



CC1 (Detailed)

Reference Code
of Application SW/12/1132

KENT COUNTY COUNCIL

**TOWN & COUNTRY PLANNING ACTS
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
(ENGLAND) ORDER 2010**

Notification of Grant of Permission to Develop Land

To: MW Environment Ltd
c/o SLR Consulting Ltd
Treenwood House
Rowden Lane
Bradford on Avon
Wiltshire
BA15 2AU

TAKE NOTICE that the KENT COUNTY COUNCIL, the County Planning Authority under the Town and Country Planning Act, **HAS GRANTED PERMISSION** for development of land situated at Ridham Dock, Iwade, Sittingbourne and being an extension to wood storage area and improvements to site access at the approved Ridham Biomass power plant (planning permission SW/10/774), referred to in your application for permission for development dated the Ninth day of August 2012, received 10 August 2012 and as amplified and amended by details referred to in the attached schedule, **SUBJECT TO THE CONDITIONS SPECIFIED hereunder:-**

1. Notwithstanding the provisions of part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order amending, replacing or re-enacting that Order), no fixed plant or machinery, buildings, or structures and erections shall be located on site without the prior approval in writing of their siting, design and external appearance by the Waste Planning Authority;

Reason: To protect the visual amenities of the area and minimise impact to accord with the objectives of Kent Waste Local Plan Policy W25.

2. The development hereby permitted shall begin before the expiration of 5 years from the date of this permission. Written notification of the date of commencement shall be provided to the Waste Planning Authority within 7 days of such commencement.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

3. The development hereby permitted shall be carried out and completed in all respects strictly in accordance with the submitted documents and drawing number Ridham/W/001 entitled 'Extension of Waste Wood Piles' together with any subsequent amendments which may be approved by the Waste Planning Authority.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details and to accord with the objectives of Kent Waste Local Plan policies W17, W18, W19, W20, W21, W22, W25 and W27.

4. No external wood shredding activity shall take place within the area hereby permitted (and as identified in red on drawing numbers 6237-1.003040 and Ridham/W/001);

Reason: In order to minimise dust nuisance and in the interest of local amenity and pursuant to Policy NRM9 of the South East Plan and Policies W17 and W18 of the Kent Waste Local Plan.

5. The stockpiles of unprocessed wood identified on drawing number Ridham/W/001 shall be no more than 5 metres in height;

Reason: In order to minimise dust nuisance and in the interest of local amenity and pursuant to Policy NRM9 of the South East Plan and Policies W17 and W18 of the Kent Waste Local Plan.

6. Wood stored in the 5m high storage bays, identified on drawing number Ridham/W/001, shall not exceed 4.5m in height;

Reason: In order to minimise dust nuisance and in the interest of local amenity and pursuant to Policy NRM9 of the South East Plan and Policies W17 and W18 of the Kent Waste Local Plan.

7. Deliveries of wood to the site shall be restricted to those permitted under planning permission SW/10/774, being between the hours of 06.00 and 20.00 including at weekends and Bank Holidays;

Reason: In the interests of highway safety.

8. The site access, internal road and those parts of the site or building to be used for vehicle manoeuvring, shall be maintained and kept free at all times from mud or other debris;

Reason: In the interests of highway safety.

9. Dust management shall be carried out in accordance with the mitigation measures specified in the Dust Mitigation Strategy received by email on 12 October 2012 from SLR. In prolonged periods of dry weather, roads and stockpiled material shall be dampened with water or a dust suppression agent;

Reason: In order to minimise dust nuisance and in the interest of local amenity and pursuant to Policy NRM9 of the South East Plan and Policies W17 and W18 of the Kent Plan.

10. Archaeological field evaluation works shall be carried out in accordance with the Archaeological Written Scheme of Investigation approved under SW/10/774/R16(i) on 23 October 2012; and following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Waste Planning Authority.

Reason: To enable any archaeological interest to be adequately investigated and recorded.

11. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with effective silencers;

Reason: In order to ensure minimum disturbance from operations on the designated wildlife areas adjacent to the site.

12. The terms of this planning permission and any schemes or details approved pursuant thereto shall be displayed at the office on site and shall be made known to any person(s) given responsibility for the management or control of operations;

Reason To enable easy reference to the requirements of the permission.

