

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

A report by Head of Planning Applications Group to Planning Applications Committee on 14 May 2014.

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR (MR. 921 674)

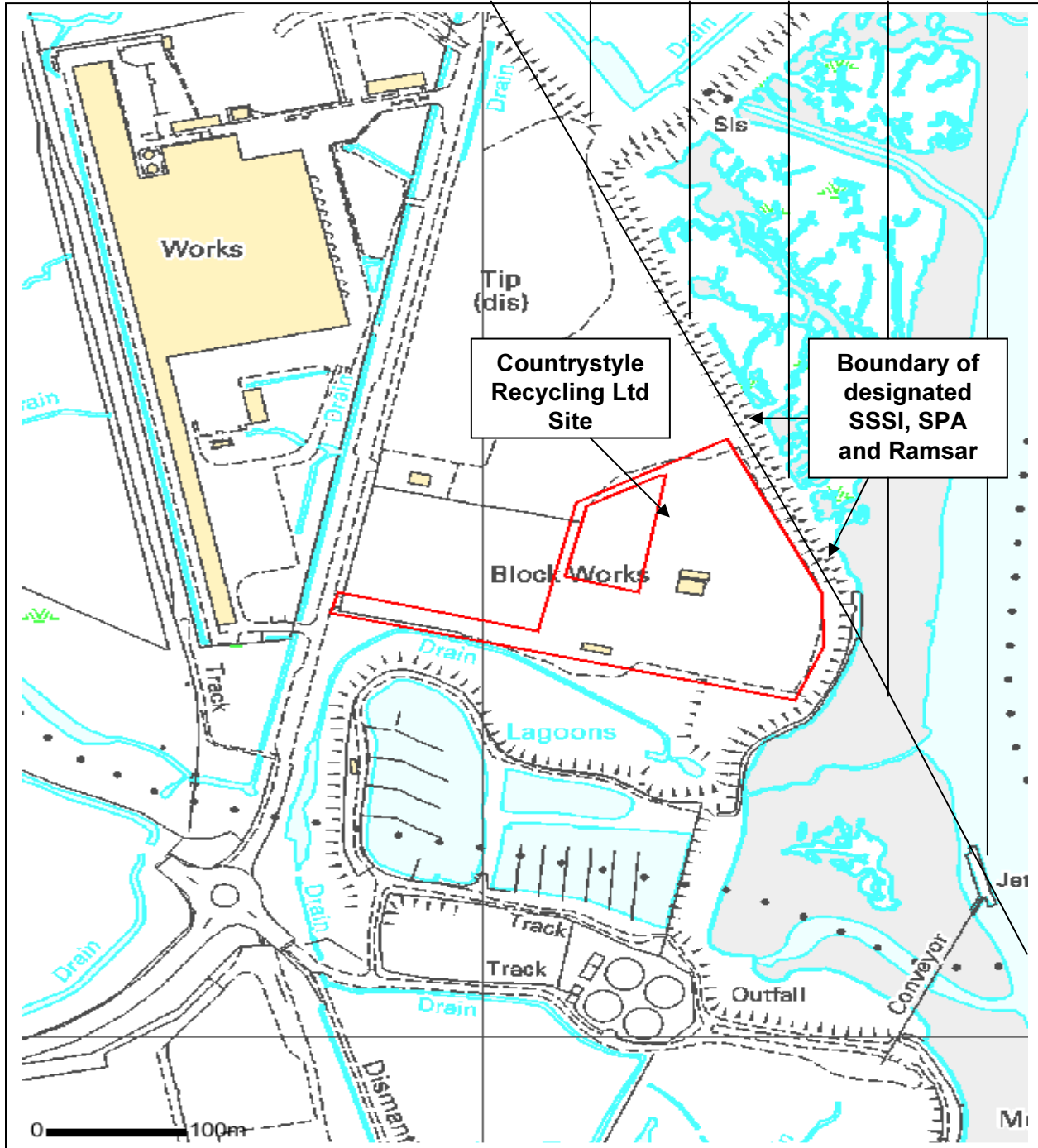
Recommendation: Permission BE GRANTED subject to conditions.

Local Member: Mr R Truelove and Mr M Baldock (adjoining) Classification: Unrestricted

