6.09 - 08/02141/KCCRG3

Date expired 3 September 2008

APPLICANT: Kent County Council

PROPOSAL: Amend condition 3 of SE/00/02739 to enable restoration to approved levels, and to amend the approved Ecological Management Scheme by altering the schedule of ecological management to reflect a delay in commencement of operations at site.

LOCATION: Greatness Quarry, Bat & Ball Road, Sevenoaks Kent

WARD(S): Sevenoaks Northern

ITEM FOR DECISION

At the request of Cllr. Gilbert

RECOMMENDATION: No Objection Lodged to above proposal.

Development Plan

1 Kent and Medway Structure Plan – EN1, EN6, WM1, WM5
2 Sevenoaks District Local Plan – EN1, EN17A, NR10

Other Material Considerations

Relevant Planning History

3 87/01468/HIST Extraction of sand construction of a mortar plant with associated trade wastes. Construction of an alternative access into the quarry stopping up the existing entrance into the quarry to vehicular traffic. Construction of a new office and weighbridge infilling of Western lake landscaping works. Erection of acoustic fencing (granted)

4 94/02038/HIST Erection of mortar plant at above site (granted 23.01.95)

5 98/00505/HIST Erection of plant, building, hopper, stock bays and the construction of stockyard to extend aggregate bagging facilities (granted 09.04.98)
<table>
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<th>Item No.</th>
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<td>6</td>
<td>99/00668/COUNTY</td>
<td>Variation of hours of working conditions (V111) of SE/87/01468 to allow operation of the bagging plant (County Council Consultation) (no objection 25.05.99)</td>
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<tr>
<td>7</td>
<td>00/02739/COUNTY</td>
<td>Restoration of Greatness Quarry by development of an Integrated Waste Management Facility. Additional report received 14.06.01 (objection lodged 10.09.01)</td>
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<td>8</td>
<td>02/01883/KCCRG3</td>
<td>Landscape materials storage &amp; processing facility (no objection 14.02.03)</td>
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<td>9</td>
<td>03/01300/KCCRG3</td>
<td>Application to extend operating hours for bagging plant by varying condition viii of permission SE/87/1468 (no objection)</td>
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<td>10</td>
<td>04/02441/COUNTY</td>
<td>Temporary manufacture of top soil (no objection 12.10.04)</td>
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<tr>
<td>11</td>
<td>06/02415/KCCRG3</td>
<td>Application to extend operating hours for bagging plant by varying condition</td>
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**Consultations**

**Sevenoaks Town Council**

12 The Town Council recommended refusal as the application is premature and would urge the applicant to adhere to the original timetable.

**Environment Agency**

13 No objection.

**Natural England**

14 No comment to make with regard to the proposed amendment to Condition 3.

**Representations**

15 None received

**Head of Development Services Appraisal**

**Description of site**

16 The site consists of the Greatness Integrated Waste Management Facility which is located approximately 3km North East of Sevenoaks Town. The site was subject to a planning application to Kent County Council by Cory
Environmental Limited in November 2000 for the Integrated Waste Management Facility. Planning Permission was granted for this facility on 7th December 2001 and this planning permission was subject to 26 conditions. It is Condition 13 which is the subject of this application.

Description of proposal

17 This application seeks to amend Condition 3 of planning permission SE/00/02739 to enable restoration to approved levels, and to amend the approved Ecological Management Scheme by altering the schedule of ecological management to reflect a delay in commencement of operations at site. Condition 3 of planning permission SE/00/02739 states that:

Unless otherwise approved in writing by the County Planning Authority, all waste treatment and disposal operations shall have ceased within 10 years from the date of this permission. The site shall have been restored in accordance with the details submitted for approval pursuant to condition (10) (a) of this permission twelve years from the date of commencement notified pursuant to condition (2) above.

18 This application seeks that the Condition 3 would now read:

Unless otherwise approved in writing by the County Planning Authority, all waste treatment and disposal operations shall have ceased within 10 years from the date of commencement of waste treatment and disposal. The site shall have been restored in accordance with the details submitted for approval pursuant to condition (10) (a) of this permission twelve years from the date of commencement notified pursuant to condition (2) above.

Determining issues

19 A delay in commencement of works to the site has led to this application being submitted. The delay in commencement of works has been encountered due to the PPC Permit (Pollution, Prevention and Control Permit) not being obtained until 15th March 2004. The application for the PPC Permit was received by the Environment Agency two years previous to this on 14th March 2002.

20 This granting of the PPC Permit was contrary to the information included within the Greatness Environmental Statement of November 2002. This statement detailed that with the planning permission being anticipated to be granted in 2001, that it would have been reasonable to expect the PPC Permit by late 2001/early 2002, with the operations to commence mid 2002. In actual fact, operations did not commence until 15th August 2005, just over 3.5 years after the date anticipated at planning application stage.
As a result of this, there is now only 6 years and 4 months in which to infill the void in accordance with the above condition; however, 10 years are required in which to infill the void. As detailed within the supporting planning statement, the reduced lifespan (if this condition were to stay in place) would result in an insufficient amount of period of time for Cory Environmental Limited to obtain the necessary amount of waste to restore the void (1.5 million cubic metres). This in turn provides complications for the restoration of the void. With the suggested amendment to Condition 3, Condition 3 would now read:

Unless otherwise approved in writing by the County Planning Authority, all waste treatment and disposal operations shall have ceased within 10 years from the date of commencement of waste treatment and disposal. The site shall have been restored in accordance with the details submitted for approval pursuant to condition (10) (a) of this permission twelve years from the date of commencement notified pursuant to condition (2) above.

Conclusion

In conclusion, had the PPC Permit have been obtained as originally expected, site works would have commenced earlier. Secondly, had the original permission stated '10 years from the date of commencement of waste treatment and disposal site' an application would not have to of been submitted.

It is concluded that given the delay in obtaining the PPC Permit, the direct result is that an insufficient amount of time remains within Condition 3 of planning permission SE/00/02739 to infill the void, and hence this impacts upon the restoration of the void. It is considered that 'no objection be lodged' as the amendment of Condition 3 appears to be the most reasonable and feasible option.

Background Papers

Site Plan

Contact Officer(s): Helen Tribe Extension: 7136

Gilian Macinnes - Head of Development Services