

SECTION C
MINERALS AND WASTE DISPOSAL

Background Documents - the deposited documents; views and representations received as referred to in the reports and included in the development proposals dossier for each case; and also as might be additionally indicated.

Item C1

Section 73 application to vary condition (11) of planning permission AS/97/829 and condition (8) of planning permission AS/06/24 to allow a limited number of large vehicles to access the Wastewater Treatment Works on Bank (Public) Holidays which are currently restricted at Ashford Wastewater Treatment Works & Sludge Treatment Centre, Kinneys Lane, Canterbury Road, Ashford, Kent, TN24 9QB – AS/17/1317 (KCC/AS/0236/2017)

A report by Head of Planning Applications Group to Planning Applications Committee on 6 December 2017.

Application by Southern Water Services Limited for Section 73 application to vary condition (11) of planning permission AS/97/829 and condition (8) of planning permission AS/06/24 to allow a limited number of large vehicles to access the Wastewater Treatment Works on Bank (Public) Holidays which are currently restricted at Ashford Wastewater Treatment Works & Sludge Treatment Centre, Kinneys Lane, Canterbury Road, Ashford, Kent, TN24 9QB – AS/17/1317 (KCC/AS/0236/2017)

Recommendation: Permission be GRANTED subject to conditions

Local Member: Mr Paul Bartlett

Classification: Unrestricted

Site

1. The site is located at Ashford Wastewater Treatment Works (WWTW) & Sludge Treatment Centre, Canterbury Road, Ashford. It is located to the north of Ashford town centre, immediately to the north of the M20 motorway, to the east of the site is the Canterbury railway line. The road and railway are elevated on steep vegetated banks, dominating the edge of the works site. To the north beyond the Great Stour the land is flat flood plain, beyond which is housing. To the north west of the site boundary is Ashford Rugby Club and their playing fields. The Great Stour river is designated a Local Wildlife Site and forms the northern and western boundary of the WWTW site.
2. The A28 Canterbury Road to the west is the access and egress point into the site and is approached via Kinneys Lane, a single carriageway road which also provides access to 4 residential properties and to the rugby club. The Lane varies in width from approx. 5 metres at its narrowest point (for about 50 metres length) to over double that at its widest with substantial off road hard surfaced passing areas. Stourfields, the three properties on the north-west side of the access road and Hamilton House to the south-east side were granted planning permission in 2000 and 2003 respectively by

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- Ashford Borough Council. The access road is also a cycle route for part of its length. The A28 Canterbury Road at this point is characterised by ribbon residential development and a number of commercial developments flank the road heading south west towards the motorway. The properties either side of the access road on Canterbury Road also have access to the rear of their properties from Kinneys Lane.
3. Part of the larger WWTW site to the north of the main works (largely the site of the old reed beds) lies within Flood Zone 2 area, land assessed as having between a 1 in 100 and 1 in 1,000 annual probability of river flooding. Flood Zones are used to determine the probability of land experiencing flooding from a river or the sea, with 1 being the lowest and 3 being the highest. The aim of national flood policy is to steer development towards area with the lowest probability of flooding. Development proposals located within an area prone to flooding should be accompanied by a suitable flood risk assessment where they have the potential to impact upon it.
 4. The area of land between the rear of the residential properties and the Hotel on Canterbury Road and the Great Stour river is designated a Green Corridor in the Ashford Borough Local Plan. The green corridor is a network of largely open areas mostly surrounding the rivers that have remained undeveloped mainly due to being in the flood plain. Policies EN13 and EN14 of the Ashford Borough Local Plan as drafted to protect and enhance these green corridors and land adjacent to them, to provide access for pedestrians and cyclists, and leisure opportunities whilst improving their appearance and nature conservation value. In 2000 the Borough Council produced Supplementary Planning Guidance to the Local Plan, 'SPG1- Green Corridor Action Plan', to help guide development affecting Ashford's riverside. Policy has evolved and these policies are replaced by Policy TC26 of the Ashford Town Centre Area Action Plan - February 2010 and supplementary planning document 'Public Green Spaces & Water Environment SPD - July 2012' which forms part of the Ashford Borough Council's Local Development Framework and sets out how policy is applied to protect these green spaces and the water environment throughout the Borough.
 5. As set out above Kinneys Lane is part of Route 17 of the Sustrans National Cycle Network (a 42 mile route that is intended to run from Kent to the south coast when fully developed). At the end of the lane the cycleway meets with National Route 18 which runs alongside the river and is part of a 61 mile route from Canterbury to Tunbridge Wells (via Ashford).