Town and Country Planning (Development Management Procedure) (England) Order 2010

This application has been determined in accordance with the Town and Country Planning Acts, and in the context of the Government's current planning policy guidance and the relevant Circulars, together with the relevant Development Plan policies, including the following, and those referred to under the specific conditions above:-

National Planning Policy: PPS10

Kent Waste Local Plan, Adopted 1998 Policies: W17, W18, W19, W20, W21, W22, W25 and W27

Swale Borough Local Plan (February 2008) Policies: E1, E2, E3, E4, E11, B2, T4 and T6.

National Planning Policy Framework, 2012

The summary of reasons for granting approval is as follows:-

The County Council is of the opinion that the proposed development gives rise to no material harm, is in accordance with the development plan and that there are no material considerations that indicate that the decision should be made otherwise. The County Council also considers that any harm as a result of the proposed development would reasonably be mitigated by the imposition of the attached conditions.

In addition please be advised of the following informatives:

1. Please be advised that this permission relates solely to the area identified in red on drawing number 6237-1.003040 entitled 'Planning Application Boundary for Revised Access & Biomass Storage Area' received 23 August 2012.
2. Please note the expiry date on your decision notice, along with all other conditions imposed. You are advised any conditions which require you to formally submit further details to the County planning Authority for approval may be required to be formally discharged prior to commencement of operations on site, or within the specified time. It is your responsibility to ensure that such details are submitted. **Failure to do so may mean that any development carried out is unlawful** and which may ultimately result in the permission becoming incapable of being legally implemented.

It is therefore strongly recommended that the required details be submitted to this Authority in good time so that they can be considered and approved at the appropriate time. Note that from 6th May 2008 each submission of details pursuant to conditions attracts a fee of £85.

Dated this Seventh day of November 2012

(Signed)..........
Head of Planning Applications

INVICTA HOUSE
COUNTY HALL
MAIDSTONE
KENT
ME14 1XX

**Schedule of documents relevant specifically to SW/12/1132
(KCC/SW/0297/2012)**

Letter/Email Correspondence	Document	Drawing Number	Title
	Planning application form Planning statement dated August 2012 Flood risk assessment dated August 2012		
		6237-1.003040	Planning Application Boundary for Revised Access & Biomass Storage Area
SLR Email dated 31 August 2012			
SLR Email dated 5 September 2012		Ridham/W/001	Extension of Waste Wood Piles
SLR letter dated 27 September 2012 – which clarifies stockpile heights			
SLR Email dated 12 October 2012	With accompanying Dust Mitigation Strategy		

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN THE COUNTY COUNCIL REFUSES PLANNING PERMISSION OR GRANTS IT SUBJECT TO CONDITIONS

- This permission is confined to permission under the Town and Country Planning Act 1990, the Town and Country Planning (Development Management Procedure) (England) Order 2010, and the Town and Country Planning (Applications) Regulations 1988 and does not obviate the necessity of compliance with any other enactment, by-law, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, consent, approval or authorisation which may be requisite.
- Section 53 of the County of Kent Act 1981 (access for Fire Fighting Purposes) will apply to this permission if it relates to building works, and will be considered when plans are deposited with the appropriate authority for approvals under the Buildings Regulations 1995.
- If the applicant is aggrieved by the decision of the County Planning Authority to refuse permission for the proposed development or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, in accordance with Section 78(1) of the Town and Country Planning Act 1990. If he wants to appeal then he must do so within six months of the date of this notice using a form which is obtainable from the Secretary of State at The Planning Inspectorate, Room 315A, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN – Tel: 0117 372 6372; or online at www.planningportal.gov.uk/pes. The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the County Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the County Planning Authority based their decision on a direction given by the Secretary of State.
- If permission to develop land is refused or granted subject to conditions, whether by the County Planning Authority or by the Secretary of State for the Environment, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances he may serve on the Council of the county district in which the land is situated, a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990.
- In certain circumstances, compensation may be claimed from the County Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 and related provisions of the Town and Country Planning Act 1990.
- Where this decision relates to development which has been the subject of Environmental Impact Assessment the validity of the Council's decision may be challenged by making an application to the High Court within three months from the date of this decision. If you require further advice on making any High Court challenge, or making an application for Judicial Review, you should consult a solicitor or other advisor, or contact the Crown Office at the following address: Administrative Court at the Royal Courts of Justice, Queen's Bench Division, Strand, London, WC2 2LL – Tel: 020 7947 6655; or online at www.courtservice.gov.uk



