

THE HIGHLAND COUNCIL

CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING
APPLICATIONS AND REVIEW COMMITTEE – 19 May 2009

Agenda Item	4.6
Report No	27/09

09/00094/FULRC – Amendment to Planning Permission 08/00122/FULRC to include handling, storage and bulking up of residual municipal waste at Unit 26 Cromarty Firth Industrial Park, Invergordon

Report by Area Planning and Building Standards Manager

SUMMARY

The detailed proposal is to vary the existing permission in place for the handling of recyclable waste to include handling, storage and bulking up of residual municipal waste within the existing building at Unit 26 Cromarty Firth Industrial Park Invergordon.

Invergordon Community Council has objected to the application.

The Recommendation is to GRANT planning permission subject to conditions.

Ward Number 7 – Cromarty Firth

Applicant – The Highland Council

1. PROPOSAL

- 1.1 In March 2005 the Highland Council received a Notice of Intention to Develop (05/00042/NIDRC) in respect of the change of use from a fabrication shed to a facility for handling and storage of household and commercial recyclable waste at Unit 26 Cromarty Firth Industrial Park, within the former smelter site at Invergordon. The permission was granted for a temporary period of three years expiring in March 2008. In February 2008 an application to renew this permission was submitted (08/00122/FULRC) and in view of the changes in legislation relating to Local Authority proposals this took the form of a formal planning application which superseded the Notice of Intention to Develop procedures which were in force previously. Planning Permission was granted on 8 April 2008 for a further temporary period of five years.
- 1.2 The current application seeks permission to vary the existing permission to include residual municipal waste in addition to the recyclable waste currently handled. This will allow the handling of household waste from the refuse collection vehicles/recycling centres that currently operate in the Easter Ross/Mid Ross/Black Isle/Wester Ross area. All of this waste is presently delivered to the Council's waste transfer station in Inverness. The Council is currently renewing its waste disposal

contract and is seeking a facility in Easter Ross to save travelling time and fuel costs.

- 1.3 The existing site, which includes a large storage/handling building and enclosed yard is located at the north end of the established industrial park to the north-east of Invergordon. Access is as existing onto the Industrial Park service road which links with the Tomich – Saltburn distributor road opposite Inverbreakie Industrial Estate. The building lies immediately adjacent to an oilfield support base (Port Services (Invergordon) Ltd) and due north of the Balcas combined heat/power and wood chipping plant currently under construction.

2. PLANNING HISTORY

- 2.1 05/00042/NIDRC Notice of Intention to Develop for change of use from fabrication building to facility for handling/storage of recyclable waste – 2 March 2005 (consent for 3 years)

08/00122/FULRC Planning Permission granted for renewal of permission of facility for handling/storage of recyclable waste – 8 April 2008 (consent for 5 years)

3. PUBLIC PARTICIPATION

- 3.1 The application was advertised under Section 34 of the Act on 27 February 2009 and the publicity period expired on 13 March 2009. No third party representations were received.

4. CONSULTATIONS

- 4.1 **Invergordon Community Council** - **objects** to the application on the following grounds:

- Additional road traffic movements particularly at Tomich junction
- Amount of additional waste coming to Invergordon
- Concern over future expansion and eventual possibility of incinerator being built in this location
- Concern over Invergordon being labelled a 'dumping ground'

- 4.2 **Internal Consultees**

TECS (Environmental Health) – No objections. The premises will require a Waste Management Licence from SEPA and the licence normally has standard conditions which are quite stringent in terms of odour, vermin etc. There are no noise issues likely here as the site lies within an existing industrial estate.

TECS (Transport) - No objections.

4.3 External Consultees

SEPA

- **Residual Waste** – No objection to storage of residual waste within storage building provided that any leachate or effluent from the storage area will use the existing Cromarty Industrial Park foul drainage system. In order to ensure that the use of the facility for recycle is not restricted it is requested that a condition is applied to ensure that the facility only receives residual waste from the Highlands as this is in line with the proximity principle and that the throughput of residual waste is capped at 30,000 tonnes per annum.
- **Operation and Licensing** – The site will require an amendment to the licence to operate under the Waste Management Licensing Regulations 1994 and such amendments are being discussed with SEPA staff.
- **Noise** – Operational noise will be regulated under the Waste Management Licence.
- **Air Quality** – Dust and odour will be controlled through conditions in the Waste Management Licence.

