

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

Applications for: (i) variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206 to extend the completion date for development, return to using Articulated Dump Trucks (ADTs) for on-site haulage and to remove the seasonality of the operations and limits on delivery times – DA/17/2025 (KCC/DA/0320/2017); and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings (weighbridge, office, messroom, stores) – DA/17/2081 (KCC/DA/0321/2017) at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

A report by Head of Planning Applications Group to Planning Applications Committee on 16 May 2018.

Applications by Ingrebourne Valley Limited:

- (i) for the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206 to extend the completion date for development, return to using Articulated Dump Trucks (ADTs) for on-site haulage and to remove the seasonality of the operations and limits on delivery times – DA/17/2025 (KCC/DA/0320/2017); and
- (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings (weighbridge, office, messroom, stores) – DA/17/2081 (KCC/DA/0321/2017);

at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN.

Recommendation: Permission be granted for applications (i) and (ii) subject to conditions.

Local Member: Mr D. Butler

Classification: Unrestricted

Site

1. The application site lies to the west of Joyce Green Lane, Dartford, on the site of the former Joyce Green Farm and comprises an area of some 25.48 hectares of Grade 3 grazing land. Part of the site has been worked for aggregate and restored to a lake. Joyce Green Lane connects to the A206 Bob Dunn Way via a roundabout approximately 600 metres to the southeast of the site access. From this roundabout eastward the A206 joins the A282/M25 and Dartford Crossing and westwards it serves

C1.1

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

Dartford and Crayford and links to the A2 into south-east London. The closest residential properties to the site are situated in Joyce Green Lane between the site access and the Bob Dunn Way roundabout (see site plans on page C2.5 & C2.6). The closest, Ivy Cottage, is owned by the applicant and is currently unoccupied. It is not intended to be inhabited, on a residential basis, for the duration of the extraction at the site. The next nearest residential development is some 200 metres to the south-east and to the south of Bob Dunn Way (A206). The new mixed residential and business development 'The Bridge' lies some 250 metres to the east of the site and is separated from it, in part, by dense woodland. Dartford town centre lies approximately 3.5km (2.2 miles) to the south with the River Thames approximately 1.6km (1 mile) to the north with the River Darent to the west, beyond which is a former landfill site.

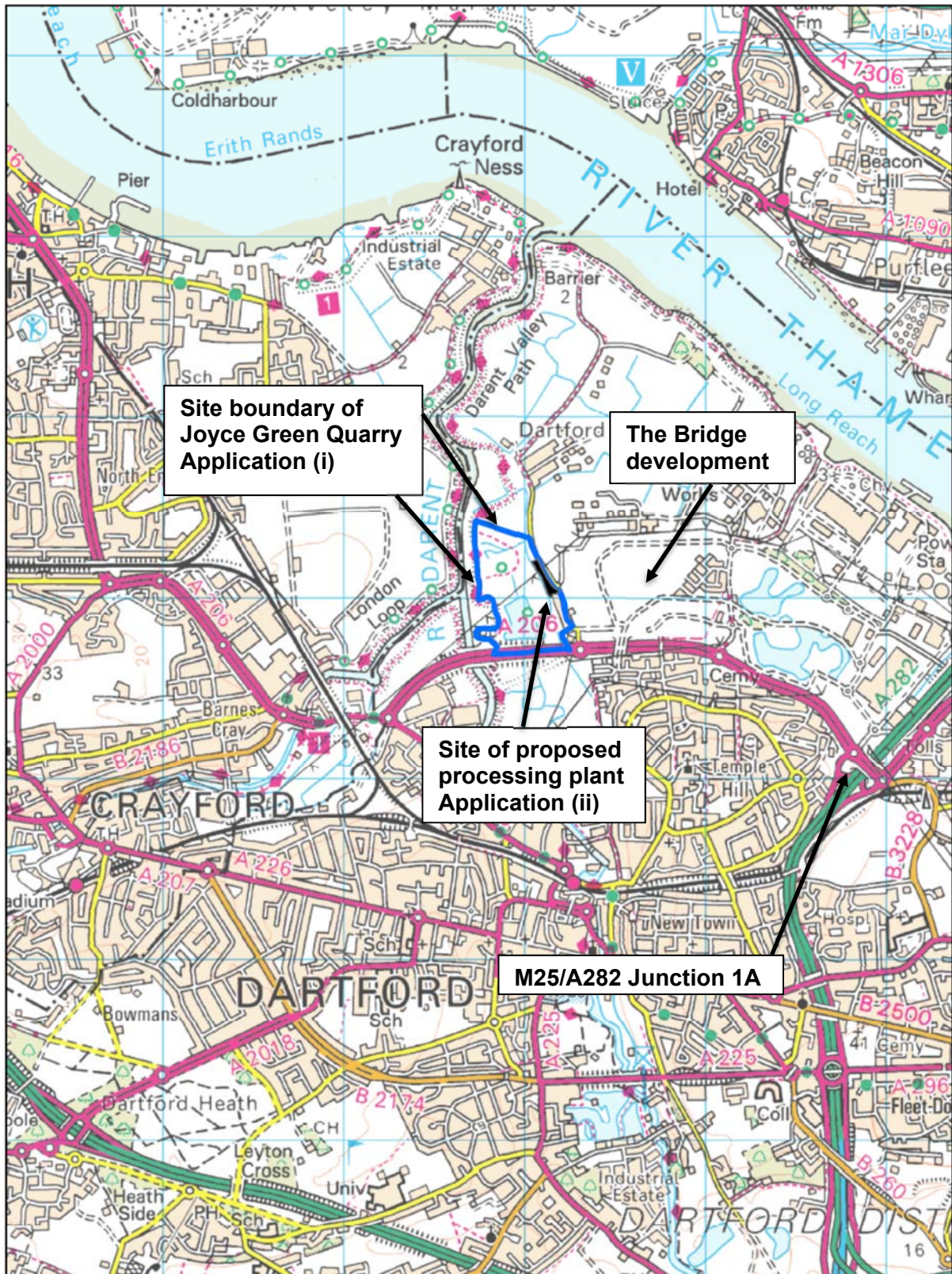
2. The site is located within the Green Belt, Thames Gateway and the Dartford Marshes. The Dartford Marshes Local Wildlife site adjoins the site's western and northern boundary and parts of the verges to Joyce Green Lane are designated as a Roadside Nature Reserve. The Dartford Marsh Fresh Dyke originally flowed from south to north through the centre of the site, however, its route was diverted westward to follow the western boundary prior to the commencement of extraction. The site is also within a Flood Zone 3 and is protected by flood defences (see site plan on page C2.4). The Joyce Green Farm contains an assortment of redundant farm buildings and part of the farm-holding to the north has been used for motocross. Public Footpath DB1 also crosses the site as does a line of high voltage power cables in an east-west direction. The application site and key features referred to in this report are identified within the drawings below.

Background and Recent Site History

3. The site has held planning permissions for the extraction of sand and gravel dating back to 2001, so the principle for mineral extraction at this site is well established.
4. The following planning permissions and approvals are of relevance: -
5. Planning permission (DA/00/326) was granted in December 2001 to allow the extraction of sand and gravel, with all mineral to be transported off-site to J Clubb Ltd.'s processing plant in Darenth Road, Dartford. No on-site processing of the excavated material was permitted. The transportation of excavated materials around the site was permitted under a combination of Articulated Dump Trucks (ADTs) and a conveyor belt system. The whole site was to be restored to a landscaped conservation lake by 30 September 2010.
6. The method of working provided for by planning permission DA/00/326 was varied in 2002 under approval reference DA/00/326/R3 to allow for the extension of the permitted conveyor belt system to a designated stockpile area next to the farm buildings. This system meant that the use of ADTs on site was removed.
7. Condition 12 of planning permission DA/00/326 was varied on two occasions under permission references DA/02/696 and DA/03/900 to allow a temporary extension of the mineral extraction working period to include the months of October and November 2002 and February and March 2003 and October and November 2003 and February and March 2004 respectively.

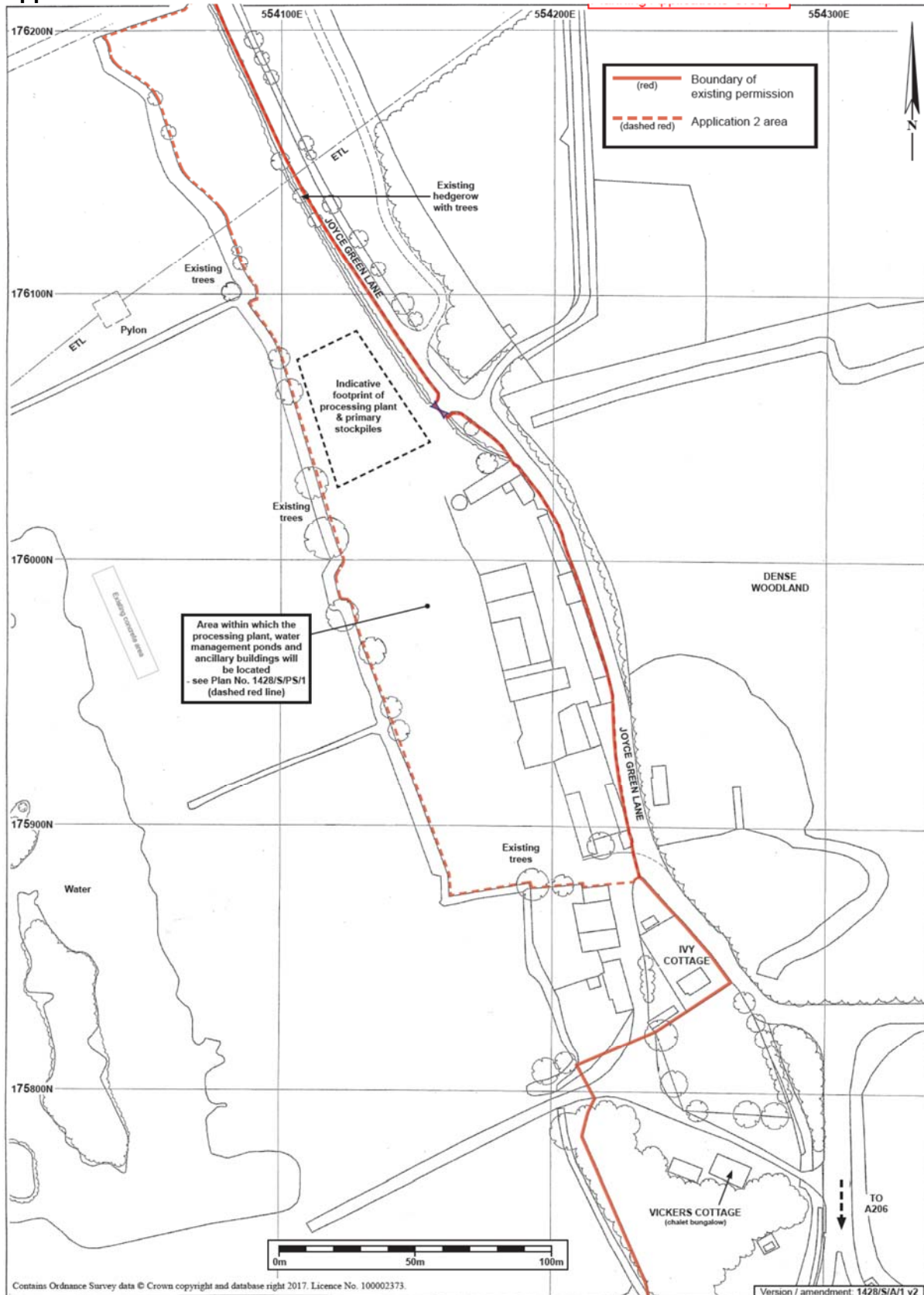
(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

