

Report

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Report to:	Planning Committee
Date of Meeting:	31 October 2006
Report by:	Executive Director (Enterprise Resources)

Application No	HM/06/0305
Planning Proposal:	Change of Use from a Depot to a Waste Transfer Station

1 Summary Application Information

- Application Type : Mineral Application
- Applicant : Scottish Water
- Location : Scottish Water
5 Whistleberry Road
Blantyre

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant Detailed Planning Permission (Subject to Conditions – Based on Conditions Listed).

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: Jacobs Babbie
- ◆ Council Area/Ward: 34 Coatshill/Low Blantyre
- ◆ Policy Reference(s): Hamilton District Local Plan (Adopted 2000)
Policy DC1 – Development Control (General)
Policy ED1 – Industrial Areas (General)
Policy ED2 – Industrial Proposals
South Lanarkshire Local Plan (Finalised 2006)
Policy DM1 – Development Management
Policy ECON1 – Industrial Land Use
Policy ENV38 – Waste Management Site Assessment
The National Waste Plan 2003 and Glasgow and Clyde Valley Area Waste Plan 2003
NPPG10 – Planning and Waste Management
Draft SPP10 – Planning for Waste Management
PAN63 – Waste Management Planning

◆ Representation(s):

▶	0	Objection Letters
▶	0	Support Letters
▶	0	Comments Letters

◆ Consultation(s):

Environmental Services

Scottish Executive Development Department (Trunk Roads Network
Management Division)

Roads and Transportation Services (Hamilton Area)

S.E.P.A. (West Region)

Planning Application Report

1 Application Site

- 1.1 The application site is located off Whistleberry Road, Blantyre, in the Whistleberry Industrial Estate to the north of the A725 East Kilbride expressway. It is bounded to the north by industrial land, to the east by an access road and then Scottish Water's main offices, and to the south and west by Whistleberry Road.
- 1.2 The site is generally flat and hardsurfaced throughout. The application area consists of a number of storage and skip bays for the reception of different types of wastes. A store building is located in the south eastern corner of the site with 5 small containers to the north providing site office space. Access to the site is to be taken via the existing access point to the north east of the site from the industrial estate access road leading from Whistleberry Road.

2 Proposal(s)

- 2.1 The application site was originally used as a depot for Scottish Water. In association with the depot use, some associated waste transfer functions have evolved over time. Therefore, this planning application seeks permission to formally establish the use of the site as a waste transfer facility.
- 2.2 Operations proposed involve the importation, temporary storage, and bulk dispatch of different types of waste products arising from infrastructure repair and maintenance work undertaken by Scottish Water in the local area.
- 2.3 Waste is generally delivered to the site in small quantities, and comprises of spoil, plastics, metal, paper, wood, and glass. The material imported is pre-sorted and stored in a number of individual storage bays or skips within the site to prevent any cross contamination of waste types. The waste material is then removed from site in bulk by 32 tonne trucks, as and when required. Scottish Water has a commitment to recycling waste materials wherever possible.
- 2.4 Current waste transfer from the site is approximately 200 – 300 tonnes per month. Projections are that up to a maximum of 1000 tonnes could be transferred on the site per month. Based on the figures above the average number of HGVs removing waste from the site is currently between 8 – 10 per month, potentially rising to 32 HGV movements per month based on 1000 tonnes of waste being transferred on site each month.
- 2.5 The applicant does not propose to alter the current standard hours of operation at the site which are 7am – 7pm daily. However, the applicant has highlighted that due to emergency incidents and public health requirements, operations at the site may sometimes require to be conducted out with these hours to ensure the maintenance of the public water supply.

3 Background

3.1 Local Plan Status

- 3.2 The Hamilton District Local Plan (Adopted 2000) identifies the application site as being covered by Policy ED1 – Industrial Areas (General). Areas covered by this policy are recognised as main industrial areas, and support will be given to general industrial development, storage or distribution uses, and business uses. Policy ED2 -

Industrial Proposals is also relevant in that it acknowledges the Whistleberry Corridor as a prime industrial location and the policy seeks to ensure that such areas are protected and thought given to their strategic use. In addition, the general Development control policy, DC1 – Development Control (General) is also relevant to this proposal. This policy states that all applications for planning permission shall take fully into account the local context and built form.

