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Proposal:	Development of new factory to manufacture aerated concrete (Jamera) products with outside storage and parking and new access and associated facilities (KCC ref. TM/03/TEMP/0050)
Location:	Ightham Sandpit Borough Green Road Ightham Sevenoaks Kent TN15 9JB
Applicant:	H And H Celcon Ltd

1. Description:

- 1.1 This report relates to an application submitted to the Kent County Council for determination as Local Planning Authority. The Borough Council is a statutory consultee and its comments have been sought prior to the County Council planning committee meeting on the 9th March 2006.
- 1.2 The application seeks full planning permission to develop a new 'aircrete' construction block making factory adjacent to the existing Celcon plant at Borough Green.
- 1.3 The new plant would be housed in a building approximately 90m x 155m in footprint (providing 12,300 m²) standing 11.3 m high at its ridge. The new plant includes three silos (one 25m high and two at 20m high) and a chimney (20m high) and an elevated conveyor belt. In addition, there would be a series of low level autoclaves extending out of the main factory building as well as a series of smaller tanks and silos to house water balancing tanks and slurry. The complex would occupy 9.85 hectares of land with a further 9 hectares of land being planted to provide strategic landscaping. The site would take advantage of being set within a sand quarry.
- 1.4 The applicant has put forward to the County Council an offer to fund the construction of the approved Borough Green Bypass as an integral component of these proposals.
- 1.5 The applicant is the primary producer of 'aircrete' construction products in the county and currently fabricating at three different locations in the UK with the head office being located at the existing plant at Borough Green. The existing plant covers an area of approximately 7 hectares excluding mineral land holdings. It is intended that this new plant would be able to serve the construction market within approximately a 30 mile radius - i.e. the majority of the SE region.
- 1.6 The new factory would produce construction products known as the 'Jamera Building System' which is a recent development in building material technique. The 'Jamera Building System' originates from Scandinavia and is deemed to be a modern method construction (MMC) and involves using blocks to construct buildings in their entirety from a range of 'elements' – dispensing with the need for

a range of different products such as concrete lintels, timber stairs, conventional clay bricks and tiles. (Although the building can be clad with alternative materials such as render and cladding.) The products are fabricated from sand (won from the sand reserves within the landholding), pulverised fuel ash (PFA) – which is a by-product arising from power stations as a result of burning fuel and cement. The products are lightweight, high strength, fire proof and thermally efficient.

- 1.7 Fabrication will take place within the new plant and in an environment of negative air pressure – minimising the escape of odour and dust. The finished products will be stored in a large yard area on site and then transported to the points of demand. The applicant proposes to operate the new factory 24 hours per day once it has been established for around five years. It is anticipated that approximately 75 people would be employed in a range of job types.
- 1.8 The applicant estimates that the capacity of the plant will generate about 230 outgoing HGV movements per day.
- 1.9 The proposals as a whole amount to “*inappropriate development*” within the Green Belt which, by definition, is harmful to the integrity of that land designation. Consequently, in order to justify this development the applicant has submitted a case of very special circumstances which are as follows:
 - Major public and private benefit will arise from the construction of the bypass.
 - The site is brownfield land.
 - The site benefits from good access to road links.
 - The site is close to raw materials.
 - There would be a modest landscape impact.
- 1.10 The application is supported by a full Environmental Impact Statement, a Transport Impact Statement, an Economic Appraisal, details of the ‘Jamera Building System’ and various supporting planning statements including an appraisal of alternative sites within the South East of England. Members are invited to view these documents prior to this evening’s meeting.

2. The Site:

- 2.1 The proposed new factory would be sited in an area of approximately 18.85 hectares of land to the north of the existing Celcon works to the north-west of Borough Green. This land is formed by partially restored mineral workings (a sand quarry). It lies within the MGB, the Kent Downs AONB, a SLA, a Green Wedge and an ALLI. A large un-restored quarry exists to the east of the site and immediately to the west of the site lies the dwellings of Cricketts Farmhouse (Grade II Listed), Cricketts Farm Cottages and a small collection of agricultural

buildings in commercial use. The Ightham Court (Listed) and its Historic Park and Garden lie further beyond. Access is currently gained directly from the A25 .

