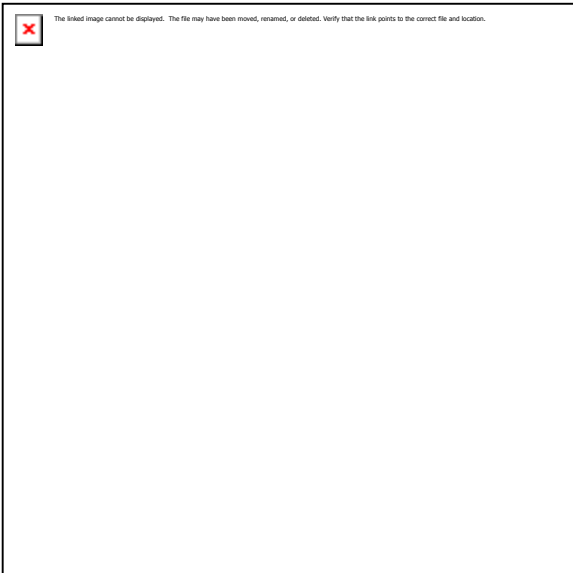




Delegated Report

Planning Application

Planning Application No: 20211507

Location: Leading Edge Labels Ltd Units H1 To H4 East Mill Gravesend

Description: Siting of a waste extraction system in the car park.

Applicant: Leading Edge Labels

Site Visit Date: 11th February 2022 and 6th April 2022

Submitted Documents/Plans

Planning Application Form;
Site Location Plan;
Drawing No. M21/0811.02 – Site Plan (Existing);
Drawing No. M21/0811/03 – Site Plan (Proposed);
Drawing No. P1994 – T3PP with Trunnion Lift Rearloader Safety Screens with Side Gate;
Drawing No. P4291 – T3S Rear Assembly W/ Air System Flange;
Planning Statement;
Compactor Details – Mixed Paper Compactor Project August 2021;
Noise Impact Assessment – April 2022;
T3 – Decibel Readings – Thetford International; and
T3 – Power Plus Compactor Manufacturer Details – Thetford International.

Relevant Planning History

Reference	Description	Decision	Decision Date
20040725	Siting of a waste extraction system in car park at rear of unit	Permission	26.10.2004
19980276	Display of non-illuminated fascia sign on rear elevation of unit facing Clifton Marine Parade.	Refused	27.07.1998

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

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.

National Planning Policy Framework (2021)

- 2 – Achieving Sustainable Development
- 12 – Achieving sustainable development and well-designed places
- 14 – Meeting the challenge of climate change, flooding and coastal change

Supplementary Planning Guidance

- SPG 4 - KCC Parking Standards (2006)

Consultations, Publicity and Representations

Consultees

KCC – Heritage

No comments to make on archaeological matters.

GBC - Environmental Protection Team (Regulatory Services)

Comments Received 11.02.22

Following our site visit this lunchtime to inspect the current waste compactor, and factoring in the absence of technical specification for the new compactor from the manufacturer, I believe the following conditions are reasonable should they be given planning approval for an additional compactor;

- In order to reduce the likelihood of noise nuisance both the existing unit and the new unit will not be permitted to be used outside of the following days/times;

Monday to Saturday – 7:30am to 10pm

Sundays and Bank Holidays – The units will not be operated at any time.

- The compactors will be powered by mains electricity only.

Comments Received 15.02.22

Noise Control

Due to concerns over the impact noise from the new waste compactor may have on residential properties on the Overcliffe, as well as nearby office workers within the industrial park, and in accordance with the council's local list of validation requirements, we recommend that prior to determination a noise impact assessment is carried out in accordance with BS4142:2014 and submitted to the LPA for consideration and approval, and includes reference to the following potential receptors;

- Residential Properties on the Overcliffe, Gravesend
- Offices on East Mill

The assessment must also consider collection vehicle activity in relation to removing the compacted waste, and must aggregate the noise output of both the existing plant and the proposed plant operating simultaneously assuming 24/7 operation of both plant due to cumulative impact arising from the proposed introduction of the new additional compactor.

The report should demonstrate that the rating noise, inclusive of any corrections for tonality, etc. will not exceed the existing LA90 background level at the nearest noise sensitive receptors as outlined above when measured and assessed in accordance with BS4142:2014.

Any mitigation measures recommended in the assessment in order to meet the above criteria as agreed by the LPA shall be implemented prior to first use and maintained for the lifetime of the permitted development/use.

Comments Received 06.05.22

Following site visits and an assessment of the information provided by the applicant we have the following comments:

Noise Control

Having reviewed the noise impact assessment and carried out visits to the site and local area to witness the plant in operation, whilst we do still have concerns that residents may be adversely impacted by noise at unsociable hours, we do not have sufficient grounds to object to the application. It should however be noted that the new plant has already been installed and was observed to be in use prior to planning approval and is connected to the existing plant. As the new plant cannot now operate completely independent of the older plant, they both should be treated as a new single entity when considering the application. Please be aware that should planning approval be granted this does not preclude the Environmental Protection Service taking action and placing restrictions on the use of the plant under Environmental Protection legislation, such as limiting hours of operation, in the event a subsequent noise complaint is confirmed as justified by our service.