Site Location Plan



(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

Application II Location Plan

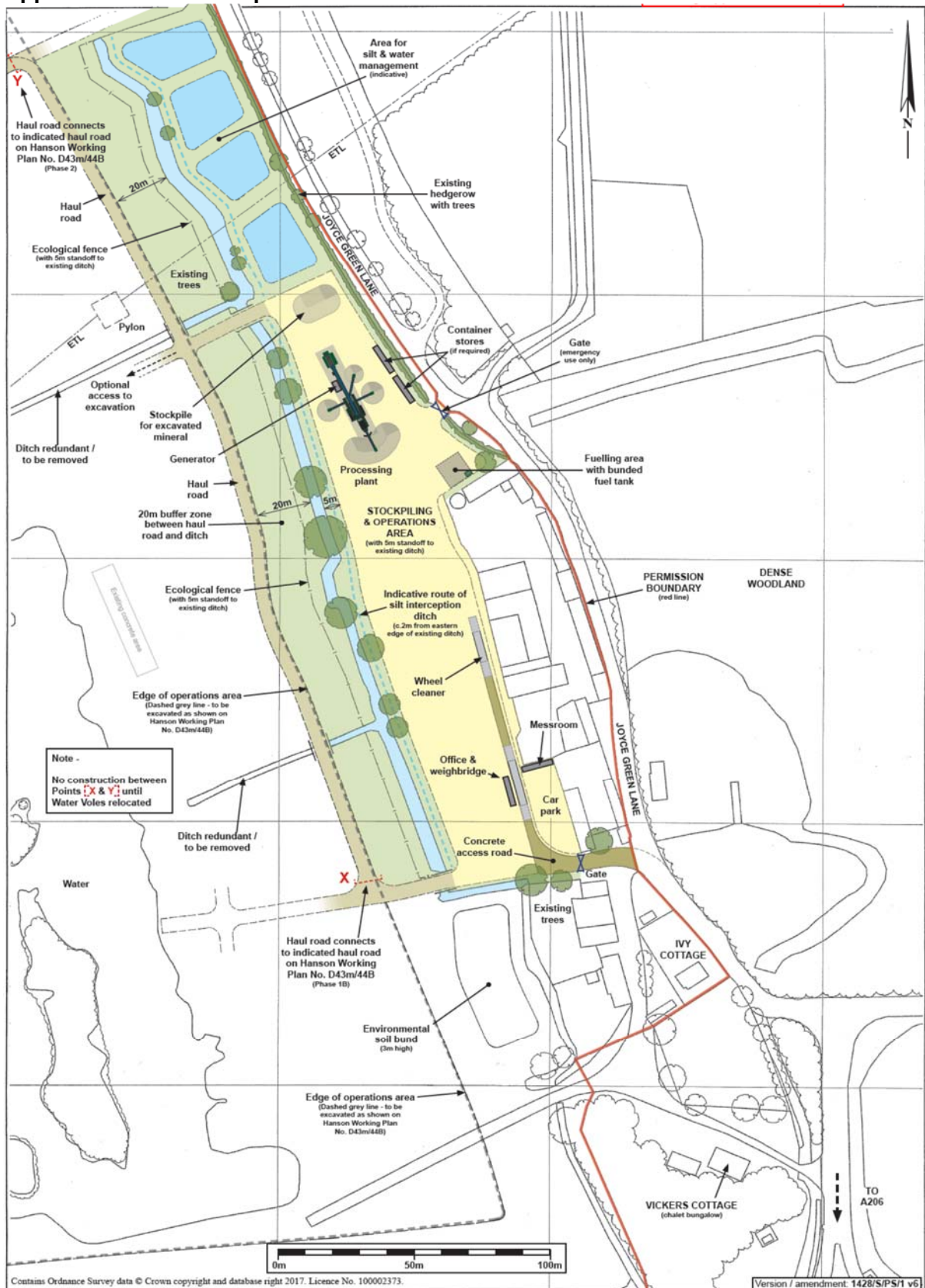


Contains Ordnance Survey data © Crown copyright and database right 2017. Licence No. 100002373.

Version / amendment: 1428/S/A/1 v2

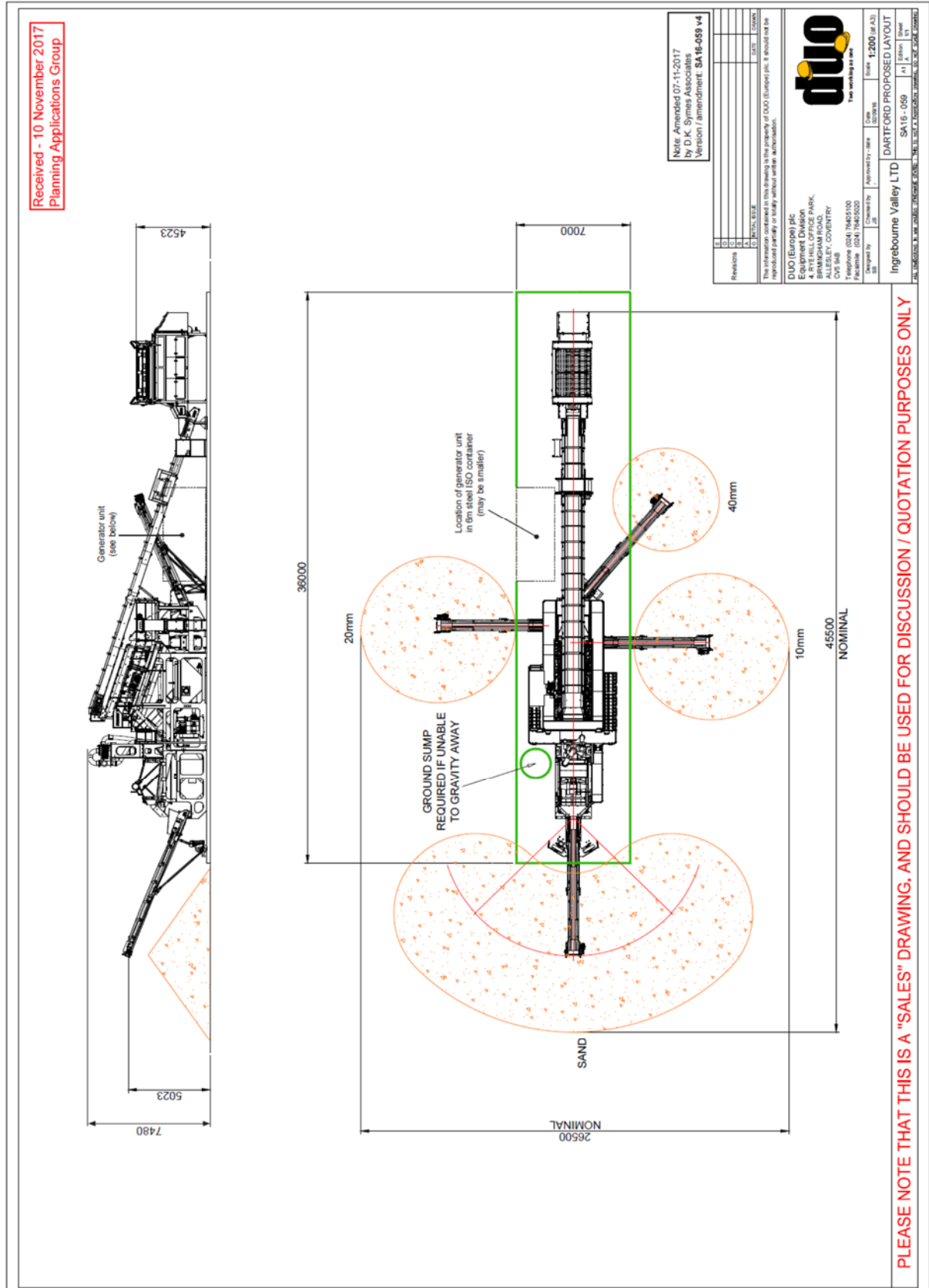
(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

Application II Plant & Operations Area



(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

Application II – Processing Plant



(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

8. Planning permission DA/00/326 was implemented in 2002 with operations ceasing temporarily in 2004 due to market forces. To date no further extraction has taken place.
9. Planning permission DA/00/326 was varied in 2013 under permission reference DA/13/206. The application was submitted in 2010 by Hanson (before 30 September 2010) but it was determined that EIA was required as the application falls under paragraph 19 Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as the surface of the quarry site exceeds 25 hectares. This took some time to complete and it was submitted in January 2013. This permission sought to extend the life of the site until the end of 2020, with all extraction and restoration to be completed by 31 December 2020. The main other controls on this permission are listed below.
 - All vehicle access/egress to the site via Joyce Green Lane;
 - Operations to take place between 0700 and 1800 Monday to Friday and 0700 and 1300 on Saturday. No operations shall take place outside these hours;
 - Vehicles carrying sand and gravel shall only leave the site between 0900 and 1700 Monday to Friday and 0900 and 1300 on Saturdays.
 - Site operations to take place from 1 April to 30 September each year apart from the transport off-site of 20,000 tonnes of material per annum outside of these periods;
 - All excavated material exported off-site for processing;
 - All trees and shrubs planted under the permitted landscaping/restoration scheme to be maintained for a period of 5 years following implementation, including the replacement should any die;
 - All operations to be in accordance with the permitted dust suppression and noise mitigation measures;
 - Noise from operations on site shall not exceed 55dbLA eq 1h (freefield) as measured on the boundary of the site;
 - Stockpiles of overburden or soil shall only be placed in the permitted locations and shall not exceed 4 metres in height;
 - No development (other than that permitted) shall take place within the margins adjacent to the flood defence banks, re-routed ditch and main river running parallel to Joyce Green Lane;
 - No lighting shall be employed on site unless otherwise approved beforehand in writing by the Mineral Planning Authority (MPA);
 - All operations to be undertaken in accordance with the approved aftercare, archaeology and ecology details;
 - Operator to ensure no mud (or other materials) are deposited onto the public highway by vehicles exiting the site;
 - Site access road to be maintained in a good state of repair and kept clean of mud and other debris;
 - All loaded lorries leaving the site to be sheeted;
 - All moveable plant and machinery to be removed upon the completion of the site restoration (31 December 2020).
10. All other conditions previously imposed on DA/00/326 were included in this planning permission except for condition 15 which was removed as it was no longer required to

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

send all extracted material to the Clubb's site in Dartford for processing. This application received no objections and was approved through delegated channels. Prior to extraction recommending conditions relating to aftercare, archaeology and ecology were required to be discharged by the MPA.

