

APPLICATION NO	PA/2008/0988
APPLICANT	URSA Insulation SA
DEVELOPMENT	Planning permission to erect a glass wool insulation product manufacturing plant, including storage, landscaping and access
LOCATION	Land north of Chase Hill Road, North Killingholme/East Halton
PARISH	NORTH KILLINGHOLME AND EAST HALTON
WARD	Ferry
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Contrary to policy
BACKGROUND	<p>The main development site the subject of this application amounts to approximately 15 hectares and the proposal is to construct a glass wool manufacturing facility which would manufacture in the order of 65,000 tonnes of insulation products annually. The building is large and consists of a number of significant elements. The element of plant is approximately 400 metres long and 80 metres wide at its widest point and will have three principal heights: 31.5 metres for the furnace area with the balance of the manufacturing process between 22 metres and 5.5 metres. The building has a footprint of approximately 27,500 square metres. Three chimneys are proposed at 65 metres, 50 metres and 23 metres high with a significant area of outdoor storage for both raw product and finished stock.</p> <p>Access roads, a gatehouse and a water process area are all elements of the proposal within the application site. The applicant company, URSA, is part of the Uralita group, a leading Spanish construction materials manufacturer founded in 1907 with more than 4,000 employees. URSA has 13 production plants – 9 manufacturing glass wool and 4 manufacturing extruded polystyrene – sited throughout Europe and further afield. With annual sales of 300,000 tonnes and 1.5 million cubic metres of polystyrene URSA insulation has more than 2,000 employees.</p>

The proposed plant will operate on a 365 days per annum process and employ around 140 employees on site.

The proposal represents a significant multi-million pound investment into North Lincolnshire.

POLICIES

Regional Spatial Strategy for Yorkshire and the Humber (RSS): Policy YH3 (Key Spatial Priorities) – all plans, strategies, major investment decisions and programmes in the region will, where relevant, aim to:

- (1) transform economic, environmental and social conditions in the older industrialised parts of South Yorkshire, West Yorkshire and the Humber.

Paragraphs 2, 3, 4 and 5 all further outline key spatial priorities to improve the vitality and create investment opportunities in the Humber region.

They form part of the core approach of the RSS.

Policy HE1 (Humber Estuary Sub-area policy) sets seven significant areas dealing with developments in the Humber estuary. It deals with the roles and functions of places, economic development, environmental quality, transport connections, strategic patterns of development, regionally significant investment priorities, and joined up working. Each element of this policy has bullet points aimed at North Lincolnshire and in certain instances specifically the Humber estuary's attractiveness for having a deep water channel and good corridors of transport connections and communications.

The environmental quality of the area, particularly the Humber estuary, and opportunities to enhance the biodiversity of the area are also identified.

Policy E1 (Creating a Successful and Competitive Regional Economy) sets out 10 drivers to create a more successful and competitive regional economy and says that all plans, strategies, and major investment decisions and programmes in the region will take aim from these drivers.

Policy E3 (The Supply of Land and Premises for Economic Development) says that all plans, strategies and programmes in the region will seek to support the availability of sufficient land in sustainable locations to meet the needs of a modern economy and sets out criteria which should be taken into account when seeking to support such initiatives and proposals.

Policy ENV9 (Cultural Heritage) recognises the historic environment and further recognises that developments and initiatives in the area potentially have an impact on historic environment and local character issues. The policy sets standards, including those for the Humber area, where such heritage must be taken into account when considering new proposals, plans and strategies.

North Lincolnshire Local Plan: Policy IN1 (Industrial Development, Location and Uses) defines areas where the plan has allocated such uses and the South Humber Bank, which includes the application site, as an area of 740 hectares allocated for uses similar to the subject of this application.

Policy IN3 (Industrial and Commercial Development in the Urban Area, Principal Growth Settlements, South Humber Bank, and Humberside International Airport) is criteria based and sets five standards against which developments such as that which is proposed shall be judged against.

Policy IN4 (Estuary-related Development – South Humber Bank, land between South Killingholme Haven and East Halton Skitter) is a criteria-based policy setting seven points against which proposals will be judged similar to those the subject of this application.

Policy IN5 (Estuary-related Development – South Humber Bank, between Chase Hill Road and East Halton Skitter) is a criteria-based policy setting two standards relating to the provision of access, taking into account remaining undeveloped land and that landscaping is considered along with all other relevant issues.

Policy IN6 (Defined Industrial Buffer Areas) deals with the area of the South Humber Bank and says that within this area, where appropriate, schemes for indigenous tree and shrub planting and habitat creation will be required as an integral part of any development proposal.

Policy T1 (Location of Development) is criteria-based and sets three standards that need to be taken into account when significant volumes of traffic movement will be created by the development.

This policy is particularly relevant to this application.

Policy T2 (Access to Development) says that all development must be provided with a satisfactory access and that larger developments should be accessible by a

choice of transport taking into account existing public transport and service infrastructure.

Policy T3 (Transport Assessments) says that for major schemes the transport assessment will be required and sets three criteria-based policies for their production.

The transport assessment has been submitted in respect of this application.

Policy T5 (Green Travel Plans) says that the council will encourage businesses and organisations that employ or attract a large number of visitors or employees to draw up green travel plans.

This proposal has provided a sustainable travel plan which serves the same function.

