

Item C2

Redevelopment of an existing industrial site into a waste management use to provide for a fully enclosed waste management facility at East Kent Recycling Limited, Aylesham Industrial Estate, Cooting Road, Aylesham, Kent CT3 3EL - DO/18/1104 (KCC/DO/0474/2018)

A report by Head of Planning Applications Group to Planning Applications Committee on 10 July 2019

Application by East Kent Recycling Limited for the redevelopment of an existing industrial site into a waste management use to provide for a fully enclosed waste management facility at East Kent Recycling Limited, Aylesham Industrial Estate, Cooting Road, Aylesham, Kent CT3 3EL - DO/18/1104 (KCC/DO/0474/2018)

Recommendation: Permission be granted, subject to conditions

Local Member: Mr S. Manion

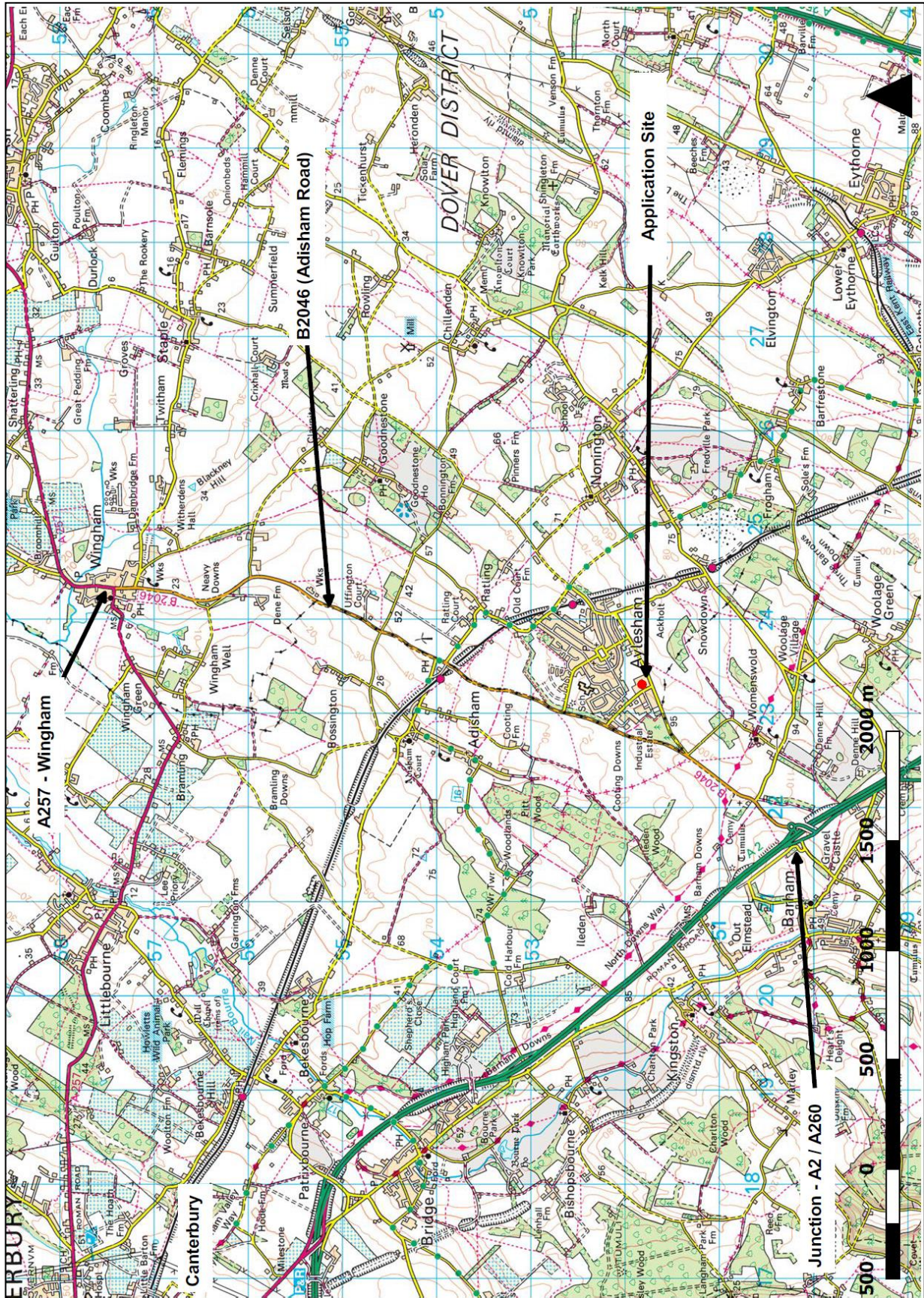
Classification: Unrestricted

Site

1. The application site forms an existing industrial unit, approximately 0.1 hectares in size, at the south-eastern end of Aylesham Industrial Estate, Cooting Road. The site is currently used by the applicant (East Kent Recycling (EKR)) as a vehicle maintenance and storage depot for its fleet of HGVs. The existing development comprises an ageing vehicle workshop building and office with an open concrete yard surrounded by security fencing. Access is from Cooting Road, which forms the spine road of the industrial estate. This connects with the Adisham Road (B2046) to the northwest and Spinney Road to the southwest. Spinney Road is subject to width restrictions that prohibits its use by HGVs accessing the industrial estate from this direction. Adisham Road leads to the junction between the A260 / A2 to the south and Wingham and A257 (Canterbury Road) to the north.
2. The application site is surrounded by industrial uses within the Aylesham Industrial Estate. This includes several large buildings to the north, east and west. Those immediately to the east and west are operated by a company that produces food packaging (Sharpak Aylesham). Land to the south forms a private car park. An electrical substation and further industrial buildings are located to the north. There are several other uses within the wider estate including those relating to the food industry, transportation, plant hire and other commercial engineering and light industrial activities. Beyond the industrial estate there is open farmland to the south, an area of Ancient Woodland to the west, sports fields and a leisure centre to the east with residential properties beyond. The closest residential properties are located on the outskirts of Aylesham approximately 155m to the north off Boulevard Courrieres, with further properties within Aylesham to the north and east. These include properties off Hill Crescent that back onto Cooting Road (the spine road). The rear of these residential properties are set approximately 30m back from the spine road, beyond a mature band of landscape planting that lines the road. The industrial estate is largely enclosed by mature boundary planting.

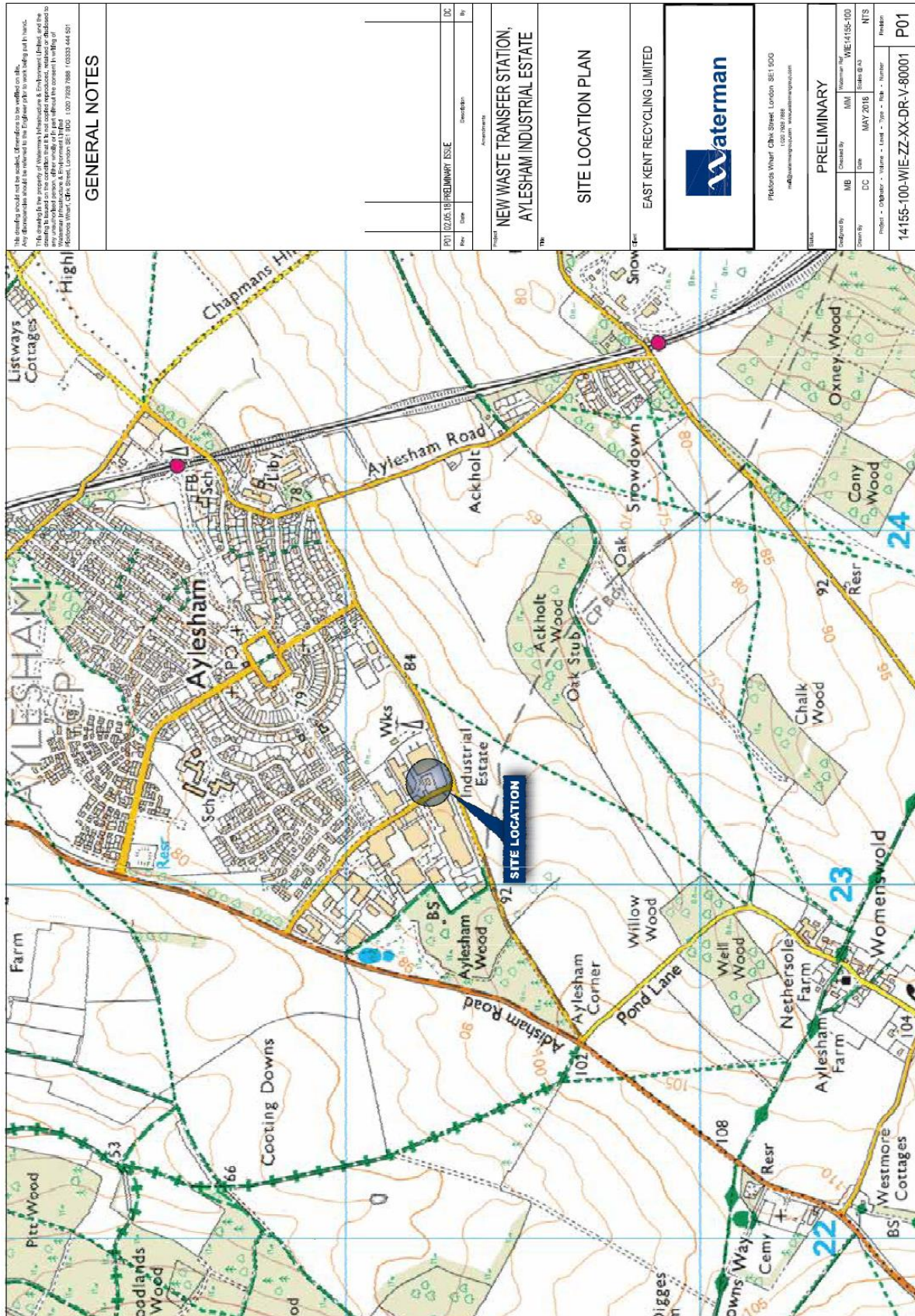
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General Location Plan



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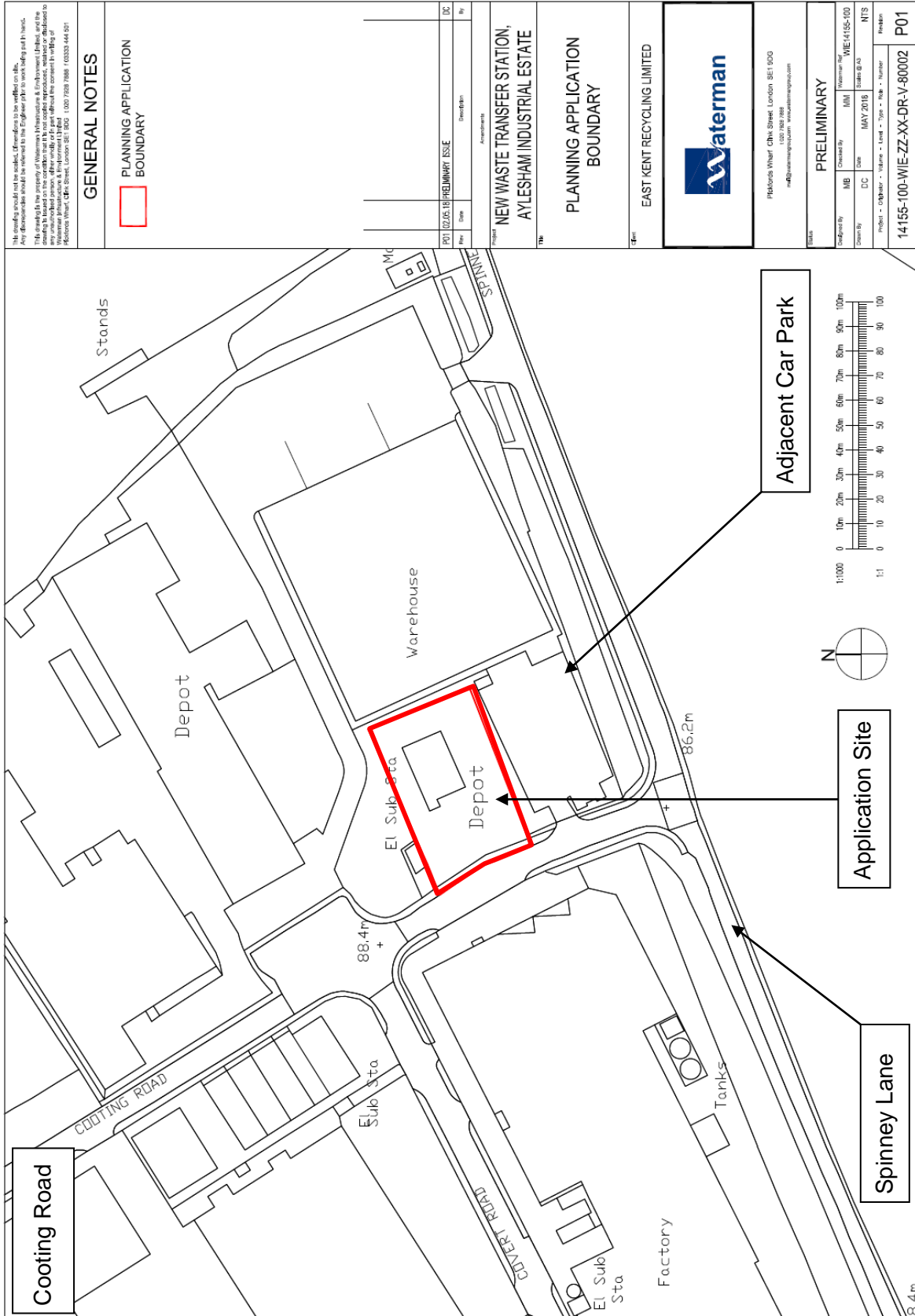
Location Plan



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<p>GENERAL NOTES</p>	
<p>Project: NEW WASTE TRANSFER STATION, AYLESHAM INDUSTRIAL ESTATE</p>	<p>DC</p>
<p>Site: NEW WASTE TRANSFER STATION, AYLESHAM INDUSTRIAL ESTATE</p>	<p>DC</p>
<p>SITE LOCATION PLAN</p>	
<p>EAST KENT RECYCLING LIMITED</p>	
<p>Waterman 1000 180 1888 info@watermaninfra.com www.watermaninfra.com</p>	
<p>PRELIMINARY</p>	
<p>Drawn By: MB</p>	<p>Created By: MM</p>
<p>Checked By: DC</p>	<p>Project: 14155-100-WIE-ZZ-XX-DR-V-80001</p>
<p>Date: MAY 2018</p>	<p>Scale: 1:1000</p>
<p>Project: 14155-100-WIE-ZZ-XX-DR-V-80001</p>	<p>Revision: P01</p>