3. Planning History:

- 3.1 There is a long and detailed history relating to this site, including many minor proposals relating to alterations and small scale developments at the existing Celcon factory. As such, it is considered that the most appropriate way to set out the planning history for this particular large scale proposal is to provide a brief overview of the history to the wider Celcon landholding as a whole.
- 3.2 The wider landholding has an established history of mineral workings and brick and block production. Brick production began before the Second World War with related mineral extraction commencing in the early 1950s. Sand extraction works have virtually been completed in the northern part of the landholding but there are still permitted reserves located within the southern sections of the Celcon landholding. The current Celcon block making factory was granted consent in 1988. Various mineral extraction permissions exist in the locality together with approved restoration and aftercare requirements.
- 3.3 Part of the landholding includes land falling within the proposed Borough Green Bypass, which has been partially implemented and therefore benefits from an extant planning permission that was granted under the reference TM/91/0636. A roundabout included within that scheme to serve the Celcon site has been amended via application TM/05/219/CR3, which was granted on 17.06.2005. The bypass route is also safeguarded on the TMBLP and is an approved scheme of the County Council, being included in the Kent & Medway Structure Plan and Local Transport Plan.

4. Consultees:

Consultations by KCC: The following representations have been made to the County Council and will be considered by the County Council when the application is determined.

- 4.1 Wrotham PC: The PC objects strongly to these proposals. It does not consider that this is a good location since PFA represents the main raw material for the products and, as such, suggests that a factory would be best sited close to a source of that raw material. The PC also point out that the existing sand reserves will only last for a relative short term if there are two factories consuming it and so it is not a persuasive argument to say that the factory needs to be sited at Ightham/Borough Green to be close to sand. It also considers that raw materials in such quantities should be transported by shipping rather than by road and points to Government policy towards this approach. In the light of the above considerations, the PC suggests an alternative site at Kingsnorth on the Hoo Peninsula as a much better site as this is adjacent to a source of PFA and has a wharf that would enable the factory to be served by water borne raw materials.

The PC comment that since the sand reserves at Ightham will run out in the short term, there would be a stark increase in HGV movements to bring sand from elsewhere into the site. (This has not been incorporated in the applicant's traffic predictions.) The PC express concern that the new bypass would cause significant increases in traffic along the Wrotham bypass and around the White Hill roundabout and this will cause additional hazards to traffic.

The PC also find this proposal unacceptable in ecology terms and state that English Nature are not satisfied with the applicant's submitted plans to safeguard Great Crested Newts.

The proposed factory would also compound the current detrimental impacts of the existing factory upon Cricketts Farm, which is a Grade II Listed Building, and Cricketts Farm Cottages. To engulf these residential properties further with industrial development is unacceptable in terms of noise, pollution, visual impact etc.

The PC is critical of the criteria used for alternative site analysis in terms of the lack of weighting given to the MGB, AONB designations etc. and the strength of weighting given to avoiding 'double loads' of aircrete and Jamera products. The PC identify various alternative sites that it assesses are preferable locations.

The PC dismisses the VSC advanced by the applicant. It comments that the Borough Green Bypass would have to be constructed to serve the new factory – i.e. the new factory would be unviable/unacceptable in planning and highway terms without such a road. The only gain would therefore be the funding of the road and the cost of this benefit in terms of loss of MGB and damage to the AONB is too great.

- 4.2 Borough Green PC (summarised): Supports the application providing that the applicant can satisfy PC's concerns regarding emissions from the site. If such concerns cannot be satisfied then the PC could not support the proposals.

The concerns raised relate to air generated contaminants including aluminium, and PFA by-products such as sulphur dioxide. (The village is stated to currently suffer from grey dust that is believed to originate from the existing plant.)

