

WARD: Avonmouth CONTACT OFFICER: David Grattan

SITE ADDRESS: Part Of Former Sevalco Site Chittinging Road Bristol BS11 0YU

APPLICATION NO: 14/03974/F Full Planning

EXPIRY DATE: 19 November 2014

Development of a renewable energy plant producing diesel, carbon black, and liquid petroleum gas (LPG) from end-of-life tyres. Development to involve a tyre storage facility, plant to grind and process end-of-life tyres (to produce rubber crumb and steel) thermodynamic cracking unit (using the crumbed tyres) which will convert into synthetic diesel oil and LPG to be stored in three on-site tanks (2 for diesel and 1 for LPG) and carbon black to be removed off-site for recycling. Part of the diesel will be sold as waste oil and part used to fuel diesel generators to produce electricity for the national grid. The LPG will be used to fuel power generation, partly to run the plant and the rest to produce electricity for the national grid. There will be two fume stacks and a connection to the sub-station switchroom on site. Development will also provide ancillary office/staff facilities, landscaping, parking for vehicles and cycles, and access and egress. (Major Application)

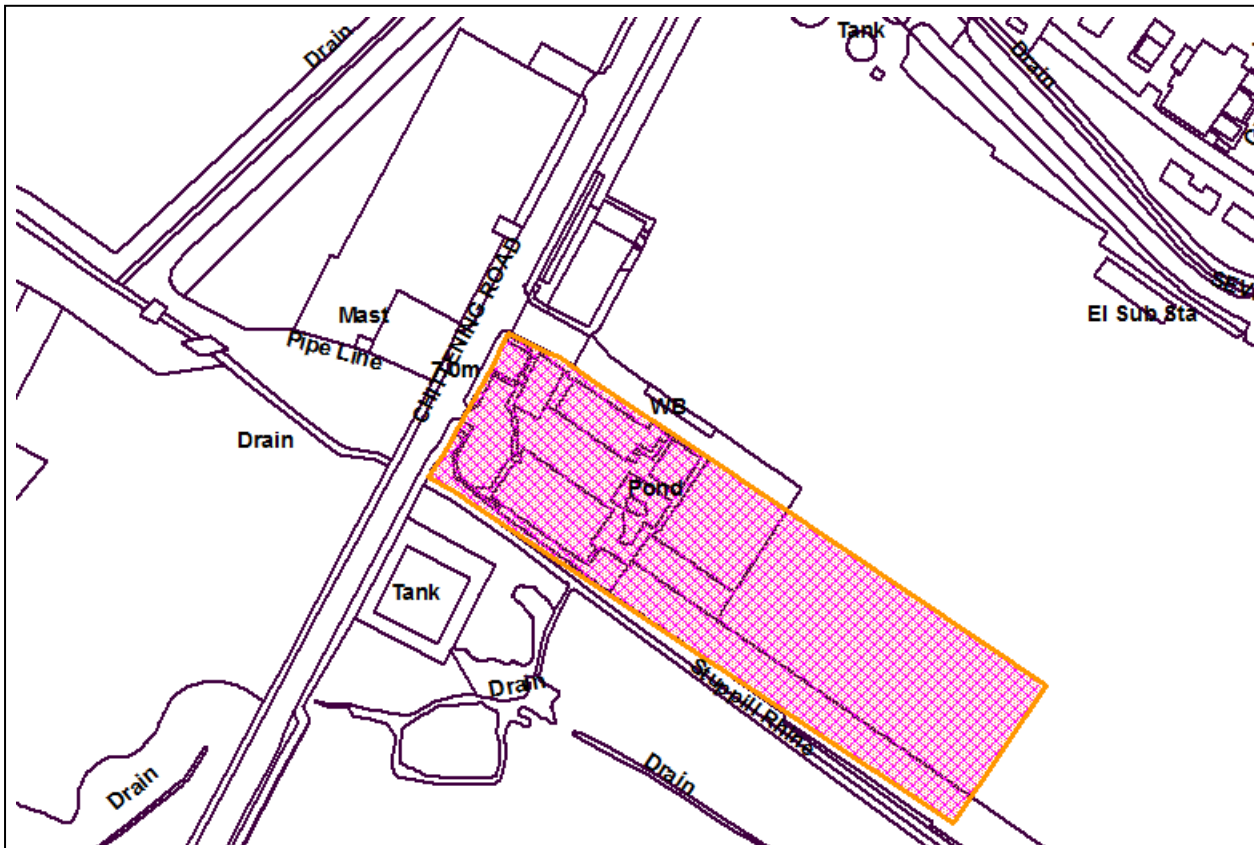
RECOMMENDATION: Grant subject to Condition(s)

