management facility at Units 6, 13, 14 and Adjacent Unit, Detling Aerodrome Industrial Estate – MA/13/2191

Proposed Elevations



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1:200 SCALE
0 2 4 6 8 M

MATERIAL FINISHES
 Profiled metal sheeting to roof and walls.
 Non reflective & leaf green in colour.

REV DATE DESCRIPTION
 TITLE PROPOSED SITE SECTIONAL ELEVATIONS
 PROJECT WASTE TRANSFER STATION, DETLING AERODROME
 CLIENT PINDEN LTD

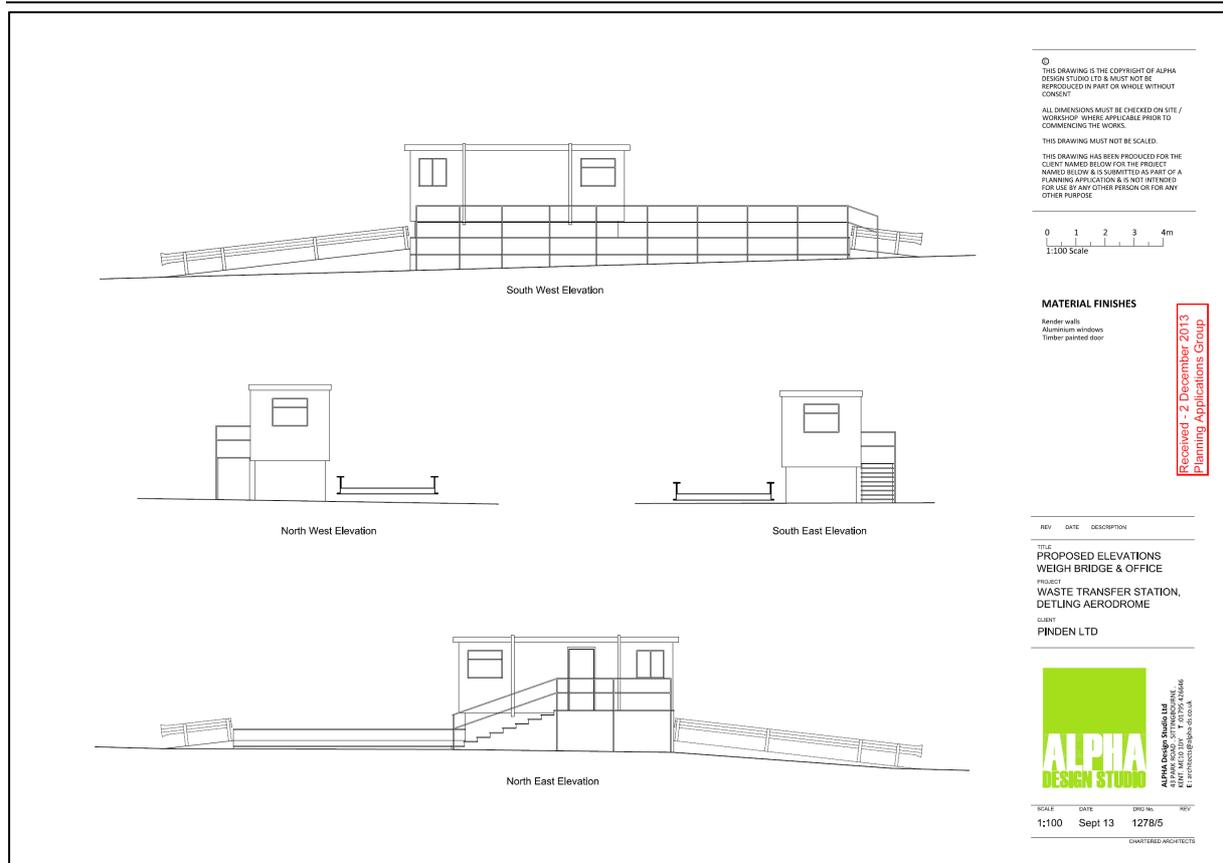
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ALPHA DESIGN STUDIO

Prepared: 2 December 2013
 Drawing Application Group

SCALE 1:200 DATE June 13 1278/4
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 CHARTERED ARCHITECTS

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4. The application site is positioned on the northern edge of the industrial estate, between existing commercial developments located on neighbouring units to the south, east and west. The proposed site covers approximately 1.18 hectares of land, consisting of existing permitted waste uses and open storage areas within the estate. Land to the south forms part of the internal road layout serving the industrial estate, beyond which are further commercial uses. Land to the north of the site consists of a 15m wide buffer of land that forms part of a landscaped boundary planted around the industrial estate. The planting within the area directly adjacent to the site is intermittent with semi mature trees and shrubs with occasional gaps in the cover. Land further to the north consists of farmland and open countryside with intermittent woodland plantations. A Public Right of Way (PROW) passes approximately 110m to the north of the site.
5. Beyond the industrial estate, the nearest residential properties are located along Binbury Lane to the east, the closest of which is located approximately 400m from the application site. A further property (Challenger Farm) is located 700m to the west.
6. The site overlies a principle aquifer and is identified by the Environment Agency as being within a Groundwater Source Protection Zone (SPZ) 3.
7. There are no other site specific designations, although more general development plan policies are set out in paragraph (22) below.

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Background

8. Unit 6, which forms the south-eastern part of the site, benefits from planning permission as a waste transfer station allowing the processing and storage of waste under permission reference MA/95/989. This consent included a covered building, ancillary waste storage containers and a sealed concrete base. Following implementation of the waste use, the original operator breached the terms of the permission and expanded the waste operation into the adjoining unit. As a result of this action, the County Council served an Enforcement Notice (EN) in 2004, which was upheld at appeal in December 2005.
9. A subsequent operator (not the current applicant) reversed the breaches and drew the activity back within Unit 6. The use of the site has remained active, albeit without the provision of a covered building within which waste is required to be processed. The original transfer building, which contained 150m² of floorspace within a mono pitched roof line rising to 6m in height, was demolished in 2009.
10. The adjacent Units 13 and 14 were previously separate entities with their own access that benefited from separate permissions and uses. These previous uses included open storage and a regional depot for a telecommunications contractor. In 2006/07 all three units were joined together and enclosed by a security fence with a common access point. Units 13 and 14 were used, without the benefit of planning permission, as a skip hire business and ancillary purposes incidental to the waste transfer station.
11. The above breaches in planning control were addressed in 2010 with the submission of two applications to regularise the use of all 3 units. The Planning Applications Committee considered both applications at its meeting in March 2011 and resolved to grant planning permission subject to conditions. Permission reference MA/10/1932 granted consent for the continuation and enhancement of the permitted waste transfer station within Unit 6, comprising a new waste management building, increased throughput and revised operational arrangements. The permitted building comprised approximately 825m² of floorspace (33m wide by 25m deep, rising to 8.75m in height) covering three quarters of the unit. To date the building has yet to be constructed. The second permission (MA/10/1931) granted consent for a change of use of land at Units 13 and 14 to provide for a skip hire depot including the retention of existing portacabins for use as office, canteen and toilet, also used in connection with the adjacent waste use.
12. A further application to amend the site layout, relocate the waste treatment building and change the permitted use of units 13 and 14 to allow a waste use across the entire site area was made in September 2013, before being withdrawn in April 2013.
13. The current applicant, Pinden Limited, took over the lease of the site in April 2013. Since this date the site has been cleared and tidied, with operations scaled back under the provisions of the existing waste permissions and the terms of the Environmental Permit.