11. The submission of details pursuant to conditions 17 (Aftercare Scheme), 21 (Archaeology) and 27 (Ecological Mitigation Strategy) of planning permission DA/13/206 was made in November 2017 with a view to allowing planning permission DA/13/206 to be implemented by 7 October 2018. Although the details have not been approved at the time of writing this report, it is anticipated that they will have been by 16 May 2018 when applications (i) and (ii) are determined. Members will be updated appropriately at Committee.

Proposals

12. Applications DA/17/2025 and DA/17/2081 are accompanied by an Environment Statement (ES) covering both applications as they fall under paragraph 19 Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as the surface of the quarry site exceeds 25 hectares.

Application (i) – the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206

13. Following the acquisition of the site in 2015 by the applicant (Ingrebourne Valley Ltd), it was decided that for them to work the site in the most efficient and expeditious manner that they would have to vary a number of conditions on planning permission DA/13/206. These variations are summarised and explained below:
14. Condition 2 – the remaining reserve is c.670,000 tonnes and the expected annual output would be 100,000 to 125,000 tonnes. Allowing for a reasonable period of time for preparatory works and the resumption of extraction the anticipated completion date for restoration would need to be extended until 31 December 2024.
15. Condition 3 – to provide haulage of excavated material to the stockpile area by Articulated Dump Trucks (ADTs) via a network of internal haul roads. The proposed internal haul roads are indicated on the Plant and Operations Plan 1428/S/PS/1 (see page C2.6). Initially a bailey bridge to the south of the site would be used to cross the eastern watercourse to gain access to the proposed plant area, this is to facilitate the removal of water voles from the drainage ditch. Thereafter, the internal access road would extend northwards and then cross the ditch into the northern end of the plant site. All haul roads would be constructed using excavated mineral (no materials would need to be brought onto site) and would be 'retreat' excavated as the workings progress in a northerly direction.
16. Condition 4 – amend the condition wording to allow for the provision of a processing plant with crusher, water management ponds and ancillary buildings which is proposed under the second parallel planning application (application (ii) – for the erection of a processing plant, the construction of water management ponds and ancillary buildings). The area proposed for the processing plant was previously used for stockpiling of material prior to export and for storage of restoration material.

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

17. Condition 12 – this condition currently restricts the operations to the months of April to September as the quarry was previously intended to be a satellite supply to J. Clubb quarry at Dartford. The applicant is proposing the deletion of this condition to increase the flexibility and competitiveness of the operation, the rationale being that without the seasonal restrictions it would mean they could operate all year round, enabling the continuity of supply to the market;
18. Condition 13 – this condition prohibited vehicles carrying sand and gravel from leaving the site during the daily peak hours. The applicant considered this to be a reasonable restriction when all excavated mineral was to go to the Clubb's quarry at Dartford for processing, but given this restriction is no longer in place and in order to meet the wider needs of the market the applicant is proposing to align this condition with the site operating hours outlined in condition 11 of DA/13/206.
19. Condition 14 – proposed to be deleted as the processing of the excavated material would be undertaken on site should application (ii) be permitted.
20. The applicant is not proposing changes to any other aspects of the permitted development and the area of extraction as permitted by DA/13/206 would not change.

Application (ii) – the erection of a processing plant, the construction of water management ponds and ancillary buildings

21. The earlier planning permissions for the site were permitted on the basis that the extracted mineral left the site for processing. The applicant is now proposing to process the material on site using a temporary low profile semi-mobile modular processing plant measuring 7.5m in height, alongside additional ancillary buildings including a weighbridge, office, mess facility, security storage container, fuelling area, there would also be a wheel cleaning facility and small car park with space for a maximum of 8 vehicles.
22. A mobile crushing plant would be brought onto site occasionally so that oversized material can be treated and fed into the processing plant. All processed sand and gravel would be stored to the south of the plant. The proposed plant equipment would be accompanied by a water management system comprising excavated ponds which would be located on slightly higher ground to the north of the Joyce Green Farm buildings. The water used for processing would be re-circulated and would require no discharge. The water management ponds would be a series of shallow ponds through which the water from processing would be allowed to settle. These ponds would be removed upon the completion of the extraction and the land reinstated as grassland and trees. The recovered silt from the processing would be used as part of the restoration process through the creation of reed beds. All of the plant, buildings and ancillary uses would be contained within that part of the permitted area identified for material stockpiling, which lies between the permitted extraction areas and Joyce Green Lane, with the water management ponds located slightly further to the north, see site plan on page C2.6. Extracted material would be brought to the stockpile area by ADTs.

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

Planning Policy Context

23. **National Planning Policies** – the most relevant National Planning Policies are set out in the National Planning Policy Framework (NPPF) (March 2012), and the associated Planning Practice Guidance (PPG). National Planning Policy and Guidance are material planning considerations.
24. A draft revised NPPF (March 2018) is currently out for consultation. Many of the proposed changes reflect the current position with regard to EU legislation references and add more emphasis for the support for the delivery of new housing. The basic principles of sustainable development, building a strong competitive economy, supporting a prosperous rural economy and promoting sustainable transport remain. Protection is still given to the Green Belt and meeting the challenge of climate change, flooding and coastal changes, as well as conserving and enhancing the natural environment.
25. **Kent Minerals and Waste Local Plan 2013-30 Adopted July 2016 (KMWLP):** Policies include: CSM1 (Sustainable Development), CSM2 (Supply of Land-won Minerals in Kent), CSM4 (Non-identified Land-won Mineral Sites), CSM5 (Land-won Mineral Safeguarding), DM1 (Sustainable Design), DM2 (Environmental and Landscape Sites of International, National and Local Importance), DM3 (Ecological Impact Assessment), DM4 (Green Belt), DM5 (Heritage Assets), DM6 (Historic Environment Assessment), DM10 (Water Environment), DM11 (Health and Amenity), DM12 (Cumulative Impact), DM13 (Transportation of Minerals and Waste), DM14 (Public Rights of Way), DM15 (Safeguarding Transport Infrastructure), DM19 (Restoration, Aftercare and After-use), DM20 (Ancillary Development).
26. The KMWLP commits the County Council to preparing a Minerals Sites Plan, which allocates land considered suitable for minerals development. As part of the work to develop this Site Plans, a review has been undertaken to confirm the requirements for minerals in Kent. Early work on the Minerals Sites Plan has resulted in the identification of sites potentially suitable for allocation, two of which are near to Joyce Green Quarry, however neither site has any direct bearing on these applications.
27. **Dartford Borough Council Core Strategy Local Plan (2011):** Policies include: CS13 (Green Belt), CS14 (Green Space), CS15 (Managing Transport Demand), CS16 (Transport Investment), CS23 (Minimising Carbon Emissions), CS24 (Flood Risk), CS25 (Water Management).
28. **Dartford Borough Council Development Policies Local Plan and Policies Map (Adopted July 2017):** Policies include: DP1 (Dartford's Presumption in Favour of Sustainable Development), DP3 (Transport Impacts of Development), DP5 (Environment and Amenity Protection), DP11 (Sustainable Technology and Construction), DP22 (Green Belt in the Borough), DP23 (Protected Local Green Space), DP24 (Open Space) and DP25 (Nature Conservation and Enhancement).

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

Consultations

Application (i) – the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206

29. **Dartford Borough Council:** objects to the application and provide the following comments:

The Council raises significant concerns with regard to both the form of this submission and the potential impact of the proposal. Condition 10 of DA/13/206 clearly states that a cessation of works for a period of two years constitutes abandonment of the site and that restoration of the site is then required. It is considered that this submission, and consequently the other application that relies on this consent, to be invalid. The degree of change proposed means that it is not appropriate to consider this proposal as a minor amendment under s73.

The main impacts of concern for this application relate to the impact on the Highway Network and Air Quality. Dartford Borough Council (DBC) are carefully considering every application for development in this area with regard to its impact on the road network, focusing on the ability of the road network to accommodate additional traffic, in particular along and at the eastern and western ends of Bob Dunn Way, including impacts on Jct 1a of the M25. Both of these junctions are within Air Quality Management Areas (AQMA's).

An assessment of air quality impacts has been undertaken for this s73 application, this focuses on the use itself and not the impacts from increased traffic generation. The s73 application is accompanied by a brief Transport Statement (TS) but it is considered that the changes since the original consent and the deviation from the original proposal, means that this application should be accompanied by a comprehensive Transport Assessment.

The TS considers the projected movements to the consented scheme in comparison to the proposed new scheme. DBC do not consider that this is appropriate given the abandonment position above and even if this is not considered appropriate, the length of time since the original application would also require fresh consideration of these issues. Therefore, the change in the proposal is beyond that which can be dealt with as a s73 as it would require different considerations and conditions.

The application also proposes a variation to other controls previously imposed including the use of articulated dump trucks on the site. DBC have no concerns with regard to this change but do have concerns with regard to the change to the seasonality of site works, as it is unclear what has changed to overcome the previous reason for the imposition of this control.

30. **London Borough of Bexley:** raise no objection.

31. **Kent County Council Highways and Transportation:** raise no objection to the proposal in respect of highway matters, subject to conditions requiring the following:

- Limit on annual production output of 150,000 tonnes.

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

- A traffic management plan that prohibits HGV movements through the M25/A282 Junction 1A during the peak hours of 07:00-09:00 and 17:00-18:00 on weekdays, no restrictions on Saturdays.
32. **Environment Agency:** raise no objection.
 33. **Highways England:** raise no objection.
 34. **Kent Wildlife Trust:** no response received.
 35. **National Planning Casework Unit** – notified as this is an EIA application: No comments to make on the Environmental Statement.
 36. **National Grid:** makes the comment that it exercises its right to place a Holding Objection to the proposal which is in close proximity to a High Voltage Transmission Overhead Line, which is protected by a Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset.
 37. **Natural England:** raise no objection.
 38. **UK Power Networks:** raise no objection but comments that the site should contact the UK Power Network's Plan Provision department before any excavation is carried out.
 39. **Thames Water:** raise no objection.
 40. **Kent County Council's Ecological Advice Service:** raise no objection subject to either the prior approval of the details relating to condition 27 of planning permission DA/13/206 (including water vole mitigation) or the imposition of a condition requiring the submission of an ecological mitigation strategy (in the same way as DA/13/206).
 41. **Kent County Council Public Rights of Way:** makes the comment that no development shall take place within the application site that would obstruct public footpath DB1 until a diversion order has been approved.
 42. **Kent County Council's Archaeological Officer:** raise no objection as the archaeological details submitted pursuant to condition 21 of DA/13/206 have already resolved all archaeological matters.
 43. **Kent County Council's Noise, Air Quality and Odour Consultant (Amey)** – raises no objections to the proposals and makes the following comments:

Noise

The application is supported by a noise assessment from LFAcoustics dated October 2017 which identifies three noise sensitive receptors; Ivy Cottage adjacent to the quarry, Vickers Cottage to the south east and the new Bridge development approximately 300 metres away.

