

DELEGATED

**AGENDA NO
PLANNING COMMITTEE
14 April 2021
DIRECTOR OF FINANCE, DEVELOPMENT &
BUSINESS SERVICES**

18/2894/RET

Land At Norton Bottoms, Fleet Bridge Road, Stockton-on-Tees

Retrospective application for the erection of soil aggregates recycling and washing plant facility and associated material storage.

Expiry Date 16 April 2021

SUMMARY

Retrospective planning permission is sought for the erection of soil aggregates recycling and washing plant facility and associated material storage at Land At Norton Bottoms, Fleet Bridge Road, Stockton-on-Tees.

There have been nine objections to the proposed scheme which have been fully considered. The application is in general compliance with national and local policy and there are no significant issues that would render the application to be unacceptable.

The application is recommended for approval with conditions.

RECOMMENDATION

That planning application 18/2894/FUL be approved subject to the following conditions and informatives

01 Approved Plans

The development hereby approved shall be in accordance with the following approved plan(s);

Plan Reference Number	Date on Plan
SBC0001	19 December 2018
17964 F	19 December 2018
18015 C	27 February 2019
001 A	24 June 2019

Reason: To define the consent.

02 Operating Techniques and Dust Control

The site shall be operated in full accordance with the Management Measures in Section 5 of the EA Permit/Operational Technique report (Operational Techniques - SBL/MP/01). In addition, material stockpiles in all areas on site should not exceed 3 metres. This includes working areas, storage areas and remedial areas.

Reason: In the interests of protecting residential amenity and to aid dust control.

03 Hours of operation

The plant shall not operate outside the hours of 0700 – 2100 Monday to Friday and 0700 – 1400 on Saturdays. The plant shall not operate on Sundays or Bank Holidays.

Reason: In the interests of protecting residential properties from noise and disturbance

04 Unexpected Land Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works. Following completion of measures identified in the approved remediation scheme, a verification report must be submitted in writing and approval by the Local Planning Authority.

Reason: Due to historical contaminative features located on or within 250m of the proposed development.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application by seeking a revised scheme to overcome issues and by the identification and imposition of appropriate planning conditions.

Potential Contamination

All materials re-used or imported to site should follow the CL:AIRE 'Code of Practice' (CoP) and Aggregate quality protocols should be in place for all materials used on site. No material other than those classified as 'inert' should be brought onto site.

BACKGROUND

1. Planning permission was approved in 1990 for the development of the reed beds which are used to treat effluent (90/0324/P).
2. Planning permission was approved in 2004 for the reclamation of derelict land previously covered by gypsum and general fill, by means of spreading waste soil up to two metres deep (Application 02/1221/P). A later application for the continuation works to complete restoration was approved in 2014 (13/2816/FUL). It should be noted that the works have been completed to a height greater than agreed however it would not be expedient to take action in this instance.
3. A retrospective application for change of use of land to include installation of 1.4 ha hardstanding for the storage of compost material generated from MBT was approved on the 23rd August 2011 (Application 11/0722/FUL). This permission has now expired.
4. An application for the extension to the restoration activity, currently underway on Phase 1 to include Phase 2 of the same site was approved on the 7th October 2011 (Application 11/1208/FUL). This application was never implemented and has expired.
5. An application for the creation of an open windrow composting facility including concrete pad, leachate tank, associated pipework and pumps and storage bunkers created from

moveable precast concrete was approved on the 24th March 2016 (Application 15/3036/FUL).

6. An outline application was received for a for mixed use development comprising 246no dwellings and solar farm. (Application 16/0431/OUT) This application was withdrawn on the 28th February 2017.

SITE AND SURROUNDINGS

7. The development site is known as Norton Bottoms and is adjacent to the A19, which runs along the south and west of the site. Lucite International is located to the north east.
8. To the opposite side of the adjacent highway of A19, there is Portrack Industrial estate and HM Holme House Prison at Portrack.
9. There are residential properties located along Imperial Road to the north west of the site and access to the site is taken from the A1046/Haverton Hill Road.
10. The site is within an area identified in Stockton on Tees Local Plan as Green Wedge.

