SECTION C MINERALS AND WASTE DISPOSAL

<u>Background Documents</u> – the deposited documents, views and representations received as referred to in the reports and included in the development proposals dossier for each case and also as might be additionally indicated.

Item C1

Repair and maintenance of Environmental Control Systems including the installation of additional equipment and the importation of soils to infill low spots and areas of exposed waste at Land at Cryalls Lane, Sittingbourne, Kent, ME10 1HN - KCC/SW/0449/2014 (SW/15/500303)

A report by Head of Planning Applications Group to Planning Applications Committee on 21 October 2015

Application by Kent County Council - Waste Management for Repair and maintenance of Environmental Control Systems including the installation of additional equipment and the importation of soils to infill low spots and areas of exposed waste at Land at Cryalls Lane, Sittingbourne, Kent, ME10 1HN - KCC/SW/0449/2014 (SW/15/500303)

Recommendation: Permission be granted subject to conditions

Local Member: Mike Baldock, Roger Truelove (adjoining Member) Classification: Unrestricted

Site

1. The site covering an area of some 5.7 hectares is located immediately to the south west of Sittingbourne approximately 250 metres north of the village of Borden. It is surrounded by arable fields to the south and west with woodland to the east which acts as a visual screen preventing any direct views into the site from the nearest residential areas located approximately 170 metres to the northeast of the site. Cryalls Lane, a rural road runs along the northern boundary of the site.

Background

2. The site was formerly used as a chalk quarry up until 1966 after which landfilling commenced with a range of materials including carfrag, a mixture of sludges together with domestic waste. The applicant estimates that over the life of the infilling some 825,000 cubic metres of waste was deposited within the site. Tipping ceased in 1980 with the final capping layer being placed across the site in 1981 which left a gently sloping surface. By 1985, the whole of the site had naturally regenerated to a mixture of rough grassland and scrub. In 1999 Borden Parish Council acquired a 25 - year lease for the site for the purposes of developing an unofficial 'nature reserve amenity area', which has no formal designation. The general public has unrestricted access and from evidence on site, the area appears to be used for recreational purposes mainly by dog walkers.

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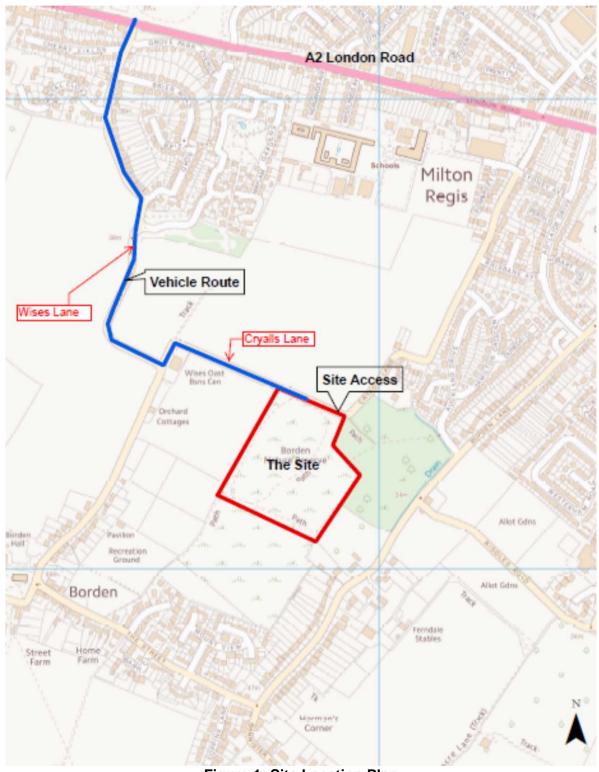


Figure 1: Site Location Plan

maintenance **Environmental Systems** Repair and of Control including installation of additional equipment and the importation of soils to infill low spots and areas of exposed waste at Kent, Sittingbourne, Cryalls Lane, **ME10** KCC/SW/0449/2014 (SW/15/500303)

