REPORT BY DEPUTE CHIEF EXECUTIVE AND EXECUTIVE DIRECTOR OF DEVELOPMENT & ENVIRONMENT

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APPLICATION REPORT

1. **Proposal:**

The proposal is to construct an “autoclave” waste treatment plant that will treat up to 50,000 tonnes of household, commercial and industrial waste per annum. The treatment plant will also recover energy (in the region of 2-3 MW) from the wastes being treated. In total the entire site extends to some 4.6 hectares, with 1.6 hectares of that site comprising hard-standing and building footprint.

The application requires to be reported to the Council’s Regulatory Panel, in accordance with the Council's approved procedures for handling planning applications, as the proposal constitutes a major development as defined in the Town and Country Planning (hierarchy of Developments) (Scotland) Regulations 2009 by reason of the site area exceeding 2 hectares and the volume of waste exceeding 25,000 tonnes per annum.
Background

Autoclave technology is a relatively low temperature thermal (steam) treatment of waste which sterilises material in order that it can then be sorted/reclaimed and the remaining biodegradable waste further treated to produce a compost like material.

The proposal site is located adjacent to the existing Tarbolton Moss waste landfill waste site, some 1km north of Tarbolton. At present, the site is undeveloped greenfield land but the proposal may be regarded as an extension to the existing waste site in terms of both geographic area and also the range of activities undertaken in that location.

The proposed building within which the main processes will take place will be some 106metres x 30 metres, with a ridge height of 14.5metres. This building will also contain the site offices, meeting room, staff facilities and a small visitor centre.

Additional structures on the site will include: reception tanks of 11metre diameter x 5metre high, a “digester tank” of 18metre diameter. X 6metre high, a gas holder tank of 5metre diameter x 5m high and an oil storage tank up to 3metre high.

The external area will also include: the site entrance and circulation roads, a storage area for containers and vehicles, a weigh bridge, holding lagoon, 22 staff and visitor parking spaces (including coach parking) and landscaping.

2. Consultations:
Scottish Water: No objection but advises that a fully completed Development Assessment form should be completed and submitted to Scottish Water for permission to connect to their infrastructure.

Scottish Environmental Protection Agency has confirmed that the proposal is comply with the Area Waste Plan but states that it would object to the proposal unless certain conditions are attached to any consent. The conditions include matters concerning the treatment of residual waste, energy recovery, operational completeness of the facility, surface water drainage, the preparation of a site waste management plan and a the preparation of a construction method statement.

Scottish Natural Heritage has no objections to the proposal but advises that should the commencement of work be delayed beyond the spring of 2010, that further rup to date surveys of otter, water vole and badger be undertaken.

Prestwick Airport has no objection to the proposal subject to conditions regarding the furue management of the landscape and environs of the site

West of Scotland Archaeology Service: request for a condition requiring a survey to ascertain the existence or extent of any archaeological remains on site (and subsequent investigation and recording) prior to any development taking place.

SAC Waste Strategy Group Leader: No objections but seeks to ensure that the compost like material has a long term and sustainable outlet and that it does not go to general landfill.
SAC Parks and Landscape Strategy Officer considers that the development will significantly change the landscape but that the excavation of the site to accommodate the building and the introduction of suitable landscaping will mitigate visual impacts.

SAC Building Standards Manager has no adverse comments to make.

SAC Trading Standards and Environmental Health Manager has no objection to the proposal.

SAC Roads and Transportation Services Manager has no objection to the proposal subject to conditions on road resurfacing, drainage and access visibility sightline splays

3. Submitted Assessments/ Reports

The applicant requested South Ayrshire Council undertake a screening opinion to determine if an Environmental Impact Assessment would be required under the scope of schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 1999. In response, It was determined that the development fell below the threshold which would require the submission of an Environmental Statement.

In support of the application, the applicant has submitted a planning supporting statement, a design statement, and detailed technical information has been submitted with regard to drainage, noise, air quality, a bird hazard risk assessment (for the airport) and the operational aspects of the facility.