- 3.3 The South Lanarkshire Local Plan (Finalised 2006) must also be taken into account when determining this application. Policy DM1 – Development Management states that all planning applications require to take account of the local context and built form. Policy ECON1 – Industrial Land Use is also applicable and states that areas defined for industry will continue primarily in industrial use and the Council will direct new industrial development to them. In addition, policy ENV38 – Waste Management Site Assessment sets out specific criteria against which all proposals for the management of waste are to be assessed.

3.4 **Government Advice/Guidance**

National Planning Policy Guidance Note 10 – ‘Planning and Waste Management’ (NPPG10) - states that land use planning has an important role to play in achieving sustainable waste management. It also states that the continued provision of facilities that allow for sorting and transfer of materials will spare the needless landfilling of waste.

- 3.5 SPP10 (Darft) on ‘Planning for Waste Management’ will in time replace NPPG10. SPP10 is currently out to consultation in draft form, and does not contain any material change of policy relative to this application.
- 3.6 Planning Advice Note 63 (PAN 63) ‘Waste Management Planning’ provides planning advice on the approach to dealing with waste management infrastructure proposals.
- 3.7 The National Waste Plan 2003 - The National Waste Strategy for Scotland sets out a framework for sustainable waste management, including a commitment to transform Scotland’s record on waste reduction, recycling, composting and recovery.
- 3.8 The Glasgow and Clyde Valley Area Waste Plan 2003 recognises that to achieve recycling targets, suitably located facilities will be required in the Glasgow and Clyde Valley Area.

3.9 **Planning Background**

Scottish Water has occupied the application site for approximately 10 years. On 14 January 1998 planning permission was granted for an office extension, goods yard and parking facilities at the site. No planning permission currently exists for the use of the site as a waste transfer facility.

4 **Consultation(s)**

- 4.1 **Roads & Transportation Services** – No objection. There are currently adequate car parking and turning facilities within the site.
Response: Noted.
- 4.2 **Scottish Executive Trunk Roads Network Management Division** – No objection.
Response: Noted.

- 4.3 **Environmental Services** – No objection. Subject to the imposition of conditions relating to noise and dust emissions from the site, and provided that any proposals for additional floodlighting to be installed on site have regard to the potential impact of the lighting on surrounding properties.

Response: Noted. Appropriate conditions can be imposed on any permission granted to address these issues.

- 4.4 **SEPA** – No objection. However, SEPA have advised that the operation would require to be licensed in accordance with the Waste Management Licensing Regulations 1994 (as amended) or the Pollution Prevention Control (Scotland) Regulations 2000 (as amended).

Response: Noted. The applicant has been made aware of this.

5 Representation(s)

- 5.1 The application was advertised in accordance with Article 12(5) (Application Requiring Advertisement due to Scale or Nature of Operation) and neighbour notification was carried out. No letters of representation have been received.

6 Assessment and Conclusions

- 6.1 The determining issues in this case are whether the proposal accords with the relevant provisions of the development plan; whether the proposal is consistent with the relevant guidance and advice in the National Waste Strategy (NWS), the Glasgow and Clyde Area Waste Plan (GCVAWP) and National Planning Policy Guideline 10: Planning and Waste Management (NPPG 10); Draft Scottish Planning Policy 10: Planning for Waste Management (SPP10) and whether there are any other material considerations that require to be taken into account.
- 6.2 Firstly, I consider that the proposal is generally consistent with the aims and objectives of both the NWS and the GCVAWP. The NWS and the GCVAWP recognise the need to find appropriate ways of dealing with non-municipal waste as an important part of the overall effort to achieve more sustainable ways of handling waste. They give encouragement to measures taken to secure increased recycling and reuse of waste resulting in a reduction of waste returned to landfill. Scottish Water's commitment to recycling waste products, where possible, accords with the aims of both documents.
- 6.3 Similarly, NPPG10 and the draft SPP10 emphasise that priority should be given to the reduction of waste at source, its reuse and recovery by recycling. The provision of a waste transfer facility would accord with the guidance contained within both NPPG10 and the draft SPP10 on the need for the planning system to allow provision for the handling of waste materials.
- 6.4 The Hamilton District Local Plan (Adopted 2000) identifies the application site as being covered by Policy ED1 – Industrial Areas (General). Areas covered by this policy are recognised as main industrial areas where support will be given to general industrial development, storage or distribution uses, and business uses. Policy ED2 - Industrial Proposals is also applicable in that it acknowledges the Whistleberry Corridor as a prime industrial location and the policy seeks to ensure that such areas are protected and thought given to their strategic use. Policy ECON1 – Industrial Land Use of the South Lanarkshire Local Plan (Finalised 2006) is also applicable in this regard. The policy states that areas defined for industry will continue primarily in industrial use and the Council will direct new industrial development to them.