- 3. Before 1974, the 'dilute and disperse' method of landfilling was considered acceptable. In this respect the infilling of the chalk quarry at Cryalls Lane was subject to very little engineering and whilst the sloping surface was intended to help drain surface water from the site it did not require the installation of any drainage pipework or any engineered side slopes. Also, despite the permeable nature of the chalk quarry and the relatively close proximity of the groundwater table below the base of the waste, no containment measures were implemented at the site.
- 4. Within 6 months of the capping of the site, the effects of landfill gas migrating from the site became evident in a cherry orchard adjacent to its southern boundary and the cumulative effects of this continued extending into adjoining fields. Consequently a gas extraction system to control the migration was installed in 1986, which has since been upgraded on several occasions including in 1989 and 1993. It consists of a number of wells bored into the landfill across the site linked via extraction lines to a gas flare stack in the south west corner.
- 5. The landfill gas control system continued to perform satisfactorily up until 2000 when again the operating frequency of the flare stack began to decline. This was initially addressed with the installation of a new gas flare which operated effectively up until 2005 when once again the performance of the system began to decline. From then on regular audits of the gas extraction installation have been undertaken which has resulted in the careful balancing of the system in an attempt to increase its efficiency, although this has been hampered more recently as a result of ongoing deterioration of the gas wells and pipework, largely due to differential settlement which has occurred across the site. Whilst the monitoring of surface emissions has demonstrated that the capping across the site is currently sufficient to prevent any venting of gases to the surface, groundwater monitoring boreholes have indicated that a plume of leachate contaminated groundwater is present and emerging from the site towards the northeast. In a more recent site audit undertaken in May 2013 the existing gas collection system was shown to have further deteriorated to the extent that it was inefficiently collecting gas affecting the operational continuity of the gas flare.

Recent Site History

6. In November 2011, as a means of seeking to address the continuing decline in the operational efficiency of the existing gas collection system the applicant submitted an application for it to be replaced and the whole site restored. The proposal involved the importation of some 164,000 tonnes of clean inert soils to the site in order to achieve suitable gradients across the site into which a replacement gas collection system was proposed to be installed. At that time the applicant considered that it represented the most appropriate solution as opposed to having to continually repair and upgrade the original system. In April 2012 Members of the Planning Applications Committee visited the site and met local residents at Borden Village Hall where they listened to their concerns over the potential impacts from the proposal, particularly from traffic. The Applicant also carried out local community involvement to inform and educate on the potential environmental risks this site presented and what the potential solution(s) to

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remedy these effects might be. Despite this the application generated a large number of objections and the application was subsequently withdrawn.

- 7. The previous application set out to re-develop the overall appearance of the site through the creation of managed areas of planting and design as well as the primary purpose of addressing the environmental concerns surrounding landfill gas migration and leachate production. The Applicant now considers that the scheme proposed at that time was ambitious and in retrospect would also have presented guite considerable disruption locally over the life of the project delivery. However, as the Waste Management Authority KCC still has a statutory duty under amongst others the Water Framework Directive, to develop and maintain engineered solutions to control landfill gas migration and the production of leachate on its closed landfill sites in order to prevent future problems caused by long term pollution. Following on from the previous scheme and unsuccessful planning application in 2011 to fully restore and remediate the site a detailed assessment of the extent to which remediation works were necessary was commissioned. This involved a Quantitative Environmental Risk Assessment (QERA), which included an assessment of gas and water monitoring data from the site. The QERA concluded that there is a need to repair and upgrade the existing gas collection system based upon the following findings:
 - A low to medium risk to human health from landfill waste in areas where capping has worn, exposing waste.
 - A medium risk to human health from landfill gas if the active gas extraction system is not working adequately.
 - A low to medium risk of pollution of controlled waters-Principal Aquifer at the site.

The QERA concluded that, based upon these risk ratings, the following works were required:

- The landfill cap should be replaced where it is eroded or worn away. This would be addressed by the covering of areas of exposed waste.
- Site specific target levels protective of human health for use as screening limits against which chemical data for soils to be imported to the site would be assessed This would be used as the specification for the import of soils to the site.
- The existing landfill gas management system is displaying signs of failure and should be improved to maintain control of landfill gas migration and hence risk to off-site human receptors and arable land.
- To reduce the risk rating associated with pollution of controlled waters consideration should be given to the levelling out of pronounced peaks and troughs across the site. This would be addressed by infilling of the two large depressions identified on site.
- 8. The QERA also included the undertaking of a bulk landfill gas assessment. The assessment concluded that the site will continue to produce landfill gas at gradually

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declining rates each year, with sufficient volumes to require management for the next 10 years and more.

