

Introduction

- 1 Van Dalen UK Ltd is a firm that primarily deals in the recovery and processing of ferrous and non ferrous metals. It has 10 steel recovery facilities in the Netherlands and Belgium and 7 within England, including a site at Langley Moor, Durham, off the A690.
- 2 The existing site (0.12 hectares in area), is located within a predominantly residential area and is leased from a landlord who wishes to redevelop the land for residential purposes. As a result the Company is seeking to lease an alternative site for its operations and land on Tursdale Business Park has been identified for this purpose.

The Site

- 3 The proposed site is approximately 0.6ha in area (100m x 60m), located towards the north east end of the Business Park (see attached plan). It is currently unoccupied and has no existing buildings, and contains a significant volume of litter and scrap material. Neighbouring businesses include a wood recycling facility (granted planning permission for change of use in April 2005) car repair workshop and the site of the proposed Tursdale Waste Digester lies to the north. This was granted planning permission in 2005 with modifications in 2006 but has not been implemented. Neighbouring land is also used for the storage of steel storage containers and skips. The site is accessed via the existing industrial estate junction to the A688 and estate road and track.

The Proposal

- 4 The proposal involves the relocation of the Company's existing scrap metal recycling facility from Langley Moor to the Tursdale Business Park site. The development would be carried out in two phases on the southern and northern halves of the site. Phase One (south) would enable the site to become operational and Phase Two would be implemented as the business developed.

Phase One

- 5 Phase One works would take place on a 0.3ha area and would include provision of a pre-fabricated Nissen hut (14m by 10m with a height of 4.8m), relocated from Langley Moor and two portacabins (10m by 3m with a height of 4.9m) required to provide double storey office space, toilet and canteen area. The Nissen hut would be located in the southeast corner of the site adjacent to the boundary fence and would be of steel construction with a dark green finish. The two storey portacabin structure would be located to the west of the Nissen hut.

- 6 An area to the west of the portacabins would be used for vehicle parking and processed material would be stored in a stockpile (up to 6m in height), adjacent to the western boundary fence. The unprocessed material would be stored along the east boundary beyond a tipping pad. Vehicular access would be taken from the south west corner of the site and a weighbridge would be just to the north of the site office. Mobile plant would include a shearer to cut larger pieces of metal into smaller sections and a baler. The Phase One area would be enclosed by a 2.4m high fence and self contained.

Phase Two

- 7 The Phase Two development area would incorporate an additional 0.3ha to the north of Phase One and would include the provision of two further portacabins and the expansion of processed and unprocessed material stockpiling areas and tipping space. A second tipping pad and fixed shearer (22m by 18m with a maximum height of 8m) or mobile shearer would be provided in this area.

Processes

- 8 Scrap metal (a maximum of 100,000 tonnes per year) and car batteries would be received on the Company's own vehicles (articulated lorries, skips and Roll on Roll off vehicles) and stored in the designated area until required. Following placement on the tipping pad it would be separated using a grab and placed in a raw material pile. The mobile shearer would then cut it into smaller sections to facilitate easier recycling and then baled if necessary.
- 9 Once treated the processed material would be stored in an area adjacent to the western boundary fence before being removed from site for processing at a UK export foundry.
- 10 It is expected that Phase One operations would generate a maximum of 100 vehicles movements per day (50 in / 50 out). The applicant estimates that upon the completion of Phase Two this figure would increase to 200 per day (100 in / 100 out).
- 11 Vehicle movements and operating hours would be between 08.00 – 17.00 Monday to Friday and 08.00 – 12.00 on Saturdays with no activities on Sundays or Bank Holidays.
- 12 There are currently 3 people employed at Langley Moor and these jobs would be transferred to the proposed site. No new positions would initially be created as part of the development.

Consultations and Representations

- 13 City of Durham Council has no objections to the proposal.
- 14 Cassop-Cum-Quarrington Parish Council (consulted 9 January 2008) has not commented on the proposals.

