

Operation of an aggregate recycling facility for a temporary period of five years within the existing processing plant area at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

A report by Head of Planning Applications Group to Planning Applications Committee on 8 November 2017

Application by Ferns Group for the operation of an aggregate recycling facility for a temporary period of five years within the existing processing plant area at Wrotham Quarry, Trottiscliffe Road, Addington, West Malling, Kent, ME19 5DL – TM/17/2090 (KCC/TM/0195/2017)

Recommendation: Permission be refused

Local Member: Mrs S. Hohler

Classification: Unrestricted

Site

1. Wrotham Quarry (also known as Addington Sand Pit) is located between the settlements of Addington and Trottiscliffe approximately half way between Maidstone and Sevenoaks and close to the M20 / M26 junction. The main part of the quarry, processing plant and associated facilities lie immediately to the north of the M20, with a largely worked extension to the north-west and a further unimplemented extension to the north-east. A small part of the quarry complex lies to the south of the M20 and is accessed via a tunnel under the motorway. HGV access to the quarry is from the A20 via Ford Lane and a purpose built 1.3 kilometre long access road, which runs parallel to the motorway. Access to the plant site is also available for cars and light vehicles from Addington Lane / Trottiscliffe Road. The 0.12 hectare (ha) application site lies at the eastern end of the plant site area to the south and west of Addington Lane. The area has previously been used to store processed and raw materials, including those associated with the former mortar plant that has since been removed.
2. The application site lies entirely within the void of the permitted quarry complex, between 10 and 15m below the surrounding ground level. It is bounded to the north and east by a steep quarry face and landscaped boundary, beyond which Addington Lane / Trottiscliffe Road and a Public Right of Way (Footpath MR168) pass around the site. To the west of the application site is the sand processing plant and an internal access road leading into the quarry and to the south are silt lagoons and open storage areas beyond which is the southern quarry face and landscaped boundary with M20 motorway.
3. The nearest residential properties to the application site are located off Woodgate Road to the east, the closest of which are Peathams (about 200m to the northeast), Woodgate Farmhouse (approximately 250m to the northeast) and properties at The Paddock (about 310m to the east). Further properties are located approximately 250m to the south on the far side of the M20. There are also a number of properties on Ford Lane between the A20 and the main site access.
4. The application site and the existing quarry (including plant site and access road) to the north of the M20/M26 are in the North Downs Area of Outstanding Natural Beauty (AONB) and in the Green Belt.

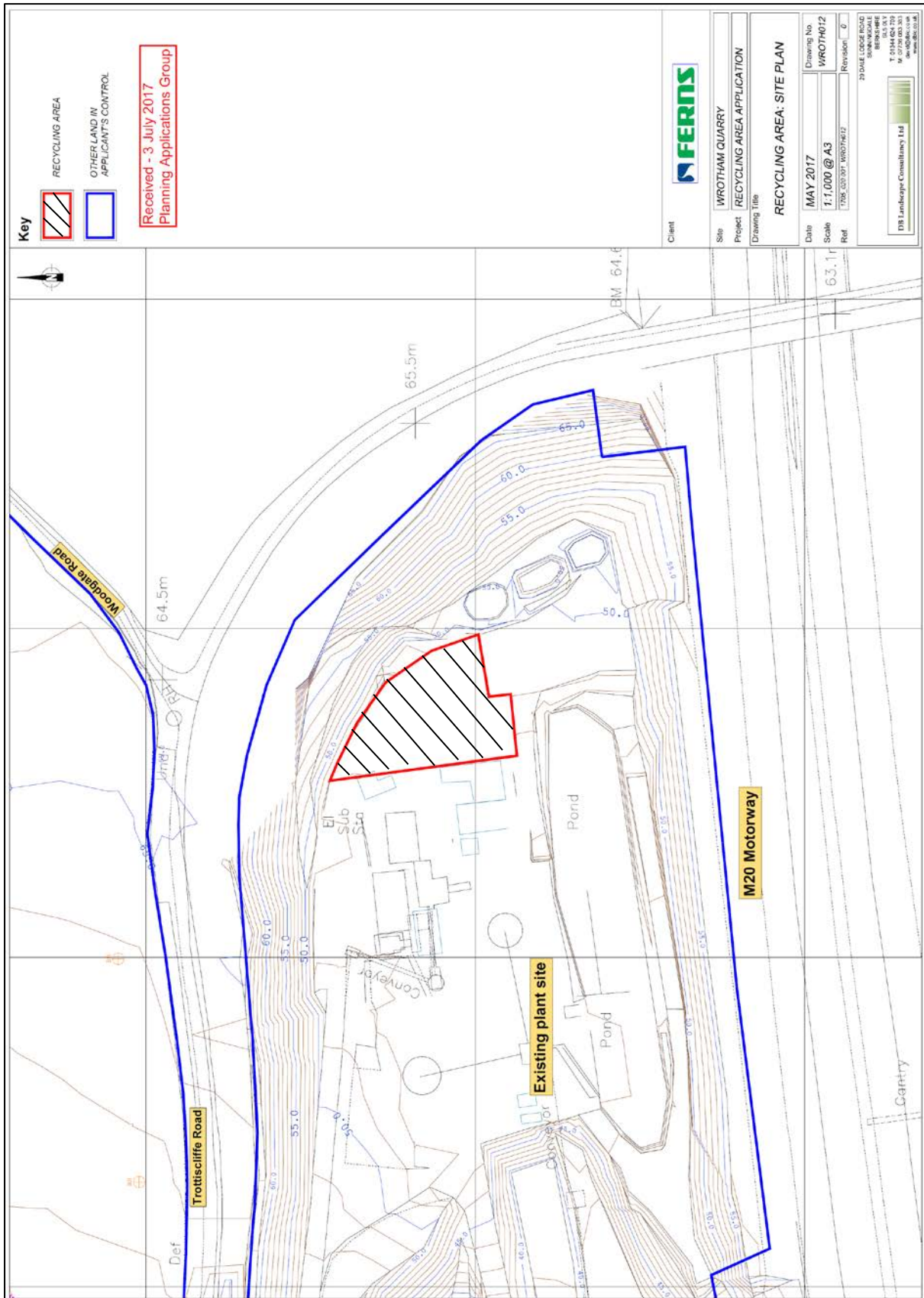
Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

General Location Plan



Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington - TM/17/2090 (KCC/TM/0195/2017)

Site Location Plan



Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

5. The quarry is not subject to any statutory or non-statutory wildlife designations, although the Trottiscliffe Meadows Site of Special Scientific Interest (SSSI) lies 830m to the west and Ryarsh Wood Local Wildlife Site (also part Ancient Woodland) lies 400m to the north-east.
6. The application site and the surrounding quarry lie within a Groundwater Source Protection Zone (SPZ) 3 associated with the public water abstraction. The Addington Conservation Area lies approximately 250m to the south and there are a number of listed buildings within 1km, the closest of which are Woodgate Farmhouse (250m northeast) and Woodgate Cottage (390m northeast).
7. The quarry complex, including the application site, lies within an area identified in Kent Minerals and Waste Local Plan (2016) associated with potential silica sand and construction sand extraction. Policy DM7 safeguards this mineral resource from non-mineral development that is incompatible. With the exception of the Green Belt and AONB Policy designations indicated above, the existing quarry is not identified for any specific purpose or other designation in the Tonbridge and Malling Local Plan.

