



Delegated Report

Adjoining Authority Consultation Application

Planning Application No:	20230376
Location:	Britannia Refined Metals Ltd Lower Road Northfleet Gravesend
Description:	KCC Consultation - Development of an enclosed electronic waste (E-Scrap) transfer facility, involving shredding, sampling, sorting, and bulking up of electronic waste streams for onward transportation to recycling/management facilities. The proposed development includes the demolition of existing buildings, construction of a new steel framed waste transfer building, firewater storage tank and associated plant, dust extraction unit, office and staff welfare building, new areas of concrete hard standing and footways, upgrade to site drainage, construction of a re-aligned access point off Manor Way and retention of vehicular access to the adjacent wharf. (Application no. KCC/GR/0050/2023)
Applicant:	Kent County Council
Site Visit Date:	Desktop assessment

Submitted Documents/Plans

Kent County Council has submitted the following in support of the application:

Consultation letter dated 12 April 2023

Relevant Planning History

Reference	Description	Decision	Decision Date
20221087 (KCC/GR/0168/2022)	KCC Consultation - Development of an enclosed electronic waste (E-Scrap) transfer facility, involving shredding, sampling, sorting, and bulking up of electronic waste streams for onward transportation to recycling / management facilities. The proposed development includes construction of a new steel framed waste transfer building, firewater storage tank and associated plant, dust extraction unit, office and staff welfare building, new areas of concrete hard standing and footways, upgrade to site drainage, construction of a re-aligned access point off Manor Way and retention of vehicular access to the adjacent wharf	Observations sent	11.11.2022
20211588	KCC/SCR/GR/0250/2021 - Retrospective Request for a screening opinion in accordance with The Town and Country Planning Act (Environmental Impact Assessment) Regulations 2017as to whether the	Permitted	23.12.2021

	proposed development of a facility to sample waste electronics material (also known as an E-Scrap facility) requires an Environmental Impact Assessment at Britannia Refined Metals (BRM) site, Botany Road, Northfleet, Kent DA11 9BG.		
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Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS03 – Northfleet Embankment and Swanscombe Peninsula East Opportunity Area
- CS07 – Economy, Employment and Skills
- CS10 – Physical and Social Infrastructure
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development and Design Principles
- CS20 – Heritage and the Historic Environment
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Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on Highway Network
- TC7 – Other Archaeological Sites

Paragraph 33 of the NPPF (2021) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2021), the Council will also seek to replace these.

Kent Minerals and Waste Local Plan 2013-30 (amended September 2020)

- CSW 1 – Sustainable Development
- CSW 2 – Waste Hierarchy
- CSW 4 – Strategy for Waste Management Capacity
- CSW 6 – Location of Built Waste Management Facilities
- CSW 12 – Hazardous Waste Management
- DM 1 – Sustainable Design
- DM 2 – Environmental and Landscape Sites
- DM 3 – Ecological Impact Assessment
- DM 5 – Heritage Assets
- DM 6 – Historic Environment Assessment
- DM 8 – Safeguarding Minerals Management, Transportation Production & Waste Management Facilities
- DM 10 – Water Environment
- DM 11 – Health and Amenity
- DM 13 – Transportation of Minerals and Waste
- DM 15 – Safeguarding of Transport Infrastructure

- DM 16 – Information Required in Support of an Application
- DM 17 – Planning Obligations

National Planning Policy Framework (2021)

- 2 – Achieving sustainable development
- 6 – Building a strong, competitive economy
- 11 – Making effective use of land
- 12 – Achieving well-designed places
- 15 – Conserving and enhancing the natural environment
- 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- SPG4 - KCC Parking Standards (2006)

Consultations, Publicity and Representations

Consultees

As the determining authority, KCC have the responsibility to undertake relevant statutory consultations and publicity. In addition, the following consultations have been undertaken by GBC.

GBC Commercial Health

No objection in principle. The following comments are made for the information of the applicant.

Health and Safety

In these premises the Health and Safety Executive (HSE) will be the enforcing Authority for all health and safety matters. Should you require further advice and information check out the HSE website www.hse.gov.uk.