- 15 The Environment Agency has no objections to the proposal but requested that a condition be included relating to water drainage. The Agency also notes that the requirements of PPS23 and the Environment Agency Guidance on Requirements for Land Contamination Reports should be followed and that a Waste Management Licence will be required for the proposed activities.
- 16 Natural England suggest that advice be sought from the County Council's Ecologist in relation to the possible impact on Great Crested Newts which are protected by the Wildlife and Countryside Act 1981 (as amended) and under the Conservation (Natural Habitats, &c) 1994.
- Comment: The applicant has, on the advice of the County Council's Ecologist, undertaken Great Crested Newt and Badger Surveys. The findings of the report and ecological issues at the site are considered in paragraph 29.*
- 17 The North East Assembly supports the proposal for the development of metal recycling and considers the proposed development to be in general conformity with the RSS, although the Assembly does note that the proposals do not incorporate energy efficiency measures or renewable energy generation.
- 18 The application has been advertised on site and adjacent land, in the press and neighbouring users on the industrial estate were notified by letter. No representations have been received.

Planning Policy Considerations

- 19 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications should be made in accordance with the Development Plan unless material considerations indicate otherwise. Relevant policies are contained in the County Durham Waste Local Plan (April 2005), [WLP] and the City of Durham District Local Plan (Adopted 2004) [DLP].
- 20 PPS:10 Planning for Sustainable Waste Management provides advice and guidance in relation to more sustainable waste management, moving the management of waste up the 'waste hierarchy' of reduction, reuse, recycling and composting and only disposing as a last resort.
- 21 Policy W40 of the WLP supports proposals for waste management facilities which handle, process, transfer or store scrap or abandoned vehicles or other scrap metal, provided they can be satisfactorily located on land identified for general industrial use or previously developed land in sustainable locations or where they form part of an integrated waste management facility on an existing waste management site. The application site is located on Tursdale Business Park which is allocated for general industrial use, having formerly been used as part of the British Coal Workshop Complex. Similar recycling operations are also located on the estate. Policy W33 requires that waste development would be required to incorporate suitable mitigation measures to ensure that any harmful impacts from noise, odour, litter, vermin, dust and mud, visual intrusion, traffic and transport and subsidence and landslip are kept to an acceptable level.

- 22 DLP Policy EMP7 seeks not to prejudice the physical development of the future regional rail freight interchange proposed at TurSDale. DLP Policy EMP7 seeks to safeguard part of the prestige and industrial business site which abuts the Leamside Line, for the first phase of the rail facility. The remaining part of the allocation, including TurSDale Business Park, is reserved for future development of the Rail Freight Terminal beyond the current Plan period. As the development would take place on part of the existing industrial estate some distance to the east of the Leamside Line it would not materially prejudice the implementation of this strategic aim.

Residential Amenity

- 23 The nearest residential properties are located on Ramsey Street which lies approximately 280m to the south of the site. The proposal involves the erection of various functional buildings up to two storeys and the use of external space for storage within designated areas of up to 6 metres in height. The Nissen hut would be coloured dark green and the buildings and storage areas would generally be screened by existing tree planting around the perimeter of the estate. Views from the nearest residential properties would be limited both by boundary planting and existing buildings on the Industrial Estate.
- 24 Given the location of the proposed development on an existing industrial estate, the distance from residential properties and the presence of intervening structures and planting, there would not be any direct amenity impacts on the nearest residential occupiers. The site will deal with inert material (scrap metal) and it is not anticipated that issues of dust or odour would arise. Durham City Environmental Health Officer has no objections to the proposal in this respect. Any potential adverse effects could however, be limited through planning conditions should permission be granted and a waste management licence would also impose controls.
- 25 Noise monitoring carried out at the existing site at Langley Moor indicated an operational noise level of between 60.5dbA to 62.7dbA. Whilst these levels are high the proposed operations would take place around neighbouring industrial uses and adjacent to the A688 that would affect background noise levels. The mobile and fixed shearers would generate the most noise and in mitigation the applicant has confirmed that silencers would be retro fitted to all shearers on site. Durham City Environmental Health Officer has no particular concerns about noise but has requested that operating hours be restricted to 08.00am – 17.00pm Monday to Friday and 08.00am – 12.30 Saturday with no working on Sundays or Bank Holidays. The applicant has revised the hours of operation to comply with this request.

