

SECTION C
MINERALS AND WASTE MANAGEMENT

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

Item C1

Proposed development of a Household Waste Recycling Centre (HWRC), new access to a highway, associated infrastructure and earthworks at Allington Integrated Waste Management Facility, Laverstoke Road, Allington, Maidstone, Kent, ME16 0LE - TM/20/62 (KCC/TM/0284/2019)

A report by Head of Planning Applications Group to Planning Applications Committee on 15 July 2020.

Application by FCC Environment (UK) Ltd for the development of a Household Waste Recycling Centre (HWRC), new access to a highway, associated infrastructure and earthworks at Allington Integrated Waste Management Facility, Laverstoke Road, Allington, Maidstone, Kent, ME16 0LE - TM/20/62 (KCC/TM/0284/2019)

Recommendation: Permission be granted subject to conditions.

Local Member: Peter Homewood

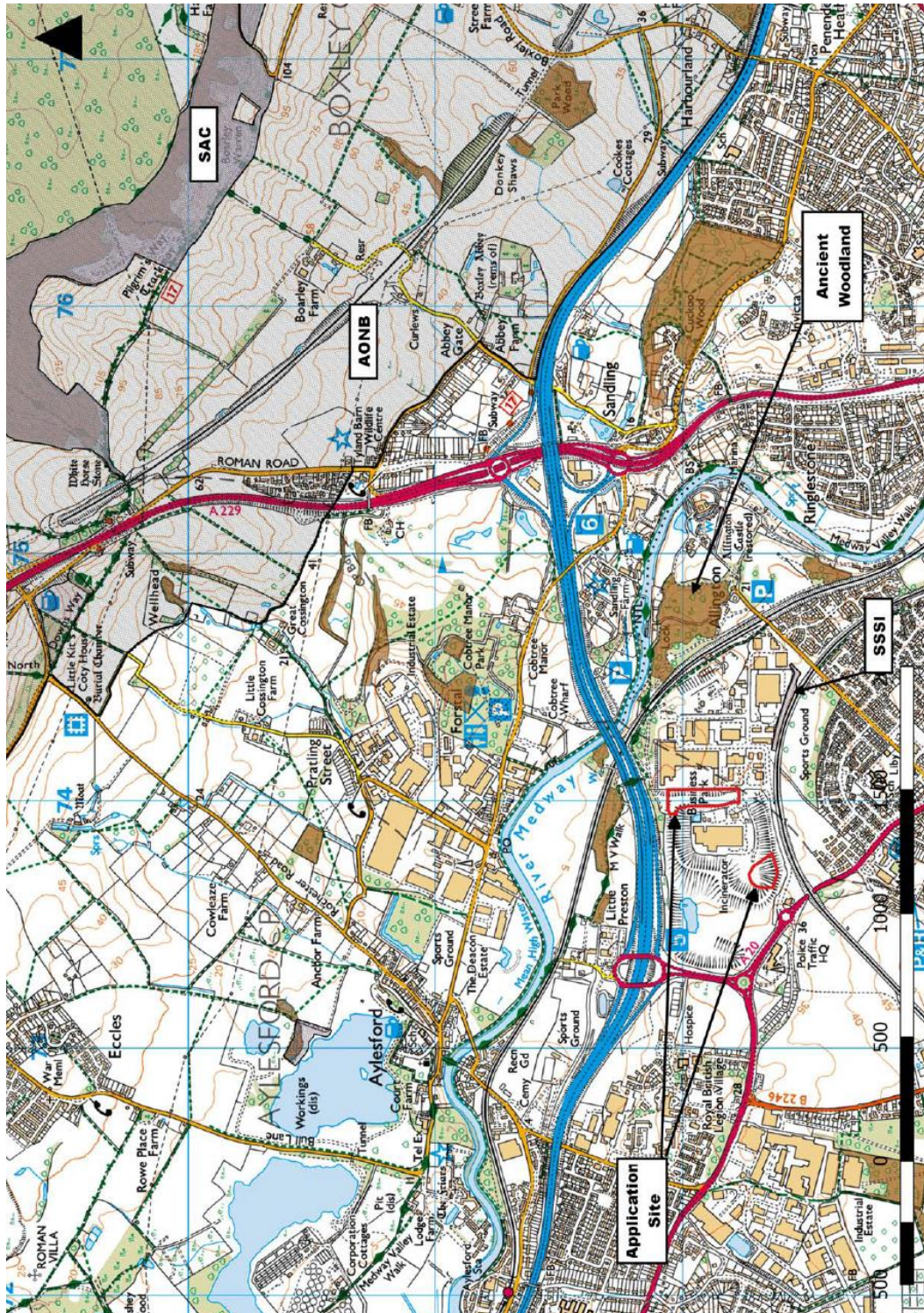
Unrestricted

Site description

1. The application site (which comprises two parts) is located to the north of Allington (part of the built-up area of Maidstone). The proposed Household Waste Recycling Centre (HWRC) is bound to the north by the M20 Motorway, to the east by Laverstoke Road and a storage and distribution warehouse (part of the 20/20 Business Park which includes a range of existing commercial and industrial units and some office space), to the south by the access to the Allington Integrated Waste Management Facility (IWMF) and to the west by the Allington IWMF itself. St Laurence Avenue and an elevated mainline railway (located on a wooded embankment) lie further to the south. The proposed spoil disposal area lies to the southwest of the Allington IWMF and north of St Lawrence Avenue.
2. Access to the HWRC is proposed via a new dedicated priority junction off Laverstoke Road. Laverstoke Road connects to St Laurence Avenue (again via a priority junction) which, in turn, connects the wider 20/20 Business Park to the A20 London Road (via a roundabout). The A20 London Road / Coldharbour Lane provides a direct connection to Junction 5 of the M20. Access to the spoil disposal area from the proposed HWRC would be achieved without use of Laverstoke Road and the wider highway network.

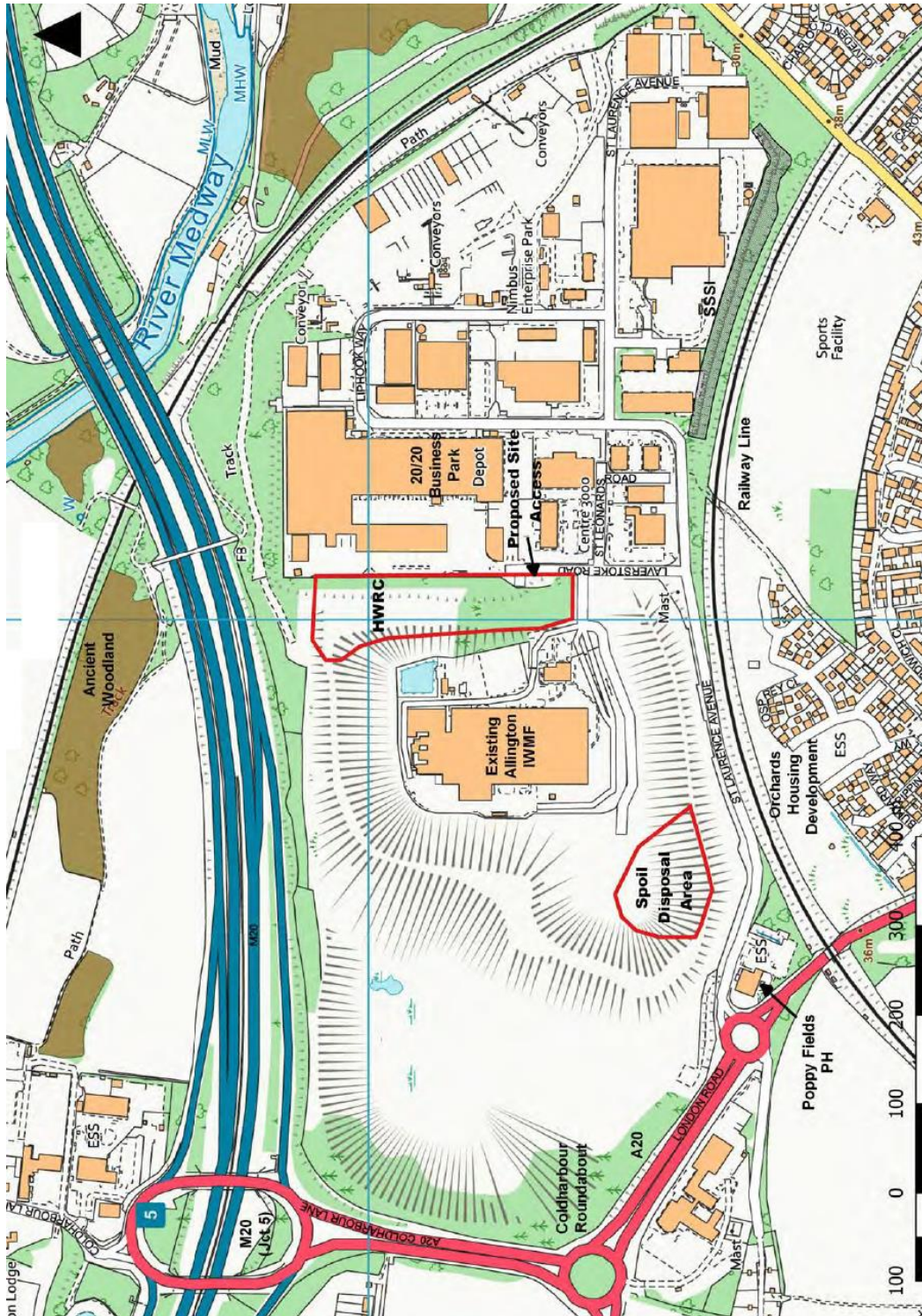
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Site Location Plan 1



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Site Location Plan 2



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3. The nearest residential properties to the proposed HWRC are located within the Orchards development which lies to the south of the railway line. These properties (which lie approximately 230 to 250m to the southernmost boundary of the proposed HWRC) are accessed from the A20 London Road. The nearest offices on the 20/20 Business Park are about 35m to the east of the proposed new HWRC access on Laverstoke Road. The nearest property to the spoil disposal area is the Poppy Fields Public House (which includes manager accommodation) lies approximately 64m to the south (on Laverstoke Road).
4. The site of the proposed HWRC currently comprises a landscaped earth bund which was formed during the construction of the Allington IWMF. The bund (which is orientated north – south) currently extends to a height of about 35.5m above ordnance datum (AOD) reducing to about 16.0m AOD along the fence line with the Allington IWMF and about 22.0m AOD along the fence line associated with the neighbouring distribution centre. The bund was planted with tree whips following the completion of the Allington IWMF development in 2008 which have now grown into an immature woodland. There is also a linear belt of more mature trees running parallel to the boundary with the neighbouring distribution centre.
5. The proposed spoil disposal area occupies part of the Allington IWMF initially intended to be used for ash weathering storage area and subsequently seeded and part of the adjoining land to the south which was planted with whips.
6. The site lies within a Groundwater Source Protection Zone (SPZ1) and within the settlement boundary defined in the Tonbridge and Malling Local Development Framework (LDF). It is also allocated for employment use in the adopted and emerging Tonbridge and Malling Local Plans and is safeguarded for waste management use in the Kent Minerals and Waste Local Plan (MWLP). Areas of Ancient Woodland lie just to the north of the M20 and east of railway line at the eastern end of the 20/20 Business Park. A geological Site of Special Scientific Interest (SSSI) lies towards the eastern end of the 20/20 Business Park on its southern boundary. The Kent Downs Area of Outstanding Natural Beauty (AONB) lies approximately 1.5km to the northeast of the application site. The North Downs Woodland Special Area of Conservation (SAC) lies approximately 2km to the northeast of the application site (albeit within 200m of part of the A229 Blue Bell Hill)
7. The locations of the proposed HWRC, spoil disposal area, existing Allington IWMF and other features referred to in this report are shown on the drawings on pages C1.2 and C1.3.

Planning History and Background

8. The Allington IWMF and 20/20 Business Park occupy land which was previously worked for mineral (ragstone) and has since been restored using both indigenous materials and imported inert waste. Mineral processing and distribution operations are still present at the eastern end of the 20/20 Business Park in the form of a rail aggregate siding and an associated distribution depot with asphalt and ready mix

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concrete plants.

9. Planning permission for the Allington IWMF was granted in July 2000 (TM/98/1428 / MA/98/1212) following completion of a Section 106 Agreement and a Section 278 Agreement. The permission was temporary in that it limited the operational life of the IWMF until 31 July 2030. Following the grant of planning permission, a number of submissions were made (and approved) to discharge the requirements of planning conditions and related clauses in the Section 106 Agreement. Two planning applications were also made (and permissions granted) to vary the requirements of conditions (TM/04/2816 / MA/04/1694 and TM/06/806 / MA/06/457). Construction began in 2004 and the IWMF became fully operational in 2008. Planning permission was subsequently granted in November 2017 (TM/17/1223 / MA/17/502358) for the permanent retention of the Allington IWMF.
10. The July 2000 Section 106 Agreement included a number of obligations relating to the development and operation of the Allington IWMF, including the permanent retention of the western (undeveloped) part of the site as a Nature Conservation Site and its eventual transfer in ownership to a Nature Conservation Company (with appropriate funding). The eastern part of the Allington IWMF site was identified as the Development Site (which was not subject to the same development restrictions). The Section 278 Agreement provided for the necessary highway improvements. The 2017 planning permission was subject to a new (replacement) Section 106 Agreement which confirmed the outstanding and ongoing requirements of the original, including the Nature Conservation Site and its eventual transfer of ownership. The eastern part of the Allington IWMF site remains identified as the Development Site.
11. The applicant secured a Screening Opinion from KCC in September 2019 which confirmed that the proposed application for the HWRC did not constitute EIA development and would not need to be subject to an Environmental Impact Assessment (EIA). It also secured pre-application planning advice from KCC in October 2019. The planning advice indicated that the provision of a HWRC to serve residents in Tonbridge and Malling and west Maidstone and assist in meeting waste recovery and landfill diversion targets on land safeguarded for waste management use in the Kent Minerals and Waste Local Plan (MWLP) was consistent with waste planning policy but that it was not possible to determine whether what was proposed was acceptable in all respects pending the submission and consideration of a suitably detailed planning application. The planning advice also highlighted key planning considerations for the application as being landscape and visual impact, traffic and access, noise impact, air quality impact, ecology, ground and surface water impacts and geotechnical stability (in both the construction and operational phases). The planning advice also recommended that the applicant undertake some form of community engagement and held discussions with KCC Highways and Transportation and the Environment Agency. The applicant also secured pre-application scoping advice from KCC Highways and Transportation in October 2019 relating to those matters to be addressed in the Transport Assessment.

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12. The applicant also carried out pre-application consultation in July and October 2019 with the Allington IWMF Community Liaison Group (CLG) which was formed in about 2006 following planning permission being granted for the Allington IWMF. The Allington CLG is made up of local Councillors, members of the public and other technical specialists to provide ongoing engagement between the site operator (Kent Enviropower Ltd – a wholly owned subsidiary of FCC) and local stakeholders on operations at the site. The applicant also met representatives of DHL (the neighbouring storage and distribution centre) to discuss the proposals and has advised that further discussions have taken place with the Allington CLG, DHL and other neighbouring companies. It should be noted that the applicant also presented details of the proposed HWRC as part of informal consultation on its wider aspirations for the Allington IWMF at three local community engagement events held in October and November 2019.
13. KCC Waste Management is in the process of seeking the procurement of a new HWRC for the west Maidstone area and has issued a series of tender documents to interested parties. The applicant has stated that the proposed HWRC at the Allington IWMF is intended to meet this requirement.
14. The applicant is also planning an extension to the Allington IWMF by the provision of an additional waste treatment line (4th line) and associated infrastructure which would increase its waste processing capacity to more than 900,000 tonnes per annum (tpa) and have an overall gross electrical capacity of about 77 megawatts (MW). The existing IWMF can process about 560,000tpa of waste and generate up to 45MW (with about 38MW being exported to the local electricity supply network). The applicant expects the proposed 4th line to be dealt with by the Planning Inspectorate (PINS) on behalf of the Secretary of State (who will determine it) via the submission of an application for a Development Consent Order (DCO) under the Planning Act 2008 as it relates to a new or extended energy generation development with a gross electrical generating capacity of more than 50MW. The 4th line DCO application would also be subject to EIA.