Policy LC1 (Special Protection Areas, Special Areas of Conservation and Ramsar Sites) – members will be aware that the Humber estuary and its environs and a large proportion of the River Trent are a Special Protection Area and this policy aims to ensure that any proposal which is likely to have an impact upon such internationally important sites is properly considered in conjunction with our colleagues at Natural England.

Policy LC5 (Species Protection) aims to ensure that species protected by Schedules 1, 5 or 8 of the Wildlife and Countryside Act 1981 are taken into account when development proposals are likely to have an impact upon them.

Again, with our colleagues at Natural England, this policy has been considered fully.

Policy LC20 (South Humber Bank – Landscape Initiative) is a criteria-based policy setting six standards which have to be considered when looking at proposals in this location.

Policy HE8 (Ancient Monuments) says that development proposals which will result in an adverse effect on Scheduled Ancient Monuments and other nationally important monuments or their settings will not be permitted.

This policy has been considered in the light of nearby Scheduled Ancient Monuments and English Heritage have been the lead consultee. Their wishes have been incorporated into condition requirements.

Policy HE9 (Archaeological Evaluation) says that where sites affect known sites of archaeological importance, full archaeological assessment and mitigation strategies need to form part of the development proposal.

Policy DS1 (General Requirements) is a criteria-based policy setting standards for all developments which deal with the quality of the design, the amenity of neighbouring uses, the conservation of any issues or features of acknowledged importance, resources and utilities and services.

Policy DS16 (Flood Risk) says that where developments are proposed in areas likely to be of significant flood risk, flood risk assessments and the views of the Environment Agency should be fully considered.

CONSULTATIONS

Highways: No objections in principle to the formation of the proposed access roads to serve this development, however information is awaited further to the submission of a transport assessment and sustainable travel plan with regard to the details. Subject to appropriate conditions, no objections overall.

Anglian Water: No objection and confirm that adequate facilities exist to provide the proposal with a water supply.

Fire Brigade: No objections and further identify the number and locations of fire hydrants that will be required to serve such a development.

Government Office for Yorkshire and the Humber: No objections and request a copy of any planning permission given.

Yorkshire Forward: No objection but call for a strategic approach to be taken in relation to serving this development via the existing highway network. In terms of the drainage, sustainable drainage systems should be used.

Humberside Police: Do not raise objections but note that ammonia is to be stored at the premises. As such appropriate precautions should be taken.

Yorkshire and Humber Assembly: No objections and offer support in principle for the development.

Lincolnshire Wildlife Trust: Register a holding objection on the grounds that they wish to see more information on

bird use of the site and the results of an appropriate assessment under the Habitat Regulations.

Environment Agency: Following the submission of a flood risk assessment and drainage strategy report, including details of foul and land drainage calculations, register no objection to the proposal.

RSPB: Similar to the Lincolnshire Wildlife Trust, object to this proposal on the basis that the environmental statement submitted lacks information regarding the potential impacts on birds and habitats of the Humber Estuary SPA.

East Midlands Airport (on behalf of Humberside Airport): Register no objection to the proposal but request a condition that any new external lighting must consist of flat glass with full cut-off design, with horizontal mountings, to ensure that there is no light spill above the horizon and that the 65 metre and 50 metre stacks are installed with a steady low-intensity red omnidirectional obstacle light.

English Heritage: During the consultation process English Heritage asked for photomontage representations of the development to be provided in order for them to assess the impact of the development on cultural heritage and landscape issues.

English Heritage have responded by objecting to the proposed development on the grounds of the adverse impact of the western access road on the settings of the nearby medieval moated site Scheduled Ancient Monuments at Baysgarth and Manor Farms. In expanding their objection they say that the line of the western access road (and its projected continuation northwards) bisects the area of the landscape buffer zone identified on the local adopted development plan as falling within the provision of policies IN6 and LC20. The landscape buffer zone here effectively protects the settings of the archaeological monuments.

They go on to say that they are not persuaded that access to the industrial land to the north of Chase Hill Road cannot be achieved in a more sympathetic way that would avoid such adverse impact on the settings of the nationally important monuments and the amenity of the historic landscape that forms this setting and which is more in line with the council's adopted planning policies for the landscape buffer zone between new development and East Halton village.

In conclusion, English Heritage say, 'In our view the western access road elements of the current application, due to its position within the landscape buffer zone, and its disruptive impact on the setting of the nationally important Scheduled Ancient Monuments at Baysgarth and Manor Farms runs contrary to the council's adopted development plan policies for industrial development (IN6), for retention of hedgerows etc (LC12), for landscape and conservation (LC20) and for the protection of the historic environment (HE8).'

Accordingly, English Heritage's recommendation is: 'English Heritage therefore objects to the application and recommends that it is refused or the application amended to position the road outside the landscape buffer zone, thereby reducing the adverse impact on the settings of nationally important monuments and on the amenity of the historic landscape that forms this setting.'

Natural England: Because of the site's location close to the Humber Estuary SPA, internationally important site, a significance test has been carried out and this has concluded that the development has the potential to have an adverse impact upon the SPA and special area of conservation. Accordingly, an appropriate assessment under Regulations 48 and 49 of the Habitat Regulations has been carried out.

The assessment concludes that certain conditions and restrictions should be placed on the applicants and these will ensure that there will be no adverse effect on the integrity of the designated sites and that accordingly the proposal should not cause significant harm to the special interests of the international site and the adjacent Sites of Special Scientific Interest.