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Site Location Plan

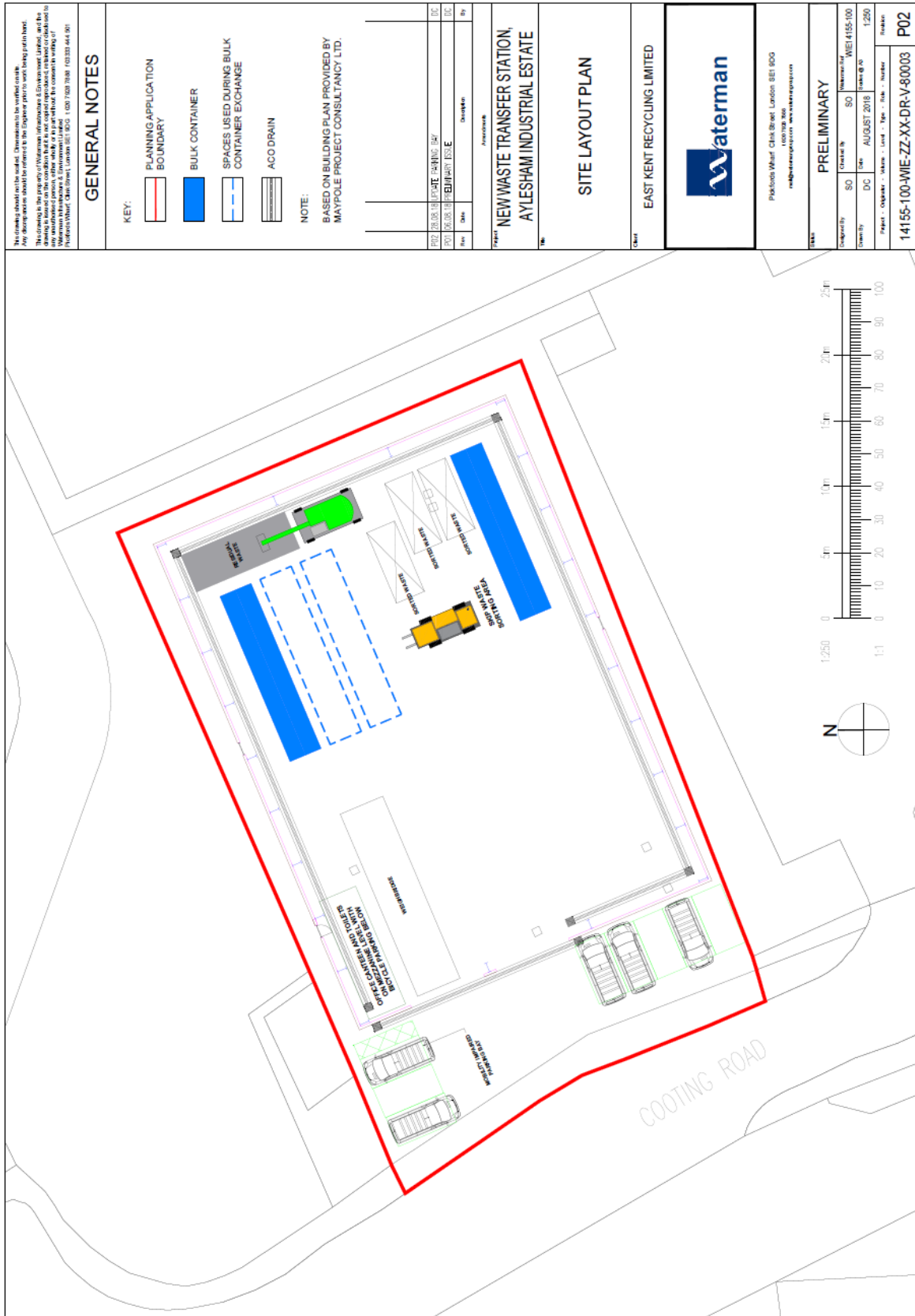


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<p>GENERAL NOTES</p> <p>PLANNING APPLICATION BOUNDARY</p>	
<p>PROJECT: NEW WASTE TRANSFER STATION, AYLESHAM INDUSTRIAL ESTATE</p>	<p>DATE: 10/05/2018</p>
<p>PREPARED BY: [Name]</p>	<p>DATE: [Date]</p>
<p>DESIGNED BY: [Name]</p>	<p>DATE: [Date]</p>
<p>APPROVED BY: [Name]</p>	<p>DATE: [Date]</p>
<p>PLANNING APPLICATION BOUNDARY</p>	
<p>PLANNING APPLICATION BOUNDARY</p>	
<p>EAST KENT RECYCLING LIMITED</p>	
<p>Waterman Environmental & Environmental Services, 10001 7929 7989 020333 444 577</p>	
<p>PRELIMINARY</p>	
<p>DATE: MAY 2018</p>	<p>SCALE: 1:1000</p>
<p>PROJECT: 14155-100-WIE-ZZ-XX-DR-V-80002</p>	<p>REVISION: P01</p>

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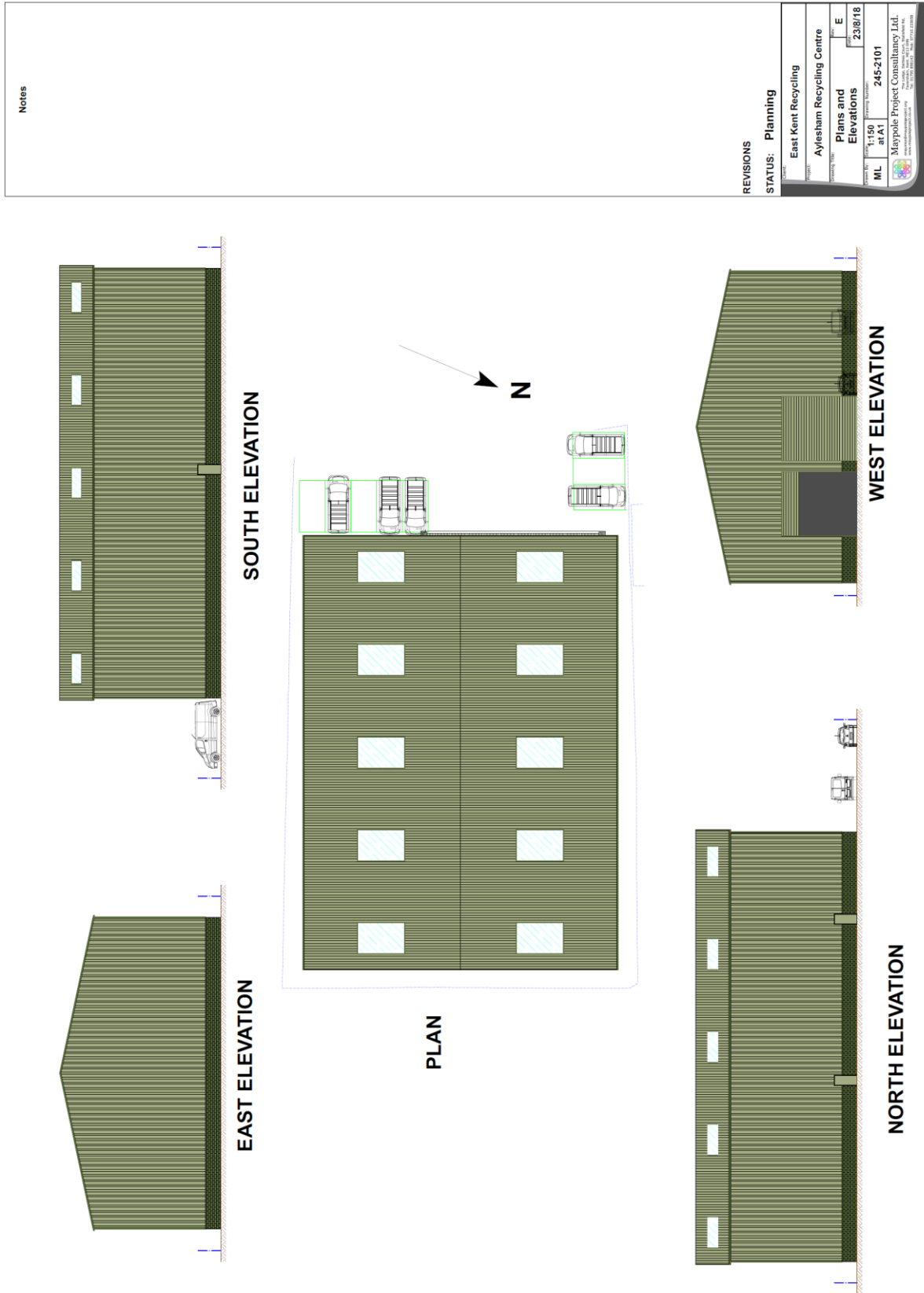
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Proposed Layout Plan



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Proposed Elevations



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3. The Dover District Local Plan Proposals Map shows the industrial estate as falling outside the defined settlement boundary for Aylesham. Land to the east of the estate, which currently forms open sports fields, is allocated by the Dover District Local Plan (2002) Save Policy AY1 as part of land identified for the strategic expansion of Aylesham (which could include housing and employment land and associated infrastructure).
4. The application site falls within a Groundwater Source Protection Zone (2) overlying a major aquifer. The Adisham Road (B2046) to the west of the site marks the boundary between Dover District and Canterbury City council areas. There are no other site-specific designations that are directly relevant to the application, however further development plan policies relating to the proposals are detailed below.

Background / Recent Site History

5. The application site has been in use as a vehicle workshop and skip hire depot for over 30 years. The application states that this use generates approximately 46 HGV movements (23 In / 23 Out) and 20 LGV (10 In / 10 Out) per day. Current operational hours are 0600-1800 hours Monday to Friday, 0600-1300 hours Saturday with no working Sundays and Bank or Public Holidays.
6. In 1984 planning permission was granted for the installation of a mobile waste transfer station at the site, including a waste compactor and limited waste storage (planning reference DO/84/185).
7. The applicant was granted planning permission in 2008 to redevelop the site into a fully enclosed waste management / recycling facility (planning reference DO/08/897). This permission was granted on 31 December 2008 subject to a three-year implementation period, which expired 30 December 2011. The effects of the recession toward the end of 2008 delayed the applicant's commercial ambitions and subsequent investment in the site and the consent was never implemented.
8. In February 2012, planning permission was granted (under reference DO/12/1) to extend the implementation period of DO/08/897 until February 2015. In the intervening time the applicant bought a second site at Oare Creek, Faversham, which already benefited from an extant waste permission and infrastructure. This resulted in planning permission DO/12/1 not being implemented and the permission subsequently lapsed in 2015. Members will be aware that EKR's site at Oare Creek is also the subject of an application currently being considered by the Waste Planning Authority to update and improve the existing facilities.
9. The unimplemented planning permissions DO/08/897 and DO/12/1 proposed for the erection of a new building to form a waste management facility providing for the sorting and separation of recyclable waste (including brick, block, hardcore, soils, cardboard and paper, plasterboard, plastic, scrap metal and wood). The permissions allowed a throughput of a maximum of 25,000 tonnes per annum with no more than 74 HGV movements (37 In / 37 Out) per day, between the hours 0600 and 1830 Monday to Friday and 0600 to 1400 on Saturdays. The permissions also allowed for

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operations outside normal working hours (including overnight) on no more than 10 occasions in any one year and for no more than two consecutive nights. The permission was subject to further conditions that sought to controlled environmental impacts

Proposal

10. The current planning application, made on behalf of East Kent Recycling (EKR), seeks permission to redevelop the existing industrial unit to provide a fully enclosed waste management facility and ancillary development. The proposal includes the demolition of the existing workshop and construction of a new larger waste management building, approximately 40m x 29m x 12.5m to the eaves height and rising to 15m at the ridgeline. The building would be constructed from profiled metal sheeting colour coated green to match adjacent built development. The design includes roof lights and two metal roller shutter doors on the west elevation facing Cooting Road. This arrangement would allow separate entrance and exit points for vehicles attending site. A second set of rapid-rise flexible polyester doors would be fitted inside the two doorways and operated throughout the working day to contain the recycling operations taking place within. The building would cover most of the application site with a small apron of hardstanding retained fronting Cooting Road. This would provide for access and manoeuvring space and parking for 8 cars. No HGVs would be parked on site overnight, including within the space in front of the building. External lighting would be affixed to the building below the eaves and angled downwards to minimise light spill. This lighting would only be used when the facility is open.
11. The building would enable the reception, sorting, bulking-up and dispatch of waste material for recycling. A small remainder of the material received would be sent for disposal at an appropriately licensed facility. All waste processing operations would take place within the building. It would also house a weighbridge, office and welfare facilities, mobile plant and equipment, manoeuvring, deposit, sorting and storage space. Shown on attached block plan. The application proposes widening of the entrance, which would reduce the number of on-street parking spaces available on the public highway.
12. The application initially sought permission to accept up to 75,000 tonnes of waste per year, however this was revised down to 45,000 tonnes per annum during the processing of the application.
13. The waste streams proposed would principally consist of inert/ semi inert non-hazardous waste from household, commercial, industrial and institutional waste sources. The applicant anticipates about 80% of the HGV movements would arise from skip lorries, including those hauling trailers. It is proposed to reuse and recycle as much of this material as possible. The waste would typically consist of construction and demolition waste, soils and hardcore, metal items, packaging, plasterboard, plastic items, timber etc. Skip waste may also comprise wastes from house clearance or renovations. Any waste received that does not meet the acceptable waste types would be quarantined and set aside for removal. This aspect of the development would be covered by the provisions of an Environmental Permit should permission be granted.