The Proposal

15. The application proposes the development of a Household Waste Recycling Centre (HWRC), new access to a highway, associated infrastructure and earthworks at the Allington IWMF.
16. The proposed HWRC would be a modern split level facility incorporating public areas for vehicle circulation and parking around the outside, with operational activities taking place centrally on the site. The areas would be fully surfaced in a combination of tarmac and concrete and signed (with a range of thermo-plastic road markings) to aid wayfinding, illustrate walkways and to demarcate parking spaces.
17. The upper level (in the north-eastern corner) would be formed by concrete retaining walls with associated vehicular ramps. The arrangement would mean that residents transferring waste between vehicles and waste containers would not need to climb any

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steps. There would be 22 split-level recycling container bays supported by metal walkway piers and 25 car spaces (including one accessibility space). A 'Y' shaped double pitch canopy is proposed above the containers, walkways and parking spaces to aid year-round use and minimise the ingress of water into the collected waste / recyclable material. The canopy would extend to a maximum height of 7.53m. It would be constructed from metal posts and beams with single skin plastic coated steel trapezoidal cladding forming the roof. It was initially proposed that the canopy be finished in Goosewing Grey. However, the applicant has since agreed that a planning condition be imposed requiring dark coloured roofing materials be used at the facility if this is preferred. The bottom 2.5m of the posts which would be finished in yellow and black hazard strips.

18. The lower level would include 33 parking spaces (including one accessibility space) for members of staff and visitors to the re-use shop. The arrangement would ensure that parking spaces next to the split-level containers are not occupied for longer than necessary. A covered bicycle shelter (for up to 10 bicycles) would be provided next to the car park and welfare / re-use building. The lower level of the site would also include unloading areas and a range of containers for the collection of specific items of waste, including 4 chargeable waste containers (now used at other KCC HWRCs) for materials such as: breeze blocks, bricks, cement, concrete and drain pipes; ceramic bathroom and kitchen items and tiles; flagstones, granite, marble, paving slabs; hardcore, rubble, gravel, rocks, stones; plasterboard; sand and Soil; and tyres.
19. A two-storey site office / welfare and re-use shop would be constructed immediately to the south of the upper level using a pre-fabricated / modular building design in grey. The building would be 15.9m long, 11.1m wide and have a maximum height of 6.97m (to the top of the lift shaft). The building would provide 353m² of floorspace and include an office, mess room, toilets and a shower. An external stairway and landing would provide access to the upper floor with a lift to ensure access for all. The building would also include a re-use facility which would accept any re-usable items brought to the site which may be suitable for re-sale in their existing state or require repair or refurbishment. All electrical items would be PAT tested and rooms within the building would be designated for their receipt, sorting, repair, PAT testing and refurbishment. Items suitable for re-sale in their current state would be displayed within the designated sales area and other items would be stored for repair. Any residues from the re-use process would either be recycled or disposed of as appropriate. There would be up to 4 members of staff permanently employed at the facility (depending on need) and there may be opportunities for training in the future.
20. The exact number, location and type of waste and recycling containers would vary according to usage and demand over time but would be likely to provide accommodation for the following waste streams: Bulky; Chemicals; Cooking Oil; Glass; Green waste; Metal; Paper and Card; Plasterboard; Residual; Soil; Textiles; Tyres; Wood; Asbestos; Dry Cell Batteries; Gas Bottle and Aerosols; Lead Acid Batteries; Rubble and Hardcore; Engine Oil and Engine oil containers; Waste Electrical and Electronic Equipment (WEEE) segregated into Small WEEE / LDA's / Cooling / Displays and Lamps; Toner Cartridges. There would also be additional capacity to

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take account of future additional waste streams, enforced segregation and overflow.

21. A new purpose built access junction would to be constructed off Laverstoke Road to the north of the existing priority junction for the Allington IWMF and south of an existing stub junction which is not used and is enclosed within the FCC site by the current screen bank. The new junction would include concrete kerbs with tactile paving and footpaths finished in tarmac. A two-way access road would provide a connection between the new junction and the HWRC itself which would be finished in tarmac, edged with concrete kerbs and supported by road gullies and interconnected pipework. A 2m high metal height restriction barrier would be constructed across the access road (as at other HWRCs). The HWRC would operate a one-way clockwise circulation system, with incoming vehicles traveling around the southern and western edges of the site. This would provide on-site queuing capacity for over 100 cars in three internal queuing lanes with a combined length of over 600m and allow operational vehicles direct access into the site. At the point where vehicles begin to merge into a single lane a meet and greet cabin (2.4m long x 1.8m wide and 2.4m high) would be positioned to assist members of the public. From this point a ramp would enable vehicles to travel up to the top level around the northern end of the HWRC where visitors would park and off-load waste materials. Vehicles leaving this area would travel down a ramp on the eastern edge of the facility (next to the welfare and re-use building) and either leave the site via Laverstoke Road or park and use the re-use shop.
22. The applicant proposes that permission be granted to allow the HWRC to be open to the public between 07:00 and 20:00 hours weekdays, weekends and on Bank Holidays (but closed on Christmas Day, Boxing Day and New Year's Day), although it states that actual opening hours would be dependent on contractual arrangements with KCC Waste Management. It also proposes that site maintenance / cleaning and other operational activities be allowed during the 30 minutes before the site opens and 30 minutes after the site has closed to the public. It states that having staff on site prior to the official opening time also assists with traffic management and would enable members of the public arriving in advance of the opening time to wait within the confines of the site, rather than queuing on the public highway (something it regards as important as vehicles queuing on Laverstoke Road could interfere with the operations carried out by DHL and the existing Allington IWMF).
23. The HWRC would employ up to 10 members of staff (including the 4 at the re-use facility).
24. Fencing and gating at the HWRC would comprise a 2.4m high galvanised metal palisade fence around its perimeter with matching double leaf gates at the main entrance to the site, a 2.4m high plastic coated green paladin fence around the central operational area with matching double leaf gates at the HGV access point and matching fencing and double leaf gates around the waste changing containers and between public and operational areas. A 1.1m high concrete wall (above ramp level) would be installed along the length of the ramps. Plastic coated green paladin fencing would be installed on top of a concrete retaining wall running along the edge of the

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split-level area with matching pedestrian gates to enable access to each of the metal pier walkways (between the containers). Each of the metal pier walkways would include 1.1m high anti-climb galvanised handrailing and Armco barriers and bollards would be installed at various points around the HWRC to maintain safety.

25. The HWRC would have an impermeable surface. Surface water would drain via a series of gulleys and drains through catchpit chambers, silt traps within drainage channels and a by-pass separator. During periods of low intensity rainfall, water would simply flow through the system and into the public surface water sewer on Laverstoke Road. During periods of heavy rainfall, surface water would begin to back up behind the flow control chamber (which would restrict run-off leaving the site to a greenfield rate of 1.8 litres / second (l/s)) and flow into the underground off-line cellular storage attenuation feature (sized to store the 1:100 annual probability rainfall event including a 40% increase in rainfall intensity to allow for climate change, in accordance with Environment Agency guidance) located beneath the central operational area. As rainfall decreases and the flow control chamber allows surface water would flow out of the attenuation feature into the public sewer in Laverstoke Road. Land drains are proposed to be created on the remodelled landform to ensure that run-off is captured and re-directed before flowing onto the HWRC. Foul water from the welfare and re-use building would be directed via a new foul water connection to the public foul sewer to the north-west of the proposed HWRC. Water collected from beneath the containers serving the split-level area and those associated with the containers on the lower level would be subject to a leachate drainage system. This would separately drain to a leachate storage tank which would be regularly inspected and emptied by a registered waste handler.
26. New native woodland planting would take place around the perimeter of the HWRC (to the north, east and south) including on land within the Allington IWMF affected by earthworks associated with the development platform to replace that which would be lost and assist in screening the development. Further native woodland planting would also take place to the south west of the IWMF to replace that lost as a result of the spoil disposal operation. Small areas of species rich grassland are also proposed to the west of the proposed HWRC and in the spoil disposal area which are intended to off-set the loss of poor quality habitat during construction and assist in providing biodiversity enhancement.
27. The applicant proposes to install a closed-circuit television (CCTV) system and an automated number plate recognition (ANPR) system with the detailed design being secured by condition. Similarly, whilst the applicant does not consider the site to be particularly sensitive to the introduction of additional lighting, it proposes that a detailed lighting scheme be secured by condition. It states that external lighting would be required to enable safe movement across the site and meet health and safety and other relevant legislation (e.g. nature conservation) and that new light sources are likely to include floodlighting (which would be located on the welfare building elevations, on monopoles around the boundary of the site and on the underside of the proposed canopy). It also states that internal lighting would also be required in the welfare and re-use building, that low level lighting may also be provided and that

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floodlighting would only be in use during operational hours and during site maintenance. The applicant states that the lighting scheme would be designed to minimise light spillage and that specific measures that are likely to include: the use of luminaires with minimal to zero direct contribution to upward light; careful selection, aiming and positioning of luminaires; the use of optimal optics for their specific location and orientation; optimisation of mounting heights; the adoption of the lowest intensity LED modules practicable; and minimising the task illuminance level.

28. A range of non-illuminated signage is proposed to be erected around the site and additional directional signage is likely to be required on the surrounding highway network to assist members of the public in getting to the site (consent for which would be secured as necessary).
29. Construction of the HWRC would be carried out in two phases (i.e. enabling works and the construction itself). It is proposed that these works would take place between 07:00 and 18:00 on weekdays and Saturdays, although additional flexibility would be required for key elements which would be included in a Construction Environmental Management Plan (CEMP) secured by condition.
30. Trees and vegetation would be cleared by an arboricultural contractor outside the bird breeding season or checked by an ecologist to confirm that no breeding birds are present. The perimeter of the construction and spoil disposal sites would then be fenced for safety and security (with timber hoardings or Heras type fencing) and environmental reasons (e.g. tree protection fencing, site fencing and acoustic fencing). A construction compound and laydown area would then be created for temporary site offices, welfare facilities and material and plant storage areas. The applicant anticipates this being located to the south of the IWWMF on the existing hardstanding area next to the spoil disposal area.
31. The existing underground 33kv cable which provides the electrical connection between the Allington IWWMF and electricity grid would need to be diverted (by UK Power Networks Ltd) to the west and north of the proposed HWRC as it is not sufficiently deep to be retained in situ. The existing and foul and surface water pumping main would also need to be diverted for similar reasons.
32. Following the clearance of vegetation and the diversion of the electricity cable, excavators would excavate material from the existing bund on the eastern boundary of the wider Allington site to create the development platform upon which the HWRC would be constructed. The applicant anticipates that it would be necessary to excavate about 60,000m³ (120,000t) of material to create the development platform. The access road from the junction with Laverstoke Road towards the HWRC would rise slightly to the platform level of 25.7m AOD (the height of majority of the proposed HWRC) whilst the upper level would be at 27.3m AOD. This would result in an overall reduction in the height of the existing bund (by as much as 9.7m). Earthworks would also be required to tie the development platform into the existing bund running along the northern part of the Allington IWWMF site.

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33. All the material excavated during the construction of the development platform would be retained on the wider Allington IWMF site. It would be moved from the proposed HWRC site by dumper trucks and deposited on land to the south-west of the existing Allington IWMF. The dumper trucks would use a temporary haul road and remain on the Allington IWMF site at all times such that it would not be necessary for vehicles to use the public highway. The excavated material would be placed in a series of layers against the existing quarry slope by an excavator. The earth bunds surrounding the Allington IWMF were created using inert waste material that had previously been deposited within the former Allington quarry. Although all of the material is understood to be inert in nature it is still technically classed as a landfill and remains the subject of an Environmental Permit. The material to be excavated therefore needs to be the subject of detailed investigation before excavation can commence and, following excavation, before construction can commence on the development platform. This ground investigation and assessment would establish whether remediation of the material was required and, if so, inform the nature and extent of that remediation. A full geotechnical investigation of the material remaining in-situ following excavation would also need to be carried out to establish its settlement characteristics to inform the foundation options / design for the HWRC and any ancillary structures. The earth bunds surrounding the Allington IWMF have been in place for over 10 years and whilst some of the existing slopes are relatively steep the applicant states that they have remained stable. It also states that a slope of one vertical to three horizontal of well-placed unsaturated inert material of the nature expected is likely to be stable and that no steeper slopes are proposed.
34. The applicant states that the new access junction off Laverstoke Road would be constructed first to enable access into the site and drainage, service infrastructure and surfacing to be installed (thereby allowing vehicles delivering materials to access the site and enable travel on hard-surfacing from an early stage in the main build, reducing the potential for mud to be trafficked onto the local highway network). Following this, the retaining walls surrounding the upper level and ramps would be constructed from reinforced concrete, the whole site would be kerbed to contain surface water and the building foundations would be constructed. The remaining elements of the scheme would be installed as the construction phase progresses. The applicant proposes that a Construction Environmental Management Plan (CEMP) be developed to manage and report environmental effects using best practice during construction and that this be secured by condition.
35. The applicant states that measures would be employed to ensure that all operations are carried out in an efficient and responsible manner to safeguard the environment and comply with the Environmental Permit for which an application has been made to the Environment Agency (e.g. periodic inspections of the fabric and infrastructure of the site including fences, gates, building infrastructure and drainage system; sweeping and litter clearance as required; daily inspections of the site; the use of a standpipe and hose as necessary to clean down site surfaces and control dust emissions; the use of a pest control contract which would include routine visits / checks; and specified time periods within which materials must be removed from site). It also states that although the potential effects of waste management developments can be the subject

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of public concern (i.e. nuisance caused by litter, odour or through the attraction of vermin or other pests to the site) a modern well run facility (such as that proposed) should not give rise to such issues through regular monitoring / daily inspections and general good housekeeping.

36. The application (as submitted in December 2019) was accompanied by a planning statement, a transport assessment, a noise impact assessment, an air quality assessment, an ecological assessment, a landscape and visual assessment, a phase 1 site investigation, a flood risk assessment, a drainage assessment and an arboricultural assessment, as well as a number of plans and drawings. As a result of responses to the initial consultation / notification, the applicant submitted further information in support of the application in March 2020 and also made a relatively minor amendment to the application site (in terms of the area proposed to be used for the disposal of spoil arising from the development). It provided a replacement noise impact assessment, flood risk assessment, drainage assessment, arboricultural assessment and plans / drawings relating to the application site boundary, earthworks and landscape proposals. It also provided an ecological addendum report, a highways technical note, a technical note responding to issues raised by Natural England and an air quality assessment addendum, as well as a letter setting out responses to specific issues and comments (including those raised by the local business and residential communities). Drawings illustrating the proposed development are included in Appendix 1.