4. S75 Obligations

In assessing and reporting on a planning application the Council is required to provide a summary of the terms of any planning obligation entered into under Section 75 of the Town and Country Planning (Scotland) Act in relation to the grant of planning permission for the proposed development.

There are no Section 75 obligations of the type specified which affect the consideration of this application.

5. Scottish Ministers Directions

In assessing and reporting on a planning application the Council is required to provide details of any Directions made by Scottish Ministers under Regulation 30 (Environmental Impact Assessment), Regulation 31 (Information on restrictions on the grant of planning permission), and Regulation 32 (Directions requiring consideration of condition) of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008.

There are no Directions of the type specified which affect the consideration of this application.
6. **Representations:**

**Objections**

Representations from two households have been received. A letter was also submitted by McSherry, Halliday, Dale and Marshall solicitors on behalf of a further seven households. The main points of the objections are summarised below:

a) The existing landfill is a visual scar in the rural area, especially from certain viewpoints including the historic Barnweil Monument.

b) Methane gas is trapped in the landfill resulting in a nasty smell. Recent work to collect/burn the gas has not noticeably improved this situation. They will be worse with a waste disposal site.

c) The Council’s on-line planning application system does not seem to show all previous planning history and consent granted in 1993 has only recently commenced according to the applicant’s supporting statement. How is this possible?

d) The U87 road is a small single track road which, regardless of the consent for the landfill was never intended to accommodate heavy commercial/industrial traffic. Further commercial development to be served by this road is nonsense. Comments of the Council’s Roads Engineer do not address this matter sufficiently. Will the landfill cease to operate if the waste treatment facility is built?

e) The proposal is contrary to the Structure Plan because it is a greenfield site where there are no transport options other than road. The facility would not be close to main points of waste generation and it is unfair that Tarbolton will bear the burden of waste treatment. Facilities closer to the point of waste generation would save 1000’s miles of road transportation. The applicant’s supporting statement does not mention increased and ongoing road haulage.

f) A suggestion that the development will become some sort of tourist attraction (reference to coach/visitor parking) is hugely out of character for the area.

g) The only element of the proposal that sits comfortably with the Structure Plan is that it is next to an existing waste facility but this alone should not be sufficient justification to give planning consent when industrial and brownfield land should be considered closer to the source of waste generation.

h) In terms of the South Ayrshire Local Plan (SALP), the proposal is contrary to STRAT3 as although it could be argued to conform to criteria a) and b), it is certainly sporadic and is inappropriate in a rural area.

i) Furthermore, the site comprises prime quality agricultural land so the proposal is contrary to policy ENV13 of SALP.

j) Policy SERV14 requires waste disposal to be as close to the source as practicable. As for comments regarding the Structure Plan, the proposal is contrary to this principle.

k) Policy SERV 15 sets out the criteria for the assessment of waste management proposals. The proposal does not meet with those criteria as follows:

1) The site is not close to the source of waste,

2) There is no demonstrated local need, the proposal will feed waste to the existing landfill and the two elements should therefore be considered as being inexorably linked. The existing landfill operation should be reviewed in line with current waste and transport policy. Will the transport numbers of both facilities be revisited in light of this application?

3) Community benefits are minimal and do not outweigh environmental and amenity concerns regarding the use of prime agricultural land, visual intrusion, local amenity and the use of roads ill-suited to such demands.
Additional objections/comment include the following:

i) Why have neighbours not been notified?

m) The general public is not aware of the proposal and should know more.

n) There are health implications as we don’t know what type of waste will be dumped at the site.

o) The sale of land in 1971, on which part of the landfill operation depends, is now regretted.

p) There were errors in the press notices which may have lead to third parties failing to comment on the application. Additional policies/ different policies should have been highlighted.