Background / Recent Site History

8. There is a long history of mineral extraction at Wrotham Quarry and in the area more generally. The earliest planning permission at Wrotham Quarry was that granted for the continuation of mineral (sand) extraction in 1948. A series of permissions for further extraction and related activities have since been granted. The Wrotham Quarry complex covers an area of 43 ha with open sand pits either side of the M20. Permission relating to land north of the M20 was granted in June 2009 for an extension to the quarry (TM/07/2545). Other permissions of relevance include TM/74/1367 (plant and equipment, buildings, washing pools and access) and TM/87/1050 for a separate mortar plant close to the application site. The mortar plant has since ceased operation and been removed from the quarry.
9. It is worth noting that a planning application to allow the importation of inert waste for restoration of the area to the south of the M20 (reference TM/95/369) was refused in March 2001 (although KCC had initially resolved to grant permission subject to a legal agreement in October 1995). The application was refused on the grounds that: the development would have an unacceptable impact within the Metropolitan Green Belt and Special Landscape Area; that it would potentially delay the agreed restoration of the site; that it would have a detrimental impact on the amenity and safety of users of Public Footpath MR168; that there was no proven overriding need for further inert waste disposal facilities; and it had the potential to delay the restoration of more suitable mineral workings by diverting suitable fill material.
10. All of the planning permissions at Wrotham Quarry (north and south of the M20) involve extracting sand from above the water table and (with the exception of the most recent permission TM/14/4075) require the land to be restored to a lower level for agricultural, woodland and nature conservation after-uses using reject sand, overburden and soils from the quarry site itself. Building sand is extracted from an upper sand layer, which varies in thickness in different parts of the quarry. This is coarse to medium grained, well sorted and orange coloured. The building sand is used in a variety of construction uses such as mortar, asphalt, screeds and plaster whose physical and chemical requirements are less stringent. Silica sand is extracted

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

from the sand layers below. These vary in depth but are in total thicker than the building sand layer at Wrotham. Silica sands are valued for their combination of physical and chemical properties, including a high silica content (>99.9% at Wrotham Quarry) and a consistently narrow grain size. Silica sand at Wrotham Quarry is washed and graded and most (80%) is then dried for sale. The rest is sold moist. Silica sands are essential materials for a number of industrial applications including glassmaking, foundry castings and various heat resistant products, as well as horticultural, leisure and equestrian products.

11. To the north of the M20 sand is extracted year-round in a series of benches using mechanical excavator or loading shovel and transported to the plant site by conveyor located along the base of the excavation and partially restored site. This operation is largely complete. The depth of extraction is limited to 35m AOD and a “Code of Operating Practice” designed to prevent pollution and protect the Groundwater Source Protection Zone is in place.
12. Planning permission (TM/14/4075) was granted in September 2015 for a north eastern extension to the existing quarry to extract silica sand, construction sand and to infill the void with inert waste on land to the north of Addington Lane. This permission allows for the extraction of 1.0 million tonnes (Mt) of silica sand and 0.5Mt of building sand from the extension area over a 10-year period. Following which the site would be restored to original levels by backfilling with approximately 1.0 million cubic metres (Mm³) of inert waste over a subsequent 10-year period. Whilst most of the details required by various conditions have subsequently been approved, the planning permission has yet to be implemented due to the need to agree final details on the access tunnel permitted under Addington Lane and associated traffic management arrangements.
13. All plant, equipment, buildings and related structures in the plant site area must be removed once no longer required for the processing of sand from the northern extension area (TM/14/4075)
14. KCC is also currently considering applications for: the temporary retention of two shipping containers on site (reference TM/17/2039) to be used in connection with the implementation of permission (TM/14/4075); a variation of permission TM/07/2545 to allow for the completion of extraction and restoration work not later than 21 July 2022 (reference TM/17/2091); and a variation to permission TM/10/1481 to extend the end date for extraction until 17 May 2027 for the quarry area south of the motorway, increase the annual amount of extraction, extend the extraction period and amend the working and restoration schemes (reference TM/17/1336). The above applications are not directly linked to the proposed aggregate recycling facility. None of the proposed changes would alter the total maximum number of HGV movements allowed at the quarry, which would remain no more than a daily average of 112 HGV movements (56in / 56out) in any one week.
15. The site has been the subject of complaints in the past, particularly regarding noise and dust generated by the existing quarry operations and HGVs occasionally attempting to access the site from Trottiscliffe Road / Addington Lane (instead of the agreed route from Ford Lane). Following complaints received from a local resident it was recently established that the applicant had previously implemented the aggregate recycling operations proposed in this application. Following further investigation the

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

applicant was asked by KCC to cease this unauthorised development in February this year and duly obliged, removing all waste materials brought onto the application site. No further waste operations have taken place since KCC's request.

16. It was established that the applicant already benefits from an Environmental Permit (Reference EB3001GZ/V002) issued by the Environment Agency in August 2016 for the development proposed below, i.e. treatment of construction and demolition waste and waste soils. On the strength of the Permit and the existing mineral permissions the applicant had wrongly assumed that no further planning permissions were necessary. The Environmental Permit allows up to a maximum of 75,000 tonnes of waste to be received, stored, treated, recycled or reclaimed each year. It includes controls relating to operating techniques, emission of substances, noise and vibration.

Proposal

17. The application, made on behalf of the Ferns Group, proposes the establishment of an aggregate waste recycling facility within the base of the quarry for a temporary period of 5 years. The proposed location is directly adjacent to the existing sand processing plant and equipment. The proposed development would allow the importation and treatment of up to 25,000 tonnes of construction and demolition waste per year to produce secondary aggregates and construction products. The applicant states that the proposed operation would not require the maximum throughput of 75,000 tonnes per annum (tpa) that is allowed under the provisions of the Environmental Permit.
18. Recycling / treatment would be undertaken with a small mobile screening plant, an excavator and loading shovel (the excavator and shovel are already based on site as part of the quarrying operations and would be a shared resource). HGVs carrying approximately 15 tonne loads would bring material to site tipping this adjacent to the screening plant. The application states that an average of 24 HGV movements per day (12 In / 12 Out) would be required to move the above material into and out of the quarry and that this could be accommodated with no increase in the overall limit imposed on the entire quarry complex. HGVs entering and exiting the application site would use the approved route via Ford Lane and the A25.
19. The excavator would load the waste into the mobile screen and the loading shovel would move the screened material into separate stockpiles and load outgoing HGVs when the recycled aggregates are dispatched. The screening plant would only be used periodically (on a campaign basis) when there is sufficient waste material stockpiled on site. The applicant states that non-industrial grade (soft) sand from the quarry would be added to the recycled aggregates to produce a range of granular sub-base products. Any materials that are not suitable for use as a recycled aggregate would be retained in individual skips for removal to a suitable waste treatment site.
20. The recycling facilities would operate between 0700 to 1800 hours Monday to Friday and 0700 to 1300 hours on Saturdays. The same working hours are permitted for the quarry plant site under permission TM/14/4075 once the northern extension is implemented.
21. The Ferns Group's wider business interests involve highway surface and reinstatement works throughout south-east and it operates a network of depots (including sites at Stratford, Wembley, Brentwood and Colchester). The applicant

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

states that recycling of excavation arisings from this highway work is an important part of its operations and diverts waste materials that would otherwise go to landfill. It also states that the proposed development at Wrotham Quarry would add to this network, allowing waste generated locally to be managed on site avoiding the need to transport materials further afield. The temporary period of five years is proposed while the company develops other depots to add to its network.

