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VARIATION TO APPROVED RESTORATION SCHEME FOR PERMISSION TM/97/1064; AND APPLICATION TM/08/209 – CONSTRUCTION AND OPERATION OF A NEW SURFACE WATER BALANCING POND AND SOAKWAY TO SERVE THE MARGETTS PIT SURFACE WATER DRAINAGE SYSTEM;

NOTES of a Planning Applications Committee Members' site tour to Margetts Pit, Burham on Tuesday, 18 March 2008.

MEMBERS PRESENT: Mr R E King (Chairman), Mr J A Davies, Mrs E Green, Mr G A Horne, Mr C Hibberd, Mr S J G Koowaree, Mr J F London, Mr T A Maddison, Mr W V Newman, Mr A R Poole and Mr F Wood-Brignall .

OFFICERS: Mr M Clifton (Planning); Ms L Dyson and Ms W Rogers (Archaeology), Ms S Taylor (Biodiversity) and Mr A Tait (Legal and Democratic Services).

TONBRIDGE AND MALLING BOROUGH COUNCIL: Mr A Hill (Planning).

BURHAM PARISH COUNCIL: Cllrs M Harvey and B Stead.

THE APPLICANTS: Aylesford Newsprint: Mr I Broxer. Faber Maunsell (Agents): Dr E Slaney, Mr D Smith, Ms H McLean and Mr R Wardle.

- (1) Members travelled to the site by coach from Aylesford News Print, along the A20 and the A229, Pilgrims Way, Court Road and Margetts Lane. This enabled them to use the same route that would be used by the HGVs for the proposed development.
- (2) The Chairman opened the meeting. He explained that its purpose was for the Committee Members to familiarise themselves with the site and to listen to the views of interested parties.
- (3) Mr Clifton explained that the need for an amended restoration scheme had arisen as a result of changes to the Pollution Prevention and Control (PPC) Regulations. Those landfills which could not be brought into line with European requirements were now required to close by July 2009.
- (4) Mr Clifton then said that the new proposed restoration scheme would involve infilling with waste which would be brought in along the route taken by the coach (*this would actually use the M20 rather than the A20*). The site would finally be restored its original contours, except for Cell 1A to the South East, which would continue to be worked.
- (5) Mr Clifton went on to say that the amendments to the restoration scheme would not alter its contours or afteruse aspects. In order to meet the July 2009 deadline, it would be necessary for the quantity of imports to increase from their current levels. There were currently no restrictions imposed. The applicants believed that this would be acceptable as they

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had previously increased vehicle movements by 100 per day to bring in materials to form the capping layer. The applicants had estimated that this proposal would need a further 700k cubic metres of infill material, normally resulting in 83 loads (166 movements), but possibly rising to 124 loads (248 movements) per day.

- (6) Mr Clifton then turned to the separate application for a surface water balancing pond. Its purpose would be to passively drain all surface water from the landfill. It therefore would need to be sited at a lower level than the lowest point of the restored landfill. This requirement limited the number of places where it could be accommodated.
- (7) The best location from an engineering point of view was compromised by being in an area which was known to contain items of archaeological interest. These included a Neolithic causeway enclosure and Iron Age settlements. The applicants had therefore searched for a location that best matched engineering needs with those of historical preservation. Whilst they were still considering alternatives, the currently preferred option had less archaeological impact and would be cut into the sloping ground, minimising its visual impact.
- (8) Mr Clifton said that the pond would ultimately bring ecological benefits through enhanced wildlife and vegetation. There would, however need to be protection for the newts around the perimeter of the proposed pond.
- (9) Mr Clifton then highlighted the comments of consultees. The Environment Agency supported the proposal in principle but had submitted a holding objection pending detailed calculations of the size of the pond. This would need to cater for a one in a hundred year flood and a further 20% for climate change. English Heritage had called for attention to be given to the visual context of the archaeological site. Tonbridge and Malling BC had raised no objection but wished to be satisfied with the quality of the linkway from the landfill to the pond and on the details of the works that would be necessary along Court Road. They had pointed out that Court Road would probably need to be re-aligned in the light of the recent Peter's Pit permission for 1,000 new houses. They also sought a condition requiring the drainage of the highway and land adjacent to the site.
- (10) In response to a question from Mr Maddison, Mr Clifton said that Cells 1, 2 and 3 were unable to meet modern landfill standards. Cell 1A was able to do so, but the applicants wanted to finish that part of the site by 2012.
- (11) Mr Horne asked how strong the requirement was for the surface water pond to be constructed. Mr Clifton replied that it was of key importance. There was no "do nothing" option.
- (12) Mr Stead (Burham PC) asked whether the existing conditions would be transferred to the new application. Mr Clifton replied that, with the

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exception of those conditions the applicants were seeking to vary on the existing landfill permission, all other conditions would continue to remain in effect.

- (13) Mr Broxter (Aylesford Newsprint) asked the Committee to note that lorries would actually travel from Aylesford to Burham along the M20 via Junction 4 rather than using the New Hythe Lane/A20 route. Not all lorries would originate at Aylesford Newsprint.
- (14) Mr Harvey (Burham PC) asked what the likely starting date would be when the number of deliveries of waste to the state would increase. Mr Clifton replied that he hoped to be in a position to report to the Committee within the next two to three months and, if permission were granted, the number of deliveries would increase soon after that.
- (15) Members then travelled to the site of the proposed Surface Water Balancing Pond. Mr Clifton pointed out the preferred location next to the eastern side of Margetts Lane. A stone access track would be created between the landfill and pond, through a gap in the hedgerow planting. The size of the pond would be about 2.4 hectares (130m by 70m).
- (16) Dr Slaney said that the initial idea had been to site the pond next to the Landfill. However, a geophysical survey had identified an Iron Age settlement. The proposed location now represented the optimum solution as it would avoid both the settlement and the other known areas of archaeological interest. The possibility also existed that there might be further archaeological finds, so the applicants proposed to carry out trial excavations during the construction period. Proposals for this work would be agreed with English Heritage.
- (17) Ms Dyson confirmed that research had shown small anomalies which could represent archaeological data. These would need to be preserved, possibly by recording.
- (18) Mr Clifton said that once permission was granted, it would be unlikely that construction work could be terminated if a significant find was uncovered. In such an event he anticipated arrangements would be in place setting out a specific brief for mitigation and recording.
- (19) Ms Dyson said that the survey undertaken by the applicants had identified the causeway and Iron Age enclosure. Very little had so far been identified at the proposed location, which therefore had the lowest potential risk. Trial trench digging was not necessarily the perfect answer but would be the best solution available if done to a high archaeological standard.
- (20) Mr Koowaree asked how deep the pond was intended to be. Dr Slaney replied that the final details were still being worked out with the Environment Agency, who were expected to withdraw their holding agency

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once finalised. The calculations were based around the need to plan for once every hundred year flooding plus twenty per cent.

- (21) The Chairman thanked everyone for attending. The notes of the site tour would be appended to the report to the determining Committee meeting.