Support

Two letters of support for the proposal have been received. Comments include the following points:

a) The present operators of the landfill conduct activity in such a manner as to resolve any problems effectively, efficiently and immediately. The proposed Autoclave is to be encouraged given the present attitude to landfill as it will result in the diversion of a considerable tonnage towards re-use, recycling and recovery and this is welcomed by the local community.

b) The proposal is cutting edge green technology and fully compliant with the Area Waste Plan.

c) The proposal complements on site residual waste disposal and reduces the amount of waste that will require to be landfilled.

d) Composted material will help to restore the landfill.

e) The chosen site is unobtrusive as it is hidden behind completed zones of the landraise/landfill site.

f) Too many policies were listed in the press notices. The application does not contravene the policies listed by reason of the following:

1) South Ayrshire Local Plan (SALP) policy STRAT3 criteria a), b), c) and e) are satisfied within applicant’s the supporting statement, and even criteria d) can be set aside in light of Scottish Government directives.

2) SALP policy SERV15 has three qualifications. With the exception of concern over the expanse of the word “community” there cannot be any question over.

3) SERV14 of SALP states a preference for Girvan for waste disposal but this should be regarded as serving the Carrick area and should not prejudice this application.

4) SERV13 of SALP presumes in favour of protecting prime quality land, but the site is infrequently used for crop production, is encroached by the nearby Moss and therefore boggy and it is already fragmented from the remaining farm base.

5) Policy STRAT1 of the Ayrshire Joint Structure Plan reads as a vision statement rather than points against which a planning application can be judged.

6) Policy ENV13 of the Ayrshire Joint Structure Plan refers to the working of aggregates and is not relevant.

Assessment:

The material considerations in the assessment of this application are the provisions of the development plan, the consultations received, government guidance, other planning policy considerations, objector concerns and the impact of the proposed development on the locality.
Development Plan

The subjects are located within the Rural Protection Area as defined in the South Ayrshire Local Plan, within which policy STRAT3 requires development to be justified in terms of a range of criteria. This criteria includes reference to significant economic benefit or a non-residential use requiring a rural location due to inappropriateness within a settlement. The policy also states that an extension of an existing business where the predominant rural character of the locality will not be compromised may potentially be a justification. On balance I consider that although the proposed development is anticipated to employ 14 people, it is not considered that this constitutes a significant economic benefit. Furthermore, it is not my view that the Autoclave and subsequent Anaerobic digestive processes necessarily require a rural location, given that they are essentially industrial in nature and scale. However, it is reasonable to argue that the proposal represents an extension to the existing waste disposal/landfill operation adjacent – (which needs to be in a rural location).

In terms of its general location, the Ayrshire Joint Structure Plan does not differentiate between different types of countryside in the same way that the Local Plan does. It does however have a similar approach to rural development by seeking to direct development to previously developed land in preference to Greenfield sites (Policy STRAT1 refers). The policy encompasses general principles at the heart of promoting sustainable development and whilst it is acknowledged that the proposal represents development on a greenfield site, the existence of the landfill operation is a material factor. The policy advocates maximising the use of existing service infrastructure and the promotion of the reuse and recycling of resources, both of which are applicable in the assessment of this planning proposal.

Both the Ayrshire Joint Structure Plan and South Ayrshire Local Plan make specific reference to facilities for waste management. The Structure Plan, through policy ECON10 suggests that new waste management facilities should, in preference be located within or immediately adjacent to existing waste management sites. It qualifies this statement by further stating that all new proposals will be assessed against proximity to waste source, the Area Waste Plan, physical and environmental constraints including the effect on community well being, ground and surface water conditions and the capacity of transport systems.

The South Ayrshire Local Plan also seeks to promote the principles of waste minimisation prior to its eventual disposal. Policy SERV 15 is particularly relevant in this regard. The supporting text to that policy states that the Council will be mindful of potential landfill (or other waste disposal method) opportunities for future capacity requirement, especially where this would lead to or assist in the restoration of despoiled or degraded land. The basic criteria of policy SERV15 are similar in nature to those of Structure Plan Policy ECON10, namely:-

- "should additional waste management or disposal facilities be needed, proposals for their location and operation will be assessed in terms of:-
The site’s proximity to the source of waste; and
Demonstrated local need; and
Community benefits outweighing any environmental or amenity concerns”.