At each of the noise sensitive locations the operational noise has been predicted for the mineral extraction (and processing plant). The use of articulated dump trucks using the haul road on the eastern side has also been included in the assessment. In

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

order to assess the worst case, the predictions have assumed that both processing and extraction operations are carried out simultaneously with results showing predicted levels of 52 dB, 50 dB and 46 dB LAeq, 1hr at Ivy Cottage, Vickers Cottage and the proposed Bridge Development respectively. By way of identifying which of the two processes has the dominant effect, the results for the mineral extraction operations only show maximum predicted noise levels of 45.9 dB, 43.7 dB and 34.6 dB for the three receptors.

A number of standard noise control measures are suggested in the noise report. I would recommend that these along with a requirement to carry out noise monitoring on a regular basis are conditioned should permission be minded to be granted. These would be best addressed by the requirement for a noise scheme to be submitted for the approval of the planning authority. One further point is a recommendation that condition 20 is amended to stipulate that site attributable noise from the development shall not exceed 55 dB LAeq, 1hr at the any noise sensitive receptors.

In summary, the noise assessment has demonstrated that the works associated with the Section 73 application can be carried out without adverse impact to nearby noise sensitive receptors and within noise limits as defined by appropriate guidance, subject to the use of appropriate conditions.

44. Air Quality and Odour

The successful execution of a varied condition 2 is dependent on the variation to conditions 3, 4, 12, 13 and 14 and potential changes to background air quality in the quarry area. On the assumption that the conditions are executed without a significant impact on air emissions and emissions continue to be properly managed there is no reason to believe that air quality will change significantly. Furthermore, we do not expect background air quality to change significantly in the period 2020-2024 and are not aware of any new developments in the area that could adversely impact air quality or dust amenity. We therefore see no reason to refuse the application as a result of the extension to 2024.

Section 6.1.3 of the Air Quality EIA concludes that air quality impacts as result of transport emissions are predicted to be negligible and this is considered to be robust. This is a sensible conclusion as demand for transport is expected to decrease in some areas and any increases will be spread over the yearly operation.

Section 4.4 of the Planning & Environmental Statement Volume 1 details condition 14 which prohibits the processing of materials on-site. In the Air Quality Assessment, the applicant provides a semi-quantitative assessment of likely impacts from PM10 on health from on-site activities. It assumes a process contribution of 5µg/m³ which is considered to be conservative for this process. We therefore consider the assessment of no significant effect as being robust and see no reason to refuse the application on this basis on the assumption that on-site emissions are managed effectively, and on-site crushing is completed in accordance with the appropriate permit requirements for this mobile unit.

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

As processing of the extracted material on-site is now proposed. This would decrease the need for transporting large volumes of material to a processing site before the aggregate is supplied to the building and construction industry. It will therefore reduce the products carbon footprint, lorry traffic on public highways, and vehicle emissions. Hence, on-site processing will be far more sustainable than the current system of transporting material elsewhere for treatment. This variation is dependent on the success of the application proposing to erect the processing plant (application ii).

45. **Kent County Council's Flood Risk Project Officer (Sustainable Drainage):** raise no objection.
46. **Application (ii) – the erection of a processing plant, the construction of water management ponds and ancillary buildings**
47. **Dartford Borough Council:** makes the following comments:

“The site is located within the Green Belt and therefore I consider that the amount of plant/equipment required to support the mineral extraction works should be kept to a minimum and that the applicant should undertake to remove the equipment and restore the site should the operations cease.”
48. **London Borough of Bexley:** raise no objection but requests that a condition is imposed on any planning permission relating to a Construction Management Plan for the construction phase and a Servicing Plan including arrangements for abnormal loads.
49. **Kent County Council Highways and Transportation:** raise no objection to the proposal in respect of highway matters, subject to conditions requiring the following:
 - Limit on annual production output of 150,000 tonnes.
 - A traffic management plan that prohibits HGV movements through the M25/A282 Junction 1A during the peak hours of 07:00-09:00 and 17:00-18:00 on weekdays, no restrictions on Saturdays.
50. **Environment Agency:** raise no objection and consider that the appropriate environmental permits will cover the emissions and impacts to air, land and water for the proposed activities.
51. **Highways England:** raise no objection.
52. **Kent Wildlife Trust:** no response received.
53. **National Planning Casework Unit:** notified as this is an EIA application: No comments received.
54. **National Grid:** recommends that no permanent structures are built directly beneath overhead lines and that the statutory minimum safety clearance is 7.6 metres to ground and 8.1 metres to normal road surface.
55. **Natural England:** raise no objection.

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

56. **UK Power Networks:** raise no objection but comments that the site should contact the UK Power Network's Plan Provision department before any excavation is carried out.

57. **Thames Water:** raise no objection but makes the following comments:

It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer.

It is also requested that the following condition be included:

"Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the County Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed".

58. **Kent County Council's Ecological Advice Service:** - raise no objection but comments that the works area is located on hard standing or short regularly mown grassland therefore minimising the potential for protected/notable species to be present. The current management of the site must continue to prevent any suitable habitat for protected/notable species establishing on site – in particular reptiles as they are known to be in the adjacent habitat.

59. **Kent County Council Public Rights of Way:** makes the comment that no development shall take place within the application site that would obstruct public footpath DB1 until a diversion order has been approved. The location of the proposed plant site has no bearing on the PROW.

60. **Kent County Council's Archaeological Officer:** Joyce Green Quarry site has potential for early prehistoric remains and for later prehistoric to post medieval remains, including possible industrial archaeology. On this basis I would like to recommend the following is placed on any forthcoming consent:

Prior to the commencement of development the applicant, or their agents or successors in title, will secure and implement:

i archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

ii further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

Reason: To ensure that features of archaeological interest are properly examined and recorded.

61. **Kent County Council's Noise, Air Quality and Odour Consultant (Amey)** – raises no objections to the proposals, making the following comments:

Noise

The application is supported by a noise assessment from LFAcoustics dated October 2017 which jointly assesses the impact from this proposal in addition to those from application (i) (KCC/DA/0320/2017).

The noise report identifies three noise sensitive receptors; Ivy Cottage adjacent to the quarry, Vickers Cottage to the south east and the new Bridge development approximately 300 metres away. The assessment has referenced NPPF guidance including the updated guidance [PPG] on noise from March 2014 and takes a view that the appropriate permitted noise limit is 55 dB LAeq, 1hr at the noise sensitive receptors. Although no baseline monitoring has been undertaken for this particular application, I understand that previous noise monitoring exercises have shown that LA90 background noise levels in this area are greater than 45 dB and therefore, the maximum permitted level of 55 dB would apply.

At each of the noise sensitive locations the operational noise has been predicted for the processing plant and the mineral extraction. The use of articulated dump trucks using the haul road on the eastern side has also been included in the assessment. In order to assess the worst case, the predictions have assumed that both processing and extraction operations are carried out simultaneously with results showing predicted levels of 52 dB, 50 dB and 46 dB LAeq, 1hr at Ivy Cottage, Vickers Cottage and the proposed Bridge Development respectively. By way of identifying which of the two processes has the dominant effect, the results for the processing plant only show predicted noise levels of 50.9 dB, 48.4 dB and 45.8 dB.

In summary, the noise assessment has demonstrated that the works should be able to be carried out without adverse impact to nearby noise sensitive receptors and within noise limits as defined by appropriate guidance, subject to the use of appropriate conditions.

Air Quality and Odour

There are four potential changes to air emissions relating to this application: emissions from an increased number of vehicles, both onsite and offsite; dust generated from construction activities; emissions from the generator; and odorous releases related to the water management ponds.

In summary, the submitted air quality assessment has demonstrated that the works should be able to be carried out without adverse impact to nearby receptors.

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

62. **Kent County Council's Flood Risk Project Officer (Sustainable Drainage):** raise no objection but makes the following comment:

"Any other feature capable of conveying water can be considered to fall under the definition of an 'ordinary watercourse' and we urge the applicant to contact us prior to undertaking any works that may affect any watercourse/ditch/stream or any other feature which has a drainage or water conveyance function. Any works that have the potential to affect the watercourse or ditch's ability to convey water may require our land drainage consent (including culvert removal, infilling or diversion, installation of access culverts)."

Local County Member

63. The local County Member for Dartford North East, Mr. D. Butler was notified of both applications on 1 December 2017 and has raised the following objections:

"The area where the application has been submitted for, has one of, if not the worse levels of traffic in the county. Residents on the nearby Bridge development endure a living traffic nightmare week in week out, whereby it can take over an hour just to leave the development. The traffic, in theory leaves people trapped in their own homes whenever there is an issue at the Dartford Crossing. No level of current mitigation works will supplement this application going ahead and it should strongly be considered for rejection.

Given this application is in very close proximity to the crossing, and a growing development with over 2000 new homes. Adding just one extra HGV to the already saturated local road network in Dartford is completely irresponsible. Let alone the other local environmental impacts such as noise and air pollution.

I'm making this representation as KCC member of Dartford North East and local resident."

Publicity

64. The applications were publicised by the posting of a site notice at the site, advertisement in a local newspaper, and the individual notification of 114 nearby properties.

Representations

65. In response to the publicity, 70 representations have been received objecting to the two applications. All representations were made regarding both applications and all were received from residents of the Bridge development. No representations were received from the nearest 114 residential properties who were individually notified (see paragraph 64). The key points raised can be summarised as follows:

- The works will produce large amounts of pollution. These will take the form of atmospheric pollution from dust from the proposed activities at the site, exhaust from machinery and vehicles in use at the site as well as traffic for the site, noise

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

from the site itself which will have a substantial effect on background noise in the area, and increased light pollution.

- Exacerbate respiratory problems for residents, damage property and planting and increase cleaning costs.
- Mitigations are possible and these would include encapsulation of the site, advanced filtration systems, active and passive noise suppression systems, and appropriate benefits for residents on the area to offset the effects.
- Changes to the A206 to accommodate increased traffic while also separating traffic in different directions and prioritising public transport.
- Damage to the ecology of the site.
- Preservation of areas of archaeological interest.
- As a resident of the Bridge it is well publicised the issues we currently face with only one access route in and out of the development. The nature of the proposed development would only further restrict the access by residents and add further traffic of a nature that would cause further disruption and unnecessary aggravation.
- Increase in traffic on one of the busiest roads in the area.
- Proximity of such an off-putting site to the residential development, which will no doubt have a negative effect on house prices or attractiveness of it.
- The Bridge Development is already affected enough by the surrounding industrial entities:
 - with the shooting range to the north west causing noise pollution
 - power plant and sewage treatment plant to the north causing bad smell
 - logistical centres to the north east and east and their truck exhausts
 - latest addition of a DHL depot to the south
- Noise we have the M25 to deal with already and increasing noise is not welcome.
- The Bridge may have some industrial areas but we have no desire to see more industry on the sky line or piles of minerals.
- The houses in the Bridge Development are very close to the proposed Mineral extraction project.

66. The Member of Parliament for Dartford Mr. G. Johnson has made the following comments:

"I am aware that there is a significant level of concern among local people about this application and I would ask that the representations made by local residents are given appropriate weight by the planning committee.