Natural England also has comments on the protected species and the biodiversity value of the site.

It is the council's responsibility under Section 40 of the Natural Environment and Rural Communities Act 2006 to have regard to biodiversity in exercising its functions.

In accordance, therefore, to fulfil the requirements of the duty under Section 40 and to comply with Planning Policy Statement 9, a condition should be imposed on any planning permission issued which requires a landscape and biodiversity management plan to be submitted and agreed.

Turning now to the issue of landscape, as Natural England are now the Government's advisor on landscape issues, Natural England is disappointed that the local planning authority does not appear to be supporting its own policies with regard to landscape and this may impact upon the quality of the local area. They go on to say that the additional information provided in accordance with the requests of English Heritage goes some way towards addressing weaknesses in the submitted environmental assessment, however they are still of the opinion that the scale of the building and its proposed access road will become a major obtrusive feature in what is a relatively flat and open landscape and will not assist in either maintaining or enhancing local landscape character.

Natural England is also concerned that to approve this proposal may undermine the strategic approach to industrial development in the South Humber Bank area. The proposed western access route runs through open countryside, which has been defined as a landscape buffer zone in the North Lincolnshire Local Plan. The plan has policies in place to ensure the retention of buffer zones between settlements and industry and Natural England supports such an approach.

It is Natural England's view that the eastern access road is the preferred access to the site.

The conditions also serve the concerns of the Lincolnshire Wildlife Trust and the RSPB.

Health and Safety Executive: No objections.

**SOUTH
KILLINGHOLME
PARISH COUNCIL**

Object on the grounds that there will be more pollution emissions to the area and also an increase in traffic within the vicinity.

**EAST HALTON PARISH
COUNCIL**

Register the following comments:

'The two public footpaths, one from Scrub Lane and the one from Swinster Lane must be diverted. The screening, which was a condition of the planning application by Eon, has now reached a very good height. As the access road will now curve, it will mean this screening will have to be removed and replaced, but it won't be possible to replace with the same height of growth. Could not the access road go straight and avoid removal of this screening?'

In a second letter the parish council say:

'Whilst we have no objection to the glass wool insulation plant, we feel we must strongly object to the western access route.

'The proposed route contravenes North Lincolnshire's local plan which does not allow development within the buffer zone. The siting of this western route makes it impossible to fulfil the local plan policies LC20 and IN6, especially the latter, which states no development shall be permitted within the buffer zone.

'It is of great importance that the buffer zone be preserved to protect the local amenities, footpaths, countryside and also to protect the social amenities of the residents who would suffer from further light pollution and an ever-increasing noise level from HGVs, all of the access would be visually intrusive to residents.

'It would be hard to resist any further development once this boundary has been breached. We consider it essential that no more land is used, for whatever purpose, between the industrial zone and the village.

'IN6 paragraph 5.44 quote, the Humber Bank Landscape Initiative states: "On the South Humber Bank there is a potential to create a showcase where industry is placed in greater harmony with its surrounding countryside landscape character. The initiative aims to achieve individual improvements dovetailing with present and future operational needs and providing new habitats and a network of grassland, hedges, woodland and water between and around industry. In this way a more attractive environment can be created and maintained for the benefit of everyone concerned with the wider environmental aims of this plan and the council's regeneration strategy."

'We have no objection to the option of the eastern access route and consider this the much preferred route causing less upset to local residents and thus adhering to LC20 and IN6.'

**NORTH
KILLINGHOLME
PARISH COUNCIL**

'No real objections have been made to the site itself, concerns have been raised with regard to the vehicles travelling to and from the site and how the village of North Killingholme would be directly affected by this site.'

PUBLICITY

Receipt of the application has been advertised on site and in the local press as the application is accompanied by an environmental impact assessment. Neighbouring properties have been notified by post. A number of

letters, and a petition containing approximately 100 signatures, have been received all objecting to the development on the following grounds:

- To the west of the site, where an access is proposed, buffer policies exist in the North Lincolnshire Local Plan which require the area of land to be landscaped in order to mitigate the impact of any industry or associated development on nearby residential properties and settlements. The relevant policies are LC20 and IN6 and the objectors go on to say that these policies have been in the development plan for some considerable time and are important and crucial to the area of East Halton, North and South Killingholme and any infringement of the buffer area as defined by the plan will set a precedent for further infringements and incursion in the future.
- Because of the above, the western access position is in the wrong position.
- The access is in the open countryside and not in a site allocated for industrial use.
- The eastern access proposed, which already exists in part to serve the power station, is acceptable.
- The site should only have one access route, not two as are proposed, and the access route should be the eastern one.
- Noise generated by traffic using the western access route will adversely affect adjacent residential properties and the living conditions of the people occupying them.
- Because the proposed use by the company is a 24-hour round-the-clock process noise from traffic using the western access route will be continuous and against the provisions of policy DS1 which aims, amongst other things, to minimise disturbance to residential property.
- The western access route will not only serve URSA's development the subject of this application, but also the remainder of the industrial allocation which is significant to the north of the application site.
- Public footpaths are affected by the development and will need diversion.

- The western access route, if allowed to be constructed, will disturb local wildlife and habitat.
- This proposed development will bring more HGVs to the area which is already overcrowded and congested with them, with unsuitable roads and junctions to cater for any increases in such traffic. North Killingholme village will feel the brunt of traffic impacts from the development, particularly those 'rat-running' in private cars between the two principal access routes – Eastfield Road and Top Road.
- No appropriate public transport links or facilities exist at suitable times to enable employees of the plant to use this facility and minimise the use of private cars.