Background and Site Description

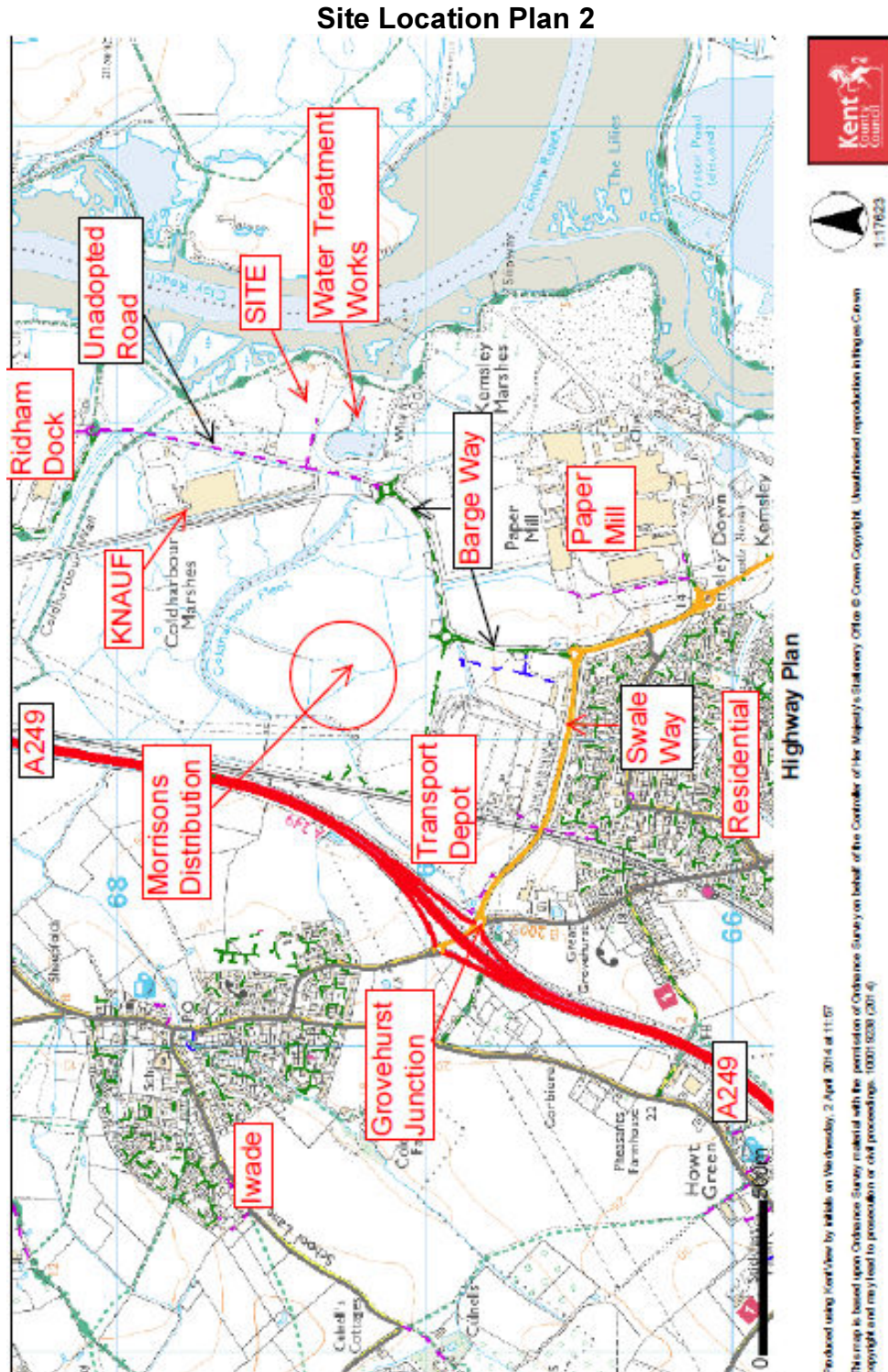
1. Planning permission was granted in 2006, for a material recovery facility (MRF), in-vessel composting facility (IVC) and the continuation of secondary aggregate recycling operations at the Countrystyle Recycling Limited (CRL) site, Ridham Dock, under planning consent reference SW/05/1392. The permission for the site was timed to be operational on completion of Barge Way, a single carriageway built to link the Ridham Industrial Estate (an unadopted road) to the main highway network to the south.
2. Since the site became fully operational in 2008, subsequent permissions and variations have been granted relating to the nature and operation of the site. At the February 2013 Planning Applications Committee meeting Members resolved to grant permission (Ref SW/12/445) for a number of variations to the site layout, this included external wood processing and storage activities. The site therefore remains operational under the terms of consent reference SW/12/445 which retains the original MRF and IVC facilities but now currently includes within it an element of gypsum recycling and external wood shredding/processing activities.
3. The site is currently restricted to a throughput of 45,000 tonnes per annum (tpa) of compostable material, 110,000 tpa through the MRF and 10,000 tpa of waste wood. Waste deliveries and transportation of materials off site are permitted between 0530 and 2000 hours on Monday to Sunday and Public Holidays (excluding Christmas Day, Boxing Day and New Years Day) and combined vehicle movements for the site are capped at a maximum of 210 per day (105 in/105 out).
4. Appendix A provides the wording of conditions 1, 8, 17 and 24 of planning permission SW/12/445 which are to be varied by the current application. All other conditions would remain the same.

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR



Site Location Plan 1

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR



KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

5. The application site itself is some 2km north of Kemsley, 2.1 km to the east of Iwade and 1.2km to the east of the A249. It lies close to habitats which form part of the Swale SSSI, SPA and the Medway Estuary and Marshes Ramsar site respectively. The closest residential properties (Kemsley Fields) are allocated approximately 1.2km to the south of the site. Two site location plans are included above, one of which shows the site's location and nearby designations and the second showing its location within the wider context of the Ridham Industrial Estate.
6. A number of other developments are also located within the Industrial Estate some of which operate on a 24 hours a day basis, including the Knauf factory, Morrisons distribution centre and Kemsley Paper Mill. More recently Swale Borough Council have permitted a transport depot (under consent reference SW/12/816) at a location along Swale Way which is also permitted to operate on a 24 hour basis. Traffic associated with the planning application site and other developments in the area travel to and from Ridham, in a southerly direction, via Barge Way and Swale Way in order to gain direct access to the primary road network (i.e. A249).