Planning Policy Context

37. **National Planning Policies** – the most relevant National Planning Policies are set out in the National Planning Policy Framework (NPPF) (May 2019), the associated National Planning Practice Guidance (NPPG) and the National Planning Policy for Waste (NPPW) (2014). These are all material planning considerations.
38. **Kent Minerals and Waste Local Plan 2013-30 (July 2016)** – Policies CSW1 (Sustainable Development), CSW2 (Waste Hierarchy), CSW3 (Waste Reduction), CSW4 (Strategy for Waste Management Capacity), CSW6 (Location of Built Waste Management Facilities), CSW7 (Waste Management for Non-hazardous Waste), CSW11 (Permanent Deposit of Inert Waste), CSW16 (Safeguarding of Existing Waste Management Facilities), DM1 (Sustainable Design), DM2 (Environmental and Landscape Sites of International, National and Local Importance), DM3 (Ecological Impact Assessment), DM10 (Water Environment), DM11 (Health and Amenity), DM12 (Cumulative Impact), DM13 (Transportation of Minerals and Waste), DM15 (Safeguarding of Transport Infrastructure), DM16 (Information Required In Support of an Application), DM18 (Land Stability) and DM19 (Restoration, Aftercare and After-use).
39. **Kent Waste Local Plan (March 1998) Saved Policies** – Policies W7 and W9. [Note: This will be relevant until the Early Partial Review of the Kent MWLP is adopted.]

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40. **Tonbridge and Malling Borough Council Local Development Framework (LDF) Core Strategy (September 2007)** – Policies CP1 (Sustainable development), CP2 (Sustainable transport), CP11 (Location of Development), CP21 (Employment Provision), Policy CP24 (Achieving a High Quality Environment) and CP25 (Mitigation of Development Impacts).
41. **Tonbridge and Malling Borough Council LDF Development Plan Allocations Development Plan Document (DPD) (April 2008)** – Policy E1 (Safeguarded Employment Land).
42. **Tonbridge and Malling LDF Managing Development and the Environment DPD (April 2010)** – Policies CC1 (Mitigation – Sustainable Design), CC2 (Mitigation – Waste Minimisation), CC3 (Adaption – Sustainable Drainage), NE1 (Local Sites of Wildlife, Geological and Geomorphological Interest), NE2 (Habitat Networks), NE3 (Impact of Development on Biodiversity), NE4 (Trees, Hedgerows and Woodland), SQ1 (Landscape and Townscape Protection and Enhancement), SQ4 (Air quality), SQ5 (Water Supply and Quality), SQ6 (Noise) and SQ8 (Road Safety).
43. **Early Partial Review of the Kent Minerals and Waste Local Plan 2013-30 Pre-Submission Draft (November 2018)** – This proposes changes to 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 Early 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 Early Partial Review of the Kent MWLP was subject to an independent examination between 8 and 15 October 2019 and the Inspector's Report was published on 23 April 2020. The Report concludes that the Plan is sound provided that a number of main modifications are made. The main modifications were discussed at the examination hearings, subject to sustainability appraisal and public consultation and considered by the Inspector along with any representations made on them. Given this, it is appropriate that substantial weight be given to the Plan in the period prior to its adoption. It is intended to seek adoption of the Early Partial Review of the Kent MWLP in September 2020.
44. **Tonbridge and Malling Borough Council Local Plan Regulation 19 Pre-Submission Publication (September 2018)** – Draft Policies LP1 (Presumption in Favour of Sustainable Development), LP2 (Strategic Objectives), LP5 (Settlement Hierarchy), LP10 (Infrastructure Requirements), LP11 (Designated Areas), LP12 (Areas of Outstanding Natural Beauty), LP13 (Local Natural Environmental Designations), LP14 (Achieving High Quality Sustainable Design), LP17 (Flood Risk), LP18 (Sustainable Drainage Systems), LP19 (Habitat Protection and Creation), LP20 (Air Quality), LP21 (Noise Quality), LP22 (Contamination), LP23 (Sustainable Transport) and LP42 (Parking Standards).

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Consultations

45. **Tonbridge and Malling Borough Council** – Raises the following issues:

1. Whilst the Borough Council welcomes the principle of the provision of a HWRC within the Borough it raises concerns regarding the potential traffic generation from the site. KCC should satisfy themselves that the traffic generation is fully assessed against the VISUM modelling undertaken in support of the emerging growth strategy for the Borough contained within the draft Tonbridge and Malling Local Plan.

46. **Maidstone Borough Council** – No comments received.

47. **Aylesford Parish Council** – Although not opposed to the principle of the facility, it believes that the application cannot be considered in isolation from all the other proposed development in the area including the expansion of the existing Allington IWMF and residential development in the area (e.g. 840 units at the Gladman's site at Whitepost Lane and 106 units at Bunyards Farm). It states that the A20 near the site could not cope with the significant increase in traffic movements arising from all of these developments, even with the proposed new Coldharbour roundabout. It proposes that determination of the HWRC application be delayed until the position regarding all of the other developments is known and the highway improvements have been completed on the A20 in order that to ensure a more accurate determination of traffic movements. It states that if it is decided to not wait until the position regarding all the above development is known, it would have to object to the application on the following grounds:

1. The HWRC would lead to significant additional traffic movements on an already over capacity A20 in whatever direction the traffic takes as it accesses the A20.
2. The development would make the already poor air quality in the area even worse, affecting quite significantly the existing Aylesford and Maidstone A20 AQMAs.

It had nothing to add to this following the submission of further information in March 2020.

48. **Highways England** – No objection. It advises that its main interest in this case is whether the proposed development has the potential to impact on the safe and efficient operation of the M20 Junction 5 (i.e. part of the Strategic Road Network (SRN)). It states that it is content that the proposed development would not materially impact the reliability, operation or safety of the SRN (i.e. the tests set out in DfT C2/13 paragraphs 9 and 10 and MHCLG NPPF paragraph 109). It notes that there is a concurrent application on the adjacent site for a proposed extension to the existing Allington EfW Generation Station (at EIA Scoping Notification and Consultation stage) which is currently being assessed as part of a Development Consent Order and advises that its current response only relates to the HWRC and not the DCO proposal.

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49. **KCC Highways and Transportation** – No objection subject to conditions to secure the following:
1. Submission of a Construction Management Plan before the commencement of any development on site to include the following:
 - (a) Routing of construction and delivery vehicles to / from site;
 - (b) Parking and turning areas for construction and delivery vehicles and site personnel;
 - (c) Timing of deliveries;
 - (d) Provision of wheel washing facilities; and
 - (e) Temporary traffic management / signage.
 2. Before and after construction of the development, highway condition surveys for highway access routes should be undertaken and a commitment provided to fund the repair of any damage caused by vehicles related to the development.
 3. Provision of construction vehicle loading/unloading and turning facilities prior to commencement of work on site and for the duration of construction.
 4. Provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction.
 5. Provision of measures to prevent the discharge of surface water onto the highway.
 6. Provision of wheel washing facilities prior to commencement of work on site and for the duration of construction.
 7. Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing.
 8. Provision and permanent retention of the vehicle loading/unloading and turning facilities shown on the submitted plans prior to the use of the site commencing.
 9. Use of a bound surface for the first 5 metres of the access from the edge of the highway.
 10. Provision and permanent retention of the cycle parking facilities shown on the submitted plans prior to the use of the site commencing.
 11. Completion and maintenance of the access shown on the submitted plans (*drawing number: 1407 SK100 titled 'Site Layout'*) prior to the use of the site commencing.
 12. Provision and maintenance of 2.4 metre by 43 metre visibility splays at the access with no obstructions over 0.6 metres above carriageway level within the

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splays, prior to use of the site commencing.

It has also requested the following informative:

INFORMATIVE: It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

KCC Highways and Transportation (KCC H&T) had initially requested clarification and further information in respect of a number of issues. The response above and below represents its position following receipt and consideration of the applicant's Highways Technical Note (HTN) dated 24 March 2020 (submitted in March 2020).

KCC H&T has also commented (in summary) as follows:

Vehicular access: Although a revised plan demonstrating the required 2.4 by 43m visibility sight lines has not been provided by the applicant, KCC H&T is satisfied that this can be achieved. It has also accepted that an independent stage 1 road safety audit (RSA) can be provided at the detailed design / S278 stage if permission is granted given the high quality nature of Laverstoke Road and the fact that the proposed access complies with the relevant technical specifications (in terms of visibility, junction radius and swept paths). It advises that accepts the suitability of the merge area adjacent to the site's stacking lanes, although these will not be offered for adoption or form part of the publicly maintainable highway.

Pedestrian access: It accepts that a 1.2m footway into the site will be adequate given likely operational demands and as few people will arrive at the site on foot.

Trip generation: It considers that comparing the proposed facility with the Charlton Lane HWRC in Shepperton, Surrey and use of a traffic profile from the TRICS database to be reasonable. It also considers the trip generation forecasts used for Heavy Goods Vehicles (HGV's) to be reasonable since it represents a worst case

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scenario.

Trip distribution: It considers the assumption that the majority of traffic would route via the administrative area of Tonbridge and Malling (TMBC), 46% via A20 West and 40% via the M20, with only 14% routing from the direction of Maidstone (A20 South) to be reasonable given the lack of an existing HWRC within the TMBC administrative area, the significant residential development located to the west of the site and the proximity of the existing HWRC located in Tovil to residential development in South Maidstone.

Traffic surveys: It considers the use of applicant's traffic surveys to be acceptable for assessment purposes as they are representative of typical traffic conditions (within term time).

Committed development: It accepts that the applicant has appropriately considered traffic associated with committed development in the area (including that being implemented by Croudace to the east of Hermitage Lane and an extension to the Aylesford Retail Park).

TMBC Emerging Local Plan: It does not consider that additional future year assessments up to 2031 inclusive of all proposed allocations in TMBC's emerging Local Plan could be reasonably required, noting that KCC Planning Applications Group has advised that development proposed as part of the emerging TMBC Local Plan cannot (*in itself*) be considered as "committed development" as it has yet to go through formal examination with the Planning Inspectorate (*PIN's*) and may therefore be subject to amendment or found to be unsound.

Traffic impact: It accepts that the applicant's peak hour assessments present a worst-case scenario in terms of total traffic flows and that an additional weekday lunchtime assessment is not required. It also accepts that the results of the applicant's baseline (2020) assessments confirm that all the junctions in question currently operate within operational capacity, without any excessive queueing or delay, thereby validating the future year assessments. It notes that baseline junction capacity assessments have been undertaken for the junctions between the Allington IWMF and Laverstoke Road and between Laverstoke Road and St Laurence Avenue and for the 20/20 / Poppyfields Roundabout. Whilst no baseline assessment has been undertaken for the Coldharbour Lane roundabout, it considers this reasonable given the advance and committed nature of KCC Highways own planned improvements.

Junction Capacity Assessments: It advises that the junction capacity assessments confirm that the site access would operate within its operational capacity in all assessed periods without queueing or delays and that the Allington IWMF / Laverstoke Road junction would continue to operate within its operational capacity up to 2024 in all assessed periods, without excessive queueing or delay on any arms of the junction. It notes that several objections have been received from neighbouring business on the 20/20 Industrial Estate in relation to vehicles associated with Allington IWMF queueing on the public highway, with consequential implications for highway safety. It also notes that the applicant has responded by stating that this occurs at times when

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demand is higher than normal (e.g. during the post-Christmas period) and has put forward a range of management measures to prevent any future queuing. KCC H&T considers these measures to be acceptable. It advises that the St Lawrence Avenue / Laverstoke Road junction would continue to operate within operational capacity up to 2024 in all assessed periods without queuing or delay (with the greatest impact being anticipated between 11:00 and 12:00 on Sundays). It advises that the Poppyfields / 20/20 Roundabout would continue to operate within its operational capacity, with minimal increases in queuing and delay. The most pronounced impact would be in the weekday PM peak period when an additional 2 vehicles are anticipated to be added to the queue. However, it states that the junction would still operate without an unacceptable impact on traffic conditions. It advises that the impact on the Coldharbour Roundabout capacity assessment is based on KCC Highways own improvement scheme at this location and that use of the improved layout for modelling purposes is acceptable given the advanced and committed status of the planned works. It advises that all modelled scenarios (weekday AM and PM, Saturday interpeak and Sunday interpeak) show that the junction will operate within its operational capacity, without excessive queuing or delay.

Wider A20 network: It advises that the proposals are anticipated to only generate a limited amount of additional traffic in the direction of the A20 corridor in the AM and PM peak weekday periods and although a significant amount of traffic would be generated during the weekend interpeak period (11:00-12:00), this needs to be considered in the context of the lower background traffic flows on the local highway network at weekends. It therefore accepts that the assessments in the applicant's TA represent a worst case-scenario and that further assessment of the wider A20 network during the weekend periods could not be reasonably required.

Personal Injury Collision (PIC) Analysis: It accepts that the proposals are not likely to exacerbate any pre-existing highway safety issues. It notes that PIC data associated with the Poppyfields roundabout confirms that of the 12 collisions recorded in the last 5-year period all were classed as "slight" in terms of severity, except for 1 "serious" collision (relating to a motorcyclists travelling in the direction of Maidstone losing control whilst negotiating the roundabout in wet conditions and leaving the carriageway). Of the remaining 11 "slight" collisions it notes that driver error was a contributory factor in all, with 2 of the slight collisions caused by buses breaking sharply and causing injury to passengers. It states that the layout of the existing highway or any defects in it is not listed as a contributory factor in any of the 12 recorded collisions. It also notes that PIC data has only been obtained for the 20/20 / Poppyfields roundabout (as the Coldharbour Roundabout is due for improvement by KCC Highways Major Projects Team) and that Crashmap confirms only 1 "slight" collision on the St Lawrence Avenue and Laverstock Road corridor in the last 21 years.

Parking: It accepts that the parking provision will be adequate for the development's anticipated operational demands, without any overflow parking on the adjacent public highway. It notes that there would be 58 car parking spaces (25 adjacent to the various recycling containers and 33 next to the "reuse shop") with additional stacking

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capacity for 100 vehicles.

Turning and Servicing: It is satisfied that swept path analysis demonstrates that the largest vehicle requiring access (an 8.8m long roll on/roll off skip / dumper truck) can enter the site, manoeuvre and then egress onto the public highway in a forward motion.

50. **Environment Agency** – No objection subject to the following conditions:

1. No development shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to and approved in writing by KCC. The strategy shall include:
 - (i) A preliminary risk assessment which has identified: all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors, including the Hythe Formation Principal Aquifer; and potentially unacceptable risks arising from contamination at the site.
 - (ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - (iii) The results of the site investigation and the detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - (iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the NPPF.

2. No occupation of any part of the development shall occur until a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved in writing by KCC. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete (in line with paragraph 170 of the NPPF).

3. Unless otherwise agreed in writing by KCC, if during development contamination not previously identified is found to be present at the site then no further

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development shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by KCC. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 170 of the NPPF.

4. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of KCC, which may be given for those parts of the site where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the NPPF.

It also recommended the following informative:

1. Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. If piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73".

It states that it accepts the findings and conclusions of the submitted Phase 1 investigative report on ground conditions. It advises that the proposed development would need to be subject to an Environmental Permit which would further address drainage arrangements (in order to minimise the risk to surface and groundwater) and require measures to control dust, odour and noise emissions (to minimise impacts on the amenity of adjacent properties, including businesses). It also advises that as the site is within the boundary of a permitted landfill site that accepted waste with some risk of generating landfill gas, the buildings and any enclosed spaces should be designed to take into account potential landfill gas being generated. It states that the proposed earthworks would need to be carried out in accordance with an environmental permit (since they would involve moving controlled waste that has already been imported and deposited) and that this could be done under a variation to the existing landfill permit. It also states that the existing Environmental Permit for the Allington IWMF may also need to be reviewed as a result of what is proposed to assess potential impacts and ensure that these remain acceptable. This may include the need for an amended assessment of the risk of the Allington IWMF to the

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proposed new receptor (the HWRC) in terms of air quality.