PROPOSAL

11. Retrospective planning permission is sought for the erection of a soil and aggregates washing plant and associated storage areas on the southern eastern edge of the site.
12. The location of the soil and aggregates recycling and washing plant is close to the existing reed beds and will take material in from local authority highways, builders, and developers etc. It will not change the current level of transport activities or increase the overall tonnages handled. The applicant states that the proposed permanent installation of a soil and aggregates recycling and washing plant will increase the range and volumes of materials being recycled into secondary aggregates
13. The proposed operating hours will consist of activities such as material delivery for up to 11 hours per day Monday to Friday (0700 – 1800) plus 0700 – 1400 on Saturday. Waste treatment activities (excluding material delivery) may be extended to 2100 hours Monday to Friday.

CONSULTATIONS

14. The following Consultations were notified and any relevant comments received are set out below:-
15. Highways Transport & Design Manager
General Summary: Subject to the comments and conditions set out below the Highways, Transport and Design Manager has no objections to the proposed erection of soil aggregates recycling and washing plant facility.

Highways Comments: The proposed development seeks to enhance the existing aggregate recycling facilities by upgrading the associated plant and equipment. As set out in the Design and Access statement the development will not result in an increase in vehicle movements as the change in the processes used will not increase the tonnages handled. There are no highways objections to the proposed development.

Landscape & Visual Comments: There are no landscape and visual objections to the proposed soil aggregates recycling and washing plant facility. The proposed plant is

located close to the A19 on the southern edge of the site. However, the existing woodland planting along the edge of the site, will provide valuable screening of the working area from receptors using the adjacent public footpath/cycleway and A19. The application drawing indicates that the planting is outside of the proposed development but within the ownership of the developer. This screen planting must be retained and protected for its screening value. Any development on the site, including storage of materials must be a minimum of 10m offset from this planting to ensure the effectiveness of the screening and its long term retention.

Flood Risk Management: Having assessed the amended details, the LLFA have no objection to the proposed development

16. The Environment Agency

Having assessed the supporting information I can advise that we have no objections to the proposed development and have the following comments/advice to offer:

Permitting Advice : The operator holds a number of environmental waste permits on the site namely: EPR/BB3803XQ (EAWML 66000) which is permitted as a household, commercial and industrial waste transfer station. The activities specified in this planning proposal are covered in the Environmental Permit (EAWML104444) issued by the Environment Agency on 31 July 2019 for the treatment of waste to produce soil, soil substitutes and aggregate.

17. Natural England

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

European sites Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

Sites of Special Scientific Interest - Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

Sites of Special Scientific Interest Impact Risk Zones - The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

18. Highways England Company Limited

Revisions to this application, which did not adversely impact on the Strategic Road Network in any case, do not affect transport movements generated by this development. Therefore, our previous response of no objection remains valid.

19. Tees Archaeology

Thank you for the consultation on this application. I have checked the HER and can confirm that the proposed development should not have a significant impact on any known heritage assets, and no archaeological assessment is required. This area was included in an archaeological desk-based assessment carried out in 2015 (Tees Archaeology Event 1236) as part of an Environmental Statement. This concluded that the application site consisted of made ground

20. Health And Safety Executive

HSE does not advise, on safety grounds, against the granting of planning permission in this case.

21. Environmental Health Unit

Having reassessed this application, I am minded to not add any conditions as long as the site is operated as detailed within the submitted documents reference SBL/MP/01 Operational Techniques - September 2018. I have assessed the impact of the development and have considered the likelihood of noise and the potential for effect on air quality, land contamination arising from the proposal. The site lies within an existing industrial estate and there are no sensitive receptors i.e. residential dwellings that could be affected by either the proposal or its construction. As such I have no objection in principle to the development and do not feel that conditions need to be imposed from an Environmental Health perspective.

I have checked the documentation provided, and note the revised location plan and site plan that has been submitted. The revised plans do not alter the distance to the nearest residential receptors, nor cause any additional impact. As such the Environmental Health Department has no further comments to make. I have checked the documentation provided, including the flood risk assessment and surface water drainage strategy (NT13978, Dec 2018) which showed that the soil and aggregate plant is located in Flood Zone 1, with the nearest watercourse being 16 m from the boundary. The submitted surface water management plan recently submitted by Wardell Armstrong (Feb, 2021) shows that the discharge of surface water is presently being managed by a SuDs approach to contain surface water runoff within the area, and by using general operational maintenance of the site. I have no objection

22. Contaminated Land Officer

I have reviewed documentation provided by the applicant along with historical environmental information held by this Authority and have found no grounds for objection in principle to the development. I would recommend that conditions imposed relating to the following;

Potential Contamination at the Soil & Aggregate Washing Plant, Remedial & Restoration areas:

All materials re-used or imported to site should follow the CL:AIRE 'Code of Practice' (CoP) and Aggregate quality protocols should be in place for all materials used on site. No material other than those classified as 'inert' should be brought onto site.