GBC Environmental Protection (Regulatory Services)

Comments and recommendations regarding air quality and noise remain the same as with the previous (withdrawn) application (KCC/GR/0168/2022), namely:

Air Quality

The proposed site falls within the boundary of the Northfleet Industrial Air Quality Management Area (AQMA) declared for exceedances of the Air Quality Objective for PM₁₀. In terms of transport and air quality impacts, the predicted future traffic flows and impacts on local junctions as a result of the proposal are negligible. As such, traffic impacts from the proposed development in terms of air quality are unlikely to have an impact on the AQMA.

With regards to impact from the construction and operations phase with regards to dust which could influence PM₁₀ levels, this has been assessed in the Air Quality Assessment (AQA). In terms of demolition, construction and track out dust impact, there is a low risk to human health and a medium risk to ecology and as such, medium risk mitigation measures have been recommended (see Table 6.1 of the AQA).

Noise

The proposed location of the plant is at the north of BMR owned land in an industrial area, immediately adjacent to the Cemex Cement Works. There are currently no residential premises in the area. Noise has however been considered and all potentially noisy activities (loading/unloading of scrap, shredding etc will take place in a completely enclosed building with fast acting roller shutter doors.

Noise from operational activities is unlikely to be an issue.

Operational hours are acceptable. Receipt and dispatch of material to/from the site will only take place between 07:00 and 17:00 Monday to Friday with no delivery/dispatch on Saturday, Sunday or Christmas/New Year public holidays. On site operations will be 24/7, however bearing in mind the industrial location, this is not anticipated to give rise to any problems.

In terms of Environmental Permitting, the plant will be permitted and regulated by the Environment Agency. In this respect, the Permit will cover and control emission to air, water, land and it will also regulate any noise.

With regards to **Contaminated Land**, the additional intrusive ground investigation study referred to previously has now been completed and reported on. A number of risks have been identified both to human health and groundwater and mitigation measures have been proposed dependant on end use. For the E-scrap facility proposed, remediation/mitigation measures are detailed in Scenario C on page 69 of the 'Area 4 Ground Investigation Interpretive Land Quality Report'. As before, it is recommended that an appropriate condition be applied to any permission regarding site remediation and a closure report to be submitted for approval.

GBC Highways

I believe the Transport Statement appears to be simplistic and does not necessarily reflect the true operation of the site, with a simple loads in/out on a daily basis being equal.

The Planning Statement paragraph 3.2.2 Page 15 clearly indicates there will be the capacity for up to 4 week storage as the majority of the waste will be shipped outside of the country. It also indicates unsuitable materials will be stored separately and presumably taken off site at intervals in additional lorry movements.

3.2.2 As can be seen from the layout and elevations drawings, the development essentially comprises:

- Demolition of a small on-site, single storey portacabin structure and removal of existing hardstanding areas.
- A proposed main building of steel framed structure approximately (~) 90m (at its longest side, ~81m on its shorter side) x ~65m wide x ~17.7m high to the top of the pitch. Attached drawing reference 808678-WOD-ZZ-XX-DR-S-00020) entitled Ground Floor General Arrangement (GA) with Indicative WEEE Recovery Line provides further detail on the proposed internal plant configuration. Specifically, the facility has been designed to provide storage of E-scrap for up to ~4 weeks at maximum throughput, plus quarantine for unsuitable waste. The latter is required for permitting reasons, whilst the former is to guard against any potential problems with final disposal route of the material i.e., as the material is being shipped out of the country and not transported locally, a robust capacity for on-site storage is required.

Whilst the removal of 4 weeks storage in one day is unlikely to occur, it is possible in an extreme event it may occur. Also, if waste is being transferred to ship, I'm not convinced that material will be disposed of evenly over a week, instead responding to availability of capacity on ships taking the material to the countries processing will take place, unless the company have storage capacity at the port(s). Whilst this may only result in a slight increase in vehicle movements, without understanding the true nature of the export of materials can due consideration be given. (4 weeks storage export could, if my sums are correct generate 200 vehicle movements, 100 arrivals/departures). To this must be added any vehicle movements associated with laboratory testing as it is off site, but again this is liable to be no more than one or perhaps two vehicles per day, but it would add 2 or 4 vehicle movements.

It is suggested that the applicant should carry out a sensitivity analysis to consider the traffic impacts in the worst case, and any management measures that may be required to mitigate traffic flows if they are above

acceptable levels. If the applicant has adequate storage at the port(s) then this may not be necessary

The potential use of the River Thames for the transfer of waste at some future date is to be welcomed.