AGENT: Brian Smith Associates
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Kings Norton
Birmingham
West Midlands
B38 8BT

APPLICANT: Avon Power Limited
C/o Agent

The following plan is for illustrative purposes only, and cannot be guaranteed to be up to date.

LOCATION PLAN:



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SITE DESCRIPTION

The Avonmouth and Severnside industrial area extends for about 7km between Avonmouth Docks to the south west and Severn Beach to the north. The application site is located on brownfield land in the northern sector of the Avonmouth industrial area, Bristol. Predominant uses in the area include manufacturing, distribution and power generation.

The application site was part of the former Columbian Chemical works (Sevalco) situated to the east of Chittening Road and south of Severn Road. The site closed in 2009.

The site fronts onto Chittening Road, which links the area to the wider motorway network, and from where the application site will gain its access.

A combined footway/cycleway runs along the eastern side of Chittening Road and passes along the entrance to and western frontage of the application site. The cycle route in the area forms part of the National Cycle Network – Route 41 from Bristol to Gloucester.

The land uses beyond the boundaries of the site comprise a mixture of agricultural and commercial land.

The site is bound by:

- To the north east, by the Severn Road.
- To the south east, by a narrow strip of undeveloped vegetated land, bound by a shallow drainage ditch and a track, beyond which is agricultural land.
- To the south west, by the Stuppill Rhine, which flows in a north westerly direction towards the River Severn. Agricultural land lies beyond the Stuppill Rhine.
- To the north west by Chittening Road, beyond which is a drainage ditch, two wind turbines and a former car park that used to serve the former Sevalco site.

The site is now unoccupied consisting largely of areas of hard standing some of which has already been broken out. There are no trees on the application site.

The Severn Estuary is located approximately 800m to the north west of the site. The Severn Estuary is designated as a protected site – a Site of Special Scientific Interest (SSSI), a Special Protection Area (SPA), a Special Area of Conservation (SAC) and a RAMSAR site (wetlands of international importance).

The former Sevalco site was approximately 9.3 hectares in size. The application site comprises 1.2 hectares.

Two applications have been granted on appeal for the wider former Sevalco site - permission has been granted for a bio-fuel, renewable energy plant by W4B Bristol Ltd (granted on appeal in 2011) and an Energy from Waste and Bottom Ash facility by Viridor Waste Management Ltd (granted on appeal 2011).

The site is shown by the Environment Agency's flood zone mapping to be entirely located Flood Zone 3 – which comprises land assessed as having a greater probability of river flooding or greater probability of flooding from tidal source in any year.

The site is located within a Principal Industrial and Warehousing Area as defined by the Site Allocations & Development Management Policies.

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RELEVANT HISTORY

09/04470/F - The construction and operation of a Resource Recovery centre, including a Material Recycling facility, an Energy-from-Waste and Bottom Ash facility and associated Office Visitor Centre, with new access road and weighbridge facilities, associated landscaping and surface water attenuation features - GRANTED on appeal 06.04.2011.

09/03235/F - Redevelopment of part of existing industrial site for a Bio-Fuel renewable energy plant with ancillary access roads, parking facilities and landscaping - GRANTED on appeal 08.11.2011.