UMC Architects
Newark Beacon Innovation Centre
Cafferata Way
Newark on Trent
Nottinghamshire
NG24 2TN

Fao: Mr G McMorran

Planning Applications Group

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Website: www.kent.gov.uk/planning

Email: planning.applications@kent.gov.uk

Direct Dial/Ext: (01622) 221059

Textbox: 08458 247905 (hearing impaired)

Ask for: Miss A Watts

Your ref:

Our ref: PAG/AW/SW/10/774/R

Date: 22 July 2013

Dear Sir/Madam

**PROPOSAL: SW/10/774/R - APPLICATION FOR A NON-MATERIAL AMENDMENT TO
SITE LAYOUT AND ELEVATIONS
LAND AT RIDHAM DOCK, IWADE, SITTINGBOURNE, KENT, ME9 8SR**

The County Council as County Planning Authority has now considered the non-material amendment submitted in respect of the above proposal.

The Authority hereby approves the non-material amendment details dated 24 June 2013, received on 25 June 2013, together with accompanying drawing numbers:

4719 20 020111/UM G 901 - Site Plan Planning Issue
471920020102/UMG0001 - General Arrangement Plan Level 0
471920020102/UMG001 B - General Arrangement Plan Level 1
471920020102/UMG002 B - General Arrangement Plan Level 2
471920020154/UMG032 - Planning Elevations North
471920020154/UMG033 - Planning South Elevations
471920020154/UMG034 - Planning East Elevations
471920020154/UMG035 - Planning Elevations West

to allow for revisions to the site layout and elevations, pursuant to condition (3) of planning permission SW/10/774 granted on 28 May 2012 as a formal amendment to the details previously approved under the consent reference SW/10/774.

In addition please be advised of the following informative:

You are advised that all other conditions imposed under planning permission SW/10/774 remain in effect and that those details previously approved pursuant to that permission shall be complied with unless superseded by the details hereby approved.

Yours faithfully


Head of Planning Applications Group

Cc: Bruce Braithwaite, MVV Environment Ltd, Devonport Energy from Waste Office, Camels Head Gate, Weston Mill, Plymouth, Devon PL2 2BG



Reference Code of
Application: SW/19/504919

KENT COUNTY COUNCIL

TOWN AND COUNTRY PLANNING ACTS TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND

To: MVV Environment Services Ltd
c/o SLR Consulting Ltd
Treenwood House
Rowden Lane
Bradford on Avon
BA15 2AU

TAKE NOTICE that the KENT COUNTY COUNCIL, the County Planning Authority under the Town and Country Planning Act, HAS GRANTED PERMISSION for development of land situated at MVV Environment Services, Ridham Dock Biomass Facility, Lord Nelson Road, Ridham Dock, Iwade, Sittingbourne, Kent ME9 8SR and being construction of a footbridge to provide safe staff access from the Ridham Dock Biomass Facility to the SUDS pond, referred to within the application for permission for development dated 17 September 2019, received on 20 September 2019, as amplified and amended by details referred to in the attached Schedule 1, SUBJECT TO THE FOLLOWING CONDITIONS:

1. The development to which this permission relates shall be begun not later than the expiration of 5 years beginning with the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out, completed and maintained in all respects strictly in accordance with the submitted details, documents and plans referred to in Schedule 1 (attached) and/or as otherwise approved pursuant to the conditions below.

Reason: For the avoidance of doubt and to maintain planning control over the development.

3. Prior to any works commencing on site final construction details for the bridge, associated foundations, any gate and where necessary measures to provide bank stability shall be submitted to and approved in writing by the Waste Planning Authority. Thereafter the details shall be carried out as approved.

As part of the Council's commitment to equalities if you have any concerns or issues with regard to access to this information please contact us for assistance.

Reason: To safeguard the local environment, including protected species and other ecological interests.

4. Prior to any works commencing on site a precautionary ecological mitigation strategy shall be submitted to and approved in writing by the Waste Planning Authority. The strategy shall include details of any pre-commencement surveys that need to be undertaken prior to the development taking place. Thereafter, the strategy shall be implemented as approved.

Reason: To minimise the potential for impacts on protected species as a result of the proposed work in accordance with the Ecological Impact Assessment submitted with application SW/19/504918 for amendments to the management of surface water and process water from the biomass facility.