Proposal

7. The Applicant has submitted a Section 73 application which seeks to amend existing conditions 1 (site layout), 8 (delivery hours), 17 (vehicle movements) and 24 (waste throughput) of permission reference SW/12/445 in order to allow the importation of up to 90,000tpa of Refuse Derived Fuel (RDF) material (i.e. non recyclable plastic, paper) to the site for baling and onward transportation. Whilst it is proposed that most of the existing activities would remain in place at the site, the RDF processing is intended to replace in its entirety the existing wood waste processing element which is to be relocated to another site within the existing Ridham Dock area. As a result, the Applicant seeks to vary the approved site layout.
8. In terms of processes which would take place at the site, approximately 90,000 tonnes of RDF material would pass through the baler, located within the existing enclosed MRF building, and those finished bales would be stored on hardstanding to the north of the MRF building, prior to being exported. The Applicant indicates the average weight for incoming loads would be 28 tonnes bulkloads and once baled and wrapped the bulk of the RDF would also leave in 28 tonnes loads to Europe.
9. Importing the RDF would necessitate an increase in permitted annual tonnage to the Materials Recycling Facility (MRF) from 110,000pa to 200,000pa and subsequently would result in an increase in combined daily HGV movements generated by the site from some 210 (105 in/105 out) to 280 (i.e. 140 in/140 out). In order to allow the operator some flexibility for transporting RDF material to Germany through Belgium (which prohibits HGVs from travelling through Belgium between 22.00 and 0600 hours) and in order to reduce HGV capacity on the road network during peak times, the

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

Applicant is seeking to extend the permitted hours for the site, which currently restricts waste deliveries and transportation to between 05.30 and 20.00 hours on any operating day to allow for 24 hour delivery and transportation of RDF material only.

10. The application site is accessed from a simple priority T-junction access onto Ridham Dock Road, a single carriageway road used by HGVs servicing the surrounding industrial area and sites within it. Vehicles would travel south via the purpose-built road, onto Barge Way which forms part of the highway linking the route to the A249 via Swale Way and the Grovehurst roundabout.

Planning Policy Context and Government Guidance

11. The key National and Development Plan Policies most relevant to the proposal are summarised below:

National Planning Policy Framework, March 2012 and accompanying Planning Practice Guidance 2014 - The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future. It is committed to ensuring that the planning system does everything it can to support economic growth whilst ensuring that development is sustainable. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

In particular Para 122 of the Framework states: *Local planning authorities should focus on whether the development itself is an acceptable use of the 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. Local planning authorities should assume that these regimes will operate effectively.*

Planning Policy Statement 10 (PPS10): Planning for Sustainable Waste Management – Underlines the importance of planning for and consenting the necessary number and range of facilities in order to ensure that adequate provision is made for the future management of our waste.

The key aim of moving waste management up the 'waste hierarchy' forms the underlying objective of national policy. The proximity of waste disposed and 'self sufficiency' are also expected to represent the fundamental key to securing such objectives to ensure that communities take responsibility for their own waste.

Through more sustainable waste management, moving the management of waste up the

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

'waste hierarchy' through the descending order of reduction, re-use, recycling and composting, using waste as a resource of energy and only disposing of waste to landfill as a last resort, government aims to break the link between economic growth and the growth of waste.

12. **Waste Strategy 2007** – aiming to reduce waste by making products with fewer natural resources, breaking the link between economic growth and waste growth; products should be re-used or their materials recycled.
13. **Kent Waste Local Plan (1998)** saved policies – The most relevant saved policies are: W3 (Locational Criteria), W9 (Waste separation and transfer), W18 (Noise, Dust and Odour), W19 (Groundwater protection), W21 (Nature Conservation), W22 (Provision for adequate access arrangements) and W25 (Plant and Buildings), 25A (adapt existing buildings and hardstandings as part of a waste management facility).

Emerging Policy

14. **Kent Minerals and Waste Local Plan 2013-30 (pre-submission Consultation Draft)** – The strategic objectives for the Plan seek to increase amounts of Kent's waste being re-used, recycled or recovered and promote the movement of waste up the waste hierarchy by enabling the waste industry to provide facilities which enable a major reduction in the amount of Kent's non-hazardous waste being disposed of to landfill.
15. **Waste Sites Plan (Preferred Option Consultation May 2012)** – it identifies the site as having existing planning permission for an in-vessel composting facility, a materials recycling facility, aggregates recycling and waste wood combined heat and power plant.
16. **Swale Borough Local Plan (2008)**

Policy SP2: In order to provide a robust, adaptable and enhanced environment, planning policies and development proposals will protect and enhance the special features of the visual, aural, ecological, historical, atmospheric and hydrological environments of the Borough and promote good design in its widest sense. Development will avoid adverse environmental impact, but where there remains an incompatibility between development and environmental protection, and development needs are judged to be the greater, the Council will require adverse impacts to be minimized and mitigated. Where a planning decision would result in significant harm to biodiversity interests, which cannot be prevented or adequately mitigated against, appropriate compensation measures will be sought.