Whilst I have read the conclusions of the transport impact assessment, I remain extremely concerned that increasing the operational hours of the site would place more pressure on an already congested local road network during peak times. Placing extra traffic on Bob Dunn Way during peak hours, as this proposal would, must be avoided.

I would ask that my comments be noted."

Discussion

67. Applications (i) and (ii) are being reported to the Planning Applications Committee as a result of objections received from Dartford Borough Council, the KCC Member, and from residents of the Bridge development. A holding objection has also been received from the National Grid for application (i). This relates to the presence of an overhead

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

high voltage transmission line across the site and the need for two of the supporting pylons to either be diverted to allow the entire extraction area to be excavated or for National Grid to pay compensation to the landowner for any mineral that would be sterilised under the terms of the relevant Wayleave Agreement if they are to be retained in situ. This issue has been considered as part of all previous applications at the site and it was concluded that this is a matter between the two parties. Given the locations of the support pylons near the eastern and western edges of the excavation area, the quantity of mineral likely to be sterilised if they are to be retained in situ would not be significant. Similarly, this would not require major amendments to the schemes of working and restoration. It is understood that discussions between the two parties are ongoing and that agreement is likely to be reached. I am satisfied that this need not delay determination of either planning application.

68. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. 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.
69. Dartford Borough Council (DBC) has raised the question of whether application (i) can be considered valid. Consequently, prior to discussing the two applications in detail, it is necessary to examine this question. Condition 1 of planning permission DA/13/206 requires the development to be commenced within 5 years of the date of that permission (i.e. by 7 October 2018). The operator has until that date to implement the permission. If a planning permission has been implemented (and is being relied upon), there is an expectation that the conditions set out in the permission are complied with. However, it is for KCC as the Mineral Planning Authority (MPA) to decide whether it is expedient to take any action to secure compliance with the relevant condition(s) having regard to matters such as any harm that would arise as a result non-compliance and the merits of enabling the mineral reserve at the site to be worked rather than sterilised. It is noted that condition 10¹ of DA/13/206 does include some flexibility and provides for KCC agreeing that a period of inactivity of longer than two years is appropriate. In some cases, operators have sought (and obtained) the MPA's approval for this. Whilst this has not happened at Joyce Green Farm Quarry, it is clear that in granting planning permission DA/13/206 that KCC was already satisfied that a period of inactivity in excess of two years was reasonable.
70. It is not disputed that excavation ceased in 2004 however, it is not as simple as suggested by DBC and in the wording of condition 10 itself. In addition to the points

1

Restoration if working ceases

10. Unless otherwise approved by the County Planning Authority, if excavation ceases and does not recommence to any substantial extent for a period of two years, the workings shall be deemed to have been abandoned and the site shall be restored and landscaped within a further period of one year in accordance with the approved scheme with such amendments as may be approved beforehand in writing by the County Planning Authority.

Reason: To ensure restoration in the event of abandonment of the site.

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

made previously, it is necessary to note that it would be necessary for KCC (as the MPA) to make an order revoking the planning permission if it wanted to ensure that no further mineral working takes place at the site prior to 31 December 2020 as it cannot simply rely on condition 10 to secure this. In considering whether it would be appropriate to seek such an order, KCC would need to be satisfied that the site has truly been abandoned rather than having been temporarily suspended. In this case, we do not believe that the site has been abandoned or that the resumption of mineral working is unlikely. Indeed, both the previous owners (Hanson) and current owners (Ingrebourne Valley Ltd) have consistently stated that they intended to resume mineral working and it is clear that this remains the case. The making of a successful order (which is considered unlikely) would give rise to compensation if it would affect the asset value of the site and result in the sterilisation of the remaining permitted mineral reserves, and compensation in this situation, payable by KCC, would be significant. On this basis, it is considered that the application is valid, and I will now proceed to the main discussion for each application.

Application (i) – the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206

71. Irrespective of the outcome of the two applications currently before Members the principle of mineral extraction at Joyce Green Quarry is established by the existing planning permission DA/13/206 and the Quarry can operate in accordance with the conditions outlined in paragraph 9. However, it should be understood that the operator will not be able to extract the full reserve available in the remaining permitted period until December 2020 and would likely be required to submit a revised restoration scheme to take into account the reduction in the size of the extracted area. Given this, it is necessary to consider the implications of working the site beyond 2020 (until 2024) and any changes that may occur during the period from now until 2024 and the merit of extracting mineral to assist in meeting Kent's sharp sand gravel landbank and to assess what the impacts of these would be.
72. The key changes that would result from this application are:
- Extension of the end date to 31 December 2024 for the completion of extraction and restoration;
 - All internal haulage by ADTs;
 - Extraction to be permitted all year round;
 - Loosening of the restrictions in place on times HGVs can exit the site.
73. Several other conditions would have to be altered, or removed, to administratively facilitate the second application, however, these changes in isolation would have no impact on the current permitted situation and so are not relevant for discussion here.
74. This application does not propose any changes to the area of the site, the method of extraction or the amount of mineral to be extracted, it is merely an extension of the period in which the applicant has to complete the extraction and restoration of the site and to allow year-round working. Given the principle of mineral extraction at Joyce Green has already been established, I am satisfied that the application is still in general accordance with planning policy and guidance.

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

75. Paragraph 142 of the NPPF states that minerals are essential to support sustainable economic growth and quality of life and that it is important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. It also acknowledges that minerals are a finite natural resource and can only be worked where they are found. Paragraph 144 of the NPPF states that great weight should be given to the benefits of mineral extraction (including to the economy) when applications are determined. Paragraph 145 states that Minerals Planning Authorities (MPA) should plan for a steady and adequate supply of aggregates by making provision for the maintenance of landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock, whilst ensuring that the capacity of operations to supply a wide range of materials is not compromised. Longer periods may be appropriate to take account of the need to supply a range of types of aggregates, locations of permitted reserves relative to markets, and productive capacity of permitted sites. Paragraph 001 of the Minerals PPG states that planning for the supply of minerals has a number of special characteristics that are not present in other development (e.g. minerals can only be worked where they naturally occur, working is a temporary use of land, working may have adverse and positive environmental effects, but some adverse effects can be effectively mitigated).
76. The NPPF is reflected in Kent MWLP Policy CSM 2, whereby there is a requirement for the MPA to plan for a steady and adequate supply of aggregates and to make provision for the maintenance of landbanks. However, these are rapidly depleting in Kent, resulting in there already being a shortfall in supply and the landbank being below the required 7 years. This supports the policy argument for fully working the remaining available sand and gravel reserves at Joyce Green Quarry.
77. All the representations received were from residents of the Bridge development, which suggests that they were not aware that an existing permission was in place for sand and gravel extraction at this site. This is supported by the fact that no representations were received from the closest residential properties, all of whom were notified of these applications suggesting that they were familiar and arguably content with the continued principle of mineral extraction at Joyce Green.
78. The extension of the period until 2024 does by definition extend the period of time that operations can take place by 4 years, however, in real terms, as the extraction has not been ongoing since permission was granted in 2013, it does not represent a continuation to the potential impacts associated with the development as to date there has been no significant impact since 2004. Crucially by allowing the site to continue extraction until 2024 it would be supporting the principles of the NPPF and Kent MWLP Policy CSM2 by providing much needed sharp sand and gravel supplies to an increasingly dwindling landbank that is currently below the Government requirement of at least 7 years. The principle of mineral extraction in this location is established, and by refusing this application, would be contrary to the objectives of the NPPF and Kent MWLP Policy CSM2, however, it is also necessary to assess the impacts of the proposal on all planning issues before reaching the conclusion that the proposal is acceptable in planning terms. These will be outlined in the following paragraphs.
79. Other factors that are relevant for consideration on a new application of this type would be Green Belt, ecology, archaeology, landscape impact and site aftercare, however, in this case there would be no changes over that which is already approved, and there have been no material changes since the DA/13/206 was considered. These issues

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

were all examined in detail at the time that DA/13/206 was assessed and conditions were imposed requiring additional details to be submitted to and approved by the County Planning Authority prior to the commencement of the development

80. The details submitted pursuant to conditions imposed on DA/13/206 presented comprehensive additional information relating to the aftercare of the site for 5 years, including a strategy for the reinstatement of the worked land as a mosaic of grassland and wetland habitats and the management of existing and new woodland in order to maintain and enhance the biodiversity value of the site; a programme of archaeological investigation work to provide for the archaeological mitigation of the site; and an ecological mitigation strategy that approved appropriate measures including:

- Reptile translocation;
- Water Vole translocation;
- Retention and enhancement of ditches;
- Restoration of grassland; and
- Native planting.

81. Paragraph 79 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open preserving their openness and permanence. Kent MWLP Policy DM4 states that proposals for mineral development within the Green Belt will be considered in light of their potential impacts and shall comply with national policy and the NPPF. Certain forms of development are not considered inappropriate in the Green Belt provided they preserve the openness of the Green Belt and mineral extraction is one of these developments. No objections have been received on the grounds of Green Belt. Whilst there would be some minor impacts on the openness of the Green Belt in terms of the stockpiles and the use of operational machinery, these would be low key and temporary in their nature. The principle of the development has previously been considered as being appropriate in the Green Belt and in general landscape terms, that there are no significant changes (other than the length of time the applicant has to work the mineral) being proposed now, and I am satisfied that the proposal constitutes appropriate development in the Green Belt.

82. I am therefore satisfied that the proposed variations to DA/13/206 would give rise to no significant adverse impact in terms of Green Belt, landscaping, archaeology and ecology and that the proposed development is in accordance with planning policy. Subject to the prior approval of the aftercare, archaeology and ecological details included within the submission referred to in paragraphs 11 and 80, it would be unnecessary for any new permission to require the submission of further details relating to these matters. Should these not be approved prior to the determination of application (i), similar conditions to those imposed on planning permission DA/13/206 may be required. Members will be updated on this as necessary at Committee. In addition, I am content that the site is still capable of being satisfactorily restored in accordance with the details previously submitted.

Highways and transportation

83. Paragraph 143 of the NPPF states that local plans should set out environmental criteria against which planning applications should be assessed to ensure that

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

permitted operations do not have unacceptable impacts on the natural and historic environment and human health from traffic. Paragraph 144 states that regard should be given to such matters when determining planning applications. Paragraph 32 states that decisions should take account of whether safe and suitable access to the site can be achieved. It also states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.