9. More recently, as part of a Members tour undertaken of various sites in the County earlier in June this year, Members of the Planning Applications Committee paid a further visit to this site where they were able to walk the area and listen to comments from the applicant along with a number of local residents who were present.

Proposal

10. This latest application which incorporates the above recommendations set out in the QERA seeks to address the immediate risks posed by the combined effects of landfill gas and leachate production from this former landfill site, particularly the potentially damaging effects this will cause over time to sensitive groundwater and off site receptors. It is intended that a solution be delivered whilst causing the least amount of disruption and disturbance to the site, its fauna, flora and surroundings, or to that of the wider local community who also use the site for informal recreational purposes. In this context this latest scheme represents a very much lower key approach compared to that previously proposed, particularly in terms of the relatively small quantities of infill material (i.e. 3000 tonnes) that would be imported to the site. It is also proposed that public access would be maintained throughout the duration of the operations with only those areas immediately affected by the operations being fenced off for health and safety reasons.

The Scheme

- 11. The proposed development seeks the repair and maintenance of Environmental Control Systems which includes works to the gas extraction system along with in-filling of low spots and covering of exposed waste.
- 12. The gas extraction system repair works and infilling activities would be spread over a 2 year period, mainly to accommodate ecological constraints and also to allow public access to be maintained at the site throughout the duration of operations. The main infilling activities themselves would be undertaken over a 2 month period, during which time safety fencing would be erected around the working area leaving the remainder of the site accessible to the public. Overall the development would be programmed to take place in two separate phases:

		Timeline
Phase 1:	Investigation of existing gas extraction system with repairs to pipelines and wells to be undertaken.	Spring 2016
Phase 2:	Depending upon outcome of Phase 1: Re-connection of decommissioned landfill gas extraction	September 2016

Environmental Repair and maintenance of Control **Systems** including the installation of additional equipment and the importation of soils to infill low spots and areas of exposed waste at Cryalls Lane, Sittingbourne, Kent, KCC/SW/0449/2014 (SW/15/500303)

boreholes and / or installation of new landfill gas extraction boreholes in the southern part of the site to enhance migration control in the vicinity of perimeter borehole EG6. This would ensure continued control of lateral migration from this part of the site which is closest to offsite residential properties and from which it is not possible to accurately monitor off site landfill gas migration if it were to be occurring.

Phase 2 would also include:

Installation of additional gas extraction boreholes in the south western part of the site to provide good quality landfill gas to the flare to enable continuous extraction for landfill gas migration control.

Infilling of low spots and covering of exposed waste - this would be undertaken using clean soils that have been tested against stringent chemical limits derived to be protective of human health.

Due to the small scale of the areas of exposed waste these would be addressed with minimal disturbance to the site. Some of the informal paths across the site may need to be temporarily closed to allow the material to bed in. This work would not be undertaken until the works on the gas extraction system have been completed to minimise disturbance to the site.

Main Infilling (To be undertaken at the very end of the remediation works):

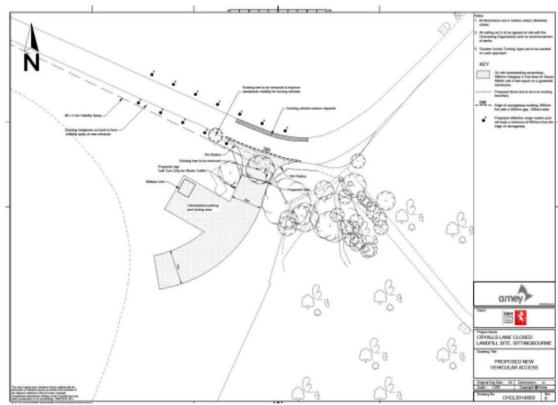
Two larger depressions have been identified as in need of infilling prior to which this would require vegetation clearance. As such, liaison with a professional ecologist has been undertaken to ensure that any impacts upon the wildlife present on the site are managed. Some disturbance to the use of the site by the public may also be encountered due to the need to operate machinery on site. This would be managed to reduce the impact, with consideration given as to phasing the infilling. Once completed these areas would be seeded with a grass mix.