Town and Country Planning (Development Management Procedure) (England) Order 2015

Where necessary the planning authority has engaged with the applicant to address and resolve issues arising during the processing and determination of this planning application, in order to deliver sustainable development, to ensure that the details of the proposed development are acceptable and that any potential impacts can be satisfactorily mitigated.

Summary of policies in the Development Plan relevant to the decision to grant planning permission:

This application has been determined in accordance with the Town and Country Planning Acts, and in the context of the Government's current planning policy guidance and the relevant Circulars, including the National Planning Policy Framework (NPPF) and associated planning practice guidance, together with the relevant Development Plan policies, including the following:

Kent Minerals and Waste Local Plan 2013-30 (July 2016) – Policies CSW1, DM1, DM2, DM3, DM10, DM12, DM14, DM16 and DM20.

Partial Review of the Kent Minerals and Waste Local Plan 2013-30 (November 2018 - Pre-Submission Draft).

Bearing Fruits 2031: The Swale Borough Local Plan (July 2017) – Policies ST1, ST3, CP4, CP7, DM14, DM21, DM22, DM23, DM24 and DM28.

The summary of reasons for granting permission is as follows:

The County Council is of the opinion that the proposed development gives rise to no material harm, is in accordance with the development plan and that there are no material considerations that indicate that the decision should be made otherwise. The County Council also considers that any harm as a result of the proposed development would reasonably be mitigated by the imposition of the attached conditions.

In addition, please be advised of the following informatives:

- a. Your attention is drawn to the conditions that require further details to be submitted to the Waste Planning Authority for approval, these conditions need to be formally discharged prior to commencement of certain operations or within a specified time. It is your responsibility to ensure that such details are submitted in good time.
- b. In reference to condition (3) above, your attention is drawn to the following comments received from the Environment Agency.

The construction, size and location of the bridge is not likely to have a detrimental or significant impact to the surrounding wetland habitats and potential future water vole populations. This is because the mitigation measures and outline approach, including the agreement to support the Site of Special Scientific Interest Management Plan, will allow suitable recovery and future management for enhancement and re-connectivity.

It is important that the mitigation measures and best practices including timing sensitivities are transposed to the Construction Environmental Management Plan.

Any bridge to be constructed must have the abutments setback, beyond the top of bank of the watercourse, and a soffit level of a height which allows enough capacity for high flows (should the watercourse take surface water). This should also be enough to provide unhindered migration of wildlife underneath and minimise fragmentation of the watercourse habitat caused by overshadowing.

Please note, some extra consideration is recommended on whether the water quality and bank stability of the ditch will potentially be affected by the required construction and recovery methods (e.g. photos of the proposed bridge siting demonstrate mostly bare exposed soil). Exposed bank material presents an inherent risk of soil wash off and sediment input, this risk increases if created close to winter as vegetation ceases to actively grow. The duration of the exposed state is unclear from the documents.

Soil wash off (i.e. material loss) can directly lead to bank instability before sufficient vegetation cover can establish. Within the related Environmental Impact Assessment documents, the ditch banks are described to be stripped/kept short as water vole mitigation practice, in line with other construction activity areas – these areas will be allowed to re-vegetate naturally. This aftercare in principle is acceptable, however, some extra monitoring on the bank stability and material loss is recommended. Including with mitigating measures for stabilisation or vegetation re-establishment drawn up in case the rate of loss exceeds natural vegetation establishment.

Stabilisation measures should avoid the use of plastic where possible and prefer organic solutions, for example plug-planting or hydro-seeding (if appropriate native seed mixes to the surrounding areas can be matched).

- c. You are advised that the above planning consent confers no consent or right to disturb, obstruct or divert any Public Right of Way at any time (either during or following any approved development) without the express permission of the Highway Authority.

Dated this Thirteenth day of December 2019

(Signed).....
Head of Planning Applications Group

KENT COUNTY COUNCIL
PLANNING APPLICATIONS GROUP
FIRST FLOOR
INVICTA HOUSE
COUNTY HALL
MAIDSTONE
KENT ME14 1XX

Schedule 1

Schedule of Documents permitted under Planning Permission: SW/19/504919

Drawings / Number / Title:
<ul style="list-style-type: none">• Drawing RDBF 1 titled "Site Location Plan" dated August 2019.• Drawing RDBF 2 titled "Application Site" dated August 2019.• Drawing RDBF 3 titled "Footbridge" dated September 2019.• Drawing 001 titled "Access Bridge" dated 29 October 2019.
Document Title / Description / Reference
<ul style="list-style-type: none">• Application for Planning Permission dated 17 September 2019• Planning Statement prepared by SLR (Reference 409.04447.00008 - Final) dated September 2019

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.