Planning Policy

22. The Government Guidance and Development Plan Policies summarised below are relevant to the consideration of this application:
23. **National Planning Policy and Guidance** – the most relevant National Planning Policies are set out in the National Planning Policy Framework (NPPF) (March 2012) the associated Planning Practice Guidance (PPG) and National Planning Policy for Waste (NPPW). National Planning Policy and Guidance are material planning considerations.
24. **Kent Minerals and Waste Local Plan 2013-2030 (2016) (Kent MWLP):** Policies CSM1 (Sustainable Development), CSM2 (Supply of Land-won Minerals), CSM5 (Land-won Mineral Safeguarding), CSM8 (Secondary & Recycled Aggregate), CSW1 (Sustainable Development), CSW2 (Waste Hierarchy), CSW4 (Strategy for Waste Management Capacity), DM1 (Sustainable design), DM2 (Environmental and Landscape Sites of International, National and Local Importance), DM4 (Green Belt), DM6 (Historic Environment Assessment), DM7 (Safeguarding Mineral Resources), DM10 (Water Environment), DM11 (Health and Amenity), DM12 (Cumulative Impact), DM13 (Transport of Minerals and Waste), DM14 (Public Rights of Way) DM17 (Planning Obligations), DM18 (Land Stability), DM19 (Restoration, Aftercare and After-use) and DM20 (Ancillary Development).
25. **Tonbridge and Malling Borough Council Local Development Framework Core Strategy (2007) (T&M CS):** Policies CP1 (Sustainable Development), CP2 (Sustainable Transport), CP3 (Metropolitan Green Belt), CP6 (Separate Identity of Settlements), CP7 (Areas of Outstanding Natural Beauty), CP14 (Development in the Countryside) and CP24 (Achieving a High Quality Environment).
26. **Tonbridge and Malling Borough Council Local Development Framework: Managing Development and the Environment Development Plan Document (2010) (MDE DPD):** Policies CC2 (Waste Minimisation), CC3 (Sustainable Drainage), NE2 (Habitat Networks), NE3 (Impact of Development on Biodiversity), NE4 (Trees, hedgerows and woodland), SQ1 (Landscape and Townscape Protection and Enhancement), SQ4 (Air Quality) and SQ8 (Road Safety).
27. **Kent Downs AONB Management Plan 2014 – 2019 (Second Revision April 2014) (Kent Downs MP)** Policies: MPP2 (Importance of Management of the Kent Downs AONB), SD1, SD2, SD3 and SD8 (Protection, Conservation and Enhancement - Sustainable Development), LLC1 (Landform and Landscape Character), BD1, BD2 and BD5 (Biodiversity), HCH1 (Historic and cultural heritage) and GNR2 and GNR5 (Geology and natural resources).

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

Consultations

28. **Tonbridge & Malling Borough Council: no objection.** The Borough Council request that Kent County Council take note of and address concerns raised by residents regarding noise and dust emissions and alleged movement of vehicles contrary to planning conditions in force. The comments note that the Environmental Permit for existing plant on site, referenced within the application, is issued and monitored by the Environment Agency and not the Borough Council's Environmental Health Department.
29. **Addington Parish Council:** no comments received.
30. **Trottiscliffe Parish Council:** no comments received.
31. **Wrotham Parish Council:** no comments received.
32. **Environment Agency: no objection** to the application. The EA state that the environmental permit for the quarry would allow the treatment of construction and demolition waste and would cover the emissions to air, land and water for the proposed activities.

The EA note that the WRAP Quality Protocol for the production of Aggregates controls the waste types permitted to produce recycled aggregates (i.e. inert granular materials), which does not include clays and soils.

The EA state that the operator must therefore ensure that it can comply with the Quality Protocol for the production of aggregates or obtain a suitable authorisation for any waste material produced on site for re-use elsewhere. All waste import and removal must comply with Duty of Care.

33. **Natural England: no objection.** Based on the plans submitted, Natural England considers that the proposal would not have significant adverse impacts on designated sites; however it draws attention to the protection afforded the Kent Downs AONB. Natural England recommends contacting the Kent Downs AONB Group in connection with this application.
34. **CPRE Protect Kent:** no comments received.
35. **Kent Downs AONB Unit: objects** to the application on the following grounds:

“Taking into account the nature of the proposed works, the surrounding rural environs and the industrial nature of the proposed activity, the AONB Unit considers the proposed operation to constitute major development. As such the application needs to be assessed against paragraph 116 as well as paragraph 115 of the NPPF. The AONB Unit does not consider that the tests set out in paragraph 116 of the NPPF have been met in the application submission, as exceptional circumstances do not apply and nor is the proposal demonstrated to be in the public interest. Of particular relevance is the fact there is no requirement for the proposed facility to be located within the AONB, with the waste material being brought into the site and end product subsequently taken away. Furthermore, it is also considered that the proposal would be conflict with Policy DM2 of the Kent Minerals and Waste Local Plan”.

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

36. **South East Water:** no comments received.
37. **Kent County Council Flood and Water Management: no objection.** Recommends that practicable pollution prevention measures are implemented to ensure the development has minimal potential to impact the water environment.
38. **Kent County Council Highways and Transportation: no objection,** subject to retention of the established highway controls imposed on the site, including the overall limit on the number of HGV movements and the agreed routing via Ford Lane.

Local Member

39. The local County Member for Malling North, Mrs S. Hohler was notified of the application on 18 July 2017.

Publicity

40. The application was publicised by the posting of a site notice, an advertisement in a local newspaper, and the individual notification of 11 nearby properties.

Representations

41. In response to the publicity, 4 letters of representation objecting to the application have been received from nearby residents; principally from properties to the east of the proposed site. The key points raised can be summarised as follows:

Policy considerations

- Objects to the principle of the development within the Kent Downs AONB and the Green Belt. Draws attention to the obligation to afford these designations the highest level of protection.
- Notes that the waste processing capacity anticipated for Kent in the coming years can be met by the existing permitted operations within the County without the need to develop new sites within sensitive locations like the Green Belt / AONB.
- Considers that there are more suitable locations for waste development outside the AONB and Green Belt.
- Asks how sustainable it is to blend high grade sands with low grade construction fill, particularly when the whole premise of the recent permission for an extension to the quarry within AONB and Green Belt was based on the high value and scarcity of the sand reserves. Asks if the sand is a scarce resource why devalue it by blending with recycled aggregate?
- Notes that the site is safeguarded in the Kent Minerals and Waste Local Plan due to the mineral reserves. Therefore asks whether KCC should consider an alternate use on a safeguarded mineral site.

Local Amenity considerations

- Considers the proposed use unacceptable in an idyllic location.
- Considers that the cumulative impact of the quarry, especially when considered in the context of the recent major extension permitted to the north of Addington Lane

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

and Woodgate Road, would have an unacceptable cumulative impact on the local environment and residential amenities.

- Objects to noise generated by plant on site, considers that the proposed development would have a significant impact on the acoustic environment. Asks what mitigating measures would be put in place?
- Raises concerns about the reversing alarms used by equipment on site.
- Considers that KCC should impose noise controls on the site.
- Considers that the existing dust suppression measures are not effective and that a dust survey should be undertaken before planning permission is granted. Notes that if the product has such high silica content then surely dust suppression is of paramount importance to the health of the residents and the community.

Environmental considerations

- Raises concern that the waste material brought on site would be used to infill the quarry void.
- Raises concern that the waste material imported to site could impact on ground water resources.

Highways considerations

- Raises concerns that about recent breaches in planning control with HGVs using the Addington Lane access not the agreed route from the A20 via Ford Lane.
- Raises concerns that the proposed development would significantly increase the number of HGV movements associated with the quarry.

Other considerations

- Considers that the temporary period of 5 years is only the start and further permissions would be sought to lengthen the time allowed and expand the proposed waste operations within the quarry area.
- Considers that there are adequate sites in the local area to help maintain and improve the local/ rural economy without the need to expand operations allowed at Wrotham Quarry.
- Raises concern that the applicant already operates the site from 0600 in breach of the agreed working hours.
- Asks whether further landscape planting should be required to reinforce the existing planting?