A dust control method statement is required to include remedial action for dust from stockpiles, working areas and site access roads. This is covered in the EA Permit/Operational Technique report and should be adhered to at all times. Material stockpiles in all areas on site should not exceed 3.0m. This includes working areas, storage areas and remedial areas. The soil & aggregate washing plant should be constructed on a concrete pad and drainage sump as indicated in section 5.2.2 of the EA Permit report. All residues/leachates from these operational areas should be directed to the reed bed system for further treatment.

Unexpected Land Contamination Condition Recommended, due to historical contaminative features located on or within 250m of the proposed development and to prevent the creation and import of contaminated material onto site.

PUBLICITY

23. Neighbours were notified by letter, site notice and press advert and comments were received from the following addresses with the comments summarised below. Full details of the objections can be found on line at the following location <https://www.developmentmanagement.stockton.gov.uk/online-applications/>

1. Mrs Deb Tunstall 18 Imperial Road Billingham
2. Mr Martin Bunning 20 Imperial Road Billingham
3. Mr Mike Wray 21 Imperial Road Billingham
4. Mr Tom Conroy 37 Imperial Road Billingham
5. Shawn Mar Dresser 23 Imperial Road Billingham
6. Mike Robson 22 Imperial Road Billingham
7. Mr Michael Farley 15 Hallcroft Close Billingham
8. Jackie Brown And Petitioners 28 Imperial Road Billingham
9. K Crossen 2 New Road Billingham

The main objections relate to the following

- Noise
- Air Quality and dust pollution
- Impact on wildlife
- Increase in traffic and impact on road network (debris and potholes)
- Light pollution from the lighting of the plant.

PLANNING POLICY

24. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Stockton on Tees Borough Council Local Plan 2019.

25. Section 143 of the Localism Act came into force on the 15 January 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations.

National Planning Policy Framework

26. The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic social and environmental objectives.

So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11) which for decision making means;

- approving development proposals that accord with an up-to-date development plan without delay; or

- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Local Planning Policy

27. The following planning policies are considered to be relevant to the consideration of this application.

Strategic Development Strategy Policy 1 (SD1) - Presumption in favour of Sustainable Development

1. In accordance with the Government's National Planning Policy Framework (NPPF), when the Council considers development proposals it will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants jointly to find solutions which mean that proposals for sustainable development can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

2. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

3. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise - taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or,
- Specific policies in that Framework indicate that development should be restricted.

Strategic Development Strategy Policy 2 (SD2) - Strategic Development Needs

Other Development Needs

7. Where other needs are identified, new developments will be encouraged to meet that need in the most sustainable locations having regard to relevant policies within the Local Plan.

Strategic Development Strategy Policy 4 (SD4) - Economic Growth Strategy

1. Economic development needs will be directed to appropriate locations within the Borough to ensure the delivery of sustainable economic growth.

2. Proposals for the redevelopment of previously developed land, in particular prominent sites which have been derelict for a significant period of time, will be supported.

5. Economic growth proposals which attract significant numbers of people will be permitted in the vicinity of a hazardous installation only where there is no significant threat to public safety.

Strategic Development Strategy Policy 5 (SD5) - Natural, Built and Historic Environment

To ensure the conservation and enhancement of the environment alongside meeting the challenge of climate change the Council will:

1. Conserve and enhance the natural, built and historic environment through a variety of methods including:

a) Ensuring that development proposals adhere to the sustainable design principles identified within Policy SD8.

l) Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of ground, air,

water, light or noise pollution or land instability. Wherever possible proposals should seek to improve ground, air and water quality.

m) Encouraging the reduction, reuse and recycling of waste, and the use of locally sourced materials.

2. Meet the challenge of climate change, flooding and coastal change through a variety of methods including:

a. Directing development in accordance with Policies SD3 and SD4.

d. Directing new development towards areas of low flood risk (Flood Zone 1), ensuring flood risk is not increased elsewhere, and working with developers and partners to reduce flood risk.