The PC considers that it is vital that the bypass is constructed before the new factory opens.

- 4.3 Ightham PC (summarised): The proposals do not accord with the Development Plan in force for the area. It is understood that the application is a KCC matter because the proposed site for the factory is on an area of mineral workings yet to be fully restored. Ightham PC considers the land to be greenfield therefore and not 'brownfield' or previously damaged land as the applicant suggests.

The site can be considered to have nature conservation value and the supporting ES with the application grudgingly acknowledges this. The PC does not consider that the proposed 9 hectares of strategic landscaping would adequately compensate for the 9.85 hectares of open countryside lost to the built form of the new factory and its open storage and parking areas.

The main factory building would be 12,300m² with a 20m high emission stack and 25m mixer tank and 20m silos. The PC considers that an industrial plant of such a scale with its associated parking and open storage areas covering 9.85 hectares (24.3 acres) is totally out of scale with adjacent villages and would be more suited to an industrial area.

The plant could manufacture either the Jamera elements or conventional aircrete blocks and this makes it a stand alone/footloose proposal in terms of potential siting. The target supply area of a 30 mile radius suggest that other more appropriate sites may exist and a search for alternative sites should, in principle, reflect that area. The unsuitability of others sites looked at appears to stem mainly from their remoteness to the existing site at Ightham/Borough Green so it is only the double loads bearing aircrete and Jamera products that would reduce traffic movements. However, if the factory can produce both products then it would only be HGVs leaving Ightham that also needed to include Jamera elements that would create a double journey.

There are no immediate local unemployment problems in the surrounding area so the employment benefits are not viewed as significant.

In conclusion, the PC does not consider the case of VSC compelling. The proposal is considered to remain therefore inappropriate development in the MGB. This is a major industrial development and it is felt that no exceptional circumstances or benefits in the public interest have been demonstrated to override the AONB policy priority of conserving the natural beauty of the area. Additionally, the proposal would have a detrimental impact upon the locally designated Green Wedge and ALLI.

Finally, the PC finds the alternative site search to be inadequate and it is difficult to believe that there is not a more suitable site for a factory of this nature within the South East which is not in the MGB and AONB. Such a site could also potentially contribute more in an area of higher unemployment, whereas there would be no adverse impacts upon the local economy if this development were refused.

The PC objects most strongly and urges KCC to refuse this application.

- 4.4 Platt PC (summarised): The PC's interest stems from the funding that the proposals will provide for the long overdue BG Bypass - which would bring about relief to the A25 through Platt. There are clearly technical arguments as to whether

the old mineral workings represent full MGB protection or not – this is a matter for KCC to decide. In summary, there is no objection due to the traffic relief benefits arising from the bypass construction and from local employment opportunities.

Note - The fears of Wrotham PC about adverse traffic affecting that village as a result of the new factory and bypass are believed to be overstated – the A227 already provides a bypass for Wrotham and could handle the extra traffic.

- 4.5 MKW (summarised): No objections subject to adequate ground water protection measures being taken.
- 4.6 EA: Ecology: Provides advice on the need to survey for water voles and, if found, ensure that they are afforded adequate safeguarding. Recommends condition to that effect. Also requests that hedgerows and trees are retained.
- Groundwater : No objection provided that certain conditions are attached to protect groundwater.
- 4.7 EN (summarised): Concern is expressed in relation to the submitted details for safeguarding a colony of Great Crested Newts that have been identified at the site. It is not considered that adequate survey work has been carried out.
- 4.8 KWT (summarised): Raises objection to the application as it is considered that the proposals would be harmful to identified ponds and Great Crested Newts.
- 4.9 EH (summarised): Objections raised on the grounds that the proposals would adversely affect the settings of Cricketts Farmhouse and Ightham Court.
- 4.10 HA: The level of car parking needs to be set below the maximum standard – neither the TA nor the application statement provide adequate details regarding additional parking provision. KCC should satisfy itself that there is adequate HGV parking. Any planning permission should be subject to a Travel Plan with the total parking provision being shown covering both the existing and proposed factories/works.
- 4.11 Network Rail (summarised): No objections.
- 4.12 SEERA (summarised): On the basis of the evidence provided, the proposal would not materially conflict with the implementation of the Regional Spatial Strategy. The LPA should be wholly convinced that there is no adverse impact upon the AONB and that sufficient mitigation measures can be secured to protect the landscape. The LPA should also be satisfied that the biodiversity of the site is at least maintained and that the proposal is appropriate in a MGB location in line with PPG2 and local planning policy.
- 4.13 DEFRA (summarised): Any surplus soils should be used in a sustainable way.