In considering the requirements and merits of the proposal in terms of SALP policy SERV15 and Structure Plan ECON10, the Ayrshire and Dumfries & Galloway Area Waste Plan, and Scottish Planning Policy (SPP) 10 “Planning for Waste Management” offer important guidance (see section below).
Government Guidance:

Scottish Planning Policy 10 “Planning for Waste Management” focuses on the hierarchy of waste management – that is to say, reduction, re-use, recycling, recovery and finally disposal. It suggests that a range of new management processes will be required to facilitate this, whilst recognising that landfill will still be an important element of eventual waste disposal. It advocates that facilities are located a suitable distance away from sensitive uses (such as dwellings) and they should be close to the source of waste, with good transport links.

The Ayrshire and Dumfries & Galloway Area Waste Plan highlights a requirement for additional material recycling facilities, composting centres and recycling operations within South Ayrshire. The Council’s Waste Strategy Group Leader considers that as the proposal is relatively small scale (for this type of facility) it is in line with current national waste planning policy. Furthermore, he is of the view that North, East and South Ayrshire should be regarded as being “close to the source of waste” for the purposes of meeting the requirements of the Area Waste Plan.

In terms of the above assessment, it is considered that the proposal is in general conformity with the Development Plan and wider National Policy regarding the minimisation and treatment of waste.

Planning History

The site itself does not have a significant planning history although the adjacent Tarbolton Moss site has been the subject of a number of planning applications dating back at least as far as the 1970’s, the most pertinent of which is P/90/01173/ful for an extension to landfill operations (temporary consent of 20 years) granted in May 1993. That consent referred to the overall capacity of the waste site and set parameters within which activity must comply (hours of operation, volume of waste per annum etc.

Representations Received:

In response to the grounds of objection summarised above, I would comment as follows:-

A,B  Comments with regard to the impact of the existing landfill/landraising operation are noted. Whilst there is an undoubted synergy between the proposed waste treatment facility and the existing waste disposal facility, comments and representations may only be considered in this report in so far as they are applicable to planning application 09/00846/FUL.

C  The online planning application system (historical sites) is maintained on a regular basis. However, on a point of clarification and with reference to “recently commenced activity in Zone two” (relating to the landfill rather than the waste treatment facility - which is the subject of this report), it should be noted that planning consent granted in 1993 related to the entire landfill site. Consequently work within zone one kept the consent valid for work to also take place within zone two at a later date.

D  South Ayrshire Council’s Roads and Transportation Manager has examined the information submitted in the Applicant’s supporting statement and is satisfied that traffic impacts of the proposal are acceptable.
The comment regarding proximity to waste generation are noted. In terms of the Area Waste Plan, the proposed facility would indeed be considered as helping to meet local needs and is considered to be close to generating source.

The applicant does not envisage the facility to be a tourist attraction, but has made provision to allow the process to be witnessed. This would allow, for example, educational visits.

The proximity of the proposal to an existing waste disposal point is an important factor in its assessment against Development Plan policies. The hierarchy of factors is clearly set out in Policy ECON10 of the Structure Plan and as such is an approved methodology framework for the assessment of such proposals. However, other factors are taken into consideration of the application and the assessment reported above gives demonstration of this.

An assessment against Policy STRAT3 is given above. It is considered that on balance, the proposal complies with the principles of that policy.

The site is classified as being prime quality on the MacCauley Land Use Classification Maps. However the maps are broad brush in nature and the particular attributes of the application site (regarding its size, drainage, farming practicalities etc) together with other material considerations of the site's overall acceptability for the development proposed means that the “prime” classification is not an overriding determining factor in the assessment of the application.