51. **Natural England** – No objection. It had initially raised concerns about the potential impact of additional traffic on the North Downs Woodlands Special Area of Conservation (SAC). However, these concerns were overcome by the applicant's "Response to Natural England Technical Note" submitted in March 2020 which confirmed that the additional vehicle numbers predicted along the A229 associated with the proposed development is minimal and that the emissions are not likely to have a significant effect on the SAC, even when considered cumulatively with other plans and projects.
52. **Kent Downs AONB Unit** – Advises that it is unable to provide a detailed response on the application due to unprecedented levels of major planning related work and that it is the responsibility of KCC to decide whether the application meets legislative and policy requirements in respect of AONBs. It also advises that KCC has a legal duty to take account of the purposes of AONB designation (i.e. the conservation and enhancement of the area's natural beauty) in determining the application and that consideration should be given to the development plan, paragraph 172 of the NPPF, the NPPG and the policies and objectives of the Kent Downs AONB Management Plan (Second Revision).

Notwithstanding this, it has stated that in order to mitigate potential impacts on the Kent Downs AONB it supports the proposed replacement woodland planting around the perimeter of the site and would advocate the use of a dark coloured roofing material (rather than the pale grey of existing buildings at the Allington site which make the existing buildings prominent in views from the Kent Downs) and a requirement for lighting to be designed to minimise light pollution.

53. **KCC Landscape Consultant** – No objection subject to conditions to secure:
1. The implementation of a detailed planting plan, specification and planting schedule which has been submitted to and approved in writing by KCC prior to any development taking place;
 2. A Construction Environment Management Plan (CEMP) which shows how potential construction impacts on the environment and local community will be minimised or mitigated;
 3. Appropriate tree protection measures;
 4. Tree removal outside the bird nesting season;
 5. All planting, seeding or turfing to be carried out in the first available planting and seeding season following the occupation of the site or the completion of the development (whichever is the sooner); and
 6. An aftercare period of no less than five years.

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It has provided detailed advice on the content of the above.

It states that although the loss of existing tree cover and reduction in the bund height would impact on the view of the site, the development proposals are consistent with their surroundings and as such the visual effects are not considered to be significant. It states that the most significant visual impact would be during the construction phase when the movement of machinery on site and potential generation of dust may be conspicuous. However, it notes that the adjacent Allington IWMF is regularly serviced by HGVs and that within the wider landscape context this issue is not considered as being particularly sensitive. It advises that replacement tree planting would take approximately 10 years to reach the degree of maturity required to provide complete screening.

In terms of the spoil disposal area, it states that proposed levels appear to tie in with those of the adjacent contours so the additional spoil should not read as an incongruous feature in the wider landscape. It recommends that the new slope profile should not exceed 1:3 unless slope stabilisation measures are put in place and that seeding should take place as soon as possible to prevent run-off. It also states that the sowing of a lowland meadow seed mix would enhance the biodiversity of the site and the additional woodland planting would offer further benefits in terms of habitat, stabilisation and screening.

54. **KCC Noise Consultant** – No objection subject to a condition to secure a Construction Environment Management Plan (CEMP) detailing Best Practical Means (BPM) and other mitigation methods to protect nearby receptors during the construction phase. It is satisfied that the HWRC can operate without adverse effect on any noise sensitive receptors.

It advises that the applicant's noise assessment is robust, taking into account the noise emissions from the three key aspects of site's operations (i.e. routine / domestic operations, specific event noise such as HGV movements and the operational road traffic noise from vehicles visiting the site). It also advises that the applicant has established representative background noise levels for three noise sensitive areas (i.e. the Poppy Fields PH, Rosebay Gardens (part of the Orchards development) and Coldharbour Lane) and that data from noise monitoring at a similar HWRC has been used in the assessment which is compliant with the guidance provided by BS4142: 2014+A1:2019. It notes that the predicted rating levels are significantly below the existing background LA90 levels (i.e. -30 dB at Poppy Fields, -6 dB at Rosebay Gardens and -26 dB at Coldharbour Lane). It also advises that the separate assessment of the impact from road traffic noise from increased vehicle flows on the local highway network shows a negligible change in terms of perception of between 0 and 0.8 dB.

In terms of construction activities, it notes that the construction noise assessment shows predicted levels of up to 56 dB at residential receptors with potentially higher levels of up to 72 dB at the 20/20 Business Park during some activities. However, as

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these construction works are temporary / short term it is satisfied that BPM should ensure they can be controlled and adverse impact avoided. It therefore recommends that a CEMP detailing BPM and other mitigation methods for protection to the nearby receptors be submitted to KCC for approval.

In summary, it is are satisfied that the applicant has demonstrated that the construction and operation of the HWRC can be carried out without significant adverse effect on the noise sensitive receptors and that where there is the potential for adverse noise during construction this can be adequately controlled by use of appropriate planning conditions.

55. **KCC Air Quality** – No objection subject to conditions to secure an operational Dust Management Plan (DMP) and a site Odour Management Plan (OMP). It is satisfied that the risk to neighbouring facilities and surrounding sensitive receptors from dust exposure is low, that any odour impact can be appropriately minimised and that air quality has been appropriately assessed and that no further assessment is required.

Dust: It advises that earthworks and construction activities at the site have been assessed to be of low risk, that appropriate mitigation measures have been identified in accordance with the relevant guidance and that with the implementation of the proposed measures any residual impacts are likely be not significant. However, it recommends that further reassurance be provided to neighbours by formalising the approach to managing the potential impacts of dust generated from site by the provision of an operational Dust Management Plan (DMP). It states that this DMP should be treated as a live document, with all proposed mitigation measures contained within it together with a clear procedure on how complaints should be handled and investigated, with responsible persons specified in the live document.

Odour: It advises that there is the potential for fugitive odour emissions from vehicles importing and exporting waste and from the bays on site during the operational phase, although a significant proportion of the waste likely to be brought in would not be odorous (given its inert nature). It notes that the potential for odour would be minimised by managing the length of time waste is on site and by implementing good on-site house-keeping practices. It also notes that the site would require an Environmental Permit and that the applicant would need to demonstrate (to the Environment Agency) that the planned odour containment and mitigation measures embedded into the design would prevent an unacceptable level of odour beyond the site boundary. It notes that odour effects are predicted to be “slight adverse” at three identified receptors but accepts that the site would be regarded as “low risk” in terms of the Institute of Air Quality Management (IAQM) odour guidance. However, it recommends the provision of a site Odour Management Plan (OMP) which includes details of all types of waste to be processed, anticipated volumes of waste, the proposed mitigation measures and any additional mitigation measure that would be implemented prior to accepting deliveries. It also recommends that the OMP should identify any high risk receptors, specify all sources and points of release, include a procedure for dealing with complaints and contain contact details of those responsible persons on site.

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Air Quality: It advises that the updated air quality assessment (which includes other committed development) was undertaken using relevant guidance and utilised air dispersion modelling which was verified utilising available monitoring data and focused estimating the potential impact at sensitive receptor locations along roads where there would be an increase in vehicle movements as a result of the proposals. It states that a negligible impact is predicted at all but one receptor, which was slight adverse and located within the existing Air Quality Management Area. However, the results of modelling estimate that the development related increase in traffic will not result in an exceedance of NO₂ at this location. It agrees that the overall magnitude of change at all receptors will likely be 'negligible' and that air quality does not need to be considered further within this application.

56. **KCC Ecological Advice Service** – No objection subject to conditions to secure the implementation of compensation measures (an Ecological Design Strategy) and to ensure there is appropriate post-development management for the ecological features (a Landscape and Ecological Management Plan). It states that the latter is especially pertinent to the meadow grassland habitat as, to become established and functional, a specific management regime must be implemented (as alluded to within the submitted documents) and maintained indefinitely. It also suggests that an informative be included on any planning permission reminding the applicant of its obligations under the Wildlife and Countryside Act 1981 (in respect of nesting birds) as there are habitats on and around the site which provide opportunities for breeding birds (including woodland which would be lost).

It notes that habitat creation would be enacted where the spoil produced during construction phase of the development would be deposited to compensate for the loss of habitat resulting from the development of the HWRC. It advises that although the revised location of the spoil disposal area would result in the loss of immature woodland habitat, this is of relatively low ecological value and would be replaced with new native woodland planting. It also advises that establishment of species-rich meadow grassland on the remaining part of the spoil disposal area (c.50% of the area) could be considered a slight positive when compared to the previous location. It also notes that native woodland planting / species-rich grassland creation would take place around the HWRC development footprint.

57. **KCC Flood and Water Management (SuDS)** – No objection subject to the following conditions:
1. Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) KCC. The detailed drainage scheme shall be based upon the Drainage Assessment report (v1.3 March 2020) by Weetwood and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site. The drainage scheme shall also demonstrate (with reference

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to published guidance):

- (a) that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters; and
- (b) appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on / off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

2. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by KCC. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the NPPF.

It advises that it is happy with the revised drainage strategy layout and location of the separator, noting that it is proposed to discharge into the public sewer at Greenfield runoff rate, that the drainage design calculation has used a high FSR value as recommended in KCC planning policy and that a full retention separator to treat surface runoff from the site is proposed.

58. **Southern Water** – No objection subject to the following conditions:

1. The applicant should ensure that the Trade Effluent discharge licence has been obtained, before the connection to the public sewerage network can be approved.

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2. Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

It has also advised that it requires a formal application for a connection to the public foul and surface water sewer to be made by the applicant or developer and requested the imposition of a detailed informative relating to this.

59. **KCC Waste Management** – Supports the application as there is a need for a new HWRC to serve the north Tonbridge and Malling Borough Council and west Maidstone areas and as the proposed site would meet the requirements of the Waste Disposal Authority (WDA).

It advises that the WDA has a statutory duty to seek provision for dealing with domestic waste arisings in Kent; that KCC provides HWRCs in accordance with the Environmental Protection Act 1990 (EPA); that KCC currently operates a network of 18 HWRCs providing facilities for re-use, recycling and safe disposal, for a range of material streams delivered by Kent residents; and that KCC's Kent Waste Disposal Strategy (which was endorsed by Members in July 2017) set out the current position, identified the future pressures and outlined how we will maintain a sustainable waste management service given existing demands and those forecast by additional housing and population growth. It states that the Strategy identified several capacity issues at the HWRC sites in West Kent (both now and in the near future). In particular, the HWRC serving Maidstone at Tovil was noted to have a large population catchment and predicted to be over tonnage capacity by 2025.

It states that in reality the Tovil HWRC has already reached its practical capacity, with complaints of frequent queuing traffic hindering the punctuality of public transport, and that although measures to improve the efficiency of the site have been implemented over the past few years there are now no practicable options to make further improvements. It also states that the capacity issues associated with the large population catchment of the Tovil HWRC are compounded by the fact that the Tonbridge & Malling Borough Council (TMBC) area (which borders Maidstone to the west) is the only Kent District not to have a HWRC. It further states that there is currently an agreement for Kent residents to use the Medway Council facility at Cuxton. However, due to high demand there is frequent traffic queuing on Sundridge Hill, Cuxton. It states that this, together with increased demand from residents in the north of the TMBC District and West Maidstone area (which currently utilise the Cuxton HWRC), is likely to increase resulting in greater pressure on the Tovil HWRC and those HWRCs slightly further afield (e.g. North Farm and Pepperhill). It further states that the Pepperhill HWRC is already at capacity and that the North Farm HWRC is predicted to be at capacity by 2025.

It also advises that the site specifications for the new HWRC tender process were that it should be:

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1. on land suitable in planning and environmental permitting terms, between 1 and 5 hectares in size and ideally with an existing waste or industrial use (to assist in achieving a tight delivery time);
2. easily accessible from the primary road network (in order to ensure it could operate efficiently with minimal impact upon the surrounding area, be easily accessible to the public and enable HGVs to access the site and take separated waste streams to their final disposal points); and
3. within the administrative area of Kent and within or close to the primary search area...., defined as “to the west of the Maidstone Town Centre and the town of West Malling but contained within the proximity or locality of the M20 / A20 corridor”.

60. **South East Water** – No response received.

61. **UK Power Networks** – No response received.

Representations

62. The application was publicised by site notice and newspaper advertisement and the occupiers of all properties on the 20/20 Business Park, the Poppyfields Public House and the Police Operations Centre were notified in January 2020. The application was publicised by a further site notice and newspaper advertisement and all those who had previously submitted representations were notified in April 2020 following the receipt of additional information and an amendment to the site boundary.

63. Twenty nine (29) representations were received (including one from Helen Grant MP) prior to April 2020. Of these, twenty seven (27) object and two (2) offer qualified support.

64. The objections relate to:

- Highways and transportation:
 - Highway safety;
 - Inadequate, damaged and poorly maintained roads and pavements;
 - Traffic generation;
 - Traffic congestion;
 - HGVs parking on Laverstoke Road and queuing onto St Laurence Avenue whilst waiting to enter the Allington IWMF at peak times obstructs others using the 20/20 Business Park;
- Air quality:
 - Large numbers of queuing cars;
- Odour:
 - Impact on adjoining businesses and people;
- Pollution:
 - Including litter and debris;
- Vermin / scavenging birds;

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- Flies:
 - Particularly in warm summer months;
 - Noise:
 - Impact on nearby residents (existing and proposed) from site operations and associated traffic;
 - Hours of use are antisocial (07:00 to 20:00 hours each day);
 - Flawed noise assessment;
 - Quality of life;
 - Adverse health impacts;
 - Proximity to housing; and
 - Cumulative impact.
65. Helen Grant MP states that she is opposing the application in its current form in the strongest possible terms due to the overwhelming views of her constituents and asks that her comments be considered when the application is determined. She summarises her objections as:
- *“The application, and intention of the plant owners, is to operate the site from 0700-2000 hours every day. These times are highly antisocial considering the amount of housing that this would affect if this site was to be given the go-ahead;*
 - *The site can hold 100 cars queuing at any one time. Pollution from vehicle emissions alone would be detrimental to the local environment;*
 - *The number of vehicle bays to deposit waste has now increased – It was 28 bays, but is now 25 on the upper level, with a further 10 on the lower level;*
 - *A noise impact assessment has been completed. However, residents do not agree with the conclusion that there will be no impact to local residents;*
 - *With the application for 840 houses behind the Police building at Coldharbour being granted by Tonbridge & Malling Council recently, there are concerns regarding the ability for the area to now cope with the increased traffic leading to further gridlock in this part of Maidstone.*
 - *It is understood that no other applications have been submitted for a similar waste recycling plant.”*
66. A number of the objections include concerns about the existing Allington IWMF, the DCO / NSIP proposals to increase the capacity of that facility or energy from waste (“incineration”) more broadly rather than the proposed HWRC itself. Others have referred to the impact of other development on the area (including housing). Several have also raised objection on non-planning grounds (i.e. impact on house prices).
- 67 The qualified support received (which is subject to traffic considerations being properly addressed) relates to:
- The need for a facility in the area.

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68. One (1) further representation was received in response to the April 2020 notification. This was from a nearby business which had commented previously and which raised further concerns about queuing on Laverstoke Road.

69. In addition, and whilst I have not received a copy, I am aware of a petition made on www.Change.org objecting to the development which states:

“FCC Environment (The owners of the Incinerator at Allington) are seeking planning permission to expand their site to incorporate a Household Waste Recycling Centre (HWRC). It is believed that this site is too close to the residential areas in Allington and Aylesford. It is also believed that the location of the new HWRC would affect the surrounding areas with congestion due to the higher footfall onto the 20/20 Business Estate.

We, the undersigned, are concerned residents who wish Kent County Council Planner to reconsider the area in which they place this open air HWRC away from residential areas, and in an area which can cope with the increased traffic volume.

This issue has already received support from Helen Grant, the conservative MP for Maidstone and the Weald, and also her colleague Tracey Crouch from Chatham and Aylesford.