- 4.14 CPRE (summarised): The proposals do not represent the exceptional circumstances required to justify development within the AONB. The economic benefits are overstated and the development cannot be justified on the basis of delivery of the bypass which, in any event, cannot be considered critically required to serve the new factory. The survey carried out of alternative sites is not considered to be robust. The principal raw materials used are cement and PFA and these originate from the Thames Gateway area (Medway and Thames estuaries) which is also a major centre of construction/growth. It would be preferable to site the new factory within that area avoiding harm to countryside, AONB, MGB and setting of Listed Buildings.
- 4.15 BG TAG(summarised): BG TAG essentially wish to see the bypass provided as a matter of urgency and highlights local problems resulting from the heavily trafficked A25. It would wish to see the bypass provided out of public funding preferably rather than development. Should any consent be issued then it must be subject to the bypass being completed prior to the opening of the second blockworks.
- 4.16 Private Reps: The reps received by KCC include a detailed submission by the 'Keep Boroughs Green Campaign'. The following grounds of objection are raised:

Policy and planning issues

- This is an inappropriate form of development within the MGB.
- The scale and nature of the proposals would be harmful to the locality/countryside – which is a designated AONB, Green Wedge and ALLI.
- Very special circumstances do not exist. Sand reserves will last for approximately 5-7 years, not the 9 indicated. Therefore HGVs will need to bring in sand in a few years time so the suggested logistical/locational benefits of being adjacent to sand reserves is not so compelling. (Once exhausted it is estimated that sand will need to come in by 18,666 movements per year - not including exiting HGV movements with products.)
- Approval would give Celcon a commercial windfall gain in its net worth far outweighing any benefits provided to the local community.
- The Non Technical Summary Dec 2004 stated that the proposed development would be capable of manufacturing both blocks and elements in any combination. The new factory can therefore be regarded as a stand alone in its ability to produce Celcon's product range, and thus does not need to be located next to its existing factory.
- Power failures are already frequent and the new factory will exacerbate the problem.

- The alternative sites assessment is flawed and three are better sites, such as Kingsnorth Power station, Ryarsh Brickworks, Northfleet etc. Less than 10% of employees live in the local area, surely it would be more beneficial to site the factory close to the fuel ash source where unemployment is high?
- None of the justifications amount to VSC to overturn the planning guidance and protections afforded to the MGB. This is an 'inappropriate form of development'.
- There would be no substantive economic benefits to the area – the area is not deprived economically and there is no high level of unemployment.
- It is understood that sand previously extracted from the mineral workings at the Celcon site proved to be unsuitable for the 'aircrete' products so it must be assumed that the sand reserves will also be unsuitable.
- Celcon's argument that the factory is not viable in any other location appears to be based on the fact that the Ightham site is owned by Celcon. If the value of the land is crucial to the economics of the module then the overall viability of the entire process must be brought into doubt.
- The proposed site is in an area which was to be returned to its original state. Its poor condition cannot therefore be considered as VSC – former mineral working land with restoration requirements on it cannot be treated as damaged or brownfield land.
- Detrimental impact upon wildlife and ecology.
- The 10 alternative sites were not considered on wide ranging grounds and many of these appear to be more suitable in planning policy and access terms.