Policy E12: Sites designated for their importance to biodiversity or geological conservation.

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

Policy B2: Providing for new employment.

Policy B10: Ridham as an existing committed employment site.

17. Consultations

Swale Borough Council: The Borough Council raise an objection:

“Noise from increased HGV movements along Swale Way would be harmful to local residents during the evening and at night. They recommend that the loading and unloading of gypsum shall only take place between 0530 and 2000 hours and that all lorry movements between 2000 and 0530 hours shall be directed to use the Northern Access Route.”

Iwade Parish Council: Raise an objection. The Parish Council’s objection to the proposal is summarised as follows:

Hours of Operation: Objection as this would mean that waste deliveries, transportation of materials off site, processing of compostable materials within the in vessel system could happen 24 hours a day. There are reasons why the original planning permission had restrictions between 05.30 and 20.00 and this should be kept to. The increase in lorry movements outside of these hours would have detrimental impact to properties nearby in Iwade due to extra noise of lorries as they come off the A249 and to those properties in Kemsley especially those that back on to Swale Way

Vehicle movements: Objection as Grovehurst roundabout is over capacity as identified in Swale Borough Council’s Core Strategy and that any extra vehicles at any time in this area would compromise highway safety; traffic generation, road capacity and effects on pedestrians/cyclists.

Throughput: Objection for the same reasons as condition 17 (i.e. vehicle movements) – if tonnage increased then vehicle movements would need to be too.

Environment Agency: No objection is raised however the EA advise that the applicant will be required to make an application to vary their Environmental Permit. They recommend that they contact the Environmental Management Team for further advice.

Biodiversity Officer: No objection raised.

Kent Highways and Transportation: No objections are raised stating the following:

The Traffic & Transport Statement has been reviewed by this department, and there has been found no reason to dispute the conclusions made in it. We are comfortable with the number of vehicle movements involved in the proposal, and concur that the additional trips will not have a

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

perceptible impact on the highway network. As noted in the submission, extending the operational hours will also allow the total vehicle movements to be spread out over a longer period, resulting in less vehicle movements each hour than with the current restriction.

Consequently, I have no objections to the proposal in respect of highway matters.

Highways Agency: No objection subject to the imposition of a planning condition requiring the applicant to provide off peak traffic flow data as requested by the Waste Planning Authority.

AMEY: No objections are raised: *Noise* - The assessment concludes that the proposals will not significantly affect the neighbouring receptors. The assessment is fit for purpose and this conclusion is robust. *Dust and Air Quality* - The assessment is considered to follow accepted guidance and approaches and is generally considered appropriate and proportionate - 'fit for purpose'.

Local Member

18. The Local County Member Mr Truelove and Mr M Baldock (adjoining Member) have been notified of the application.

Publicity

19. The application was publicised by the posting of a site notice and advertisement in the local newspaper.

Representations

20. No letters of representation have been received to date.

Discussion

21. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. Material planning considerations include the National Planning Policy Framework (NPPF) and Planning Practice Guidance which promotes sustainable development and the regional and local plan policies set out above together with PPS10.

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

22. Given the nature of the proposal the NPPF should be read together with PPS10 which is to remain in place until new waste policies are published alongside the new National Waste Management Plan for England. However the presumption in favour of sustainable development which lies at the heart of the NPPF still applies. In order to achieve this objective the NPPF identifies a number of key areas, which in my view are of specific relevance namely: Delivering Sustainable Development, Part 1 – Building a strong, competitive economy; Part 7 – Requiring good design; Part 10 – Meeting the challenge of climate change and Part 11 – Conserving and enhancing the natural environment.
23. Policy W3 of the Kent Waste Local Plan identifies the locational criteria against which individual proposals will be considered, whilst policies W18 to W22 and W25 set out the operational criteria. The site is identified under Policy W9 as being suitable in principle for waste transfer and recycling and is an existing operational waste management facility currently run by Countrystyle Recycling Limited as an In-Vessel Composting and material recycling facility (MRF).
24. The site already operates with the benefit of an existing planning permission for a MRF, (along with gypsum recycling), IVC facility (which by its nature is a 24 hour process) and waste wood processing. With the exception of the RDF baling operations and the relocation of the wood waste processing, all other operations on site are proposed to remain the same. In respect of variations sought to hours of waste delivery, increase in vehicle numbers and increased waste throughput I consider that these elements could give rise to noise and traffic impacts along with amenity and biodiversity issues.

Promoting Sustainable Transport

25. The NPPF states that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
26. Local authorities should work with neighbouring authorities and transport providers to develop strategies for the provision of viable infrastructure necessary to support sustainable development, including large scale facilities or other major generators of travel demand in their areas. Policy W22 seeks to ensure acceptable access to the highway network.
27. The Parish Council have raised objections to the planning application on the grounds that in allowing any increase in throughput at the application site there would be an inevitable impact on vehicle capacity on the Grovehurst Junction which is the main route on to the A249. The Parish Council are of the view that this junction is already at its

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

capacity and have also raised concerns in relation to safety on this junction. Whilst the Borough have not specifically raised an objection on capacity grounds, they have suggested that vehicles associated with the proposal be directed to use a northern access route from the existing site thus avoiding the Grovehurst Junction.