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14. The application originally sought permission for up to 150 HGV movements per day (75 In / 75 Out), however following the reduction in throughput the vehicle numbers have been revised down to 80 HGV movements per day (40 In / 40 Out). HGVs attending site would include skip lorries with trailers; rigid skip lorries carrying Roll-on Roll-off (RoRo) bins; articulated vehicles and caged lorries. The applicant anticipates about 80% of the HGV movements would be generated by skip waste collected by its own fleet of vehicles. The application is made on the basis that there would be no delivery of waste to the site by members of the public.
15. The standard hours of operation proposed for the receipt, sorting and despatch of waste are:
 - 06:00 – 18:30 hours Monday to Friday inclusive;
 - 06:00 – 14:00 hours Saturday; and
 - nil on Sundays, Bank and Public Holidays; except 07:00 to 18:00 hours on Public and Bank Holidays (except Christmas Day), and the Saturday preceding / following a Public Bank Holiday up to 17:00 hours, to meet exceptional demand connected with Waste Collection Authority / Waste Disposal Authority contracts.
16. In addition, sorting of waste within the building (only) is proposed outside of the standard hours above between:
 - 18:30 – 06:00 hours Monday to Friday; and 14:00 – 00:00 hours Saturday on up to a maximum of 10 occasions (nights) per year; and
 - 08:00 to 13:00 hours on Sundays on up to a maximum of 6 occasions (Sundays) per year).
17. In addition, the haulage of waste to and from the site would be subject to extended hours of use between:
 - 05:00 – 20:00 hours Monday to Friday;
 - 05:00 – 20:00 hours Saturdays; and
 - nil on Sundays, Bank and Public Holidays.
18. The application confirms that 5 people would be employed at the site.
19. Incoming wastes would predominantly arrive as mixed wastes containing components in skips and sorted and separated for re-use, recycling, or recovery elsewhere. The sorting activities on site would be limited to the removal of large items of furniture, metal, timber and plasterboard. Waste would be sorted manually and mechanically (by materials handler and / or telescopic handler (telehandler)) and placed in skips or other suitable storage containers pending despatch from the site.
20. Both foul and surface water from the site would flow to an existing foul sewer connection. Internal floor areas would drain to a perimeter drainage channel, which would collect in a manhole before discharging to the foul water network. A drain for surface and roof waters is proposed along both sides and the front of the building. Water would then be connected to a catch pit and then passed into two underground storage tanks. A float activated submersible pump would be installed which would restrict the flow rate of water into the foul water manhole.
21. The planning application is supported by technical reports, including:

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- Planning Supporting Statement;
- Drainage Strategy;
- An Extended Phase 1 Habitat Survey (from an earlier application);
- Preliminary Environmental Risk Assessment - into Ground Conditions;
- Air Quality and Odour Assessment; and
- Noise Impact Assessment.

Additional / revised information received from the applicant during the processing of the application

22. As indicated above, in response to representations received from statutory consultees and the local community during the consideration of the current application, the applicant has agreed to amend the proposals and provided further supporting information. The matters amplified and/or amended are as follows:

- Revised Transport Assessment.
- Additional Road Traffic Noise Assessment.
- A reduction in proposed HGV movements to 80 per day (40 In / 40 Out) from 150 movements.
- A reduction in the proposed annual tonnage of waste to be received on site to 45,000 tonnes per annum.
- Confirmation that the extended 'haulage only' hours are proposed to allow site setup. Subsequently the applicant proposes a control limiting the number of permitted HGV movements to a maximum of 4 between 0500-0600 hours.
- Confirmation that most of the vehicles transporting waste to site would be part of the applicant's own fleet.
- Further information on the fleet management systems that would oversee and organise the applicant's fleet of HGVs. These measures include a team of 6 staff members. This includes managing customer type, destination, routing, driver hours, vehicle type, purpose, road conditions, site specifics, time of day, rescheduling, urgency, waste types, and communications. The applicant's system can track each of its vehicles.
- Withdrawal of proposals to import residual (putrescible) waste to site.

23. The additional information referenced above has been subject to further consultations with key statutory consultees and representatives of the local community (where appropriate). The consultee responses included below represent the most recent views received in each case.

Planning Policy

24. The most relevant Government Guidance and Development Plan Policies are summarised below and are essential to the consideration of this application:

25. **National Planning Policies** – the most relevant National Planning Policies are set out in the National Planning Policy Framework (2018) (NPPF), National Planning Policy for Waste (2014) (NPPW) and the associated National Planning Practice Guidance (NPPG). Other documents include Clean Air Strategy (2019), Our Waste, Our

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Resources: A Strategy for Waste (2018) and Noise Policy Statement for England (2010) (NPSE). Government policy and guidance are material planning considerations.

26. **Kent Minerals and Waste Local Plan 2013-30 (July 2016) (KMWLPL)** – Policies: CSW 1 (Sustainable Development); CSW 2 (Waste Hierarchy); CSW 3 (Waste Reduction); CSW 4 (Strategy for Waste Management Capacity); CSW 6 (Location of Built Waste Management Facilities); CSW 7 (Waste Management for Non-hazardous Waste); CSW 16 (Safeguarding of Existing Waste Management Facilities); DM 1 (Sustainable Design); DM 2 (Environmental and Landscape Sites of International, National and Local Importance); DM 3 (Ecological Impact Assessment); DM 5 (Heritage Assets); DM 10 (Water Environment); DM 11 (Health and Amenity); DM 12 (Cumulative Impact); DM 13 (Transportation of Minerals and Waste); DM 15 (Safeguarding of Transport Infrastructure) and DM 16 (Information Required In Support of an Application).
27. **Kent Waste Local Plan (1998) Saved Policies** – W7 (Locations suitable in principle for inert waste to be prepared for re-use) and W9 (Locations suitable in principle for waste separation and transfer).
28. **Emerging – Partial Review of the Kent Minerals and Waste Local Plan 2013-30 (November 2018 - Pre-Submission Draft) (EPRMWLP)** - the Partial Review proposes changes to (amongst other matters) Policies CSW4 (Strategy for Waste Management Capacity), CSW6 (Location of Built Waste Management Facilities), CSW7 (Waste Management for Non-hazardous Waste), CSW8 (Other Recovery Facilities for Non-hazardous Waste) and DM8 (Safeguarding Minerals Management, Transportation Production & Waste Management Facilities). One of the reasons for the Partial Review was to update the assumptions about waste management capacity underlying Policies CSW7 and CSW8 and the consequent impact on the need for a Waste Sites Plan. The EPRMWLP was submitted to the Planning Inspectorate for in-depth examination in May 2019.
29. **Dover Local Development Framework – Core Strategy (2010) (DCS)** Policies: CP1 (Settlement Hierarchy), CP6 (Infrastructure), DM1 (Settlement Boundaries), DM2 (Protection of Employment Land and Buildings), DM3 (Commercial Buildings in the Rural Area), DM11 (Location of Development and Managing Travel Demand), DM12 (Road Hierarchy and Development), DM13 (Parking Provision), DM15 (Protection of Countryside), DM16 (Landscape Character) and DM17 (Groundwater Source Protection).
30. **Dover District Local Plan (2002) (DDLPL) – Saved Policies:** ER6 (Light pollution), AY1 (Expansion of Aylesham) and Proposals Map.

Consultations

31. **Dover District Council – No Objection**, subject to conditions including the development to be carried out in accordance with the submitted documents and plans; the recommendations set out within the supporting surveys / reports to be implemented; roller shutter doors to remain closed and no deliveries or dispatches

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outside of normal working hours (including on Sundays and Bank Holidays); measures to ensure ground contamination is mitigated; and submission of a construction management plan.

32. **Dover District Council Environmental Health – No Objection**, subject to the development being carried out and operated in accordance with the development outlined in the application, the roller shutter doors to be closed and no deliveries or dispatch of waste during proposed operations on Sundays, Bank Holidays or at night, the risks from land contamination to be minimised and controlled and submission of a construction management plan.
33. **Canterbury City Council (adjacent Local Authority) – No Objection** to the application.
34. **Aylesham Parish Council – Objects** to the application as follows:

The Parish Council acknowledges public concerns including:

- Concerns about noise and traffic impact from the proposal on the community.
- The impact of increased HGV movements with no guarantee that this number would not be surpassed.
- Concerns that the measures to prevent congestion at the site are flawed the transport assessment indicates that peak hour movements could result in vehicles queuing at the site.
- The contaminated underground tank identified should be cleared in the correct manner and certified as safe before any building takes place.
- Cooting Road needs to be resurfaced and managed, as an urgent priority. The poorly repaired surface increases road noise.
- All skip lorries to be stored within the proposed building.
- Vehicles not to use the restricted section of Spinney Lane.
- There should be no burning of waste at the site.
- Concerns about increased noise for residential areas
- Concerns about the noise impact of HGV movements between 0500 – 0800 hours (up to 24 HGV movements during the 3 hours).
- Draws attention to plans to accommodate housing on the open green space adjacent to the industrial estate.
- Concerns about the potential for queuing on the public highway during peak times.

35. **Adisham Parish Council – Objects**, on the following grounds:

- Increased risk of accidents and wear on the already busy local highway network from the proposed 75 HGVs per day.
- Highway safety due to the size of the vehicles proposed, the size and nature of local roads and the lack of adequate barriers, particularly on roads leading towards Wingham.
- Need for adequate sheeting of vehicles to avoid the loss of material during transportation
- The traffic survey undertaken during May 2018 does not take account of the increase in heavy HGV traffic along the B2046 during the months of August and

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September as grain is transported from surrounding farms to a receiving facility at Wingham.

- Concerns about increased risk of pollution following plant breakdown compromising the site's ability to transfer waste received; no measures included to mitigate this issue, including traffic management to avoid vehicles building up on adjoining roads.
- Concerns about the receipt of black bag residual waste, considers that no procedures are included to contain / deal with this type of material.
- No mention is made of the overnight storage of waste, which could easily happen due to plant or vehicle breakdown, or other issues which could arise.
- Concerns about the safety of staff working on site.
- Considers the control measures as stated would not fully eliminate odour, and the use of suppressant sprays would add to the malodorous environment surrounding the site.

36. **Womenswold Parish Council** – no comments received in response to consultation.

37. **Wingham Parish Council** – **Objects**, on the following grounds:

- Concerns about increased traffic movements through Wingham Village as a direct result of this development, both on the B2046 and the A257.
- Notes that the section of the B2046 between its two junctions at Staple Road (Seath's Corner) and the A257 (Red Lion Corner) are already a concern due to the architecture of the road, plus the size and amount of traffic currently using it. Specific concerns are as follows:
 - Properties adjacent the road have been hit by HGVs;
 - Seath's Corner is a pinch point where there have been a number of accidents over recent years;
 - Large vehicles cannot safely pass each other at either of these junctions or in the stretch of road between them as it is too narrow;
 - Red Lion Corner is incredibly congested at peak times with vehicles queuing both to exit and enter the junction from three directions;
 - The old Red Lion Pub, currently being converted to dwellings, is a Grade II* listed property and sits on the corner of this junction;
 - The cumulative impact with additional vehicle movements predicted resulting from a further 1210 properties in the Aylesham Village Expansion on local roads is of serious concern.

38. **Nonington Parish Council** – **Objects**, on the following grounds:

- The impact of an increase in traffic of 150 HGVs per day, six days a week, on local roads, including in terms of highway safety, pollution and noise impacts.
- Notes Nonington is already under severe strain from the increase in traffic movements from the new Aylesham development, and the road being used as a short cut (rat run) between the A2 and Sandwich/Thanet.
- Concerns about existing speeding problems and traffic volumes moving through the village, particularly given the lack of footpaths and narrow roads. Notes the fatal accident(s) in the last few months.
- Suggests that several waste lorries have been observed using the village to access to Aylesham Industrial Estate

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39. **Kent County Council Highways and Transportation – No Objection**, subject to conditions including: submission of a Demolition and Construction Management Plan; Implementation and maintenance of the logistics management measures proposed to prevent queuing on the highway; measures to prevent the discharge of surface water onto the highway; measures to prevent the deposit of debris on the highway; provision of vehicle parking spaces and the vehicle loading/unloading and manoeuvring areas shown; completion of revised access shown; and provision of the visibility splays.

In response to the general highway related concerns received regarding the application the local Highway Authority has provided the following responses:

- The addition of 5 HGV's per hour turning right into the Cooting Road estate is unlikely to have a severe impact on the capacity of the junction.
 - Cooting Road is an existing industrial estate road accommodating HGV movement and the highway authority is required to maintain it as such.
 - The conditions and management requirements outlined above are designed to ensure that HGV's will not have to wait on the highway when arriving at the site.
 - The conditions and management requirements outlined above are designed to ensure the necessary vehicle manoeuvring areas within the site are retained available for that purpose.
 - The addition of 10 HGV movements in the peak hours is unlikely to have a severe impact on the capacity of the junctions of the B2046 with the A2/A260. It should be noted that the A260 junction on the west side of the A2 is currently being improved to provide a roundabout as part of the Aylesham Village Expansion.
 - The bridge over the A2 is of sufficient width to accommodate HGV's, which it does at present.
 - The B2046 is the signed HGV route between Cooting Road and the A2/A260. This section of the B2046 is generally of suitable width for two HGV's to pass. The applicant advises that the routing of HGV's associated with the development would generally be along this section of the B2046 rather than to/from the A257 to the north. In the 5 years to the end of September 2018 there is no cluster or number of recorded personal injury crashes indicating a particular issue with HGV's.
40. **County Archaeological Officer – No Objection**, subject to a condition securing an archaeological watching brief.
41. **Environment Agency (Kent Area) – No Objection**, subject to conditions covering a remediation strategy to deal with the risks associated with contamination, a verification report demonstrating the completion of any necessary remediation works, measures if contamination not previously identified is found, no infiltration of surface water drainage into the ground unless approved, and submission of piling or any other foundation designs.

The EA advise that without the recommended conditions it would object to the proposal in line with paragraph 170 of the National Planning Policy Framework because it cannot be guaranteed that the development would cause or be put at

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unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

The EA note that the site has an existing Environmental Permit which contains controls and that if the applicant decides to accept wastes which generate odour a management plan and additional measures would be required. It confirms these measures would be assessed as part of any Environmental Permit variation.

- 42. **Affinity Water Ltd** – no comments received in response to consultation.
- 43. **Southern Water** – no comments received in response to consultation.
- 44. **Coal Authority** – Standing Advice states that the development is with a 'Low Risk Area' where past coal mining activity has taken place at enough depth that it poses low risk to new development. If any coal mining feature is encountered the Coal Authority should be contacted.
- 45. **Kent County Council's Ecological Advice Service – No Objection**, subject to an information covering the safeguarding of breeding birds.

The Ecological Advice Service advise that from the information available, it is satisfied that the potential for protected species to be present on site is unlikely. The building to be demolished is sub-optimal for roosting bats, however, could accommodate nesting birds. The remainder of the site is predominately hardstanding.

- 46. **Kent County Council's Air Quality and Odour Consultants (Amey) – No Objection**, subject to conditions including submission of a Dust Management Plan (DMP)
- 47. **Kent County Council's Noise Consultants (Amey) – No Objection**, subject to conditions including HGV movements be limited to 4 movements between 05:00 and 06:00; and 10 movements per hour between 06:00 and 08:00, night-time working restricted to 10 times per year, all doors are to be kept closed during night-time working.
- 48. **A257 Core Traffic Group – Objects** to the application.

The A257 Core Group is made up of Parish Councillors and Representatives of villages and Associations along and around the A257, including: Littlebourne & Stodmarsh Roads Community Association, Littlebourne PC, Wickhambreaux PC, Ickham & Well PC (Bramling), Bekesbourne with Patixbourne PC, Wingham PC, Preston PC, Staple PC (Shatterling), Ash PC, & Adisham PC.