Background and Site History

6. Ashford WWTW currently provides sewage treatment to a population of circa 105,000 which is predicted to grow to 119,250 by 2025. The site was historically used purely as a wastewater treatment site having been constructed in 1966 and the addition of sludge processing capacity was added in 1998. The site currently processes waste received from the following sources:

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- Waste received via the sewer network from the Ashford Catchment Area, (Ashford and its surrounding area).
- Southern Water wastes from other wastewater treatment works, sludge treatment centres (wastewater, sludge, grit and screenings) and water supply works (where Ashford is the nearest regional facility).
- Domestic Tankered Waste from private residences (septic tank waste and cess).

7. The wider WWTW has an area of approximately 36 ha and currently includes the following operational infrastructure:

- 6 x Storm Tanks
- 16 x Filter Beds
- 3 x Primary Settlement Tanks
- 6 x Sedimentation Tanks
- 4 x Nitrating Trickling Filters
- 8 x Humus Tanks
- 6 x Deep Bed Sand Filters

8. The most relevant planning history is set out below:

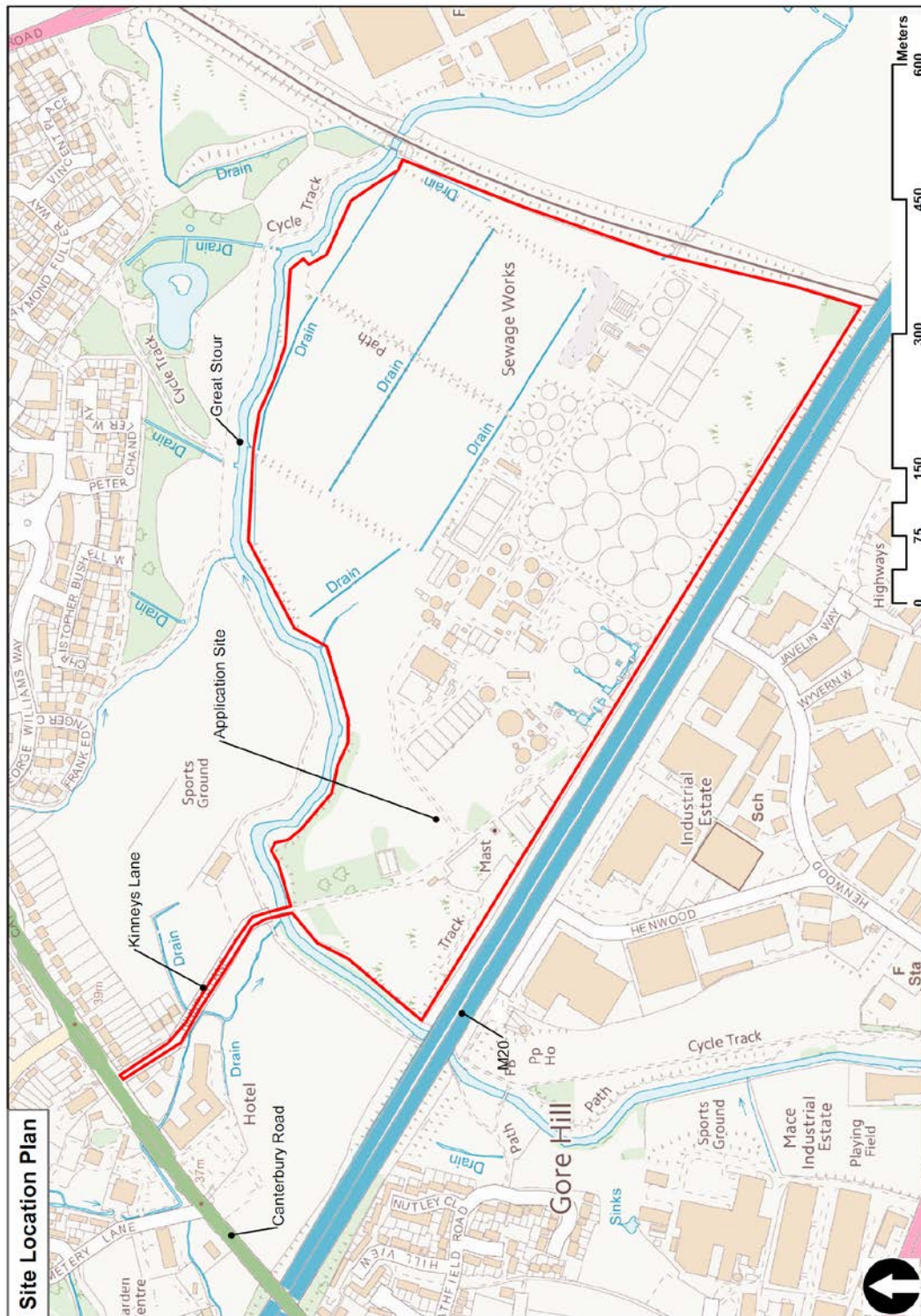
Reference	Description of Development	Decision	Relevant Conditions/Notes
AS/97/829	Extension to sludge treatment facilities to accommodate imported sludge from a wider catchment area.	Granted 14/10/97	(11) After commissioning of the sludge treatment centre, large vehicle traffic movements shall be confined to: 0700-1800 hours Monday to Friday, 0700-1300 hours Saturday, and excluding Sundays, Bank and other Public Holidays with the exception of operational emergencies.
AS/97/1587	Erection of three GRP Kiosks to house monitoring equipment.	Granted 25/02/98	No restriction on working hours/days.
AS/98/775	Temporary non-compliance with condition (8) of	Granted 13/08/98	No heavy vehicle movements (construction activities) except between 0700-1800

