

Planning Committee

18 February 2009

**Applications to be determined
by the County Council**



**Report of John Byers, Business Manager
Planning Development Control**

Purpose of the Report: To enable the Committee to determine applications for planning permission which have been received in accordance with the requirements of the Town and Country Planning Act 1990.

Easington District: Proposed change of use to operate a scrap metal recycling facility at Seaham Harbour Dock Company, Cargodurham Distribution, Seaham for Metal and Waste Recycling Ltd.

Introduction

- 1 Metal and Waste Recycling Ltd is part of the Metal and Waste Recycling Group, which is the third largest metal recycler in the UK. The Group operates from 13 sites in England, including one at Byker Bank in Newcastle. The Company is seeking to relocate its operations from the Newcastle site. It recently commenced the shipment of material from Seaham Harbour and has been given the opportunity to lease a site at the Seaham Harbour Dock Company premises.

The Site

- 2 The site is approximately 0.83 hectares in area and is located on the north western side of the Seaham Harbour Dock Company complex adjacent to existing warehouses and a railway siding (see attached plan). It is designed for use as an external storage area and consists of a concrete floor area and 5 metres high walls that enclose 7 individual bays. The area was constructed in 2002 as part of the new Seaham Harbour Dock Company site that allowed the company to relocate from Seaham town centre. It has been used since then for the storage of miscellaneous goods such as timber, reinforcement steel bars and pellets. It is currently used for the storage of coal that would be relocated elsewhere on the dock site.

The Proposal

- 3 The proposed scrap metal operations would take place within the external storage area, which is set at a level 4 metres below the adjacent railway line. Operations would involve accepting factory generated scrap metals from processing facilities, most of which are located to the south of Newcastle. Upon receipt at the site the material would be stored in Bay A, where it would be graded, sized and made ready for further processing where appropriate. Various items of plant and equipment would be used to process the material including a production baler ('L' shaped with each arm measuring 9.5 metres in length and at the highest point measuring 5.2 metres in height), mobile shearers for cutting metal and 360 degree electromagnetic graps or mobile cranes for loading and unloading. Bay B would be used for the storage of processed bales and as an overflow for any unprocessed material. Any specialist grade material which needs to be segregated from the general grade held in Bays A and B would be stored in Bay C. Bay D would be used as an entrance route to the site, whilst Bays E and F would be used for plant storage. Bay G would be used as an exit route from the site and should it prove necessary, portable office accommodation would be erected within this Bay at a later stage. The maximum annual operational throughput is not expected to exceed 249,000 tonnes.

- 4 Vehicle access to the site is via the existing manned entrance to the Seaham Harbour Dock Company located on Hill Crescent, close to the roundabout at the eastern end of the Dawdon link road (A182). Most of the material brought to the site would be delivered by the Company's own vehicles or those of dedicated sub-contractors, although there would be some deliveries by rail from company sites in the Midlands. No materials would be brought in by casual or irregular suppliers for payment in cash. It is anticipated that there would be a maximum of 50 lorry deliveries per day (100 vehicle movements). Once the material has been processed and is ready for onward transport, it would be transferred by rail from the adjacent siding to sites within the UK, or transferred to the lower dock area for loading for overseas export by ship. Some smaller contracts would be delivered by road. The metal is recycled as a basic commodity for use in various products.
- 5 Normal operational hours would be 7am to 6pm Monday to Friday and 7am to noon on Saturdays, with no activities to take place on Sundays or Public / Bank Holidays. However, a number of the factories which the Company services run 24 hours operations and require waste material to be removed from the production line as it arises. As a result there would be a small number of deliveries to the site outside of normal operational hours but no processing plant or machinery would be used during these periods. The Company currently employs 15 people at its Byker Bank site. It is expected that at least 6 staff would transfer to the new facility and that an additional 25 new jobs would be created.