Summer 2017

maintenance **Environmental Systems** Repair and of Control additional equipment including the installation of and the importation of soils to infill low spots and areas of exposed waste at Lane, Sittingbourne, Kent, **ME10** Cryalls KCC/SW/0449/2014 (SW/15/500303)

Highways

13. In order to mitigate the effects of the works and to keep as much of the site available to the community as is practicable, re-opening of the original vehicular access (previously used during the former landfill operations) in the north-eastern corner of the site is proposed, as shown below:



Drawing Number CHCL2014003: Proposed New Vehicular Access

- 14. Vehicles delivering soil would be restricted to the route encompassing Wises Lane (A2 Key Street Junction Cryalls Lane junction) and Cryalls Lane, and the Contractor responsible for importing the soil to the site would be instructed to only use this route from contract commencement.
- 15. Whilst the applicant recognises that a highway width of 4.5m is the ideal minimum width required for the soil delivery vehicles to pass each other, two "pinch points" on Wises Lane have been identified where the road width is less than this. However, he considers that there is adequate forward visibility to wider road widths for both without relying on the use of field access gateway points. It is proposed that, due to the narrow carriageway widths along certain lengths of Cryalls Lane and Wises Lane, the arrival and departure of the delivery vehicles would be carefully managed by adopting

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- a "ring through" system to prevent them meeting each other along the proposed haulage route.
- 16. The new vehicle access works would require stone to be imported which is estimated to involve 15 vehicles in and out.
- 17. It is estimated that subject to the availability of suitable materials (i.e. clean soils, subsoils and topsoil), the proposed infilling operations would be completed over a period of some two months and would amount to approximately 3000 tonnes of material being brought on to the site. This equates to approximately 150 loads and would be limited to a maximum rate of 10 loads per day (20 movements).
- 18. It is also proposed to restrict soil deliveries to the following periods in order to avoid the highway network commuter peaks and school-runs:
 - School Days: 0915 1500 hours
 - Non School Days (School Holidays): 0915 1700 hours
 - Saturday: 0900 1300 hours

It is not proposed to work on site On Sundays or Bank Holidays.

19. Upon the completion of the works it is intended that the long term management of the site would revert back to Borden Parish Council.

Planning Policy

20. The most relevant National Policy and Government Guidance together with Development Plan Policies are summarised below:

National Planning Policy Framework (NPPF) March 2012

Establishes a presumption in favour of sustainable development including the conservation and enhancement of the environment.

National Planning Policy Guidance (NPPG) March 2014

Closely linked to the NPPF the NPPG gives recognition to the important role planning has in the protection of the local environment in terms of the potential impacts from waste management facilities. Waste Planning and pollution control authorities are encouraged to work closely together with the objective of preventing pollution.

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Kent Waste Local Plan March 1998 (Saved Policies)

Policy W5: Proposals which involve land-raising will not be permitted unless it is for the restoration of derelict land or would create an alien landform out of keeping with the existing landform.

Policy W12: Supports proposals which assist in the restoration of mineral workings which benefit from being returned as near as possible to original ground levels.

Policy W18: Before granting permission the planning authority are required to be satisfied as to the means of control of noise, dust, odours, landfill gas and other emissions. Where permission is granted for facilities that generate landfill gas, permission will be granted for plant to utilize the gas.

Policy W19: Seeks the protection of any groundwater resource interests from leachate.

Policy W20: Requires the planning authority to be satisfied that account has been taken of land settlement, land stability, land drainage and flooding together the minimisation of rainwater infiltration.

Policy W21: Seeks to protect any ecological interest including habitats or species of wildlife importance.

Policy W22: Permission will be refused where a proposal would affect in a materially adverse way highway safety and capacity.

Policy W31: Requires that an appropriate landscaping scheme forms an integral part of the development.

Swale Borough Council Local Plan

Policies E1, E6, E7, E9, RC7 and T1. These include reference to the site lying within an important Local Countryside Gap between Sittingbourne and the Villages to the south of the town.