Non Material considerations

- Considers that the proposed operations would have a negative impact when residents come to sell their houses.

Discussion

42. This application is being reported to the Planning Applications Committee as a result of officer concerns about the development departing from the Development Plan in terms of AONB and Green Belt policy. The application has also attracted four letters of objection from nearby residential properties raising similar concerns about the principle of the development and also about potential amenity and other impacts.
43. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan, unless

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

material considerations indicate otherwise. The proposals therefore need to be considered in the context of the Development Plan Policies, Government Policy and Guidance and other material planning considerations including those arising from consultation and publicity.

44. The key determining considerations in this particular case can be addressed under the following headings:
- Location (including AONB and Green Belt);
 - Local amenity (including noise and dust); and
 - Highway considerations.

Location (Including AONB and Green Belt)

AONB

45. The NPPF requires planning authorities to give great weight to conserving landscape and scenic beauty in National Parks, the Broads and AONBs, which are to be afforded the highest status of protection. The Framework emphasises that conservation of wildlife and cultural heritage are important considerations in all these areas.
46. Government Policy states that “Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:
- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
 - the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
 - any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated”.
47. Policy DM2 of the Kent MWLP and CP7 of the T&M CS reflect the requirements set out within the National Policy in that they seek to avoid development that would be detrimental to the natural beauty and quiet enjoyment of AONBs. This includes guiding major development away from the AONB, unless it can be demonstrated that the proposal is in the public interest, there are no other locations or ways of delivering the development outside the AONB and/or it is essential to meet local social or economic needs. For minor development the policies require great weight to be given to conserving the AONBs landscape and scenic beauty. Policies MMP2, SD1 and SD3 of The Kent Downs AONB MP require individual authorities to give the highest level of protection to conserving and enhancing the natural beauty of the AONB in making development control decisions. These policies require new development or changes of land use that disregard or run counter to the primary purpose of the AONB to be opposed.
48. In terms of assessing this development in the context of AONB it is first necessary to establish whether the development should be considered major or minor development in the context of the AONB policy. There is no definition set out in the NPPF for this purpose. The NPPG states that the question of whether a proposed development in an AONB should be treated as a major development will be a matter for the relevant

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

decision taker, taking into account the proposal and the local context. The applicant argues that the proposals should not be considered major development because of the limited amount of recycling proposed (25,000 tonnes per annum), the temporary nature of the use (5 years) and as it would not result in unacceptable adverse impacts on the integrity, character, appearance, biodiversity or geological interests of the AONB.

49. Under the standard definition set out in the Town and County Planning (Development Management Procedure) Order all waste development would be considered major irrespective of its scale. However, it can be argued that this definition does not necessarily apply in this instance and it is necessary to consider the precise nature of the activity in the context of the rural setting and wider landscape. Waste recycling operations of the type proposed are normally considered major development by the County Planning Authority irrespective of their location due to the scope and nature of the operations involved and the potential for the use to conflict with other existing land uses. Rural locations in particular are normally less acceptable unless: they are within an established industrial estate; are ancillary to another development that justifies the location; the nature of the proposed activity requires a remote location; or there is clear need for the development to serve an established local need. In this instance the proposed operations is not considered ancillary to the established minerals use as there is not a need for waste or recycled materials to be imported to site at this time. Any sand needed to blend with the recycled aggregate could just as easily be transported off site to a less sensitive location, as the waste brought in. The type of development proposed does not necessarily require a remote location and would normally be steered towards an industrial estate or an existing waste development. Whilst the location within the base of the quarry and the temporary nature of the proposed activity would help to limit the potential impacts on the surrounding landscape, local amenity and the environment, the use of the land would still involve the importation of material by HGV and the use of heavy plant and equipment. This type of activity in a sensitive rural location would be a fairly significant change to the accepted land uses that would require exceptional circumstances. Taking account the nature of the use and the local context I can see no reason to conclude that the development should not be considered major in this instance.
50. Comments received from the Kent Downs AONB Unit echo the above approach stating that given the nature of the proposed works, the surrounding rural environs and the industrial nature of the proposed activity, it considers the proposed operation to constitute major development that should be subject assessment against relevant paragraphs of the NPPF. The comments draw attention to the fact there is no requirement for the proposed facility to be located within the AONB, with the waste material being brought into the site and end product subsequently taken away. The AONB Unit objects to the application on the grounds that the proposed development fails the NPPF tests in that exceptional circumstances do not apply and nor is the proposal demonstrated to be in the public interest.
51. If the proposals are considered to be major, the Development Plan and Government Policies set out a clear presumption that the development should be refused unless there are exceptional circumstances and where it can be demonstrated that the proposal is in the public interest. Given the proposed development is not required as part of or in support of the permitted mineral extraction it is difficult to conclude that there is a genuine need for the development being located in the AONB. The

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

proposed development could just as easily be located outside the designated area in a more suitable location. Whilst there may be clear operational and economic benefits for the applicant in terms of co-locating its activities on a single site, I am unable to conclude that there is an overriding need for the development that is in the public interest that would justify the proposed location.

52. The proposed development would have an impact in terms of noise and dust generated by the site. This would need to be considered in the context of the adjacent mineral activity and plant site, which in itself has an impact on the landscape and the levels of tranquillity in the AONB. The application does not include the technical reports usually provided on these issues in support of this type of development. The lack of any technical reports makes coming to a conclusion on the potential cumulative impacts in terms of dust and particularly noise difficult. Given the hours of use proposed and the location within the quarry void, the proposed level of activity is unlikely to have significant impacts on the surrounding environment that by itself would justify refusing the application. However, without suitable evidence to back this assumption up it is only appropriate to assume there could be some impact which, in combination with the quarry operations as a whole, should to be given suitable weight in coming to a decision.
53. Given the proposed development already fails the need test, the lack of clarity concerning the potential impacts on local amenity, and the surrounding landscape in terms of levels of tranquillity, further adds to the argument that it should be considered contrary to the Development Plan in terms of its impact on the AONB and preserving this important designation from unnecessary or damaging development.
54. Objections received from local residents also call into question the proposed use of valuable sand resources within the proposed recycled aggregate sub-base products. This is important in the context of the AONB as the justification for the quarrying activity in the first place in this sensitive location relates to the scarcity of the resource being extracted and a national need having been accepted. As indicated above, Wrotham Quarry produces several types of sand, the majority of which is silica (or industrial) sand which is a scarce resource. However, in extracting this material less valuable soft sand is produced and it is the soft sand that the applicant proposes to use as part of the recycled aggregate. I am content that the proposed development would not sterilise silica sand or result in its use for a lesser / inappropriate purpose. On this basis, I am satisfied that the proposed use need not compromise the original justification for quarrying within the AONB.
55. Concerns raised by residents also suggest that the waste operations could reasonably be located outside the AONB in a more suitable location. The comments draw attention to the Kent Minerals and Waste Local Plan (2016), which indicates that at present there is not a need for additional waste processing capacity for this type of material in Kent. The supporting text for Policy CSM8 of the Kent MWLP indicates that the consented secondary / recycled aggregate processing capacity currently exceeds 2.7mtpa, which is the minimum level the policy indicates should be maintained over the plan period. The need or otherwise for the facilities is material in the context of the AONB, as indicated above and below. NPPW states that waste planning authorities should only expect applicants to demonstrate the quantitative or market need for a new waste management facility where proposals are not consistent with an up-to-date Local Plan. Whilst the Kent MWLP is clear that further waste capacity would be

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

welcome and proposals should not be refused on need grounds alone, the lack of an identified strategic need for this type of waste operation further weakens any argument that a location within an AONB is justifiable. The application does not address this issue in any specific detail that would lead me to conclude that there is a demonstrable need for the waste use that would be in the public interest. I agree with the residents' argument that the proposed development could reasonably be located outside the AONB and the proposed use of the application site in this instance has more to do with the commercial / operational benefit to the applicant rather than to a genuine need for the use in this location.