Recent Planning History

14. The recent planning history for the above site includes the following:
 - MA/95/989 – Change of use of land and erection of building to accommodate a waste transfer facility – Granted Permission (subject to conditions).

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- DC/MA/COMP/0005 – Confirmed Enforcement Notice dated 22 November 2004 – Breach of planning control involving a material change in the use of land from industrial and permitted waste transfer facility to an intensified level of waste activity, including departure from terms of permission MA/95/989.
- APP/W2275/C/04/2000450 – Appeal against Enforcement Notice (DC/MA/COMP/0005) dated 8 December 2005 – Inspectors Decision was to dismiss the appeal and uphold the enforcement notice.
- MA/10/1932 - Erection of a replacement building for waste processing, provision of revised access and parking – Granted Permission (subject to conditions).
- MA/10/1931 - Change of use of land to provide for skip hire depot including retention of existing portacabins for use as office, canteen and toilets (dual use with adjoining waste transfer facility) – Granted Permission (subject to conditions).
- MA/12/2130 - Relocation of waste treatment building, revised site layout and storage of inert and semi inert waste. Change of use of units 13 and 14 to allow the acceptance, treatment and storage of waste – Application withdrawn by the applicant prior to determination given the lack of information there in and issues relating to the previous owner / applicant's desire to sell the site.

Proposal

15. Pinden Limited is applying for permission to improve an existing waste management facility to include use of adjacent industrial unit land, construction of two steel framed buildings to facilitate recovery and recycling of waste material, weighbridge, office, parking and revised boundary treatment.
16. The application proposes the development of an integrated waste management facility to allow the importation, sorting, recycling and storage of waste materials across the site area, with recyclates and residual waste arisings bulked up for onward transportation. The existing waste facilities at the site would be adapted and significantly improved to accept and process mixed industrial and commercial skip wastes. The main elements of the proposed development are identified as follows:-
 - The use of Units 6, 13 and 14 and an additional open storage / industrial unit to the west for waste recycling and transfer operations;
 - The extension of sealed concrete surfacing across the entire area;
 - Improved site drainage;
 - Provision of an external pre-sort area with 3m high concrete retaining panels and storage bay areas (separated by moveable 'push walls');
 - The erection of two open fronted steel framed buildings adjacent to the northern boundary, finished in a leaf-green colour. The buildings would comprise of a sorting station and a separate processing station with associated waste processing machinery. The proposed sorting station building would measure (approximately) 60m by 24.5m, with an eaves height of 9.5m and a maximum ridge height of 13m and the processing building – 29.5m by 27.5m by 10.5m (to eaves) and 14.5m (to ridgeline).
 - The relocation of a weighbridge and installation of a weighbridge office on / adjacent to the site access;

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- The provision of formal car parking for 17 cars (including minibus) on land to the west of the site access;
 - New palisade fencing to secure the entire site area;
 - The retention of the existing site office and the relocation of toilet facilities; and
 - Enhanced tree planting between the proposed buildings and the northern boundary of the industrial estate.
17. The facility would accept and treat locally derived wastes and recycle and recover them as resources. Waste materials for recovery and recycling would be transferred to the site in skip HGVs (predominantly), tipper lorries and roll-on-roll-off waste containers. Pre-sorting of materials would be carried out by a 360° machine and a loading shovel which would also feed a hopper and covered conveyor which would enter the Sorting Station building. This building would house waste processing machinery and equipment, including a trommel, air separator/screen and a manual picking station. A covered conveyor would then link to the Processing Station building where a shredder and bailing equipment would be located. Recovered materials would either be exported directly off site or transferred to external bays for temporary storage prior to export off site. Recycled and recovered waste materials would be bulked-up and leave the site in 20 tonne or 25 tonne capacity HGVs. External areas would be fully concreted with a dedicated drainage system. The external yard areas would be used for skip storage and overnight lorry parking for approximately 10 vehicles.
18. The longer term proposals for the site would involve the recovery and handling of up to 75,000 tonnes of waste per annum. The maximum throughput is expected to generate up to 265 HGV movements per day (where one movement represents one HGV in or out). This would be an increase of 145 HGV movements per day over the 120 HGV movements permitted under existing uses on site.
19. No change is proposed to the permitted operating hours for the site, which are:-
- 0600 – 1800 hours Monday to Friday
0700 – 1700 hours Saturdays
Site Closed – Sundays and Public Holidays
- The facility would employ up to 40 staff, including agency staff and dedicated HGV drivers base out of the site that would support waste operations.
20. The application is accompanied by the following supporting documents:
- A Landscape and Visual Impact Assessment;
 - A Landscape Masterplan for the site;
 - A Transport Statement;
 - A Noise Assessment;
 - A Dust and Odour Assessment; and
 - An Ecological Appraisal.
21. Following comments received from the Kent Highways and Transportation, Stockbury and Detling Parish Councils, the applicant has provided additional supporting information amplifying the application. The supporting information received included a technical note in support of the Transport Assessment, which considers the layout and safety of the junction with the A249 in detail. The technical note acknowledges that elements of the junction, including the length of the acceleration lane / on-slip to the north bound

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carriageway and the length of the deceleration lane for the right turn on the south bound carriageway, fall below most recent design standards, but that the safety record at the junction indicates that the layout remains acceptable. This additional information has been subject to further consultations with the statutory consultees, including Kent Highways and Transportation.

Planning Policy

22. The most relevant Government Guidance and Development Plan Policies summarised below are relevant to the consideration of this application:

- (i) **National Planning Policy and Guidance** – the most relevant National planning policies and policy guidance are set out within the following documents:

National Planning Policy Framework (NPPF) (March 2012) sets out the Government's planning policies for England and is a material consideration in the determination of planning applications. It does not change the status of the development plan which remains the starting point for decision making. Planning Policy Statements (PPS) 10 specifically details Government policy on Planning for Sustainable Waste Management.

The NPPF contains a presumption in favour of sustainable development. It 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. Within the over-arching roles there are 12 core principles that planning should achieve. These can be summarised as:

- be genuinely plan-led;
- a creative exercise in finding ways to enhance and improve the places people live their lives;
- proactively drive and support sustainable economic development;
- secure high quality design and a good standard of amenity;
- take account of the different roles and character of different areas, including protecting Green Belts, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities;
- support the transition to a low carbon future, taking account of flood risk and coastal change and encourage the reuse of existing resources and the development of renewable energy;
- contribute to conserving and enhancing the natural environment and reducing pollution;
- encourage the effective use of land by reusing brownfield land, providing that it is not of high environmental value;
- promote mixed use developments;
- conserve heritage assets;
- manage patterns of growth to make fullest use of public transport, walking and cycling; and focus significant development in locations which can be made sustainable; and

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- take account of strategies to improve health, social and cultural well being, and deliver sufficient community and cultural facilities and services to meet local needs.

