

REPORT SUMMARY

REFERENCE NO - 21/505105/FULL		
APPLICATION PROPOSAL New waste treatment plant to replace and decommission 2 No undersized existing plants. (Resubmission of 21/500721/FULL)		
ADDRESS River Farm Chart Hill Road Staplehurst Tonbridge Kent TN12 0RW		
RECOMMENDATION – Grant Planning Permission subject to conditions		
SUMMARY OF REASONS FOR RECOMMENDATION		
<ul style="list-style-type: none"> • The development proposal would provide a replacement method for the ongoing treatment and disposal of waste for River Farm • The method of treating the waste is acceptable in relation to the potential impact on the environment and is considered acceptable by the relevant consultees 		
REASON FOR REFERRAL TO COMMITTEE		
Boughton Monchelsea Parish Council has called in to planning committee for the following reasons:		
<ul style="list-style-type: none"> • MBC should ensure that, in flood circumstances, there is no discharge of material/pollution into the nearby watercourse (SSSI River Beult) • Water must not be allowed to discharge across the road • Further justification required for the size of the treatment plant 		
WARD Boughton Monchelsea / Chart Sutton	PARISH/TOWN COUNCIL Boughton Monchelsea	APPLICANT Bardsley & Sons AGENT Price Whitehead
DECISION DUE DATE 15/11/21	PUBLICITY EXPIRY DATE 08/02/22	OFFICER SITE VISIT DATE

RELEVANT PLANNING HISTORY:

20/503147/FULL – Erection of extension to existing packhouse building, new internal access road, amendments to existing vehicular site access, hardstanding, acoustic fencing, landscaping and creation of an ecological enhancement area – Pending Consideration

16/508285/FULL – Extension to agricultural building to provide office accommodation

15/504713 – Erection of pre-sizer extension

15/504722 – Erection of controlled atmosphere store extension

MA/14/0633 - Prior approval for agricultural building for storage of machinery and fertiliser

MA/14/0575 – Dispatch area and extension to existing controlled atmosphere fruit stores

MA/09/1485 – Ambient receiving and packing area with temperature controlled store

MA/09/1484 – Atmosphere controlled low temperature fruit store

MA/03/2420 – Prior approval for extensions to existing pack house and store

MAIN REPORT

1.0 DESCRIPTION OF THE SITE

1.01 Bardsley Farms Ltd is a fruit farming business. The site is a packing and storage facility that supplies a number of businesses and major retailers and employs 96 full time staff.

- 1.02 River Farm sits in the southern part of the Boughton Monchelsea Parish, just to the north of Staplehurst village, just over 0.5 kilometres east along Chart Hill Road from the A229 and just to the east of the River Beult. The farm complex sits on the north-western side of Chart Hill Road in an area characterised by dispersed individual residential properties, farmlands and orchards. For the purposes of the adopted Local Plan, the proposal site is within the countryside, is not within a Landscape of Local Value and is located within flood zones 2/3.

2.0 PROPOSAL

- 2.01 The proposal is for the installation of an underground sewerage package treatment plant to process wastewater the staff amenities building. The proposal includes associated pipework and equipment.
- 2.02 The proposed treatment plant is located to the south of the River Farm buildings within the existing car park. Two existing treatment plants are located in the centre of the site and would be discontinued should planning permission be granted.
- 2.03 A package treatment plant works in a similar way to a septic tank but uses mechanical parts to treat the liquid to a higher standard before it is discharged.

3.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Development Plan: SP17, DM1, DM3, DM30
Supplementary Planning Documents:

4.0 LOCAL REPRESENTATIONS

- 4.01 3 number of representations received from local residents raising the following (summarised) planning issues:
- Works appear to be retrospective
 - Question if the treatment plant is big enough to cope with further expansion of the site
 - Increased HGV movements
 - Noise impacts
 - Flooding
 - Electrical issues as the treatment plant appears to be set below the flood level

5.0 CONSULTATIONS

Natural England – No comments

MBC Environmental Health – No objection

Environment Agency – No objection, subject to conditions

Southern Water – No objection. The EA should be consulted

KCC SUDS – No comment

Boughton Monchelsea PC – Objection – Need to ensure no discharge into the River Beult, no discharge across the road and justification required for the capacity.

Upper Medway Drainage Board – Recommend that the applicant contacts the EA for consent to discharge the treated foul water.

KCC Highways – No objection

6.0 APPRAISAL

Principle of Development

- 6.01 The current method of dealing with foul water on the site is by two small wastewater treatment plants. However, the existing treatment plants are unsuitable for the future capacity required at the site and the proposal is for a new single system to replace the existing two treatment plants. The proposed treatment plant would serve the staff restrooms and W.C facilities and is entirely separate to the water treatment involved for the processing and production of the fruit.
- 6.02 The proposed system consists of a pipe running from the building, along the eastern boundary to the new treatment plant located in the southeast corner of the site. The location for the new treatment plant is currently part of the existing staff car park and is adjacent to a drainage ditch which runs to the River Beult to the south.
- 6.03 With regard to capacity, the site currently employs 96 members of staff, with the new system having a capacity of 142, allowing for future growth in staff numbers.
- 6.04 The Environment Agency has granted a permit and states in the introductory note that “the area is not served by a public foul sewer” so there is a requirement for an alternative means of dealing with wastewater. The permit for the system was granted by the Environment Agency (EA) on 05/01/2022.
- 6.05 The principle of a treatment plant is therefore accepted.

