

# PLANNING COMMITTEE AGENDA



**Monday 24th July, 2006**

**at 1 p.m.**

**in Committee Room "B"**

## MEMBERS OF PLANNING COMMITTEE:

Councillors D Allison, Belcher, R Cook, S Cook, Henery, Iseley, Kaiser, Lauderdale, Lilley, Morris, Payne, Richardson, M Waller, R Waller, Worthy and Wright.

1. **APOLOGIES FOR ABSENCE**
2. **TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
3. **ITEMS REQUIRING DECISION**
  - 3.1 Planning Application – *Assistant Director (Planning and Economic Development)*
    1. .H/2006/0460 Seaton Meadows
4. **ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

**No:**  
**Number:** H/2006/0460  
**Applicant:** ALAB ENVIRONMENTAL SERVICES Billingham Reach  
Industrial Estate Billingham TS23 1PX  
**Agent:** Able House Billingham Reach Industrial Estate  
Billingham TS23 1PX  
**Date valid:** 13/06/2006  
**Development:** Installation of treatment plant for the  
solidifacation/stabilisation of liquid wastes (revisions to  
approved scheme H/FUL/0043/03) RESUBMITTED  
SCHEME)  
**Location:** Seaton Meadows Brenda Road Hartlepool

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## **Background**

1.1 At its meeting on 29 March 2006, the Committee refused consent for amendments to a waste treatment / solidification plant at Seaton Meadows on grounds that insufficient information had been made available by the Health and Safety Executive (Nuclear Safety Directorate).

1.2 The application was re-submitted, where at the meeting of the Planning Committee on 29 May 2006 it was again refused.

1.3 This application is an identical re-submission. It has been re-submitted following a degree of confusion when the application was last considered. A reconsultation exercise has been undertaken. Consultees have been informed that their previous responses will be taken as applicable to this application unless they indicate otherwise within 14 days. That 14 day period has now expired .

## **The Application and Site**

1.4 In June 2003 the Planning Committee granted planning permission for the installation of a treatment plant for solidification / stabilisation of liquid wastes at Seaton Meadows subject to conditions.

1.5 The current application seeks a number of changes to the layout of the site and its structures along with an increase in the site area to 0.95 hectares. There are no alterations to the waste treatment processes including the method by which the plant will operate, means of access to the site and vehicle traffic flows and hours of operation already approved by virtue of the previous planning permission.

1.6 In essence the process involves entrapping waste in a concrete matrix utilising fly ash before disposal to the adjoining landfill site.

1.7 The principal changes are the separation of the consolidation plant from the tank farm so as to aid vehicle movement and the provision of steel profiled and

concrete bunded enclosures for waste storage and drum storage bays. There would also be a bund around the drum and vehicle washing bay. The tank farm would comprise of 8 liquid storage tanks, 4 more than previously approved. The tanks would have a maximum height of approximately 8 metres. An oil water separator, some 3.5 metres in height has been relocated to an above ground location. A further change is the deletion of the acid processing element of the scheme.

1.8 The consolidation / mixing plant would be connected to two powder silos containing the material used in the solidifying process. The silos in question are to be reduced in height from 25 metres to 10 metres above ground level. The mixing plant would be the same height and is to be enclosed in green plastic coated profiled metal sheeting.

1.9 The waste and drum stores would be contained by an enclosing structure comprised of a concrete bund and profiled cladding. The roof of the enclosure would slope from front to back to allow convenient access for lorries to reverse up to the respective bays before depositing their loads. The maximum height of the enclosing structures would be some 8.5 metres and 9 metres respectively.

1.10 The site comprises a rectangular area situated adjacent to the screen embankment which runs alongside Brenda Road.

The applicant states that noise emitted from the mixing plant would be 87dba at source and that the apparatus is sealed therefore ensuring no emissions to air.