5. POLICY

5.1 The following policies are relevant to the assessment of the proposal

Highland Structure Plan (2001):

- G2 Design for Sustainability
- W1 Waste Management
- W4 Waste Disposal
- W5 Facilities for the waste management network

Ross and Cromarty East Local Plan (2007)

- GSP1 Design and sustainable construction
- GSP5 Waste Management
- Invergordon Area B/I 12 and 18 Business/Industrial Uses with the site specifically safeguarded for waste management purposes

5.2 The proposal requires to be assessed against the following relevant Scottish Planning Policies (SPP's), National Planning Policy Guidance (NPPGs) and Planning Advice Notes (PANs).

- Scottish Planning Policy
- SPP10 Planning for Waste Management

6. PLANNING APPRAISAL

- 6.1 **Determining issues** – Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.2 The proposal requires to be assessed against the appropriate policies of the Development Plan, supplementary guidance and Scottish Planning Policy and Guidelines as referred to in the Policy section. In particular, the proposal requires detailed assessment of the following fundamental issues:
- whether the principle of development is appropriate in terms of policy
 - whether the layout of development is appropriate
 - the impact on the amenity of the area and residents
 - other material issues raised by the objectors
- 6.3 **Policy** - The site is part of a wider area extending to 11.2ha allocated for business/industrial uses on the margins of the settlement of Invergordon as identified in the adopted Ross and Cromarty East Local Plan. The policy statement includes a specific reference to the application site as being safeguarded for waste management purposes. Accordingly the site is considered ideal for the proposed use. It is well separated from the nearest residential property which is over 500m distant whilst being close by a major junction onto the A9. SEPA is satisfied with the proposals with regard to compliance with both National and Area Waste Plans. The application is therefore considered to comply generally with adopted local and national policy with regard to waste management.
- 6.4 **Servicing** - There are no servicing difficulties or technical objections. TECS(Transport) are satisfied with the existing access arrangements which involve using the established industrial park service roads which join the local distributor road at Inverbreakie with good links to the trunk road network at Tomich.
- 6.5 **Community Council objection** – A letter of objection has been received from Invergordon Community Council. Concerns over impact on the road network are not supported by TECS(Transport). The majority of the vehicles that will use the Bulking Up Station already use the road network and it is submitted that any impact on the Tomich junction would be negligible. The development will take advantage of the existing distributor road and junction onto the A9 which have been designed to carry HGV traffic to and from Invergordon Industrial Estate. Being able to use the facility will reduce overall vehicle miles and emissions. This is especially pertinent for the vehicles that operate in the Easter Ross area.
- 6.6 The application has no connection with any Energy from Waste proposals and no waste will be 'dumped' in Invergordon. The facility is simply for the bulking up and onward transfer of waste. It is also estimated that approximately one third of the waste that used to be transferred at the facility at Stoneyfield is currently handled through the existing facility as recycle. It is therefore not accepted that the development will cause any detrimental impact on the image of the town.

7. CONCLUSION

- 7.1 The proposed amendment to include residual municipal waste handling at the existing waste transfer depot is considered appropriate in terms of policy and impact on adjoining uses. The location is within an established industrial estate remote from any residential properties whilst being close to the trunk road network. The applicant will also require to satisfy SEPA in amending the existing Waste Management Licence which will contain conditions on noise, odour and vermin control. Accordingly it is considered that the proposal is acceptable subject to the conditions listed below.

RECOMMENDATION

Grant Planning Permission subject to conditions:

1. For the avoidance of doubt, the facility shall receive only residual municipal solid waste from within the Highland Council area to a maximum throughput of 30,000 tonnes per annum and any alteration to those arrangements shall require the further express permission of the Planning Authority after consultation with SEPA.

Reason: For clarification and to ensure that the Planning Authority can retain effective control over the development hereby approved.

2. For the avoidance of doubt, foul drainage discharge shall be by way of the existing connection to the public sewer.

Reason: For clarification and in the interests of safeguarding the water environment.