Strategic Development Strategy Policy 8 (SD8) - Sustainable Design Principles

1. The Council will seek new development to be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the:

a. Quality, character and sensitivity of the surrounding public realm, heritage assets, and nearby buildings, in particular at prominent junctions, main roads and town centre gateways;

b. Landscape character of the area, including the contribution made by existing trees and landscaping;

c. Need to protect and enhance ecological and green infrastructure networks and assets;

d. Need to ensure that new development is appropriately laid out to ensure adequate separation between buildings and an attractive environment;

e. Privacy and amenity of all existing and future occupants of land and buildings;

f. Existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport;

g. Need to reinforce local distinctiveness and provide high quality and inclusive design solutions, and

h. Need for all development to be designed inclusively to ensure that buildings and spaces are accessible for all, including people with disabilities.

Natural, Built and Historic Environment Policy 4 (ENV4) - Reducing and Mitigating Flood Risk

1. All new development will be directed towards areas of the lowest flood risk to minimise the risk of flooding from all sources, and will mitigate any such risk through design and implementing sustainable drainage (SuDS) principles.

3. Site specific flood risk assessments will be required in accordance with national policy.

4. All development proposals will be designed to ensure that:

a. Opportunities are taken to mitigate the risk of flooding elsewhere;

b. Foul and surface water flows are separated;

c. Appropriate surface water drainage mitigation measures are incorporated and Sustainable Drainage Systems (SuDS) are prioritised; and

d. SuDS have regard to Tees Valley Authorities Local Standards for Sustainable Drainage (2015) or successor document.

5. Surface water run-off should be managed at source wherever possible and disposed of in the following hierarchy of preference sequence:

a. To an infiltration or soak away system; then,

b. To a watercourse open or closed; then,

c. To a sewer.

6. Disposal to combined sewers should be the last resort once all other methods have been explored.

7. For developments which were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never

exceed the rate of discharge from the development prior to redevelopment for that event. For greenfield developments, the peak runoff rate from the development to any highway drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should never exceed the peak greenfield runoff rate for the same event.

Natural, Built and Historic Environment Policy 5 (ENV5) - Preserve, Protect and Enhance Ecological Networks, Biodiversity and Geodiversity

1. The Council will protect and enhance the biodiversity and geological resources within the Borough. Development proposals will be supported where they enhance nature conservation and management, preserve the character of the natural environment and maximise opportunities for biodiversity and geological conservation particularly in or adjacent to Biodiversity Opportunity Areas in the River Tees Corridor, Teesmouth and Central Farmland Landscape Areas.

2. The Council will preserve, restore and re-create priority habitats alongside the protection and recovery of priority species.

3. Ecological networks and wildlife corridors will be protected, enhanced and extended. A principal aim will be to link sites of biodiversity importance by avoiding or repairing the fragmentation and isolation of natural habitats.

4. Sites designated for nature or geological conservation will be protected and, where appropriate enhanced, taking into account the following hierarchy and considerations:

a. Internationally designated sites - Development that is not directly connected with or necessary to the management of the site, but which is likely to have a significant effect on any internationally designated site, irrespective of its location and when considered both alone and in combination with other plans and projects, will be subject to an Appropriate Assessment. Development requiring Appropriate Assessment will only be allowed where:

i. It can be determined through Appropriate Assessment, taking into account mitigation, the proposal would not result in adverse effects on the site's integrity, either alone or in combination with other plans or projects; or ii. as a last resort, where, in light of negative Appropriate Assessment there are no alternatives and the development is of overriding public interest, appropriate compensatory measures must be secured.

b. Nationally designated sites - Development that is likely to have an adverse effect on a site, including broader impacts on the national network of Sites of Special Scientific Interest (SSSI) and combined effects with other development, will not normally be allowed. Where an adverse effect on the site's notified interest features is likely, a development will only be allowed where:

i. the benefits of the development, at this site, clearly outweigh both any adverse impact on the sites notified interest features, and any broader impacts on the national network of SSSI's;

ii. no reasonable alternatives are available; and

iii. mitigation, or where necessary compensation, is provided for the impact.

c. Locally designated sites: Development that would have an adverse effect on a site(s) will not be permitted unless the benefits of the development clearly outweigh the harm to the conservation interest of the site and no reasonable alternatives are available. All options should be explored for retaining the most valuable parts of the sites interest as part of the development proposal with particular consideration given to conserving irreplaceable features or habitats, and those that cannot readily be recreated within a reasonably short timescale, for example ancient woodland and geological formations. Where development on a site is approved, mitigation or where necessary, compensatory measures, will be required in order to make development acceptable in planning terms.