Emerging Policy (Kent Minerals and Waste Local Plan (KMWLP) 2013-30 (Proposed Main and Additional Modifications) July 2015

As set out in the NPPF the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF requires that policies in local plans should follow the approach of the presumption in favour of sustainable development. The KMWLP is therefore founded on this principle. Policy CSW10 gives support for development at closed land fill sites where:

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- 1. Development is for the improvement of restoration for an identified afteruse; or
- 2. Development is for the reduction of emissions of gases or leachate to the environment; or
- 3. Development is making use of gases being emitted and which will reduce the emission of gases to the environment.

Policy CSW10 should be read in conjunction with Policy CSW 11. Policy CSW 11 requires that any development at a closed landfill site that includes the importation of additional waste to the site will need to demonstrate that the amount of waste being used is kept to a minimum.

The KMWLP has been given public scrutiny before a Planning Inspector at an Independent Examination (IE) held earlier April and May this year representing a key stage in its preparation towards formal adoption. Having listened to the various representations and in order to try and alleviate any concerns, during the course of the IE a number of modifications to the Plan were discussed with the Inspector to ensure soundness and legal compliance issues and also to improve the Plan. These modifications are currently out to formal consultation upon the completion of which responses will be collated before being submitted to the Planning Inspector for him to take into consideration in his final report which is expected at the end of this year prior to the Plan being formally adopted.

The NPPF advises that decision-takers may give great weight to relevant policies in emerging plans according to amongst other matters the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given). In my opinion the emerging policies in the KMWLP are fully consistent with the NPPF and therefore should be accorded significant weight in the determination of this application.

21. Consultations

Swale Borough Council: Raise no objection subject to conditions covering hours of working, traffic management, maximum volumes of material and ecological mitigation (i.e. timing of clearance works). Also requests that the operations be carried out over a far shorter period and that care be taken to avoid harm to protected species on site.

Borden Parish Council: Object on the basis that there is insufficient evidence to justify the proposal. If permission is granted require conditions covering traffic movements, lorry parking (i.e. in relation to the proposed 'ring through' system). Request that due to its unique flora and fauna that the seasonal pond on site is retained.

Environment Agency: Endorse the proposals which would reduce the permeability at the site and promote general betterment and protection of groundwater in line with the Waste Authority's responsibility relating to the Water Framework Directive. Permission

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should be granted subject to a condition requiring the submission of an Environmental Management Plan. The importation of the infill material also requires a permit.

Kent Highways and Transportation: Notes that the current proposal only requires the importation of merely 3000 tonnes of material to fill a limited number of depressions equating to less than 2% of the volume predicted for the previous application. This would generate only some 20 HGV movements a day. The Construction Management Plan would involve a 'ring-through' system thus avoiding vehicles meeting along the proposed haul route. No objection is raised subject to the completion of the proposed access improvements including provision being made to accommodate operatives and construction vehicles loading/offloading on the site and vehicle parking for site operatives prior to the commencement of the works, submission of details of to prevent mud and debris on the public highway, submission and prior approval of details of the proposed 'ring through' system.

Highways Agency: No objection.

Amey (Noise, Odour, Air Quality): No objection subjection to the submission of an Environmental Management Plan.

Biodiversity Officer: No objection subject to a condition requiring the works to be carried out in accordance with ecological impact avoidance/mitigation methods submitted in support of the application.

Landscape Officer: No objection in landscape terms.

Public Rights of Way: Whilst there are no public footpaths directly affected those which surround the site must not be obstructed.

Natural England: No objection.

Kent Wildlife Trust: No comments received

Local Member

22. The local County Member Mr Mike Baldock and the adjoining Member Mr Roger Truelove, were notified of the application on 16 January 2015.

Publicity

23. The application was publicised by the posting of a site notice, an advertisement in a local newspaper, and the individual notification of 174 residential properties.