ASSESSMENT

During the consultation process, as well as carrying out many consultations with statutory and other voluntary bodies, North Lincolnshire Council consults internally. The result of those consultations is as follows:

A number of public footpaths are affected by the development and diversions are required. This has been brought to the attention of the applicants and appropriate measures have already been taken by them to ensure the correct procedures are adopted with diversions, temporary closures and temporary stopping up of footpaths where appropriate.

Environmental Protection Officer: From a land contamination perspective, no objections are raised. In respect of noise disturbance, some basic assessments have already been taken and further information is awaited from the applicants relating to the construction of an acoustic barrier within the landscaping belt to the west of the western access route to minimise the impact of traffic noise on the nearest residential properties. It is noted that the environmental statement suggests that the haulage route (serving the development) will only operate for HGV traffic between the hours of 7am and 7pm. A condition to enforce this requirement is suggested.

In respect of air quality, advise that as this proposed development will be issued a permit and regulated by the Environment Agency, the Environmental Permitting Regulations (EPR) which regulate emissions to air from the site, will regulate such emissions and thereby create no adverse impact on the air quality of the area.

Environment Team – landscape: Suggest that the building should be a darker colour than what is proposed

and this has been agreed to by the applicants in the form of imposing conditions on any forthcoming approval, and also that further work needs to be undertaken with regard to the landscaping of the development in order to fully comply with the provisions of the aforementioned buffer policies to mitigate the effect of the development on cultural heritage and landscape asset.

Sites and Monuments Records Officer – archaeology:

The site has good archaeology and significant work has been done in the form of trial trenching throughout the site to examine exactly where and how deep the archaeology is.

In certain areas of the site the archaeology is very shallow and a specialist mitigation strategy will need to be developed in order to record, either by record or in situ.

The mitigation strategy is currently being finalised and will form part of the condition requirements should planning permission be granted.

Members are advised that this application has been accompanied by a full environmental impact assessment of some length and additionally, because of the site's proximity to the Humber Estuary Special Protection Area (SPA) and Ramsar site, which incorporates the Humber Estuary Candidate Special Conservation Area (cSAC), a significance test under the Habitat Regulations has been carried out. This has concluded that North Lincolnshire Council is of the opinion that this project is likely to have a significant effect alone or in combination with other plans and projects on the Humber Estuary SPA and Ramsar site and therefore a full assessment under Regulations 48 and 49 of the Habitat Regulations has to be undertaken. This is currently with Natural England and their formal comments are awaited with regard to the conditions that that assessment recommends.

Due to the provisions of the North Lincolnshire Local Plan, the application site is located within an area allocated for industrial uses. However, it must be pointed out that the western access road is not wholly within the same allocation and is in an area of land allocated for buffer landscaping. The access road, because of its proximity to nearby residential property, is proposed to be heavily landscaped with bunding on either side of the access road to further emphasise the landscaping. The landscaping on the western side of the access road, which is the side of the road closest to the nearest residential property, will incorporate a 2 metre high, or

thereabouts, purposely-designed acoustic screen which will be constructed in accordance with details to be agreed following assessment by the council's Environmental Protection officer in order to ensure it is effective. (*Ac. fence – email 20.10*)

The determining issues in this case therefore, along with consideration of the magnitude of this proposal, are the jobs it creates and the impact it will have on the local economy, along with such issues as regional and local plan policies, impact on nearby residential property, particularly from noise and disturbance created by comings and goings to the plant, impact on wildlife habitat and ecology, whether or not the important archaeology of the site can be recorded and preserved satisfactorily, and whether landscaping proposed with the development satisfactorily addresses the concerns of English Heritage in terms of the cultural heritage of the location.

Dealing first with planning policy, and this impinges also on the western access position, the proposal meets the majority of policies quoted in this report and therefore can be considered fundamentally in line with both regional and local development plan policies. However, the western access position is in an area that is designated as a buffer area. From investigations, and looking at existing developments, it has been concluded that the western access road is one of the few positions where access to the balance of the industrial allocation to the north of the application site can be satisfactorily achieved. The landscaping, therefore, particularly to the west of the southern part of the access road, is very important and crucial to protect the amenities and living conditions of the nearest residential properties. The landscape and acoustic barrier that is proposed is considered appropriate and essential to mitigate not only the impact of the traffic that this development will create but, with the passage of time and the maturing of the proposed landscaping and its continued maintenance, will give an adequate and appropriate protection to the living conditions of the nearest residential properties from noise and disturbance generated by traffic using the access road.

It is at this point in the report that the industry and employment policy IN6 and the landscape and conservation policy LC20 need to be further addressed.

It has been suggested by third party objectors and English Heritage that this development is so contrary to policies IN6 and LC20 that this development should be refused permission.

Natural England, in their response, have not been so focussed in so much as they have not objected to the application but have made comment in terms of landscape initiatives and policies in the North Lincolnshire Local Plan.

The following analysis addresses the concerns of English Heritage, Natural England and third party consultees with regard to these policies and landscape matters.

In considering these significant objections and comments reference has to be made not only to the comment and justification that form part of the local plan which flesh out the specific policies, but also to the comments made by the inspector who examined the draft North Lincolnshire Local Plan in public prior to its adoption in 2003.