3. There shall be no external storage of materials whatsoever, except for the storage of empty clean skips and wheelie bins within the enclosed yard to the north of the building, unless with the prior written approval of the Planning Authority.

Reason: To ensure that the development progresses with sensitivity to its surroundings and respects the visual amenity of the area.

4. Hours of operation shall be restricted to 7:00am – 7:00pm Mondays – Saturdays and not at all on Sundays, unless with the prior written permission of the Planning Authority.

Reason: To minimise potential disturbance to neighbouring properties.

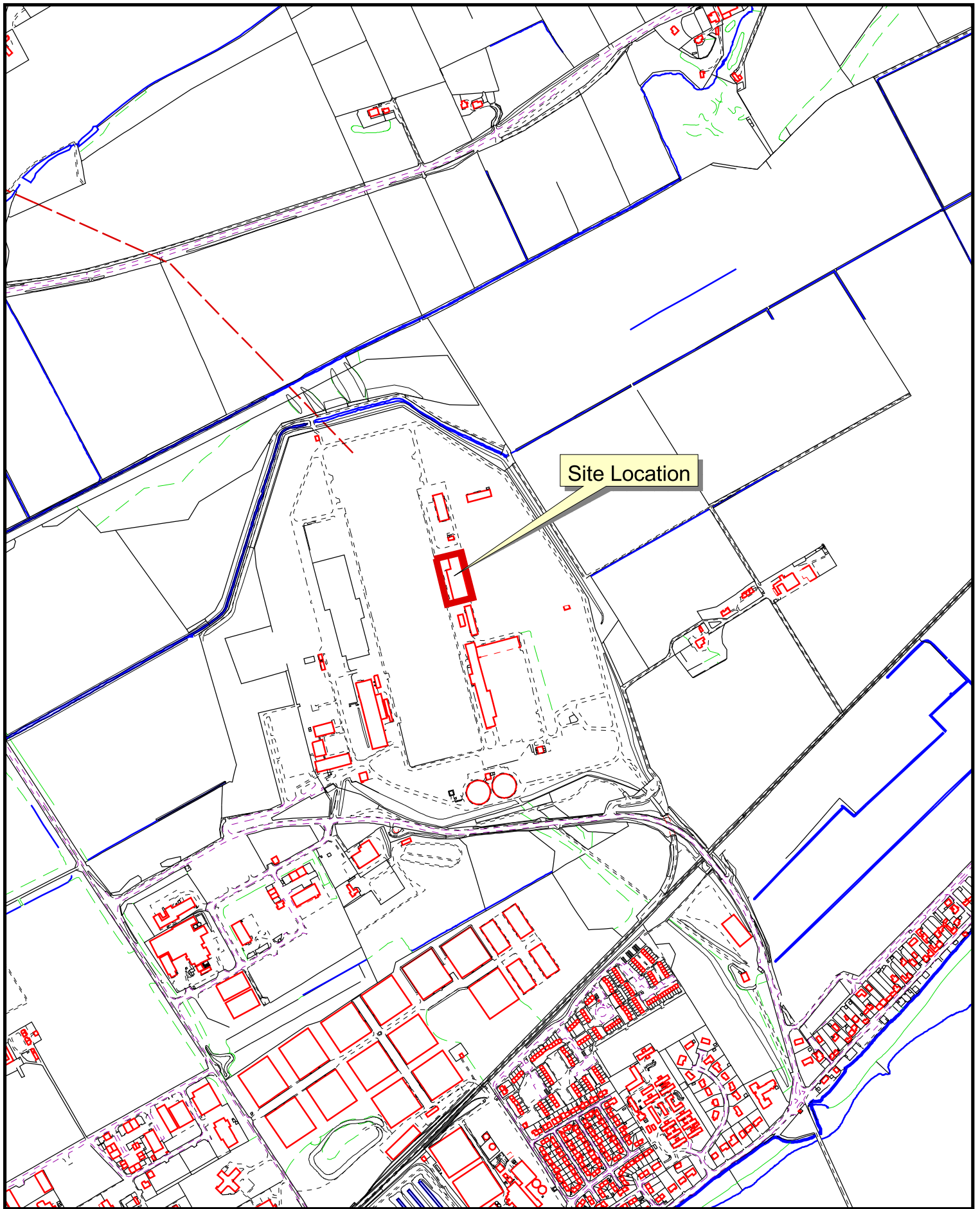
Signature: Allan J Todd

Designation: Area Planning & Building Standards Manager

Author: Dorothy Stott (01349) 868426

Background Papers: As referred to in the report above and case file reference number 09/00094/FULRC)

Date: 06 May 2009



09/00094/FULRC
Amendment to Planning Permission 08/00122/FULRC
to include handling, storage and bulking up of residual municipal waste at
Unit 26, Cromarty Firth Industrial Park, Invergordon.