Consultations

- 6 District of Easington Council has no objections to the proposal and is supportive in principle. However it considers that the proposed location of the development may be visually intrusive to traffic along the Cliff Top Road which is the main route in and out of Seaham. It is suggested that landscaping or screening be considered to avoid any possible visual impact. The Council also queries whether the height of accumulated waste material at the dock is to be limited and whether timescales are to be imposed.

Comment: The site is within a larger industrial complex and there is no scope to provide additional landscaping or screening on adjacent hard surfaced areas. In general, views of the site from the main route into Seaham would be fleeting and would for the most part be dominated by the surrounding warehouses. With regards to limiting the heights and imposing restricted timescales for accumulated waste material at the dock, this area falls outside the boundary of this planning application and therefore could not be subjected to planning controls as part of this application. However, should permission be granted, a condition would be applied to restrict the heights of materials within the application site.

- 7 Seaham Town Council supports the application but raises a number of concerns. The Council requests that a strict planning condition be imposed to ensure that heavy vehicles access and egress the site using the A19 and Blair Way at all times in order to avoid any possibility of vehicles running through surrounding residential areas. In addition, the Council requests that operational hours of the facility are strictly limited to between 8am and 6pm Monday to Saturday with no operations carried out on Sundays. Concerns were raised regarding the potential for noisy or dirty operations ensuing from the proposed development and the Council has asked that these issues are looked at carefully and that they can be properly controlled before planning permission is granted.

Comment: The routeing of traffic to and from the site cannot be controlled via a planning condition as such and is normally covered by legal agreement where necessary on major schemes. A legal agreement covering lorry movements for a development of this scale is not considered to be appropriate and none is in place covering other Dock Company operations. The applicant has stated that the main routes leading to the motorway network would be used and that traffic would have no reason to go through residential areas. Nevertheless, an informative could be attached to any permission granted to remind the applicant that vehicles should stay on the main routes. Further comments on traffic are contained within paragraph 18 below. The proposed hours of operation (as detailed in paragraph 5 above) do not differ greatly from what the Town Council has requested. Given that the site is located within a dock facility that already operates 24 hours a day, the 8am start time would be difficult to justify. Issues surrounding noise and dust are considered in paragraphs 16 and 17 below.

- 8 The Environment Agency originally objected to the proposed development because there was insufficient information to demonstrate that the risk of pollution to controlled waters was acceptable (the site was part of a former gas works and is on the major limestone aquifer). However, following the receipt of further information regarding decontamination and remediation of the site that was undertaken prior to the Dock Company relocation, the Environment Agency has withdrawn its objection subject to the imposition of a number of planning conditions upon any permission granted. These involve producing a verification report and providing details of remedial targets applied during remediation works undertaken at the site.
- 9 Network Rail notes that the railway immediately alongside the proposed development is not in its ownership. Network Rail's interests on the line commence about 150m to the north of the site; the main line is located some 50m to the west of the application area. In the circumstances, Network Rail has no comments to make on the operational aspects of the proposal provided the site is worked strictly in accordance with the application details supplied. It is also recommended that the applicant contacts the Network Rail Senior Freight Manager to ensure that the railway has the capacity to accommodate any associated freight traffic.

Comment: The applicant has been in contact with the manager of Seaham Harbour Dock Company, who deals directly with the Network Rail Freight Manager in terms of usage of the railway network.

- 10 The application has been advertised on site, in the press and neighbouring residents were notified. No representations have been received.

Planning Policy Considerations

- 11 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].
- 12 Policy W40 of the WLP supports proposals for waste management facilities which handle, process, transfer or store 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. Policy W33 requires waste developments to minimise any harmful impacts arising from operations, whilst Policy W31 requires that the environmental impacts of road traffic generated as a result of the development be considered. Policy W26 seeks to ensure that waste developments do not significantly adversely impact on the quality of surface or groundwater resources.
- 13 The site is located within the Seaham Harbour Dock Company site that was designated within the District of Easington Local Plan for port related warehousing and office use as part of Policy S1 (now a lapsed policy as the development has been implemented). The location of the proposed development at this industrial site is considered appropriate in terms of Policy W40 and would involve the use of the port facility to export processed waste (as well as using the adjacent railway siding).