Please read the below article for further information on the paper petition, which currently sits with 150 signatures from the Orchards development alone.

<https://www.kentonline.co.uk/maidstone/news/locals-fight-incinerator-expansion-215108/>.”

At the time of writing this report, the petition had 376 signatures.

Local Member

70. County Council Member Peter Homewood (Malling North East) was notified in January and again in April 2020. Rob Bird and Dan Daley (Maidstone Central) were also notified as adjoining Members.

71. No comments have been received from the Local Members at the time of writing this report.

Discussion

72. The application is being reported to KCC's Planning Applications Committee for determination as planning objections have been received from many of those who have submitted representations.

73. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless

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material considerations indicate otherwise. In the context of this application, the development plan policies outlined in paragraphs 38 to 42 above are of most relevance. Material planning considerations include the national planning policies referred to in paragraph 37 and the draft development plan policies in paragraphs 43 and 44.

74. The main issues that require consideration are as follows:

- The principle of the development (including need and location);
- Highways and transportation;
- Noise;
- Air quality;
- Landscape and visual impact;
- Water environment; and
- Ecology.

These issues are addressed in the following sections, together with other issues that have been raised or require consideration.

The principle of the development (including need and location)

75. Paragraphs 7 to 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 182 requires planning decisions to ensure new development can integrate with existing business and community facilities, that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established and that where there are significant adverse effects the applicant (or “agent of change”) should be required to provide suitable mitigation before the development has been completed. Paragraph 183 states that 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), and that planning decisions should assume that these regimes will operate effectively.

76. 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 helping to secure the

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re-use, recovery or disposal of waste without endangering human health and without harming the environment, amongst other matters. Paragraph 4 states that waste planning authorities (WPAs) should identify sites and / or areas for new or enhanced waste management facilities in appropriate locations (including industrial sites, looking for opportunities to co-locate waste facilities together and with complementary activities, and on previously developed land or land identified for employment uses). Paragraph 5 states that WPAs should assess the suitability of sites for new or enhanced waste management facilities against criteria including physical and environmental constraints on development (including existing and proposed neighbouring uses) having regard to a range of factors (e.g. water quality, land instability, landscape and visual impact, nature conservation, traffic and access, air emissions including dust, odour, vermin and birds, noise, light, litter and potential land use conflict), the capacity of existing and potential transport infrastructure to support the sustainable movement of waste and the cumulative impact of existing and proposed waste disposal facilities on the well-being of the local community (including any significant adverse impacts on environmental quality). Paragraph 7 states that in determining applications 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 and that in such cases they should consider the extent to which the capacity of existing operational facilities would satisfy any identified need.

77. Policies CSW1 and CSW2 of the Kent Minerals and Waste Local Plan (Kent MWLP) 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 capacity in Kent is to provide sufficient waste management capacity to manage at least the equivalent of the waste arising in Kent plus some residual non-hazardous waste from London. As a minimum it is to achieve the targets for recycling and composting, reuse and landfill diversion identified in the Kent Joint Municipal Waste Management Strategy (as amended). Paragraph 6.6.1 states that HWRCs play an important role in meeting waste recovery and landfill diversion targets, that the intention for the Plan period is to ensure facilities are provided to meet local population needs accounting for economic and projected housing growth and that during the lifetime of the Plan, there is an intention to rationalise facilities. It also states that proposals for HWRCs will be considered against Policy CSW6 and relevant development management policies. Policy CSW6 had assumed that sites would be identified in a Waste Sites Plan to meet the need identified in Policy CSW7 and indicates that planning permission will be granted for uses identified as appropriate to such sites providing the proposals meet a number of criteria. However, it also provides support for additional capacity within or adjacent to an existing waste management use where this is demonstrated to be needed, where waste would be dealt with further up the hierarchy, or where it is replacing capacity lost at existing sites providing these meet the relevant criteria, where there is no adverse impact on the environment and communities and where such uses are compatible with the development plan. It also specifically referred to locations which would be acceptable. These included land within or adjacent to an existing waste management use and within existing industrial estates. Draft Policy CSW6 of the Early Partial Review of the Kent MWLP removes all

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reference to a Waste Sites Plan and, instead, provides a criteria based policy against which all waste proposals will be assessed. The locational criteria remain the same as those in the adopted version.

78. Saved Policy W7 of the Kent Waste Local Plan (WLP) identifies the Allington IWMF site as a suitable location in principle for proposals to prepare category A waste (e.g. soil, brick and rubble) for re-use for the life of Allington Quarry. Since the quarry has been restored and re-developed, this is no longer of direct relevance. Land at the eastern end of the 20/20 Business Park (i.e. the Hanson Depot) is identified both as a suitable location in principle for permanent proposals to prepare category A waste for re-use (saved Policy W7) and as a suitable location in principle for waste separation and transfer by virtue of saved Policy W9.
79. KCC has identified a need for a new HWRC to serve the Maidstone and Tonbridge and Malling areas due to existing and future capacity issues at the Tovil HWRC, the absence of a HWRC in Tonbridge and Malling and as the use of the Cuxton HWRC (in Medway) is only available to Kent residents under a short term agreement between the two Councils. It is also actively seeking the procurement of a new HWRC for the west Maidstone area and has issued a series of tender documents to interested parties. In responding to the current application (see paragraph 59), KCC Waste Management has advised that the proposed site is well located to meet the requirements of the Waste Disposal Authority (WDA). The proposed HWRC would make an important contribution to help meet recycling, recovery and disposal targets by driving waste up the waste hierarchy through the re-use of materials and the separation of materials for recycling and the additional HWRC capacity would also assist in meeting current and projected population and housing growth in Kent. For these reasons, I am satisfied that there is a need for the proposed development and that it can be viewed favourably in the context of the waste hierarchy such that it accords with the objectives of Policies CSW1, CSW2 and CSW4 of the adopted Kent MWLP and draft Policies CSW4 and CSW6 of the Early Partial Review of the Kent MWLP.
80. The proposed HWRC lies within the defined settlement boundary, is allocated for employment use in the adopted and emerging Tonbridge and Malling Local Plans and is safeguarded for waste management use by Policy CSW16 of the Kent MWLP by virtue of being part of the Allington IWMF site. It is therefore consistent with the locational land use criteria set out in the NPPW, Policy CSW6 of the adopted Kent MWLP and draft Policy CSW6 of the Early Partial Review of the Kent MWLP.

Highways and transportation

81. Paragraph 108 of the NPPF states that in assessing applications, it should be ensured that safe and suitable access to the site can be achieved for all users and that any significant impacts from the development on the transport network (in terms of capacity or congestion) or any highway safety can be cost effectively mitigated to an acceptable degree. Paragraph 109 states that development should only be prevented or refused on highway 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

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the NPPW states that when determining waste planning applications WPAs should consider the likely impact on the local environment and on amenity against various locational criteria. These include the suitability of the road network and the extent to which access would require reliance on local roads.

82. Policy DM11 of the Kent MWLP states that waste development will be permitted if it can be demonstrated that it is unlikely to generate unacceptable adverse impacts from traffic. Policy DM13 states that waste development will be required to demonstrate that emissions associated with road transport movements are minimised as far as practicable and by preference being given to non-road modes of transport. Where development requires road transport, it states that proposals will be required to demonstrate that: (1) the proposed access arrangements are safe and appropriate to the scale and nature of movements associated with the proposed development such that the impact of traffic generated is not detrimental to road safety; and (2) the highway network is able to accommodate the traffic flows that would be generated, as demonstrated through a transport assessment, 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. Policy DM17 indicates that traffic management measures will be secured where appropriate (by planning obligation) where such objectives cannot be achieved by planning conditions. Draft Policy CSW6 of the Kent MWLP Early Partial Review states that planning permission will be granted for proposals that are 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.
83. Policy CP2 of the TMBC LDF Core Strategy states that new development that is likely to generate a significant number of trips should (amongst other things) be compatible with the character and capacity of the highway network in terms of the volume and nature of traffic generated. Policy SQ8 of the TMBC LDF Managing Development and the Environment (MDE) DPD states that development should only be permitted if it is demonstrated that the necessary transport infrastructure is in place (or can be provided), that there would be no significant harm to highway safety and that traffic can be adequately served by the highway network.
84. Tonbridge and Malling Borough Council (TMBC) has raised concerns about potential traffic generation from the HWRC and stated that KCC should be satisfied that the traffic generation is fully assessed against the VISUM modelling undertaken in support of the emerging growth strategy for the Borough contained within the draft Tonbridge and Malling Local Plan.
85. Aylesford Parish Council (PC) believes that the application cannot be considered in isolation from all the other proposed development in the area (including the expansion of the existing Allington IWMF and residential development) and that the A20 near the site would be unable to cope with the significant increase in traffic movements arising from all of these developments (even with the proposed new Coldharbour roundabout).

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It proposes that the HWRC application should not be determined until the position regarding all of the other developments is known and the highway improvements have been completed on the A20 in order that to ensure a more accurate determination of traffic movements. It states that if it is decided to not wait until the position regarding all the above development is known, it would object on the grounds that the HWRC would lead to significant additional traffic movements on an already over capacity A20 (in whatever direction the traffic takes as it accesses the A20). It would also object on the grounds that the development would make the already poor air quality in the area even worse (affecting quite significantly the existing Aylesford and Maidstone A20 AQMAs).

86. Objections relating to highways and transportation have been received from the majority of those who have made representations. The objections refer to concerns about highway safety, inadequate, damaged and poorly maintained roads and pavements, traffic generation (including cumulative impact), traffic congestion and HGVs parking on Laverstoke Road and queuing onto St Laurence Avenue whilst waiting to enter the Allington IWMF at peak times obstructs others using the 20/20 Business Park.
87. KCC Highways and Transportation has no objection subject to the imposition of a number of conditions if permission is granted. These relate to both the development and operational phases. It has provided a detailed response to the application and commented on the issues and concerns that have been raised. A summary of its response (including those matters it advises should be secured by condition) is set out in paragraph 49.
88. Highways England has no objection and is content that the proposed development would not materially impact the reliability, operation or safety of the Strategic Road Network (SRN), including the safe and efficient operation of the M20 Junction 5.
89. It is clear from the representations that have been received that the key issue for the vast majority of respondents is the potential impact of traffic associated with the proposed HWRC in terms of highway capacity, congestion and safety and the ability or otherwise of the HWRC to operate without significantly adversely affecting adjoining businesses and local residents (e.g. in terms of queuing on Laverstoke Road and air quality). The responses from TMBC and Aylesford PC relate entirely to these issues.
90. Following detailed consideration of the proposals and the applicant's transport assessment and subsequent highways technical note, KCC Highways and Transportation has advised that the HWRC would not give rise to an unacceptable impact on highway safety and that the road network can accommodate the additional traffic that would be generated (having regard to committed development and the improvements to the Coldharbour Lane roundabout). It has not raised concern about the condition of roads and pavements nor sought any improvements.
91. The potential highways and transportation impact of the proposed development has been assessed in light of all existing development and "committed development" (i.e.

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all land with current planning permission or allocated in adopted development plans for development) and the implementation of the new Coldharbour Lane roundabout. Whilst this does not include all of the proposed allocations in the emerging TMBC Local Plan nor the emerging proposals for a 4th line at the Allington IWMF, I am satisfied that this is appropriate and properly addresses the potential cumulative impact of the HWRC. TMBC’s suggestion that the assessment of the current HWRC application should additionally take account of its emerging growth strategy and all draft allocations in its emerging Local Plan (i.e. by use of the VISUM modelling referred to which relates to the period to 2031) is not reasonable and is not necessary to meet the relevant tests in paragraph 109 of the NPPF. Similarly, it is not appropriate to have regard to the emerging proposals for a 4th line. If planning permission is granted for the HWRC, it will be for TMBC and the Secretary of State respectively to have regard to traffic associated with these currently uncommitted developments and any traffic associated with the HWRC.

92. It is clear (and accepted by the applicant and operator of the Allington IWMF) that HGVs parking on Laverstoke Road and queuing onto St Laurence Avenue whilst waiting to enter the Allington IWMF at peak times have occasionally obstructed others using the 20/20 Business Park. The applicant has sought to explain this by saying it has occurred during periods of higher demand (such as during the post-Christmas period). However, it does not accept that this is typical of traffic conditions on Laverstoke Road. The applicant states that queuing on Laverstoke Road can occur for a number of contributory reasons: too many vehicles arriving over a short time period; vehicles arriving early; inefficient parking; temporary drivers; deliveries exceed processing capacity; failure of equipment; and obstruction of delivery vehicles. The following table sets out further detail on these together with the mitigation measures the applicant proposed to address them.

Reason	Reason for Queuing	Mitigation Measure
1	<u>Too many vehicles arriving over a short time period:</u> This can occur during the post- Christmas period when waste transfer stations (WTS) have higher than normal stock levels. The operators of WTS tackle their high stock levels by renting additional vehicles which can arrive in conjunction with “normal” delivery vehicles which results in an abnormal volume of vehicles at the EfW facility.	FCC has been meeting with its customers to discuss adopting a strategy whereby deliveries are made according to predesignated timeslots, so the waste is delivered gradually, thereby avoiding any sudden peaks in HGV movements.
2	<u>Vehicles Arriving Early:</u> Site related HGVs arrive at the site before it opens at 7am and wait on Laverstoke Road until the gates open.	To mitigate against this problem, FCC record HGV registration numbers and will continue to contact the relevant operator and request that their drivers do not arrive before the facility opens.

Item C1

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3	<p><u>Inefficient Parking:</u> Drivers waiting to enter the facility can park inefficiently in single file by leaving larger gaps that needed between vehicles. This means that if a queue forms, it requires high amount of carriageway space on Laverstoke Road which can obstruct the passage of drivers accessing the wider 20/20 site.</p>	<p>FCC will modify its traffic management plan to ensure that the vehicles queue in two lanes and will allocate a member of staff to act as a banksman to monitor and manage drivers during busy periods.</p>
4	<p><u>Temporary Drivers:</u> Drivers/vehicles who regularly delivery to the site usually takes around 4 minutes to have their paperwork checked and to be weighed. A new or temporary driver / vehicle will take around 30 minutes per vehicle during the first delivery. This is particularly problematic first thing in the morning as this is when the facility experiences the highest volumes of new drivers which can result in vehicles queuing to get onto the site.</p>	<p>New drivers will be directed onto the bypass lane. FCC has discussed the issue with its operators and when implementing the delivery slot system, new drivers will be identified in advance and a strategy will be implemented to ensure that new drivers/vehicles will not arrive simultaneously.</p>
5	<p><u>Deliveries Exceed Processing Capacity:</u> More waste is delivered than the EfW facility can process. This may occur if the treatment plant breaks down unexpectedly and the stock level is high.</p>	<p>FCC will review its stock levels on a daily basis and will manage the volume of waste being brought to the site to ensure that the levels of stock on site remain within manageable thresholds.</p>
6	<p><u>Failure of Equipment:</u> If the equipment breaks down in the reception hall then the facility cannot process material.</p>	<p>FCC will notify its customers of likely delays and it will re-direct waste to other facilities or wait for the equipment to return to service before transferring waste to the Allington site.</p>
7	<p><u>Obstruction of Delivery Vehicles:</u> A vehicle stops on the carriageway for an unknown reason, (e.g. breakdown, parking to do paperwork or stopping overnight) resulting in an obstruction for following vehicles.</p>	<p>When the facility is busy, FCC will open the site early and encourage HGV drivers to enter the site instead of waiting on the public highway. With respect to an incidence of a broken down vehicle, FCC can't control this and vehicles which may not always be related to the EfW.</p>

93. Further problems relating to queuing on Laverstoke Road have occurred on at least two occasions since the post-Christmas period. It is understood that one resulted from

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a fire in the tipping hall which led to the weighbridge being closed and the other from an exceptional number of HGVs arriving at the same time. The applicant has advised that it is still in the process of integrating the above mitigation measures within its contractual arrangements and that it is confident that this will minimise the potential for future problems. A particular measure it is seeking to agree with KCC, is for articulated HGV deliveries from waste transfer stations or HWRCs to be managed to avoid simultaneous arrivals.