Neighbouring properties

Consultation was by way of the displaying of a site notice, together with 8 letters sent to surrounding properties with an overall expiry date of 21st January 2022. No letters of representation have been received.

Officer's Analysis

Procedural Matters

It was noted that there was an existing waste compactor operating on the site, which was granted permission in 2004 (Ref. 20040725). During the initial site visit on 11th February 2022, the proposed compactor was not installed, however, a large external generator was operating adjacent to the proposed location. It was deemed necessary for a noise impact assessment to be submitted before determining this application to assess the impact of both the existing and proposed generators on the surrounding area, with the residential properties on the Overcliffe particularly in mind. The noise impact assessment was received on 6th April 2022 and a further site visit was undertaken on 6th April 2022, where it was discovered the proposed waster compactor had been installed and was fully operational alongside the existing compactor.

The generator that was observed during the initial site visit was no longer on site. It was noted that the existing and proposed compactors are connected and would appear cannot now run independently of each other. It will therefore be necessary to assess both compactors as part of this proposal.

Design, Character and Appearance

The application site is located within the Imperial Business Park, on the outskirts of the town centre, within urban area of Gravesend. Units H1 to H4 are an existing operation and a waste compactor is located within the car park to the rear that was given permission in 2004. The proposed compactor would be similar in same size to the existing and would be located directly adjacent to, sharing the same ducting.

Existing Compactor



Existing and Proposed Compactors



In terms of the impact on the existing site and surrounding area, the existing and proposed compactors are located to the rear of the units within the existing car park and obscured from surrounding views due to the existing buildings and boundary landscaping. Once inside the car park, the compactors are prominent, however the height of the main compactor and ducting do not exceed the height of the host building.



Taking into consideration the existing use of the site and the location of the compactors, the proposal would not have a detrimental impact on the character of the area.

Neighbouring Amenity

The application site is located within an existing commercial business park where a certain amount of noise is expected. The proposed compactor would run alongside the existing compactor. There has been no record of any noise complaints resulting from the existing compactor and the submitted noise impact assessment concluded that 'The assessment identifies that the proposed development will give rise to rating sound level that do not exceed the measured background sound level in the area during both the daytime and night-time, thus give in rise to a low impact. Consequently, the assessment demonstrates that the proposed development will give rise to noise impact that would not exceed the range of NOAEL of the NPPG England guidance.'

The nearest residential properties are located on the Overcliffe, approximately 200m away to the south of the site. It was noted that some noise from the business park could be heard from the Overcliffe during the day, however it was dominated by the traffic noise. In the interest of neighbour amenity and to avoid noise disturbance at unsociable hours where traffic generation is much less, a condition of hours of operation will be added to the decision.

It was noted on the first site visit the generator that was running adjacent to the compactor produced more noise than the existing single compactor. The generator is no longer on site and GBC – Environmental Protection have suggested a condition that ensures the compactors are mains operated only to avoid the use of an unauthorised generator on site. However, the suggested condition does not meet the condition tests laid out in paragraph 56 of the NPPF (2021) as it considered not necessary as the use of a generator on site would require the benefit of planning permission anyway. Instead, an informative will be added.

Parking and Highways

Whilst the proposed and existing compactor are located within the existing car park, the proposed site plan shows the compactor located in-between the demarked parking bays, however it must be acknowledged that due to the nature of the proposal, there may be an impact on the usability of the adjacent parking bays. However, the units benefit from a large car park with approximately 94 spaces and it was noted on both site visits that a large number of car park spaces remain empty during the working day.

As such, it is considered that the proposal would not have a negative impact on the parking provision of the site.

Other Material Planning Considerations

The supporting planning statements provides details that the proposed additional compactor would enable the applicants to increase their on-site recycling from 7% to 42%, reducing the cartaway of waste materials.

Policy CS18 of the Core Strategy 2014 also seeks to reduce the overall carbon footprint of the Borough, and supports stand-alone low carbon energy development where it is compatible with national policies and policies in the Core Strategy and support proposal which lead to a reduction carbon footprint.

In June 2019, this Council declared a climate emergency which commits the Council to taking a lead in achieving Carbon Neutral status. As acknowledged by the Council and its Climate Change strategy, Climate Change is a reality and over the course of the Over the course of the last 250 years, the actions of humanity have increased carbon dioxide emissions by more than 30%, resulting in higher temperatures and changing the world we live in. Without taking action now, the impact will be devastating.

Given the above policy support, the benefits of the proposal should be given substantial weight.

Recommendation

Permission subject to conditions.

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Mrs Amanda Grout	Team Leader:	Richard Hart
Signed:	<i>A Grout</i>	Signed:	<i>R Hart</i>
Dated:	24 th August 2022	Dated:	25th August 2022