Traffic/transport issues

- The Borough Green Bypass already has planning permission and could be implemented irrespective of whether this application proposal goes ahead. This proposal would merely add more HGV movements onto local roads will cause a public safety, pollution and noise burden.
- A227 will experience an additional 565 vehicles in the morning peak hour (63%). A20 will have an additional 611 vehicles in the same hour (29%).
- The claim that the new factory is needed adjacent to the existing for efficient HGV distribution is purely a commercial consideration and probably flimsy in its application.
- Does not accord with PPG13 insofar as the site does not have any facilities for using rail or water for transporting raw materials and goods.

Nature

- No proper conservation or mitigation methods to protect a European Protected Species and does not have the backing of English Nature.
- Future development in and around this area should not be at the expense of our health and habitat.
- Development will remove woodland.
- Pollution.
- Displacement or loss of animals, birds and insects.
- Loss of habitat.
- Great Crested Newts in situ need to be protected and safeguarded. These proposals will harm their habitat.
- Protection of Ken's nature for future generations.
- Impact of dust/fumes and other pollution on wildlife.

Conservation

- Wrotham is a historic village reeling from the ravages of 20th Century road developments.
- Proposals too close in proximity to Grade II Listed Cricketts Farmhouse and Grade II* Ightham Court.

New Bypass

- The new bypass is being portrayed as an enticing incentive for the County and community. In fact, it would merely be a necessity for the factory operation. Does not provide VSC.
- Would have a negative effect on traffic flows on the A227 and A20.

Landscape

- The development will transform the rural atmosphere into an industrial landscape.
- Inappropriate in this rural setting.
- Impact on AONB and MGB.

Green Belt

- The proposed development does not constitute a 'dire need' (VSC).
- MGB should protect against such developments.
- Not a brownfield site.

Health and amenity issues

- Cement factories produce large amounts of CO₂. CO₂ on Defra website linked to asthma, lung and heart conditions.
- Noise pollution from new plant and additional vehicles. The community already suffers high volumes of traffic noise and pollution from the M26, M20, A20 and A227. The increase in traffic movements will be harmful to amenity irrespective of whether or not the bypass is constructed.
- Light pollution.
- Dust pollution.
- Risk of explosion.

Consultations by TMBC

4.17 DHH: Land Contamination: The conceptual model for the proposed development site indicates the existence of potential pollutant linkages (Appendix-G, p.11). So, a detailed quantitative risk assessment is required following "Model Procedures for the Management of Land Contamination" (CLR 11).

It is likely that there is a significant amount of fill present on the subject site, which may be a potential source of landfill gas. Further investigation and, if necessary, remedial measures are required for landfill gas. To safeguard the situation, any permission that might be granted should be subject the "standard" site contamination condition.

Air Quality: The Environmental Statement (ES) submitted pursuant to the planning application for the proposed new factory includes an air quality impact assessment report, reference CS/AQ/AGGX0133/JP/2270, prepared by the applicant's specialist consultant.

The report, amongst other things, evaluates the cumulative air quality impact of the combined operations of the existing and proposed factories using a combination of the review and interpretation of previous work, site surveys, risk ranking and air quality modelling. The report concludes that the existing local background levels of relevant pollutants SO₂, PM₁₀, NO_x/NO₂, and CO are all well

within national air quality limits which safeguard human health. The predicted ground level concentrations of these pollutants after the proposed factory has started operating are also comfortably within these limits, i.e. in air quality terms the additional impact of the operation of the proposed factory is not significant.

Whilst the Consultant has made use of appropriate sources of information and evaluated the potential air quality impacts using the generally accepted methodologies, I am of the view that the assessment should have included details of model sensitivity to meteorological data, emission parameters, receptor grid resolution and treatment of terrain and buildings. The model uncertainty should have been reported taking the above into account. The assessment should also consider the impacts at Dark Hill Cottage. In my opinion, the application should not be determined prior to the receipt and evaluation of the necessary additional information.