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	planning permission AS/97/829 to allow relaxation of construction working hours for limited period.		hours Monday to Friday, 0700-1300 hours Saturday.
AS/06/24	Tertiary wastewater treatment facilities and new sludge digestion and drying facilities built alongside the existing treatment facilities.	Granted 02/08/06	8) After commissioning of the new development hereby permitted, HGV movements associated with this development to and from the site shall be confined to: 0700-1800 hours Monday-Friday, 0700-1300 hours Saturday and excluding Sundays, Bank and other Public Holidays with the exception of operational emergencies.
AS/08/953	Installation of a combined heat and power unit to enhance the efficiency and cleanliness of the treatment process and to convert to a sustainable energy resource.	Granted 17/07/08	No restrictions on working hours / days.

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Site Location Plan



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Plan showing entrance from A28 Canterbury Road



Proposal

9. This planning application seeks to amend two of the existing conditions pertaining to the sludge treatment centre to allow access for 6 HGV's on Bank (and other public holidays). It is proposed that an access window of 0800-1300 hours is proposed on these days.
10. As set out above Permission AS/97/829 Condition (11) reads:

After commissioning of the sludge treatment centre, large vehicles traffic movements shall be confined to 0700-1800 hours Monday to Friday, 0700 -1300 hours Saturday, excluding Sundays, Bank and other Public Holidays with the exception of operational emergencies.

It is proposed to amend the wording as follows:

After commissioning of the sludge treatment centre, large vehicles traffic movements shall be confined to 0700-1800 hours Monday to Friday, 0700 -1300 hours Saturday, and 0800-1300 hours on Bank and other Public Holidays (subject to a maximum of 6 in-out large vehicle movements). Excludes any Sundays with the exception of operational emergencies.

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11. Planning Permission AS/06/24 Condition (8) currently reads:

After commissioning of the new development hereby permitted, HGV movements associated with this development to and from the site shall be confined to 0700-1800 hours Monday to Friday, 0700-1300 hours Saturday. Excluding Sundays, Bank and other Public Holidays with the exception of operational emergencies.

It is proposed the wording be amended as follows:

After commissioning of the new development hereby permitted, HGV movements associated with this development to and from the site shall be confined to 0700-1800 hours Monday to Friday, 0700-1300 hours Saturday, 0800-1300 hours Bank and Public Holidays (subject to a maximum of 6 in-out large vehicle movements). . Excluding Sundays with the exception of operational emergencies.

12. There are six permanent Bank Holidays in England, (New Year's Day, Easter Monday, Early May Bank Holiday, Spring Bank Holiday, August Bank Holiday and Boxing Day) and Good Friday and Christmas Day are Public Holidays. The government may also occasionally agree other additional public holidays such as the Queens Jubilee.

Planning Policy

13. **National Planning Policy Framework (NPPF) (March 2012)** sets out the Government's planning policies for England and is a material consideration in the determination of planning applications. The Framework does not vary the status of the development plan (included below), which remains the starting point for decision making.

The NPPF contains a presumption in favour of sustainable development, which includes economic, social and environmental dimensions that should be sought jointly and simultaneously through the planning system. In terms of delivering sustainable development in relation to this development proposal, Chapters 1 (Building a strong, competitive economy), 3 (Supporting a prosperous rural economy), 4 (Promoting sustainable transport), 10 (Meeting the challenge of climate change, flooding and coastal change), 11 (Conserving and enhancing the natural environment), and 13 (Facilitating the sustainable use of minerals) are of particular relevance.

The NPPF seeks local planning authorities to look for solutions rather than problems and to approve sustainable development that accords with the development plan, unless material considerations indicate otherwise. Where the development plan is absent, silent or out-of-date, the Framework seeks that permission be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against NPPF policies.

National Planning Policy Guidance (NPPG) (March 2014 (as updated)) supports the NPPF including guidance on planning for air quality, climate change,

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environmental impact assessment, flood risk and coastal change, light pollution, minerals, natural environment, noise, transport and waste (amongst other matters). The waste section of NPPG advises that the aim should be for each Local Planning Authority to be self-sufficient in dealing with their own waste in the context of the 'proximity principle'. It requires waste planning authorities to plan for sustainable management of waste including wastewater. Adequate water and wastewater infrastructure is needed to support sustainable development. A healthy water environment will also deliver multiple benefits, such as helping to enhance the natural environment generally and adapting to climate change.