It is accepted that there would be no practical benefit in producing a Travel Plan for this site, but there is merit in adding this site to any Travel Plan that may exist for the wider business to the south of the development.

As reference is made to staff using the existing staff car parking to the south of the site, should this be included within the red line? Otherwise, I would suggest a separate provision should be made to secure car parking for this site. As presented and without any on site car parking I can only suggest the activities at the site can take place as ancillary to the main site to the south.

I note the drainage has been subject to pre-application discussion with Kent County Council and the approach taken seems to be reasonable and effective, subject to inspections and maintenance being carried out as suggested.

Officer's Analysis

The application is a resubmission of the recently withdrawn KCC application KCC/GR/0168/2022 (GBC ref. 20221087 relates). The key changes in the proposal relate to the design of the building proposed and provision for a replacement flood defence wall adjacent the site (this is proposed following earlier negotiations with the Environment Agency). As the changes largely relate to flood defences, the Borough Council would defer to their previous comments on the withdrawn application.

The application site is within an Area of Archaeological Potential, the Northfleet Industrial Area Air Quality Management Area (AQMA), Flood Zone 3 (within an area benefitting from flood defences), Ground Water Source Protection Zone 2 and the buffer zone of the Botany Road historic landfill site. The site is located in close proximity to the Swanscombe Peninsula Site of Special Scientific Interest (SSSI).

Looking at the proposals, key issues are as follows:

1. The principle of the proposed development would be acceptable as it would provide a waste recycling/management facility in an existing industrial area, which aligns with both national and local planning policies. However, the detail of the proposal will require careful consideration.
2. The application is on the riverside in a location where KCC is obliged to consider the proposal under Section 58 of the Marine and Coastal Access Act 2009, having regard to policy as set out in the South-East Inshore Marine Plan and Technical Annex (2021). The planning statement and the KCC pre-app advice do not refer to this requirement. There are a number of policies which apply, including relating to the wharf and potential impacts on the river itself. The Marine Management Organisation (MMO) and Port of London Authority (PLA) should both be consulted, particularly given the latter will have local knowledge in respect of the use of the site. The Environment Agency (EA) may additionally have views on the impact of the development on the foreshore, including in terms of the impact of light etc. on biodiversity.
3. The new building will be extremely close to the existing flood defences and should allow sufficient room for future upgrading of the defences under the Thames Estuary 2100 Plan. This is important because the defences here also protect the wider flood cell, which includes other uses and the Northfleet Harbourside proposal. GBC Core Strategy Policy CS18 at 5.14.38 applies, which prioritises flood defence over other development. KCC will need to have regard to this, in combination with any comments received from the EA.
4. In terms of the wharf itself, this is safeguarded under Core Strategy Policy CS07 at paragraph 5.1.36. It is not clear from the application as to whether the requirements of the policy in terms of the submission of supporting evidence have been met. KCC should seek the views of the PLA on this.
5. The impacts of the proposed development on the Swanscombe Peninsula SSSI will need careful consideration.
6. The application site is within the Northfleet Industrial Area Air Quality Management Area (AQMA) and in this regard, KCC should take into account the comments of the GBC – Environmental Protection Team

(Regulatory Services) as set out above. Please note that their comments also relate to land contamination and noise and suggest various conditions which should be included on any planning permission granted.

7. In terms of cultural heritage, GBC would defer to the views of KCC Heritage. They may be interested in terms of the design of foundations and any need for piling given underlying archaeological deposits. There may also be marine archaeological interest because the river here was used for the mooring of East India Company ships certainly from the late C18th onwards.

8. In terms of access arrangements/parking, GBC would defer to the views of Kent Highways and in addition, request that the comments of the GBC – Highways Officer (as set out above) are taken into account.

9. The comments of the GBC – Commercial Team (Regulatory Services) should be passed to the applicant for information.

Conclusion and Recommendation

KCC be requested to consider the above comments, to undertake further consultations and to take account of the comments of GBC Highways Officer, the GBC – Environmental Protection Team (Regulatory Services) and the GBC – Commercial Team (Regulatory Services) when making their determination

(For detailed informatives, see draft Decision.)

Case Officer:	Mrs Katherine Parkin	Team Leader:	Miss Faye Hobbs
Signed:	<i>K. Parkin</i>	Signed:	
Dated:	9th May 2023	Dated:	10 May 2023