
NORTH AYRSHIRE COUNCIL

22nd March 2023

Planning Committee

Locality	Irvine
Reference	23/00058/PP
Application Registered	1st February 2023
Decision Due	1st April 2023
Ward	Irvine South

Recommendation	Approved subject to Conditions
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Location	Oldhall ERF 16 - 20 Murdoch Place Oldhall West Industrial Estate Irvine North Ayrshire KA11 5DG
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Applicant	Doveryard F.A.O. Mr Scott Brown
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Proposal	Increase of flue height at energy recovery facility by an additional 10m as alternative to permitted scheme under refs. 20/00819/PPM and 19/00539/PPM
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1. Description

Planning permission was granted by the Planning Committee during 2020 for the development of an energy recovery facility (ERF) at Murdoch Place in Oldhall Industrial Estate, Irvine (ref. 19/00539/PPM and ref. 20/00819/PPM).

The development is being implemented and is now approaching the second year of a three-year construction period. The facility would generate heat and power from non-recyclable waste from domestic and industrial sources, excluding hazardous and medical wastes. The facility would have the capacity to process up to 180,000 tonnes per year. Once operational, the ERF would employ between 30 and 40 people. The peak construction workforce would be around 200 people.

The applicant is working with SEPA to obtain a Pollution Prevention and Control (PPC) permit to enable the facility to be operated within the appropriate environmental standards. Once operational, SEPA would be the regulatory body for all pollution control measures at the site.

To this end, SEPA and the applicant have identified the potential for further improvements to the scheme design in relation to air quality. As part of the incineration process, the exhaust gases would be treated, with harmful chemical compounds removed before gases are discharged through the flue stack. In response to SEPA's requirements, the applicant proposes to increase the flue stack height by 10 metres, taking the height to 70m above ground level. The applicant advises that the increased height would improve the dispersion of the exhaust gases into the atmosphere in the interests of air quality in the vicinity of the site.

The application site is located at the southern edge of the Oldhall Industrial Estate to the southeast of Irvine. Oldhall was established during the 1970s by Irvine Development Corporation as a purpose-built location for certain types of incoming industry to Irvine New Town.

There are a variety of industries nearby, including a large recycling plant (Lowmac), a precast concrete block making factory (Hillhouse) and the Council's waste pulverisation plant. Nearby is the large pharmaceutical works of GSK and the UPM paper mill. There are a variety of other small and medium sized businesses in the surrounding area.

In terms of the adopted Local Development Plan, the site is allocated for business and industry. Strategic Policy 2 (Placemaking) is of relevance to the proposed variation of condition 1.

Relevant Development Plan Policies

Strategic Policy 2

Placemaking

Our Placemaking policy will ensure we are meeting LOIP priorities to make North Ayrshire safer and healthier by ensuring that all development contributes to making quality places. The policy also safeguards, and where possible enhances environmental quality through the avoidance of unacceptable adverse environmental or amenity impacts. We expect that all applications for planning permission meet the six qualities of successful places, contained in this policy. This is in addition to establishing the principle of development in accordance with Strategic Policy 1: Spatial Strategy. These detailed criteria are generally not repeated in the detailed policies section of the LDP. They will apply, as appropriate, to all developments.

Six qualities of a successful place

Distinctive

The proposal draws upon the positive characteristics of the surrounding area including landscapes, topography, ecology, skylines, spaces and scales, street and building forms, and materials to create places with a sense of identity.

Welcoming

The proposal considers the future users of the site and helps people to find their way around, for example, by accentuating existing landmarks to create or improve views (including sea views), locating a distinctive work of art in a notable place or making the most of gateway features to and from the development. It should also ensure that appropriate signage and lighting is used to improve safety and illuminate attractive buildings.

Safe and Pleasant

The proposal creates attractive places by providing a sense of security, including by encouraging activity, considering crime rates, providing a clear distinction between private and public space, creating active frontages and considering the benefits of natural surveillance for streets, paths and open spaces.

The proposal creates a pleasant, positive sense of place by promoting visual quality, encouraging social and economic interaction and activity, and by considering the place before vehicle movement.

The proposal respects the amenity of existing and future users in terms of noise, privacy, sunlight/daylight, smells, vibrations, glare, traffic generation, and parking. The proposal sufficiently investigates and responds to any issues of ground instability.

Adaptable

The proposal considers future users of the site and ensures that the design is adaptable to their needs. This includes consideration of future changes of use that may involve a mix of densities, tenures, and typologies to ensure that future diverse but compatible uses can be integrated including the provision of versatile multi-functional greenspace.