13/05713/SCR - Request for a Screening Opinion as to whether an Environmental Impact Assessment is required for a renewable electricity power station fuelled by diesel and liquid petroleum gas (LPG). Development to involve a tyre storage area, plant to grind and process end-of-life tyres (to obtain rubber crumb and steel); thermodynamic cracking units (using the crumbed tyres), which will convert into synthetic oil and LPG to be stored in two on-site tanks and used to fuel the power generation plant. Development to also provide an administrative building, a fume stack and connection to a power grid – EIA NOT REQUIRED 28.02.2014.

14/03210/F - Erection of circa 11MW bioenergy facility with ancillary office building and associated structures, landscaping and perimeter fencing and new access onto the A403 Chittening Road – REFUSED 05.11.2014. Appeal in progress.

APPLICATION

This application proposes the construction of a renewable energy plant producing synthetic diesel oil, carbon black, and liquid petroleum gas (LPG) from end-of-life tyres.

The applicant is Avon Power Limited, a wholly owned subsidiary of Renewable Energy in Action Ltd (REIA) a corporate developer operating in the renewable energy sector.

Works to be carried out at the plant will involve processing rubber derived from end of life tyres. The tyres are to be shredded into crumb form, the solid waste is converted into LPG, synthetic diesel oil and carbon black through a process known as thermodynamic cracking.

The by-products of the process include steel wire and carbon black, which are to be recycled off site.

Part of the diesel will be sold as waste oil and part used to fuel diesel generators to produce electricity for the national grid.

The LPG will be used to fuel power generation, partly to run the plant and the rest to produce electricity for the national grid.

The electricity is to be transferred to the National Grid at Sea Bank Power Station.

The plant will have the capacity to produce 12MW of electricity.

In summary the application consists of:

- An industrial building to incorporate a plant to grind and process end-of-life tyres (to produce rubber crumb and steel) and 4 no. thermodynamic cracking units (using the crumbed tyres) which are to convert the tyres to synthetic diesel oil and LPG.

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- Three on-site tanks - two to store the synthetic diesel oil and one to store the LPG.
- A generating plant - the synthetic diesel oil is used to fuel four diesel engines which have the capacity of 2 MW each; and four LPG engines with the capacity of 1 MW each.
- Two fume stacks (27 metres high).
- A connection to the power grid via a switch room.
- Ancillary office/staff facilities.
- Landscaped border to the site comprising grassland and planting of 22 no. new trees.
- Parking allocated for 12 vehicle spaces and 5 cycle spaces.
- Access and egress improvements.

The facility will be constructed from coated steel sheeting.

The plant would be open up to 24 hours a day, 7 days a week. The rubber crumbing will be conducted over two shifts but the power generation would be a 24 hour operation.

The proposed development is expected to employ 15 full time equivalent persons, with core day time employment likely to be between 5 - 7 persons.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

On the basis of the screening request submitted by Avon Power Ltd (13/05713/SCR), it was determined by the LPA that the proposed development would not have effects on the environment of such significance as to be classified as EIA development. Therefore the application does not require the submission of an Environmental Statement.

PRE-APPLICATION COMMUNITY INVOLVEMENT

A) Process:

A Statement of Community Involvement (SCI) has been submitted with the application. It details the measures taken to consult with the local community prior to the submission of the application and after the submission of the application.

The SCI reports that a meeting was held with a representative from the Shirehampton Community Action Forum in February 2014.

In June 2014 a letter was sent by the applicant to a number of bodies informing them of the proposed development. The SCI states this letter was sent to Councillors in the Avonmouth Ward (Cllr Matthew Melias / Cllr Wayne Harvey), Kings Weston Ward (Cllr Jason Budd / Cllr Tim Leaman), the Shirehampton Community Action Forum (Ash Bearman), local residents at Crooks Marsh Farm and Minors Farm, as well as bodies within South Gloucestershire – Pilning and Severn Beach Parish Council and the Councillor for Pilning and Severn Beach (Cllr Robert Griffin).

An Addendum to the Statement of Community Involvement was submitted in October 2014. This reported on community involvement carried out by the applicant after the application had been submitted. Specifically, it reports that a meeting was held with the Avonmouth and Kingsweston Community Forum on Monday 15th September 2014. The SCI states that there were 35 people in attendance.