Residential Amenity

- 14 The proposed site is located 840 metres to the south of Seaham Town Centre within an established industrial site. The nearest residential properties are located along Fenwick Row and Candlish Terrace, 85 metres and 112 metres to the north west of the site respectively. Views of the site from these properties are obscured by a neighbouring warehouse to the north and a belt of boundary landscaping to the south of Fenwick Row that was provided as part of the original Dock Company development. The end properties of terraced houses along Embankment Road, Wynyard Street and King Edward Street are located approximately 130 metres to the west of the site beyond an area of allotment gardens and two railway lines. A public footpath runs adjacent to the rail siding along the boundary of the allotment gardens.

- 15 The site is set at a level of 4 metres below the railway line and material would not be stored to a height greater than the existing bay walls. The plant would also be of a similar maximum height (although the mobile crane would exceed this on an occasional basis) and the site is partially enclosed by warehousing to the north and south. There would therefore not be any direct visual impacts on residential amenity arising from the proposed development. External lighting is already in place at the site and there are no proposed changes to the current set up.
- 16 There would be some noise generated from the use of machinery and materials handling but operations would be at or below the surrounding ground level and the concrete retaining walls would help to reduce noise spill outside of the site. Current coal storage activities involve the use of similar equipment in terms of noise and exhaust emissions as that proposed for the processing of scrap metal. No recorded complaints have been received to date regarding noise from any dock company operations by Easington District Council or the Seaham Harbour Dock Company. In addition, there are no recorded complaints received by Newcastle City Council regarding operations at the Metal and Waste Recycling Ltd site at Byker Bank.
- 17 It is expected that the processing of scrap metal waste would produce significantly less dust than the handling of coal and as such issues relating to dust are expected to be negligible. However the site has access to a water system which could be used for dust suppression if necessary. The Environmental Health Officer has offered no comments in relation to the application.

Traffic and Access

- 18 The site is well connected to the strategic road network and the main entrance to the Seaham Harbour Dock Company complex is located 100 metres from the A182 which leads directly to the A19 (3.4 kilometres away). The applicant estimates that a maximum of 100 vehicle movements (50 in and 50 out) per day would be generated by operations at the site. Metal and Waste Recycling Ltd already have approximately 20 to 30 vehicle movements per day coming from the Byker Bank site to Seaham Harbour when a shipping order has been arranged (approximately 1 per month). In this respect, the net increase in vehicle movements would equate to a maximum of 70 to 80 per day. The Head of Highway Management is satisfied that the existing road network can cater for the anticipated traffic generated by the proposed development and has offered no objections. Proximity to and use of the Harbour and rail sidings would also have benefits in terms of the overall reduction in the movement of materials by road and vehicle emissions.