94. The applicant does not accept that the HWRC would exacerbate the problems with queuing on Laverstoke Road if the above mitigation measures are implemented. KCC Highways and Transportation has advised that it considers the proposed mitigation measures to be acceptable. I am satisfied that the proposed mitigation measures could be secured by condition (since they effectively relate to operations undertaken by the applicant / owner) and that this condition could additionally include provision for annual reviews of the mitigation and amended measures being agreed with KCC as necessary.
95. The applicant forecasts that the maximum number of vehicles at the HWRC at any one time would be 59 on weekdays and 65 on weekends. Since the HWRC would contain enough stacking capacity for over 100 cars (i.e. based on each vehicle requiring 6m and three internal queuing lanes with a combined length of over 600m) I am satisfied that vehicles using the HWRC would not queue back onto Laverstoke Road.
96. The HWRC would, by its very nature, generate traffic movements as householders drive to the site to deposit waste and recyclable materials. However, the location of the proposed HWRC in relation to its intended catchment and its proximity to the Allington IWMF can be regarded as positive in terms of seeking to minimise road miles. The disposal of spoil on site (as opposed to transporting it elsewhere by road) can also be regarded as positive in terms of minimising road miles and impact on the highway. The site would also be accessible by pedestrians, bicycle and public transport. KCC Highways and Transportation has advised that the proposed access arrangement onto Laverstoke Road is acceptable and can be addressed in further as necessary at the detailed design / S278 stage if permission is granted. It has also advised that the proposed pedestrian access arrangements are acceptable. It has not sought any new traffic management measures as part of the development.
97. Potential air quality impacts arising from traffic associated with the proposed HWRC are addressed separately in the Air quality section below.
98. Subject to the imposition of conditions to secure the matters requested by KCC Highways and Transportation and the imposition of a condition to secure the mitigation measures to minimise the risk of HGVs queuing on Laverstoke Road to enter the Allington IWMF (with provision for annual reviews and amended measures being agreed with KCC as necessary), I must conclude that the proposed development would not have an unacceptable impact on highway safety, that the residual cumulative impacts on the road network would not be severe and that planning permission should not be withheld on the basis of paragraphs 108 and 109 of the

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NPPF. Subject to the environmental impacts of traffic associated with the proposed HWRC being acceptable (e.g. air quality), I must also conclude that the proposed development accords with Policies DM11, DM13, DM15 and DM17 of the Kent MWLP, Policy CP2 of the TMBC LDF Core Strategy and Policy SQ8 of the TMBC LDF MDE DPD. The proposed development can also be viewed favourably in terms of Draft Policy CSW6 of the Kent MWLP Early Partial Review as it is well located in relation to Kent's Key Arterial Routes and would not give rise to significant numbers of lorry movements through villages or on unacceptable stretches of road.

Noise

99. Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by preventing new development from contributing to unacceptable levels of noise pollution. Paragraph 180 states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on the natural environment and that in doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise, avoid noise giving rise to significant adverse impacts on health and the quality of life and protect tranquil areas. Paragraph 7 of the NPPW states that when determining waste planning applications WPAs should consider the likely impact on the local environment and on amenity against various locational criteria and other matters. These include potential noise pollution and impact on sensitive receptors (linked to proximity). The NPPW 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) and that intermittent and sustained operating noise may be a problem if not properly managed (particularly if night-time working is involved).
100. Policy DM11 of the Kent MWLP states that waste development will be permitted if it can be demonstrated that it is unlikely to generate unacceptable adverse impacts from noise. It further states that proposals will also be required to ensure that there is no unacceptable adverse impact on the use of other land for other purposes. Draft Policy CSW6 of the Kent MWLP Early Partial Review requires waste development that 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.
101. Policy CP1 of the TMBC LDF Core Strategy states that the need for development will be balanced against the need to protect and enhance the natural environment and that residential amenity will be preserved and, where possible, enhanced. Draft Policy LP21 of the emerging TMBC Local Plan states that development will only be permitted if it can be demonstrated that it is located, designed and controlled to minimise the impact of noise on neighbouring properties and the prevailing acoustic environment.
102. Although no objections have been received from consultees in respect of noise impact, a number of those making representations have done so. The objections relate to the potential impact on nearby residents (existing and proposed) from site operations and

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associated traffic and the extent of the proposed hours of use (i.e. 07:00 to 20:00 hours each day), as well as any resultant impacts on quality of life and health. It has also been suggested that the applicant's noise assessment is flawed.

103. KCC's Noise Consultant has no objection subject to a condition to secure a Construction Environment Management Plan (CEMP) detailing Best Practical Means (BMP) and other mitigation methods to protect nearby receptors during the construction phase. It is satisfied that the HWRC can operate without adverse effect on any noise sensitive receptors. A summary of its response is set out in paragraph 54. Importantly, it advises that potential noise impact has been satisfactorily addressed and that the applicant's noise assessment is robust. It has not suggested that the proposed hours of use are unacceptable.
104. The Environment Agency has no objection subject to a number of conditions (relating to potential ground contamination). A summary of its response is set out in paragraph 50. Amongst other things it advises that the HWRC would be subject to an Environmental Permit which would require measures to control noise emissions (to minimise impacts on the amenity of adjacent properties, including businesses).
105. The applicant proposes that the HWRC be permitted to be open to the public between 07:00 and 20:00 hours weekdays, weekends and on Bank Holidays (but closed on Christmas Day, Boxing Day and New Year's Day), with actual opening hours (within these) dependent on contractual arrangements with KCC Waste Management. It also proposes that site maintenance / cleaning and other operational activities be allowed during the 30 minutes before the site opens and 30 minutes after the site has closed to the public (i.e. 06:30 to 07:00 and 20:00 to 20:30 hours). It states that having staff on site prior to the official opening time would also assist with traffic management and enable members of the public arriving in advance of the opening time to wait within the confines of the site, rather than queuing on the public highway. It proposes that construction of the HWRC would generally take place between 07:00 and 18:00 on weekdays and Saturdays, although it has indicated that additional flexibility may be required for key elements which would be included in a Construction Environmental Management Plan (CEMP) secured by condition.
106. The potential noise impact of the proposed development has been assessed having regard to the proposed hours of operation and found to be acceptable. Whilst concerns have been raised about potential impact on nearby residents (existing and proposed) from site operations and associated traffic, it is important to note that the proposed HWRC lies no closer than 230m from the nearest residential properties (at the Orchard) and is separated from it by the main railway line, St Laurence Avenue, land forming part of the Allington IWMF and woodland / vegetation. No committed residential development would lie closer to the site (most is significantly further away). Vehicles arriving at or leaving the site would do so via St Laurence Avenue and the A20. The only residential accommodation between the site and the A20 is that associated with the manager of the Poppy Fields Public House. Noise from the construction phase (including works associated with the disposal of spoil arising from the project on land to the southwest of the Allington IWMF and north of St Laurence

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Avenue) has been included in the assessment and also found to be acceptable (e.g. in terms of potential impact on the managers accommodation at the Poppy Fields Public House. As noted above, the Environmental Permit would also require measures to control noise emissions and minimise impacts adjacent properties (including businesses).

107. Given the advice from KCC's Noise Consultant, I am satisfied that it would be appropriate to allow the proposed operational hours and allow for the actual opening hours (within these) to be determined based on the needs of KCC Waste Management which would be secured through contractual arrangements. I am also satisfied that allowing a 30 minute period prior to and after the proposed public opening hours would be appropriate and not give rise to any significant adverse impact. The proposed hours for construction operations are also appropriate. However, I accept that there may be good reason why some operations could reasonably or may need to be undertaken outside these hours. I would not expect these additional operations to include earth moving but am content that additional flexibility could be provided in the proposed CEMP (which would need to be approved by KCC). Given that the proposed development is acceptable in noise terms, I am also satisfied that the proposed development would not adversely affect quality of life and health in any significant way.
108. Subject to the imposition of conditions to secure the proposed hours of use and a CEMP, I must conclude that the proposed development would not give rise to unacceptable levels of noise pollution, is appropriate for its location having regard to potential noise impact and that planning permission should not be withheld on the basis of paragraphs 170 and 180 of the NPPF. I must also conclude that the proposed development accords with Policy DM11 of the Kent MWLP and Policy CP1 of the TMBC LDF Core Strategy in terms of noise impact. The proposed development can also be viewed favourably in terms of draft Policy CSW6 of the Kent MWLP Early Partial Review and draft Policy LP21 of the emerging TMBC Local Plan.

Air quality

109. Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by preventing new development from contributing to unacceptable levels of air pollution and that development should wherever possible help to improve local environmental conditions such as air quality. Paragraph 180 states that planning decisions should ensure that new development is appropriate for its location taking into account 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). Paragraph 183 states that the focus of planning decisions 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.

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Paragraph 7 of the NPPW states that when determining waste planning applications WPAs should consider the likely impact on the local environment and on amenity against various locational criteria and other matters. These include the proximity of sensitive ecological and human receptors and the extent to which adverse emissions (including odour) can be controlled using appropriate and well-maintained and managed equipment and vehicles.

110. Policy DM11 of the Kent MWLP states waste development will be permitted if it can be demonstrated that it is unlikely to generate unacceptable adverse impacts from dust, odour, emissions bioaerosols or exposure to health risks and associated damage to the qualities of life and wellbeing to communities and the environment. It states that this may include production of an air quality assessment of the impact of the proposed development and its associated traffic movements and necessary mitigation measures required through planning condition and / or planning obligation. It further states that proposals will also be required to ensure that there is no unacceptable adverse impact on the use of other land for other purposes. Policy DM12 states that permission will be granted for waste development where it does not result in an unacceptable adverse, cumulative impact on the amenity of a local community. Policy DM13 states that development should demonstrate that emissions associated with road transport movements are minimised as far as practicable, including by emission controls and reduction measures (e.g. the use of low emission vehicles and vehicle scheduling to avoid movements in peak hours). Draft Policy CSW6 of the Kent MWLP Early Partial Review requires waste development that 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 and does not give rise to significant adverse impacts on AQMAs. In respect of development which may give rise to bioaerosols (such as composting) it states that facilities should be located at least 250m from any potentially sensitive receptors.
111. Policy CP1 of the TMBC LDF Core Strategy states that the need for development will be balanced against the need to protect and enhance the natural environment and that residential amenity will be preserved and, where possible, enhanced. Policy CP24 states that all development should be well designed and of high quality, respecting the site and surroundings. It also states that development which by virtue of its design would be detrimental to amenity will not be permitted. Policy SQ4 of the TMBC LDF MDE DPD states that development will only be permitted where the proposed use does not result in a significant deterioration of the air quality of the area (either individually or cumulatively with other proposals or existing uses in the vicinity), would not result in the circumstances that would lead to the creation of a new AQMA and there is no impact on the air quality of designated sites of nature conservation interest or appropriate mitigation is proposed to alleviate any such impact. Draft Policy LP20 of the emerging TMBC Local Plan states that development (either individually or cumulatively with other proposals or existing uses in the vicinity) that could directly or indirectly result in material additional air pollutants and a significant worsening of levels of air quality within the area surrounding the development site will not be permitted unless evidenced, specifically identified and detailed measures to offset or mitigate those impacts are introduced as part of the proposal.

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112. In the event that KCC determines the HWRC application prior to the availability of an accurate determination of traffic movements associated with all proposed development in the area and the completion of highway improvements on the A20, Aylesford PC objects on the grounds that the development would make the already poor air quality in the area even worse (affecting quite significantly the existing Aylesford and Maidstone A20 AQMAs).
113. Objections relating to air quality have also been received from a number of those who have made representations. The objections refer to concerns about the large numbers of queuing cars and the impact of odour on adjoining businesses and people, as well as any resultant impacts (including cumulative impact) on quality of life and health.
114. KCC's Air Quality Consultant has no objection subject to conditions to secure an operational Dust Management Plan (DMP) and a site Odour Management Plan (OMP). It is satisfied that the risk to neighbouring facilities and surrounding sensitive receptors from dust exposure is low, that any odour impact can be appropriately minimised, that air quality has been appropriately assessed and demonstrated to give rise to a negligible overall magnitude of change at all receptors (including along roads where there would be an increase in vehicle movements) and that no further assessment is required. A summary of its response is set out in paragraph 55.
115. The Environment Agency has no objection subject to a number of conditions (relating to potential ground contamination). A summary of its response is set out in paragraph 50. Amongst other things it advises that the HWRC would be subject to an Environmental Permit which would require measures to control dust and odour (to minimise impacts on the amenity of adjacent properties, including businesses). It also advises that the proposed earthworks would need to be carried out in accordance with an Environmental Permit (since they would involve moving controlled waste that has already been imported and deposited) and that this could be done under a variation to the existing landfill permit. It also refers to the potential need for the existing Environmental Permit for the Allington IWMF to be reviewed as a result of what is proposed to assess potential impacts and ensure that these remain acceptable and that this may include the need for an amended assessment of the risk of the Allington IWMF to the proposed new receptor (the HWRC) in terms of air quality. I am satisfied locating the HWRC near the Allington IWMF is appropriate in planning terms and that this particular issue is a matter for the Environment Agency.
116. Natural England has no objection to the proposed development. Its initial concerns about potential air quality impact of additional traffic on the North Downs Woodlands Special Area of Conservation (SAC) were overcome as a result of further information provided by the applicant. A summary of its response is set out in paragraph 51.
117. As indicated in the Highways and transportation section above, I am satisfied that the impact of all committed development has been properly considered and that it is appropriate for the HWRC application to be determined.

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118. Potential air quality impacts associated with the proposed development include dust and odour (resulting from activities in the construction phase), odour (from activities in the operational phase) and exhaust pollution (from traffic associated with the use of the HWRC). The primary air quality impact during the construction phase is likely to be dust arising from the creation of the HWRC development platform since this would involve the excavation of about 60,000m³ (120,000t) of material from the landscaped earth bund which was formed during the construction of the Allington IWMF and its movement to the spoil disposal area where it would be deposited to create a revised landform. The applicant states that the material comprises a mixture of topsoil and previously deposited inert waste (generally loose sandy made ground). The applicant's air quality assessment states that subject to the implementation of standard mitigation measures, residual dust impact arising from the development phase would not be significant. It also states that although excavation can result in odour, the odour potential from the earthworks is negligible.
119. The likely extent of odour emissions from waste management facilities during the operational phase is dependent on the nature of wastes dealt with and the management and any mitigation measures employed to minimise such impacts. The applicant's air quality assessment states that the wastes dealt with at the HWRC would not be substantially odorous and would not be stored on site for long. Whilst it predicts that the HWRC would have a slight adverse effect (as a worst case) on the immediately adjoining Industrial Estate (OR3) and at Fordwich Close (OR5) and Snowdrop Close (OR6) to the south of the railway line in terms of odour (based on historic complaints about odour from the Allington IWMF) it concludes that any operational odour effects would not be significant.
120. Traffic travelling to and from the HWRC would give rise to vehicle emissions. The applicant's air quality assessment predicts a negligible magnitude of change at all but one receptor (where a slight adverse concentration of nitrogen dioxide (NO₂) is predicted) based on worst case (where no improvement in emissions from an average vehicle between 2018 and 2024 is assumed). This receptor (R32) is located near the London Road junction with Hall Road and Mills Road (i.e. the entrance to the Quarry Wood retail park). However, the overall significance of the effect of vehicle emissions associated with the operational phase is deemed to be not significant.
121. Given that the proposed development is acceptable in terms of air quality, I am satisfied that it would not adversely affect quality of life and health in any significant way.
122. Subject to the imposition of conditions to secure an operational Dust Management Plan (DMP) and a site Odour Management Plan (OMP) and those requested by the Environment Agency relating to potential ground contamination, I must conclude that the proposed development would not give rise to unacceptable levels of air pollution, is appropriate for its location having regard to potential air quality impact and that planning permission should not be withheld on the basis of paragraphs 170 and 180 of the NPPF. I must also conclude that the proposed development accords with Policy DM11 of the Kent MWLP, Policy CP1 of the TMBC LDF Core Strategy and Policy SQ4

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of the TMBC LDF MDE DPD in terms of air quality impact. The proposed development can also be viewed favourably in terms of draft Policy CSW6 of the Kent MWLP Early Partial Review and draft Policy LP20 of the emerging TMBC Local Plan.

