

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 05 NOVEMBER 2004

**04/0909/FL: PROPOSED COMPOSTING AREA AT GARLAFF LANDFILL
SITE, SKARES, BY CUMNOCK**

APPLICATION BY BARR ENVIRONMENTAL LIMITED

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning permission is sought for the formation of a composting area as part of the landfill and recycling operations undertaken at the Garlaff site. The proposal involves the provision of three concrete pads, one to be used for the provision of plant and machinery for the shredding of compostable material and the other pads to be used as composting bays which will be bounded by a 2 metre high wall on three sides. The proposal also involves the provision of two planting bunds of 2 and 3 metres in height and the provision of an underground leachate tank. The site will generally recycle garden wastes and soils to produce compost.

2. RECOMMENDATION

2.1 It is recommended that the application be approved subject to the conditions listed on the attached sheet.

3. SUMMARY OF ANALYSIS

3.1 As indicated in Section 5 of the report, there are no specific policies within the Development Plan pertinent to this application. Therefore greater weight should be attached to material considerations. As is indicated in Section 6 of the report, there are material considerations relevant to the determination of the application. In this regard, it is considered that the consultations received and the planning history of the site do not indicate that the application should be refused.

3.2 The proposed composting area is situated wholly within the consented area of the Garlaff Landfill site as extended and the proposed operations are compatible with the existing operations on site.

3.3 It is considered that the proposals offer the opportunity to recycle compostable waste with a beneficial end product, thereby reducing the total amount of waste going to land fill. No objections have been received and it is

considered that the proposal will have no additional significant impact on the surrounding area including the village of Skares.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards, the application will not be required to be referred to the Development Services Committee for determination as such a decision would not be a significant departure from Council policy.

Alan Neish
Head of Planning, Development and Building Standards

Note: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.

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Report by Head of Planning, Development and Building Standards

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a full planning application which is to be considered by the Local Planning Committee under the Scheme of Delegation as the proposed development is of area significance.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site lies off the south side of the B7046 Skares Road approximately 1 kilometre south east of the village of Skares and 3 kilometres south west of Cumnock. The site lies within the existing Garlaff Landfill Site and extends to approximately 1.27 hectares. Located on the eastern side of the Garlaff site, the application site lies on a plateau between the existing land filled area and the new extension area, formerly part of the Skares Road opencast site. Planning permission for the Garlaff landfill extension was approved on 18 September 2002 (Ref. No 00/0685/FL).

2.2 **Proposed Development:** Full planning permission is sought for the formation of a composting area as part of the landfill and recycling operations undertaken at the Garlaff site. The proposal involves the provision of three concrete pads, one to be used for the provision of plant and machinery for the shredding of compostable material and the other pads to be used as composting bays which will be bounded by a 2 metre high wall on three sides. The proposal also involves the provision of two planting bunds of 2 and 3 metres in height and the provision of an underground leachate tank. The site will generally recycle garden wastes and soils to produce compost.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Glasgow Prestwick International Airport has no safeguarding conflict with the proposed development, but requests that a copy of its Safeguarding Advice Note 5: Potential Bird Hazard from Landfill Sites is forwarded to the developer.

A copy of the Advice Note has been forwarded to the applicant.

3.2 Cumnock Landward Community Council has not responded to the consultation letter at the time of writing.

Noted.

3.3 East Ayrshire Roads and Transportation Division has no objections to the proposed development.

Noted.

3.4 East Ayrshire Environmental Health Division enquires if provision is to be made for screening and assessing the incoming material for its suitability for composting. Some pre-screening would be desirable in order to separate out unsuitable material which could lead to potential nuisance problems. In this context the Division is thinking of plastic and polythene etc that could cause wind borne litter problems and putrescible materials which might give rise to obnoxious odour and also attract vermin and flies. Does the applicant have any proposals for the prevention of wind blown litter or will the material already be sorted prior to arrival in the composting area to obviate this necessity?

The proposal includes the use of plant and machinery to screen and shred the material to be composted. This will not involve the importation of additional waste and will simply be that such wastes considered suitable for composting will be directed from landfill to this recycling process. Conditions have been attached to the planning consent for the Garlaff extension to address issues of wind blown litter.

The Divisions understanding of composting systems is that if operated efficiently they should not generate significant odour. Does the applicant have any projected back up plan to mitigate and control any potential odour nuisance in the eventuality of any malfunction of the composting operation?