## **Publicity**

1.11 The application has been advertised by way of a press notice and site notice and notification to previously notified residents. To date a petition carrying the statement "I the undersigned wish to confirm to the planning authority that I object to the proposed increase in the toxic waste installation by ALAB (of Able House) at Seaton Meadows" has been submitted with 120 signatures attached.

Three letters of objection were received in relation to the previously refused applications.

1.12 The following points were raised:-

- 1) Insufficient information provided to assess health and safety implications including on users of the adjacent cycle way and footpath.
- 2) Concern that development could cause accidental release of dust and contaminants into the atmosphere which could be harmful to local residents and workers on the nearby industrial estate. There is insufficient information with regard to how pollutants will be contained.
- 3) Policy GEP 1 states that this development should be on previously developed land. The area should still be regarded as a greenfield site.

- 4) The development is far taller than the 'shielding' bund wall. There is therefore concern about adverse effects due to noise emissions both from the plant and flows of traffic.
- 5) Increase in traffic will inevitably create a dust nuisance.

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The period for publicity expires before the meeting.

## **Consultations**

1.12 The following consultation replies have been received:

**Environment Agency** – Previously stated that operator of the plant will require a permit. This will contain all the necessary controls to prevent or minimise an environmental impact of the plant and its operation. It is understood that this application does not involve any discharge of liquid waste outside the site boundary. Reiterates that it has no objections and no additional comments

**English Nature** – Previously confirmed that their response remains the same as for the previous application i.e that the proposal would not be likely to have a significant effect on the interest features of the Teesmouth and Cleveland Coast SPA and Ramsar sites nor cause damage or disturbance to the Seaton Dunes and Common SSSI. Reiterates that its response remains the same

**Health and Safety Executive (Hazardous Substances Installation)** – Previously confirmed no objection to scheme.

**Health and Safety Executive (Nuclear Safety Directorate)** – Previously confirmed no objections.

**Northumbrian Water** – Previously stated no objections.

**Head of Traffic and Transportation** – Previously stated no major highway safety implications.

**Head of Public Protection** – Previously stated that their response remains the same as for the previous application i.e that this application is a revision of the scheme that was approved in 2003 and the process has not changed. All that has changed is the size and layout of the plant and some of the storage bays are now enclosed. The noise level from the mixing plant will not be a problem in this location as the site is well separated from any noise sensitive properties. Therefore no objections to this application.

**Environment Consultancy** – recommend a condition requiring land to be remediated if found to be contaminated.

## **Planning Policy**

1.13 The following policies in the adopted Hartlepool Local Plan 2006 are relevant to the determination of this application:

GEP1: states that in determining planning applications the Borough Council will have due regard to the provisions of the Development Plan. Development should be located on previously developed land within the limits to development and outside the green wedges. The policy also highlights the wide range of matters which will be taken into account including appearance and relationship with surroundings, effects on amenity, highway safety, car parking, infrastructure, flood risk, trees, landscape features, wildlife and habitats, the historic environment, and the need for high standards of design and landscaping and native species.

GEP3: states that in considering applications, regard will be given to the need for the design and layout to incorporate measures to reduce crime and the fear of crime.

Rec8: identifies that this area will be developed for quiet recreational purposes.

## **Planning Considerations**

1.14 The main issues for consideration in this case are those that arise from changes to what has already been approved on the site i.e. changes to the scale and layout of the development which could give rise to visual amenity or noise emission issues.

1.15 The principle of this development has already been accepted by virtue of the previous 2003 permission. The method for dealing with the storage and solidification of waste would be as approved and in any event will be regulated by an Environment Agency permit.

1.16 The proposed development area is part of the Seaton Meadows landfill site. There is planning permission to remove clay from this part of the site and to use the resulting void as part of the landfill operation. Indeed when the original planning permission was granted for the waste treatment plant in 2003, this was subject to a planning condition requiring the relevant apparatus to be removed in advance of extraction / landfilling. Given that the site is integral to and will eventually be utilised as part of the landfill operation the question of whether the site has greenfield status is considered not to be relevant.