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B) Outcomes:

The outcome of the initial meeting with a representative of the Shirehampton Community Action Forum was that a public exhibition was agreed to be the most appropriate format to engage with local Avonmouth residents.

The main outcome of the public exhibition/meeting with the Avonmouth and Kingsweston Community Forum was that the proposal for the application site, its location, the processes involved, the outputs, the link to Sea Bank Power Station, the National Grid and the expected development programme were all understood and discussed with those who attended the meeting.

In response to the application, the Bristol Neighbourhood Planning Network has commented as follows: "The applicants have made all reasonable attempts to contact the local community."

RESPONSE TO PUBLICITY AND CONSULTATION

Neighbouring properties were consulted by letter, a site notice was posted and a press advert issued.

GENERAL RESPONSES FROM THE PUBLIC

One public comment has been received. This comment was made in objection to the application on the grounds of that trees may be affected.

Bristol Tree Forum – Objection.

The Bristol Tree Forum made an objection to the proposals. The issue raised by the Forum was:

- Good to see some new trees to be planted. BUT there are some trees on the boundary which might be affected (App Form s15 part b ticked) but there is no tree constraints plan that shows how they are to be protected?

RESPONSES FROM EXTERNAL CONSULTEES

Natural England – No Objection.

- Natural England advises your authority that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which Severn Estuary has been classified. Natural England therefore advises that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives.
- Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the Severn Estuary SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application.

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- Should the details of this application change, Natural England draws BCC attention to Section 28(I) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Environment Agency – No Objection.

Environment Agency states no objection, provided that four conditions are included on any permission given.

The conditions requested are for the submission of floor levels to reduce risk and impact of flooding, submission of a surface water drainage scheme, a flood evacuation plan and reporting any unsuspected contamination.

South Gloucestershire Council (SGC) – No Objection. SGC made the following comments:

- Ecology: South Gloucestershire Council would advise that, whilst the majority of the site consists of hardstanding of negligible nature conservation interest, the application nonetheless needs to be informed by the requisite protected species surveys.
- Air Quality: The air quality assessment is considered to adequately address the relevant human health and ecologically sensitive receptors. This included the assessment of the Cribbs Causeway Air Quality Management Area. South Gloucestershire Council have no further comment to make with regard to air quality.
- Noise: South Gloucestershire Council have no objections with regard to noise although a suggested appropriate condition should be applied to accord with BS4142.
- Archaeology: Whilst the application is outside of South Gloucestershire Council itself, it is worth remarking that the application site is located on the North Avon Levels, an area of archaeological importance. Enclosures of uncertain date, Roman settlement and palaeoenvironmentally important peat deposits have all been identified not far from the proposed site. Bristol City Council should ensure adequate mitigation for any archaeology that remains in situ.
- Conservation: The proposal will not have any demonstrable impacts on designated heritage assets within South Gloucestershire Council above and beyond that already resulting from the existing industrial developments along the Severn Estuary.

Health and Safety Executive (HSE) – No Objection.

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

Bristol Neighbourhood Planning Network – No objection.

- The applicants have made all reasonable attempts to contact the local community.

RESPONSES FROM INTERNAL CONSULTEES

Transport Development Management – No objection.

On the application as submitted, Transport Development Management highlighted concerns with the application that required addressing:

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- Redesign of the access to take into account its crossing of a shared use path.
- Improvements to the shared use path.
- Clarification of the connection from the shared use path into the site.
- Cycle parking shown on plan.
- Areas for internal circulation (storage/manoeuvring) in the rear yard shown on plan.

TDM consider these aspects of the application have now been addressed with the submission of revised plans which show clear and concise proposals to better integrate sustainable access to the new development in conjunction with the new trips that the development will bring. See Key Issue C.

Air Quality – No Objection.