The Group Objects on the following grounds:

There would be a significant increase in traffic movements on the A257 resulting from vehicles leaving the site and travelling north on the B2046 and through the villages of Wingham and Ash on the A257. This considered alongside movements resulting from the Aylesham Village Expansion mean the group cannot support this application which would further increase large vehicle movements on the B2046 and A257

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There are two junctions on the B2046 (Seath's Corner: B2046/Staple Rd; & Red Lion Corner: B2046/A257), Seath's Corner is a pinch point where there have been several accidents and regular incidences of a house being hit by HGVs. Red Lion Corner is a narrow junction with a Grade II* listed property (the old Red Lion Pub) on the corner, which is incredibly busy at peak times and cannot accommodate two HGVs traveling in different directions at the same time.

Local Member

49. The local County Member for Dover North, Mr S. Manion and adjacent Member for Canterbury South, Mr M. Northey were notified of the application on 15 October 2018.
50. **Mr S. Manion, Local County Member for Dover North – Supports** the application, subject to conditions seeking to minimise concerns relating to noise, odour and traffic issues.

Mr Manion acknowledges the previously granted permission for a similar development in 2008 and the existing use of the site. He also notes concerns about traffic, noise and odour raised by residents and the possibility of impacts on other local businesses, including those operating in the food industry supply chain.

Publicity

51. The application was publicised by the posting of a site notice, an advertisement in a local newspaper, and the individual notification of 53 nearby properties.

Representations

52. In response to the publicity 4 letters of support and 31 letters objecting to the application have been received.

The key points raised can be summarised as follows:

Support

- Expansion of Kent's waste infrastructure should be supported to ensure there is the capacity to handle the waste generated by existing and new development in the area.
- Activity that increases recycling rates and reduces impacts on the environment should be encouraged.
- Notes the extant industrial permission and considers the new development would be a visual improvement over the existing arrangements.
- A fully enclosed waste use would help to mitigate impacts on local wildlife and the local community, including minimising potential noise impacts.
- Good access to the Primary Road network (A2).

Objections

Location

- Waste operations should be located away from residential areas.

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- Considers the industrial estate has evolved (including significant investment) since the previous waste use was permitted (2012).
- Considers the proposed waste use would not be compatible with surrounding businesses, including the manufacture of sterile food packaging, cold food storage, a confectionary company and other production operations. A number of existing uses are required to adhere to strict hygiene rules and are highly sensitive to dust and odour impacts
- The NPPW, amongst other matters, requires consideration of physical and environmental constraints, including existing land uses and capacity of transport infrastructure.

Highways

- Strongly objects to the impact of 150 HGV movements per day on the local environment and amenities [now reduced to 80 HGV movements per day].
- Increase in frequency of HGV movements from around 6 vehicles per hour passing through Aylesham to up to 20 vehicles an hour.
- The B2046 is already dangerous and at capacity and that more HGVs would exacerbate this issue. Notes this road is not suitable for continuous HGV use being a fast, narrow winding countryside road, with overhanging vegetation, no footpaths or kerbing, riddled with potholes and eroded verges, that in places is not wide enough for 2 HGVs to pass in each direction safely. Highlights that there have been several serious and fatal accidents along this stretch of the B2046.
- The B2046/A260 junction with the A2 is at capacity with long tailbacks at peak times, often as far back as Spinney Lane. Notes the bridge over the A2 is narrow and not suitable for large numbers of HGV movements and the slip roads on to the A2 do not meet modern standards. Considers major road works at the A2 junction are necessary before any further commercial traffic is permitted.
- The industrial estate roads are not adequate to deal with increases in HGV movements, particularly the right turn into the estate which causes congestion as vehicles queue to make the turn on an already busy and fast road.
- Asks whether the highway authority will repair and regularly maintenance of Cooting Road as the increased traffic will certainly have a major negative impact on the road, which is already considered unsafe due to lack of regular repairs.
- Whilst the application states that most HGV movements would travel via the A2, considers that inevitably vehicles would head via the B2046 towards the A257 at Wingham, where the B2046 in Wingham is extremely narrow. Notes there have been numerous incidents involving HGVs with one listed building being hit multiple times. Notes the Red Lion corner where the B2046 joins the A257 is extremely congested and this is becoming worse due to the Aylesham Garden Village developments. KCC Highways officers have been working with Wingham Parish Council to alleviate the problems already experienced. Considers that the number and size of HGVs using this route should be controlled.
- The potential for HGVs to use inappropriate rural routes, including Spinney Lane (despite legal width restrictions); through Aylesham village; heading for Sandwich or Thanet using the road through Nonington, Easole / Holt Street or other rural routes rather than the A2 via Whitfield.
- Considers that if HGV movements were restricted to using the A2 the impact on the highway network would not be so bad.

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- The transport assessment accompanying the application almost ignores potential cumulative highways impacts with the major housing development taking place on the far side of Aylesham village. Recent changes to the road layout on Cooting Road or the recent history of accidents on the B2046.
- Concerns about the small size of the site and its ability to:
 - accommodate waste processing activities without restricting manoeuvring space for HGVs to turn on-site (i.e. stored waste materials taking up space resulting in HGVs reversing into the building/site).
 - accommodate the number of HGV movements proposed without resulting in vehicles queuing on the public highway impacting on highway safety, commercial and local amenities.
 - store skips or park HGVs overnight. No details on where this would take place are provided resulting in potential for vehicles to be parked on the public highway overnight.
- Whilst the proposed fleet management measures should assist to avoid queueing, it remains that at certain times of the day (and at final drop off in particular) the potential for queuing remains.
- Raises concerns that the development has the potential to generate more than 80 HGV movements per day.

Noise

- Considers the proposals would severely exacerbate the considerable noise and disturbance that residents in nearby streets already experience from the numerous HGV movements on Cooting Road, including properties on Hill Crescent (approx. 25m distance).
- Cooting Road is in a poor state of repair, which increases the noise from vehicles travelling along the route.
- The hours of use would be excessive and unacceptable, particularly the 0500 hours start, and 2000 hours finish for HGV movements. Notes the application proposes HGV movements over 15 hours a day, 6 days a week with contingencies for work to take place within the building overnight and on Sundays. Existing 0600 hours start times are intrusive and generates complaints about loss of sleep and local amenity.
- Notes that existing activities within the industrial estate are already audible at the closest resident properties.
- Asks if the Waste Planning Authority is minded to grant planning permission, it give considerations to the following mitigation measures:
 - Due to the state of repair KCC / the Developer should resurface Cooting Road before the facility opens and it be maintained thereafter in a good state of repair.
 - KCC and/or the Developers should pay for noise barrier fences all along the side of Cooting Road where there are nearby houses.
 - Hours of operation restricted to no Sunday or Bank holiday working to give the residents a rest, and operations should start at 6am, not 5am.
 - The outer roller shutter doors to remain closed outside the core hours, with no deliveries or dispatch of waste outside the proposed times.
 - Conditions be imposed to minimise risks from land contamination.
 - Official lorry routes introduced to the area to prevent any inappropriate use by heavy vehicles of surrounding narrow rural roads.

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Dust / Air Quality / Odour

- The industrial estate already generates high levels of HGV traffic and pollution without significantly increasing levels.
- Health issues resulting from dust and air pollution, particularly the impact on elderly neighbours.
- Dust from waste operations impacting on the clean environment required within adjacent commercial activities. Food packaging and other sensitive business uses immediately adjacent to the site should be considered as a sensitive receptor and considered in the air quality assessment.
- Odour impacts outside the site. (Acknowledges that existing farming and housing development in the area already generate dust and odour concerns).
- Putrescible waste material has potential for significant odour release, which would be harmful to the working environment and jeopardise the success of the food packaging business and other food related industries within the estate. The odour assessments received does not adequately consider the potential impacts, including a lack of detail on waste types, holding times, operational measures, mitigation measures etc. [note that the putrescible waste element has been removed by the applicant].
- Considers that inert and semi inert waste materials (previously approved) would have less of an impact on the local environment.
- Fumes, odour, dust and particulates associated with vehicle movements would be harmful to the future success/ or development of the adjacent food packaging business.
- Considers elements of an odour abatement system, such as suppressant sprays are necessary to reduce nuisance associated with dust from other waste streams.
- Considers that it's not adequate to leave assessment of abatement measures to a later date, given the sensitive (food related) uses within the industrial estate. The proposal should be properly assessed, with odour management measures available for assessment, or alternatively residual waste in all its forms specifically excluded from the proposal.

Other Environmental Concerns

- Considers it is naive and disingenuous to suggest that this proposal would not have an environmental effect on the surrounding area.
- Concerns about litter waste increasing existing problems resulting from the industrial estate.
- Notes the applicant would have no control on the type of waste materials likely to arrive within a skip.
- Concerns that the waste material would attract vermin, rodents, insects and birds, particularly given the food industry commercial uses within the surrounding industrial estate.
- Considers if the putrescible waste is not turned around quickly and efficiently the environmental impact would be unpleasant and uncontrollable, thus impacting on people's amenity and standard of living.
- Considers that the application would have a negative impact on local amenity and the health of local people, with no benefits to the community.

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- Notes the accompanying environmental report identifies the site as having a medium risk of contamination, including from asbestos in the walls and roof of the existing building and from diesel tanks buried under the site; this could impact on the environment, groundwater and the health of local community.
- Concerns about whether the local drainage systems have the capacity to handle the proposed operation, considers that the area already experiences surface water flooding problems.

Other (non-material) considerations

- Notes that East Kent Recycling are a family run business that cares about the village and the community in the area.
- Considers the development is likely to have a negative impact on the house prices.

Discussion

53. The application proposes the redevelopment of an existing vehicle depot to form a new waste management facility. The proposals include the demolition of the existing workshop and the construction of a new waste management building. This would accommodate reception, limited sorting, bulking-up and dispatch of inert/ semi inert non-hazardous waste materials. The application proposes a throughput of 45,000 tonnes per annum with associated daily HGV movements up to a maximum of 80 per day (40In / 40Out). It also includes extended hours of use and other ancillary development (see Proposal section).
54. In the final weeks leading up to committee negotiations with the applicant were continuing over concerns about the proposals to import residual (putrescible) waste to the site (as initially proposed). Further to which the applicant agreed to withdraw this element of the proposals. There has been no further consultation on this amendment, however given that the amended proposals would reduce the likely impacts of the application, and Government expectations that applications are determined as timely as possible, this item is being reported to the Committee today.
55. The application is being reported to the Planning Applications Committee as a result of objections received from Aylsham, Adisham, Wingham and Nonington Parish Councils, the A257 Core Traffic Group and 31 letters of objection received from nearby residential and commercial properties. See the Consultations and Representations sections above for details of all the views / recommendations received.
56. In considering this proposal regard must be had to the Development Plan Policies outlined in the Planning Policy section above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that applications are determined in accordance with the development plan, unless material considerations indicate otherwise. The proposal needs to be considered in the context of the development plan policies and other material planning considerations, including national planning policy and those arising from consultation and publicity summarised above.
57. In accordance with Government guidance, the Waste Planning Authority has engaged

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with the applicant and other interested parties to address issues arising during the processing of this planning application to ensure Members are appropriately informed when the Committee makes its decision.

58. In this instance, the key material planning considerations in this case can be summarised by the following headings:

- Policy / Need / Location
- Highways and access;
- Air emissions, including dust and odour;
- Noise;
- Landscape and visual impacts (including lighting);
- Protection of water quality and resources and flood risk management;
- Nature conservation; and
- Archaeology and heritage.

Policy / Need / Location

59. Paragraphs 7 – 14 of the NPPF sets out national policy on achieving sustainable development, including the three overarching objectives (economic, social and environmental), which are interdependent and need to be pursued in mutually supportive ways. The presumption in favour of sustainable development means approving development proposals that accord with an up-to-date development plan without delay. Paragraph 80 of the NPPF states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, considering both local business needs and wider opportunities for development.

60. Paragraphs 182 - 183 require planning decisions to ensure new development can integrate with existing business and community facilities. Where there are significant adverse effects the applicant should be required to provide suitable mitigation before the development has been completed. The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively

61. Paragraph 1 of the NPPW states that positive planning plays a pivotal role in delivering the country's waste ambitions through:

- delivery of sustainable development and resource efficiency, including provision of modern infrastructure, local employment opportunities and wider climate change benefits, by driving waste management up the waste hierarchy;
- ensuring that waste management is considered alongside other spatial planning concerns, such as housing and transport, recognising the positive contribution that waste management can make to the development of sustainable communities;
- providing a framework in which communities and businesses are engaged with and take more responsibility for their own waste, including by enabling waste to be disposed of in line with the proximity principle; and

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- helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment, amongst other matters.
62. Paragraphs 4 – 5 requires waste planning authorities to consider new waste management facilities in appropriate locations, including industrial sites, the re-use of previously developed land, employment uses, and redundant agricultural and forestry buildings. Assessing the suitability of the site against the extent to which it would be supported by other policies in the NPPW; the physical and environmental constraints, including existing and proposed neighbouring uses and factors (including the water environment, landscape and visual impacts, nature conservation, historic environment, traffic and access, air emissions, odours, noise, light and potential land use conflict); transport infrastructure; and the cumulative impact of existing and proposed waste disposal facilities on the well-being of the local community, including significant adverse impacts on environmental quality, social cohesion and economic potential.
63. Paragraph 7 states that in determining applications, Waste Planning Authorities (WPAs) should:
- only expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date Local Plan.
 - consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B (see sub-sections below);
 - ensure waste management facilities are well-designed, so that they contribute positively to the character and quality of the area; and
 - concern themselves with implementing the planning strategy and not with the control of processes which are a matter for the pollution control authorities.
64. Policy CSW1 and CSW2 of the KMWLP reflect the national requirements on sustainable waste development, including driving waste management up the waste hierarchy. Policy CSW4 states that the strategy for waste management in Kent is to provide enough waste management capacity for at least the equivalent of the waste arising in Kent, plus some residual non-hazardous waste from London. The Kent Waste Needs Assessment (Sept 2018 Update): Non-Hazardous Waste Recycling/Composting Capacity Requirement concludes that the combined consented recycling/composting capacity would be enough to meet the overall recycling/composting targets associated with the management of non-hazardous waste over the KMWLP period as proposed in the revision to Policy CSW4. Therefore, net self-sufficiency in recycling/composting capacity could be achieved in Kent without provision for additional capacity. The preamble to Policy CSW4 (as amended by EPRMWLP) reflects this conclusion.
65. Notwithstanding the above, Policy CSW7 and the associated preamble (taking into account of both the adopted MWLP and the amendments proposed by the EPRMWLP) make it clear that in terms of additional waste management capacity there is no intention to restrict the amount of new capacity for recycling or preparation of waste for reuse or recycling provided it moves waste up the hierarchy and recovery of by-products and residues is maximised. The MWLP indicates this approach will reduce the amount of Kent waste going to landfill and so conserve existing non-hazardous landfill capacity for any waste that cannot be reused, recycled, composted or recovered.