It is clear from reading the inspector's report on the two relevant policies that he fully supported the provision of a specific buffer between the settlements of East Halton and the Killingholmes as well as a more general landscape initiative throughout the Humber Bank area.

In his assessment he makes no mention of this buffer being required to protect issues of cultural heritage or nearby Scheduled Ancient Monument sites.

He did, however, say in respect of policy IN6 that landscape buffers should not be compromised by provision for yet more industrial development; this is interpreted to mean buildings and structures attendant with specific industrial development. In considering policy LC20 the inspector again clearly says that the buffer and landscape initiative should be maintained at their widest possible extent wherever possible.

Turning now to the comments made in the adopted North Lincolnshire Local Plan following each of these relevant policies, in paragraphs 5.4.3 and 5.4.4 it is stated that it is essential to maintain the separation between industrial and residential areas on amenity grounds and because much industrial building and activity can look unsightly. In the following paragraph it says, 'The initiative aims to achieve individual improvements dovetailing with present and future operational needs and providing new habitats...'

Similarly, following policy LC20 at paragraph 12.3 statements are made with regard to the South Humber Bank landscape initiative proposals.

It is quite clear, therefore, from both the planning inspector examining the draft policies before the plan was adopted and the comments that follow each of the relevant policies, that the principal aim of both the buffer policy and the landscape initiative is to protect the living conditions of those residential areas that lie closest to the industrial allocation from harm on both amenity and visual grounds.

Earlier in this report it has been stated that a significant amount of landscaping is proposed alongside each side of the proposed access road. Yes, the access road does run through the allocated buffer area but the provision of this buffer area has always been dependent upon either achieving contributions from developments locally for industrial and commercial activity or by getting developers to provide elements of this buffer and necessary landscaping as an integral part of any development proposals.

It is the latter approach that has been taken here.

URSA, in conjunction with adjacent landowners, have agreed and designed an element of buffer which in due course will mature and hopefully, as further developments come forward in this area, further landscape, both to the east and west of the access road in accordance with policy IN6, which will ensure the provision of an effective long-lasting and properly designed landscape area of buffer planting. Such areas, in time, will provide not only the habitat that is expected from such areas but also an effective and relevant screen both in respect of noise and disturbance and from visual intrusion that the industry may exhibit.

It is therefore concluded that, although running through the buffer area, the access road serving this development, which has the potential to be extended further northwards, whilst some may consider it alien to the intentions of the policy, is an operational requirement of the application to achieve a satisfactory means of vehicular access and this itself brings the proposal in line with the policy's intention which is explained in the comments in the local plan as an integral part of the policy framework. It is for these reasons that the council considers that placing the access road in the buffer area

is not so contrary to policy that would make this a reason for refusing this application.

In respect of the traffic issues raised by objectors, the environmental statement has included a full transport statement and an assessment of the local highway network. Along with the council's transport engineers it has been concluded that the road network in the area has the capacity and is constructed to a standard that will cater for the additional traffic created by URSA. The council cannot consider at this moment in time the wider and more longer-term implications of the larger industrial allocations using the highway network and it may be that when further developments are proposed more wide-ranging and junction improvements and routeing detailing will have to be considered.

The proposed development site incorporates two possible access positions: one to the east, which is in private ownership and already serves one of the existing power stations close by, which will need extending; and a proposed new access road (the preferred route) to the west as a proposed extension of Eastfield Road northwards.

The reasoning behind showing two accesses as part of the planning application is as follows. The preferred access position to the west requires negotiations with a third party owner and is a totally new construction. The one to the east exists in part and temporary access over it has already been negotiated. Therefore the eastern access road could be used for construction traffic allowing negotiations to continue and construction to take place on the western access route for the operational access requirements of the proposed URSA plant.

The eastern access road is not suitable to URSA as a permanent solution as it is tortuous involving at least two 90 degree changes of direction.

The western access route, as well as serving the application site, has strategic benefits in access terms of being able to be extended northwards into the industrial allocation of the South Humber Bank.

Rat-running by private cars through North Killingholme village is not considered to be a major problem.

Footpaths are affected, will need diversion and temporary stopping up where appropriate and the council's

Environment Team will deal with these issues through separate legislation.

Emissions from the factory will be controlled by the Environment Agency and will be the subject of a permit under specific regulations divorced from planning requirements. It is therefore concluded, as the Environment Agency is the responsible authority, any emissions from the stacks from this plant will be strictly controlled and not harm the air quality of the area.

With the completion of the appropriate assessment under the Habitat Regulations, in conjunction and in co-operation with Natural England, it can be confirmed that the wishes of both the RSPB and the Lincolnshire Wildlife Trust have been safeguarded and appropriate conditions to mitigate the impact, particularly on bird populations, will be acceptable. Similarly with English Heritage. English Heritage have considered very carefully the impact not only of the building on the landscape, but also, in conjunction with the council's own archaeologist, the impact of the proposed western access road on the archaeology of the area. The additional conditions recommended by English Heritage, and those recommended by our own archaeologist in respect of a mitigation strategy, are considered appropriate and necessary in order to be able to sanction this development.

In conclusion, it is considered that this development will be of major benefit to North Lincolnshire and the region more generally, particularly with the inward investment involved and the amount of jobs created. Its development will kick-start a major area of industrial development in North Lincolnshire and provide that development with the beginnings of a strategic access position. It is considered, therefore, that this development is of strategic importance to North Lincolnshire and that fact must be weighed in the balance when considering representations received and the views of consultees.