National Planning Policy for Waste (NPPW) (October 2014): The NPPW should be read in conjunction with amongst other matters the NPPF and Waste Management Plan for England (WMPE) 2013. It recognises the need to drive the management of waste up the 'Waste Hierarchy' and the positive contribution that waste management can bring to the development of sustainable communities. It recognises that planning plays a pivotal role in delivering this country's waste ambitions through amongst other matters helping to secure the recovery of waste without endangering human health and without harming the environment.

Waste Management Plan for England (WMPE) 2013: The key aim of the WMPE is to help achieve the Government's objective of moving towards a zero waste economy as part of the transition towards a sustainable economy. Amongst other matters, one of its objectives is to conserve water quality by reducing harmful emissions to water bodies.

14. **Development Plan Policies:**

Kent Minerals and Waste Local Plan (KMWLP) 2013 – 2030 (July 2016): 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 CSW 1 gives support where, when considering waste development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development as set out and supported by National Policy.

The plan recognises that some modifications to existing facilities will require planning permission. Whilst Policy CSW 15 relates primarily to new treatment works it recognises the need to locate and connect to the existing wastewater network. Policy CSW16 seeks to safeguard sites that have permanent planning permission for waste management, or are allocated in the Waste Sites Plan from being developed for non-waste management uses.

There are also a number of Development Management Policies included in the Plan relevant to the consideration of the proposed development: Policy DM1 (Sustainable Design), DM3 (Ecological Impact Assessment), DM8 (Safeguarding Minerals Management, Transportation Production & Waste Management Facilities), DM10

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(Water Environment), DM11 (Health and Amenity), DM12 (Cumulative Impact), and DM13 (Transportation of Minerals and Waste).

Ashford Borough Council Core Strategy July 2008: Policies CS18a (Strategic Recreational Open Spaces) and Policy CS19 (Development and Flood Risk).

Ashford Town Centre Area Action Plan February 2010: Policy TC26 (Green Corridors in the Town Centre).

Public Green Spaces & Water Environment SPD July 2012

Ashford Local Plan 2030 (Draft) - Ashford Integrated Water Management Strategy July 2007 and Ashford Borough Council Water Cycle Study 2016: Policy documents feeding into the Local Plan and recognise the need for wastewater infrastructure to serve future growth.

Consultations

15. **Ashford Borough Council** – Consulted on 28 August 2017, no comments received to date.
16. **Environment Agency** – No comment
17. **Amey Dust & Odour** - The changes to air and dust emissions with the potential to impact on sensitive receptors as a result of the application relate to vehicle gases and raised dust. The application proposes a maximum of 6 two-way HGV movements to and from the site in the window 08.00-13.00 hours on Bank (& Public) Holidays. This is a small number of vehicles and is considered highly unlikely to be the source of sufficient exhaust gas pollutants or raised dust that could impact on human health or amenity. Vehicles passing Ashford Rugby Club on Kinney's Lane are likely to be noticeable but as a community leisure facility human exposure is likely to be minimal at this location. The changes to permitted hours alone do not produce a significant impact on air quality or amenity because the sensitivity of the receptors or likelihood of receptors does not change. As this application will not significantly increase traffic on Bank (& Public) Holidays, we are satisfied that there is no risk to air quality amenity from emissions resulting from the application. Furthermore we do not envisage any risks to health or amenity resulting from cumulative impacts during the construction of the ferric dosing kiosk due to the low number of additional vehicles related to this application. We are satisfied there is no risk to amenity from odour emissions.
18. **Amey Noise** - The nearest residential dwellings to the site are located on Kinneys Lane close to the junction with Canterbury Road. The cumulative effect of the additional vehicle movements on road traffic noise is likely to be negligible due to the nearby proximity of the A28 and M20. Although pass by noise from individual vehicles may cause high L_{AFMAX} levels, the number of occurrences would be low and therefore

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the overall impact should not be considered as being unacceptable. Although the application is for all Bank and Public Holidays, the waste planning authority may wish to consider whether an exception should apply to Christmas Day due to its additional degree of sensitivity.

19. **Transportation Planning** - The site is accessed from Kinneys Lane which is a private street and is therefore not within KCC's control. The junction of Kinney's Lane and Canterbury Road has adequate visibility plays and has provision of a right turn lane. The varying of condition (11) of planning permission A/97/829 and condition (8) of planning permission AS/06/24 to allow a limited number of large vehicles to access the site on Bank Holidays is unlikely to create a highway safety issue, therefore do not wish to oppose the application.
20. **Sustainable Drainage** – No comment
21. **Public Rights of Way (East Kent PROW Team)** – No views received

Local Member

22. The local County Member Mr Paul Bartlett (and neighbouring Members Mrs Clair Bell and Mr George Koowaree) were notified of the application on 25 August 2017, no views have been received to date.