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66. Policy CSW 6 of the MWLP (and the EPRMWLP) requires waste development that (amongst other matters):
- does not give rise to significant adverse impacts upon national and international designated sites, local wildlife sites, AQMAs and groundwater resources.
 - is well located in relation to Kent's Key Arterial Routes, avoiding proposals which would give rise to significant numbers of lorry movements through villages or on unacceptable stretches of road.
 - avoids Groundwater Source Protection Zone 1 or Flood Risk Zone 3b.
 - avoids sites on or in proximity to land where alternative development exists/ has planning permission for alternate uses that may prove to be incompatible with the proposed waste management uses on the site.
 - takes account of the ability of the landscape to accommodate built development after mitigation.
67. Taking the above into account, subject to no '*unacceptable*' adverse impact on the environment and communities and where such uses are compatible with the development plan: CSW6 supports waste development within or adjacent to existing mineral development or waste management uses, within existing industrial estates, other previously developed, contaminated or derelict land not allocated for another use.
68. The KMWLP (and EPRMWLP) policies seek to drive a major change in the way that waste is managed in Kent in accordance with national policy. Helping to enable a change in perception of waste from being something that must be disposed of, to something that can be used as a resource.
69. The District Council response advises that the general principle of this development is in accordance with the Government's overall objective to protect the environment by producing less waste and by using it as a resource wherever possible. In addition, the principle of this development is in accordance with Policy DM2 of the Dover Core Strategy (DCS) (2010) which requires that existing employment land uses are protected.
70. Policy CP1 of the DCS seeks to guide the location and scale of new development in accordance with a settlement hierarchy. Aylesham is identified as a focus for development in the rural area; including of a scale that reinforces its role as a provider of services to the locality. Policy DM1 requires development outside rural settlement confines to be justified by other development plan policies or it is ancillary to existing development or uses (amongst other matters). Policy DM2 seeks to protect employment land and buildings from alternate uses. Policy DM3 allows for new commercial development in rural areas provided it is located at a rural service centre and is consistent with the scale and setting of the settlement.
71. The application proposes to provide a new waste management facility that would allow for the initial sorting and bulking-up of recyclable and reusable wastes for the onward transportation to suitable processing facilities. Whilst the arrangements proposed would be limited in their scope to the basic sorting of the waste streams received, the facility would provide additional capacity to deal with local waste arising in the east of the County. The above policy considerations establish that the adopted KMWLP (and

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further supported by emerging policy in the EPRMWLP) seeks to encourage additional waste capacity in the County under the right circumstances. The proposed location is within an existing industrial estate on previously developed land so would receive in principle support from the NPPW and Policy CW6 of KMWLP. The industrial estates proximity to Aylesham (as a Rural Service Centre) close to the strategic road network and the sites proposed use providing a service to the local community would again receive general support from the relevant Dover District Policies in terms of its general location. I also note that the site has previously been accepted as suitable for inert waste processing and transfer on three separate occasions, with planning permissions granted by the Waste Planning authority in 1984, 2008 and 2015. None of the above permissions appear to have been implemented and potentially related to smaller scale uses, however this should be considered when assessing the acceptability or otherwise of this current location.

72. The above 'in principle' support for new waste capacity in an industrial location at a rural service centre is subject the development being in accordance with other relevant Development Plan Policies considered in more detail below (including any conflicts with existing land uses or the local environment in terms of traffic and access; emissions to air, noise, landscape and visual impacts, water quality (ground conditions), ecology and archaeology).

Highways and access

73. The application seeks planning permission for a throughput of 45,000 tonnes per annum with associated HGV movements of 80 per day (40 In / 40 Out). This level of activity is a reduction in the arrangements originally proposed (75,000 tpa and 150 HGV movements). The change was agreed by the applicant after negotiation with the local Highway Authority and KCC officers over the potential scale of the use and the capacity of the site to effectively accommodate the number of vehicle movements proposed without resulting in vehicles queuing on the public highway. The changes to the application were also accompanied by further highway information that demonstrates the capacity of the site to accommodate up to three vehicles on site at any one time, a further technical note on the capacity of the junction of Cooting Road with Adisham Road to accommodate the vehicles proposed and details of a Fleet Vehicle Management System proposed to manage HGV movements. The further supporting information also provided further clarity on the routing of vehicles to and from the site. The applicant states that most of the HGV movements would be via the signed Adisham Road (B2046) route between the industrial estate and the A2/A260 junction. It anticipates that up to 20% of the movements would be to the north via B2046 toward Wingham and the A257. The applicant confirms that the existing vehicle depot, which would be replaced if the current proposals were to be permitted, generates approximately 46 HGV movements (23 In / 23 Out) per day.
74. Paragraphs 108 - 109 of the NPPF states development should promote sustainable transport modes, taking account of the type of development and its location; ensure safe and suitable access; and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. It states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 7 of the NPPW states that consideration

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should be given to the likely impact on the local environment and on amenity against the criteria set out in Appendix B of that document. In terms of highways and access, Appendix B states that considerations will include the suitability of the road network and the extent to which access would require reliance on local roads, the rail network and transport links to ports.

75. Policy CSW6 of the KMWLP states that planning permission will be granted for uses identified as appropriate to the sites allocated in the Waste Sites Plan providing such proposals (amongst other things) are well located to Kent's Key Arterial Routes, avoiding proposals which would give rise to significant numbers of lorry movements through villages or on unacceptable stretches of road. Emerging Policy CSW6 of the Partial Review of the Kent MWLP removes any reference to the need for a Waste Sites Plan but retains the same criteria for decision making in respect of this application.
76. Policy DM13 of the KMWLP states that (amongst other matters) proposals will be required to demonstrate that: the proposed access arrangements are safe and appropriate to the scale and nature of movements associated with the development, and the highway network is able to accommodate the traffic flows that would be generated and the impact of traffic generated does not have an unacceptable adverse impact on the environment or local community. Policy DM15 states that development will be granted planning permission where it would not give rise to unacceptable impacts on road transport or where these impacts are mitigated.
77. Policy CP6 of the DCS requires infrastructure necessary to support a development should either be in place or a mechanism to ensure it is provided is secured. This requirement includes the highway network. Policy DM11 requires development that would increase travel demand to be supported by a suitable travel / highway assessment. Policy DM12 requires development proposals to be assessed based on suitable access to the highway network and seeks to prevent proposals that would result in a significant increase in the risk of crashes or traffic delays unless these can be mitigated. Policy DM 13 requires development with appropriate parking provision.
78. A large proportion of the objections received from the local parishes, the A257 Core Traffic Group and the local community raise concerns about the potential for an increase in HGV movements to have an unacceptable impact on the local highway network. Whilst Dover District Council raise no objection to the application, the comments received draw attention to local highway concerns. It should be noted that many of the comments received, including Dover District Councils, were made in response to the application as originally received, which proposed 150 HGV movements as opposed to the revised number now proposed (80 HGV movements (40 In / 40 Out)). Notwithstanding, the highway concerns raised include (amongst others) highway safety and congestion, concerns about the state of repair of Cooting Road, the capacity of the junction with Adisham Road, the physical limitations of the Adisham Road towards Wingham and associated congestion at the junction with the A257 (Canterbury Road), concerns about HGVs using inappropriate rural routes (like Spinney Lane and routes through Snowdon, Nonington and Easole Street), the cumulative impact with the major new housing development at Aylesham, the capacity of the site to accommodate the number of vehicles that would attend site, overnight HGV parking and the limitations of fleet management measures proposed.

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79. Initially, KCC Highways and Transportation (Kent Highways) raised a holding objection to the application seeking further supporting information, which has since been submitted. The concerns raised related to the information included with the application and associated Transport Assessment, the 150 HGV movements proposed and the capacity of the site to accommodate this number of vehicles without queuing on the public highway.
80. In responding to the amended application, Kent Highways note the reduction in proposed annual throughput of waste material to 45,000 tonnes from the previous proposed 75,000 tonnes, and the corresponding reduction in daily two-way HGV movements from 150 per day to 80 per day (40 In / 40 Out). It also notes the proposed logistical management measures to ensure efficiency and avoid queuing of vehicles on the highway. The highway comments also draw attention to the existing use (highway depot), which can generate up to 46 two-way HGV movements per day. This would leave a net increase in HGV movements resulting from the proposed development (as amended) of 34 movements (17 In / 17 Out) per day.
81. Kent Highways' response calculates that the average number of HGV movements per hour would be 6 movements (3 In / 3 Out), rising to 12 movements (6 In / 6 Out) anticipated in peak hours. Based on the applicant's confirmation that 80% of movements would be via the A2, the Highway Authority notes that the number of HGVs travelling north on B22046 to / from Wingham could be 2 movements per hour at the operational peak and 1 per hour at other times. Taking account of the existing permitted HGV movements associated with the site, Kent Highways confirm that the proposed development would not result in an unacceptable impact on highway safety or capacity. Accordingly, following the revisions to the application and accompanying supporting details, it raises no objections to the application on highways grounds, subject to conditions securing a Demolition and Construction Management Plan; a limit on the number of HGV movements to 80 per day (40 In / 40 Out), implementation and maintenance of the logistical management measures proposed to prevent queuing on the highway; measures to prevent the discharge of surface water onto the highway; measures to prevent the deposit of debris on the highway; provision of vehicle parking spaces and the vehicle loading/unloading and manoeuvring areas shown; completion of revised access shown; and provision of the visibility splays.
82. In responses to the changes to the access to the site, Kent Highways acknowledge that the proposed site access and associated dropped kerbs would be an extension of the existing access arrangements. A short section of additional double yellow lines would be provided to the north of the access up to the adjacent industrial site, to improve visibility by preventing on-street parking. This would be fully funded by the applicant. The Highway Authority confirm that visibility at the access would therefore be acceptable and should be secured by condition. It also confirms that the amount of car parking proposed is enough for the number of staff and visitors anticipated. The response notes that there would be no overnight parking of HGV's at the site and that parking restrictions are already in place to prevent overnight HGV parking on the highway.
83. Following the number of highways related comments received from the local community, Kent Highways provided a response to several of the key concerns raised – please see the consultations section above. Amongst other matters these comments confirm that junction between Adisham Road and Cooting Road (into the

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industrial estate) has adequate capacity, that the highway authority is required to maintain Cooting Road, that the wider network including the B2046 and A2/A260 junction have sufficient capacity for the proposed highway movements and that there is no cluster or number of recorded personal injury crashes indicating a particular issue with HGVs on local roads.

84. The potential for HGV movements to use smaller rural lanes in the locality has been raised by several of the local Parish Council's and the local community. Spinney Lane to the south of the site is subject to width restrictions that legally prevents HGVs entering or leaving the industrial estate in this direction. This restriction forces vehicles to use the B2046 and it has to be assumed that this requirement would continue to be adhered to by HVGs travelling to site. I have received no evidence that suggests otherwise. As indicated above the applicant anticipates that most of the movements would be focused on the A2 corridor. I note the concerns raised, however given the net increase in HGVs (34) the potential for there to be an unacceptable impact is limited. It is difficult to control vehicle movements once they are on the public highway as they are subject to the same rules as all other road users. If there are no restrictions on the roads in question then it would be unreasonable and impractical to seek to place controls on a single operator, particularly as other activities within the industrial estate that generate HGV movements are unlikely to be subject to the same level of highway control as recommended above.
85. In addition, to the conditions recommended by the Highway Authority, if permission were to be granted my recommendation includes the following highway conditions: no more than 80 HGV movements (40 in / 40 out) per day; records to be maintained of all HGV movements and made available to the Waste Planning Authority; no overnight parking of HGVs on site; all loaded HGVs entering or leaving to be enclosed, covered or sheeted.
86. The bulking up of similar waste streams for onward transportation to a licenced processing facility is considered a sustainable way of managing local waste streams. The proposed development would provide a valuable transportation hub. Given the local Highway Authority's comments, subject to the conditions recommended above, I am satisfied that the application would not have an unacceptable impact on the highway network. The proposals would have a safe and suitable access to the public highway and would not result in any significant capacity, congestion or safety concerns. The Highway Authority has confirmed that the site has good access to the arterial / primary road network and that the network has capacity to accommodate an increase of 34 HGV movements per day. It should also be recognized that should planning permission be refused and another industrial use take over the site, this could be operated with few modern planning controls, including restrictions in terms of HGV numbers associated with the site. In my opinion, the current application represents a good opportunity to set reasonable parameters for how the site operates. I therefore raise no objections to the application on highways grounds and I am satisfied that the application would accord with the relevant Development Plan Policies relating to highways and access, including those set out above.

Air emissions, including dust and odour

87. Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural environment by (amongst other things) preventing new and

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existing development from contributing to unacceptable levels of soil, air, water or noise pollution and that development should, wherever possible, help to improve local environmental conditions such as air and water quality. Paragraph 180 states that planning decisions should ensure that new development is appropriate for its location considering the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. Paragraph 181 states planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking account of the presence of Air Quality Management Areas (AQMAs) and Clean Air Zones (CAZs), and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. Paragraph 183 states that the focus should be on whether the proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes) and that planning decisions should assume that these regimes will operate effectively.

88. Paragraph 7 of the NPPW states that consideration should be given to the likely impact on the local environment and on amenity against the criteria set out in Appendix B. Appendix B states that the proximity of sensitive receptors, including ecological as well as human receptors, and the extent to which adverse emissions (including odour) can be controlled using appropriate and well-maintained and managed equipment and vehicles, should form part of the decision process.
89. The NPPG on Air Quality indicates consideration should be given to whether development would introduce a new point source of pollution, would expose people or biodiversity to pollutants and if there would be significant effects on traffic both in the immediate vicinity and further afield, including congestion, changes in volume, vehicle speed or significantly altering the traffic composition on local roads. The NPPG seeks local planning authorities to work with applicants to consider appropriate mitigation to ensure that new development is appropriate for its location and unacceptable risks are prevented.
90. The Government's recently published Clean Air Strategy (2019) acknowledges that transport is a significant source of emissions of air pollution. The strategy seeks to minimise the impact of petrol and diesel vehicles in the short term by ensuring that the cleanest conventional vehicles are driven on our roads, whilst working towards the Road to Zero Strategy, which sets out plans to end the sale of new conventional petrol and diesel cars and vans by 2040.
91. Policy DM11 of the MWLP seeks development that does not generate unacceptable adverse impacts from dust, odour, emissions, traffic or exposure to health risks and associated damage to the qualities of life and wellbeing to communities and the environment. Waste development should ensure that there is no unacceptable adverse impact on other land uses. Policy DM12 states that waste development should not result in an unacceptable adverse, cumulative impact on the environment or communities. Policy DM13 seeks development that demonstrates emissions associated with road transport movements are minimised as far as practicable, including emission control and reduction measures (where relevant), such as deployment of low emission vehicles and vehicle scheduling to avoid movements in

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peak hours.