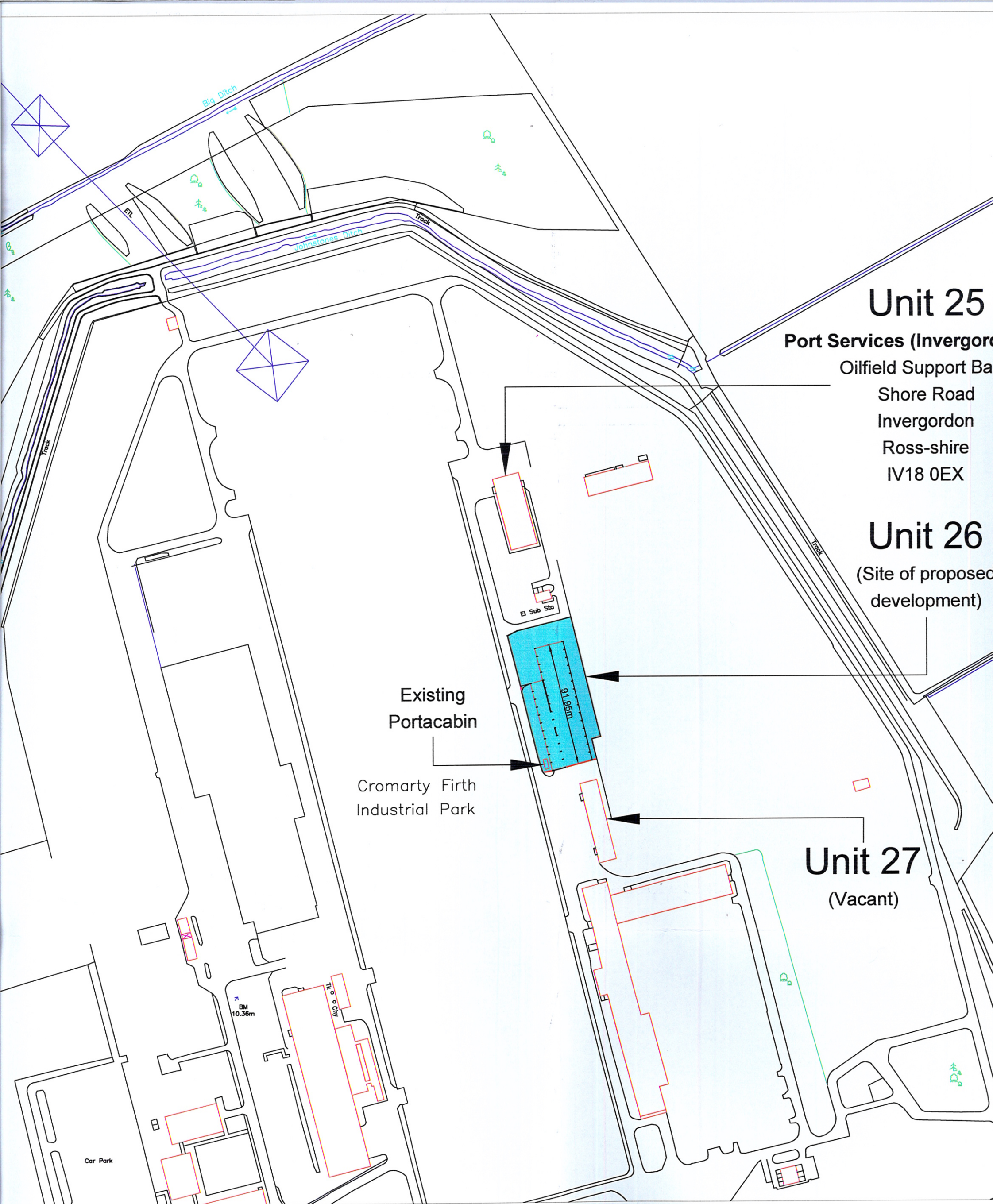
The Highland Council
TEC services

Date: 07 May 2009

SUPPLIED BY THE HIGHLAND COUNCIL



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Unit 25
Port Services (Invergordon)
Oilfield Support Base
Shore Road
Invergordon
Ross-shire
IV18 0EX