Publicity

23. The application was publicised by the posting of a site notices, an advertisement in a local newspaper, and the individual notification of 8 residential properties adjacent to the access road.

Representations

24. Objection letters have been received from six residential neighbours and the main points of objection are as follows:

Amenity

- There are already frequent tanker deliveries outside of the permitted hours from early morning to late at night and including Sundays and Bank Holidays.
- Already local residents have to endure unacceptable impact 5 ½ days a week, these proposals would result in no respite at all.
- Local residents cannot sit and enjoy their back gardens already, Bank Holiday movements as proposed would make matters even worse.
- The delivery vehicles contaminate the environment with noise, vibration, diesel fumes, obnoxious smells and debris on the road, especially those removing the waste.

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Access/Traffic

- The Lane is barely wide enough for a single HGV at points and is widely used by disabled, dog walkers, commuters, cyclists and children walking to school.
- The access road is damaged by the large vehicles with pot holes and cracks in the surface which the lorries clatter over at speed putting pedestrians at severe risk of injury.
- The traffic and associated noise, dust and odour are contrary to the Waste Local Plan Policies which are supposed to safeguard against such impacts.
- Southern Water (SW) removed the speed humps so the drivers now go even faster.
- SW have previously suggested they would need an average of 16 vehicles per Bank Holiday to address the needs of the digesters, yet now they are saying only 6, they appear to be making things up, why the discrepancy?
- We have never seen any monitoring of vehicle speed despite assurances they were being carried out.
- SW should look at finding an alternative access for this site as the current one is no longer fit for purpose, particularly if they are to take up the permitted capacity at the works.

Operations

- SW do not stick to the rules now so why would they in the future.
- Is the import of sludge on a Bank Holiday the only way to solve the problem?
- Why has this only become necessary now? An independent report should be compiled on this and the above issue for Planning Committee.
- Is there not enough sludge from the wastewater arriving at the site through the sewerage network to feed the digesters, if not directly then sucked out from the storage tanks and cannot the sludge be stockpiled to cover the three day weekends?
- Ashford Borough Council has stated that they have made no agreement with SW relating to access over the Bank Holidays.
- Previous complaints and correspondence between local residents, KCC and SW about Bank Holiday access have only referred to operational emergencies and not the need to feed the digesters.
- Why do the rectangular waste removal vehicles need to access the site every Bank Holiday and why is the odour from these vehicles not checked?

Discussion

25. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that applications are determined in accordance with the development plan, unless material considerations indicate otherwise. Therefore the proposal needs to be considered in

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the context of the Development Plan Policies, the National Planning Policy Framework, National Planning Policy for Waste and other Government Policy and any other material planning considerations. In considering this proposal the planning policies outlined in paragraphs 13 and 14 above are particularly relevant. The key planning considerations in this case include:

- Need and sustainability
- Traffic
- Noise
- Odour

Need and Sustainability

26. Southern Water as a sewerage undertaker are obliged to provide the appropriate facilities for the treatment of wastewater to the standard required by the Water Resources Act 1991 and the Urban Wastewater Treatment Regulations 1994. The site operates under a number of extant planning permission, outlined earlier in the report and also an Environmental Permit (EPR/BP3296SB), administered by the Environment Agency, which allows for 690,000 tonnes per annum of imported waste to be processed. At present only around 271,000 tonnes per annum is being processed under the permit. The site currently processes approximately 3,560,000 tonnes per annum of waste via the sewer network (i.e. delivered to the site by the sewer pipe network).

Operations

27. The site has operated as wastewater treatment works since 1966 with the addition of sludge processing capacity being added in 1998. As set out above there are two separate waste streams into the site; the wastewater which comes in from the Ashford Sewerage Catchment (direct through sewer pipes) and sludge imports in cake and liquid form from other treatment works. A smaller element of waste imports relates to tankered in liquid waste from commercial waste collection companies. Additional wastewater treatment and sludge digestion facilities were granted permission in 2006.
28. The wastewater treatment processes produces a treated effluent which is discharged to the Great Stour River. Vehicle movements associated with this side of the process are limited to the screenings and grit removed by the preliminary treatment which is taken to appropriate waste disposal facilities and vehicles used by operatives and maintenance personnel. There are no restrictions in relation to these operations.
29. Sludge imports are blended with indigenous sludge arising from the wastewater treatment process and treated by screening, thickening, anaerobic digestion (producing a biogas to feed a combined heat and power unit supplying the site), and then dewatered to produce an agricultural soil conditioner and fertiliser. Liquors arising from the sludge treatment are returned back to the wastewater treatment process. It is the vehicles associated with the importation of the sludge that are controlled by condition in terms of the times they can travel to and from the site.