28. Current restrictions on vehicle movements are in place for the existing site and as such are capped at no more than a combined total of 210 vehicle movements daily (i.e. 105in/105 out). The existing waste site was timed to coincide with the completion of a purpose-built link road to the Ridham industrial estate, accessing the existing site to the south along Barge Way and Swale Way towards the A249 via Grovehurst Junction. Notwithstanding the comments of the Borough Council, the Applicant's intention would be to continue using this purpose-built route as the most direct route to the primary road network and this is reflected in the supporting information.
29. This planning application seeks to increase the annual tonnage of their MRF from 110,000 tonnes per annum to 200,000 tonnes per annum, resulting in some additional HGV traffic on the local road network. A traffic and transport statement has been submitted in support of the proposal and states that the import and export of 90,000tpa of RDF would lead to an increase in vehicle movements from 210 trips (105 inbound/105 outbound movements) to 280 (140 in/140 out) per day.
30. The Traffic and Transport Statement states that the additional 70 daily trips (35 inbound/35 outbound movements) per day proposed, is calculated on the basis that the current proposals will increase the average number of HGVs by 21 vehicles per day along with an increase of 5 staff trips. Hence, allowance for +25% yields a total figure of 33 trips, which is rounded to 35 trips for ease. Whilst the applicant proposes a variation to the current delivery times, he is also of the view that any increase in vehicle numbers associated with the proposal can contribute to reducing the impact on the Grovehurst junction by staggering vehicles over a longer working day (i.e. during off-peak times). In order to allow for a wider spread of those movements off peak there would therefore consequently be an impact on the current restriction of hours allowed for the transportation of waste to and from the site. It is the Applicant's view that given the number of other 24 hour operations in the area including the transport depot located along Swale way recently granted by Swale Borough Council this would be acceptable.
31. Kent Highways and Transportation (H&T) and the Highway Agency (HA) have been consulted on the planning application. Both accept that the most direct route from the site would remain as that currently used (via the purpose built route into the industrial estate) and have raised no objection to the proposal on highway capacity grounds. In particular H&T have commented that they are comfortable with the number of vehicle movements proposed and are satisfied that the additional trips would not have a perceptible impact on the highway network. They also indicate that they would be supportive of extending the hours of deliveries for the site in order to spread vehicle numbers out over a longer period.

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

32. In my view the impact of the increased vehicle movements has been thoroughly assessed I therefore concur that the proposed development would not cause unacceptable detriment to the existing operational capacity of the public highway, and the impact to the amenity of local residents would be negligible. The HA however have suggested that in the event that Members of the Planning Applications Committee grant planning permission for this proposal, a condition be imposed requiring the operator to provide off-peak traffic flow data at the request of the County Council.

Conserving and enhancing the natural environment

33. The existing site is located close to habitats which form part of the Swale Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Ramsar and as such are afforded protection.
34. Paragraph 118 of the NPPF advises that when determining planning applications, authorities should aim to conserve and enhance biodiversity, making particular reference to the need to ensure that development on land (in this case outside) a SSSI is not likely to have an adverse effect either individually or in combination with other developments. In addition protection is also afforded to the nearby SPAs and Ramsar sites. Para 123 also indicates that planning decisions should aim to avoid noise giving rise to significant adverse impacts and in particular also recognises that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.
35. Policy W18 of the KWLP also looks to ensure that noise can be controlled particularly in respect of its potential impact on neighbouring land uses and amenity.
36. This established waste site currently already operates within the Ridham Industrial Estate complex and has permission to operate a wood shredder partially outside of the existing MRF building along with the external stockpiling of unprocessed wood, an external operation (permitted under permission reference SW/12/445). This element is due to be moved to another site within the industrial estate. The use of a fixed and mobile compost screener outside of the existing IVC building also falls within the permitted development at this site.

Noise

37. Both the Parish Council and Borough Council have raised objection to the proposal on the grounds of potential noise impacts from HGVs travelling along the Swale Way and subsequently close to residential properties during off peak times.

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

38. In support of his proposal the Applicant has submitted a noise assessment which seeks to demonstrate that there would be no adverse noise impact from on-site operations or from vehicles associated with the proposed development travelling along the route closest to residential properties.
39. For the purpose of the assessment, proposed operations at the site are identified as follows:
- Increase in annual tonnage for the MRF from 110,000 tonnes to 200,000 tonnes;
 - Removal of restriction on hours for the delivery and export of RDF waste from site;
 - The replacement of wood shredding with the preparation of residual, non recyclable waste for use as Refuse Derived Fuel (RDF);
 - Baling of 90,000 tonnes of RDF per annum; and
 - The external storage of baled RDF
40. The assessment sets out the likely changes in noise levels as a result of the proposed baling operations and increase in HGV movements along with any potential noise impacts on the nearest noise-sensitive receptors to the site.
41. The criteria below reflect the key benchmarks that relate to human perception of sound. A change of 3dB(A) is generally considered to be the smallest change in environmental noise that is perceptible to the human ear. A 10dB(A) change in noise represents a doubling or halving of the noise level. The difference between the minimum perceptible change and the doubling or halving of the noise level is split to provide greater definition to the assessment of changes in noise level.