56. Whilst the development may have limited potential to have a significant visual impact on the surrounding landscape, taking the above section into account, I am not convinced that the proposed development meets the tests that would justify the principle of the use in the AONB and consider that there are no material considerations that would outweigh this impact. Accordingly, I consider this should be given significant weight in determining the application as the development would be a departure from the Government Policy and the Development Plan and contrary to Policies MMP2, SD1 and SD3 of The Kent Downs AONB Management Plan.

Green Belt

57. The NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. The Framework sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It indicates that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Policy DM4 of the Kent MWLP and CP3 of T&M CS state that development within the Green Belt will be considered in light of their potential impacts, and shall comply with national policy and the NPPF.
58. Government policy indicates that mineral extraction is amongst a limited number of forms of development that are not inappropriate in Green Belt provided they preserve the openness and do not conflict with the purposes of including land in Green Belt. Whilst this applies to the mineral extraction process and potentially minor ancillary development associated with that use, the exception does not apply to major development or other uses that are not directly associated with the extraction of minerals or the subsequent restoration of the site. In this instance the introduction of a waste recycling activity that isn't connected with the restoration of the quarry, however limited in scale, would be considered inappropriate development in the context of the Green Belt.
59. As with the considerations given to the AONB, it is therefore necessary to consider the potential harm to the Green Belt and the reason for the policy considerations. Taking account of the temporary nature of the use and its location in the base of an existing quarry it would be difficult to argue that the development would unduly impact on the openness or the character and appearance of the Green Belt. However, there would be harm to the principle of the Green Belt by virtue of inappropriateness through the introduction of a new waste use. The application provides a list of exceptional circumstances that should be considered when weighing up whether there are very special circumstances that justify the development within the Green Belt. The

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

applicant's stated exceptional circumstances include: the existing use; the existing infrastructure on site; the fact that the waste source would be generated by the applicants business and would serve local markets; the minimal development costs; ready access to the road network; reduced transport costs / emissions / time; the small scale nature of the development; there would be no adverse environmental or amenity impacts; and the temporary nature of the operation. Notwithstanding the potential for adverse environmental and/or amenity impacts which are not adequately demonstrated by the application documents, the above exceptional circumstances are all good reasons to co-locate the developments under normal circumstances, however I am not convinced that any of the above could be considered 'very special circumstances' that outweigh the presumption against inappropriate development in this instance.

60. On the basis of the information received with the application, I can see no justification (very special circumstances) for the development at this time that would outweigh the strong policy or the national presumption against inappropriate development in the Green Belt. I therefore recommend that this also be given substantial weight in coming to a decision on this application.

Other location, landscape and visual considerations

61. Notwithstanding the lack of a strategic need for additional capacity for secondary and recycled aggregate production at present, Policy CSM8 of the Kent MWLP supports proposals that would provide for additional capacity, including at appropriate mineral operations, provided they are well located in relation to the source of the input materials or need for output materials, have good transport infrastructure links and accord with the other relevant policies in the development plan. The term 'appropriate' mineral operations is defined by Policy CSM8 as proposals that would not give rise to unacceptable adverse impacts on communities or the environment when considered cumulatively with the host development. In this instance the proposed development might arguably meet some of the above criteria; however it would be contrary to AONB and Green Belt policy which would give rise to an unacceptable impact on the local environment by virtue of being inappropriate development. The application also fails to adequately demonstrate that there would not be in-combination / cumulative impacts from the development and the quarry on local amenity. It is entirely possible to locate a waste use in a rural location subject to it meeting the necessary requirements, however the tests for development in the AONB and Green Belt are set that much higher due the sensitivity of the landscape and policy designations. Therefore, the development is considered to be contrary to Policy CSM8 of the Kent MWLP.
62. Policy CP14 of the T&M CS indicates that development and diversification of use in the countryside can be beneficial and sustainable; however it seeks to restrict this to a limited number of suitable development types. Minerals and waste development does not easily fall within the acceptable development types and given the significant policy issues raised above there are no overriding considerations resulting from this policy and I therefore recommend it should be given little weight in this instance.
63. As indicated above the potential visual impacts of the development are mainly overcome through the application site's location within the quarry void close to the existing sand screening plant. The plant proposed is relatively small in scale and would not be uncommon within a sand quarry. Due to its position, opportunities to

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

view the proposed operations from public vantage points are limited. Therefore as suggested above, the landscape and visual impacts would broadly be acceptable, particularly given the temporary nature of the permission being sought.

64. One of the objections received from nearby residents asks whether further landscape planting should be considered to enhance the existing arrangements. The main plant site, within which the application site is located, is well screened from the surrounding landscape with mature boundary planting and screening mounds. Given the nature of the development proposed there would be no need or justification to seek additions to the existing arrangements if planning permission were to be granted.
65. Notwithstanding the limited visual impacts, it is the principle of the development within the designated landscape that is the main cause of concern in this instance. The considerations set out above indicate that in weighing a decision significant / substantial weight should be given to the fact that the proposed development is considered inappropriate development within the AONB or the Green Belt and that there are not the very special / exceptional circumstances that would outweigh the policy presumption to refuse the application. In my opinion given this departure from the Development Plan there are more than sufficient grounds to recommend that the application be refused. I therefore consider that the proposed development would be contrary to National and Development Plan Policies relating to the protection of the AONB and the Green Belt and would subsequently be contrary to Policies CSM1, CSW1, DM1 and CSM8 of the Kent MWLP and the relevant policies within the Kent Downs AONB Management Plan.

Local amenity (including noise and dust)

66. In determining applications for waste development, the NPPW requires planning authorities to consider the likely impact on the local environment and on amenity. In testing the suitability of sites, Government policy indicates that the following factors (amongst others) could impact on local amenities: traffic and access; air emissions including dust; odours; vermin and birds; noise; light and vibration; litter; and potential land use conflict. The NPPW states that the focus of the planning system should be on whether the development itself is an acceptable use of the land and the impacts of those uses, rather than any control processes, health and safety issues or emissions themselves where these are subject to approval under other regimes. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced. The proposed waste operation in this instance is already afforded an Environmental Permit (reference EPR/EB3001GZ) issued by the Environment Agency in August 2016.
67. The NPPF states that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life and mitigate and reduce to a minimum other adverse impacts arising from noise from new development, including through the use of conditions.
68. Policy DM11 of the Kent MWLP requires development that does not generate unacceptable adverse impacts from noise, dust, vibration, emissions, visual intrusion, traffic or exposure to health risks and associated damage to the qualities of life and wellbeing of communities and the environment. Policy DM12 further seeks development that does not result in unacceptable adverse cumulative impacts on the

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

environment or communities. Policy CP24 of the T&M CS requires development that would be detrimental to the built environment, amenity or functioning and character of a settlement or the countryside to be refused. Policy SQ4 of the MDE DPD states development will only be permitted if the proposed use does not result in a significant deterioration of the air quality, either individually or cumulatively with other proposals or existing uses.