Recommendations and Reasons

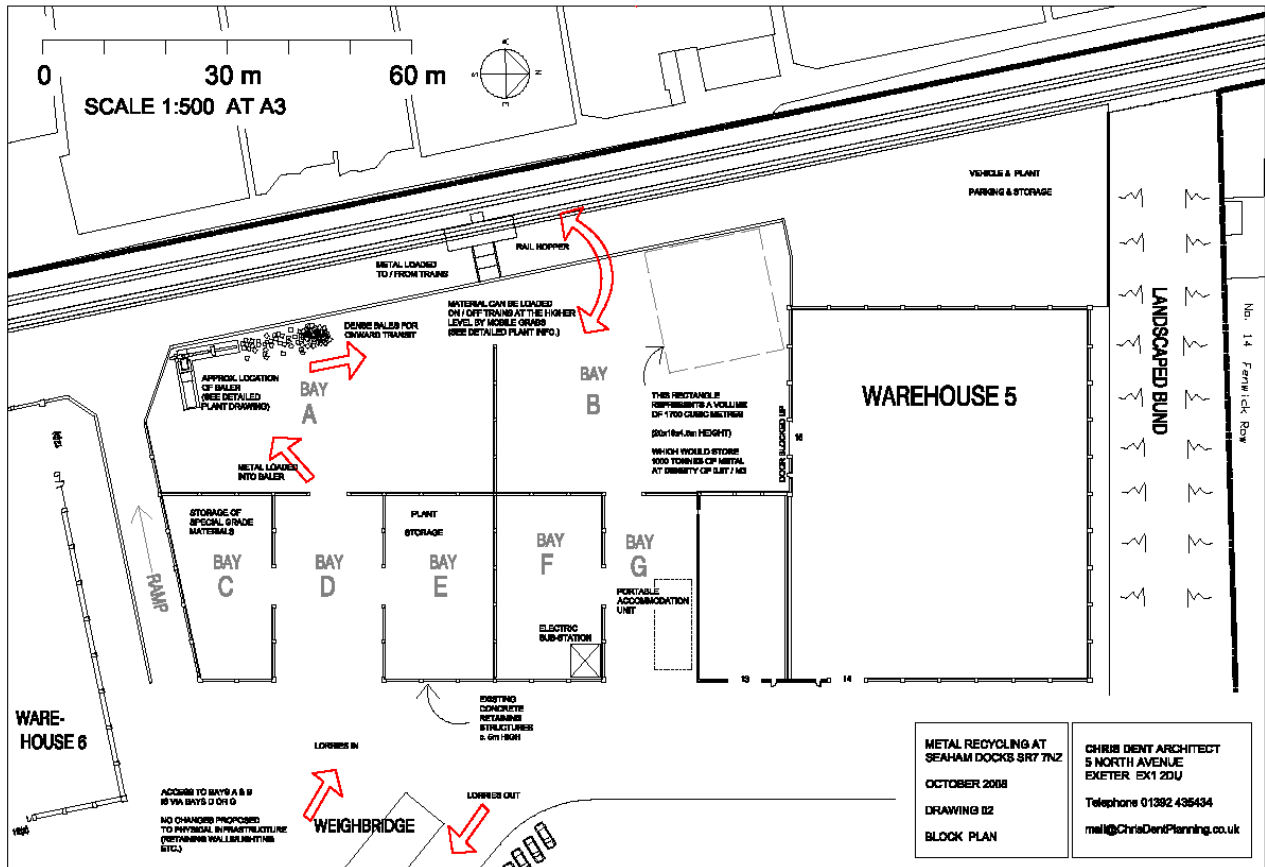
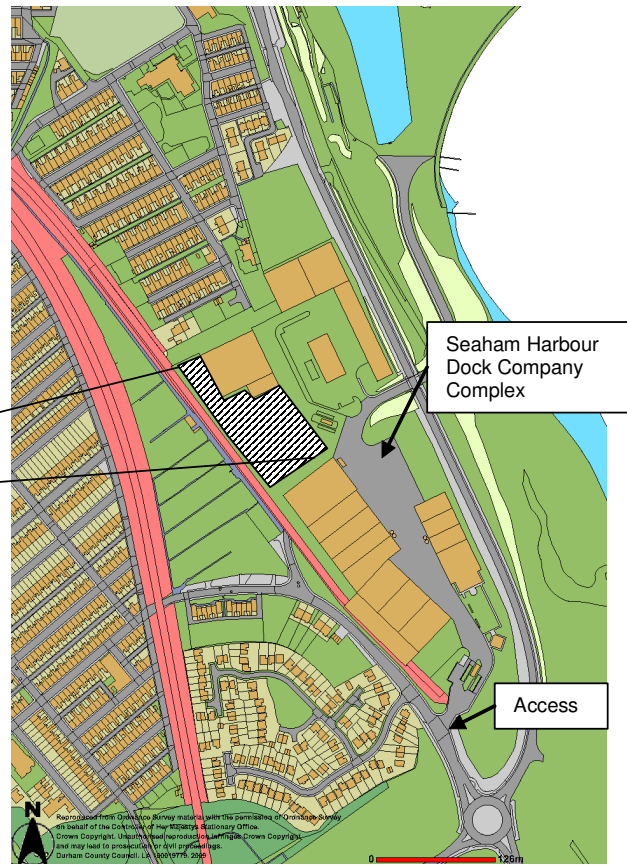
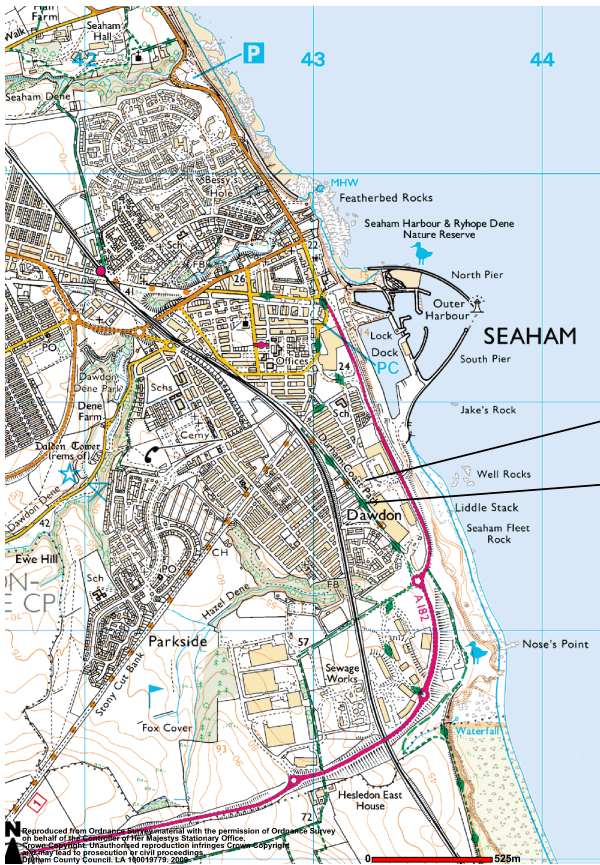
- 19 National strategies and planning policies encourage the aim of recycling. The proposal would make a useful contribution to the wider objective of dealing with waste generated within the region in a responsible way. The proposed site is located within an area designated for port related activities and appears well-suited to the proposed operations in terms of containing the likely impacts of the use and utilising local transport infrastructure. It is therefore considered that the development can be acceptably accommodated on the site in a manner that would not adversely affect residential or visual amenity and would accord with Policies W40, W33 and W31 of the County Durham Waste Local Plan.
- 20 I therefore **recommend** that planning permission be granted for the provision of a scrap metal recycling facility at Seaham Harbour Dock Company, Seaham, subject to appropriate conditions (relating to maximum heights of waste materials, hours of operations, machinery on site and details of mobile office accommodation if required), for the following reason:
- i) The proposal would not be obtrusive or adversely impact on the local community or environment and would be located in a suitable site for operations of this nature in accordance with Policies W26, W31, W33 and W40 of the County Durham Waste Local Plan.

No departure from policies contained in the County Durham Waste Local Plan (2005)

Background Papers

Planning application forms and plans dated 30 October 2008 and email and attachment sent 27 November 2008. Consultation letters and responses and other correspondence on the application file CMA/5/23

Contact:	John Byers	Tel: 0191 383 3408
Local Members:	Councillors B Arthur and C Walker (Dawdon)	



METAL RECYCLING AT SEAHAM DOCKS SR7 TNZ
 OCTOBER 2008
 DRAWING 02
 BLOCK PLAN

CHRIS DENT ARCHITECT
 5 NORTH AVENUE
 EXETER EX1 2DU
 Telephone 01392 436434
 mail@ChrisDentPlanning.co.uk