92. Policy CSW 6 of the MWLP (and the EPRMWLP) requires waste development that (amongst other matters):
- Does not give rise to significant adverse impacts upon national and international designated sites, local wildlife sites, AQMAs and groundwater resources.
 - Avoids sites on or in proximity to land where alternative development exists/ has planning permission for alternate uses that may prove to be incompatible with the proposed waste management uses.
93. The application has attracted a number of objections relating to the potential for the development to impact on air quality, including in terms of emissions from vehicle movements and as a result of the potential for the proposed waste use to generate unacceptable dust and/or odour effects that would impact on surrounding land uses, both residential and commercial. Objections were received from Aylesham and Adisham Parish Councils and from residents and businesses within the industrial estate. The concerns include odour impacts from the importation of black bag / residual waste both on residents and several local businesses that operate in the food sector; impacts from dust generated on the locality, including clean environments required by the adjacent businesses; and pollution generated by HGV movements. The representations received from several of the surrounding businesses draw attention to the fact that the industrial estate accommodates commercial uses relating to the food industry (particularly the adjacent buildings) and that these operations are likely to be more sensitive to emissions from the site than more traditional industrial estate uses.
94. Dover District Council raises no objections to the application, indicating that it considers that noise, odour and contamination from the application site are adequately addressed in the application. It seeks that any recommendations made in the reports should be secured by condition. Dover District Council's Environmental Health Officer (EHO) raises no objections to the application, subject to the development and subsequent operations being carried out in accordance with the application documents and conditions are included on any decision to secure compliance. The Environment Agency raise no objections, subject to a number of conditions relating to groundwater protection considered below. The EA's comments acknowledge that accepting increased volumes of putrescible waste [now no longer part of the application] increases the risk of complaint from nearby sensitive businesses if odours are not managed effectively. The EA notes that the site benefits from an existing Environmental Permit and that this would be subject a variation should planning permission be granted.

Air Quality

95. The application is accompanied by an Air Quality and Odour Assessment that considers the potential impact of the proposed highway movements on local air quality. The approach to the assessment was agreed with the Dover District Council's EHO. The assessment considers construction and operational traffic impacts. The report notes that there are no AQMAs in the area (the closest being 16km away) and none identified along the main access routes to the site from the Strategic Road Network. The assessment is based on the 150 HGV movements originally proposed.

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The amended application now proposes 80 HGV movements so the result of the assessment can be assumed to cover more than the worst-case scenario.

96. The assessment of road traffic emissions (for 150 movements) concludes that based on the severity of the impact and the concentrations predicted at the sensitive receptors it is considered that the overall effect of the development on local air quality is not significant.
97. The County Council's Air Quality Consultants (Amey) advise that it is satisfied the resulting contribution from additional vehicles would not give rise to significant environmental impacts and that the findings of the Air Quality Assessment Report received with the application can be relied upon. It concludes that the proposed development would not have significant adverse effects on air quality.
98. Considering the recommendations of Dover District Council's EHO and Amey, I am satisfied that the development would not have an unacceptable impact on air quality, subject to a condition limiting the development to 80 HGV movements (40 In / 40 Out).

Dust

99. The development has the potential to generate dust and particulate emissions during its operation from vehicle movements and operations on site. The Air Quality and Odour Assessment received evaluates the potential impact for dust during both the construction and operational phases of the development. In terms of the construction phase, it recommends that the level of impact given the scale of the development and the sensitivity of the surrounding area would be negligible. The report recommends a number of dust mitigation measures during the construction phase to ensure the impact remains low. In terms of the operational phase, the assessment identifies potential sources of dust, including vehicle movements, loading and unloading, stockpiles within the building and processing/ sorting within the building. The application includes several dust mitigation measures, including provision of the building that would enclose all activities on site, including loading, unloading and storage. The building is proposed with rapid rise roller shutter doors to both entrance and exit (that would open and close automatically to accept deliveries). The assessment concludes that the overall potential risk of dust and particulate matter following the implementation of the control measures would be low. It notes that the development would operate under an Environmental Permit, which would ensure air quality, dust and odour are controlled and not identified beyond the site boundary.
100. Amey advise that the neighbouring commercial facilities should be included in the dust risk assessment. However, in its opinion the results of the assessment included in the Air Quality and Odour Assessment received are unlikely to change significantly. The applicant has highlighted several mitigation measures that would be implemented to control dust originating from the site. Amey confirm that provided the mitigation is implemented effectively, these measures would ensure that dust emissions are managed and risk of impact to neighbouring facilities is low (not significant). To provide further assurance to neighbouring facilities that dust would be managed effectively Amey recommend that the applicant formalise the approach to managing the potential impacts by preparing an operational Dust Management Plan (DMP). This DMP should be treated as a live document, with all proposed mitigation measures

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contained within and a clear procedure included on how complaints would be dealt with and investigations carried out.

101. Notwithstanding the objections received from the Parish Council's, local businesses and residents, taking into account the recommendations of the technical consultees (the EA, Dover's EHO and Amey), subject to a condition securing a Dust Management Plan, the development to be carried out as approved, the rapid rise doors to be fitted before first use of the building and effectively maintained for the life of the development, and the waste streams to be restricted to those applied for (excluding residual and putrescible waste), I am satisfied that the mitigation measures proposed as amplified by a DMP and an amendment to the Environmental Permit would afford sufficient control to ensure that the development would not result in an unacceptable impact from dust emissions. I am therefore content that the proposals are in accordance with the development plan policies relating to dust emissions.

Odour

102. The Air Quality and Odour Assessment considers the potential for impacts from odour on local residential receptors. This assessment was based on the original application which included the potential to import putrescible waste, including household residual wastes. This element of the development has since been withdrawn from the application. Nonetheless, the assessment concludes that without mitigation measures the development has a 'Potential Moderately Effective Pathway' for odours based on the distance of the Development to the nearest residential properties and the prevailing wind direction. With the mitigation measures proposed, including containment within the WTS building, with appropriate management and control techniques to ensure odours are not experienced beyond the redline boundary of the planning application, the overall potential impact of odours on nearby sensitive receptors is considered likely to be negligible / not significant at the receptors considered.
103. Due to the uncertainty over securing relevant waste collection authority contracts, the application originally sought the flexibility to receive mixed residual wastes and requested that investment in suitable odour abatement equipment to be subject to a condition(s). The putrescible / odorous elements of the waste streams proposed were withdrawn by the applicant prior to the planning committee. This followed extended negotiations with KCC officers over the issue. The decision was taken following objections received from nearby industrial units concerning the potential impact of the proposed activities on existing land uses. The odour assessment completed in support of the application assessed the potential impacts on the closest residential receptors, the assessment did not consider the closer industrial uses as they are not usually as sensitive to activities on site.
104. Amey note that the odour assessment has been carried out in accordance with IAQM guidance, however this principally focuses on individual's level of amenity rather than the potential impact on manufacturing / industrial /commercial process or storage facilities. Therefore, it recommended that the applicant should revise the Odour Assessment to include all neighbouring facilities concerned with the potential impact. It recommended that the applicant provides details of the site Odour Management Plan (OMP), detailing all types of waste to be processed, anticipated volumes of waste and all mitigation measures to be implemented. The OMP should specify all sources,

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points of release, procedure for dealing with complaints and responsible persons to contact on site.

105. In this instance the closest land uses relate to the food industry and potentially have increased sensitivity to dust and odour. In response the applicant prepared additional supporting information on odour matters. The revised information included proposed conditions that sought to limit the extent of residual (putrescible / odorous) waste received on site until further details of odour mitigation measures are received and approved. However, at this time the applicant was not able to provide the revised Air Quality Assessment, exact details of the odour suppression system or the Odour Management Plan requested. The information received from the applicant suggested that options for an odour suppression system could include encapsulation / suppressant sprays via a system installed within the building; the use of carbon filters to scrub emissions and actively ventilate the building through vents or a flue; and odour oxidation which neutralises odour and relies on passive ventilation. However, each measure would have different implications, including the possibility of additional external plant and vents that would result in the need for further detailed assessment, including relating to the effectiveness of the arrangements, noise and visual implications, amongst other matters. As details of the exact system, a revised Odour Assessment nor the Odour Mitigation Plan were not available at this time, KCC officers were not prepared to support the application on odour grounds nor recommend that further information be required by way of a condition. In this instance the success or otherwise of the odour mitigation measures would be fundamental to whether a waste land use including putrescible waste would be acceptable in planning terms at this location. In a less sensitive location reserving the details might be acceptable, however this wasn't considered to be the case here given the sensitivities of the surrounding uses. Given that the applicant was not in a position to make a complete case for this element of the development at this time it took the decision to withdraw the relevant putrescible waste streams.
106. It should however be noted that the skip waste that would be received on site has the potential to contain small contaminant quantities of putrescible waste, however this is unlikely to be the main type of material received and is a risk associated with all mixed waste. The application makes allowance for this and acknowledges that contaminant materials may need to be quarantined separately for removal within 48 hours to a licenced facility.
107. Following withdrawal of the residual 'putrescible' element of the application and taking into account that the site would be covered by the provisions of an Environmental Permit, subject to conditions requiring the development to be carried out as approved, the rapid rise doors to be fitted before first use of the building and effectively maintained for the life of the development, the waste streams to be restricted to those applied for (excluding residual putrescible waste) and that any quarantined waste be removed from site within 48 hours, I am content that the application would not result in significant or unacceptable odour concerns and would be in accordance with the development plan policies.

Noise

108. Paragraph 170 of the NPPF seeks development that prevents new and existing development from contributing to, being put at unacceptable risk from, or being

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adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Paragraph 180 of the NPPF states that new development should be appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment. It states that development should: mitigate and reduce to a minimum potential adverse impacts resulting from noise – and avoid noise giving rise to significant adverse impacts on health and the quality of life; and identify and protect tranquil areas.

109. Appendix B of the NPPW requires consideration of the proximity of sensitive receptors. It states the operation of large waste management facilities can produce noise affecting both the inside and outside of buildings, including noise and vibration from goods vehicle traffic movements to and from a site. Intermittent and sustained operating noise may be a problem if not properly managed, particularly if night-time working is involved.
110. Policy DM11 of the MWLP states waste development will be permitted if it can be demonstrated that it is unlikely to generate unacceptable adverse impacts from noise and illumination, amongst other matters. Policy CSW 6 of the MWLP (and the EPRMWLP) requires waste development that (amongst other matters): avoids sites on or in proximity to land where alternative development exists/ has planning permission for alternate uses that may prove to be incompatible with the proposed waste management uses on the site.
111. The Noise Policy Statement for England (2010) and the National Planning Practice Guidance on noise encourage assessment of noise based on whether or not a significant adverse effect is likely to occur; whether or not an adverse effect is likely to occur; and whether or not a good standard of amenity can be achieved. For noise levels that exceed the lowest observed adverse effect level (the level of noise exposure above which adverse effects on health and quality of life can be detected) it recommends development is mitigated and reduced to a minimum. In instances where the significant adverse effects level is exceeded development should be avoided, and only when the unacceptable adverse effect level is exceeded should development be prevented. This latter state is defined as noise resulting in extensive and regular changes in behaviour and/or an inability to mitigate effect of noise leading to psychological stress or physiological effects, e.g. regular sleep deprivation/awakening; loss of appetite, significant, medically definable harm, e.g. auditory and non-auditory. The NPPF seeks applications to take account of source, general character and absolute level of noise together with the time of day / night.
112. The noise generating activities proposed by the application include the movement of waste / recyclable materials to and from the site by up to 80 HGV movements per day (40 In / 40 Out); the deposit, sorting and dispatch of materials from within the proposed building, including two items of mobile plant (a telehandler and material handler). No waste management activity would take place outside of the building, with rapid rise doors closed when vehicles are not moving into or out of the facility. The hours of use proposed reflect the applicant's aspirations to bid for a variety of contracts. The core hours would be 0600 – 1830 hours Monday to Friday; 0600 – 1400 hours Saturday; and nil on Sundays, Bank and Public Holidays; except 0700 to 1800 hours on Bank Holidays (except Christmas Day), and 1400 – 1700 hours on Saturdays preceding / following a Public Bank Holiday (connected with Waste

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Collection Authority / Waste Disposal Authority contracts only). The haulage hours proposed are 0500 – 2000 hours Monday to Friday; 0500 – 2000 hours Saturdays; and nil on Sundays, Bank and Public Holidays. In addition, temporary extended hours for sorting of waste within the building only is proposed between 1830 – 0600 hours Monday to Friday and 1400 – 0000 hours Saturday on up to a maximum of 10 occasions (nights) per year; and 0800 – 1300 hours on Sundays on up to a maximum of 6 occasions (Sundays) per year.

113. The application includes a Noise Impact assessment. The assessment demonstrates that predicted noise from the site operations, including a +4dB penalty added to allow for tonal and impulse noises, would be at or below background noise levels Monday – Saturday and slightly above on Sundays. Accordingly, the assessment predicts noise impact under normal operating conditions as low and should not adversely affect the existing residential amenity. Noise impacts from Sunday daytime operations, up to six times a year, is predicted to be low with roller shutter doors closed, increasing to adverse with the doors open. The assessment also considers noise impacts from increases in HGV movements on Cooting Road and Adisham Road, which are predicted to be minor adverse and negligible respectively under normal conditions. Further assessment was submitted in respect of the 10 night-time working periods proposed. This predicts that with no deliveries and the doors closed during the proposed hours noise from within the building would be below background levels at the closest residential properties.
114. Following concerns raised about the 0500 hours start time the applicant provided an Additional Road Traffic Noise Assessment relating to vehicles using Cooting Road. It also amended the application to confirm a maximum of 4 HGV movements between 0500 – 0600 hours Monday – Saturday, and 10 HGV movements per hour between 0600 and 0700 and between 0700 and 0800 hours, respectively. The applicant states that the purpose of the 'Haulage only' hours is to provide the opportunity to bring empty skips to site in preparation for commencement of operations during the core hours. It also confirms that this would enable vehicles to be dispatched when the road networks are less congested, helping to avoid peak periods. The Additional Road Traffic Noise Assessment calculates that the impact of the above arrangements on the residential properties that back onto Cooting Road would be a maximum predicted increase in road traffic noise of 2dB. The Assessment concludes that gradual increases in road traffic noise of less than 3dB are not normally considered discernible and as such a predicted increase in road traffic noise of this magnitude is acceptable.
115. In response to the application, noise objections were received from a number of local residents. These concerns include: the cumulative impact on noise from HGV movements on Cooting Road; the excessive hours of use proposed, particularly 0500 hours start and 2000 finish for HGV movements (considers the existing 0600 start time to be intrusive); concerns about noise generated on site; and notes the existing activities within the industrial estate are already audible at residential properties. One representation makes several suggestions should permission be granted, including resurfacing Cooting Road, providing a noise barrier along the road, no working on Sundays or Bank Holidays to give residents a rest; and operations to start at 0600 not 0500 hours.
116. Whilst raising no objections to the application, Dover District Council notes the concerns raised by residents with regards to noise, odour and contamination from the

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application site. It considers these concerns are adequately addressed in the documentation received, however, any recommendations made in these reports should be secured by condition to ensure compliance. The District Council also highlight the main concerns it has been made aware of, which reflect some of the objections noted above, including the poor state of repair of Cooting Road (confirming highway noise has given rise to complaints from properties backing onto this road) and the impact of the 0500 hours start times. The District Council's comments also raise concerns about the number of HGV movements; however, these comments were made before the number was reduced by the applicant.