MVV Environment Ltd.
Camels Head Gate
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PL2 2PG

Fao: Mr B Braithwaite

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Tel: 08458 247303

Website: www.kent.gov.uk/planning
Email: planning.applications@kent.gov.uk
Direct Dial/Ext: 01622 221059
Textbox: 08458 247905 (hearing impaired)
Ask for: Miss Angela Watts
Your ref:
Our ref: PAG/SW/10/774/RA
Date: 18 November 2013

Dear Sir/Madam

PROPOSAL: SW/10/774/RA – APPLICATION FOR A NON-MATERIAL AMENDMENT TO VARY THE COLOUR OF THE CLADDING. PLOT 17, RIDHAM DOCK, IWADE, SITTINGBOURNE, KENT, ME9 8SR

The County Council as County Planning Authority has now considered the non-material amendment submitted in respect of the above proposal.

The Authority hereby approves the non-material amendment details dated 4 November 2013, received on 7 November 2013, together with accompanying drawing numbers:

471920020154/UMG032 C – Planning Elevations North
471920020154/UMG033 C – Planning South Elevation
471920020154/UMG034 C – Planning East Elevation
471920020154/UMG035 C – Planning Elevations West

to allow revisions to the colour of the cladding pursuant to condition (3) of planning permission SW/10/774 granted on 28 May 2013 as a formal amendment to the details previously approved under the consent reference SW/10/774.

In addition please be advised of the following informative:

You are advised that all other conditions imposed under planning permission SW/10/774 remain in effect and that those details previously approved pursuant to that permission shall be complied with unless superseded by the details hereby approved.

Yours faithfully

Head of Planning Applications Group

As part of the Council's commitment to equalities if you have any concerns or issues with regard to access to this information please contact us for assistance.



MVV Environment
c/o SLR Consulting Ltd
Mill Barn
28 Hollingworth Court
Turkey Mill
Maidstone
Kent
ME14 5PP

Fao: Miss A Watts

Planning Applications Group
First Floor, Invicta House
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Tel: 03000 411200

Website: www.kent.gov.uk/planning
Email: planning.applications@kent.gov.uk
Direct Dial/Ext: 03000 413350
Text relay: 18001 03000 417171
Ask for: Mr Mike Clifton
Your ref:
Our ref: SW/10/774/RB
Date: 22 March 2017

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)
SECTION 96A

Dear Madam

APPLICATION NO: SW/10/774/RB

PROPOSAL: Non-material amendment to approved site layout in respect of wind breaking fence, cover over incinerator bottom ash loading area and drainage buffer tank of planning permission SW/10/774

LOCATION: MVV Environment Ridham, Lord Nelson Road, Ridham Dock, Iwade, Kent, ME9 8FQ

The County Council as County Planning Authority has now considered the amended details submitted in respect of the above proposal.

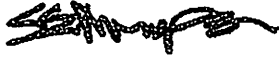
The Authority hereby approves the application for a non-material amendment as set out in your application dated 16 March 2017 together with the accompanying document entitled Ridham Dock – Biomass Plant which sets out details of Buffer Tank Requirements and Wind Breaking Fences, along with Drawings entitled:

- Side Plan Wind Breaking Fence, Cover IBA Loading, Drainage Buffer Tank
- Wet Ash Drainage water Recycling /Ash Loading
- Ash Loading Layout and,
- Drainage Water Tank/Drainage Pump

as a formal amendment to the details previously permitted under planning permission reference SW/10/774 granted on 28 May 2012.

In addition please be advised that all other conditions imposed under planning permission SW/10/774 remain in effect and that those details previously approved pursuant to that permission shall be complied with unless superseded by the details hereby approved.

Yours faithfully

A handwritten signature in black ink, appearing to be 'S. M. P.' or similar, written in a cursive style.