In terms of delivering sustainable development in relation to this development proposal, the following NPPF guidance is particularly relevant:

- Chapter 1 (Building a strong, competitive economy);
- Chapter 3 (Supporting a prosperous rural economy);
- Chapter 4 (Promoting sustainable transport);
- Chapter 7 (Requiring good design);
- Chapter 8 (Promoting healthy communities);
- Chapter 10 (Meeting the challenge of climate change, flooding and coastal change);
- Chapter 11 (Conserving and enhancing the natural environment); and
- Accompanying Technical Guidance.

The NPPF 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.

Planning Policy Statement (PPS) 10 (Planning for Sustainable Waste Management) sets out Government policy on waste. The key planning objectives set out in PPS10 can be summarised as: providing a framework for delivering sustainable waste management through the movement of waste management up the waste hierarchy; helping implement the national waste strategy and supporting targets that are consistent with obligations required under European legislation; helping to secure the recovery or disposal of waste without endangering human health and without harming the environment; ensuring that communities take more responsibility for their own waste (self sufficiency) and enabling sufficient and timely provision of waste management facilities to meet the local needs; enabling waste to be managed in one of the nearest appropriate installations (proximity); and recognising the particular locational needs of some types of waste management, together with wider environmental and economic benefits of sustainable waste management, as material considerations that should be given significant weight in determining whether proposals should be given planning permission.

(ii) **Development Plan Policies:**

Kent Waste Local Plan (KWLP) (1998) (Saved Policies) – the most relevant saved policies include: W3 (Locational Criteria), W6 (Need), W7 (Re-use), W9 (Waste Separation and Transfer), W18 (Noise, Dust and Odour), W19 (Surface and Groundwater), W20 (Land Drainage and Flood Control), W21 (Nature Conservation), W22 (Road Traffic and Access), W25 (Plant and Buildings) W27 (Public Rights of Way) and W31 (Landscaping).

Maidstone Borough Wide Local Plan (2000) – the most relevant saved policies include: ENV6 (Landscaping), ENV28 (Countryside), ENV31 (Strategic Gap), ENV33 (Kent Downs AONB), ENV49 (External Lighting), ED2 (Retention of Employment Sites), ED12 (Detling Airfield Industrial Estate), T13 (Parking Standards), T21 (Access) and T23 (Development Control Considerations)

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(iii) **Emerging Policy**

Kent Minerals and Waste Local Plan 2013-2030 Pre-Submission Consultation Draft (January 2014) – Draft Policies CSW1 (Sustainable development), CSW2 (Waste hierarchy), CSW4 (Strategy for waste management capacity), CSW6 (Location of non strategic waste sites), CSW8 (Approach to waste management for non hazardous waste), CSW17 (Safeguarding permitted waste sites), DM1 (Sustainable design), DM2 (Sites of International, National and Local Importance), DM9 (The water environment), DM10 (Health and amenity), DM11 (Cumulative impact), DM12 (Transportation of minerals and waste) and DM13 (Public Rights of Way).

Members will be aware that the pre-submission consultation draft of the Kent Minerals and Waste Local Plan 2013-2030 was endorsed by the full Council on 12 December 2013 for submission to the Secretary of State following a period of consultation. This document has not yet reached submission stage, as such the draft Plan and its policies carry limited weight as material planning considerations.

Maidstone Borough Local Plan Regulation 18 Consultation (2014) – Draft Policies: SS1 (Spatial Strategy), SP5 (Countryside), DM1 (Development on Brownfield Land), DM4 (Principles of good design), DM6 (External Lighting), DM9 (Non Conforming Uses), DM10 (Historic and Natural Environment), DM13 (Sustainable Transport), DM17 (Economic Development), DM18 (Retention of Employment Sites) and DM30 (Design Principles in the Countryside).

This document has not yet reached submission stage, as such the draft Plan and its policies carry limited weight as material planning considerations.

(iv) **Other Policies**

Kent Downs Area of Outstanding Natural Beauty Management Plan 2009 – 2014 (First Revision April 2009) – Policies LLC1 and LLC8 (Landform and Landscape Character), GNR4 and GNR6 (Geology and Natural Resources) and SDT2, SDT3, SDT5 and SDT12 (Sustainable Development and Travel).

Consultations

23. **Maidstone Borough Council:** raise no objection to the development.

24. **Thurnham Parish Council:** no comments received.

25. **Stockbury Parish Council:** raise the following comments / concerns:

Stockbury Parish Council is concerned that any increase in traffic movement along the A249 would be a potential safety hazard, especially as traffic flows have probably reduced over the last couple of years due to the financial restraints on the county and also the apparent reduction of current movement on/off the Detling Aerodrome Industrial Estate.

The Parish Council note that the whole length of the A249 between the M2, Junction 5

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and M20, Junction 7 has been confirmed by Kent Highways as being sub standard in design. Vehicles accessing the site from M2 / Sittingbourne direction using the right turn facility are crossing the 70mph carriageway of the northbound A249 causing major safety hazards. In spite of the accident figures included in the application for the junction with the A249, the Parish Council consider that the number of times the A249 is closed from the M2 to the M20 due to accident investigation should be taken into account.

The Parish Council also raise concern that the ridge heights to the proposed buildings would be higher than the adjacent buildings and would be visible in the skyline when viewed from the north. The Parish Council request that the existing tree and shrub growth along the northern boundary should be maintained and any trees damaged or dying be replaced to maintain and improve the existing screening of the site and that the proposed external lighting columns should be no taller than the maximum eaves height on the application site to reduce / contain light pollution.

26. **Detling Parish Council:** raise concerns regarding the proposed increase in traffic movements along the A249 and the potential safety hazards associated with the traffic flow. The Parish Council also raise concerns about the ridge height of the proposed new buildings, as these appear to be higher than the adjacent buildings and would be above the skyline when viewing the site from the north.
27. **Environment Agency:** raise no objection subject to planning conditions covering: measures to be taken if contamination not previously identified is found to be present; no infiltration of surface water drainage into the ground without the written consent of the County Planning Authority; and the submission of full details of a foul and surface water drainage scheme (including details of the proposed sealed drainage tanks).

The Agency note that the site is underlain by the upper chalk principle aquifer and is located within a Source Protection Zone III for a potable water abstraction. The site lies within a sensitive groundwater area and therefore all precautions must be taken to protect the aquifer from potential contamination. For that reason the Agency recommend the above conditions.