**Table 3.1
Impact Scale for Comparison of Future Noise against Existing Noise**

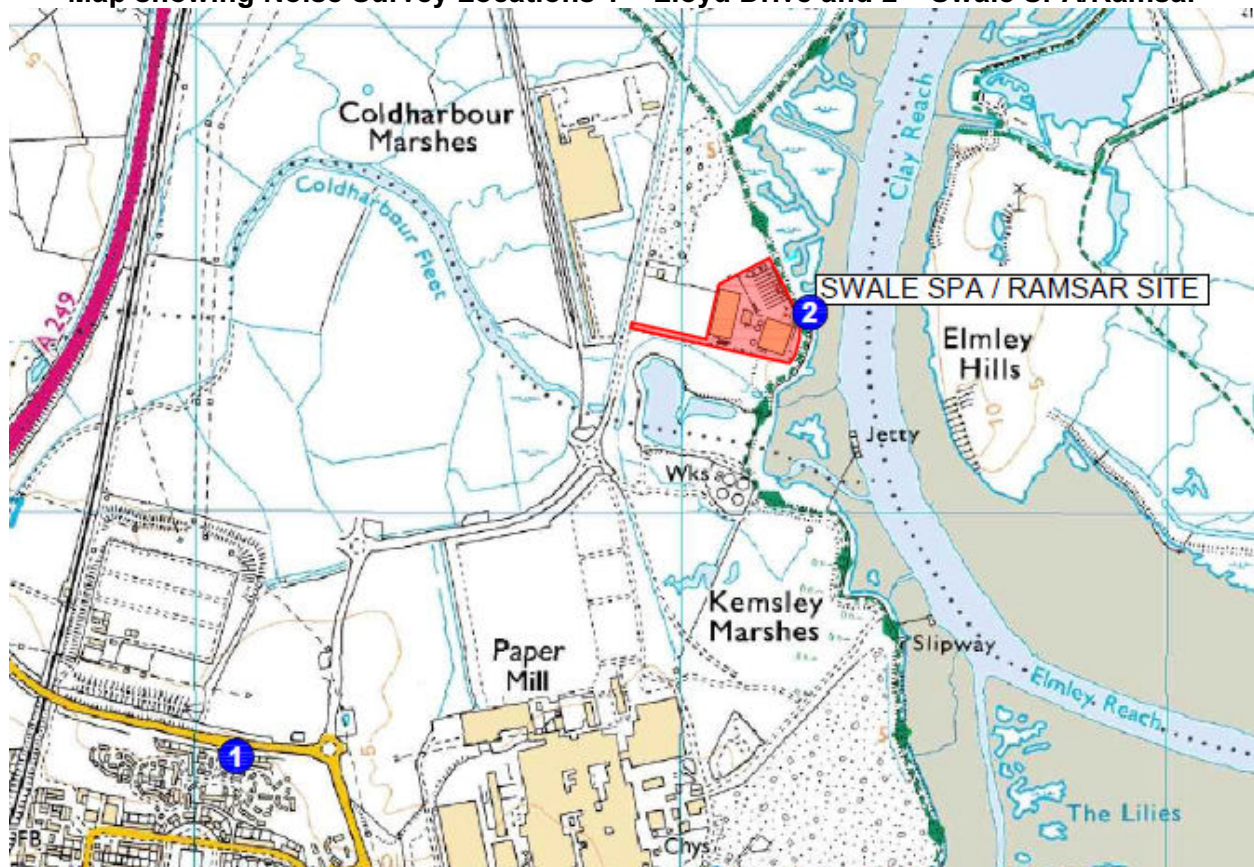
Noise Level Change dB(A)	Subjective Response	Significance
0	No change	No impact
0.1 – 2.9	Barely perceptible	Minor impact
3.0 – 4.9	Noticeable	Moderate impact
5.0 – 9.9	Up to a doubling or halving of loudness	Substantial impact
10.0 or more	More than a doubling or halving of loudness	Major impact

42. It is considered that the criteria specified in the above table provides a good indication as to the likely significance of changes on noise levels in this case and have been used to assess the impact of operational noise.

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

43. Day-time and night-time noise measurements were taken from two separate locations, the western edge of the Swale SPA and Ramsar site approximately 115m to the east of the site (Location 2) and Lloyd Drive (Location 1) which is located close to the HGV route (see below). Those results are set out below.

Map showing Noise Survey Locations 1 – Lloyd Drive and 2 – Swale SPA/Ramsar



**Table 4-2
Summary of Midweek Measured Noise Levels, free-field dB**

Location	Period	L _{Aeq,T}	L _{A90}	L _{A10}	L _{AFmax}
Lloyd Drive	Daytime	57.1	46.4	58.5	85.8
	Night-time	53.6	40.3	54.6	72.1
Mud Flats (SPA)	Daytime	47.0	47.0	48.6	61.6
	Night-time	44.6	43.8	45.6	54.2

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

- 44. The assessment considers the likely noise emissions from the fixed plant associated with the Materials Recycling Facility at the nearest noise-sensitive receptors during typical daytime and night-time periods to be as follows:
- 45. The assessment has been carried out in accordance with BS4142, to determine whether the predicted operational noise levels from fixed plant at the site are likely to give rise to complaints from the occupants of the nearby noise-sensitive receptors, namely at Lloyd Drive and the SPA.
- 46. In accordance with BS4142, a +5dB correction has been applied to the predicted noise levels, to account for the acoustic features of the source noises.
- 47. BS4142 indicates that a difference of around 10dB or higher indicates that complaints are likely, a difference of around 5dB is of marginal significance and a difference of -10dB is a positive indication that complaints are unlikely.
- 48. Table 5.2 shows details of the BS4142 assessment.