Visual Impact

- 6.06 The application site is screened by mature hedging along the boundary to the east. The main water treatment plant would be below ground with only a modest compressor above ground level, with no adverse visual impacts arising.
- 6.07 Subject to a condition requiring the retention of the hedge along the eastern boundary, it is for these reasons that the proposal is acceptable in relation to visual impact and protecting the openness of the countryside in accordance with policies DM1 and DM30 of the Local Plan.

Residential Amenity

- 6.07 The closest residential property to the site of the water treatment plant is The Pines that is located 168 metres to the northeast.
- 6.08 This separation distance is considered to be acceptable in relation to residential amenity and no objection is raised by the EHO.

Natural Environment

- 6.10 The mature hedging fronting Chart Hill Road frontage to the east provides screening and is considered to be sufficient distance from the works that there would be no direct impact in terms of either ground works or ground water. A condition would be imposed requiring that the hedging is retained, and should any planting be lost, then replacement planting is secured within the first planting season.
- 6.11 The proposed site of the water treatment plant is the existing car park, and in this context the land has little ecological value and so an ecological mitigation strategy is not justified. There is no evidence to suggest that the proposal will cause any harm to flora or fauna.
- 6.12 Neighbour consultation responses and comments from the Parish Council have raised concerns about the potential pollution of water courses from the current proposal. This includes a concern about potential harm to the River Beult SSSI to which this treatment plant will ultimately discharge into via ground water flows. It is worth noting that the existing two treatment plants and properties further north

on Chart Hill Road also currently dispose of their wastewater in this same way. Natural England has been consulted on the proposal and they have no objection to the proposal, including to the discharge of water.

- 6.13 The protection of water courses from pollution is considered outside the planning system by the Environment Agency under the Environmental Permitting (England & Wales) Regulations 2016. The Environment Agency does not object to the planning application and after considering the potential impact, including the siting of the plant and River Beult, they issued a permit on 05/01/2022 for the proposed water treatment plant.
- 6.14 The issued permit includes various conditions. These conditions include that the treatment plant shall have a written management system, competent persons and resources should be used and any complaints considered. In addition, an accessible monitoring point shall be provided and maintained to enable monitoring to be carried out. This is to ensure that the treatment plant does not contain concentrations in excess of 60mg/l of suspended solids.

Other Matters

- 6.16 The application site is located within Flood Zone 3. In order to satisfy the Environment Agency as to the safety of this treatment plant, the levels have been maintained above the historic flood levels. This has required the treatment plant access covers to be situated at a height above the existing ground level.
- 6.17 A discharge pump will be fitted to ensure that gravity is not relied upon to discharge the wastewater into the ditch: rather that the water is lifted above the flood level, to avoid back flow in the event of a flood.
- 6.18 Sewerage treatment plants are considered under the PPG to be less vulnerable development and if adequate measures to control pollution and manage sewage during flooding events are in place the proposal is considered to be appropriate within Flood Zones 3a. The applicant has submitted suitable measures to address any potential risks and there is no objection from the Environment Agency or KCC to the proposal.

Conclusion

- 6.19 The proposal would not result in any unacceptable environmental issues to warrant refusal of the application.
- 6.21 The proposal accords with the development plan. It is recommended that permission is granted subject to the imposition of appropriate planning conditions.

7.0 RECOMMENDATION – GRANT Subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the planning and Compulsory Purchase Act 2004.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
Location and Existing Site Plan – R1675
Proposed Site Plan – R1675-DO2
Reason: To clarify which plans have been approved.
- 3) The development permitted by this planning permission shall be carried out in accordance with the approved Design Access and Planning Statement, ref R1675

dated September 2021, submitted and drawing number R675 by Price Whitehead, dated January 2021. 1. The vent inlet pipe is to be installed at 16.245m AOD which is the 1-20year flood design level. This requirement is to be the minimum level this inlet pipe is set at.

Reason: To reduce the risk to the waste treatment plant during a flooding event.

- 4) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) 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 the Local Planning Authority. 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 National Planning Policy Framework.

- 5) No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved detail.

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 National Planning Policy Framework.

- 6) All existing trees and hedges along the eastern boundary of the site shall be retained, unless identified on the approved plan as being removed, except if the Local Planning Authority gives prior written consent to any variation. All trees and hedges shall be protected from damage in accordance with the current edition of BS5837. Any trees or hedges removed, damaged or pruned such that their long term amenity value has been adversely affected shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with plants of such size and species and in such positions to mitigate the loss as agreed in writing with the Local Planning Authority.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development

INFORMATIVES

- 1) Developers should check the .Gov website for Binding Rules information for small scale discharges and requirements for Environmental Permits: Domestic sewage: discharges to surface water and groundwater - GOV.UK (www.gov.uk) Submissions to the LPA should include all relevant information on foul drainage proposals: <https://www.gov.uk/government/publications/foul-drainage-assessment-form-fda1>

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.