The Agency advise that the proposed changes to the waste transfer and treatment operations at this site would require a variation to the existing Environmental Permit to be in compliance with the Environmental Permitting (England and Wales) Regulations 2010. The operator would need to demonstrate that all pollution risks are being managed appropriately at the site, giving particular attention to adequate site infrastructure, drainage and trade effluent consent with the sewerage undertaker (where appropriate), as well as the protection of watercourses through the implementation of an approved site specific Environmental Management System.

28. **Natural England:** raise no comments in relation to the Kent Downs Area of Outstanding Natural Beauty. In respect of protected species the comments draws attention to Natural England's published Standing Advice, which should be applied as a material consideration in the determination of applications.

Natural England's Standing Advice – recommends that no protected species surveys are required and works should proceed with caution. An informative should be appended to any consent stating that if protected species are encountered during the course of the development, then works should cease and advice be sought from an ecological consultant.

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29. **Kent Downs AONB Group:** no comments received.
30. **South East Water:** no comments received.
31. **Southern Water:** comment that there are no public foul and surface water sewers in the vicinity of the site and the applicant may need to investigate an alternative means of foul and surface water disposal.
32. **National Air Traffic Services (NATS):** raise no safeguarding objections to the proposal.
33. **Kent County Council Highways and Transportation:** raise no objection to the application, subject to the provision of additional signage on the A249 northbound approach to the Hucking junction to discourage the use of this junction by HGVs wishing to make a U-turn. *HGVs are required to travel to the roundabout at junction 5 of the M2 to make the turn.* Has advised that this additional signing could be secured by a Section 278 Highways Agreement.

Highways and Transportation comment that the Transport Statement and additional technical note provided by the applicant (*in response to Highways and the Parish Council comments*) indicates that there is not a significant safety problem at the access / egress to the application site or the junction linking it with the A249. The Highway Authority advises that having considered the safety record and the comparison of the junctions linking the site with the A249 against current standards, it is satisfied that there is no requirement for modifications to be made. The additional information received adequately addresses the parking and turning requirements within the site.

34. **The County Council's Noise Consultant:** raises no objection to the application, subject to recommended noise limits being imposed on any permission to the levels set out within the noise assessment. The comments received confirm that the assessment and additional clarification received is robust and that the potential noise generated by the proposed development would not be a significant issue.
35. **The County Council's Dust & Odour Consultant:** raises no objection to the application, subject to a condition securing the mitigation measures recommended within the Dust and Odour Impact Assessment received with the application. The consultant's advice confirms that the report of the assessment details the risk identified during construction and operational phases and goes on to state a number of mitigation measures. These measures include dampening down of surfaces in dry conditions, provision of vehicle washing facilities, sheeting of vehicles carrying materials, regular sweeping / site maintenance and a site speed limit of 10mph. The consultant's recommendation also notes that the facility would process waste that does not give rise to odour and that, given the distance to the nearest receptor, the potential odour impacts would be negligible.
36. **The County Council's Landscape Advice Service:** raises no objection to the application.

The Landscape Advice Service notes that a detailed Landscape and Visual Assessment (LVIA) has been submitted with the application that clearly presents a balanced assessment of the likely landscape and visual impacts of the proposal. It agrees with the results / outcome of the assessment that the development would have 'moderate

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negative' effects on the landscape character and visual amenity, which would be confined to a small area immediately to the north of the site.

37. **The County Council's Ecological Advice Service:** raises no objection to the application, subject to conditions to secure precautionary mitigation measures as set out within the Ecological Appraisal report received with the application and the submission of details of all external lighting to minimise impacts on light-sensitive biodiversity. The Ecological Advice Service advise that the potential for ecological impacts arising as a result of the proposed development have been adequately assessed and the site is not considered to have significant ecological value. In addition to the above conditions the advise recommends an informative in respect of the protection afforded breeding birds should works be required to trees or shrubs on site between 1st March and 31st August.
38. **The County Council's Minerals and Waste Policy Team:** advise that the proposed development accords with the direction of the emerging policy, including draft Policy CSW6: Location of Non Strategic Waste Sites. Policy CSW6 supports applications for non strategic waste facilities on land within or adjacent to existing mineral development or waste management use or within industrial estates provided operations are to be enclosed within a building unless it can be demonstrated that there would be no significant adverse effects from noise, dust or odour. The comments received also point out that the site already has permanent planning permission for waste management uses and forms part the County's waste management capacity on which forecasts for the draft Plan are based. Draft Policy CSW17 seeks to safeguard existing waste management uses to ensure that this capacity is not reduced.

Local Member

39. The local County Member for Maidstone Rural East, Mrs Jenny Whittle was notified of the application on 17 December 2013.

Publicity

40. The application was publicised by the posting of a site notice, an advertisement in a local newspaper, and the individual notification of 31 nearby commercial and residential properties.

Representations

41. No letters of representation have been received in response to the above publicity.

Discussion

42. The application seeks planning permission for the redevelopment of a existing waste management site and adjacent industrial estate land, to include the construction of two steel framed buildings and associated facilities to enable recovery and recycling of waste material. The application is being reported to the Planning Applications Committee as a result of concerns raised by Stockbury and Detling Parish Councils. See paragraph (23) to (38) for details of all consultee views received.
43. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in

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the context of the Development Plan Policies, the National Planning Policy Framework, other Government Policy and any other material planning considerations. In considering this proposal the planning policies outlined in paragraph (22) above are particularly relevant.

44. The key determining considerations in this particular case can be summarised by the following points:

- principle of the development and case of need;
- landscape and visual impact considerations;
- highway considerations;
- local amenity impacts (including noise, dust, odour and air quality);
- water environment (flood risk / groundwater impacts); and
- biodiversity considerations.

Principle of the development and case of need

45. The majority of the application site already benefits from planning permission for waste management uses (most recent being MA/10/1932 for the erection of a replacement waste processing building and MA/10/1931 for a change of use to allow a skip hire depot in connection with adjoining waste transfer station). The remainder of the land falls within the established industrial estate and comprises open storage, ancillary to an existing industrial use. The Detling Aerodrome Industrial Estate (including the entire application site area) is allocated and safeguarded within the Maidstone Saved Local Plan Policy ED2 for economic development for B1 (Business) or B2 (General Industrial) uses.

46. Paragraph 20 of PPS10, Policies W3, W7 and W9 of the Kent WLP and draft Policy CSW6 of the draft Kent MWLP (2014) all support the principle of the location of waste management facilities within or adjacent to existing waste management operations and / or industrial uses, subject to the development being located to minimise impact on local and natural environments and having ready access to the main road network.

47. On this basis proposals for waste management facilities at the Detling Industrial Estate would in principle be viewed favourably provided they are consistent with other policies and relevant criteria. It should be noted that as the existing waste facility at the site has the benefit of a permanent planning permission, it forms part the County's waste management capacity on which forecasts for the draft Kent MWLP are based. The current stock of waste management facilities are important to achieving net self-sufficiency for the County and the loss of capacity could adversely impact on delivering the waste management strategy. To this end draft Policy CSW17 of the Kent MWLP would seek to safeguard the existing facility from any other form of development, unless the existing capacity was replaced.