117. Dover District Council's EHO raises no objections to the application, subject to conditions including the development being carried out and operated in accordance with the application documents; and the roller shutter doors to be closed and no deliveries or dispatch of waste during proposed operations on Sundays, Bank Holidays or at night. The EHO notes the noise impact from Sundays and Bank Holidays is predicted to be low with the roller doors closed. Consequently, the EHO recommends the above conditions.
118. The County Council's Noise Consultants (Amey) raised initial concerns and requested further assessment of the potential effect of increased haulage vehicle movements between 0500 to 0600 hours and 0600 to 0800 hours and proposed overnight operations (up to 10 times per year), on nearby residential properties.
119. On receipt of further supporting information, including the additional Road Traffic Noise Assessment, Amey recommend that, given the sites current use and that of the surrounding industrial / commercial operations, the significant physical screening of the site from the nearest houses, and the separation distance between the houses and the site, that the proposed development would not have a significant adverse effect on nearby residential properties in terms of noise.
120. Amey note the assessment identifies that the proposed increase in HGV movements along Cooting Road between 0500 and 0800 hours would result in up to a 2dB increase in local noise levels. It confirms that this change would not present significant concerns for noise disturbance to residents and that no further noise survey work is necessary. In order to minimise any potential for disturbance, it recommends the conditions put forward by the applicant that HGV movements are limited to:
 - 4 HGV movements between 0500 and 0600 hours; and
 - 10 HGV movements per hour between 0600 and 0800.
121. In respect of the proposed night-time working, Amey are satisfied, given the predicted noise levels at the closest noise receptor, that night-time operations up to 10 times per year would not give rise to adverse effects. It also recommends a planning condition requiring all doors to be kept closed during night-time working.
122. I note the concerns raised about the hours of use proposed. However, these need to be balanced against the current hours of use for the depot, which are 0600-1800 hours Monday to Friday, 0600-1300 hours Saturday with no working Sundays and Bank or Public Holidays. The standard (core) hours proposed generally reflect these arrangements. It is the additional activities that appear to be causing the most concerns. The application proposes additional haulage hours, which would allow 0500 hours start time and a 2000 hours finish. However, following negotiations the

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applicant has agreed to restrictions on the number of HGV movements during the morning before 0800 hours, as set out above. It has also provided an additional noise assessment, which establishes that the HGV movements during the morning period would not have a significant impact on local amenities. The surface of the road has been discussed with Kent Highways and Transportation. It has advised that the application does not propose a level of change to the number of HGV movements associated with the site to justify seeking contributions to highway improvements. The net increase following the applicant agreeing to reduce the total number would be 34 HGV movements (17 In / 17 Out) per day over the existing activities currently taking place on site. Highways and Transportation confirm that it has responsibility for maintaining the road.

123. Given the relatively small change to the number of HGVs, the proposed limitations on movements before 0800 hours and the conclusions of the noise assessment there is no justification for further mitigation measures to be imposed. The proposed operations on Bank Holidays would be tied to specific contracts with the Waste Collection / Disposal Authorities. It would be possible to reflect this arrangement in a condition if planning permission were to be granted. This would ensure that the site only benefited from Bank Holiday and associated working if it is afforded access to these contracts. The proposed use on Sundays and during the night could be restricted to the proposed 6 and 10 occasions (respectively) by way of a condition(s). It is recognised that the 0500 hours start time is early given the proximity of the access to residential properties, however the controls proposed, and the noise assessment completed would suggest that this is technically acceptable without giving rise to unacceptable amenity impacts.
124. Notwithstanding the objections received from local residents, taking account of the recommendation of Dover District Council's EHO and the County Council's Noise Consultants (Amey) and the conditions recommended, I am satisfied that the impact of the development on noise levels during the hours proposed would not have an unacceptable impact and is in accordance with development plan policies, including those outlined above.

Landscape and visual impacts (including lighting)

125. The application proposes to demolish an old double height workshop constructed from brick, concrete blocks with asbestos-cement corrugated roofing and cladding. North of the workshop is a small single height brick office, storerooms and toilet block, the site also accommodates several container units. As indicated above the site is located within the Aylesham Industrial Estate with large industrial buildings to the north, east and west. The unit to the south is used for car parking. Beyond this is a band of mature landscape planting that stretches along the southern boundary of the industrial estate, Spinney Lane and then open countryside in agricultural use. The buildings within the industrial estate are of a prefabricated construction mostly clad in corrugated metal sheeting in greens and greys.
126. The application proposes to replace the workshop with a waste management building 40m x 29m x 12.5m to the eaves and 15m to the ridgeline. The buildings immediately adjacent are of a similar height but are much larger in overall mass and scale. The proposed building would be constructed from profiled metal sheeting colour coated green with a pitched roof in the same material to match adjacent built development.

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The design includes roof lights and two metal roller shutter doors on the west elevation facing Cooting Road. The remainder of the site would be given over to car parking on the front forecourt. The application proposes external lighting that would be affixed to the building below the eaves and would be angled downwards to minimise light spill. The lighting would be selected to reduce glare and incorporating energy efficient lamps. The lights would only be used when the facility is open and it is too dark to operate safely.

127. Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by (amongst other things) protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside. Paragraph 180 states that new development should be appropriate for its location considering the likely effects of pollution on health, living conditions and the natural environment. It states that development should, amongst other matters limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
128. Paragraph 7 of the NPPW states that when determining waste planning applications Waste Planning Authorities should consider the likely impact on the local environment and on amenity against various locational criteria and other matters. Key locational considerations include landscape and visual impacts and seek design-led solutions that respects landscape character; the need to protect landscapes or designated areas of national importance and any localised height restrictions. Appendix B of the NPPW requires that, amongst other matters, light pollution is considered.
129. Policy CSW6 of the MWLP states that planning permission will be granted for uses identified as appropriate to the sites allocated in the Waste Sites Plan providing (amongst other things) the landscape is able to accommodate associated structures after mitigation. Draft (modified) Policy CSW6 of the EPRMWLP does not change the decision-making criteria but removes reference to the Waste Sites Plan. Policy DM1 requires development designed to avoid causing any unacceptable adverse impact on the environment and communities by appropriate measures to protect and enhance the character and quality of the site's location. Policy DM11 states that waste development will be permitted if it can be demonstrated that it is unlikely to generate unacceptable adverse impacts from illumination and visual intrusion.
130. Policy DM3 of the DCS allows for new commercial development in rural areas provided it is located at a rural service centre and is consistent with the scale and setting of the settlement. Policy DM 16 seeks to protect the character of the landscape by ensuring development is sited to avoid or reduce the harm and/or incorporates design measures to mitigate the impacts to an acceptable level. Policy ER6 of the DDLP requires external lighting to be designed to minimise light pollution / light spill, including full cut-off lanterns.
131. No objections have been received from neighbours or consultees concerning the landscape and visual impact of the development. Its location within the Aylesham Industrial Estate, the surrounding buildings and landscape planting around the estate would largely screen the building from all but local vantage points on Spinney Lane and Cooting Road immediately outside the site.

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132. The application site previously featured a large radio mast. This structure was removed some time ago by the applicant and has not been replaced. The application as originally received referred to the erection of a replacement mast, however the necessary detail to enable a full and proper assessment of its potential impacts were not included. KCC officers requested the applicant withdrew this element of the application. Should the applicant wish to progress the construction of a new radio mast, prior to any work taking place a pre-application enquiry should be made to establish whether the development proposed requires planning permission and if so, this would need to be subject to a separate application.
133. Taking account of the site's location, I am content that the scale and design of the building would be in keeping with its surroundings. By locating the development on an existing industrial estate on previously developed land the proposals would help to protect the surrounding landscape from unnecessary development. It would also benefit from the screening provided by the existing mature landscape planting around the industrial estate. By enclosing all the waste processing activities within the building this would help to ensure the site appears tidy and acceptable in the existing street scene. The lighting scheme described is unlikely to cause unacceptable visual impacts or significant light pollution in this location, particularly as the lighting would only be used when the site is open. Notwithstanding, I consider that if planning permission were to be granted it should be subject to conditions requiring the final lighting scheme to be submitted and that except for low-level security lighting, the external lights are turned off outside of the permitted hours of operation.
134. On the basis that no objections have been received, including from Dover District Council, subject to conditions ensuring the development is carried out as proposed, submission of a final lighting scheme, lighting only to be used when the site is operational and the building to be finished in green to match the existing development, I am satisfied that the development would be acceptable in landscape and visual impact terms and accords with the relevant development plan policies.

Protection of water quality and resources and flood risk management

135. Paragraph 163 of the NPPF states that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural environment by (amongst other things) preventing new and existing development from contributing to unacceptable levels of soil or water pollution and that development should wherever possible help to improve local environmental conditions, such as water quality. Paragraph 178 states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination (including risks arising from former activities such as mining). Paragraph 180 states that planning decisions should ensure that new development is appropriate for its location considering the likely effects (including cumulative effects) of pollution on the natural environment. Paragraph 183 states that the focus should be on whether the proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes) and that planning decisions should assume that these regimes will operate effectively.
136. Paragraph 7 of the NPPW states that when determining waste planning applications

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Waste Planning Authorities should consider the likely impact on the local environment and on amenity against various locational criteria and other matters relating to protection of water quality and resources and flood risk management. Key locational considerations set out in Appendix B, include the proximity of vulnerable surface and groundwater or aquifers, and the suitability of locations subject to flooding, with issues relating to the management of potential risks posed to water quality from waste contamination requiring particular care. Paragraph 7 also re-iterates that waste planning authorities should concern themselves with implementing the planning strategy and not with the control of processes which are a matter for the pollution control authorities.

137. Policy CSW6 of the Kent MWLP states that planning permission will be granted for uses identified as appropriate to the sites allocated in the Waste Sites Plan providing (amongst other things) the proposals do not give rise to significant adverse impacts on groundwater resources and avoid Groundwater Source Protection Zone 1 or Flood Risk Zone 3b. Draft (modified) Policy CSW6 of the Partial Review of the Kent MWLP removes any reference to a Waste Sites Plan but retains the same criteria for decision making. Policy DM1 states that minerals and waste proposals should demonstrate that they have been designed to incorporate measures for water recycling where possible and utilise sustainable drainage systems wherever practicable. Policy DM10 states that permission will be granted for minerals and waste development where it does not: result in the deterioration of the physical state, water quality or ecological status of any waterbody; have an unacceptable impact on groundwater Source Protection Zones; or exacerbate flood risk.
138. Policy DM17 of the DCS states that development will not be permitted in Groundwater Source Protection Zones 1 and 2 unless adequate safeguards against possible contamination are provided. This includes proposals for development which may include activities which would pose a high risk of contamination unless surface water, foul or treated sewage effluent, or trade effluent can be directed out of the source protection zone.
139. The application site overlies a Principal Aquifer, a regionally important water resource, likely to be used to support potable abstractions. The site and surrounding area lie in a groundwater Source Protection Zone II. There are no registered groundwater abstraction boreholes within a 2km radius. The site is located in Flood Zone 1 (low risk).
140. The application is accompanied by a Preliminary Environmental Risk Assessment, amongst other matters, this report identifies several sources of potential contamination. These include two below ground diesel storage tanks and underground fuel lines, an interceptor on site (which is no longer in use), a soakaway (which may require some remediation), Made Ground (including a potential range of contaminants associated with the site's uses) and asbestos cladding used in construction of the existing workshop. The Assessment concludes that the site's overall risk classification is Medium principally due to above mentioned sources of contamination and the potential risk to groundwater. The report recommends a detailed ground investigation to establish the status of potential pollutant linkages and the measures required to mitigate the existing contamination should be carried out. It confirms that following appropriate remediation the site risk is expected to be Low and would not be capable of being classified as 'contaminated land' under Part IIA of the

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Environmental Protection Act 1990; thus, meeting the requirements of paragraphs 178 of the NPPF. The assessment makes a number of recommendations, including further detailed ground investigations and the implementation of dust suppression methods to minimise the impacts of construction and demolition on the surrounding area. The applicant states that to safeguard against impacts during construction it would be content to prepare and submit a Construction Environmental Management Plan (CEMP) pursuant to a planning condition.

141. The application includes details of a proposed drainage scheme. This includes perimeter drainage channels inside the building that would handle runoff and would discharge to the foul drainage network. Surface water and roof water would drain into a catch pit where the water would enter two underground storage tanks designed to slow the flow, which would ultimately drain into the existing foul water network. The connection to the foul water network would include controls to stop the water flows from site in the event of a fire. The application plans to use the two underground diesel storage tanks as part of the surface water flow attenuation proposed, if they are assessed as suitable for the intended use and subject to appropriate decontamination to be agreed with the EA.
142. The EA notes that previous uses of the proposed development site as a depot presents a medium risk of residual contamination that could be mobilised during construction to pollute controlled waters. It identifies the sensitivity of the controlled waters in this location, which is over a Principal Aquifer and in a Source Protection Zone. The EA confirm that the preliminary reports submitted in support of this planning application provides confidence that it would be possible to suitably manage the risk posed to controlled waters by this development, subject to further details being provided pursuant to the recommended conditions set out below.
143. The EA raise no objection to the application, subject to conditions covering a remediation strategy to deal with the risks associated with contamination, a verification report demonstrating the completion of any necessary remediation works, measures if contamination not previously identified is found, no infiltration of surface water drainage into the ground unless approved, and submission of piling or any other foundation designs. Neither Affinity Water (supply) or Southern Water (foul drainage provider) responded to the application. The design of the scheme includes measures to attenuate surface water flow into the drain to a reduced flow rate and I note that it would be for the applicant to agree any approach directly with the water companies.
144. Subject to the conditions recommended by the EA and the submission of a Construction Environmental Management Plan, I am content that the proposed development could be made acceptable in terms of surface and ground water protection, including directing drainage from the site out of the Source Protection Zone in accordance with DCS Policy DM17. There are no concerns about flood risk implications from the development, particularly given the attenuation measures proposed to reduce the rate of surface water runoff, which would be directed to the mains sewage system. Consequently, the application is considered to be in accordance with the development plan policies referenced above.