69. Four letters of representation have been received from nearby residents all of which raise concerns about the existing and potential impact on local amenities, including in terms of noise and dust. The respondent's state that the existing development already generates dust and occasional noise concerns for residents and that the introduction of additional uses to the site could add to the cumulative impact of the quarry complex on the surrounding landscape, environment and local community. The representations draw attention to the north eastern extension to the quarry, which is permitted but not yet implemented. The resident's consider that the cumulative impact of this extension with the main quarry and the development proposed by this application should be taken into consideration.
70. As indicated above, the applicant has not provided any assessment(s) of the likely extent of any amenity impacts. The application documents state that the intermittent use of mobile screening plant and shared use of mobile plant would limit noise levels and that the plant and recycling area would be subject to dust suppression (water spray and bowser) where necessary to minimise the impact of any dust emissions. No consideration is given to the cumulative impacts in the context of the existing quarry use. Given the above it is not possible to conclude that there would be no impacts. The location of the application site in the base of the quarry and the distance to the nearest properties would suggest that unacceptable amenity impacts are unlikely.
71. The proposed waste activities have already been granted an Environmental Permit, which includes consideration of noise, dust and other emissions to the environment. The Environment Agency is content that the application is unlikely to cause unacceptable impacts that could not reasonably be controlled by the conditions imposed on the existing Permit. The type of waste use proposed would be similar in nature to the permitted mineral operations, both in terms of the plant and equipment used and the nature of the potential amenity impacts. However, it is reasonable to adopt a precautionary approach and assume that some adverse impacts would be possible and that the amenity of local residents could be affected. I am not convinced that local amenity concerns are insurmountable in this instance, however the lack of supporting information makes it difficult to conclude that there would not be a problem or to recommend suitable / reasonable conditions if planning permission were to be granted. On this basis I have to recommend that the application fails to demonstrate the extent or significance of possible amenity impacts, particularly in terms of noise and dust, and does not adequately address the potential for cumulative impacts with the surrounding quarry operations. I therefore recommend that the development would be contrary to the National Policy and the Development Plan in this regard.

Highway considerations

72. The NPPF states that traffic associated with development should not give rise to unacceptable impacts on the natural and historic environment and human health. The NPPW states that planning authorities should consider the capacity of existing and

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

potential transport infrastructure to support the sustainable movement of waste, seeking when practicable and beneficial to use modes other than road transport. This includes considering the suitability of the road network and the extent to which access would require reliance on local roads.

73. Policy DM13 of the Kent MWLP requires waste development to demonstrate that the access arrangements are safe and appropriate, traffic generated would not be detrimental to road safety and the highway network is able to accommodate the traffic generated with no unacceptable adverse effects on the environment or local community. Similarly, Policies CP2 of the T&M CS and SQ8 of the MDE DPD requires new development be compatible with the character and capacity of the highway network in terms of the volume and nature of traffic generated.
74. Local residents have raised concerns about potential highways impacts resulting from the proposed development; these concerns include the potential for an increase in the number of HGVs attending the site and vehicles using the wrong access route, seeking to enter the quarry from Addington Lane and not the approved access for HGVs off Ford Lane.
75. The aggregate recycling facility would be capped at 25,000 tonnes per year, which would equate to a daily average of 12 loads (24 HGV movements -12 In / 12 Out). The applicant states that this level of activity could be accommodated within the current combined planning limit on HGV movements for the whole quarry, with no overall increase in the maximum numbers. This level is set at a daily average of 112 HGV movements (56 In / 56 Out) and has previously been deemed to be acceptable given the access arrangements in place.
76. KCC Highways and Transportation has considered the application and is raising no objections, subject to the highway controls imposed on the extant permissions being re-imposed, including the overall limit on HGV movements and continued use of the agreed access via Ford Lane. The agreed access via Ford Lane is considered an acceptable route for the number of HGVs attending the quarry. The wider quarry benefits from a 1.3km internal haul road that connects the application site with the agreed access point. Generally HGVs use this route and the applicant continues to make efforts to ensure that this continues. However, there will be a small number of instances when vehicles attempt to enter the site from Addington Lane, this is difficult to police as it is still a public highway. I am content that the infrastructure and mechanisms are in place to encourage use of the Ford Lane access. Given the application does not propose an increase in the combined total number of HGV movements associated with the quarry and the comments of the local Highway Authority, I am content that the proposed development would not have an unacceptable impact on the public highway, both in terms of congestion and safety. Subject to the imposition of the conditions discussed above, I am satisfied that the proposals would accord with the highway policies within the Development Plan and National Policy, including those set out above.

Other considerations

77. Ground / surface water pollution: The NPPF states that development should not have unacceptable impacts on the natural environment, the flow and quantity of surface and groundwater or give rise to contamination. The NPPW states that planning authorities

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

should consider the likely impact on vulnerable surface and groundwater (including aquifers) when determining waste planning applications. It also states that geological conditions and the behaviour of surface water and groundwater should be considered.

78. Policy DM10 of the Kent MWLP supports minerals and waste development that does not result in the deterioration of physical state, water quality or ecological status of any waterbody (e.g. rivers, streams, lakes and ponds). This policy also seeks to ensure development does not have an unacceptable impact on groundwater Source Protection Zones, or exacerbate flood risk in areas prone to flooding, either now or in the future.
79. The proposed development already benefits from an Environmental Permit for the operation of a waste processing facility. The Environment Agency has confirmed that this Permit will cover / control emissions to air, land and water for the proposed activities. Taking this into account, it is reasonable to conclude that the application would be acceptable in terms of the planning policies in place relating to ground and surface water pollution, including those Development Plan and Government Policies set out above, provided the proposed development is undertaken in accordance with the Environmental Permit.
80. Nature Conservation: Natural England has raised no objections to the application, stating that it considers that the proposal would not have significant adverse impacts on designated sites. The application site forms part of an active quarry and has already and continues to be subject to significant disturbance as part of this permitted use. In this instance, I am satisfied that the proposed use of the application site would not have an unacceptable impact on biodiversity interests and would accord with the relevant Development Plan and Government policies in terms of nature conservation.
81. Minerals Safeguarding: The Kent MWLP identifies the application site as falling within a mineral safeguarding zone for silica sand. Policy DM7 of the Kent MWLP safeguards the application site from development that would unnecessarily sterilise the available mineral resources. In this instance the majority of the available mineral reserve within the application site has already been worked beneath this part of the quarry. The location proposed being approximately 15metres below the surrounding ground levels. The development is being proposed for a temporary period of 5 years, which would ensure that it would not have an impact on the long term restoration of the site and would be acceptable in the context of the safeguarding policies in place.

Conclusion

82. This application proposes the establishment of an aggregate waste recycling facility within the base of Wrotham Quarry for a temporary period of 5 years. The application site falls within a sensitive location designated as part of the Kent Downs AONB and the Metropolitan Green Belt.
83. As set out above, I am content that the proposed development would be acceptable in terms of its highway impacts, which would fall within the established acceptable limits and controls imposed on the quarry complex as a whole, including in terms of vehicle numbers, access and highway safety arrangements. The proposed development already benefits from an Environmental Permit, which was considered and issued by the Environment Agency in 2016 before this planning application was made. On the

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

basis that the Agency has confirmed that the Permit would cover emissions from the site to air, land and water it is reasonable to conclude that the development would comply with the planning requirements in terms of pollution prevention considerations. I am also satisfied that the development would have a minimal visual impact in terms of the surrounding landscape and the AONB, being located at the base of an operational quarry.