**Table 5.2
BS4142 Assessment, free-field dB**

Location	Period	Measured Background Noise Level, L_{A90}	Predicted Rating Noise Level $L_{Ar,T}$	Difference
Lloyd Drive	Daytime	46.4	20.7	- 40.7
	Night-time	40.3	25.6	- 16.0

- 49. The assessment concludes that at Lloyd Drive the predicted rating levels from fixed plant at the site would lead to a situation where there is a positive indication that complaints would be unlikely during both the day time and night time periods.
- 50. Whilst the site itself operates at some 1.2 km away from the nearest residential properties the current vehicle route means that all vehicles from the Ridham Industrial Estate travel within close proximity of the nearest housing (via Barge Way/Swale Way). Whilst the NPPF states that planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development, it also recognises that development will often create some noise and accepts that existing businesses wanting to develop in continuance with their business should not have unreasonable restrictions placed on them due to changes in nearby land uses since they were established.

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

Noise Impact from HGVs

51. The assessment includes within it the predicted noise levels from heavy goods vehicle movements related to site operations and assesses whether they would be likely to give rise to an increase in ambient noise levels at the nearby noise-sensitive receptors. Predicted noise levels from HGVs are as tabled below:

**Table 5.3
Predicted Noise Levels from Heavy Good Vehicle Movements, free-field dB**

Location	Predicted Noise Level $L_{Aeq,T}$
Lloyd Drive	36.0
Mud Flats (SPA)	26.3

52. The effect that vehicle movements would have on the ambient noise levels at the closest noise-sensitive receptors can be assessed by logarithmically adding the predicted noise levels to the measured L_{Aeq} noise levels during the day-time period.
53. The changes in ambient noise levels due to vehicle movements have been assessed using criteria outlined in Guidelines for Noise Impact Assessment 2002 and is shown in table 5.4 below:

**Table 5.4
Assessment of Heavy Goods Vehicle Movements against Ambient Noise Levels free-field dB**

Location	Measured Ambient Noise level, L_{Aeq}	Predicted HGV Noise Level L_{Aeq}	Predicted Future Ambient Noise Level	Change	Impact
Lloyd Drive	57.1	36.0	57.1	0.0	No impact

54. The conclusion is that predicted noise levels generated by site related HGVs would have no impact on the noise levels at Lloyd Drive. AMEY, the County Council's noise consultants have been consulted and agree with the method and conclusions set out in the Applicant's assessment.

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

Noise Impact on SSSI/Ramsar

55. Whilst the site currently operates a 'part in, part out' wood waste processing operation, this facility is to be fully relocated to a site at Ridham Dock in order to free-up space for the RDF processing. However as part of proposed on-site improvements the operator wishes to contain RDF processing to within the existing MRF building, with only storage of baled material outside.
56. The noise assessment includes an assessment of the potential impacts from on-site operations on the nearby designations. The predicated noise levels from fixed plant are identified as follows:

Predicted Noise Levels from fixed plant, free-field dB

Location	Period	Predicted Noise Level $L_{Aeq,T}$
Mud Flats (SPA)	Daytime	30.2
	Night-time	30.2

57. Noise levels from HGVs associated with the proposed development are calculated as follows:

Assessment of Heavy Goods Vehicle Movements against Ambient Noise Levels free-field dB

Location	Measured Ambient Noise level, L_{Aeq}	Predicted HGV Noise Level L_{Aeq}	Predicted Future Ambient Noise Level	Change	Impact
Mud Flats (SPA)	47.0	26.3	47.0	0.0	No impact

58. The noise levels from the operational processes have been assessed against standards appropriate for each type of source considered; BS4142 for the operation of the fixed plant associated with the Materials Recycling Facility and the existing ambient noise levels for the assessment of traffic movements. The scope of BS4142 specifically excludes the assessment of mobile noise sources and is not appropriate for the assessment of cumulative impacts.
59. Table 5.5 summarises the cumulative impact at each receptor. The cumulative noise levels have been assessed against the existing ambient noise levels and the potential change has been compared to the impact scale adopted for this assessment. Predicted rating levels from the proposed development would lead to a situation between marginal

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

significance and complaints being unlikely at both the nearest noise sensitive locations; consequently mitigation measures are considered unnecessary by the Applicant.