48. Policy W6 of the Kent WLP (1998) states that where sites are located outside a location identified in the Plan and it is judged that proposals would cause demonstrable harm, need becomes a material consideration in the decision making process. The Kent WLP (1998) identifies that locations are needed for sorting and separation of materials capable of being re-used, recycled and recovered and for the bulking-up of mixed waste for onward transportation. Emerging Policy CSW8 of the draft Kent MWLP reflects the call to provide improved waste management capacity to enable Kent to be as self sufficient as possible in managing waste arisings. Paragraph 14 of the NPPF states that

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there is a presumption in favour of sustainable development and that this should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means that, unless material considerations indicate otherwise, proposals that accord with the development plan should be approved. It also states that where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits. Paragraph 19 of the NPPF states that the planning system should support sustainable economic growth. Maidstone Saved Local Plan Policy ED2 and Maidstone draft Local Plan Policies SS1, SP5, DM17 seek to support and improve the economy of the borough.

49. The application identifies that the permitted waste transfer station has served a definable catchment area, including urban areas of Sittingbourne, Maidstone and the Medway Towns, since 1995. Thereby contributing to regional self sufficiency by processing and recovering value from locally derived waste. During this time there has been a continuing growth in demand for waste handling capacity and for more sustainable waste management options. This includes a requirement to move the management of waste up the waste hierarchy. PPS10, alongside the emerging draft Kent MWLP, seek to give priority to planning for waste management developments that prepare waste for re-use or recycling above other options for recovery or disposal.
50. The current applicant draws attention to the fact that previous occupants of the site have had clear difficulties in operating the facilities within the constraints of the existing permissions, which has been reflected in the history of non-compliance and enforcement. This includes a requirement to provide a building on site within which waste management can take place. The original building permitted was potentially undersized, being damaged by operational plant and subsequently demolished a number of years ago. Since that time operations have continued in the open in breach of the planning controls in place. The applicant draws attention to the piecemeal planning applications previously submitted and approved for individual units and the 2012 withdrawn application, which have so far failed to deliver a solution for the sustainable future of the waste recycling operations to modern standards using modern plant housed within fit for purpose buildings.
51. The application also states that the operation of the proposed facility alongside Pinden's existing waste management operations near Dartford would enable the applicant to offer significant efficiencies in their operations by better targeting and rationalising catchment areas and waste streams for recycling, thereby cutting down haul distances between waste sources, the two operating sites and recovered product destinations.
52. In my opinion, the current proposal would represent a significant investment in improving the site and operations to meet modern standards, including in terms of development control and environmental permitting. This would increase the efficiency of the operation, through the provision of appropriate plant and equipment to increase rates of recycling and recovery, driving waste up the hierarchy. The investment would also contribute to the economic development of the locality, by providing employment opportunities for up to 40 staff and supporting local businesses to manage the waste arising.
53. Having established that the proposed development is acceptable in principle on land within or adjacent to an existing waste facility or within the surrounding industrial estate and that there is a case of need for the proposals, it is necessary to consider whether the

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proposal is acceptable in all other respects. These issues will be addressed in the following sections.

Landscape and visual impact considerations

54. The Maidstone Borough Local Plan identifies the site as being within an established industrial estate that is located within the open countryside, the Kent Downs Area of Outstanding Natural Beauty (AONB) and a defined strategic gap between Maidstone and Medway. On this basis any new development proposed in this location is subject to a number of Development Plan and Government policies that seek to protect and enhance the character and openness of the countryside.
55. The Development Plan Policies in place include Maidstone Local Plan Policies ENV28 and ENV33, draft Maidstone Local Plan Policies SS1, SP5, DM4 and DM30 and Kent draft MWLP Policy DM2. These seek to protect the countryside from unnecessary development and the special character of its landscape, particularly in relation to the AONB. Government policy is set out within the NPPF, including Chapter 11 (Conserving and enhancing the natural environment). Other material considerations include policies set out within the Kent Downs AONB Management Plan which seek to protect, conserve and enhance the natural beauty, landscape and historic character of the AONB. Maidstone Local Plan Policy ED12 specifically relates to development proposed within the Detling Aerodrome Industrial Estate and seeks new development to maintain and enhance the landscape planting and the retention of central open spaces.

Area of Outstanding Natural Beauty

56. The application site falls within the Kent Downs AONB where Development Plan policies and paragraph 115 of the NPPF require planning authorities to give great weight to conserving landscape and scenic beauty. Government policy states that planning permission for major development in the AONB should be refused unless there are exceptional circumstances where it can be demonstrated that the development is in the public interest. The policy indicates that consideration should be given to the need for the development, the scope for developing outside the designated area, any detrimental effect on the environment and landscape and the extent to which any such effect could be moderated.
57. The existing facilities form an important part of the infrastructure available to handle waste streams arising from the surrounding area. However, the existing development provided on site is not fully in accordance with the existing planning approval. The current application would enable the site to be brought back under planning control and enable the development of a modern enclosed facility that is fit to deliver sustainable waste management and increase the movement of waste up the waste hierarchy. Given that the application proposes to upgrade an existing waste management facility, within an established industrial estate, there is not the scope for the development to be relocated outside the designated area. If planning permission were to be refused in this instance the majority of the site would continue to benefit from permanent permission for a waste use. Given the need for such facilities within the County, I consider that the retention and improvement of the current operation to meet modern standards is in the public interest and represents a more sustainable solution than seeking a fresh site.
58. Given that there is an established need that is in the public interest and that it is not practical to consider alternative sites in this instance, it remains necessary to consider

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whether the proposed development would have a detrimental effect on the environment and landscape and, if so, the extent to which this could be moderated.

59. The application proposes the construction of two main waste sorting and processing buildings required to enable the development of a modern sustainable waste management facility. The buildings would be of similar construction and appearance to existing industrial buildings within the estate. The buildings would be finished in a non-reflective leaf green colour and would be open fronted on their inward facing sides. The applicant confirms that the proposed height and size of the buildings is dictated by the minimum operational requirements to handle and treat the waste within the buildings / under cover. The proposed buildings are not dissimilar in size to others permitted within the industrial estate. The existing site levels are between 159m AOD and 162m AOD, the maximum height of the proposed buildings would be 170.94m AOD at the eaves and 174.39m AOD at the ridgeline. The ridge heights of the existing buildings on the estate typically range from 166m to 176m AOD, with the canopy height of established trees on northern boundary recorded at between 169m and 179m AOD.
60. Members will note that the visual impact of any external lighting has been raised by Stockbury Parish Council, it requests that any lighting columns proposed be no taller than the maximum eaves height of the proposed buildings (approximately 10.5m). In response the applicant's agent has confirmed that this would be acceptable. Given the surrounding landscape, external lighting is an important consideration. If additional lighting is required I am satisfied that its visual impact (and the requirements to minimise any impact on local biodiversity) could be reasonably mitigated by conditions including the submission of all external lighting for approval and all external lighting being extinguished outside of the permitted hours of operation, with the exception of low level security lighting or during any essential maintenance or repair.
61. The application includes a Landscape and Visual Impact Assessment (LVIA) and a landscape masterplan (see page C1.5) that outlines proposed enhancements to the existing industrial estate boundary planting. The LVIA states that *'the proposed use of the site would equate to an increase in the intensity of its use, together with the introduction of new buildings into the landscape that would be consistent with those already operating within the aerodrome industrial estate. Therefore there would be no significant change to landscape and visual baseline conditions within the industrial estate itself, which forms its own landscape character area with far lower sensitivities than the wider AONB landscape.*

There are no distant views towards the site and the substantial tree belts and woodland locally mean that the proposed development would be almost visually inaccessible except from a single view, which is representative of views from a short section of PROW KH62, to the north of the assessment site.