84. Notwithstanding the above, the proposed development needs to be weighed against the clear policy conflicts that would result from locating a new waste use / development within the Kent Downs AONB and the Green Belt. The Development Plan and Government policy are clear that where there are not exceptional / very special circumstances then major development in the AONB and inappropriate development within the Green Belt should be refused. In this instance I am not convinced that the necessary circumstances exist to overcome these fundamental policy objections. I therefore recommend that the development proposed would be a departure from the Development Plan both in terms of policies seeking to protect the AONB and Green Belt and therefore that planning permission should be refused. The Development Plan and AONB Management Plan Policies referenced in the reasons for refusal below are included in full within Appendix 1.
85. In addition to the above, whilst the development is located within an established quarry site below ground level, the application does not provide sufficient information on potential cumulative amenity impacts to conclude that there would not be a material impact as a result of noise and/or dust. Given the distances between the site and nearby residential properties I consider that unacceptable amenity impacts are unlikely, however there is insufficient information in support of the application to allow a reasonable conclusion to be drawn or that if noise controls / other suitable mitigations were to be imposed that these would not be breached by the development.

Recommendation

86. I RECOMMEND that PERMISSION BE REFUSED on the following grounds:
- The proposal constitutes major development in the context of the Kent Downs Area of Outstanding Natural Beauty (AONB). The County Planning Authority considers that there is no specific need for the development that is in the public interest, that there is scope to develop the waste use outside the designated area and that whilst any detrimental effects on the environment or landscape are limited and may be capable of being mitigated to an acceptable degree there are no exceptional circumstances that would outweigh the presumption to refuse major development in the AONB as set out in paragraph 116 of the National Planning Policy Framework. The proposed development is therefore contrary to Policy DM2 of the Kent Minerals and Waste Local Plan (2016), Policies CP1 and CP7 of the Tonbridge and Malling Core Strategy (2007), Policy SQ1 of Tonbridge & Malling Managing Development and the Environment Development Plan Document (2010), Policies MMP2, SD1 and SD3 of The Kent Downs AONB Management Plan and paragraphs 115 and 116 of the National Planning Policy Framework. On the basis that the development is contrary to the above policies it would also be contrary to the requirements of Policies CSM1, CSM8, CSW1 and DM1 of the Kent Minerals and Waste Local Plan.

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

- The proposal constitutes inappropriate development which by definition is harmful to the Green Belt. The County Planning Authority considers that there are no Very Special Circumstances that would outweigh the in-principle harm to the Green Belt by virtue of inappropriateness and the policy presumption to refuse the development in this instance. The proposed development is therefore contrary to Policy DM4 of the Kent Minerals and Waste Local Plan (2016), Policy CP3 of the Tonbridge and Malling Borough Core Strategy (2007) and paragraphs 87 and 88 of the National Planning Policy Framework. On the basis that the development is contrary to the above policies it would also be contrary to the requirements of Policies CSM1, CSM8, CSW1 and DM1 of the Kent Minerals and Waste Local Plan.
- The application fails to demonstrate the potential extent and significance of amenity impacts resulting from noise and/or dust that could be generated by the proposed use and does not adequately address the in-combination / cumulative impacts with the surrounding quarry operations to enable a proper assessment of the acceptability of the development in terms local amenity and local levels of tranquillity. On the basis of these deficiencies, the proposed development is contrary to Policies DM11 and DM12 of the Kent Minerals and Waste Local Plan, Policy CP24 of the Tonbridge & Malling Core Strategy, Policy SQ4 of the Tonbridge & Malling Managing Development and the Environment Development Plan Document and paragraphs 109, 115, 116, 118, 120 and 123 of the National Planning Policy Framework. On the basis that the development is contrary to the above policies it would also be contrary to the requirements of Policies CSM1, CSM8, CSW1 and DM1 of the Kent Minerals and Waste Local Plan.

Case Officer: James Bickle

Tel. no: 03000 413334

Background Documents: see section heading

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

Appendix 1

Development Plan and AONB Management Plan Policies included within the reasons for refusal.

- **Kent Minerals and Waste Local Plan 2013-2030 (2016) Policies:**

CSM1 (Sustainable Development)

When considering mineral development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and the associated Planning Practice Guidance. Mineral development that accords with the development plan will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise, taking into account where either:

1. any unacceptable adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole, or
2. specific policies in that Framework indicate that development should be restricted.

CSM8 (Secondary and Recycled Aggregate)

Sites will be identified in the Minerals Sites Plan to ensure processing capacity is maintained to allow the production of at least 2.7 million tonnes per annum of secondary and recycled aggregates, throughout the Plan period.

Proposals for additional capacity for secondary and recycled aggregate production including those relating to the expansion of capacity at existing facilities that increases the segregation and hence end product range/quality achieved, will be granted planning permission if they are well located in relation to the source of input materials or need for output materials, have good transport infrastructure links and accord with the other relevant policies in the development plan, at the following types of sites:

1. Temporary demolition, construction, land reclamation and regeneration projects and highways developments where materials are either generated or to be used in the project or both for the duration of the project (as defined by the planning permission)
2. Appropriate mineral operations (including wharves and rail depots) for the duration of the host site permission.
3. Appropriate waste management operations for the duration of the host site permission.
4. Industrial estates, where the proposals are compatible with other policies set out in the development plan including those relating to employment and regeneration.
5. Any other site that meets the requirements cited in the second paragraph of this policy above.

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

The term ‘appropriate’ in this policy is defined in terms of the proposal demonstrating that it will not give rise to unacceptable adverse impacts on communities or the environment as a whole over and above the levels that had been considered to be acceptable for the host site when originally permitted without the additional facility.

Planning permission will be granted to re-work old inert landfills and dredging disposal sites to produce replacement aggregate material where it is demonstrated that net gains in landscape, biodiversity or amenity can be achieved by the operation and environmental impacts can be mitigated to an acceptable level.

CSW1 (Sustainable Development)

When considering waste development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework, National Planning Policy for Waste and the Waste Management Plan for England.

Waste development that accords with the development plan should be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application, or relevant policies are out of date at the time of decision making, the Council will grant permission unless material considerations indicate otherwise, taking into account where either:

1. any unacceptable adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole, or
2. specific policies in that Framework indicate that development should be restricted.

DM1 (Sustainable design)

Proposals for minerals and waste development will be required to demonstrate that they have been designed to:

1. minimise greenhouse gas emissions and other emissions
2. minimise energy and water consumption and incorporate measures for water recycling and renewable energy technology and design in new facilities where possible
3. maximise the re-use or recycling of materials
4. utilise sustainable drainage systems wherever practicable
5. protect and enhance the character and quality of the site's setting and its biodiversity interests or mitigate and if necessary compensating for any predicted loss
6. minimise the loss of Best and Most Versatile Agricultural Land.

DM2 (Environmental and Landscape Sites of International, National and Local Importance)

Proposals for minerals and/or waste development will be required to ensure that there is no unacceptable adverse impact on the integrity, character, appearance and

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

function, biodiversity interests, or geological interests of sites of international, national and local importance.

1. International Sites

Minerals and/or waste proposals located within or considered likely to have any unacceptable adverse impact on international designated sites, including Ramsar, Special Protection Areas and Special Areas of Conservation (European Sites), will need to be evaluated in combination with other projects and plans. Before any such proposal will be granted planning permission or identified in the Minerals and Waste Sites Plans, it will need to be demonstrated that:

- a. there are no alternatives
- b. there is a robust case established as to why there are imperative reasons of overriding public interest
- c. there is sufficient provision for adequate timely compensation

2. National Sites

2.1 Designated Areas of Outstanding Natural Beauty (AONB) have the highest status of protection in relation to landscape and scenic beauty. Regard must be had to the purpose of the designation when exercising or performing any functions in relation to, or so as to affect land, in an AONB. For the purposes of this policy, such functions include the determination of planning applications and the allocation of sites in a development plan.