Landscape and visual impact

123. Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside. Paragraph 172 states that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. Paragraph 175 states that when determining planning applications, local planning authorities should refuse development that would result in the loss of irreplaceable habitats such as Ancient Woodland unless there are wholly exceptional reasons and a suitable compensation strategy exists. Paragraph 180 states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on the natural environment and that in doing so they should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. Paragraph 7 of the NPPW states that when determining waste planning applications WPAs should consider the likely impact on the local environment and on amenity against various locational criteria and other matters. These include landscape and visual impacts (e.g. design-led solutions that respect landscape character, the need to protect landscapes or designated areas of national importance and any localised height restrictions) and potential light pollution.
124. Policy DM1 of the Kent MWLP supports sustainable development and states that proposals will be required to demonstrate that they have been designed to protect and enhance the character and quality of the site's setting. Policy DM2 states that designated AONBs have the highest status of protection in relation to landscape and scenic beauty and that regard must be had to the purpose of the designation when determining planning applications that may affect land in an AONB. It also states that proposals outside, but within the setting of an AONB, will be considered having regard to the effect on the purpose of conserving and enhancing the natural beauty of the AONB. It further states that proposals for waste development likely to have any unacceptable adverse impact on Ancient Woodland will not be permitted unless the need for, and the benefits of, the development in that location clearly outweigh any loss. 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. Policy DM12 states that permission will be granted for waste development where it does not result in an unacceptable adverse cumulative impact on the environment. Draft Policy CSW6 of the Kent MWLP Early Partial Review states that planning permission will be granted for facilities that do not give rise to significant adverse impacts on AONBs, SSSIs and Ancient Woodland.
125. Policy CP1 of the TMBC LDF Core Strategy states that the need for development will be balanced against the need to protect and enhance the natural environment and that

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the quality of the natural environment and countryside will be preserved and, where possible, enhanced. Policy CP24 states that all development should be well designed and of high quality, respecting the site and surroundings. Policy SQ1 of the TMBC LDF MDE DPD states that proposals should protect, conserve and where possible enhance local character and distinctiveness. Draft Policies LP1 and LP14 of the emerging TMBC Local Plan include similar requirements.

126. No objections have been raised by consultees or by those making representations in respect of landscape and visual impact.
127. KCC's Landscape Consultant has no objection subject to conditions to secure the implementation of a detailed planting plan, a Construction Environment Management Plan (CEMP), appropriate tree protection measures, avoidance of tree removal during the bird nesting season, all planting, seeding or turfing to be carried out in the first available planting and seeding season following the occupation of the site or the completion of the development (whichever is the sooner) and an aftercare period of no less than five years. A summary of its response is set out in paragraph 53. Amongst other things it states that the most significant visual impact would be during the construction phase although it does not regard this as being a particularly sensitive issue given the wider landscape context. Whilst the loss of existing tree cover and reduction in the bund height would impact on the view of the site, it states that the development proposals are consistent with their surroundings and as such the visual effects are not considered to be significant. It also considers the proposals for the spoil disposal area to be acceptable.
128. The Kent Downs AONB Unit has raised no objection. A summary of its response is set out in paragraph 52. Despite not commenting in detail, it supports the proposed replacement woodland planting around the perimeter of the site and the use of a dark coloured roofing material (to minimise potential impact in views from the Kent Downs) and states that lighting should be designed to minimise light pollution. It reminds KCC that it must have regard to the purposes of AONB designation in determining the application.
129. The proposed development would result in the loss of all the trees within the footprint of the proposed HWRC and the removal of some of those on the eastern boundary of the site as a result of the associated earthworks. It would also necessitate the loss of some trees in the spoil disposal area. The precise extent of the loss of trees on the eastern boundary of the HWRC is not certain and would depend on operational issues associated with the earthworks and the machinery required to undertake these. However, the existing vegetation (and trees) located on the lower / easternmost part of the bund (which slopes down towards the distribution centre) would remain unaffected by the construction or operation of the HWRC and would be retained. Although the earthworks and HWRC would be clearly visible from Laverstoke Road and some of the commercial premises on the 20/20 Business Park immediately to the east and give rise to some views into the Allington IWMF from these areas as a result of the tree removal and reduction in height of the bund, these views would not be visible from sensitive locations. The retained trees and vegetation and the proposed new planting would

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assist in reducing the visual impact of the HWRC once operational.

130. The precise extent of the trees that would be lost as a result of the proposed earthworks and the resultant exact extent of new tree planting on the eastern boundary can be established and addressed as necessary as part of the conditions proposed by KCC's Landscape Consultant. These conditions would also ensure that appropriate detailed landscape planting and associated aftercare is secured both in the vicinity of the proposed HWRC and the spoil disposal areas.
131. The applicant's Landscape and Visual Assessment (LVIA) concludes that the proposed HWRC would not result in an unacceptable adverse impact on the integrity, character, appearance, function or interest of the AONB (the HWRC would be barely visible, if at all, from the AONB and any effects would be negligible at worst), not impact upon the character of the landscape surrounding the proposed HWRC (which is dominated by waste management and employment operations, and major transport infrastructure) and not result in an unacceptable visual impact or affect the quality of life or wellbeing of communities in the locality (despite being visible from some locations in the surrounding area such as Laverstoke Road). KCC's Landscape Consultant has accepted these findings.
132. The proposed hours of use would necessitate lighting on site. This would be viewed on the context of what is a relatively well-lit urban fringe location. The applicant proposes that a detailed external lighting scheme (designed to accord with current industry standards and best practice guidance) be prepared and secured by condition. I am content that it is appropriate for this to be addressed in this way and would enable KCC to ensure that any lighting used at the site minimises light pollution and that any landscape and visual effects from the HWRC during hours of darkness would not be significant.
133. The HWRC has been designed to limit land-take and to make the best use of under-utilised part of the Allington site whilst maximising the rate of recycling for those wastes accepted by HWRC's in Kent, ensuring the health and safety of residents and operatives (e.g. clear separation of the operational and public parts of the facility and the split-level arrangement for the disposal of waste in order that residents need not climb steps or stairs to dispose of their waste) and by ensuring ease of access and egress for public and operational vehicles (e.g. 3 inbound lanes to allow the stacking of public vehicles off the public highways at peak times and separate vehicle manoeuvring and parking areas next to the waste containers to allow for the continuous free flow of vehicles out of the site. As noted earlier in this report, whilst it was initially proposed that the roof of the two-storey site office / welfare and re-use shop and the canopy over the waste containers, walkways and parking spaces would be finished in Goosewing Grey, it is now proposed that all roofs would be dark coloured in order to address the Kent Downs AONB Unit's suggestion. I am satisfied that this can be addressed appropriately by condition.
134. Although areas of Ancient Woodland lie relatively near to the site (just to the north of M20 and east of railway line at the eastern end of the 20/20 Business Park) I am

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satisfied that the proposed development would not have any unacceptable adverse impact on these.

135. Given the advice of KCC's Landscape Consultant and the Kent Downs AONB Unit I am satisfied that although the proposed development would give rise to some adverse landscape and visual impacts (in locations immediately adjacent to the site which are less sensitive to any impact), it is acceptable in terms of landscape and visual impact and would not adversely affect the character and quality of the site's setting in any significant way. To ensure that KCC is able to assess the potential landscape and visual impact that may arise from the extension or alteration of the proposed buildings or the installation or replacement of any plant and machinery, it would be appropriate to remove the permitted development rights that would normally exist for a development of this type. This can be secured by a condition requiring the prior written approval of any such details. This would be consistent with the position at the Allington IWMF.
136. Subject to the imposition of conditions to secure the implementation of a detailed planting plan, a CEMP, appropriate tree protection measures, avoidance of tree removal during the bird nesting season, all planting, seeding or turfing to be carried out in the first available planting and seeding season following the occupation of the site or the completion of the development (whichever is the sooner) and an aftercare period of no less than five years, the use of a dark coloured roofing material, a detailed lighting scheme and the removal of permitted development rights, I must conclude that the proposed development would not give rise to unacceptable landscape and visual impact and that planning permission should not be withheld on the basis of paragraphs 170, 172, 175 and 180 of the NPPF. I must also conclude that the proposed development accords with Policies DM1, DM2, DM11 and DM12 of the Kent MWLP, Policies CP1 and CP24 of the TMBC LDF Core Strategy and Policy SQ1 of the TMBC LDF MDE DPD in terms of landscape and visual impact (including AONB and Ancient Woodland considerations). The proposed development can also be viewed favourably in terms of draft Policy CSW6 of the Kent MWLP Early Partial Review and draft Policies LP1 and LP14 of the emerging TMBC Local Plan.

Water environment

137. 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 states that planning decisions should contribute to and enhance the natural environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. 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

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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. Paragraph 7 of the NPPW states that when determining waste planning applications WPAs should consider the likely impact on the local environment and on amenity against various locational criteria. These include the protection of water quality and resources and flood risk management. It also re-iterates that WPAs should concern themselves with implementing the planning strategy and not with the control of processes which are a matter for the pollution control authorities.

138. Policy DM1 of the Kent MWLP states that waste proposals should be designed to incorporate measures for water recycling where possible and utilise sustainable drainage systems wherever practicable. Policy DM10 states that planning permission will be granted for waste development where it would not result in the deterioration of physical state, water quality or ecological status of any water resource and water body, have an unacceptable impact on groundwater Source Protection Zones (SPZs) or exacerbate flood risk. Draft Policy CSW6 of the Kent MWLP Early Partial Review states that planning permission will be granted for proposals that avoid Groundwater Source Protection Zone 1 or Flood Risk Zone 3b.
139. Policy CP1 of the TMBC LDF Core Strategy states that the need for development will be balanced against the need to protect and enhance the natural environment and that water quality will be preserved and, where possible, enhanced. Policy CC3 of the TMBC LDF MDE DPD states that development will not be permitted if it has an unacceptable effect on the water environment, including surface water and groundwater quality and quantity, river corridors and associated wetlands. Policy SQ5 states that all development will be expected to ensure that adequate water and sewerage infrastructure is present or can be provided in order to meet future needs without compromising the quality and supply of services for existing users. It also states that development proposals will not be permitted unless they incorporate sustainable drainage systems (SUDS) appropriate to the local ground water and soil conditions, local drainage regimes and in accordance with the Groundwater Regulations and that development proposals incorporating SUDS must include an agreement to ensure future management, maintenance and replacement, when necessary, of the SUDS structures. Draft Policy DM17 of the emerging TMBC Local Plan states that the flood risk policy in the NPPF will be applied. Draft Policy DM18 states that SUDS for the management of run-off must be provided for as part of major development.
140. No objections have been raised by consultees or by those making representations in respect of the water environment.
141. The Environment Agency has no objection subject to a number of conditions (relating to potential ground contamination). A summary of its response is set out in paragraph 50. Amongst other things it advises that it accepts the findings and conclusions of the submitted Phase 1 investigative report on ground conditions and that the HWRC would be subject to an Environmental Permit which would further address drainage

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arrangements (in order to minimise the risk to surface and groundwater).

142. Southern Water has no objection subject to conditions (relating to foul and surface water sewerage disposal and the need for a Trade Effluent discharge licence) and the imposition of an informative (relating to the need for an application to connect to the public foul and surface water sewer). A summary of its response is set out in paragraph 58.
143. KCC Flood and Water Management (SuDS) has no objection subject to conditions to secure a detailed sustainable surface water drainage scheme (based on the applicant's drainage assessment report) in order to ensure that the HWRC is served by satisfactory arrangements for the disposal of surface water and does not exacerbate the risk of on / off site flooding and a verification report (which demonstrates that drainage has been properly installed and will be subject to appropriate maintenance). A summary of its response is set out in paragraph 57. It advises that it is satisfied with the revised drainage strategy (in terms of layout and location of the separator) and the assumptions which underpin it (which accord with KCC planning policy).
144. The applicant's Flood Risk Assessment concludes that the site is not at risk from flooding and would not increase the risk of flooding elsewhere subject to the implementation of appropriate attenuation. The applicant's Drainage Assessment proposes that this be addressed by the implementation of a detailed drainage scheme which would first be submitted to and approved in writing by KCC. The site would have a sealed drainage system (with appropriate pollution control infrastructure) to prevent the infiltration of drainage to the underlying groundwater. As a result, the proposed SuDS solution would involve surface water being directed via a sealed drainage system and an underground tank before being discharged to the public surface water sewer in Laverstoke Road. The discharge would be at a greenfield run-off rate of 1.8 litres / second (l/s), which the applicant states is 0.1ls lower than required by Southern Water. The applicant states that Southern Water is content that foul water be discharged to the foul sewer. However, its response to the consultation indicates that it wishes to see further details on both foul and surface water disposal before confirming this. Both the Environment Agency and KCC SuDS have accepted the proposed discharge rate. It should be noted that additional controls would also be imposed on the Environmental Permit and that Southern Water would need to separately approve details of connection to its apparatus.
145. The applicant's Phase 1 Site Investigation Report demonstrates that the site is suitable for the proposed use taking account of ground conditions and any risks arising from land instability and contamination. Although the material to be excavated as part of the earthworks is classed as waste material (despite having been formed into a landscaped bund), the report states that it would be thoroughly tested and, if necessary, remediated on site prior to placement in spoil disposal area or disposed of at a suitable facility elsewhere. On this basis, there should be no risk of contamination during the earthworks. The conditions proposed by the Environment Agency would serve to address this as necessary and would enable KCC to exercise further control if it became necessary for any contaminated materials to be exported from the site.

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Further reassurance on the matter is provided by the Environment Agency's advice on the need for an Environmental Permit .

146. Given the advice of the Environment Agency and KCC SuDS I am satisfied that the proposed development is acceptable in terms of potential impact on the water environment. Whilst separate approval for connection to the public foul and surface water sewer would be required from Southern Water, it has not objected to the application. Although further details of the proposed means of foul and surface water sewerage disposal arrangements can be secured by condition, I consider that the stated need for a Trade Effluent discharge licence should more properly be addressed by an informative.
147. Subject to the imposition of conditions relating to potential ground contamination, details of foul and surface water sewerage disposal and a detailed sustainable surface water drainage scheme and a verification report and informatives relating to the need for a Trade Effluent discharge licence and an application to connect to the public foul and surface water sewer, I must conclude that the proposed development would not give rise to unacceptable impact on or associated with the water environment and that planning permission should not be withheld on the basis of paragraphs 163, 170, 178, 180 and 183 of the NPPF. I must also conclude that the proposed development accords with Policies DM1 and DM10 of the Kent MWLP, Policy CP1 of the TMBC LDF Core Strategy and Policies CC3 and SQ5 of the TMBC LDF MDE DPD in terms of the water environment. The proposed development can also be viewed favourably in terms of draft Policy CSW6 of the Kent MWLP Early Partial Review and draft Policies LP1 and LP14 of the emerging TMBC Local Plan.