The proposed development would have 'moderate-negative' effects on local landscape character and views, although these are confined to a small area immediately to the north of the site.

Mitigation planting would assist in minimising the effect of visual impact on the local views from the north and assist in soften views which impact upon the underlying character of the landscape. The new planting proposals would also represent a landscape enhancement, by reinforcing the existing vegetation belt along the northern

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boundary of the industrial estate, which would result in positive impacts on landscape, biodiversity and habitat connectivity’.

62. The County Council’s Landscape Advice Service, raises no objections to the application and agrees with the conclusions of the LVIA. The advice recommends that the proposed Landscape Masterplan represents an opportunity to enhance the landscape character together with helping to screen the building from views to the north.
63. As set out in the above section, it is accepted that there is an established need for the development and that the proposals could not reasonably be located on land outside the AONB. Having regard to the comments from the County Council’s Landscape Advice Service, and given the existing nature of the application site and surrounding industrial estate, I am satisfied that the proposed development would not have a significant detrimental impact on the landscape and that the limited visual harm that would result could be suitably mitigated through the provision of a detailed landscape strategy based on that proposed in landscape master plan received (see page C1.5). Subject to appropriately worded conditions being placed on any planning permission, including requiring the submission of a detailed landscaping strategy, tree protection measures to ensure the existing trees on and adjoining the site are retained and the buildings being finished in green, I am satisfied that the proposed development accords with the relevant development plan and NPPF policies relating to the countryside, landscape and the AONB and is consistent with the objectives of the AONB Management Plan.

Highway considerations

64. Government policy on transport matters set out within Chapter 4 of the NPPF recognises that land use planning has a key role in delivering sustainable transport choices and reducing the need to travel, including the movement of goods and supplies. Traffic related impacts associated with waste developments are also covered within PPS10. This outlines traffic and access issues as key locational criteria in the identification of suitable sites, including consideration of the capacity of existing and potential transport infrastructure to support the sustainable movement of waste. Kent Waste Local Plan Policies W3, W9, W22 and Maidstone Borough Local Plan Policies T13, T21 and T23 require new waste management facilities / development to be safely and securely related to the primary and secondary road network and for proposals to ensure that there would be no material adverse effect on highway safety and the local environment from traffic movements. The development plan policies require proposals that could generate significant traffic movements to be supported by the provision of a transport impact study, meet appropriate vehicle parking standards and provide for essential highway improvements where considered justifiable to enable the proposals.
65. The application site is well related to the primary transport network and benefits from a dedicated access via private industrial estate roads directly to a junction with the A249. This allows access to the catchments in Maidstone, Sittingbourne and Medway. The existing permissions for the current waste management facilities and adjacent industrial use include a cap on HGV movements of 120 per day (60 in / 60 out), with a waste throughput of 38,400 tonnes per annum (tpa).
66. The application seeks permission to increase the maximum capacity of the site to up to 75,000 tpa and increase the permitted number of HGV movements by 145 per day to a maximum of 265 per day (where one movement represents one HGV in or out). The applicant states that the majority of the HGVs would be of the smallest class (two axle single unit vehicles) delivering skips and containers to site.

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67. A Transport Statement is included in support of the application. This statement includes traffic flow counts on the junction with the A249 that serves the Aerodrome Estate to establish the existing patterns of movement and an appraisal of the potential impacts of the projected increase in vehicle trips associated with the proposed development. The assessment establishes that the proposed increase in HGV movements would result in an hourly flow increase at the junction with the A249 of 6 HGVs per hour at the northbound on-slip, 4 HGVs per hour at the northbound off-slip and 2 HGVs per hour at the southbound right turn facility. The report notes that approximately 50 per cent of the HGVs that would serve the site would be within the smallest classification and approximately 77 per cent within the two smallest HGV categories. The size of these vehicles is smaller than the HGVs that could be used and subsequently benefit from greater acceleration and manoeuvrability thereby reducing safety concerns whilst using the junction with the A249. The assessment concludes that whilst the development would impact on the use of the junction, the proposals should not result in any significant detrimental impact in transport terms.
68. In response to initial comments from Kent Highways and Transportation and the concerns raised by the Stockbury and Detling Parish Councils the applicant has provided a further technical note in support of the Transport Assessment that considers the layout and safety of the junction with the A249 in more detail. An examination of the geometrics of the junction against the recent standards set out in the Design Manual for Roads and Bridges (DMRB) establishes that half of the junction elements (acceleration, deceleration lanes, etc) comply, whilst the other half fall short of the modern standards given the speed limit on the A249. However, the assessment concludes that there are no significant differences between the measurements on site and those required by the standards.
69. The technical note also reviews the Personal Injury Accident (PIA) data for the area surrounding the application site over the most recent 5 year period. The PIA data for this period indicates that 8 incidents were recorded, of which 1 was considered serious but could not be attributed to the existing junction form. Three of the incidents involved Goods Vehicles of which 2 could be attributed to use of differing parts of the junction however these were shown not to be affected by the aspects of the junction that do not comply with the most recent standards. The assessment concludes that the existing junction does not present any pattern of issues relating to highway capacity, safety or amenity which would be exacerbated by the proposals or the current layout of the junction.
70. In response to a request from Kent Highways and Transportation the applicants transport consultant has also reviewed the signage on the A249 within the vicinity of the site. The review suggests that the signage along the northbound carriageway leading away for the industrial estate towards the A249 / Rumstead Lane junction (Hucking U-turn facility) could be enhanced to further inform HGV drivers leaving the industrial estate that wish to travel south towards Maidstone of the requirement to use the M2 / A249 junction / roundabout to make this U-turn and not at the minor junctions along this route. In addition to this improvement, the applicant has confirmed that a management plan would be produced to ensure all vehicles under Pinden's control would received full information of the most appropriate routing to take.
71. Kent Highways and Transportation has commented on the application and Transport Statement (as amplified by the technical note) confirming that it is satisfied that there are

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not considered to be any significant safety problems at the access / egress to the application site or junction linking it with the A249. It advise that, having considered the safety record, there is no requirement for any modifications to the existing junction arrangements. Subject to the provision of the additional signing discussed (which could be secured under a Section 278 Agreement), Kent Highways and Transportation raise no objections to the application.