Policy SERV14 of the South Ayrshire Local Plan is specifically relating to a waste transfer depot at Girvan and is not applicable in the assessment of this application for a waste treatment facility at Tarbolton Moss.

An assessment against Policy SERV 14 and SERV15 of the South Ayrshire Local plan is given above. It is considered that on balance, the proposal complies with the principles of those policies.

Neighbours were notified correctly. There are no dwellings within the immediate vicinity of the development site, but press notices were placed to raise general awareness of the proposal in accordance with legal and procedural requirements.

As indicated above, press notices were placed to publicise the receipt of the application. It is also highlighted on the council Web Pages. Documentation has been made available on-line and also physically at Burns House in Ayr, in accordance with legal and procedural requirements.

The Council’s Environmental Health Officer, SEPA and Scottish Water raise no objections to the proposal. The deposit of waste is strictly controlled by separate licences issued and monitored by SEPA.

The comment is noted regarding regretted sale of land but the application must be considered on its merits.

The error in the press notice has been rectified. The revised press advertisements ensured that pertinent policies were highlighted for public information.
 Representations supporting the proposal:

A-C Comments regarding the operation of the existing landfill are noted. Notwithstanding this endorsement, whilst there is an undoubted synergy between the proposed waste treatment facility and the existing waste disposal facility, comments and representations may only be considered in this report in so far as they are applicable to planning application 09/00846/FUL. The statement that the local community welcomes the diversion of waste to landfill is also noted. Potential compliance with the Area Waste Plan and National Policy is considered in the assessment above.

D The applicant has indicated that some of the composed material will be used to help restore the landfill and this may indeed be the case. However, it is important to ensure that there are alternative outlets for this material that will also reduce the overall amount of material that is disposed of at landfill. Whilst there are no guaranteed markets for this material, the applicant has indicated that there is a wide range of possible end uses for the autoclave/anaerobic digester end product.

E Comments regarding the visual aspects of the proposal are noted. Assessment of this matter is detailed below.

F The comment regarding press advertisement is noted. The purpose of “development contrary” advertisements is not to predetermine if an application is contrary to the development plan, but to highlight specific policies which might reasonably be expected to receive particular attention in such an assessment. The assessment against the Development Plan is given above.

Consultation responses

I am satisfied that the comments from technical consultees can be addressed through appropriate planning conditions.

Impact on Amenity:

The proposal is industrial in appearance and substantial in scale, being some 14.5 metres high and 106 metres long. This represents a significant building within a landscape that otherwise only contains modest dwellings and structures associated with farming activity. It would be unrealistic to expect such a building to be hidden in the landscape, but it will likely be read visually within the context of the adjacent landfill. Its location to the north of that man made landscape should reduce its impact, particularly when viewed from Tarbolton to the south. Landscaping work will also help to soften the impact of the development, although with a building of this scale, such work will be of more benefit in the longer term, and in association with the landscaping of the landfill area more generally.

The issue of transportation and potential impact on the local road network has been carefully considered by the Council’s Roads and Transportation Manager. It is acknowledged that although the site is relatively well located for the potential source of waste (Ayrshire generally), the roads close to the proposed facility are narrow and not well suited for heavy industrial and commercial vehicles.
Notwithstanding this, the existing landfill already operates at Tarbolton Moss and such traffic is already being accommodated on those roads. Given the operational synergy between the landfill and the proposed development the Council’s Roads and Transportation Manager is satisfied that the two operations (existing and proposed) will not lead to any additional traffic movements over those approved by planning consent P/90/01173/FUL for the landfill activities, and as such it is acceptable.

The issue of potential smell and noise nuisance has been considered by the council’s Environmental Health Officer, who does not raise any concerns with regard to impact on residential amenity, (the closest dwelling being some 450 metres away). The impact of traffic on dwellings along route is a matter of particular concern for properties situated on the U78, some of which have little in the way of separation from that road. As detailed above however, the proposed development is unlikely to result in any additional traffic using the U78 above that which is currently experienced.