The City Air Quality Officer has made the following comments on the application:

- The air quality assessment that accompanies the application is comprehensive and uses appropriate assessment methodologies and best practice.
- Consideration has been given to a broad range of pollutants including metals, non-metals and a Human Health Risk Assessment for exposure to polychlorinated dioxins and dioxin-like compounds.
- Where appropriate, predicted impacts have been assessed for both human and sensitive ecosystem receptors.
- A cumulative impacts assessment was also carried out in order to take into account the impacts from relevant developments for which planning permission has been granted but have yet to be built or become operational.
- No exceedances of any objectives for any pollutants were predicted due to the proposed plant or when cumulative impacts were taken into account.
- Assessment of critical levels and critical loads for the protection of vegetation and ecosystems on designated areas were screened out and considered to be insignificant.
- The maximum process contribution to annual nitrogen dioxide concentrations from the proposed development was predicted to be $3.3\mu\text{g}/\text{m}^3$. The largest contribution at a relevant receptor location was predicted to be $0.84\mu\text{g}/\text{m}^3$.
- It has been noted that an annual background NO_2 concentration of $18\mu\text{g}/\text{m}^3$ has been used in the assessment. Although use of official background figures has been made, diffusion tube monitoring data from the Avonmouth area indicated that a more realistic background concentration is considerably higher than this figure. However, this will not have a material impact upon the results of this assessment nor would use of a more realistic background figure have resulted in any exceedance of objectives for this pollutant.
- The applicant has not carried out an assessment in order to determine the most appropriate stack height for the development as would be the usual practice for a development of this type. This was raised at the pre-application stage but the applicant

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decided to use the same stack height as used for a similar development without providing evidence or justification for the chosen height in this planning application.

- The assessment has modelled the air quality impacts assuming that a 27m stack will be installed at the site. Any reduction in stack height will potentially have a significant impact on the air quality impacts from the development, therefore, if any stack height changes are proposed during the planning application process, due consideration must be given to the potential impacts this could have on air quality.

Contaminated Land – No objection.

- Request for conditions covering: Submission of Remediation Scheme; Implementation of Approved Remediation Scheme; Reporting of Unexpected Contamination; and Foundation Works Risk Assessment. See Key Issue D.

Flood Risk – No Objection.

- The Flood Risk Officer considers that the applicant has covered all the flood risk requirements.

Landscape – No objection.

- Concerns have been raised regarding the application regarding the loss of trees in certain locations. [Note: following a site visit there is no trees on site nor impacted on by the proposed development.]
- It is noted that tree planting is also shown on the Stuppill Rhine boundary, though there is an existing line of mature trees here that is not indicated on the proposals plan.
- The need to restructure the boundary at Chittening Road is understood.
- Proposals for canopy and root zone protection should be included in a condition.
- The application documents do not identify surfaces materials. There is a need for surfaces allowing for filtration of water to the subsoil in line with the Council's requirements for sustainable drainage.

Archaeology – No Objection.

- There does not appear to be any suggestion of past human activity on the site. The contaminated nature of the site may preclude survival of prehistoric evidence.
- As a result, the Archaeology officer considers further archaeological work will not be required at the site.

Ecology – No Objection.

- Changes are recommended to the submitted scheme through conditions relating to environmental management during construction, ecological appraisals, preservation of habitat for birds, and covering excavations.

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- The provision of 'living' roof, with either a green or brown covering, to create an additional wildlife habitat is recommended.
- Small gaps in the boundary fencing on the western boundary in the southern part of the site should be provided to allow access for water voles.
- The creation of a new pond, or several ponds, adjoining Stuppill Rhine and include water vole habitat is requested.

Public Art – No objection.

- The scheme planning application for the new renewable electricity power station should be subject to a public art condition at determination stage to secure public art.
- Public art should focus upon the environmental aspects of this scheme to form a natural topic or theme for the public art work, which could contribute to the support of ecology, and wildlife in the area.
- It is recommended that a public art condition is applied at determination stage, and that the applicant liaises with BCC to develop a public art project for the Avonmouth area.