- 6.5 While noting that the proposal is not a typical industrial development, it is considered that the nature of this type of operation is in many ways akin to that of a general industrial or a storage and distribution use in that it involves the storage, processing and exporting of material. Furthermore, the general waste types (spoil, plastics, metal, paper, wood, glass etc) being deposited at the site will not give rise to any odour, litter or dust nuisance issues and the operations on site are not likely to result in noise levels which are unacceptable in an industrial location. It is, therefore, considered that this type of use would be most appropriately located within an industrial location, and therefore accords with policy.
- 6.6 Policy ENV38 – Waste Management Site Assessment of the South Lanarkshire Local Plan (Finalised 2006) sets out specific criteria against which all proposals for the management of waste are to be assessed. Relevant criteria have been considered in full below:
- Scottish Water have a demonstrated need for the facility to provide a sustainable system for disposing of waste products generated by infrastructure maintenance and repair work undertaken by the applicant in the local area.
 - The only residential properties in relatively close proximity to the site are located to the south west of the site boundary. These properties are separated from the site by Whistleberry Road and a fairly dense landscaped area. Given the relationship of the site to these dwellings and the waste types and scale of operations proposed, it is considered that this proposal will not have a significant impact on the level of amenity currently enjoyed by these properties. Further, it should be noted that no objections have been received to the application and no complaints have been received in respect of current operations on the site which have included some waste transfer functions.
 - I am satisfied that the proposal will not have an adverse impact on any local or national heritage features or on the natural environment. Further, it is considered that through the imposition and effective monitoring of conditions that the proposal will not have a significant adverse impact in terms of noise, dust or odour. The applicant has also confirmed that the material stored on site would be non-toxic and non-odorous. SEPA are satisfied that the proposal sufficiently safeguards against the risk of pollution of groundwater.
 - The current standard hours of operation (7am – 7pm daily) at the site are acceptable and will not be altered by this proposal. It is noted that as a result of emergency incidents and public health requirements, work at the site may sometimes require to be conducted out with the standard hours to ensure the maintenance of the public water supply. Given the location of the site within an Industrial Estate and that surrounding industrial uses operate 24 hours a day, it is considered that occasional usage of the site out with the standard hours is acceptable. Access to the site is appropriate for the use and the traffic generation proposed will not have an adverse impact on the local road network. The internal design of the site is acceptable
- 6.7 Finally both local plans contain general development management policies which are DC1 of the Hamilton District Local Plan and DM1 of the South Lanarkshire Local Plan. These policies require all development to take fully into account the local context and built form. As outlined above, given the location of the site within an

existing industrial estate I am satisfied that this proposal is acceptable at this location, and no permanent structures are proposed on site.

- 6.8 In conclusion, I consider that the proposed waste transfer facility complies with both local and national policy guidance which seeks to encourage increased recycling and reuse of waste and the sustainable location of waste management facilities in proximity to the location of waste arisings. It is considered that the proposal is an acceptable use within an existing industrial estate and accords with local plan policies. Given the nature of operations outlined above it is concluded that the proposal will have no adverse impact on amenity in terms of traffic generation, dust, noise or odour. Therefore, I am satisfied that the facility can be established without adversely affecting the locality in terms of visual or environmental impact.