Head of Planning Applications Group



SLR Consulting Ltd
Treenwood House
Rowden Lane
Bradford on Avon
Wiltshire
BA15 2AU

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Website: www.kent.gov.uk/planning
Email: planning.applications@kent.gov.uk
Direct Dial/Ext: 01622 221059
Text relay: 18001 03000 417171
Ask for: Miss Angela Watts
Your ref:
Our ref: SW/14/76
Date: 16 May 2014

TOWN AND COUNTRY PLANNING ACT 1990

Dear Sir/Madam

APPLICATION: SW/14/76

PROPOSAL: Revised surface water drainage scheme

LOCATION: Land at Ridham Dock, Iwade, Sittingbourne, Kent, ME9 8SR

The above mentioned planning application received for the formal observations of the County Council, as County Planning Authority has now received consideration.

I write to inform you that the County Planning Authority resolved that planning permission be granted as set out in the attached formal notification.

Please note the conditions imposed and the informatives as described.

Yours faithfully

Sharon Thompson
Head of Planning Applications Group



Reference Code of
Application: SW/14/76

KENT COUNTY COUNCIL

TOWN AND COUNTRY PLANNING ACTS TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010 (as amended)

NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND

To: MVV Environment Ltd
c/o SLR Consulting Ltd
Treenwood House
Rowden Lane
Bradford on Avon
Wiltshire
BA15 2AU

TAKE NOTICE that the KENT COUNTY COUNCIL, the County Planning Authority under the Town and Country Planning Act, HAS GRANTED PERMISSION for development of land situated at Land at Ridham Dock, Iwade, Sittingbourne, Kent, ME9 8SR and being the revised surface water drainage scheme, referred to within the application for permission for development dated 20 December 2013, received on 20 December 2013, as amplified and amended by details referred to in the attached schedule, SUBJECT TO THE CONDITIONS SPECIFIED hereunder:

1. The development to which this permission relates shall be begun not later than the expiration of 3 years beginning with the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out and completed in all respects strictly in accordance with the submitted details, documents and plans referred to in Schedule 1 (attached) and/or as otherwise approved pursuant to the conditions below.

Reason: For the avoidance of doubt and to maintain planning control over the development.

3. Surface water drainage scheme approved on 3 December 2012 (under ref. SW/10/774R9) is hereby superseded by the revised scheme hereby permitted and as set out in the attached schedule and shall be implemented as approved;

Reason: In order to improve and protect water quality, improve habitat and amenity an ensure future maintenance of the surface water drainage system and in accordance with the principles set out in the National Planning Policy Framework 2012 and pursuant to Policy W19 and W20 of the Kent Waste Local Plan.

4. Prior to works starting a time table of the proposed works for the SUD must be submitted. The time table must include details of works to be carried out if the natural regeneration is not successful;

Reason: In the interests of Biodiversity

5. The ecological management plan (EMP) approved on 1 November 2012 (under ref. SW/10/774/R6) shall be supplemented to include the management of land hereby permitted details of which shall be submitted to and approved by the Waste Planning Authority prior to the commencement of the development and shall thereafter be implemented as approved. Such details shall include the following:

- a) description and evaluation of features to be managed;
- b) ecological trends and constraints on the site that might influence management;
- c) aims and objectives of management;
- d) appropriate management options for achieving aims and objectives;
- e) prescriptions for management actions;
- f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) details of the body or organisation responsible for implementation of the plan;
- h) ongoing monitoring and remedial measures

The EMP must clearly detail how the site will be managed in the event that a grazier is unable to be identified.

Reason: In the interests of ecology.

6. Excavated material associated with the development hereby permitted shall be deposited on Plot 4 of Ridham Dock as approved under planning permission SW/10/774;

Reason: In the interests of ecology.

Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

This application has been determined in accordance with the Town and Country Planning Acts, and in the context of the Government's current planning policy and associated guidance and the relevant Circulars, together with the relevant Development Plan policies, including the following, and those referred to under the specific conditions above:-

National Planning Policy: PPS10

Kent Waste Local Plan, Adopted 1998

Swale Borough Local Plan (February 2008) Policies: E1, E2, E3, E4, E11, B2, T4 and T6

National Planning Policy Framework, 2012 (and accompanying Planning Practice Guide)

- Where necessary the planning authority has engaged with the applicant(s) and other interested parties to address and resolve issues arising during the processing and determination of this planning application, in order to deliver sustainable development, to ensure that the details of the proposed development are acceptable and that any potential impacts can be satisfactorily mitigated.