RECOMMENDATION

Grant permission subject to the following conditions:

Statutory

1. The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

Drainage

All surface water drainage from parking areas and hard standings shall be passed through an interceptor, designed and constructed to a capacity agreed beforehand by the local planning authority, prior to being discharged into any watercourse, surface water sewer or soakaway system. Roof water shall not pass through the interceptor.

Reason

To prevent pollution of the water environment and to comply with policy DS13 of the North Lincolnshire Local Plan.

3.

Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason

To prevent pollution of the water environment and to comply with policy DS13 of the North Lincolnshire Local Plan.

Aviation safety

4.

As soon as is practical following the 65 metre and 50 metre high chimneys reaching their maximum height, and in no case longer than within 14 days of them reaching their maximum height, both chimneys shall be fitted with a steady low intensity red omnidirectional obstacle light, the details of which shall be submitted to and agreed in writing by the local planning authority beforehand. Such

lights shall be retained and maintained in correct working order at all times thereafter.

Reason

In the interests of aviation safety.

5.

All new external lighting must be of flat glass, full cut-off design with horizontal mountings and so designed to ensure that there is no light spill over the horizon.

Reason

In the interests of aviation safety.

Materials

6.

No development shall take place until details have been submitted to and approved in writing by the local planning authority of the make, type and colour of all external facing materials for the development and only the approved materials shall be used.

Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

Access and highways

7.

No works shall take place on site until:

- (i) the precise junction location and method of constructing the proposed (permanent) western access road;
- (ii) a revised transport assessment that considers the potential further impact of this road and investigates any junction improvements and/or within-highway works necessary to facilitate it; and
- (iii) details of the method of constructing any such junction and/or within-highway works;

have been submitted to and approved in writing by the local planning authority.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

8.

The eastern access shall, unless otherwise previously agreed in writing, be used to facilitate construction of the proposed development and for a temporary period thereafter (serving only this development). This period of time shall be agreed in writing by the local planning authority prior to the plant being brought into operation.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

9.

Within one month of the (permanent) western access being available for use, the (temporary) eastern access shall be permanently closed with any within-highway works necessary to facilitate it being removed reinstated to their original state.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

10.

Works shall not commence on site until wheel cleaning facilities, in accordance with details to be submitted to and approved in writing by the local planning authority, have been provided within the curtilage of the site, and this facility shall be retained for the duration of the works.

Reason

To prevent material being deposited on the highway and creating unsafe road conditions.

11.

No development shall take place until details of the drainage, construction, services and lighting of the proposed access road, including the junction with the adjacent highway, have been submitted to and approved in writing by the local planning authority.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

12.

No other works shall be commenced on the site until the access road junction with the adjacent highway, including the required visibility splays, has been set out and established.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

13.

Development shall not begin on site until details of:

- (i) the number, location and layout of vehicular accesses to the site;
- (ii) the number, location and layout of vehicle parking spaces, including access aisles, surface markings and turning facilities;
- (iii) the location and layout of vehicle loading, off-loading and turning facilities for delivery vehicles; and
- (iv) the pedestrian means of access to all buildings;

have been submitted to and approved in writing by the local planning authority.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

14.

The development shall not be brought into use until:

- (i) the access roads to the service and customer parking area;
- (ii) the loading, off-loading and turning areas for all vehicles; and
- (iii) the parking spaces and access aisles (including surface markings);

have been provided and all these facilities shall thereafter be so retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

15.

The final Travel Plan shall be submitted to and approved in writing by the local planning authority within six months of the proposed development being brought into use and all conditions and requirements of the plan, once approved, shall be implemented and retained at all times.

Reason

In accordance with the requirements of PPG13 and to ensure that the proposed development operates in a safe and sustainable manner with minimal disruption to the Highway Network.

16.

The Travel Plan, once approved and in place, shall be subject to monitoring on an annual basis for a period of three years from the approval date. The monitoring report on the impact of the Travel Plan shall be submitted to the local planning authority on the first of January each year following the grant of planning permission. All amendments to the approved Travel Plan identified as a result of the monitoring process shall be implemented and retained.

Reason

In accordance with the requirements of PPG13 and to ensure that the proposed development operates in a safe and sustainable manner with minimal disruption to the Highway Network.

Landscaping

17.

No development shall take place until proposals for landscaping have been submitted to and approved by the Local Planning Authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

Reason

To enhance the appearance of the development in the interests of amenity.

18.

All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by the Local Planning Authority). Any trees or plants which die, are removed or

become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the Local Planning Authority agrees in writing to any variation.

Reason

To ensure the implementation and maintenance of the submitted scheme of landscaping for the proposed development.

19.

The scheme of landscaping and tree planting shown on drawing no. 2413.07D shall be carried out in its entirety within a period of twelve months beginning with the date on which development is commenced or within such extended time period as may be agreed in writing with the Local Planning Authority. Any trees, shrubs or bushes removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees, shrubs or bushes of similar size and species to those originally required to be planted unless the Local Planning Authority have given written consent to any variation.

Reason

In order to secure the timely completion and successful establishment of the approved scheme of landscaping for the site.

20.