7 Reasons for Decision

- 7.1 The proposal accords with policies DC1, ED1 and ED2 of the adopted Hamilton District Local Plan, policies DM1, ECON1 and ENV38 of the finalised South Lanarkshire Local Plan, and with the general provisions of the National Waste Strategy, the Glasgow and Clyde Area Waste Plan, National Policy Planning Guideline 10 and the draft Scottish Planning Policy 10. It is considered that the proposal is an acceptable use in this industrial location and will have no adverse impact on amenity in terms of traffic generation, dust, noise or odour.

Iain Urquhart
Executive Director (Enterprise Resources)

16 October 2006

Previous References



List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
 - Roads and Transportation Services (Hamilton Area) 11/05/2006
 - Environmental Services 13/06/2006
 - S.E.P.A. (West Region) 26/06/2006
 - Scottish Executive Development Department (Trunk Roads Network Management Division) 14/08/2006
- ▶ Representations

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Theo Philip, Planning/Minerals Officer HQ, Montrose House, Hamilton
Ext. 5903 (Tel :01698 455903)
E-mail: Enterprise.hq@southlanarkshire.gov.uk

CONDITIONS

- 1 That the development to which this permission relates shall be begun within five years of the date of this permission.
- 2 Permission for the use of the application site as a waste transfer facility shall enure for the benefit of the applicant, or its successor in title only.
- 3 That if, due to unforeseen circumstances, it becomes necessary or expedient following commencement of works to materially amend the provisions contained within the approved documents or conditions, the applicant shall submit, for the consideration of the Planning Authority, an amended application and statement of intent: the applicant shall adhere to the approved plans until such time as an amended application is approved by the Planning Authority.
- 4 That without the prior written approval of the Planning Authority, no materials shall be stored on the site outwith the areas shown on the approved plans, and the site shall be maintained in a clean and tidy manner to the satisfaction of the Council as Planning Authority.
- 5 No waste materials other than those detailed in the Jacobs Babbie Planning Submission dated April 2006 shall be stored at the site without the prior written approval of the Planning Authority.
- 6 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development)(Scotland) Order 1992 (or of any order revoking, amending or re-enacting that Order), no further buildings, structures or fixed plant, including that required for lighting the site, shall be erected or installed within the site, unless details of their location and appearance have received the prior written approval of the Planning Authority.
- 7 That temporary permission only is hereby granted for the containers/portacabins on the site highlighted in green on the drawing entitled 'Blantyre Office Layout Plan' and that these temporary buildings hereby permitted shall be removed from the site and the land restored to its former condition to the satisfaction of the Council as Planning Authority, not later than 5 years from the date of this permission.
- 8 That all laden lorries leaving the site shall be sheeted before exiting the application site.
- 9 The applicant shall at all times be responsible for the removal of any deleterious materials deposited on the public highway by vehicles entering or leaving the site.
- 10 That there shall be no burning of materials on the site at any time.
- 11 That the operator shall minimise dust emissions from the site by every practicable means.