Resource Efficient

The proposal maximises the efficient use of resources. This can be achieved by re-using or sharing existing resources and by minimising their future depletion. This includes consideration of technological and natural means such as flood drainage systems, heat networks, solar gain, renewable energy and waste recycling as well as use of green and blue networks.

Easy to Move Around and Beyond

The proposal considers the connectedness of the site for people before the movement of motor vehicles, by prioritising sustainable and active travel choices, such as walking, cycling and public transport and ensuring layouts reflect likely desire lines, through routes and future expansions.

2. Consultations and Representations

SEPA - No objection. The following commentary has been provided:

- The application process for determining whether it is appropriate to grant a Part A permit under the Pollution Prevention Control (PPC) (Scotland) Regulations (2012) for this facility is ongoing. During the determination the applicant requires to demonstrate that the Best Available Techniques (BAT) will be deployed to mitigate the environmental impacts associated with the activities that will take place on site. During the determination process changes to the plant design may be identified which require further amendment of the existing planning consent. For clarity, the determination of the PPC application is ongoing, and the necessary stack height remains under consideration.

- In its response to the Church Review: 'Stop, Sort, Burn, Bury?' (2022), the Scottish Government stated that "Scotland does not need additional waste incineration facilities to treat our unavoidable and unrecyclable municipal waste beyond those for which planning permission has already been granted, with limited exceptions and mindful that there will be a short-term capacity gap in 2025".

- On the basis that this facility has planning permission, that was granted in accordance with planning and energy policy that was in place in 2020, SEPA has no objection to this proposal to increase the stack height by 10m to 70m.

Response: Noted. Whilst national policy on incineration has altered since the development at Oldhall was granted planning permission in 2020, the main development is already under construction and the current application seeks only to amend the flue height. The proposed change has been identified as part of the PPC process to ensure Best Available Techniques are utilised once the facility is operational. The original planning permissions remain extant and would be unaffected by the determination of this proposal. Any further changes to the flue height would require another planning application to be made.

Glasgow Prestwick Airport - no comments made on this application. In response to the original applications, GPA advised that, due to the height and position of the flue stack, there is a requirement for an omni-directional red warning light to be fitted at the top. GPA also noted that if the warning light becomes unserviceable it should be reported immediately to Glasgow Prestwick Airport (GPA), Air Traffic Control (ATC) so that notification can be advised to pilots through the appropriate channels.

Response: A condition could be attached in relation to the need for an omni-directional red warning light on top of the flue stack in the interests of aviation safety, as per the previous grants of planning permission in 2020. An informative could also be attached in relation to any failure of the light to operate, as per the previous grants of planning permission in 2020.

3. Analysis

The application relates only to the height of the flue stack. The main issues associated with the development, granted planning permission in 2020 and now under construction, are unaffected.

Strategic Policy 2 of the LDP (Placemaking), would be relevant in that there are two determining factors in respect of this proposal. One is the pollution control improvements as required by SEPA for the PPC, the other is the landscape and visual impact of the increased height.

In terms of pollution control, SEPA has no objection and advise that the development must deploy Best Available Techniques to ensure effective mitigation of environmental impacts. The approval of the planning application would provide the developer with a better solution to the original flue height following SEPA's detailed consideration of the PPC application. SEPA advise the negotiations on the PPC permit are ongoing.

In terms of landscape and visual impacts, the proposed height increase from 60m to 70m is not considered to be significant given the established industrial context of the surrounding area. To the south of Oldhall is the UPM paper mill at Meadowhead which has a flue stack in excess of 70m. Also nearby are the GSK wind turbines, the final two of which are currently under construction. All four wind turbines at GSK would be over 100m in height, and significantly taller than the proposed 70m flue stack at Oldhall ERF. It is therefore considered that the landscape character of the area would not be adversely affected by the proposed height increase given the presence of taller towers and flue stacks nearby.

The application has also been assessed against the adopted National Planning Framework 4 and it has been determined that the proposal does not raise any significant strategic planning issues which conflict with the foregoing assessment, notwithstanding the policy shift in respect of future incinerator developments. As noted above, the permissions granted in 2020 are extant and the development is being implemented.

There are no other material considerations. It is recommended that the proposed 10m increase to the flue height is permitted, subject to the condition that an omni-directional red warning light is fitted as per the recommendations of Glasgow Prestwick Airport.

4. Full Recommendation

Approved subject to Conditions

Reasons for Decision

Condition

1. That the flue stack shall be fitted within an omni-directional red warning light which requires to be commissioned immediately upon erection of the stack. The warning light shall be operated continuously during hours of darkness and permanently retained in working condition thereafter unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.

Reason

In the interests of aviation safety.

James Miller
Chief Planning Officer

For further information please contact Mr A Hume Planning Officer on 01294 324318.

Appendix 1 – Location Plan

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