5. Development proposals should seek to achieve net gains in biodiversity wherever possible. It will be important for biodiversity and geodiversity to be considered at an early stage in the design process so that harm can be avoided and wherever possible enhancement achieved (this will be of particular importance in the redevelopment of previously developed land where areas of biodiversity should be retained and recreated alongside any remediation of any identified contamination). Detrimental impacts of

development on biodiversity and geodiversity, whether individual or cumulative should be avoided. Where this is not possible, mitigation and lastly compensation, must be provided as appropriate. The Council will consider the potential for a strategic approach to biodiversity offsetting in conjunction with the Tees Valley Local Nature Partnership and in line with the above hierarchy.

7. Existing trees, woodlands and hedgerows which are important to the character and appearance of the local area or are of nature conservation value will be protected wherever possible. Where loss is unavoidable, replacement of appropriate scale and species will be sought on site, where practicable.

Natural, Built and Historic Environment Policy 6 (ENV6) - Green Infrastructure, Open Space, Green Wedges and Agricultural Land

4. Development within green wedges will only be supported where:

- a. it would not result in physical or visual coalescence of built-up areas;
- b. it would not adversely impact on local character or the separate identity of communities;
- c. it would not adversely impact on recreational opportunities; and
- d. it would not adversely impact on biodiversity.

Natural, Built and Historic Environment Policy 7 (ENV7) - Ground, Air, Water, Noise and Light Pollution

1. All development proposals that may cause groundwater, surface water, air (including odour), noise or light pollution either individually or cumulatively will be required to incorporate measures as appropriate to prevent or reduce their pollution so as not to cause unacceptable impacts on the living conditions of all existing and potential future occupants of land and buildings, the character and appearance of the surrounding area and the environment.

2. Development that may be sensitive to existing or potentially polluting sources will not be sited in proximity to such sources. Potentially polluting development will not be sited near to sensitive developments or areas unless satisfactory mitigation measures can be demonstrated.

3. Where development has the potential to lead to significant pollution either individually or cumulatively, proposals should be accompanied by a full and detailed assessment of the likely impacts. Development will not be permitted when it is considered that unacceptable effects will be imposed on human health, or the environment, taking into account the cumulative effects of other proposed or existing sources of pollution in the vicinity. Development will only be approved where suitable mitigation can be achieved that would bring pollution within acceptable levels.

4. Where future users or occupiers of a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment, proposals must demonstrate via site investigation/assessment that:

- a. Any issues will be satisfactorily addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use, and does not result in unacceptable risks which would adversely impact upon human health and the environment; and
- b. Demonstrate that development will not cause the site or the surrounding environment to become contaminated and/or unstable.

5. Groundwater and surface water quality will be improved in line with the requirements of the European Water Framework Directive and its associated legislation and the Northumbria River Basin Management Plan. Development that would adversely affect the quality or quantity of surface or groundwater, flow of groundwater or ability to abstract water will not be permitted unless it can be demonstrated that no significant adverse impact would occur or mitigation can be put in place to minimise this impact within acceptable levels.

6. To improve the quality of the water environment the Council will:

- a. Support ecological improvements along riparian corridors including the retention and creation of river frontage habitats;

- b. Avoid net loss of sensitive inter-tidal or sub-tidal habitats and support the creation of new habitats; and
- c. Protect natural water bodies from modification, and support the improvement and naturalisation of heavily modified water bodies (including de-culverting and the removal of barriers to fish migration).

MATERIAL PLANNING CONSIDERATIONS

28. The main considerations in relation to this application are the principle of development, impact on neighbours, ecology, land contamination, flood risk and highway safety.