RELEVANT POLICIES

Overarching National Policy Statement for Energy (EN-1) (July 2011)
National Policy Statement for Renewable Energy Infrastructure (EN-3) (July 2011)
National Planning Policy Framework (NPPF) (March 2012)
National Planning Practice Guidance (February 2014)
National Planning Policy for Waste (October 2014)
West of England Joint Waste Core Strategy (2011)

Bristol Core Strategy (June 2011)

BCS4	Avonmouth and Bristol Port
BCS8	Delivering a Thriving Economy
BCS9	Green Infrastructure
BCS10	Transport and Access Improvements
BCS13	Climate Change
BCS14	Sustainable Energy
BCS15	Sustainable Design and Construction
BCS16	Flood Risk and Water Management
BCS20	Effective and Efficient Use of Land
BCS23	Pollution

Site Allocations and Development Management Policies (July 2014)

DM1	Presumption in favour of sustainable development
DM12	Retaining Valuable Employment Sites
DM13	Development proposals on Principal Industrial and Warehousing Areas
DM18	Avonmouth and Kingsweston Levels
DM19	Development and Nature Conservation
DM23	Transport development management
DM25	Greenways

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DM26	Local character and distinctiveness
DM27	Layout and form
DM29	Design of new buildings
DM33	Pollution control, air quality and water quality
DM34	Contaminated land
DM35	Noise Mitigation

KEY ISSUES

(A) IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN PRINCIPLE?

Renewable Energy:

National Policy Statements (NPSs) are produced by Government. Of relevance for this application are the Overarching National Policy Statement for Energy (EN-1) and National Policy Statement for Renewable Energy Infrastructure (EN-3) prepared by the Department of Energy & Climate Change.

Whilst generally used to assess nationally significant infrastructure projects for large scale energy plants (Development Consent Orders), the NPSs are useful to understand the need for new energy infrastructure and the need for specific technologies.

Paragraph 3.4.1 of NPS EN-1 states: “The UK has committed to sourcing 15% of its total energy (across the sectors of transport, electricity and heat) from renewable sources by 2020 and new projects need to continue to come forward urgently to ensure that we meet this target.”

Paragraph 3.4.3 of NPS EN-1 states that Energy from Waste: “The principal purpose of the combustion of waste, or similar processes (for example pyrolysis or gasification) is to reduce the amount of waste going to landfill in accordance with the Waste Hierarchy and to recover energy from that waste as electricity or heat. Only waste that cannot be re-used or recycled with less environmental impact and would otherwise go to landfill should be used for energy recovery.”

Paragraph 3.4.4 states that: “... Energy from Waste can be used to generate ‘dispatchable’ power, providing peak load and base load electricity on demand. As more intermittent renewable electricity comes onto the UK grid, the ability of biomass and EfW to deliver predictable, controllable electricity is increasingly important in ensuring the security of UK supplies.”

Paragraph 17 of the National Planning Policy Framework (NPPF) states that one of the core principles of planning is to support the transition to a low carbon future, for example by the development of renewable energy.

Paragraph 98 states that when determining planning applications, local planning authorities should:

- “... not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- approve the application (unless material considerations indicate otherwise) if its impacts are (or can be made) acceptable.”

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Waste:

National guidance for Waste is set out in the National Planning Policy for Waste 2014. The main objectives of this document are to drive waste management up the waste hierarchy - securing the re-use, recovery or disposal of waste without endangering human health or harming the environment.

The West of England Joint Waste Core Strategy (JWCS) sets out guidance for waste management at a local level. Two of the main strategic objectives of the strategy are:

“To move the management of waste up the waste hierarchy by increasing waste minimisation, recycling and composting then recovering further value from any remaining waste, and only looking to landfill for the disposal of pre-treated waste.”

“To contribute to reducing and adapting to the impacts of climate change by driving waste up the hierarchy and encouraging the provision of waste management facilities at appropriate locations.”

The waste hierarchy is as follows:

- Waste Prevention
- Reuse
- Recycling and Composting
- Residual Waste Treatment
- Landfill

The proposal would involve processing rubber derived from end of life tyres. The tyres are to be shredded into crumb form; the solid waste is converted into LPG, synthetic diesel oil and carbon black through a process known as thermodynamic cracking.