The summary of reasons for granting approval is as follows:-

- The County Council is of the opinion that the proposed development gives rise to no material harm, is in accordance with the development plan and that there are no material considerations that indicate that the decision should be made otherwise. The County Council also considers that any harm as a result of the proposed development would reasonably be mitigated by the imposition of the attached conditions.

In addition please be advised of the following informatives:

1. This decision notice shall be read in conjunction with planning permission reference SW/14/99.
2. Natural England in their letter dated 30 April 2014, make the following comments "*We have not assessed this application and associated documents for impacts on protected species. However, although the applicant has proposed to place the spoil arising from the creation of the SUDs on plot 4 away from any areas of land that has been used for species mitigation; having reviewed the aerial photos, there appears to be the potential for impact of the spoil movement and placement on protected species in this location, so we recommend that you liaise with Kent CC's ecologist to assess this further*".
3. As the applicant has newly acquired 8.4ha of the SSSI for the purposes of this application, Natural England would like to remind the applicant of their responsibilities as SSSI land owners to manage and conserve the features of the SSSI which are now under their ownership. The applicant should review this Brief Guide for Land Owners and Occupiers (SSSIs) and liaise with Natural England's SSSI Officer for further advise. Please contact Francesca Barker on Francesca.barker@naturalengland.org.uk, or 0300 060 0873.
4. Please note the expiry date on your decision notice, along with all other conditions imposed. You are advised any conditions which require you to submit further details to the County Planning Authority for approval may need to be formally discharged **prior** to commencement of operations on site, or within a specified time. It is the applicant's responsibility to ensure that such details are submitted. The County Council may consider it appropriate to carry out consultations and other procedures prior to giving a formal decision on these matters and it is unlikely that this will take less than 4 weeks. The above information should be taken into account when programming the implementation of the permission. **Any development that takes place in breach of such conditions is likely to be regarded as unlawful** and may ultimately result in the permission becoming incapable of being legally implemented. It is therefore strongly recommended that the required details be submitted to this Authority in good time so that they can be considered and approved at the appropriate time.

Dated this Sixteenth day of May 2014

(Signed) 
Head of Planning Applications Group

KENT COUNTY COUNCIL
PLANNING APPLICATIONS GROUP
FOURTH FLOOR, INVICTA HOUSE
COUNTY HALL
MAIDSTONE
KENT ME14 1XX

Schedule 1

Schedule of Documents Permitted Under Planning Permissions: SW/14/76

Letter/Email Correspondence	Document	Drawing Number	Title
	Planning Application Forms and Drawings	MVV/1 MVV/2 MVV/3	Planning Application Boundary Existing Site Layout Revised SUDS Attenuation Feature - Plan
	SLR Document entitled: Planning Statement for the Variation to Conditions 6 and 9 of Planning Permission SW/10/774 and the Revised Surface Water Drainage Arrangements (ref 402-04447-00002) December 2013		
	SLR Document entitled: Land South of Ridham Dock Management Plan 2014 – 2018 Consultation Draft (ref 402.04447.00002) December 2013		
	SLR Document entitled: Revised Surface Water Drainage Strategy Technical Note (ref 402.04197.00004) December 2013		
	Natural England letter dated 9 August 2013		
SLR letter dated 18 March 2014			
SLR letter dated 11 April 2014			
SLR email dated 29 April 2014		Drawing number 1 entitled: Deposition Site for Arising	

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

- This permission is confined to permission under the Town and Country Planning Act 1990, the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the Town and Country Planning (Applications) Regulations 1988 and does not obviate the necessity of compliance with any other enactment, by-law, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, consent, approval or authorisation which may be requisite.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at www.planningportal.gov.uk/pcs.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.



SLR Consulting Ltd
Treenwood House
Rowden Lane
Bradford on Avon
Wiltshire
BA15 2AU

Fao: Mr C Herbert

Planning Applications Group
Fourth Floor, Invicta House
County Hall
Maidstone
Kent ME14 1XX
Fax: 01622 221072
Tel: 03000 417171

Website: www.kent.gov.uk/planning
Email: planning.applications@kent.gov.uk
Direct Dial/Ext: 01622 221059
Text relay: 18001 03000 417171
Ask for: Miss Angela Watts
Your ref:
Our ref: SW/14/99
Date: 16 May 2014

TOWN AND COUNTRY PLANNING ACT 1990

Dear Sir/Madam

APPLICATION: SW/14/99

PROPOSAL: Variation of conditions 6 and 9 of planning permission
SW/10/774

LOCATION: Land at Ridham Dock, Iwade, Sittingbourne, Kent, ME9 8SR

The above mentioned planning application received for the formal observations of the County Council, as County Planning Authority has now received consideration.