Principle of Development

29. The whole site is designated as green wedge and a local wildlife site (reed beds). Policy ENV6 states development within green wedges will only be supported where it would not result in physical or visual coalescence of built-up areas; would not adversely impact on local character or the separate identity of communities; would not adversely impact on recreational opportunities; and it would not adversely impact on biodiversity.
30. In considering these points, the area of land to be developed operates very differently from the remainder of the site due to the existing permitted works that operate from the site. Due to the features and topography of the site the development would not result in physical or visual coalescence of built-up areas or local character (which is considered further at paras 32 - 35) or the separate identity of communities. There are no recreational opportunities that would be adversely be impacted and it would not adversely impact on biodiversity (considered further at 41 - 44).
31. The proposal is within the limits to development and taking into account the present use of the site, previous permissions, and national and local guidance it is considered that the proposed scheme accords with planning policy and the principle of development is acceptable.

Impact upon character and appearance of the surrounding area

32. This part of Norton Bottoms contains the reed beds and a composting facility and its character is very different when compared to the remainder of the land, part of which has been remediated.
33. The land already has operations which are commercial in nature and has a backdrop of the industrial settings of Lucite and chemical works.
34. The development is not highly visible from outside of the site due to the screening along the A19 and the level changes across the site.
35. Overall, it is considered that the development will not impact on local character or appearance of the local area and will not lead to the coalescence of settlements.

Impact on neighbouring residential properties

36. The nearest residential properties are to the north west, located in Imperial Road which are set at a higher ground level than the application site. The back gardens of these properties look over the area with fields and reclaimed land between.
37. The residential properties are approximately 770 metres from soil washing plant and it given the intervening distance and the topography it is not considered that the development will have an adverse impact in terms of noise or disturbance. During recent site visits no noise from the plant was apparent with the background noise mainly consisting of traffic

from the A19. The proposed operating hours are 0700 – 1800 Monday to Friday plus 0700 – 1400 on Saturday. Waste treatment activities (excluding material delivery) may be extended to 2100hours Monday to Friday. It is considered that with a condition to control these hours there should be no impact on neighbours at quieter times such as late evening when traffic noise will also be quieter.

38. Complaints in relation to the dust are acknowledged, however much of this occurred from the land remediation. Nevertheless, to minimise the potential for dust generation during movement and storage of wastes, conditions have been recommended to keep the stockpiles low and compliance with the dust management plan.

Impact upon Flood Risk

39. The application site lies within Flood Zone 1 however the application is supported by a Flood Risk Assessment and details of surface water management.
40. The Environment Agency and the Lead Local Flood Authority have considered the details and have raised no objections to the development. It is therefore considered that the proposed scheme will not adversely impact on drainage or increase the risk of flooding.

Impact upon Ecology

41. The application is supported by an extended Phase 1 Habitat Survey and protected species survey which identifies the site as being of limited ecological significance and are unlikely to support protected or notable species. The development is to the east of the open areas and due to the existing operations and lack of vegetation nearby there is limited scope for biodiversity. The hardstanding was assessed as being of negligible ecological significance. Nonetheless, the report considered the potential impact on the adjacent waterbody, reedbeds and the Billingham Beck and considered that adverse impacts were unlikely due to the proposed area being within an active part of the recycling facility.
42. Natural England have raised no objections confirming that the development will not have likely significant effects on statutorily protected sites.
43. To meet the requirements of the Habitats Regulations, and based on the information submitted and the advice of Natural England we can rule out a likely significant effect.
44. In addition, on considering the findings of the report it is considered that there will be no impact on ecology or biodiversity local to the site. The existing trees which may support local wildlife are to remain and there are no areas of habitat to be removed.

Highway safety

45. The proposed development will utilise the existing access road from the main entrance point of Fleet Bridge and traffic movements are not expected to increase.
46. The information has been considered by Highways England and the Highways Transport and Design Manager and no objections have been received to this regard.

Health and Safety

47. The number of employees and visitors will not increase and the Health and Safety Executive do not advise against the granting of planning consent in this particular instance. The proposed development is therefore not considered to significantly increase the risk to public health.

CONCLUSION

48. The application has been considered and there are no sustainable planning reasons to refuse the development and it is recommended that the application be Approved with Conditions for the reasons specified above.

Contact Officer Elaine Atkinson Telephone No 01642 526062

WARD AND WARD COUNCILLORS

Ward	Billingham South
Ward Councillor	Councillor Mrs Jean O'Donnell
Ward Councillor	Councillor Mike Smith

IMPLICATIONS

Financial Implications: None

Environmental Implications: Considered in the main body of the report

Human Rights Implications: The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Community Safety Implications: The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report

Background Papers

National planning Policy Framework and Guidance
Adopted Local Plan
Application File