Traffic and Access

- 26 The site is well connected to the strategic road network and the business park benefits from an existing junction with the A688 which is approximately 1 mile from Junction 61 to the A1(M). The applicant estimates that a maximum of 100 vehicle movements (50 in and 50 out) per day could be generated by operations at the site during Phase One.

It is estimated that this could increase to 200 vehicle movements per day upon the implementation of Phase Two. The applicant commissioned a survey of the existing junction in November 2007 and this concluded that the proposed increase in peak traffic flows as a result of the development would represent a percentage change of approximately 0.2% through the junction. It should be noted that since the survey was undertaken recycling recovery development for Greencycle has been approved at the business park which granted permission for a maximum of 180 vehicle movements per day.

- 27 As the applicant proposes to complete the development in two phases the Head of Highways Management has requested that prior to the commencement of 'Phase Two' a further transport assessment is made a requirement of a planning condition so that firm details of the proposal and any resulting increases to traffic levels can be assessed. The Head of Highways Management notes that the junction with the A688 is constructed to modern standards with a protected right turn lane, and is confident that it could cater for the proposed level of vehicular activity from Phase One of the proposed development.
- 28 The existing internal access road does not fully extend to the far northern end of the business park, and the surface has become potholed and is in need of upgrading or repair. Discussions between Van Dalen and the owners of the industrial estate have produced an informal agreement whereby some of the existing internal road would be resurfaced upon the applicant entering into a long term lease of the site.

Ecology

- 29 Previous ecological survey data has recorded badger activity within 30m of the site and Great Crested Newts in the pond which lies approximately 120m to the north east. A survey was carried out by E3 Ecology Ltd on behalf of the applicant to assess the impact of the proposed development on both Great Crested Newts (GCN) and Badgers. Survey results showed no evidence of GCN or Badgers at the site. However, the report did not totally discount the presence of GCN in the adjacent pond, and recommended a method statement be implemented during the works and post development. In conclusion it was considered that the proposed development would have a low risk of causing harm or disturbance to GCN or Badgers and would involve the loss of poor quality habitats with only a very low risk of supporting foraging Badgers or Great Crested Newts. The County Ecologist accepts the findings of the submitted survey and results.

Recommendation and Reasons

- 30 National strategies and planning policies encourage the aim of recycling. The proposal would make a useful contribution to the wider objective of dealing with waste generated locally in a responsible way. The proposed metal recycling operation would take place within a business and industrial park that makes provision for general industrial uses in the City of Durham Local Plan and the proposal would accord with Policy W40 of the County Durham Waste Local Plan regarding the preferred location for recycling operations of this nature.

- 31 Having considered the detailed elements of the development, its proposed location, impact and mitigation measures, I am of the view that it can be satisfactorily conducted on the site in a manner that would not adversely affect the local environment, residential and visual amenity or highway safety. Subject therefore to appropriate conditions to regulate the use and limit any potential future impacts including details of Phase Two, I conclude that the development is acceptable in planning terms.
- 32 I therefore **recommend** that, planning permission be granted for the metal recycling facility at Tursdale Business Park, Tursdale for the following reason:
- (i) The proposal accords with the relevant policies; Policy W40 of the County Durham Waste Local Plan and Policy EMP7 of the City of Durham Local Plan relating to the preferred location of operations and development at Tursdale Business Park. The proposed buildings and operations would not adversely impact on local amenity in accordance with Policy W33 of the County Durham Waste Local Plan.

No Departure

Background Papers

Planning application forms, plans and supporting statement dated 21 December 2007. Consultation letters and responses and other correspondence on the application file CMA/4/35

Contact: John Byers Tel: 0191 383 3408
Local Members: Councillors Blakey and Williams

City of Durham District: Proposed metal recycling facility, adjacent to Unit N1, Turstile, Durham for Van Dalen UK Ltd.