8. **Conclusion:**

Current municipal recycling and composting within South Ayrshire takes place mainly by means of kerbside recycling and at existing civic amenity sites. There are no facilities for the treatment of residual waste within South Ayrshire. Government targets for the recycling and composting of waste are set to increase in 2013, 2020, and again in 2025. The proposal at Tarbolton Moss will provide capacity to help meet the targets within South Ayrshire, and more generally within the Area Waste Plan area.

The site is considered to be close to the source of waste when considered in terms of the definition of Scottish Planning Policy 10 (ie Area Waste Plan level), and there is a synergy between the proposed waste treatment and the existing waste disposal landfill/landraise site adjacent. The proposal is in general conformity with the Development Plan and there are no unacceptable implications in terms of additional disruption or disturbance to dwellings in the vicinity. Furthermore, there are no unacceptable impacts with regard to the environment or amenity of the locality.

Given the above assessment of the proposal and having balanced the applicant’s rights against the general interest, it is recommended that the application be approved subject to conditions.

9. **Recommendation:**

It is recommended that the application be approved subject to the following conditions:

1. That the development hereby permitted shall be begun within three years of the date of this permission.
2. That the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority.
3. That the approval for the proposed use is limited to 20 years at which date the use of the land and premises as a waste treatment facility shall be terminated and the site shall be restored to its former condition in accordance with a written specification, including a timescale within which the works shall be implemented, to be submitted for the prior written approval of the Planning Authority. The restoration specification shall be submitted within 2 months of the date of this planning approval.
4. That the carriageway shall be resurfaced along the site frontage on U87 in accordance with the specifications in the Council’s Roads Development Guide before completion of the development.

5. SCC01 That no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to, and approved by the Planning Authority, in agreement with the West of Scotland Archaeology Service. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service;

6. That prior to the commencement of development, samples or a brochure of all materials to be used on external surfaces, in respect of type, colour and texture, shall be submitted for the prior written approval of the Planning Authority.

7. That junction access visibility sightline splays of 4.5 metres by 90 metres shall be maintained in both directions at the junction with the public road. There shall be no obstacle greater than 1.05 metre in height within the visibility sightline splays.

8. That the discharge of water onto the public road carriageway shall be prevented by drainage or other means. Precise details and specifications of how this is to be achieved shall be submitted for the prior written approval of the Planning Authority before any work commences on site.

9. That prior to the commencement of development, details of the location, height and materials of all new boundary fences, gates or other means of enclosure shall be submitted to the Planning Authority for written approval.

10. That before any works start on site a scheme of landscaping indicating the siting, numbers, species and heights (at time of planting) of all trees, shrubs and hedges to be planted, and the extent and profile of any areas of earth-mounding, shall be submitted for the prior written approval of the Planning Authority. The scheme as approved shall be implemented within one year / first planting season following the completion or occupation of the development, whichever is the sooner. The open space/landscaped area shall be retained as open space and to this approved standard.

11. That prior to the commencement of development, details of any external lighting shall be submitted for the prior written approval of the Planning Authority.

12. That no waste materials or reclaimed/processed materials shall be stored outside the building.

13. That with the exception of the Anaerobic Digestion process and essential maintenance, the hours of operation of any plant or machinery shall be restricted to between 0700 and 1800 Monday to Friday with no processing taking place on Saturdays, Sundays or Bank Holidays.

14. That the delivery of waste and materials to the site, and the despatch of waste and materials from the site shall be restricted to between 0730 and 1800 Monday to Friday, and 0800 and 1300 Saturdays. No delivery or despatch to or from the site will take place on Sundays or Bank Holidays.

15. That the site shall be restricted to the receipt of 50,000 tonnes total maximum of waste and materials per annum.

16. That unless otherwise agreed with the Planning Authority in consultation with SEPA, only residual waste (i.e. waste remaining after all practicable and reasonable efforts have been made to extract recyclable and, where appropriate, compostable material) shall be treated in the anaerobic digestion element of the facility hereby approved.