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30. The processes described above need to operate on a permanent basis (24 hours a day, 7 days a week) in order to effectively manage all the wastes coming into the site.

The digestion process

31. To expand further; the digestion process is complex and consists of 3 phases of biological action reducing the amount of volatile solids and generating mainly water, methane and carbon dioxide in the process. To keep these processes steady the plant requires a stable feed in terms of sludge quantity (strength and volume), as well as sludge quality (freshness and calorific value). If this is not achieved the plant becomes unstable and the health of the digesters deteriorates rapidly with a subsequent loss of the destruction rate of the solids and a reduction in the volume and quality of biogas produced. Once the digesters are destabilised in this way it can take a number of days or even weeks to return to steady and healthy operation.
32. The Applicant has developed a region-wide sludge plan which identifies which Sludge Treatment Centre (STC) receives sludge from which wastewater treatment works (WTW) for optimal sludge operations. Southern Water has 16 STC's across the SW region (Kent, Sussex and Hampshire) serving the smaller WTW's. In Kent these are at Gravesend, Ham Hill (Snodland), Aylesford, Motney Hill (Gillingham), Queenborough, Canterbury and Ashford. Ashford is the largest of these, serving the majority of South Kent area and is the only one in Kent able to import sludge cake (other STC's are smaller and their digesters can operate only being fed by indigenous sludge arisings). The feed requirements of the digesters at Ashford exceed the production capacity of indigenous sludge. Ashford is the closest STC for Weatherlees and Broomfield Bank where 80% of their sludge cake imports come from. Edenbridge and Tunbridge Wells also produce cake but as they are to the west of the county Southern Water has the option to take some of this into Sussex if required.
33. There is limited storage capacity at each site, including Ashford, to provide some flexibility to smooth out any fluctuations in the feed volumes to the digesters and this is typically used at Ashford over a normal two day weekend. However the storage is not sufficient to allow for the longer bank holiday periods, where there are two days in a row when sludge cannot be imported to the site. The satellite works clearly continue to generate volumes of sludge that require treatment and they too often have limited storage capacity. Furthermore storing sludge for longer periods of time can reduce its effectiveness during the digestion process as well as potentially leading to an increase in odour problems so it is not simply a case of extending the storage facilities.
34. The need for this development is therefore driven by a technical requirement to ensure that the digesters and wider processes at Ashford continue to work effectively. Being unable to import sludge over a bank/public holiday weekend results in a destabilising of part of the system which can have a significant impact on the wider treatment process. Storing greater quantities of sludge on site does not provide an environmentally sound solution to the problem and has been dismissed as a reasonable option. Southern Water has a statutory responsibility to deal with the treatment of wastewater in accordance with national legislation and environmental

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regulations and have deemed importing a limited but sufficient amount of sludge with no more than 6 vehicles visiting the site to be the most appropriate way to address the problem. On this basis and following the presumption in favour of sustainable development in the NPPF and national waste policy, the proposals accord with Policy CSW1 of the Kent MWLP.

Traffic

35. This proposal seeks to vary the conditions which currently restrict the times that HGV's importing sludge may visit the site. It should be noted that there are no restrictions on the numbers of vehicles associated with these deliveries.
36. The nature of these restrictions should be viewed in the context of operations at the treatment works. Treatment of wastewater and associated waste arisings from the process necessarily takes place on a 24 hours/7 days a week basis. The majority of traffic movements from the sewage treatment process arise as a result of the need to move quantities of sludge arisings from the network of wastewater treatment works across the region. Southern Water has developed and invested in a strategic network of sludge treatment sites. These sites offer an additional level of treatment to produce a waste product that can be recycled as an agricultural fertiliser whilst at the same time utilising the biogas, produced as a by-product of the digestion process, to provide heat power back to the treatment works.
37. These strategic arrangements necessarily require the movement of the sludge from the works where they arise to an appropriate Sludge Treatment Centre. Planning conditions restricting vehicle movements have only been imposed at sites where there has been the potential for impacts upon residential amenity as a result of the vehicles visiting the site. At Ashford WWTW just such conditions have been attached to planning permissions relating to the sludge treatment centre (and tertiary wastewater treatment) in order to control when large vehicles may visit the site. It is noted that only 2 other of the 16 STC's in Southern Water's region have restrictions on Bank Holiday movements (Gravesend and Motney Hill) and 10 of the remaining 14 have no time restrictions at all.
38. Currently large vehicles are only permitted to visit the site 0700-1800 hours Monday to Friday and 0700-1300 hours on a Saturday. No such visits are permitted on Sundays or Bank/Public Holidays. It is therefore proposed that a maximum of 6 large vehicles (12 movements) be permitted to visit the site between 0800-1300 on Bank/Public Holidays.
39. Southern Water have assessed the minimum requirements to keep the digesters at a healthy and sustainable level and consider that the proposed 6 large vehicles would be sufficient to maintain the appropriate balance over the three day weekend. Consideration has been given to the type and size of vehicle so as to minimise the number of trips that may be required. Furthermore it is also proposed to maximise the sludge storage capacity in the run up to the Bank Holiday so that importation is kept to the bare minimum. The applicant is also proposing a reduced window of working be implemented on Bank Holidays, from 0800-1300 hours. They calculate that delaying

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access to an hour later than normal weekend (Saturday) visits would still give sufficient time for the vehicles travelling from the more remote satellite works to unload and exit within the shorter window of time.