The applicant will require to ensure that the operational conduct of the site is such that any impacts through odours is minimised in compliance with both the planning consent granted and the appropriate permits granted by the Scottish Environment Protection Agency.

Any leachate run/off collection systems from the composting areas will presumably require to be designed, installed and operated to the satisfaction of SEPA. A composting operation should serve the dual purpose of reducing the amount of material simply deposited in landfill for disposal and also provide a useful end product. Accordingly it is important that incoming material to go through the composting process, in addition to being free of plastic and putrescibles, does not contain any potentially harmful or hazardous material. Pre-screening of the incoming material is therefore a pre-requisite for a number of reasons.

Noted.

3.5 The Scottish Environment Protection Agency has not responded to the consultation letter at the time of writing this report.

Noted.

4. REPRESENTATIONS

4.1 None.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of this application, the development plan comprises the Approved Ayrshire Joint Structure Plan (1999) and the Adopted East Ayrshire Local Plan (2003).

Ayrshire Joint Structure Plan

5.2 There are no policies contained within the Structure Plan which are especially relevant to the proposed development.

East Ayrshire Local Plan

5.3 There are no specific policies within the EALP relative to this development and therefore greater regard should be given to material considerations.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the consultation responses, the planning history of the site and the Area Waste Plan.

Consultations

6.2 There are no consultation responses that would suggest that the application be refused.

Planning History

6.3 Planning permission for the reclamation of Garlaff Quarry by landfill was granted on 26 June 1991 (Ref. No: CD/90/362/Q). An amendment to this application with respect to the operation of a waste transfer station was

approved on 12 February 1996 (Ref. No. CD/95/0273/DPP). Opencast operations within Areas B and C of the Skares Road opencast site were approved on 15 May 1998 under application 97/0596/FL. More recently planning permission for the Garlaff landfill extension was approved on 18 September 2002 (Ref. No. 00/0685/FL). Under the Section 75 Agreement for the Garlaff landfill extension, there is an obligation on the operator to ensure that a minimum of 90% of the waste to be deposited within the site is restricted to waste arising from within Ayrshire. Furthermore, the total annual waste to be deposited in the site is limited to 275,000 tonnes.

The proposed development will not result in the introduction of any new or additional waste streams to the Garlaff site. Compostable wastes arriving on site will now be directed away from deposit in the landfill area to the composting area in the interests of reducing the amount of waste going to landfill and in the promotion of waste recycling. In this regard, the composting area lies wholly within the consented Garlaff landfill extension and is subject to the provisions of the existing Section 75 Agreement for the site.

Area Waste Plan

6.4 The Area Waste Plan identifies a need for one composting facility in East Ayrshire and this is a material consideration, albeit not translated as yet into the emerging Structure Plan framework. The previous consent at Garlaff ensures that 90% of the waste material should emanate from East Ayrshire and it is appropriate that this applies to the proposal under consideration.

7. FINANCIAL OR LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in the determination of this application.

8. CONCLUSIONS

8.1 As indicated in Section 5 of the report, there are no specific policies within the Development Plan pertinent to this application. Therefore greater weight should be attached to material considerations. As is indicated in Section 6 of the report, there are material considerations relevant to the determination of the application. In this regard, it is considered that the consultations received and the planning history of the site do not indicate that the application should be refused.

8.2 The proposed composting area is situated wholly within the consented area of the Garlaff Landfill site as extended and the proposed operations are compatible with the existing operations on site.

8.3 It is considered that the proposals offer the opportunity to recycle compostable waste with a beneficial end product, thereby reducing the total amount of waste going to land fill. No objections have been received and it is considered that the proposal will have no additional significant impact on the surrounding area including the village of Skares.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to the conditions listed on the attached sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards, the application will not be required to be referred to the Development Services Committee for determination as such a decision would not be a significant departure from Council policy.

Alan Neish
Head of Planning, Development and Building Standards

22 October 2004
HM/HM/SMB
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory Notices/Certificates.
3. Consultation responses.
4. Approved Ayrshire Joint Structure Plan (1999).
5. Adopted East Ayrshire Local Plan (2003).
6. Previous applications CD/90/362/Q, CD/95/0273/DPP, 97/0596/FL and 00/0685/FL.

Any person wishing to inspect the background papers listed above should contact Mr Hugh Melvin on 01563 555481.

Implementation Officer: Dave Morris