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Representations

- 24. In response to the publicity, some 40 letters of representation have been received including some from the same authors. The key points raised can be summarised as follows:
 - Insufficient evidence to demonstrate the need to undertake the works.
 - Adverse impacts on ecology.
 - Adverse impacts on the serenity of the area.
 - Adverse impacts from traffic using the proposed haul to the site along narrow country lanes.
 - Recognise the need for the development but would request that an upper limit on vehicle movements be imposed.
 - The site requires a large amount of work to prevent pollution from spreading to the site.
 - The field opposite the site to the north is subject to an outline application for housing development which if it goes ahead would currently be at risk from pollution from the application site.

Discussion

- 25. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph (20) above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Therefore the proposal needs to be considered in the context of the relevant Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. In my opinion, the key material planning considerations in this particular case can be summarised by the following headings:
 - Need
 - Traffic
 - Ecology
 - Impact on local amenity

<u>Need</u>

26. The need for the development has been predicated on the basis of a QERA which was commissioned in June 2014 by the applicant as a result of the objections raised to their previous application submitted in 2011 which was subsequently formally withdrawn. As stated under paragraph 7. above, the applicant has a statutory duty to undertake any works considered necessary to prevent any future problems caused by long term pollution from this former landfill site. This requirement has since been confirmed in the formal response from the Environment Agency (E.A.) who draw

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specific attention amongst other matters to the applicant's responsibilities under the Water Framework Directive. This latest application has therefore had to take into account the applicant's statutory responsibilities having regard to both the conclusions and advice set out in the QERA whilst also taking account of those previous concerns raised by local residents. As a result this latest scheme represents a very much lower key approach to that previously proposed and in my opinion having regard to the conclusions of the QERA in terms of the risk that the site currently poses to human health, represents the minimum that is required to satisfactorily address such future threats. To do otherwise would in my view run the very real risk of the applicant being accused of misconduct through failure to fulfil its statutory duties.

Traffic

- As indicated in paragraph (26) above, the current proposal represents what is 27. considered the minimum required to address any future long term pollution problems at the site and as a result the potential impacts from traffic are very much reduced compared to those associated with the applicant's previous application. This view is shared by Kent Highways and Transportation who note that the importation of some 3000 tonnes of clean inert fill material represents 2% of the volume previously proposed, the main bulk of which would be imported over a relatively short period involving some 10 loads (20 movements) per day. Based on the proposed hours of operation this equates to less than 2 loads (4 movements) per hour. Whilst the proposed number of vehicle movements would be relatively low, as a means of controlling vehicles in order to avoid them meeting each other along the proposed haul route the applicant is proposing to adopt a 'ring through 'system. Kent Highways and Transportation have raised no objection to the proposal subject to conditions covering amongst others the formal approval of details of the proposed 'ring through' system prior to the commencement of the development.
- 28. In my opinion impacts from traffic would not be significant and would only occur over a relatively short period of time during the main infilling operations which would form the final phase of the remediation works. Having regard to comments from consultees, provided appropriate conditions are imposed, particularly in respect of vehicle movements, volumes of infill material and measures to prevent vehicles meeting each other along the proposed haul route, in my view there are no overriding highway objections to the proposal.

Ecology

29. Since the landfill site was originally capped the site has become naturally regenerated over the years and now consists of a mixture of areas of grassland and scrub together with a number of small trees. There are also two prominent depressions due to the settlement of the landfill which has taken place, one of which located in the north western corner of the site seasonally contains rain water. In order to undertake the proposed remediation works some of the natural growth which has occurred on site

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would need to be cleared. This would be limited to where access is required to the existing pipework which has been identified as in need of repair and/or upgrading and also where waste exposed at the site surface requires to be covered. The two prominent depressions would also need to be cleared before their infilling with the main bulk of the inert fill material imported to the site. Such clearance works would be undertaken under the guidance of a professional ecologist to ensure that any adverse impacts upon the local wildlife present can be avoided.