40. Kinneys Lane is a private road owned by Ashford Rugby Club. The applicant has identified a number of measures recently put in place to manage the traffic on the access road. This has included new signage and removing speed bumps at the request of local residents who expressed concerns about the noise associated with vehicles slowing down, clanking over it and then speeding up again. However others have argued that taking it away encourages drivers to speed. Two speed bumps remain in place at either end of the access road. The applicant state they have also carried out regular speed checks to ensure vehicles are adhering to the 10mph speed limit. Drivers caught speeding are reported and disciplined by the respective vehicle operating companies.
41. I consider that the applicant has acknowledged the potential impacts upon the six local residents on Kinneys Lane and at the junction with Canterbury Road and made efforts to minimise the number of vehicle movements associated with this proposal. The result is a limited number of movements for restricted morning operations on Bank/Public Holidays. This along with the measures to control and monitor the speed of vehicles approaching the site would minimise the potential impacts from those additional movements. In addition the applicant has loggers which register time and volume of discharge of liquid tankers and on-site telemetry to show discharge of cake bins and therefore are able to monitor that discharge hours are being adhered to.
42. The Highways Officer advises that the junction of Kinneys Lane with Canterbury Road has provision of a right turn lane and adequate visibility splays and the limited number of vehicles proposed is unlikely to create a highway safety issue.

Noise

43. Local residents have expressed concerns in relation to the noise of the vehicles that currently visit the site and the potential for this noise intrusion to increase as a result of the proposed Bank Holiday movements. There are currently a range of types of vehicle that visit the site and the suggestion is that the main noise impact comes from the vehicles clattering as they go over the speed humps along Kinneys Lane. As set out above following discussion with local residents Southern Water have taken away one of the speed humps which was immediately adjacent to the properties at Stourfields. However this has not satisfied all of the residents, some of whom prefer the humps to remain in place to control the speed of the vehicles using the access road. The current situation is that two speed bumps remain in place, one closer to the junction with Canterbury Road, and the other just before the road crosses over other cycleway/footpath and then the bridge over the Great Stour and into the site beyond. It is my view that this represents the best compromise between controlling the traffic speeds and the potential disturbance of vehicles crossing over the humps.

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44. My noise advisor comments that the cumulative effect of the additional vehicle movements on road traffic noise is likely to be negligible due to nearby proximity of the A28 and M20. He further comments that although pass by noise from individual vehicles may cause high L_{AFMax} levels, the number of occurrences would be low and therefore the overall impact should not be considered as being unacceptable. He has however suggested that we may like to consider whether an exception should apply to movements on Christmas Day. I have raised this possibility with the Applicant who could avoid Christmas Day movements although this would mean having to take sludge in each day either side i.e. Christmas Eve and Boxing Day. This is the only period in the normal calendar where two consecutive bank/public holidays occur and given the added sensitivity I propose that Christmas Day is excluded from the days being applied for.

Air quality and Odour

45. Exhaust fumes from vehicles visiting the site have the potential to impact upon air quality in the vicinity. However my air quality advisor comments that this is a small number of vehicles and is considered highly unlikely to be the source of sufficient exhaust gas pollutant or raised dust that could impact on human health or amenity. Vehicles passing Ashford Rugby Club on Kinneys Lane are unlikely to be noticeable but as community leisure facility human exposure is likely to be minimal at this location. He comments that the changes to permitted hours alone do not produce a significant impact on air quality or amenity because the sensitivity of the receptors or likelihood of receptors does not change. He is therefore of the view that because the increase in traffic on Bank/Public Holidays is not significant there is no risk to air quality amenity from emissions resulting from the application.
46. There have been concerns expressed about odours arising from vehicles transporting sludge to the site. It is not always clear whether these odours are experienced when vehicles arrive at site or when they are leaving having deposited the sludge, however these could be mitigated by proper containment and ensuring vehicles are kept clean and free of debris. I am advised that it is not possible to apply conditions regarding measurable odour levels to transitory vehicles, however good management practice and ensuring that drivers are instructed appropriately would minimise potential odour impacts, the matter has been raised with the applicant and discussions are on-going as to how such measures might be included within the Odour Management Plan for the site (see further comments below). Vehicle movements associated with the wastewater treatment element carried out at the works are not are subject to specific planning controls but should be also be managed appropriately so that amenity impacts are minimised. Furthermore Southern Water is undergoing a scheme to install chemical dosing at a number of their sites which would reduce the odour from the material being transported to Ashford.
47. It is acknowledged that there have been a number of complaints regarding odour issues from the site more generally. Southern Water has acknowledged that the level of odour complaint has increased and has been carrying out investigations into what could be causing increased odour. Currently two potential sources have been