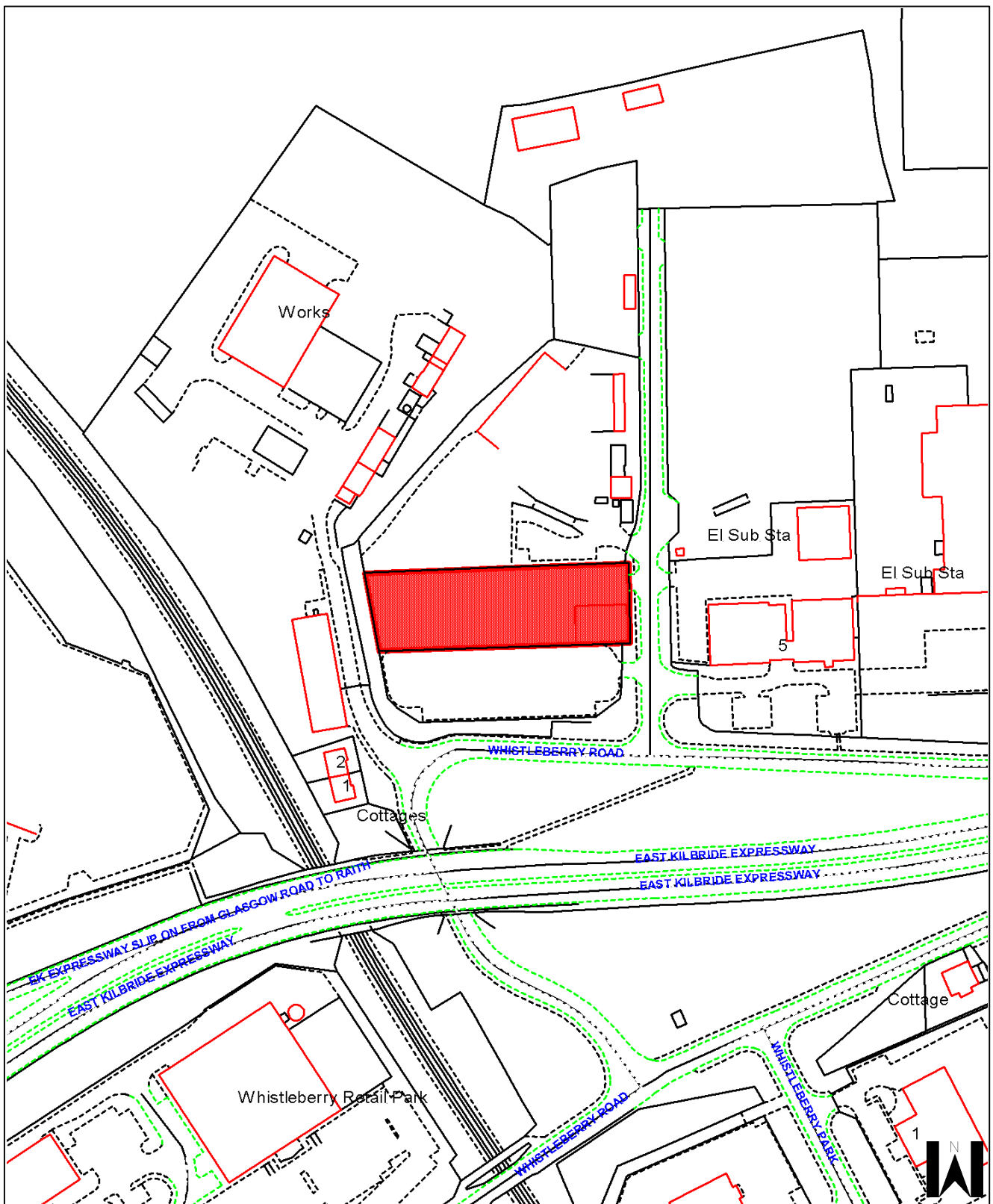
- 12 That, in the event of dust nuisance problems being created by operations on site, the operator shall take all reasonable remedial measures to minimise the transmissions of dust, to the satisfaction of the Council as Planning Authority.
- 13 That no permission is granted for the permanent storage of any waste materials at the site.

REASONS

- 1 To accord with Section 58(1) of the Town and Country Planning (Scotland) Act 1997.
- 2 Permission is granted because of the particular characteristics of the proposal in terms of the nature of the operations and waste types proposed; such characteristics may not apply to other companies utilising the site as a waste transfer facility, either in terms of the site processes undertaken, or the waste types stored on the site.
- 3 To ensure that the Council retains effective planning control over the development.
- 4 In the interests of visual amenity and to prevent pollution of surface water from the site.
- 5 To ensure that the Council retains effective planning control over the type of waste materials being stored at the site.
- 6 To ensure that the Council retains effective planning control over the development.
- 7 These buildings are of a temporary nature, and as such are not acceptable as permanent features within the site.
- 8 In the interests of road safety.
- 9 In the interests of road safety.
- 10 To safeguard the amenity of the area.
- 11 To safeguard the amenity of the area.
- 12 To safeguard the amenity of the area.
- 13 For the avoidance of any doubt that permission is granted only for the temporary storage of waste materials at the site.

For information only

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