**Table 5.5
Cumulative Impact Assessment, free-field dB**

Location Site Considered	Period	Ambient Noise Level		Change	Impact
		Existing	Predicted		
Mud Flats (SPA)	Daytime	47.0	47.1	0.1	Minor
Mud flats (SPA)	Night time	44.6	44.8	0.2	Minor

60. It can be seen from the table above that the cumulative effect of the intensification of operations would, at worst, be a minor, barely perceptible, impact on the ambient noise levels at the Mud Flats (SPA) location. The County Ecologist has been formally consulted on the planning application and is satisfied that the noise surveys submitted in support of the application are up to date and that the applicants are able to demonstrate that they have adequately considered the impact the noise from the proposed development (individually and cumulatively) would have on the designated sites.
61. Having sought advice with regard to the possible impact from noise on the nearby designations, Amey raise no objection provided the County Council’s own Ecologist considers that there would be no noise impact on the nearby SPA and Ramsar.
62. I am satisfied that on the basis of the noise assessment conclusions that noise is highly unlikely to be a cause for concern at the site, either on residential properties nor nearby designated areas. In addition, I consider that the Applicant’s intention largely to contain RDF operations within a building would represent an improvement to the existing wood waste processing currently happening on site. On this basis I am satisfied that the proposal meets the requirements of the NPPF and Policy W18 of the KWLP. Therefore should Members resolve to grant planning permission I am satisfied that noise would continue to be controlled at the site.

Dust

63. Policy W18 of the KWLP requires the County Council as Waste Planning Authority, to be satisfied as to the means of control of, amongst other matters, dust and other emissions. The Applicant has submitted an air quality assessment which concludes the handling of dry non-recyclable material (i.e. plastic, paper) is considered to present a very low magnitude dust source. No objections have been raised by key consultees including, Amey, the County Council’s air quality. I am therefore satisfied that the

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

proposal meets the requirements of the NPPF and Policy W18 of the KWLP.

Other matters

64. In seeking to vary conditions 1 (site layout), 8 (delivery hours), 17 (vehicle movements) and 24 (waste throughput) of permission reference SW/12/445, I consider that all other conditions imposed on planning permission SW/12/445 should be included in any new planning consent in the event that Members resolve to grant planning permission.
65. Whilst the Parish Council continue to raise concerns in relation to road safety I have requested that KHS seek some clarification on crash data relevant to this area. They have confirmed that from the data available there do not appear to be any crashes involving HGVs locally.

Conclusion

66. In conclusion, I am of the opinion that the proposal is consistent with the policies set out in the NPPF including paragraph 122 which advises that LPA's focus on whether the development itself is an acceptable use of the land, Kent Waste Local Plan and Swale Borough Local Plan. In my opinion provided any future permission contains appropriate conditions, particularly those required to mitigate any adverse impacts on the nearby designated sites, the development would not result in any adverse impacts on residential amenity and nearby sensitive designations. The site will require regular monitoring to ensure compliance in the future. Having regard to the objectives in the NPPF, the application in my view represents sustainable development. I therefore recommend accordingly.

Recommendation

67. I RECOMMEND that PERMISSION BE GRANTED to vary conditions 1, 8, 17 and 24 of consent SW/12/445, SUBJECT TO CONDITIONS covering amongst other matters :
- The permission to which this permission relates shall be carried out and completed in all respects strictly in accordance with site layout drawing number 11.09B.01 D.
 - External waste activities at the site shall only take place between the following hours:

05.30 to 20.00 hours Monday to Sunday and Public Holidays (excluding Christmas Day, Boxing Day and New Year's Day)

Item C2

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

No operations other than waste deliveries, transportation of materials off site, processing of compostable materials within the in vessel system and processing of materials within the MRF building shall take place outside these hours except for essential plant maintenance up to 23.00 hours between Monday and Saturday only.

- No more than a combined total of 280 vehicle movements (140 in/140 out) associated with the operations hereby permitted shall enter or leave the site in any one day;
- The maximum throughput of waste processed within the Materials Recycling Facility (MRF) shall not exceed 200,000 tonnes per annum.

All other conditions imposed on planning permission SW/12/445 should remain in place at the site.

Case Officer: Angela Watts

01622 221059

Background Documents: See Section Heading

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

APPENDIX A

Conditions 1, 8, 17 and 24 of Planning Permission SW/12/445

1. The permission to which this permission relates shall be carried out and completed in all respects strictly in accordance with site layout drawing number 11.09B.01 B received on 13 March 2012;

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details and to accord with the objectives of Kent Waste Local Policies W3, W7, W18, W25 and W32.

8. Waste deliveries and transportation of materials off site shall only take place between the following times:

5:30am to 20:00 hours Monday to Sunday and Public Holidays (excluding Christmas Day, Boxing Day and New Years Day).

No operations other than processing of compostable material within the in-vessel system and processing of materials within the MFR building shall take place outside these hours except for essential plant maintenance up to 23:00 hours between Monday and Saturday only;

Reason: To ensure minimum disturbance and the avoidance of nuisance to the locality and to accord with the objectives of Waste Local Plan Policies W10, W18 and W22.

17. No more than a combined total of 210 vehicle movements (105 in and 105 out) associated with the operations hereby permitted shall enter or leave the site in any one day;

Reason: In the interests of highway safety and capacity and safeguarding the local environment and to accord with the aims of Kent Waste Local Plan policy W22.

24. The maximum throughput of the Materials Recycling Facility (MRF) shall not exceed 110,000 tonnes per annum;

Reason: For the avoidance of doubt and to maintain planning control over the site.