In the event that permission is granted the operation of the new plant, like the existing one, will require a Pollution, Prevention and Control Permit from this service. Any permit that may be issued will be subject to conditions to require that the factory is designed, built and operated so as to:-

- prevent the release of prescribed substances (including SO₂, PM₁₀, NO_x/NO₂, and CO) to air, or where that is not practicable, to reduce the release of such substances to a minimum and render them harmless, and

- render harmless any other substances which might cause harm if released to air.

I understand that the Borough Green Parish Council have expressed concern about "*potential health and safety hazards resulting from the manufacturing process*" and have made specific reference to aluminium used in the manufacturing process.

In the existing plant, aluminium powder is stored in sealed drums. It is taken to an enclosed room where the drums are opened. The contents are transferred by vacuum into an enclosed container, mixed with water and transferred in suspension into the cement slurry in regulated doses. Because the aluminium powder is handled within a building under vacuum or in suspension in water, it is very unlikely that aluminium dust could escape into the outside atmosphere during the manufacturing process.

Noise: The Noise and Vibration Assessment (Appendix F) concludes that noise from the proposed factory is predicted to exceed the background noise level by 7dB during the day and 14dB at night at Cricketts Farm. BS 4142 says that a level of 5 dB above background is of marginal significance and levels of 10dB or more above background indicates that complaints are likely. In my view, this is a significant adverse noise impact contrary to policy P3/17(3) of the Local Plan such

as would lead to a recommendation of refusal of planning permission.

I feel that the noise assessment should seek to evaluate the effects of removing through-traffic from the A25, Western Road and Wrotham Road.

5. Determining Issues:

- 5.1 This application falls to be decided by Kent County Council. KCC will need to assess the case carefully and I set out below the factors that the Borough Council should ask the County to consider. The policy considerations, drawn from the Structure Plan, TMBLP as well as Government Guidance, mean that the case must be considered in the context of minerals related and other matters that have a sub-regional and countywide context. The Borough Council is not in a position to come to a conclusion on some of these matters of strategic need or justification. Only the County Council can reach this balance in the context of its own responsibilities. The County Council has carried out all the statutory consultations and is also required to factor-in those representations received, especially from the local Parish Councils, in reaching their decision.
- 5.2 The application site lies with the MGB, AONB, SLA, a Green Wedge and an ALLI. Given this position, the general principle of erecting a new factory is contrary to policy and '*inappropriate*' development in terms of PPG2: Green Belts.
- 5.3 The scale and height of the building and structures proposed are such that they would have a significant impact upon the MGB and the countryside
- 5.4 Permission should only be granted if it is demonstrated that there is a sufficiently strong and compelling case of 'very special circumstances' enable the Planning Authority to set aside the normal Green Belt policy objections.
- 5.5 As this site is located within open countryside designated as part of the Kent Downs AONB and SLA, the Planning Authority must further be satisfied that the case in support of the proposals are of such weight that they can justify the harm that would occur to the rural character and amenity of the locality. In the case of the AONB and SLA policy designations the applicable policies ENV3 and ENV4 of the KSP 1996, E4 & E5 of the KMSP and P3/5 and P3/6 of the TMBLP give priority to the protection of the landscape over other planning considerations and, in terms of the AONB, policies ENV3 and P3/5 of the TMBLP must be taken into account.
- 5.6 The site is also within the Green Wedge and ALLI. These designations are applied under policies P2/19 and P3/7 of the TMBLP and essentially object to any development that is likely to extend the urban areas or significantly adversely affect the local function that those areas perform in maintaining the separation between existing settlements. Again, the scale and form of these proposals will need to be assessed in this co policy context.