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identified and odour suppression units have been installed to address the odours, the effectiveness of these is currently being monitored. A full odour assessment of the site has been carried out recently to identify any further potential sources. A revision to the Odour Management Plan (OMP) is currently being reviewed by the Environment Agency who is responsible for pollution control in relation to the permit for sludge imports, the combined heat and power plant and the discharge consent. They are working with Southern Water and the Borough Council Environmental Health Officer to try and resolve odour issues from the site. Specifically in relation to this application, the applicant has dismissed the idea of increased sludge storage capacity as this has the potential to increase odour arisings from the sludge awaiting treatment through the process. Following agreement with the Environment Agency it is the intention of the applicant to submit an updated OMP to the County Council for approval pursuant to the requirements of the conditions in relation to the treatment works. I would look to ensure that appropriate good practice management measures are included and applied to the cleanliness of the vehicles importing the sludge to the site.

Other Issues

48. The applicant has explained that imports of sludge have historically been taking place (on Bank/Public holidays), over a number of years, on an informal basis and this has indeed been the case. However it is important to understand that the County Council was not aware of this situation until recently. Southern Water has I understand been liaising with officers at Ashford Borough Council and had incorrectly assumed that they were the correct authority to seek permission from regarding imports outside of the permitted hours. Agreement had been made, often by telephone, between the site manager and the Environmental Protection Team at the Borough Council who had not appreciated that those discussions should have been with the County Council as waste planning authority.
49. Local residents have suggested that the applicant should find an alternative access into the site. Southern Water has historically looked into using a direct access point from the M20 motorway but this was not pursued due to cost and would be unlikely to be supported by Highways England. They continue to look at other options for an alternative solution in the future however in order to secure the effective and efficient function of the site in the short term considers utilising the existing access is the only viable option.

Conclusions

50. This application seeks to amend the conditions to allow a maximum of 6 vehicles to visit the treatment works within the limited time of 0800-1300 hours on Bank/Public Holidays to import sludge to ensure stable operation of the on-site digesters.
51. The site has been an operational wastewater treatment works since the 1960's for the Ashford catchment area and provides a regional treatment facility for sludge arisings from the smaller satellite treatment works. It offers the only location for treating sludge cake and is the main facility for the south of Kent, forming an important facility in

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Southern Water's sludge strategy for their area. The operations at the treatment works take place 24 hours a day, 7 days a week but vehicle movements associated with the importation of the sludge were restricted to Monday-Friday and Saturday mornings. The applicant has continued to struggle to achieve steady feed conditions and have in the more recent past requested on an informal basis to be allowed to import sludge outside of the permitted hours. They now wish to regularise this situation to reduce the chance of the digesters malfunctioning and impacting on the wider treatment processes. There is a recognised need to ensure the stability of the digester and on this basis and following the presumption in favour of sustainable development in the NPPF and national waste policy, the proposals accord with Policy CSW1 of the Kent MWLP.

52. The proposed numbers and types of vehicles have been calculated as the minimum to ensure a steady supply of sludge over a longer Bank/Public holiday weekend and there is no objection from a traffic safety perspective to the proposals. The main impacts are minimal, very local and largely confined to those upon the amenity of the residential properties that share the western end of the access road. I am satisfied that the applicant has made every effort to minimise the number of vehicles and timeframe within which they could visit the site on these additional days, and I further propose also to exclude activities on Christmas Day. With the appropriate management of the drivers and their vehicles the impacts would be kept to a minimum.
53. On balance I consider the proposal allows for a sustainable management solution to dealing with the sludge arisings that are served by Ashford Sludge Treatment Centre.

Recommendation

54. I RECOMMEND that PLANNING PERMISSION BE GRANTED TO:

- (i) vary condition (11) of planning permission AS/97/829 and condition (8) of planning permission AS/06/24 to allow no more than 6 HGV vehicles to access the site between 0800-1300 hours on Bank/Public Holidays (excluding Christmas Day); and
- (ii) the following informative:
- the applicant include appropriate measures to ensure that vehicles importing sludge to the site do not give rise to odour complaints within the wider Odour Management Plan to be submitted pursuant to condition 7 of AS/06/24.

Case Officer: Andrea Hopkins	Tel. no: 03000 413394
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Background Documents: see section heading