84. Policy DM13 of the KMWLP 2016 requires minerals and waste development to demonstrate that emissions associated with road transport movements are minimised as far as practicable and by preference being given to non-road modes of transport. It also states that where new development would require road transport, proposed access arrangements must be safe and appropriate, traffic generated must not be detrimental to road safety, the highway network must be able to accommodate the traffic generated and its impact must not have an unacceptable adverse effect on the environment or local community.
85. Dartford Borough Council and local residents have objected to the application for a variety of reasons relating to highways and transportation issues. Highways England and KCC Highways and Transportation have commented on highways and transportation issues but have raised no objections (in the latter case, subject to conditions).
86. The principle of the highway movements for this development has already been established, however the applicant is applying to make variations that would, if permitted, alter the impact on the public highway. The applicant is not proposing to increase the output from the facility from the current 100,000-150,000 tonnes per annum, but by varying condition 12 it would allow operations to take place all year round, instead of the permitted 1 April to 30 September, allowing the material to be moved out of the site over a longer period, thus reducing the daily lorry movements compared with the current permission. This has the potential to provide a positive change to the current permission in terms of the intensity of the vehicle movements over the shorter period. KCC Highways and Transportation have stated that they are content with the variation of condition 12 providing that restrictions are put on the output from the site to control the number of HGV movements. The applicant and KCC Highways and Transportation are content for the site's output to be restricted to 150,000 tonnes per annum, and therefore, should Members be minded to permit this application, I recommend a condition to this effect.
87. The applicant is also seeking to vary condition 13 of DA/13/206 which would allow HGVs to exit the site during the same operating hours as the Quarry, i.e. 07.00 -18.00 Monday to Friday and 07.00 to 13.00 on Saturdays, which would include the morning and evening peak traffic hours. Concerns were raised to this aspect by the local Member, Member of Parliament for Dartford, local residents and KCC Highways and Transportation on the grounds that the site is in close proximity to M25 / A282 Junction 1A, connecting with the Dartford Crossing. This junction is considered one of the most strategically important yet least resilient parts of the national road network. Frequent incidents on the M25 /A282 approach to the Dartford Crossing cause traffic to seek alternative routes and leads to severe congestion on the local road network, including Bob Dunn Way and particularly around the access points to the Bridge development. Even modest traffic increases can have a sizeable impact on traffic conditions,

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

particularly when viewed cumulatively with other planned development in the local area.

88. The applicant stated in the supporting information that 80% of HGV movements would be to the west of the site towards South East London and not east towards Junction 1A, on this basis agreement was reached with KCC Highways and Transportation that would allow peak hour vehicle movements from the site providing that vehicles only travel in a westerly direction and not towards Junction 1A. KCC Highways and Transportation do not consider it necessary for there to be any peak hour restrictions on Saturdays. On this basis, I am therefore recommending that a condition covering the following is included on any planning consent.

- A traffic management plan that prohibits HGV movements through the M25/A282 Junction 1A during the peak hours of 07:00-09:00 and 17:00-18:00 on weekdays, no restrictions on Saturdays.

89. Notwithstanding the concerns that have been expressed by Dartford Borough Council and local residents about traffic impacts, neither KCC Highways and Transportation nor Highways England have objected or indicated that any road improvements or highway related contributions are required, although KCC Highways and Transportation has requested that conditions be imposed to control certain aspects of the development. Whilst the proposed development could give rise to some adverse highways and transportation impacts, it would be for a temporary period until 31 December 2024, and in effect earlier than this as the extraction operations would cease up to a year prior to this date. I do not consider these impacts to be overriding and sufficient to justify refusal.

90. Based on the advice of KCC Highways and Transportation and Highways England, I am satisfied that the traffic that would be generated by the proposed development is acceptable and would represent an improvement in terms of the intensity of movements currently permitted. Subject to the imposition of conditions to secure the highway related conditions referred to in paragraph 86 & 88 above, I am satisfied that the proposed development would be acceptable in terms of highways and transportation and accord with relevant policies.

Noise, air quality and odour impacts

91. Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing new development from contributing to unacceptable levels of air or noise pollution. Paragraph 123 states that planning decisions should aim to avoid noise giving rise to significant adverse impacts on health and quality of life and mitigate and reduce to a minimum other adverse impacts on health and quality of life, including through the use of conditions. Paragraph 124 states that planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of AQMAs and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in AQMAs is consistent with the local air quality action plan. Paragraph 144 states that local planning authorities should ensure that there are no unacceptable adverse impacts on human health when granting permission for mineral development and that any unavoidable noise, dust and particle emissions are controlled, mitigated

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

or removed at source and appropriate noise limits are established for extraction in proximity to noise sensitive properties.

92. Paragraph 013 of the Minerals PPG states that noise, dust and air quality are principal issues that MPAs should address when determining mineral applications. The Minerals PPG also includes more detailed advice on how these issues should be addressed to protect local amenity (e.g. through the design of the proposed development itself) and controls or limits that should be imposed if development is permitted (e.g. appropriate noise limits and measures to minimise dust / air quality impacts). Amongst other things, the Minerals PPG states that planning conditions should be imposed to ensure: that noise associated with mineral development does not exceed the background noise level (LA90,1h) by more than 10dB(A) during normal working hours (0700-1900); that where it would be difficult not to exceed the background level by more than 10dB(A) without imposing unreasonable burdens on the mineral operator, the limit set should be as near that level as practicable; and that, in any event, the total noise from the operations should not exceed 55dB(A) LAeq, 1h (free field). It also states that the potential for addressing tonal or impulsive noise (such as reversing alarms) should be considered. It further states that increased temporary daytime noise limits of up to 70dB(A) LAeq 1h (free field) for periods of up to 8 weeks in a year at specified noise-sensitive properties may be necessary to facilitate essential site preparation and restoration work (e.g. soil stripping, movement, storage and replacement) and the construction of baffle mounds where it is clear that this will bring longer term environmental benefits to the site or its environs. More generic advice on air quality is contained in the Air Quality PPG.
93. Policies CSM1, DM1, DM11 and DM12 of the KMWLP 2016 are of particular relevance. Policies CSM1 and DM1 support sustainable development. Policy DM11 states that minerals development will be permitted if it can be demonstrated that it is unlikely to generate unacceptable adverse impacts from noise, dust, vibration, odour, emissions or exposure to health risks and associated damage to the qualities of life and wellbeing to communities and the environment. Policy DM12 states that permission will be granted for minerals development where it does not result in an unacceptable adverse, cumulative impact on the amenity of a local community.
94. Dartford Borough Council and local residents have objected to the application for a variety of reasons relating to noise, dust and air quality impacts. KCC's Noise, Dust / Air Quality Consultants have commented on noise, dust and / or air quality impacts but have raised no objections (subject to conditions).
95. KCC's Noise Consultant is satisfied that the applicant's noise assessment uses the appropriate regulations and methodology and that the predicted noise levels are within those set out in the Minerals PPG. At each noise sensitive location the applicant has predicted the operational noise for the mineral extraction (and processing plant). The use of articulated dump trucks using the haul road on the eastern side has also been included in the assessment. In order to assess the worst case, the predictions have assumed that both processing and extraction operations are carried out simultaneously with results showing predicted levels of 52 dB, 50 dB and 46 dB LAeq, 1hr at Ivy Cottage, Vickers Cottage and the Bridge Development respectively. By way of identifying which of the two processes has the dominant effect, the results for the mineral extraction operations only show maximum predicted noise level of 45.9dB, 43.7 dB and 34.6dB for the three receptors. Ivy Cottage was highlighted as having

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

levels that could potentially exceed 55 dB during Phase 1B of the mineral extraction. In order to eliminate the risk of this occurring, the applicant has committed to constructing a 3 metre high environmental bund adjacent to the property and the predicted level of 52 dB for Ivy Cottage assumes this is carried out. During the bund construction, noise levels will be up to 56.1 dB although I consider this to be temporary and acceptable in planning terms as it is within the limit of 70 dB for short term works.

96. Ivy Cottage is owned by Ingrebourne Valley and is currently vacant, it is the applicant's intention for it to not be used as a residential property for the duration of operations on site. The applicant may look to use Ivy Cottage as a site/security office whilst operations are ongoing at the Quarry, however, this would be subject to a separate planning application following a decision being made on these applications.
97. The proposed development would undoubtedly give rise to some adverse noise impacts as the sand and gravel is extracted, however, the principle for this activity has already been accepted until 2020. The main change to consider in terms of noise would be the change to allow ADTs to transport the extracted material around the site. No consultee objections have been received on this aspect of the proposal and KCC's Noise Consultant is satisfied that the submitted noise assessment demonstrates that there would be no noise disturbance as a result of this change to the permission. Noise impacts would primarily be experienced in and immediately around the phase being worked and near the internal haul road and access road, there is the possibility for this to be heard by users of the public right of way but I am satisfied this would be acceptable subject to the noise control measures outlined in the noise assessment including:
- Ensuring all plant is kept well maintained;
 - Ensuring silencers on plant are effective;
 - Turning off plant when not in use; and
 - Using alternative non tonal reversing signals on mobile plant.

The imposition of a condition requiring regular noise monitoring and for condition 20 to be amended to stipulate that site attributable noise from the development shall not exceed 55 dB LAeq, 1hr at the any noise sensitive receptors.

98. KCC's Dust / Air Quality Consultant is satisfied that the assessment of air and dust emissions is technically robust and agrees with the applicant's conclusions and advised that dust and air quality issues can be satisfactorily addressed by the existing conditions. It is confident in the judgement that impacts on air quality inside the nearby AQMA and at sensitive receptors outside it would not be significant and that any dust impacts associated with the development would be acceptable subject to the implementation of appropriate mitigation. It has advised that emissions from road vehicles are highly unlikely to cause any exceedances of the health-based criteria inside the AQMA.
99. The variation to allow the transportation of excavated material on site would result in a maximum of 3 ADTs and one long reach excavator operating on site and it is not considered that air emissions relating to diesel combustion from ADTs on-site to be significant. KCC's Dust / Air Quality Consultant has stated that the submitted Air Quality aspect of the Environmental Statement (ES) concludes that air quality impacts as result of transport emissions on site by ADTs are predicted to be negligible. This is

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

considered an accurate conclusion as demand for transport is expected to decrease in some areas and any increases will be spread over the yearly operation.

100. The deletion of condition 14 would permit the processing of materials on site (which is the subject of application ii). This would decrease the need for transporting considerable volumes of material, over several years, to a processing site before the aggregate is supplied to the building and construction industry. This revision to the site's operations would significantly reduce the extracted material's carbon footprint, HGV traffic on public highways, and vehicle emissions. Hence, on-site processing would be a far more sustainable approach to the current system of transporting material elsewhere for processing. This variation to condition 14 is dependent on Members giving support to application (ii).
101. KCC's Dust / Air Quality Consultant requested further information pertaining to the measures for managing emissions from the stockpiles of extracted materials. The excavation and processing of the sand and gravel is a wet process and the stockpiles of excavated (and processed) material would have a retained moisture content which means that when handled there would be very minor emissions. The applicant has advised that additional measures to prevent emissions would be implemented as necessary during dry periods, these would include the dampening of operational areas and stockpiles. Members should note that condition 19 of planning permission DA/13/206 which covers the dust suppression and noise mitigation measures set out in the original and amended Environmental Impacts Assessment would be carried over into a revised schedule of conditions for this application. On this basis KCC's Dust / Air Quality Consultant has no concerns over dust and air quality issues in relation to the proposed variations to conditions for planning permission DA/13/206.