Before development commences, details shall be submitted to and approved in writing by the local planning authority of the precise location, construction and specification of an acoustic fence to be constructed in a location to minimise, to World Health Organisation Guidelines for Community Noise Standards, noise nuisance to the nearest receptor. Such details shall be based on the additional information in relation to noise levels received by the local planning authority on 23 October 2008 (ref. Fairfields Noise Analysis 1251.20.10.08.doc and figure 4.3B rev. A) and be designed to achieve such projected performance.

Reason

In order to minimise noise nuisance to levels that achieve World Health Organisation guidelines.

21.

Such an acoustic fence as agreed in condition 20 above shall be completed in its entirety before the plant becomes operational and retained and maintained in an effective condition thereafter.

Reason

To ensure the timely provision of the acoustic screen.

Ecology

22.

All site works shall be undertaken in accordance with the Environment Agency Pollution Prevention Guidelines and in particular PPG 6 'Working at Construction and Demolition Sites'.

Reason

To avoid contamination of International Nature Conservation Sites in accordance with policies LC1 and LC2 of the North Lincolnshire Local Plan.

23.

No new external lighting shall be erected on the site at any time without the prior approval of the local planning authority. Any external lighting installed shall be angled downwards and shall not be permitted to overspill beyond the site boundary, or into proposed habitat areas, by more than 10 Lux.

Reason

To avoid visual disturbance of birds listed in the Humber Estuary SPA citation in accordance with policies LC1 and LC2 of the North Lincolnshire Local Plan.

24.

The submitted management plan, 'URSA PLANT WETLAND RESERVE, North Killingholme-Reserve Management Plan For Ursa SA' shall be implemented in full and in accordance with the submitted timings.

Reason

To provide a habitat buffer minimising disturbance of waterfowl, in accordance with policies LC1 and LC2 of the North Lincolnshire Local Plan.

25.

Prior to construction of the access road wearing course, all landscaping for the western access road north of Section A-A shown on submitted drawing 'Figure 4.3 A revision A' shall be carried out in accordance with the

submitted drawing 'Figure 4.3 B revision A', save for the proposed shrub mix. No bunds, trees, shrubs or hedges thereby created shall be permitted to attain a height exceeding 5 metres above the adjacent ground level. The proposed shrub mix referred to in submitted drawing 'Figure 4.3 B revision A' shall be replaced with species native to North Lincolnshire, to be agreed with the local planning authority. The agreed shrub mix shall also be planted prior to construction of the road wearing course and all landscaping shall be retained thereafter.

Reason

To avoid visual disturbance of birds listed in the Humber Estuary SPA citation in accordance with policies LC1 and LC2 of the North Lincolnshire Local Plan and to provide appropriate landscaping and wildlife habitat in accordance with policies DS1, LC7, LC12 and LC20 of the North Lincolnshire Local Plan.

26.

No construction works or associated bunding shall be permitted between the months of April and July inclusive within 100 metres of the fields numbered 38 or 41 on the submitted drawing 'Principal Curlew Feeding Areas 2007-2008' except using noise attenuation and visual screening methods to be agreed in writing with the local planning authority. No road construction works or associated bunding shall be permitted between the months of November and March inclusive within 100 metres of the field numbered 42 on the submitted drawing 'Principal Curlew Feeding Areas 2007-2008' except using noise attenuation and visual screening methods to be agreed in writing with the local planning authority.

Reason

To avoid noise and visual disturbance of birds listed in the Humber Estuary SPA citation in accordance with policies LC1 and LC2 of the North Lincolnshire Local Plan.

27.

All hedgerows to the west of grid reference TA148194 shall be retained at a height of not less than 1.8 metres except where their removal is essential for the construction of the road and bunds hereby permitted.

Reason

To preserve hedgerows and minimise construction disturbance to water birds in accordance with policies LC1 and LC12 of the North Lincolnshire Local Plan.

28.

No development shall take place until a landscape and biodiversity management plan has been submitted to and approved in writing by the local planning authority. The plan shall include:

- (a) details of measures to avoid harm to protected species, including badgers and nesting birds, during the construction phase of development;
- (b) details of measures to create improved foraging habitats for badgers, barn owls, kestrels, bat species and farmland birds;
- (c) details of measures to create nesting and roosting opportunities for barn owls, kestrels, bat species and farmland birds;
- (d) details of the provision of mixed nature hedges, trees, ditches and water attenuation basins;
- (e) details of the timing of the above works in relation to development of the site;
- (f) monitoring procedures and remedial measures triggered by monitoring, including monitoring of badger activity and any measures required to minimise the risk of badger road casualties;
- (g) persons responsible for:
 - (i) compliance with legal consents relating to nature conservation;
 - (ii) compliance with planning conditions relating to nature conservation;
 - (iii) implementation of sensitive working practices during construction;
 - (iv) implementation of the management plan.

The management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority.

Reason

To provide landscaping and protect features of recognised nature conservation importance in

accordance with policies DS1, LC5, LC7 and LC12 of the North Lincolnshire Local Plan.

29.

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of the programme of archaeological work in accordance with the document Glass Wool Factory, North of Chase Hill Road, East Halton, North Lincolnshire - Archaeological Mitigation Strategy prepared by RPS Planning & Development dated October 2008 as submitted on 18 November 2008 (ref. DLE1251 Exc Proj Design Nov 08 rev), and until further details are submitted to, and approved in writing by, the local planning authority as follows:

- (i) methodologies for the recording and recovery of archaeological ecofacts
- (ii) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the approved strategy
- (iii) monitoring arrangements, including the notification in writing to the North Lincolnshire Sites and Monuments Record Office of the commencement of archaeological works and the opportunity to monitor such works
- (iv) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site contains features of recognised archaeological importance.