## Emissions

1.17 Planning Policy Statement 23 (PPS 23) which is concerned with planning and pollution control states that the controls under planning and pollution control regimes should complement rather than duplicate each other.

1.18 The Environment Agency has stated that their own permitting regime would contain all the necessary controls to prevent or minimise any

environmental impact of the plant and its operation. The applicant has also confirmed that there are to be no discharges of liquid / water outside the boundary of the facility which therefore satisfies the Environment Agency's second point.

1.19 With respect to impact of the proposed plant the Council's Public Protection officer recognises that noise impact from the mixing plant, which is stated to be 87 dba at source, would not cause a problem given that it is well separated from the nearest noise sensitive properties. With respect to concerns about the general risk of emissions from the site, this would be controlled through the Environment Agency's regulating powers.

1.20 It is important for Members to take into account that the principle of the proposed development has already been established by virtue of the earlier 2003 permission. The proposed methods for treating the liquid waste i.e treating it with pulverised fly ash and cement has already been accepted by virtue of the previous consent.

1.21 It is for the Health and Safety Executive to raise any concerns regarding risk to health and safety or workers on the site. Neither the hazardous substances division nor the nuclear safety directorate have objected to the proposal.

#### Visual impact

1.22 The enlarged scale of the site and the separation of the tank farm from the consolidation equipment is not considered to be out of keeping with the wider Seaton Meadows site.

1.23 The proposed waste storage bay enclosure structure would at a height of 9 metres be quite tall but not out of keeping with the surrounding industrial landscape. The enclosure can be coloured to help reduce its impact. The adjacent perimeter embankment would also help to mitigate its impact.

1.24 The proposed mixing / consolidation plant and tallest storage silos would be some 10 metres in height. Their visual impact would however be less from Brenda Road as they are sited further into the site and from certain viewpoints would be screened by the bay enclosure structures.

#### Other matters

1.25 With regard to traffic movements the site already receives deliveries of waste and as such a material increase in the level of traffic entering Seaton Meadows would not be anticipated. Even if there were to be an increase it is unlikely that the effects would be significant.

1.26 Given that consultees have previously found the proposed scheme to be acceptable and that this is a variation of a previously approved scheme officer's consider this proposal to be acceptable.

**RECOMMENDATION** – Approve subject to the following conditions:-

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall not be commenced until: a) The application site has been subjected to a detailed scheme for the investigation and recording of contamination, and remediation objectives have been determined through risk assessment, and agreed in writing by the Local Planning Authority; b) Detailed proposals for the removal, containment or otherwise rendering harmless of any contamination (the 'Reclamation Method Statement') have been submitted to and approved in writing by the Local Planning Authority, c) The works specified in the Reclamation Method Statement have been completed in accordance with the approved scheme, d) If during reclamation or redevelopment works any contamination is identified that has not been considered in the Reclamation Method Statement, then remediation proposals for this material should be agreed with the Local Planning Authority.

REASON: For the avoidance of doubt

3. The development shall only be operated in accordance with the principles outlined in Environmental Statement Appendix II submitted in support of application H/FUL/0043/03. Waste materials shown to be precluded from the site in that Statement shall not be treated at the plant.

REASON: In the interests of the amenities of the area.

4. The permission hereby granted shall permit the operation of the plant on the site during the lifetime of the tipping and land reclamation scheme approved under application H/FUL/0683/97. The plant shall be removed from the site when clay is due to be extracted from that part of the site where the plant is to be located, unless otherwise agreed in writing by the Local Planning Authority. Should the extraction of clay from the part of the site where the plant is to be located be delayed by more than 6 months, the plant hereby approved shall be removed within 6 months and the land reinstated to its former condition.

REASON: For the avoidance of doubt

5. The waste storage and and drum storage bay enclosures shall have a coloured finish in accordance with details to be previously agreed with the Local Planning Authority prior to the development hereby approved coming into use.

REASON:- In the interests of visual amenity