72. Taking into consideration the established use of the industrial estate and the existing waste management facilities (which could continue to generate HGV movements irrespective of the outcome of this application), the findings of the Transport Statement and accompanying technical note and the comments received from Kent Highways and Transportation, I would not raise a highway objection to the application. Given the comments received, I consider that the highway implications of the development could be reasonably mitigated through the imposition of conditions restricting the maximum number of HGV movements to 265 per day, a requirement to keep records of all HGV movements for the most recent 3 year period, the recommended improvements to the signage on the A249 being implemented before the buildings proposed become operational, all open vehicles to be sheeted or netted and precautions to prevent mud being tracked onto the highway. Subject to these conditions, I am satisfied that the proposals are consistent with the development plan and Government policies relating to highway matters as set out above.

Local amenity impacts (including noise, dust, odour and air quality)

73. Policies W18 and W25 of the Kent WLP require the planning authority to be satisfied as to the means of control of noise, dust, odours and other emissions for waste management proposals, particularly in respect of potential impact on neighbouring land uses and amenity. Policy DM10 of the draft Kent MWLP states that waste development will be permitted if it can be demonstrated that it is unlikely to generate significant adverse impacts on the quality of life of communities or on the environment.
74. PPS10 states that when considering planning applications for waste management facilities, waste planning authorities should consider likely impacts on the local environment and on amenity, including proximity to sensitive receptors and the extent to which impacts/ emissions can be controlled. PPS10 also states that 'controls under the planning and pollution control regimes should complement rather than duplicate each other' and that 'in considering planning applications for waste management facilities, waste planning authorities should concern themselves with implementing the planning strategy in the development plan and not with the control of processes which are a matter for the pollution control authorities'. Although the NPPF does not include waste policy, paragraph 122 states that in making planning decisions, local authorities should focus on whether the development itself is an acceptable use of land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. It also states that local planning authorities should assume that these regimes will operate effectively.

Noise

75. The application is supported by a noise assessment conducted in accordance with British Standard (BS) 4142, which includes background noise monitoring and an assessment of the likely noise emissions. The report concludes that the generated noise levels at the closest residential properties in Binbury Lane (43dB $L_{Aeq,1hr}$) would be below

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the existing background levels at this location (54dB L_{A90}), indicating a positive indication that 'complaints are unlikely'. A further residential property is located at Challenge Farm 700m to the west. In this instance the background noise levels at this location are lower (37dB L_{A90}) (likely due to the increased distance from the A249), however the calculated noise levels are 37dB $L_{Aeq,1hr}$, which given the background levels would normally be considered acceptable in planning terms. The noise assessment recommends that the proposed buildings are constructed using insulated cladding to reduce reverberant noise internally and that the proposed 3m push walls to the external sorting area are provided on site to better screen the development.

76. It is worth noting that the application proposes no change to the permitted operating hours, which are 0600 – 1800 hours Monday to Friday, 0700 – 1700 hours Saturdays with the site closed on Sundays and Public Holidays.
77. The County Council's Noise Consultant has considered the noise assessment confirming that the work completed is robust and that the potential noise that would be generated by the proposals would not be significant. The advice received recommends the inclusion of a noise condition restricting noise from the development at the identified noise sensitive properties to the predicted levels set out within the assessment. It is also worth noting that the application does not include provision for crushing of any aggregates received, which can generate increased noise levels. In addition to the condition recommend by the County Council's noise consultants I recommend that a condition preventing any crushing activity from taking place on site be imposed.

Dust, Odour and Air Quality

78. Due to the nature of the existing and proposed waste operations and the nature of the materials that would be accepted on site (consisting of skip waste, mixed dry recyclables, metals, minerals (sand and stone), demolition and construction wastes, wood and paper) the proposed development has the potential to generate dust. The application documents include a Dust and Odour Assessment that concludes that the impact of the development in terms on odour would be negligible as the wastes that would be accepted and handled by the proposed facility would be predominantly inorganic and not give rise to odours. The organic waste that would be accepted, mostly paper / cardboard and wood, degrade slowly and have limited capacity to generate significant odour issues.
79. The Dust and Odour Assessment also considers the potential impact on dust levels generated from both the construction and operation phases, concluding that the proposals would have a low or negligible impact on surrounding receptors. The report recommends a number of mitigation measures and controls during both phases, including water sprays / bowser in dry condition, the provision of on site vehicle and wheel washing facilities, the sheeting of vehicles and skips carrying materials, regular sweeping of surfaced areas, sensitive storage and handling of materials capable of generating dust and a 10mph speed limit on site. The report highlights that the operational phase of the proposed development would be subject to separate operating conditions within an Environmental Permit, which would ensure that the development would not adversely impact the environment or sensitive receptors.
80. Neither Maidstone Borough Council nor the Environment Agency has raised an objection to the application. The Agency has confirmed that the site would require an Environmental Permit which would provide for control over potential emissions such as

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dust, odour and litter. The County Council's Dust & Odour Consultant raises no objection to the application, subject to a condition securing the mitigation measures indicated within the assessment received with the application.

81. In my opinion the proposed modernisation of the existing permitted waste operations would provide the potential for a number of environmental improvements over the existing facilities, including in terms of amenity considerations. Not least of which being that the proposed development would allow all of the main sorting and processing activities associated with the waste management facility to be contained within the proposed buildings, with the associated acoustic and dust attenuation this would provide.
82. On this basis, I am satisfied that local amenity impacts would not present a significant barrier to the development and can be adequately controlled and regulated by the imposition of conditions discussed above and the Environmental Permit (including ongoing compliance checks and management required under the pollution control regime). I am therefore satisfied that the proposed development would be acceptable in amenity terms and would accord with the relevant development plan and Government policies detailed above.

Water environment (flood risk / groundwater impacts)

83. The Environment Agency has indicated that the application site is underlain by the upper chalk aquifer and is located within a Groundwater Source Protection Zone (SPZ) 3 for a potable water supply abstraction. The application site is therefore within a sensitive area for groundwater. The site and surrounding area is within a Flood Zone 1 (also designated by the Environment Agency) where there is a low probability of flooding.
84. Chapter 10 of the NPPF (Meeting the challenge of climate change, flooding and coastal change) seeks opportunities to reduce the overall flood risk through the layout and form of the development and the appropriate application of sustainable drainage systems. Chapter 11 (Conserving and enhancing the natural environment) also requires the planning system to contribute to and enhance the local environment, including by preventing development from contributing to unacceptable risk to soil, air, water and noise pollution. Policies W19 and W20 of the Kent WLP and policy DM9 of the draft Kent MWLP require the protection of surface and groundwater resources and sustainable flood risk management.
85. The application proposes to improve the surface of the entire operational site area and access roads with sealed concrete hardstanding that would drain to drainage sumps / tanks positioned under the site area. The storage tanks would have no outlet to the environment with collected water being removed from site by tanker (as necessary) to an appropriately licensed facility.
86. In responding to the application, the Environment Agency has raised no objection to the proposals, subject to a condition covering measures to be taken if contamination not previously identified is found to be present; no infiltration of surface water drainage into the ground without the written consent of the County Planning Authority and the submission of full details a foul and surface water drainage scheme (including details of the proposed sealed drainage tanks). The Agency advise that the proposed changes to the waste transfer and treatment operations at this site would require a variation to the existing Environmental Permit and that this would include details of site infrastructure, drainage and trade effluent consent with the sewerage undertaker. Southern Water has

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confirmed that there are no public foul and surface water sewers in the vicinity of the site and the applicant would need to investigate an alternative means of water disposal. The proposed condition requiring details of foul and surface water drainage would enable this issue to be satisfactorily addressed.