- 5.7 A further factor which will be crucial for the County Council to address is the benefit of delivering the construction of the Borough Green bypass through any planning permission granted. It must be remembered that the provision of this road scheme is the policy of the County Council as both Planning and Highways Authority. KSP 1996 policy T2 supports the provision of the road. Planning permission has been granted for this road and that permission has been part implemented. The County Council must consider what weight to give to this opportunity to deliver a significant contribution to the strategic highway network and in so doing relieving environmental conditions on stretches of the A25 through Borough Green and Platt.
- 5.8 As part of the assessment of all aspects of the completion of the bypass, the County Council must give consideration to contemporary traffic conditions and ensure that Wrotham village is:
- provided with safe and updated access for pedestrians and cyclists to Wrotham school and other local facilities (looking particularly at the junction of Borough Green Road, Wrotham and A227).
 - carefully assessed as to the need for traffic calming and speed management as a result of modified traffic patterns resulting from the completion of the bypass to ensure that increased traffic in the village is avoided.
- 5.9 The applicant argues that the merits of this case and the choice of site include:
- the desirability of producing/fabricating new 'Jamera' products (a modern method of construction) in a location to serve the south east. It is also argued that these new products can be delivered with existing Celcon blocks at the same time to help developers. There would also be economies of scale and logistical advantages through producing both construction materials at the same site together, such as using the same storage areas, offices etc. and the related potential to reduce traffic movements that would occur with two separate sites.
 - The ability to use existing silica sand reserves near to the site.
 - Currently, sites can only be served by Jamera products from a plant in the north of England.
 - There are no preferable alternative sites.
 - The site is brownfield land.
 - The site benefits from good access to road links.
 - Access to raw materials.

- There would be a modest landscape impact.
- Major public and private benefit will arise from the construction of the bypass.
- There are operational advantages by 'co-location' close to the existing Celcon works.
- The proximity to sand resources is also a relevant consideration, this is clearly an area of Kent where local sources of silica sand are won - not just at the existing Celcon owned site but also in other nearby locations including Nepicar Sand Quarry.

5.10 There are factors where TMBC has particular technical issues to raise, in particular the potential noise impact of the development. Noise emanating directly from the additional factory itself, such as the noise of machinery and human activity (including the comings and goings of staff) and, secondly, from the additional HGV movements attracted to the site.

5.11 Cricketts Farmhouse and two neighbouring unoccupied cottages will not be affected as they will be situated between both the existing and the new plant. DHH is concerned that the acoustic appraisal as the background noise levels used do not take into account the reduction in noise levels that are likely to occur with the new bypass taking traffic from the A25. The noise levels are predicted to be at a level 10 db in excess of guidelines with 14db exceedence predicted at night.

5.12 Emissions to atmosphere from the existing Celcon plant are subject to control by TMBC pursuant to the Local Air Pollution Control regime established under the provisions of the Environmental Protection Act 1990 and the Pollution Prevention and Control Act 1999. So far as I am aware, the new plant will be subject to the same regulatory regime. These stringent controls should ensure that unacceptable levels of local pollution will not be caused by the new plant.

5.13 The balance of all of the matters identified above will need to be carefully assessed by the County Council in the context of all of the representations that it has received. It will be seen from the issues raised above that the inter-relationships of all of these factors will be far from simple, but in truth only the County Council, with its responsibility for both minerals related development and the strategic aspects of the transport network, is in a position to make this balance. However, it is hoped the advice in this report will assist in their deliberations and identify some important local issues that are critical to the Borough Council.

6. Recommendation:

6.1 KCC **BE INFORMED** that TMBC considers that the issues set out in Section 5 of this report must be balanced in the context of sub-regional, countywide and local factors surrounding minerals considerations and strategic highways matters.

6.2 Should KCC be satisfied that there is clear strategic justification for granting planning permission then the following issues should be controlled by legal agreements and/or conditions:

- the completion of the Borough Green bypass scheme.
- provision of safe and updated access for pedestrians and cyclists to Wrotham school (looking particularly at the junction of Borough Green Road, Wrotham and A227).
- careful assessment of the need for traffic calming and speed management as a result of modified traffic patterns resulting from the completion of the bypass.
- site access.
- noise and odour emissions.
- provision of landscaping mitigation.
- controlling external appearance and materials to be used.
- limiting expansion/alteration without the express consent of KCC.
- protection of ecology.
- impacts on Listed Buildings.
- construction impacts including construction traffic.

Contact: Kevin Wise