17. That the plant is designed and constructed to enable the export of electricity in accordance with the approved plans prior to commencement of the operation of the plant.
18. That prior to the acceptance of any waste materials into the anaerobic digestion element of the facility, the materials recycling and sorting facilities (post autoclave) must be fully operational. These facilities shall be implemented in accordance with the approved plans prior to the operation of the development hereby approved and all waste going into the anaerobic digestion plant shall. Where appropriate, first be pre-treated and sorted in the materials sorting and recycling facilities.

19. That the applicant treats surface water from the site in accordance with the principles of the CIRIA SUDS Manual (C697) published in 2007.

20. That before any development commences on site, details of a Site Waste Management Plan should be submitted to and approved by the Planning Authority in consultation with SEPA and implemented thereafter in accordance with the approved details during the construction of the development.

21. That no development can commence on site until a full site specific construction method statement (CMS) is submitted and approved by the determining authority, in consultation with SEPA. The CMS should incorporate detailed pollution avoidance and mitigation measures for all the construction elements potentially capable of giving rise to pollution including issues relating to the construction of the building, impacts on hydrogeology and disposal of contaminated land. Specifically the statement should address the following and the construction of the development should be carried out in accordance with the agreed details:
   a) How contaminated land will be dealt with; treated and disposed of as necessary
   b) Details of how disturbance to groundwater will be minimised, including any de-watering proposals
   c) Details of the storage of construction fuels, materials, raw materials and by-production
   d) Temporary SUDS measures
   e) Dust mitigation methods.

22. That should work not commence before April 2010, a revised survey be undertaken with regard to the detection and mitigation measures for the possible presence of otter, water vole and badger be undertaken to the written satisfaction of Scottish Natural Heritage and the Planning Authority.

Reasons.

1. To be in compliance with Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by section 21 of the Planning Etc. (Scotland) Act 2006.

2. To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

3. The use of the land is of a temporary nature and is only acceptable as a temporary expedient.

4. In the interest of road safety

5. To establish whether there are any archaeological interests on this site and allow for archaeological excavation and recording

6. In the interests of visual amenity.

7. In the interest of road safety and to ensure acceptable visibility at road junctions.

8. In the interest of road safety and avoid the discharge of water on to the public road.

9. In the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.

10. In the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.

11. In the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.

12. In the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.

In the interests of residential amenity.
13. In the interests of residential amenity.
15. In the interests of ensuring that only residual waste is treated in the energy from waste plant is accordance with SEPA's Thermal Treatment of Waste Guidelines 2009 and Government policy.
16. In the interest of ensuring that the facility has the capacity to export electricity generated by the operation of the plant.
17. In the interest of ensuring that the facility operates in accordance with the approved plans.
18. To ensure the site is drained in an acceptable sustainable manner and the drainage infrastructure is properly maintained.
19. To ensure that the waste on site is managed in an acceptable manner.
20. To protect the water environment from any damage arising from the construction and operation of this facility.
21. To identify the presence of protected species and provide measures to mitigate the impact of development on those species.

Advisory Note

The Council as Roads Authority advises that a Road Opening Permit will be required for any work within the public road limits.

The applicant is advised that, if the proposals hereby approved are altered in any way, for example as a result of obtaining any of the other statutory consents or for any other reason, they should so inform the Planning Authority and submit copies of the amended proposals in order that a view may be taken as to whether the alterations are material or not and whether a fresh application will be required.

Reason for Decision

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

Background Papers:

1. Planning and Application Form
2. Plans
3. Entec Planning Supporting Statement
4. Letters of Objection
5. Letters of support
6. Adopted South Ayrshire Local Plan
7. Approved Ayrshire Joint Structure Plan
8. Ayrshire Dumfries and Galloway Area Waste Plan

Person to Contact:
Mr Adrian Browne Senior Planning Development Case Officer 01292 616324