Nature conservation

145. Paragraph 170 of the NPPF states that planning decisions should minimise impacts on

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and provide net gains for biodiversity. Paragraph 175 states that (amongst other matters) local planning authorities should seek opportunities to incorporate biodiversity improvements in and around developments. Paragraph 7 of the NPPW states (amongst other things) that Waste Planning Authorities should consider the likely impact of a development on the local environment and on amenity against the criteria set out in Appendix B of the NPPW. In terms of nature conservation, Appendix B seeks to protect ecological networks and protected species. Policies DM1, DM2 and DM3 of the KMWLP seek to protect and enhance biodiversity interests or mitigate and if necessary, compensate for any predicted loss.

146. The application site consists of a workshop building and concrete yard area enclosed by security fencing. The site has little potential for biodiversity interest. The County Council's Ecological Advice Service has considered the application and supporting information. The response notes that the habitat survey included with the application is out of date, as it relates to an earlier application on the site. Notwithstanding, the Advice Service is content that the circumstances have not change significantly to warrant further survey work. The advice confirms that the building to be demolished is sub-optimal for roosting bats and recommends a precautionary informative on safeguarding measures in relation to nesting birds.
147. Based on the above, the application is considered acceptable in terms of nature conservation and would accord with the relevant development plan policies.

Archaeology and Heritage

148. Paragraph 20 of the NPPF seeks development that makes provision to conservation and enhancement of the natural, built and historic environment. Paragraphs 189 - 192 require planning authorities to identify and assess the significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise. Policy DM5 of the KMWLP requires development that would have no unacceptable adverse impact on Kent's historic environment and, wherever possible, seek opportunities to maintain or enhance historic assets affected by proposals.
149. The County Council's Archaeological Officer has advised that the site lies in an area of archaeological potential associated with extensive crop and soil marks in the fields to the south of Spinney Lane. These crop and soil marks demonstrate the presence of buried archaeological landscapes and features, with various enclosures, trackways and ring-ditches visible (possibly the plough flattened remains of prehistoric burial mounds). It is possible that archaeological remains associated with these crop and soil marks may extend into the site. To ensure that features of archaeological interest are properly examined and recorded the Archaeological Officer recommends a condition securing an archaeological watching brief be included on any planning permission.
150. There are no listed buildings or other heritage assets close to the application site. Objections received have referred to listed buildings immediately adjacent to the B2046 in Wingham. These buildings are over 5km (3 miles) from the site and are not on the primary access to the industrial estate. Members will note from the 'Highways and access' section above that the application is only likely to generate 1 or 2 HGV movements per hour towards Wingham. This would not represent a significant uplift

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in the existing number of vehicle movements resulting from the permitted use. I am therefore satisfied that the proposals would not have a significant or unacceptable impact on any heritage assets.

151. Based on the above advice, I am satisfied that the inclusion of the recommended condition would ensure that any archaeological interest / features are recorded and preserved in a manner appropriate to their significance and that the development would accord with the relevant Development Plan Policies.

Residential Amenity

152. The application has attracted objections concerning the potential impact of the development on residential amenity as a result of impacts from HGV movements on air quality and noise, impacts from dust and odour from the site and noise concerns relating to the proposed operations and the hours of use. These matters have been addressed in the discussion section above and I am satisfied that there are no overriding considerations that would justify refusal on residential amenity grounds.

Other considerations

Litter, vermin and birds

153. Appendix B of the NPPW states that some waste management facilities, especially landfills which accept putrescible waste, can attract vermin and birds and can also cause concern about litter. It states that the primary aim is to guard against new or increased hazards caused by development whilst taking account of the proximity of sensitive receptors. Policy DM11 of the MWLP states that waste development will be permitted if (amongst other matters) it can be demonstrated that they are unlikely to generate unacceptable adverse impacts on quality of life and wellbeing to communities and the environment, including neighbouring land uses.
154. The application as originally proposed would have allowed the importation of mix municipal and commercial waste streams that could include food waste and other putrescible waste elements. As indicated above this waste stream has subsequently been withdrawn from the application. The remaining waste types would be limited to inert, semi inert waste material. The applicant is principally interested in the recyclable / reusable materials that have value. Notwithstanding, there is still a small risk of putrescible materials being received. This could include recycled packaging with food residues or material received in contaminant quantities amongst mixed skip loads. The applicant states that it would contact its customers to explain the materials that could be accepted and those that would not be allowed. It also indicates that it would quarantine the small amounts of unacceptable waste into a skip to be removed to a suitably licenced disposal facility.
155. Given the limited space within the building it is in the applicant's interest to process material as quickly as possible once on site to free up space and skips so that they can be hired out again. The applicant states that the regular throughput of material and operating within the building (including the rapid rise doors and an impermeable surface) would serve to reduce opportunities for vermin and the escape of litter. The above measures plus good housekeeping, and regular inspections should help to minimise the potential for any impacts. In the unlikely event vermin become a problem

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the applicant has confirmed it would employ a specialist subcontractor, which would not be dissimilar to the approach taken by any of the surrounding businesses.

156. Issues relating to litter and vermin would relate to the control of the waste operations and would be matters covered in more detail through the provisions of an Environmental Permit. This process would allow additional controls. Given the withdrawal of waste streams more likely to contain significant quantities of putrescible waste alongside the controls that would be in place under an Environmental Permit, I am content that suitable measures would be in place to ensure vermin, birds and litter would not become a problem as a result of the waste types that would be received or the development proposed.

Delegated powers to determine details pursuant

157. Should the Committee resolve to grant planning permission there would be several conditions requiring the submission of further details as recommended by technical consultees and officers (please see the conditions recommended above and below). These matters require further information to be submitted to ensure that the proposals are delivered and managed in a suitable way, however the matters do not speak to the principle of the development, which Members are seeking to determine at this time. Similar to the request in Item C1, in this instance, I seek augmented delegated authority from the Planning Applications Committee to determine the acceptability of details submitted pursuant to any planning permission (in consultation with the statutory and technical consultees) without the need to re-report the submission to Members should objections be received. Clearly if there are technical issues with the submitted details, officers would seek to negotiate a suitable solution or refuse to approve the details if they are found to be unacceptable or a solution cannot be agreed. This approach would allow the delivery of any development the Committee grants permission for at the earliest opportunity without delay in accordance with national guidance, which expects the local planning authority to respond to requests to discharge conditions without delay, and in any event within 21 days.

Conclusion

158. The application proposes the redevelopment of an existing workshop and depot to form a purpose-built fully enclosed waste management facility. The proposals include a replacement building with associated internal infrastructure that would fill the majority of the site, with a small forecourt allowing space for access and car parking. The development proposes to process up to 45,000 tonnes per annum of inert / semi inert non-hazardous waste. This would generate a maximum of 80 HGV movements per day (40 In / 40 Out). The application includes changes to the existing operating hours to allow for longer haulage hours and temporary operations outside of the core hours (see details above).
159. The application site has been granted planning permission by the Waste Planning Authority on three previous occasions for a waste management use, albeit at a slightly smaller scale than the current proposals. These permissions were never implemented and have since lapsed. During the processing of this application, negotiations have taken place between the applicant, KCC officers and technical consultees in an attempt to secure a sustainable development. This has resulted in the reduction of the

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scale of operations to better reflect the size of the site and the potential impacts of the development on the surrounding land uses. It included a reduction in the throughput and number of HGV movements proposed and the omission of residual (putrescible) wastes from the proposed materials that would be accepted on site.

160. The development plan and national planning policy and guidance establishes support for waste sites that seek to improve capacity to sought waste to help encourage reuse and recycling and divert residuals from landfill. The location, within an industrial estate on previously developed land at the edge of Aylesham (identified rural service centre), with good access to the primary and strategic road networks, also receives policy support.
161. The revised application would result in a net increase in HGVs over the existing permitted arrangements of 34 movements (17 In / 17 Out) per day. Kent Highways and Transportation were involved in the negotiations referenced above, including relating to the reduction in HGV numbers. Highways and Transportation are content that the application would not have unacceptable impacts on highway safety, capacity or congestion, subject to the conditions discussed above.
162. The Environment Agency (EA), and Dover District Council's EHO and the County Council's technical consultants on air quality (including dust and odour) and noise, have all considered the implications of the development as proposed. Subject to conditions that are reflected in the recommendation below, the technical consultees are content that the application would be acceptable and raise no objections.
163. The EA have considered the recommendations put forward within a Preliminary Environmental Risk Assessment received with the application and are content with the conclusions that whilst the previous uses of the site represent a Medium risk to the environment and ground water due to contamination, this can be managed effectively to reduce the risk down to Low by managing and remediating the contamination during development of the site. The EA recommend a number of conditions to secure this process and subsequently raise no objections.
164. Other issues relating to landscape and visual impacts (including lighting), nature conservation and archaeology are also considered above, subject to conditions, these matters have not attracted any objection, including from technical and statutory consultees.
165. Whilst I note the objections received from several Parish Councils and those raised by local residents and local businesses, given the recommendations of the technical consultees I am satisfied that the application at the reduced scale negotiated would represent sustainable development and could be controlled by the imposition of conditions and a revised Environmental Permit, such that it would not have unacceptable or significant impacts on the local land uses, including residential development. Any residual impacts would not be dissimilar to those experienced in connection with the established industrial estate that surrounds the site. I am satisfied that, subject to the conditions included in my recommendation below, the application accords with the Development Plan and there are no material planning considerations that indicate the application should be refused. I therefore recommend planning permission be granted.

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Recommendation

166. I RECOMMEND that PERMISSION BE GRANTED, SUBJECT TO the imposition of conditions covering (amongst other matters) the following:

- The development shall be commenced within 3 years.
- The development shall be carried out and completed in accordance with the submitted details, documents and plans.

Throughput

- Maximum throughput of 45,000 tonnes per annum.

Highways and access

- No more than 80 HGV movements (40 in / 40 out) per day.
- Records shall be maintained of all HGV movements and the information made available to the Waste Planning Authority.
- HGV movements before 0800 hours be restricted to 4 HGV movements between 05:00 and 06:00 hours and 10 HGV movements each hour between 06:00 and 0800 hours.
- No overnight parking of HGVs on site.
- Measures shall be taken to ensure that vehicles leaving the site do not deposit mud or other materials on the public highway.
- All loaded HGVs entering or leaving the site shall be enclosed, covered or sheeted.
- No delivery of waste to the site by members of the public.
- Areas shown for vehicle access, parking, turning, manoeuvring, loading and unloading to be provided and retained.
- Measures to prevent the discharge of surface water into the public highway.
- Dropped curb cross over and associated parking restrictions on the public highway to be provided.
- Visibility splays shown on the submitted plans to be provided and maintained.
- Fleet management measures proposed to ensure no queuing on the public highway shall be implemented and maintained.

Hours of operation

- Core operating hours – 06:00 – 18:30 hours Monday to Friday; 06:00 – 14:00 hours Saturday; and nil on Sundays, Bank and Public Holidays (except where required in exceptional circumstances as provided for in the recommended conditions below).
- Vehicle movements – 05:00 – 20:00 hours Monday to Friday; 05:00 – 20:00 hours Saturdays; and nil on Sundays, Bank and Public Holidays.
- The receipt of Waste Collection Authority (WCA) and Waste Disposal Authority (WDA) waste (including that which it has contracted to third parties) – 07:00 to 18:00 hours on Public Bank Holidays (except Christmas Day); and occasional Saturday afternoons up to 17:00 hours prior to and following a Public Bank Holiday (to meet any exceptional service demands).
- 18:30 – 06:00 hours Monday to Friday; and 14:00 – 00:00 hours Saturday on up to a maximum of 10 occasions (nights) per year. Night-time working shall

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exclude Bank or Public Holidays and shall not take place on more than two consecutive nights.

- 08:00 to 13:00 hours on Sundays on up to a maximum of 6 occasions (Sundays per year).
- During the above extended hours all external doors shall to be kept closed at all times, and no waste deliveries or transportation of materials off site may take place.
- Operator to maintain record of out of normal hours working.

External Materials

- External cladding to finished in green.

Land use

- Use of building restricted to waste use.
- Waste receipt, deposit, handling, sorting, processing, storage and dispatch to take place within the building.

Archaeology

- Implementation of a watching brief.

Waste types

- Waste types restricted to those applied for, as amended to exclude residual (putrescible) and black bag waste, unless in contaminant quantities.
- Any putrescible (residual) waste received shall be removed from site to an authorised waste disposal facility within 48 hours.

Dust and Odour Control

- Submission of a Dust Management Plan
- Rapid rise doors to be installed and kept closed at all times unless a vehicle is entering or leaving.

Ground and surface water protection

- Submission of a remediation strategy to deal with the risks associated with contamination of the site.
- Submission of a verification report demonstrating the completion of works set out in the approved remediation strategy.
- Measures to be implemented if contamination not previously identified is found to be present on site.
- No infiltration of surface water drainage into the ground unless approved
- No piling or any other foundation designs using penetrative methods unless approved.

Other Operational Controls

- A copy of the permission and the approved plans to be made available in the operator's site office.
- Withdrawal of permitted development rights unless approved.
- No crushing, screening or shredding of waste shall take place on site.
- All vehicles, plant and machinery to be maintained and serviced and fitted with closed engine covers and effective silencers.

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- No external lighting to be installed without approval.
- External lighting to be extinguished outside the operating hours.

Construction Phase

- Submission of a Construction Environmental Management Plan (CEMP), including dust mitigation.
- Construction or demolition operations restricted to 0800 - 1800 Monday to Friday, 0900 - 1300 on Saturday, with no operations on Sundays and Bank Holidays unless approved.

Informatives

- Local Highway Authority advise on work affecting highway land.
- EA advise on piling / foundation design.
- The Coal Authority's standing advice and contact details.
- Should the applicant wish to progress the construction of a new radio mast on site, prior to any work taking place a pre-application enquiry should be made to establish whether the development proposed requires planning permission.

167. I FURTHER RECOMMEND that should PLANNING PERMISSION BE GRANTED officers be granted delegated powers by the Planning Applications Committee to determine submissions made pursuant to the conditions imposed on any permission, including where there are relevant technical objections.

Case Officer: Mr James Bickle

Tel. no: 03000 413334

Background Documents: see section heading