Planning permission for major minerals and waste development in a designated AONB will be refused except in exceptional circumstances and where it can be demonstrated that it is in public interest. In relation to other minerals or waste proposals in an AONB, great weight will be given to conserving its landscape and scenic beauty. Proposals outside, but within the setting of an AONB will be considered having regard to the effect on the purpose of conserving and enhancing the natural beauty of the AONB.

Consideration of such applications will assess;

- a. the need for the development, including in terms of any national considerations and the impact of granting, or refusing, the proposal upon the local economy
- b. the cost of, and scope for developing elsewhere outside the designated area, or meeting the need in some other way
- c. any detrimental impact on the environment, the landscape and recreational opportunities, and the extent to which the impact could be moderated taking account of the relevant AONB Management Plan.

Sites put forward for allocation for minerals or waste development in the Minerals Site Plan or the Waste Sites Plan will be considered having regard to the above tests. Those that appear to the Minerals and Waste Planning Authority to be unlikely to meet the relevant test(s) will not be allocated.

2.2 Proposals for minerals and/or waste developments within or outside of designated Sites of Special Scientific Interest, that are considered likely to have any unacceptable adverse impact on a Site of Special Scientific Interest, will not be granted planning permission or identified in the Minerals and Waste Sites Plans except in exceptional circumstances where it can be demonstrated that:

- a. the benefits of the development outweigh any impacts that it is likely to have on the features of the site that make it of special scientific interest

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

- b. the benefits of the development outweigh any impacts that it is likely to have on the national network of Sites of Special Scientific Interest.

2.3 Minerals and/or waste proposals located within or considered likely to have any unacceptable adverse impact on Ancient Woodland will not be granted planning permission, or identified in the Minerals and Sites Plans, unless the need for, and the benefits of the development in that location clearly outweigh any loss.

3. Local Sites

Minerals and/or waste proposals within the Local Sites listed below will not be granted planning permission, or identified in the Minerals and Sites Plans, unless it can be demonstrated that there is an overriding need for the development and any impacts can be mitigated or compensated for, such that there is a net planning benefit:

- a. Local Wildlife Sites
- b. Local Nature Reserves
- c. Priority Habitats and Species
- d. Land that is of regional or local importance as a wildlife corridor or for the conservation of biodiversity
- e. Local Geological Sites
- f. Irreplaceable habitat including aged and veteran trees
- g. Country Parks, common land and village greens and other important areas of open space or green areas within built-up areas

DM4 (Green Belt)

Proposals for minerals and waste development within the Green Belt will be considered in light of their potential impacts, and shall comply with national policy and the NPPF.

DM11 (Health and Amenity)

Minerals and waste development will be permitted if it can be demonstrated that they are unlikely to generate unacceptable adverse impacts from noise, dust, vibration, odour, emissions, bioaerosols, illumination, visual intrusion, traffic or exposure to health risks and associated damage to the qualities of life and wellbeing to communities and the environment. This may include production of an air quality assessment of the impact of the proposed development and its associated traffic movements and necessary mitigation measures required through planning condition and/or planning obligation. This will be a particular requirement where a proposal might adversely affect the air quality in an AQMA.

Proposals for minerals and waste development will also be required to ensure that there is no unacceptable adverse impact on the use of other land for other purposes.

DM12 (Cumulative Impact)

Planning permission will be granted for minerals and waste development where it does not result in an unacceptable adverse, cumulative impact on the environment or communities. This is in relation to the collective effect of different impacts of an individual proposal, or in relation to the effects of a number of developments occurring concurrently and/or successively.

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

- **Tonbridge and Malling Borough Council Local Development Framework Core Strategy (2007) Policies:**

CP1 (Sustainable Development),

1. All proposals for new development must result in a high quality sustainable environment.
2. Provision will be made for housing, employment and other development to meet the needs of existing and future residents of the Borough in line with the evolving housing requirements of the South East Plan and local studies aimed at informing the need for, and form of, development required.
3. The need for development will be balanced against the need to protect and enhance the natural and built environment. In selecting locations for development and determining planning applications the quality of the natural and historic environment, the countryside, residential amenity and land, air and water quality will be preserved and, wherever possible, enhanced.
4. In selecting locations for development and determining planning applications the Borough Council will seek to minimise waste generation, reduce the need to travel and minimise water and energy consumption having regard to the need for 10% of energy requirements to be generated on-site from alternative energy sources and the potential for recycling water. Where possible, areas liable to flood will be avoided.
5. Where practicable, new housing development should include a mix of house types and tenure and must meet identified needs in terms of affordability. For those with a nomadic way of life, such as gypsies and travellers and travelling showpeople, appropriate provision should be made if a need exists. Mixed-use developments will be promoted where appropriate, particularly in town and rural service centres.
6. Development will be concentrated at the highest density compatible with the local built and natural environment mainly on previously developed land and at those urban and rural settlements where a reasonable range of services is available and where there is the potential to be well served by sustainable modes of transport. Best use will be made of the existing housing stock.
7. Development must minimise the risk of crime and should make appropriate provision for the infrastructure necessary to serve new development, including social, leisure, cultural and community facilities and adequate open space accessible to all. If still needed, existing facilities will be protected and land required to meet future community needs will be identified and safeguarded for that purpose.

CP3 (Metropolitan Green Belt)

1. National Green Belt policy will be applied generally to the west of the A228 and the settlements of Snodland, Leybourne, West Malling and Kings Hill, and to the south of Kings Hill and east of Watringbury.
2. Land at Isles Quarry West is excluded from the Green Belt to enable its comprehensive development in accordance with Policy CP18.

Operation of an aggregate recycling facility for a temporary period of five years at Wrotham Quarry, Trottiscliffe Road, Addington – TM/17/2090 (KCC/TM/0195/2017)

CP7 (Areas of Outstanding Natural Beauty)

Development will not be proposed in the LDF, or otherwise permitted, which would be detrimental to the natural beauty and quiet enjoyment of the Areas of Outstanding Natural Beauty, including their landscape, wildlife and geological interest, other than in the exceptional circumstances of:

- (a) major development that is demonstrably in the national interest and where there are no alternative sites available or the need cannot be met in any other way; or
- (b) any other development that is essential to meet local social or economic needs.

Any such development must have regard to local distinctiveness and landscape character, and use sympathetic materials and appropriate design.

- **Tonbridge and Malling Borough Council Local Development Framework: Managing Development and the Environment Development Plan Document (2010) Policies:**

SQ1 (Landscape and Townscape Protection and Enhancement)

1. Proposals for development will be required to reflect the local distinctiveness, condition and sensitivity to change of the local character areas as defined in the Character Area Appraisals SPD.
2. All new development should protect, conserve and, where possible, enhance:
 - (a) the character and local distinctiveness of the area including its historical and architectural interest and the prevailing level of tranquillity;
 - (b) the distinctive setting of, and relationship between, the pattern of settlement, roads and the landscape, urban form and important views; and
 - (c) the biodiversity value of the area, including patterns of vegetation, property boundaries and water bodies.

- **Kent Downs AONB Management Plan 2014 – 2019 (Second Revision April 2014) Policies:**

MPP2 (The management of the Kent Downs AONB)

Individual local authorities will give high priority to the AONB Management Plan vision, policies and actions in Local Plans, development management decisions, planning enforcement cases and in carrying out other relevant functions.

SD1 (Sustainable Development)

The need to conserve and enhance the natural beauty of the Kent Downs AONB is recognised as the primary purpose of the designation and given the highest level of protection within statutory and other appropriate planning and development strategies and development control decisions.

SD3 (Sustainable Development)

New development or changes to land use will be opposed where they disregard or run counter to the primary purpose of the Kent Downs AONB.