Public rights of way

102. Paragraph 75 of the NPPF states that planning policies should protect and enhance public rights of way and access and that local authorities should seek opportunities to provide better facilities for users (e.g. by adding links to existing networks). Paragraph 004 of the PPG relating to open space, sports and recreation facilities, public rights of way and local green space includes limited advice relating to public rights of way and national trails. Amongst other things this states that public rights of way form an important component of sustainable transport links and should be protected or enhanced.
103. Policy DM14 of the KMWLP 2016 states that planning permission will only be granted for minerals development that adversely affect a public right of way, if: (i) satisfactory prior provisions for its diversion are made which are both convenient and safe for users of the Public Rights of Way; (ii) provision is created for an acceptable alternative route both during operations and following restoration of the site; and (iii) opportunities are taken wherever possible to secure appropriate, improved access into the countryside. A number of local residents have raised concerns over the impact of the development on the Public Right of Way (PROW) and the KCC Public Rights of Way Officer has stated that no development that affects the public right of way can take place until an application to divert the route has been approved. The principle of the diversion was established in the previous applications and was included as an informative on permission reference DA/13/206. The same informative would be included should this application be approved. The applicant advises that the majority of

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

footpath users already use the proposed diversion route, which is along the western boundary of the site, as opposed to the official circuitous route that passes through the site. The applicant is in the process of formally applying to divert the public footpath.

104. As noted in the noise, dust and air quality sections above, the proposed development would give rise to some adverse impacts on those using the public footpaths. Given that these would be temporary and capable of being mitigated I am satisfied that such impacts would be acceptable.
105. Subject to an informative stating that no development shall take place within the site that would obstruct public footpath DB1 until a diversion order has been approved, I am satisfied that the proposed development would be acceptable in terms of public rights of way and accord with relevant policies.

Application (ii) – the erection of a processing plant, the construction of water management ponds and ancillary buildings

106. The key determining considerations in this particular case can be addressed under the following headings:
- Need for the development;
 - Green Belt;
 - Noise, dust and air quality impacts
 - Highways and Transportation;
 - Other considerations including landscape and visual amenity; water environment; ecology; and archaeology.

Need for the development

107. In the broadest sense the need for the proposed development can be said to be necessary at the site as it is essential to process the material in order to make best use of the extracted sand and gravel. Therefore, in terms of the sustainability agenda, it can be said that the processing at source is the most appropriate approach given it helps to guard against the effects of climate change by saving vehicle miles on the public highway. It must also be assessed whether the application site is acceptable in terms of, amongst other matters, the Green Belt, landscape and noise/air quality impacts.

Green Belt

108. The applicable planning policies and guidance have already been set out for application (i), please refer to paragraphs 83 for the relevant policies and guidance. Joyce Green Quarry is sited within the Green Belt and as such it is necessary that the impacts of the development are fully assessed against Green Belt policies. There are no permanent buildings proposed and the plant machinery would be located on a small footprint. The processing plant would be relatively low key in nature with the highest point measuring 7.5metres in height (see plan on page C2.7), a crusher would be brought on as and when required. The plant area would only be operational during the extraction period and would be removed from site at the earliest opportunity. The impact of the processing plant on the appearance of this part of the Green Belt is

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

limited due to the screening of the site from long distance views to the south and east of the site by the well-established tree cover, which renders the plant site virtually screened from view from the Bridge development. The plant area would be partially visible from west and northerly directions, however, given the relatively low-key profile of the plant machinery, its temporary nature and that it would be seen as part of the existing derelict farm complex, I am content that it would only have a limited visual impact and would not affect the openness of the Green Belt.

109. There have been no objections received on Green Belt grounds and given the limited visual impact of the proposed plant and that the machinery would be removed from site when there is no longer a need for it, I consider that there is a compelling case of need for this plant in this location, in order to enable the operator to sustainably process the excavated material at source and it does not constitute inappropriate development. I am satisfied that the measures proposed to mitigate against any potential impacts outweigh any limited harm to the Green Belt.

Noise, dust and air quality impacts

110. The applicable planning policies and guidance have already been mentioned for application (i), refer to paragraphs 91-93 for the relevant policies and guidance.

111. This application is supported by a noise assessment which jointly assesses the impact from this proposal, and those from application (i). The noise report identifies three noise sensitive receptors, Ivy Cottage adjacent to the quarry, Vickers Cottage to the south east and the new Bridge development approximately 300 metres away. The assessment has referenced NPPF guidance including the updated PPG on noise from March 2014 and takes a view that the appropriate permitted noise limit is 55 dB LAeq, 1hr at the noise sensitive receptors. KCC's Noise Consultant has commented that although no baseline monitoring has been undertaken for this particular application, that previous noise monitoring exercises have shown that LA90 background noise levels in this area are greater than 45 dB and therefore, the maximum permitted level of 55 dB would apply. It is noted that the NPPF derived permitted limits are primarily applicable to mineral extraction operations. For fixed plant operations such as the processing plant, BS4142:2014 Methods for rating and assessing industrial and commercial sound could be considered as appropriate guidance as it allows additional factors such as the acoustic characteristics of the noise to be considered.

112. The NPPF limits apply to minerals extraction, processing and restoration operations. Planning Practice Guidance for Minerals, specifies that the assessment should consider the production process, and this includes both extraction and processing within the environs of the quarry. BS 4142:2014 additionally specifies that the Standard should not be applied to other sources falling within the scopes of other standards and guidance (e.g. minerals operations) and noise from construction and demolition operations (which would often use similar plant to that proposed). Therefore, it is not considered appropriate to assess noise from minerals processing operations against the industrial / commercial noise guidance from BS 4142. However, the PPG advises that where noise from a site has a significant tonal element, it may be appropriate to set specific limits to control this aspect. Noise from the proposed processing plant would be principally attributable to the operation of the engines, as the processing of sand and gravel is not particularly characteristic or tonal in nature, with the character of the noise generated equivalent to that of the plant used

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

for the extraction / restoration operations and similar to that associated with the current road traffic in the surrounding area. Following a request from the KCC Noise Consultant, the applicant provided an additional noise assessment taken adjacent to a plant similar to that proposed for this site which indicates that the noise generated from the proposed plant would not be tonal in nature and would not represent a noise disturbance to any residential properties.

113. It is therefore considered that the assessment undertaken using the Minerals PPG guidance is the most appropriate guidance for minerals operations, with the assessment and limits proposed considered to be appropriate. The KCC Noise Consultant advises that he has no objections on the grounds of noise, subject to the imposition of a condition requiring regular noise monitoring to ensure that the applicant is operating within the required limits.
114. There are four potential changes to air emissions in relation to this application: emissions from an increased number of vehicles; dust generated from processing activities; emissions from the generator; and potential odorous releases related to the water management ponds.
115. The Land-Use Planning & Development Control: Planning for Air Quality IAQM Guidance, 2017 states that a change in HGV flow of more than 25 AADT within or adjacent to an AQMA will require an Air Quality Assessment. Whilst the principle of vehicle movements has already been permitted, the applicant has carried out an Air Quality Assessment based on the development generating an increase in 29 HGVs per day. The assessment states that the impacts from NO₂ and PM₁₀ at sensitive receptors are predicted to be negligible and the air quality impact from traffic emissions is predicted to be not significant (section 6.1.3) in accordance with the IAQM guidance, 2017. KCC's Dust / Air Quality Consultant consider this assessment to be robust and considers it uses up-to-date guidance documentation and detailed dispersion modelling to predict and interpret the impact of this application.
116. Construction of the ancillary buildings and ponds would generate additional dust, due to earthworks, construction, and vehicles tracking out. This would add to dust generated by vehicles used by the construction workforce travelling to site, construction machinery and permanent employees. The nearest residential receptor is Ivy Cottage which is approximately 40m south with Vickers Cottage about 100m south. As per the Guidance on the assessment of dust from demolition and construction, these residential properties would require a dust risk assessment as they are within 350m of the boundary of the site and within 50m of the route used by construction. The applicant states in section 7.54 of the Planning & Environment Statement Volume 1 that the Disamenity Dust Impact Risk at Ivy cottage and Vickers Cottage is determined as low due to the ineffectiveness of the pathway of the dust. The Disamenity Dust Impact Risk in the Air Quality EIA does not measure the risk at Ivy Cottage which is within 50m of the site entrance (section 4.7.7), however this is considered acceptable as this property would not be used for residential purposes for the duration of operations and restoration of the site.
117. The development would include a 400kW diesel generator and the maximum period of its operation would be between the hours of 07.00 - 18.00 Monday to Friday and 07.00 - 13.00 on Saturdays. Due to the distance between the processing area and local receptors, as well as the limited operating period, the KCC Dust / Air Quality

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

Consultant considers it unlikely that emissions would significantly affect local air quality.

118. The processing of sand and gravel on site would have the potential to increase the risk of amenity impacts in relation to dust. Sand and gravel would be externally stockpiled and on dry and windy days this would increase the dustiness of the area. The application documents have highlighted that the excavation and processing of sand and gravel as being a wet process and that the stockpiles of excavated and processed material would have retained moisture causing the dust impacts to be negligible. A wheel-washing facility would be installed on site to reduce vehicle 'track-out' of dust and mud, daily inspections of access roads would also be imposed by planning condition should this proposal be approved. The applicant states that the dust management measures controlled by condition 19 of DA/13/206 would be extended to cover the plant and all operational areas and on this basis KCC's Dust / Air Quality Consultant is satisfied that there would be no significant impact on amenity in relation to the proposed processing plant and its operations.
119. KCC's Dust / Air Quality Consultant has stated that there would be a potential risk to amenity from odour if the proposed water management ponds are not maintained appropriately. This can come from silt build up, debris from plants falling in the ponds and decomposing, or from oil leaks into the pond. However, if properly maintained, as stated in the application documents, they would be satisfied that there would be no risk to amenity from odour.
120. KCC's Noise, Dust / Air Quality Consultant has advised that the noise and air quality assessments carried out on both applications are robust and that it agrees with their conclusions and that the proposed developments are acceptable in terms of noise and air quality impacts. In both cases, the consultants accept that there would be no significant adverse impact on amenity or the environment subject to the proposed mitigation and the imposition of the conditions referred to in paragraph 148.

Highways and Transportation

121. The inclusion of a small processing plant does not in itself generate any significant highways issues, as the material that will pass through the plant would ultimately leave the site in any event, just in an unprocessed form. Therefore there would be no increase in overall HGV movements as a result of this application. The main highways impacts have already been assessed when DA/13/206 was approved and in paragraphs 83-90 above.
122. There are no changes proposed to the existing access onto Joyce Green Lane and an area of parking would be created next to the proposed site office, weighbridge and mess-room. Within this car park there would be space for up to 8 vehicles for the 5 full time equivalent employees (4 full time and 2 part time) and visitors. The applicant has stated that car sharing would be encouraged and that it would be open to producing a site specific travel plan.
123. KCC Highways and Transportation have raised no objection to this application but have requested that detailed plans for the car parking area and a travel plan are conditioned on any planning permission.