87. Subject to the inclusion of conditions recommended by the Environment Agency, I am satisfied that the proposed development would meet the requirements of the NPPF and relevant development plan policies relating to the water environment, including flooding and ground and surface water protection.

Biodiversity considerations

88. Chapter 11 of the NPPF (Conserving and enhancing the natural environment) recognises that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on biodiversity. Policies W21 of the Kent WLP and ENV28 of the Maidstone Local Plan seek to protect existing habitats and biodiversity and, where possible, seek opportunities to incorporate biodiversity enhancements in and around development.

89. The application documents received include an Ecological Appraisal of the site. The report concludes that the site has low ecological value on the basis that it predominately comprises of hard standing with temporary structures and small areas of vegetation and trees scattered boundary around the boundaries. The recommendations include precautionary measures during any construction period to take account of the possible presence of nesting birds and foraging animals. It also advises that careful consideration be given to any external lighting to ensure it does not adversely impact on local wildlife. The report recommends habitat / biodiversity enhancements that include retention of existing hedges and trees and the provision of native planting around the site to help retain habitat connectivity.

90. On the basis of the existing uses, Natural England's Standing Advice recommends work should proceed with caution, subject to an informative stating that if a protected species are encountered during the course of the development, then works should cease and advice sought from an ecological consultant. The County Council's Ecological Advice Service have raised no objections to the proposal, subject to the precautionary and ecological enhancement measures recommended with the Ecological Appraisal. These measures could be adequately secured through the inclusion of an appropriately worded condition on any planning permission.

91. Given Natural England's Standing Advice and the views of the County Council's Ecological Advice Service, I am satisfied that the proposed development would accord with the relevant Government and development plan policies referred to above, subject to condition securing the biodiversity protection and enhancement measures recommended.

Conclusion

92. The application has been considered in the context of the Development Plan and material planning considerations including the NPPF and PPS10. Although the application has given rise to some concerns from the local Parish Councils (relating to highway considerations and landscape / visual impact), taking the existing planning permissions and the surrounding land uses into consideration and comments of the

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statutory and other consultees (particularly Kent Highways and Transportation and the County Council's Landscape Advice Service), I am satisfied that the development proposed would be acceptable in terms of landscape and visual impact, highway considerations, local amenity impacts, the water environment and biodiversity considerations. I consider that the benefits associated with the proposal (i.e. the improvement of an existing facility to increase recycling and movement of waste management up the waste hierarchy) outweighs any real or perceived harm to the landscape, the local highway network or any other matter. I also consider that any potential adverse impacts arising from the proposals could reasonably be mitigated and controlled by way of the conditions set out below and those required by the Environmental Permitting regime.

93. I am satisfied that the proposals are sustainable and consistent with the relevant development plan and government policies against which the application should be considered and that there are no material planning considerations that indicate the application should be refused. I therefore recommend accordingly.

Recommendation

94. I RECOMMEND that PERMISSION BE GRANTED, SUBJECT TO the imposition of conditions and informatives covering (amongst other matters) the following:

- development to be commenced within 3 years;
- the development being carried out in accordance with the submitted plans and details and any approved pursuant to the conditions set out below;

Pre-commencement conditions

- the submission for approval of a final landscape and planting specification, in accordance with the principles detailed in the landscape masterplan received with the application;
- the submission for approval of a foul and surface water drainage scheme;
- the submission for approval of details of all external lighting;
- the submission for approval of details of any external storage outside the proposed pre-sort area;

Controls on the construction phase

- tree protection measures during construction;
- the implementation of the mitigation and enhancement measures proposed with in the Ecological Appraisal;
- measures to be taken during construction if contamination not previously identified is found on site;
- precautions to guard against the deposit of mud on the highway during the construction period;
- the buildings being finished in green;
- the sorting and processing buildings being constructed using the insulated cladding set out within the application;
- the proposed 3m high concrete retaining walls being erected and retained on site;

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Controls on the operation of the development

- the recommended improvements to the signage on the A249;
- controls on the hours of operation of the waste management facility to those applied for (0600 – 1800 hours Monday to Friday, 0700 – 1700 hours Saturdays, no operations on Sundays and Public Holidays);
- the noise from the development at the closest noise sensitive properties not exceeding the predicted levels set out within the noise assessment;
- the entrance to the site being secured outside operational hours;
- with the exception of low level security lighting or during any repair or maintenance, all external lighting being extinguished outside of the permitted hours of operation;
- controls on the total combined waste throughput (to a maximum of 75,000tpa);
- only those wastes specified within the planning application, namely commercial and industrial waste (mainly skip waste) being received, deposited, stored or managed on site;
- no crushing of materials to take place on site;
- all biodegradable/ putrescible waste being removed within 48 hours of arrival on site;
- controls on the overall number of HGV movements (to those applied for, being 265 HGV movements per day);
- records of all HGV movements and details of quantities of all waste handled at the site shall be maintained for a period of 3 years and being made available on request;
- all loaded, open backed HGVs entering or leaving the site being sheeted or netted;
- only vehicles, storage containers and skips that are ancillary to the development being stored within the site;
- all vehicles, plant and machinery operated on site being maintained in accordance with the manufacturer's specification at all times and being fitted with and use effective silencers;
- the mitigation measures set out with the dust and odour assessment received with the application being implemented and maintained on site;
- the hard surfacing on site shall be maintained in a good state of repair, kept clean and free of mud and other debris and measures to prevent the deposit of mud or other debris on the highway;
- unauthorised material deposited on site shall be removed to an authorised waste disposal facility within 48 hours;
- restrictions on stockpile heights for pre and post processed materials and skips (of not more than 4m);
- with the exception of operations in the pre-sort area, all sorting and processing to take place inside the buildings;
- removal of permitted development rights; and
- the terms of the planning permission being made known to any person(s) given responsibility for the management of the site.

Item C1

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Informatives

- covering precautionary measures if protected species are encountered during the course of the development;
- raising awareness of protection afforded breeding birds should works be required to trees or shrubs on site between 1st March and 31st August.

Case Officer: James Bickle

Tel. no: 01622 221068

Background Documents: see section heading