Unit 26
(Site of proposed development)

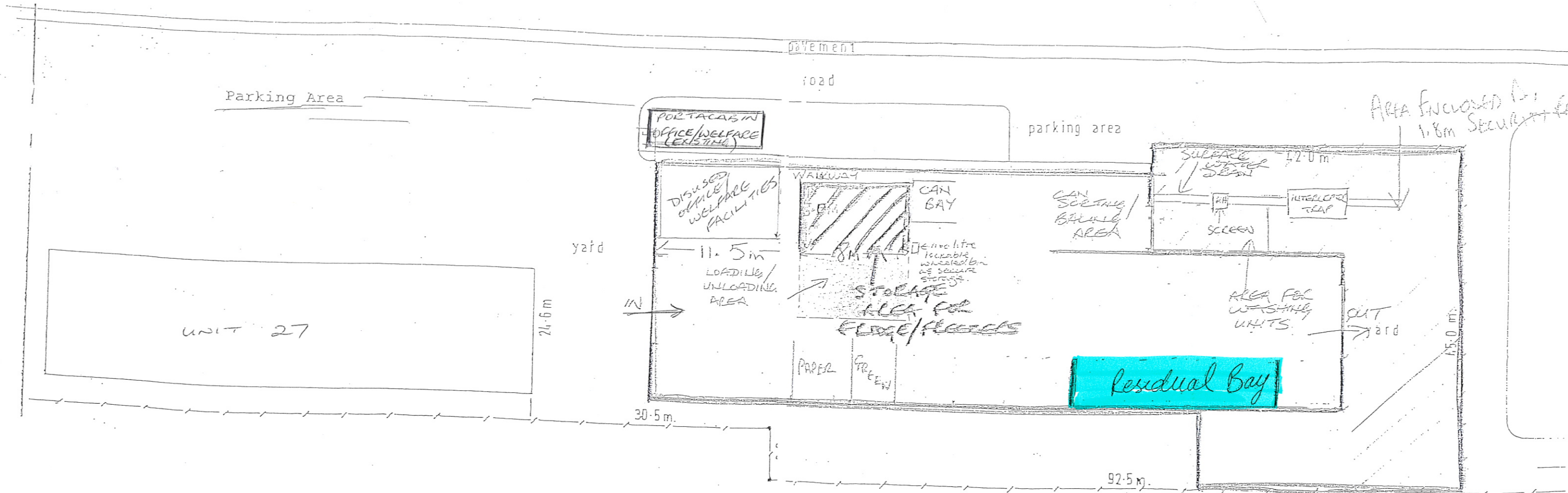
Unit 27
(Vacant)

DETAILED PLAN

Scale 1:2,500

UNIT 26 CROMARTY FIRTH INDUSTRIAL PARK, INVERGORDON
 MODIFICATION OF PLANNING APPROVAL TO INCLUDE THE STORAGE,
 HANDLING AND BULKING UP OF RESIDUAL, MUNICIPAL WASTE.

FEBRUARY 2009



THE HIGHLAND COUNCIL
 PLAN 2 OF 2 SUBMITTED WITH
 PLANNING APPLICATION NO: 09/00094/FULRC
 DATE OF RECEIPT: 13th February 2009

CROMARTY
 Industrial Park

Invergordon, Ross-shire IV23 2LE
 Telephone: (01849) 812571
 Fax: (01849) 853834

PLAN
 REFERENCE
 IBUS 2

BLOCKS 26, 28 & YARD AREAS.

Drawn By J. Thomson	Scale 1:500	Drawing 1'
Appd. By	Date 6-4-92	C.I.P.-26-L-01