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

124. This application would not generate any increase in highways movements in itself, it would enable an overall decrease in the number of vehicle movements associated with this operation as it would remove the need to transport the unworked extracted material to a processing site before the aggregate is supplied to the building and construction industry. It should be noted that whilst the additional years of operation proposed by application (i) would result in extra traffic on the public highway between 2020 and 2024 compared with the situation should the application be refused (and vehicle movements cease in 2020), it would allow for the site to be fully worked and would be supportive of the NPPF and Kent MWLP policies in terms of landbank maintenance and the supply of much needed aggregate.
125. As stated above for application (i), this revision to the site's operation would significantly reduce the extracted material's carbon footprint, the amount of HGV traffic on the public highways, and ultimately vehicle emissions by removing the current system of transporting material elsewhere for processing. Subject to the imposition of the conditions referred to above, I am satisfied that this application would not have an unacceptable impact on the highway network and would accord with the development plan and Government policies relating to highway and transport matters referred to above.

Other considerations

Landscape and visual amenity

126. The application site is not subject to any specific landscape designation. Policies DM1 and DM19 of the Kent MWLP require proposals to protect and enhance the character and quality of the site's setting and require high standards of restoration and aftercare. Policies DP1 and DP25 of the Dartford Borough Local Plan seek to protect and enhance the special features of the visual, aural, ecological, historical, atmospheric and hydrological environments of the Borough, including the quality, character and amenity value of local landscape.
127. No landscape and visual amenity objections or concerns have been raised by consultees. However, some concerns have been raised by residents of the Bridge development stating that the development proposed by both applications (i) and (ii) is too close to residential development. Existing dense woodland is situated around 7 metres to the east of the proposed plant site and would provide an effective visual barrier that would continue to ensure that Joyce Green Quarry, the proposed processing plant and views of the operations would be limited from public vantage points. In addition, the existing, albeit dilapidated, Joyce Green Farm buildings would aid the visual screening of the processing plant from the east and south, and indeed views into the site from the west would see the processing plant very much as part of the existing farm complex and would have a very limited impact on the landscape from this direction.
128. Subject to the continued imposition of conditions to secure implementation of the proposed working / phasing arrangements, the restoration and aftercare details (which include specifications for lakes, advanced woodland planting, scrub, hedgerows, meadow and grassland and management during a 5-year period after restoration), I am satisfied that the proposed development would be acceptable in terms of landscape and visual impact and accord with the above policies.

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

Water Environment

129. The NPPF states that permitted operations should not have unacceptable impacts on the natural environment or on the flow and quantity of surface and groundwater or give rise to contamination. Policy DM10 of the Kent MWLP states that permission will be granted for minerals and waste development where it does not: result in the deterioration of physical state, water quality or ecological status of any waterbody (e.g. rivers, streams, lakes and ponds); have an unacceptable impact on groundwater Source Protection Zones; and exacerbate flood risk in areas prone to flooding and elsewhere, both now and in the future.
130. The water management ponds would be a series of shallow ponds, through which water from the processing plant would be allowed to settle. These ponds would be regularly cleared of silt and this material would be used in the restoration of the lake. At the end of the extraction period these ponds would be restored to open grassland.
131. No objections or concerns have been raised by consultees, KCC's Flood Risk Project Officer has stated that he considers the proposals as low risk from a surface water flooding perspective and that the main risk associated with the operation of the site is the silting and or pollutions of adjacent watercourses. It is considered that this would be adequately addressed by the Environment Agency's permitting requirements. The proposal would also involve the alteration of an existing watercourse as the extraction of mineral progresses; this would also be addressed by the Environment Agency's permitting requirements.
132. In the absence of any objections from key technical consultees (e.g. the Environment Agency and KCC's Flood Risk Project Officer and Natural England), I am satisfied that the development proposed by this application does not present an unacceptable risk to groundwater or surface water quality, would not exacerbate flood risk and would therefore accord with the development plan and Government policies relating to the water environment referred to above.

Ecology

133. Paragraph 143 of the NPPF states that local plans should set out environmental criteria against which planning applications should be assessed to ensure that permitted operations do not have unacceptable impacts on the natural environment and ensure that worked land is reclaimed at the earliest opportunity and that high-quality restoration and aftercare of mineral sites takes place, including for biodiversity. Paragraph 144 states that regard should be given to such matters when determining planning applications. Paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by (amongst other things) minimising impacts on biodiversity and providing net gains in biodiversity where possible. Kent MWLP Policy DM3 requires proposals for minerals developments to ensure that they do not result in unacceptable adverse impacts on Kent's important biodiversity assets and demonstrate an adequate level of ecological assessment has been undertaken.
134. No objections or concerns have been raised by consultees. Natural England is satisfied that the development is unlikely to have any significant effect on any

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

designated sites if it is undertaken as proposed and KCC's Ecological Advice Service has no objections providing the applicant continues to prevent any suitable habitat for protected/notable species establishing on the plant site.

135. In the absence of any objections from key technical consultees (e.g. Natural England, KCC's Ecological Advice Service and the Environment Agency), I am satisfied that the development proposed by the application would be acceptable in terms of ecology and the natural environment and would therefore accord with the development plan and Government policies referred to above.

Archaeology

136. The NPPF seeks to ensure that archaeology and cultural heritage are properly considered when applications are determined, and that the historic environment is conserved where possible. Policies DM5 and DM6 of the Kent MWLP are also relevant and seek to protect important heritage assets.

137. Extensive archaeological work was carried out following the approval of application DA/13/206, however, the area for the processing plant was not due to be used under this permission, other than for stockpile storage, the site has known potential for early and later prehistoric remains, post medieval remains including possible industrial archaeology. KCC's Archaeological Officer has raised no objection subject to the imposition of a condition requiring the submission of an archaeological field evaluation, and further archaeological investigation determined by the results of the evaluation. I am therefore satisfied that the proposals accord with development plan and Government policies relating to archaeology and cultural heritage.

Conclusion

138. In determining these applications it is important to note that irrespective of the outcome of the two applications the principle of mineral extraction at Joyce Green Quarry is established by the existing planning permission DA/13/206 and this permission is expected to be implemented before 7 October 2018. The majority of objections received are in relation to the impact of additional vehicles on the road network around Joyce Green Quarry and the air quality impacts arising from this. The refusal of these current applications would not reduce the number of vehicles on the public highway as they are already permitted by DA/13/206. Indeed, it is my view that by granting planning permission for these two applications it would result in an improvement to the current situation, given the additional controls that would be imposed.

Application (i) – the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206

139. The principle of the development proposed by application (i) has been established by planning permissions DA/00/326 and DA/13/206. The main proposed changes to the development previously permitted by DA/13/206 are the extension of the period of time for mineral extraction and final restoration by 4 years until 31 December 2024; allow the internal movement of excavated material by ADTs; allow year-round operations; and permit some restricted HGV movements to and from the site during peak periods.

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

140. Whilst objections have been received from residential properties on the new Bridge development to the east, no objections have been received from the nearest residential properties to the site. Objections have also been received from Dartford Borough Council, however, I am satisfied that these objections have been fully addressed above. With the exception of the National Grid's holding objection (explained in paragraph 67), no objections have been received from any technical or other consultees, subject to the imposition of conditions.
141. Whilst there would be some adverse impacts associated with HGV movements, KCC Highways and Transportation and Highways England have no objections to the proposed development (in the former case subject to conditions). Subject to these and other matters being addressed by conditions, I am satisfied that the proposed development would be acceptable in terms of highways and transportation and accord with policies referred to in paragraphs 24 to 29 above.
142. Having regard to all of the above, I am satisfied that the benefits of the proposed development outweigh the impacts from the development and that the variation to allow year-round operations reduce the intensity of operations that would be the situation with the current permission. The proposed variations to permission reference DA/13/206 conform with NPPF and Kent MWLP policies in relation to maintaining an adequate supply of sharp sand and gravel (which is already well below the required 7 years landbank) and in terms of sustainable development for the reasons summarised above and detailed in this report. I am satisfied that the proposed development accords with relevant development plan and Government policies subject to the imposition of the conditions referred to (which largely replicate those imposed on planning permission DA/13/206). I therefore recommend that permission be granted.

Application (ii) – the erection of a processing plant, the construction of water management ponds and ancillary buildings

143. I am satisfied that there is a clear case of need to process the mineral extracted from Joyce Green Quarry and I am also satisfied that that the proposed location is a sustainable location as it can be accessed without the need for plant, machinery or vehicles to use the public highway. The proposed plant site is relatively well screened from all but very localised viewpoints and I am satisfied that there would be limited landscape impact. I recommend that a condition is imposed requiring the processing plant to be removed from site as soon as it is no longer required.
144. Whilst objections have been received from residential properties on the new Bridge development to the east of the site, no objections have been received from technical or other consultees subject to the imposition of appropriate conditions. Whilst the proposed development would give rise to some localised impacts in terms of noise, dust and air quality, KCC's Noise and Dust / Air Quality Consultants are satisfied that any impacts would be acceptable, provided the development takes place as proposed and appropriate controls are imposed by condition.
145. On this basis, and subject to other conditions (including those restricting HGV movements) I am satisfied that the proposed development accords with relevant development plan and Government policies and represents sustainable development subject to the imposition of the conditions referred to below. I therefore recommend that permission be granted.

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

Recommendation

146. I RECOMMEND that:

- (i) PERMISSION BE GRANTED to vary conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206 at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN, SUBJECT TO conditions covering amongst other matters:
- The completion of extraction and restoration by 31 December 2024;
 - The use of Articulated Dump Trucks (ADTs) to transfer materials to the stockpile area;
 - Operations permitted to take place throughout the year (rather than just April to September);
 - On-site processing of material at the plant proposed in application (ii) (subject to application (ii) being permitted);
 - Annual production / output limited to no more than 150,000 tonnes per year;
 - A traffic management plan that prohibits HGV movements through the M25/A282 Junction 1A during the peak hours of 07:00-09:00 and 17:00-18:00 on weekdays, with no restrictions on Saturdays;
 - Noise attributable to operations on site not exceeding 55 dB LAeq, 1hr at any noise sensitive receptor;
 - The submission and approval of a drainage strategy detailing any on and/or off-site drainage works;
 - Ivy Cottage not to be used for residential use until the site has been fully restored;
 - The submission and approval of a scheme for regular noise monitoring;
 - Compliance with the details approved pursuant to conditions 17, 21 and 27 of planning permission DA/13/206 (or the imposition of similar conditions as necessary); and
 - Those other conditions on planning permission DA/13/206 that are necessary to ensure satisfactory control over the development (amended as necessary to reflect the above);
- (ii) SUBJECT TO permission being granted for (i) above, PERMISSION BE GRANTED for the erection of a processing plant, the construction of water management ponds and ancillary buildings (weighbridge, office, messroom, stores) at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN, SUBJECT TO conditions covering amongst other matters:
- The submission and approval of a Travel Plan;
 - The removal of the processing plant when no longer required;
 - The submission and approval of a Construction Management Plan and a Servicing Plan, including arrangements for abnormal loads;
 - The submission and approval of a programme of archaeological works; and
 - Any others necessary to ensure consistency with application (i) above.

(i) the variation of conditions 2, 3, 4, 12, 13 & 14 of planning permission DA/13/206; and (ii) the erection of a processing plant, the construction of water management ponds and ancillary buildings at Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN

Case Officer: Adam Tomaszewski

Tel. no: 03000 411029

Background Documents: see section heading