I write to inform you that the County Planning Authority resolved that planning permission be granted as set out in the attached formal notification.

Please note the conditions imposed and the informatives as described.

Yours faithfully

Sharon Thompson
Head of Planning Applications Group

KENT COUNTY COUNCIL

**TOWN AND COUNTRY PLANNING ACTS
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2010 (as amended)**

NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND

To: MVV Environment Ltd
c/o SLR Consulting Ltd
Treenwood House
Rowden Lane
Bradford on Avon
Wiltshire
BA15 2AU

TAKE NOTICE that the KENT COUNTY COUNCIL, the County Planning Authority under the Town and Country Planning Act, HAS GRANTED PERMISSION for development of land situated at Land at Ridham Dock, Iwade, Sittingbourne, Kent, ME9 8SR and being the variation of conditions 6 (plan for the protection and mitigation of protected species) and 9 (surface water drainage scheme) of planning permission SW/10/774, referred to within the application for permission for development dated 20 December 2013, received on 20 December 2013, as amplified and amended by details referred to in the attached schedule, SUBJECT TO THE CONDITIONS SPECIFIED hereunder:

1. The development to which this permission relates shall be begun not later than the expiration of 3 years beginning with the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out and completed in all respects strictly in accordance with the submitted details, documents and plans referred to [in Schedule 1 (attached) and/or as otherwise approved.

Reason: For the avoidance of doubt and to maintain planning control over the development

Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

This application has been determined in accordance with the Town and Country Planning Acts, and in the context of the Government's current planning policy and associated guidance and the relevant Circulars, together with the relevant Development Plan policies, including the following, and those referred to under the specific conditions above:-

National Planning Policy: PPS10
Kent Waste Local Plan, Adopted 1998
Swale Borough Local Plan (February 2008) Policies: E1, E2, E3, E4, E11, B2, T4 and T6
National Planning Policy Framework, 2012 (and accompanying Planning Practice Guide)

- Where necessary the planning authority has engaged with the applicant(s) *[and other interested parties]* to address and resolve issues arising during the processing and determination of this planning application, in order to deliver sustainable development, to ensure that the details of the proposed development are acceptable and that any potential impacts can be satisfactorily mitigated.

The summary of reasons for granting approval is as follows:-

- The County Council is of the opinion that the proposed development gives rise to no material harm, is in accordance with the development plan and that there are no material considerations that indicate that the decision should be made otherwise. The County Council also considers that any harm as a result of the proposed development would reasonably be mitigated by the imposition of the attached conditions.

In addition please be advised of the following informatives:

1. All other conditions imposed on planning permission SW/10/774 remain unchanged by this notice.
2. This decision notice shall be read in conjunction with planning permission reference SW/14/76.
3. Please note the expiry date on your decision notice, along with all other conditions imposed. You are advised any conditions which require you to submit further details to the County Planning Authority for approval may need to be formally discharged **prior** to commencement of operations on site, or within a specified time. It is the applicant's responsibility to ensure that such details are submitted. The County Council may consider it appropriate to carry out consultations and other procedures prior to giving a formal decision on these matters and it is unlikely that this will take less than 4 weeks. The above information should be taken into account when programming the implementation of the permission. **Any development that takes place in breach of such conditions is likely to be regarded as unlawful** and may ultimately result in the permission becoming incapable of being legally implemented. It is therefore strongly recommended that the required details be submitted to this Authority in good time so that they can be considered and approved at the appropriate time.

Dated this Sixteenth day of May 2014

(Signed) 
Head of Planning Applications Group

KENT COUNTY COUNCIL
PLANNING APPLICATIONS GROUP
FOURTH FLOOR, INVICTA HOUSE
COUNTY HALL
MAIDSTONE
KENT ME14 1XX

Schedule 1

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TOWN AND COUNTRY PLANNING ACT 1990

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