Ecology

148. Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural environment by protecting and enhancing sites of biodiversity value (in a manner commensurate with their statutory status or identified quality) and minimising impacts on and providing net gains for biodiversity. Paragraph 175 states that when determining planning applications, local planning authorities should refuse development which that would result in significant harm to biodiversity if this cannot (as a last resort) be compensated for. Paragraph 7 of the NPPW states that when determining waste planning applications WPAs should consider the likely impact on the local environment against various locational criteria. These include protecting ecological networks and protected species.
149. Policies DM1, DM2 and DM3 of the Kent MWLP seek to protect and enhance biodiversity interests or mitigate and if necessary compensate for any predicted loss. Draft Policy CSW6 of the Kent MWLP Early Partial Review states that planning permission will be granted for proposals that do not give rise to significant adverse impacts upon (amongst others) Local Wildlife Sites (LWS) and Ancient Woodland.
150. Policy CP1 of the TMBC LDF Core Strategy states that the need for development will be balanced against the need to protect and enhance the natural environment and that

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the quality of the natural environment will be preserved and, where possible, enhanced. Policy NE1 of the TMBC LDF MDE DPD states that proposals which would adversely affect a LWS or Local Nature Reserve (LNR) will not be permitted, unless it can be demonstrated that the benefits would override the need to safeguard the site. Policy NE2 states that biodiversity will be protected, conserved and enhanced and that the restoration and creation of new habitats will be promoted. Policy NE3 states that development which would adversely affect the biodiversity value of wildlife habitats will only be permitted if appropriate mitigation / compensation measures are provided which would result in overall enhancement and states that proposals should seek to retain and maximise opportunities the creation of new areas of ecological conservation value. Policy NE4 seeks to maintain and enhance tree cover and hedgerows to provide new habitats as part of development proposals and states that proposals resulting in a net loss of woodland will only be permitted where it cannot be located on an alternative site, the need for the development clearly outweighs the ecological, archaeological and landscape value of the woodland and any harm can be reduced to acceptable limits through implementation of positive environmental mitigation within the site or elsewhere or through enhanced management. Draft Policy LP13 of the emerging TMBC Local Plan states that development must protect and where possible enhance (amongst others) LWS.

151. No objections have been raised by consultees (including Natural England) or by those making representations in respect of ecology. Natural England's final response advises that it is satisfied that the emissions from traffic associated with the HWRC would not be likely to have a significant effect on the SAC (even when considered cumulatively with other plans and projects).
152. KCC Ecological Advice Service has no objection subject to conditions to secure the implementation of compensation measures (an Ecological Design Strategy) and to ensure there is appropriate post-development management for the ecological features (a Landscape and Ecological Management Plan). It also proposes an informative reminding the applicant of its obligations under the Wildlife and Countryside Act 1981 (in respect of nesting birds) as there are habitats on and around the site which provide opportunities for breeding birds (including woodland which would be lost). A summary of its response is set out in paragraph 56. Amongst other things it welcomes the proposed habitat creation (i.e. species-rich meadow grassland) in the spoil disposal area and advises that although the revised location would result in the loss of some immature woodland habitat, this is of relatively low ecological value and would be replaced with new native woodland planting. It also notes that native woodland planting / species-rich grassland creation would take place around the HWRC development footprint. It also emphasises the importance of implementing and maintaining a specific management regime for the proposed the meadow grassland habitat in order that it become established and functional.
153. As noted earlier in this report, the proposed HWRC would result in the loss of existing trees in and adjoining the footprint of the HWRC and in part of the spoil disposal area (i.e. 1 individual tree, 1 group off trees and 7 partial groups of trees). The applicant's Arboricultural Assessment identifies those directly affected by the proposed HWRC as

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being generally of poor quality and value. Those lost in the spoil disposal area would be replaced with native woodland. The applicant's Ecological Assessment concludes that the proposed development would not have any effect on statutory or non-statutory designated sites, there would be no direct effects on protected species subject to the implementation of the proposed mitigation (e.g. site clearance is undertaken outside breeding bird season) and there would be no significant effects on ecological networks. It also concludes that whilst the proposed development would give rise to the loss of some existing habitats (e.g. mosaic plantation, scrub, etc.) on both the site of the proposed HWRC and the receptor (spoil disposal) site, this habitat is of poor quality and no more than site value. It further concludes that any loss would be compensated for by the implementation of the proposed landscape scheme and proposed biodiversity enhancement measures.

154. Given the advice of Natural England and KCC Ecological Advice Service I am satisfied that the proposed development is acceptable in terms of ecological impact. The proposed native woodland planting and species rich meadow grassland, reinforced by conditions requiring (amongst other things) the prior approval of detailed planting proposals (including tree and shrub sizes, species, siting and planting distances and seed mixes and sowing densities) and ongoing management prescriptions, should ensure that the proposed development provides the envisaged biodiversity benefits. In considering the proposed schemes, KCC will also be able to ensure that the proposed details provide appropriate opportunities for a variety of pollinators (including bees).
155. Subject to the imposition of conditions to secure the implementation of compensation measures (an Ecological Design Strategy) and to ensure there is appropriate post-development management for the ecological features (a Landscape and Ecological Management Plan) and an informative reminding the applicant of its obligations under the Wildlife and Countryside Act 1981 (in respect of nesting birds), I must conclude that the proposed development would not give rise to unacceptable ecological impact and that planning permission should not be withheld on the basis of paragraphs 170 and 175 of the NPPF. I must also conclude that the proposed development accords with Policies DM1, DM2 and DM3 of the Kent MWLP, Policy CP1 of the TMBC LDF Core Strategy and Policies NE1, NE2, NE3 and NE4 of the TMBC LDF MDE DPD in terms of ecology. The proposed development can also be viewed favourably in terms of draft Policy CSW6 of the Kent MWLP Early Partial Review and draft Policy LP13 of the emerging TMBC Local Plan.

Other issues

156. Other issues or concerns that have been raised by those who have made representations relate to litter and debris, vermin / scavenging birds and flies (particularly in warm summer months).
157. Litter and debris, vermin / scavenging birds and flies are operational matters for the Environmental Permit and will be addressed separately by the Environment Agency. Paragraph 183 of the NPPF states that the focus in making planning decisions should be on whether the proposed development is an acceptable use of land, rather than the

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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. Notwithstanding this, it should be noted that modern, well run waste management facilities (including HWRCs) are capable of being operated without giving rise to significant problems associated with these issues.

Conclusion

158. The application proposes the development of a HWRC, new access to a highway, associated infrastructure and earthworks at the Allington IWMF, Laverstoke Road, Allington, Maidstone.
159. The proposed HWRC lies within the defined settlement boundary, is allocated for employment use in the adopted and emerging TMBC Local Plans and is safeguarded for waste management use in the Kent MWLP. It is therefore consistent with the locational land use criteria set out in the NPPW and Kent MWLP.
160. KCC has identified a need for a new HWRC to serve the Maidstone and Tonbridge and Malling areas and is actively seeking the procurement of a new facility for the west Maidstone area. KCC Waste Management has advised that the proposed site is well located to meet the requirements of the Waste Disposal Authority (WDA) and that the HWRC would make an important contribution to help meet recycling, recovery and disposal targets by driving waste up the waste hierarchy through the re-use of materials and the separation of materials for recycling and that the additional HWRC capacity would also assist in meeting current and projected population and housing growth in Kent.
161. The key issue for those who have made representations is the potential impact of traffic associated with the proposed HWRC in terms of highway capacity, congestion and safety and the ability or otherwise of the HWRC to operate without significantly adversely affecting adjoining businesses and local residents (e.g. in terms of queuing on Laverstoke Road and air quality). Aylesford PC's response reflects these concerns and proposes that the application should not be determined until the position regarding all of the other potential developments is known and the highway improvements have been completed on the A20.
162. Although welcoming the principle of the provision of a HWRC within the Borough and not objecting, TMBC has raised concerns about potential traffic generation from the HWRC and stated that KCC should be satisfied that the traffic generation is fully assessed against the VISUM modelling undertaken in support of the emerging growth strategy for the Borough contained within the draft TMBC Local Plan.
163. Other objections that have been raised in representations relate to air quality, odour, pollution, vermin, flies, noise, quality of life, adverse health impacts, proximity to housing and cumulative impact. Concerns have also been expressed about the emerging DCO / NSIP proposals and the impact of other development (e.g. housing) in the area as well as issues that cannot be regarded planning considerations (e.g. house

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prices).

164. With the exception of Aylesford PC (and the concerns raised by TMBC), no objections have been received from technical or other consultees (i.e. The Environment Agency, Natural England, KCC's Noise Consultant, KCC's Air Quality Consultant, KCC's Landscape Consultant, KCC Ecological Advice Service, KCC Flood and Water Management (SuDS), Southern Water, Kent Downs AONB Unit and KCC Waste Management) subject to the imposition of the various conditions set out in this report.
165. Of particular significance, KCC Highways and Transportation has advised that it is satisfied that the applicant has demonstrated that the proposed HWRC would not give rise to an unacceptable impact on highway safety and that the road network can accommodate the additional traffic that would be generated (having regard to committed development and the improvements to the Coldharbour Lane roundabout) and Highways England is content that the proposed development would not materially impact the reliability, operation or safety of the SRN (including the safe and efficient operation of the M20 Junction 5). Notwithstanding TMBC's suggestion that traffic generation should be fully assessed against the VISUM modelling undertaken in support of the emerging growth strategy for the Borough contained within the draft TMBC Local Plan, I am satisfied that potential impact has been properly assessed in accordance with the NPPF and that the application can be determined now.
166. Given the objections and concerns that have been raised, it is also important to note that KCC's Air Quality Consultant has advised that air quality has been appropriately assessed and demonstrated to give rise to a negligible overall magnitude of change at all receptors (including along roads where there would be an increase in vehicle movements).
167. As identified in the report, the proposed development would give rise to some adverse impacts during the earthworks / construction and operational phases. However, I am satisfied that none of these are sufficient to justify refusal given that they are capable of being appropriately mitigated. I am also mindful of the identified need for a new HWRC and the benefits associated with the provision of new waste management capacity.
168. Notwithstanding the objections and concerns that have been raised, I am satisfied that the proposed development gives rise to no significant harm, is in accordance with the development plan and that there are no material considerations that indicate that the application should be refused. I am also satisfied that any harm that would arise from the proposed development would reasonably be mitigated by the imposition of the proposed conditions. I therefore recommend accordingly.

Recommendation

169. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT TO:
- (i) conditions covering amongst other matters:

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- Permission to be implemented within 3 years;
- A Construction Management Plan covering the routing of construction and delivery vehicles to / from site, parking and turning areas for construction and delivery vehicles and site personnel, timing of deliveries, provision of wheel washing facilities and temporary traffic management / signage);
- Highway condition surveys (before and after construction) and the funding of any damage caused by vehicles related to the development;
- Provision of construction vehicle loading / unloading and turning facilities, parking facilities for site personnel and visitors and wheel washing facilities prior to commencement of work on site and for the duration of construction;
- Provision of measures to prevent the discharge of surface water onto the highway;
- Provision and permanent retention of the vehicle parking spaces and / or garages, the vehicle loading/unloading and turning facilities and the cycle parking facilities shown on the submitted plans prior to the use of the site commencing;
- Use of a bound surface for the first 5 metres of the access from the edge of the highway;
- Completion and maintenance of the access shown on the submitted plans prior to the use of the site commencing;
- Provision and maintenance of 2.4 metre by 43 metre visibility splays at the access with no obstructions over 0.6 metres above carriageway level within the splays, prior to use of the site commencing;
- Implementation of the proposed measures to avoid queuing at the Allington IWMF on Laverstoke Road (with provision for annual reviews and amended measures being agreed with KCC as necessary);
- Hours of use (i.e. to allow the HWRC to be open to the public between 07:00 and 20:00 hours weekdays, weekends and on Bank Holidays (but closed on Christmas Day, Boxing Day and New Year's Day) with site maintenance / cleaning and other operational activities be allowed during the 30 minutes before the site opens and 30 minutes after the site has closed to the public);
- A Construction Environmental Management Plan (CEMP);
- Enabling and construction works only taking place between 07:00 and 18:00 on weekdays and Saturdays unless otherwise approved in the CEMP;
- An operational Dust Management Plan (DMP);
- A site Odour Management Plan (OMP);
- No development taking place until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to and approved in writing by KCC;
- No occupation of any part of the development until a verification report demonstrating the completion of works set out in the approved

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remediation strategy and the effectiveness of the remediation has been submitted to and approved in writing by KCC;

- Development works ceasing if contamination not previously identified is found to be present at the site until a further remediation strategy has been submitted to and approved in writing by KCC;
- No piling or any other foundation designs using penetrative methods unless approved in writing by KCC;
- The implementation of a detailed planting plan;
- Tree protection measures;
- Removal of permitted development rights;
- Avoidance of tree removal during the bird nesting season;
- All planting, seeding or turfing to be carried out in the first available planting and seeding season following the occupation of the site or the completion of the development (whichever is the sooner);
- An aftercare period of no less than five years;
- The use of a dark coloured roofing material;
- A detailed lighting scheme;
- Details of foul and surface water sewerage disposal;
- A detailed sustainable surface water drainage scheme and a verification report;
- The implementation of ecological compensation measures (an Ecological Design Strategy); and
- Post-development management for the ecological features (a Landscape and Ecological Management Plan); and

(ii) the following informatives:

- The applicant ensuring that all necessary highway approvals and consents are obtained;
- The applicant be advised that if piling is proposed, a Piling Risk Assessment must be submitted to the Environment Agency in accordance with the Environment Agency guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73";
- The applicant be advised of the need for a Trade Effluent discharge licence and for an application to be made to Southern Water to connect to the public foul and surface water sewer; and
- The applicant be reminded of its obligations under the Wildlife and Countryside Act 1981 (in respect of nesting birds).

Case Officer: Jim Wooldridge

Tel. no. 03000 413484

Background Documents: see section heading.
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Appendix 1 to Item C1

Proposed development of a Household Waste Recycling Centre (HWRC), new access to a highway, associated infrastructure and earthworks at Allington Integrated Waste Management Facility, Laverstoke Road, Allington, Maidstone, Kent, ME16 0LE - TM/20/62 (KCC/TM/0284/2019)

See separate Appendix 1 which contains the following drawings illustrating the proposed development:

- Plan showing locations of proposed HWRC, Spoil Disposal area, Allington IWMF, 20/20 Business Park, the Orchards development, the Poppy Fields PH and local road network
- Drawing number PL100 titled "Site Layout Plan"
- Drawing number PL101 titled "Proposed Traffic Signs Layout and Details"
- Drawing number PL102 titled "Material Layout Plan"
- Drawing number PL103 titled "HWRC Canopy and Re-Use Shop Plans"
- Drawing number PL300 titled "Site Elevations"
- Drawing number PL301 titled "Laverstoke Road Section Looking West"
- Drawing number PL302 titled "North and East Proposed Elevations"
- Drawing number PL303 titled "South and West Proposed Elevations"
- Drawing number PL304 titled "Re-use Shop Elevations"
- Drawing number PL305 titled "Meet and Greet, Bicycle Shelter Plans and Elevations"
- Drawing number 4073-102 Rev P1 titled "Proposed Drainage Layout"
- Drawing number 2566-01-02 Rev B titled "Statutory Plan"
- Drawing number 4557/1/011 Rev A titled "Proposed HWRC Layout with Fill Deposition Drawing"
- Drawing number 2566-01-01 Rev B titled "Illustrative Landscape Proposals"
- Extracts from Landscape and Visual Impact Assessment (LVIA) showing viewpoints and photographs