- 30. With regard to comments made by Swale Borough Council concerning the duration of operations, in order to undertake the proposed works whilst also maintaining public access to the majority of the site the works are proposed in two phases. Due to the ecological constraints in respect of the time of the year during which clearance works need to avoid the winter hibernation period this has by necessity meant that it would only be possible to complete the operations over a two year period. As explained above the first stage of the works relates to the investigation and repair and/or upgrading of the existing pipework with the main infilling exercise taking place in the second year after the first phase has been completed albeit over a relatively limited period.
- 31. Turning to the comments made by Borden Parish Council in respect of their request for the seasonal pond in the north west corner of the site to be retained due to its unique flora and fauna, the applicant has provided the following response: 'This is a closed landfill site. Surface low spots holding water lead to an increased infiltration of water into the waste which will present an increased detrimental impact on the local groundwater regime. Infilling the two surface low spots will reduce the risk rating associated with the pollution of controlled waters by ensuring that rain water is no longer able to accumulate, and that any surface water is shed away from the waste deposit.' Given that the infilling of the two large depression forms an integral part of the remediation works in the absence of which the site would continue to pose a risk from offsite pollution, I am satisfied that their infilling is justified and consistent with the recommendations site out in the QERA upon which the proposed works are based.
- 32. Having regard to the measures that would be undertaken to safeguard the interest of the local wildlife on site and taking into account consultee comments including the advice given by the County Council's Biodiversity Officer, I am satisfied that any disturbance to wildlife would be minimal and therefore there are no overriding objections on ecological grounds.

Impacts on local amenity

33. As mentioned in paragraph 10. above this latest scheme represents a very much lower key approach as a means of preventing any future problems caused by offsite pollution compared to the previously withdrawn application. As a result, in my view the potential impacts from traffic and also the effects on the users of the area for informal recreational purposes whose access to the site would be maintained throughout the duration of the remediation operations would be minimal.

maintenance of **Environmental Systems** Repair and Control including the installation of additional equipment and the importation of soils to infill low spots and areas of exposed waste at Sittingbourne, Kent, Cryalls Lane, **ME10** KCC/SW/0449/2014 (SW/15/500303)

Conclusion

- This application has been driven by a need to undertake remediation works which have been identified by a QERA in order to avoid any future problems caused by offsite pollution. The applicant has a statutory duty to undertake such works in order to comply with the requirements of the Water Framework Directive amongst others and therefore a 'do nothing' approach does not represent an option. But for the need to import infill materials to the site, the ongoing maintenance of the existing landfill gas control system does not in itself require express planning consent and therefore the applicant could undertake such works as and when it is considered necessary in order to ensure that it continues to fulfil its function in preventing landfill gas migrating from the site. However, whilst as explained under paragraphs 4, and 5, above, the ongoing maintenance of the existing system has up until now been sufficient to control gas, the site has nevertheless continued to deteriorate to the extent that the QERA has subsequently identified a need for works which extend beyond pure maintenance of the existing system. This involves a requirement for a limited amount of infill material to be imported to the site which together with the proposed repair and upgrade works to the existing infrastructure will ensure that for the remaining period over which landfill gas and leachate is produced at the site it can be properly managed.
- 35. I am satisfied that the applicant's proposed scheme represents a satisfactory solution having regard to the need to undertake such works when weighed against their impacts to the site, its fauna, flora and surroundings and to that of the wider local community whose access to the majority of the site would be maintained throughout the duration of the operations. In my opinion provided those conditions recommended by consultees are imposed on any future permission the proposal is fully consistent with both National Planning Policy and Guidance, Development Plan Policy together with emerging policy set out in the KMWLP. As such the proposal therefore represents sustainable development in accordance with the NPPF. Accordingly I would recommend that permission is granted subject to the imposition of those conditions as summarised under paragraph (36) below.

Recommendation

- 36. I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO the imposition of conditions covering the following:
 - Duration of operations limited to two years from their commencement
 - Maximum volumes of infill material restricted to 3000 tonnes of inert material
 - Hours of working limited to avoid peak hour movements and school runs
 - Vehicle movements restricted to a maximum of 20 movements to and from the site per day
 - Prior approval of a Traffic Management System designed to avoid vehicles associated with the development meeting along the proposed haul route
 - Prior approval of a Construction Management Plan

Item C1

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- Access improvements to be completed before the importation of infill materials
- Prior approval of details of vehicle parking and loading/offloading areas
- Prior approval of details of wheel cleaning facilities
- Prior approval of details of an Environmental Management Plan
- Ecological impact avoidance/mitigation methods to be undertaken in accordance with those submitted in support of the application.

Case Officer: Mike Clifton Tel. no: 03000 413350

Background Documents: see section heading