30.

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of the programme of archaeological work in accordance with the document Glass Wool Factory, North of Chase Hill Road, East Halton, North Lincolnshire - Archaeological Mitigation Strategy - Western Access Road prepared by RPS Planning & Development dated October 2008 as submitted on 18 November 2008 (ref. DLE1251 Exc Proj Design Nov 08 W access Road rev),

and until further details are submitted to, and approved in writing by, the local planning authority as follows:

- (i) methodologies for the recording and recovery of archaeological ecofacts
- (ii) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the approved strategy
- (iii) monitoring arrangements, including the notification in writing to the North Lincolnshire Sites and Monuments Record Office of the commencement of archaeological works and the opportunity to monitor such works
- (iv) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site contains features of recognised archaeological importance.

31.

The archaeological mitigation strategies shall be carried out in accordance with the approved details and timings, subject to any variations agreed in writing by the local planning authority.

Reason

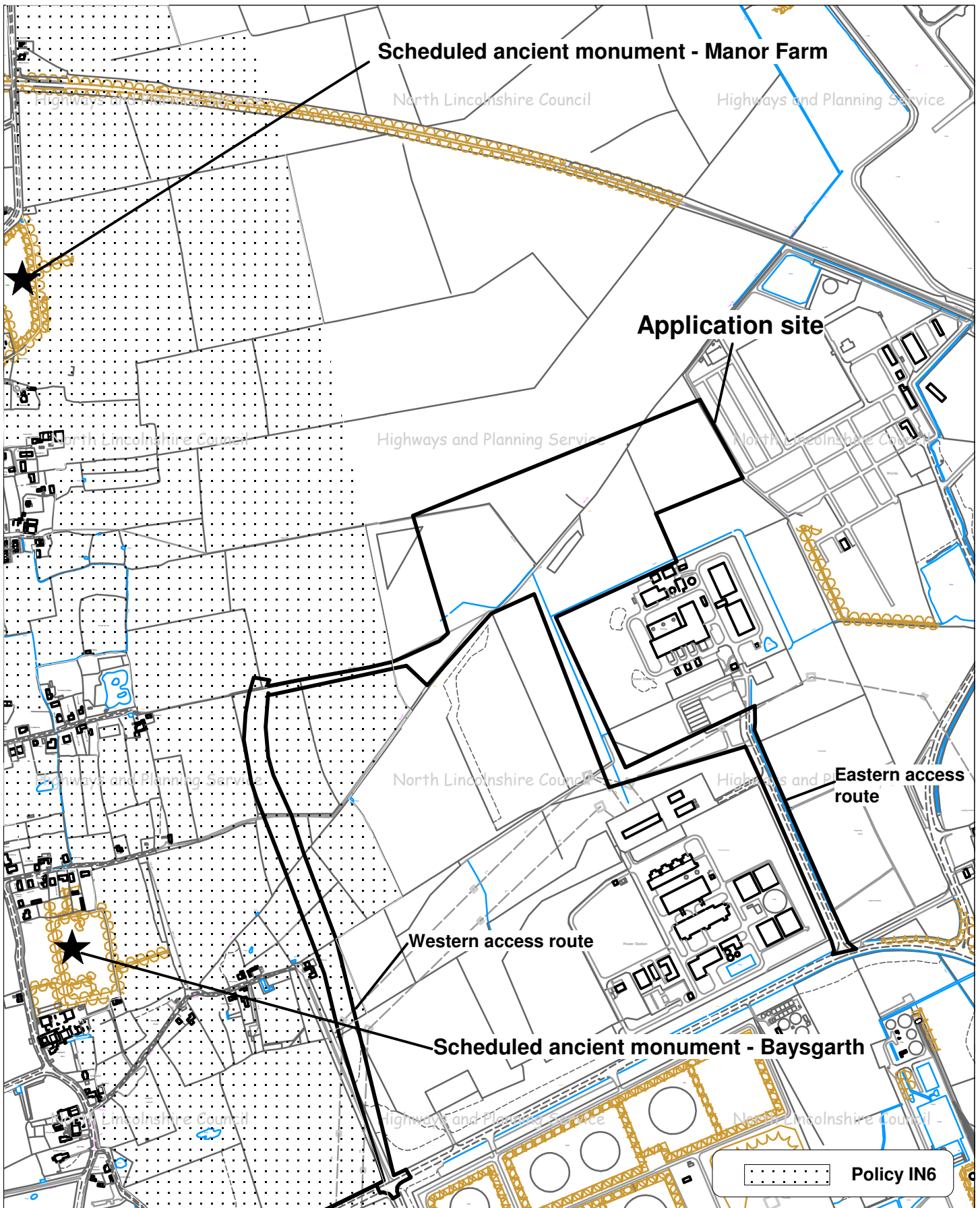
To comply with policy HE9 of the North Lincolnshire Local Plan because the site contains features of recognised archaeological importance.

32.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire Sites and Monuments Record Office within one year of the date of completion of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site contains features of recognised archaeological importance.



Drawing Title: 2008/0988

OS Grid Ref: TA14861952

Drawn by: KC

Scale: 1:10000

Date: 17/11/2008



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Highways and Planning Service

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