The LPG will be used to fuel power generation, partly to run the plant and the rest to produce electricity for the national grid.

Part of the diesel will be sold as waste oil and part used to fuel diesel generators to produce electricity for the national grid.

The by-products of the process include steel wire and carbon black, which are to be recycled off site.

Site Allocation:

The application site is located on a brownfield site within an allocated Principal Industrial and Warehousing Area as defined by the Site Allocations and Development Management Policies (SA&DM), policy DM13.

Policy BCS4 of the Bristol Core Strategy identifies Avonmouth as: “... a priority area for industrial and warehousing development and renewal. Its economic strengths will be supported whilst protecting its environmental assets and acknowledging its development constraints.”

Policy BCS4 goes further to state: “Principal Industrial and Warehousing Areas will be identified and retained for industrial and warehousing uses. Development in these areas for those uses will be supported in principle. Proposals for port-related activities, manufacturing industry, logistics / distribution, waste management and other environmental technology

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related industries will be particularly encouraged. There may be opportunities for the development of energy from waste facilities, biomass energy and further large-scale wind turbines.”

Based on the above, and that proposed development is a facility that covers both “waste management” and “energy from waste” - the development of a renewable energy plant to process end of life tyres and generate electricity is considered to be acceptable in principle. A condition has been attached which states that the proposed development shall only operate whilst tyres are used as the source of fuel for the electricity generating engines.

Similar Applications:

Nationally there is some Energy from Waste / Energy Recovery facilities that treat end of life tyres, however there a few plants, such as the application proposed that use the thermodynamic cracking process specifically for end of life tyres. Examples of applications for similar facilities are set out below.

An application (reference: WP/13/00262/VOC) was submitted to Weymouth and Portland Borough Council in April 2013. This application sought permission to vary a condition to an existing consent to allow for the use of rubber crumb (in addition to vegetable oil) in a power generation plant on a brownfield site that is part of Portland Port. The proposal to use the thermodynamic cracking process to collect carbon black and produce synthetic diesel oil was granted planning permission in July 2013.

An application (reference: 2013/335/FUL) was submitted to Redditch Borough Council in October 2013. The application was for the proposed use of a building as processing plant to convert tyre crumb to fuel and power, operating 24 hours a day, to include the installation of LPG and diesel tanks, bund walling, cycle storage and the remodelling of car parking. This application was granted planning permission in February 2014. This plant has now been constructed and it is understood to be undergoing commissioning trials.

Summary:

The Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The principle of the scheme is supported by the Development Plan, specifically Bristol Core Strategy Policy BCS4, which sets out the Council’s support for opportunities for waste management and the development of energy from waste facilities in the Avonmouth area.

The planning application therefore reflects up to date policy.

Paragraph 14 of the National Planning Policy Framework (NPPF) sets a presumption in favour of sustainable development. Specifically for decision taking this means that development proposals that accord with an up-to date development plan should be approved without delay, unless other material considerations indicate otherwise.

It is recognised that a proposal of this scale and complexity must not only be justified in accordance with established national and local planning policy and guidance; but also within the detail of the scheme. As such, the proposed scheme is assessed under a broad range of headings within this report.

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(B) ARE THE AIR QUALITY IMPACTS ASSOCIATED WITH POWER GENERATION PROCESSES ACCEPTABLE?

Policy BCS23 requires that:

“Development should be sited and designed in a way as to avoid adversely impacting upon:

- Environmental amenity or biodiversity of the surrounding area by reason of fumes, dust, noise, vibration, smell, light or other forms of air, land, water pollution, or creating exposure to contaminated land.
- The quality of underground or surface water bodies.

In locating and designing development, account should also be taken of:

- The impact of existing sources of noise or other pollution on the new development
- The impact of the new development on the viability of existing uses by reason of its sensitivity to noise or other pollution.”

Policy DM14 states that developments that will have an unacceptable impact on health and wellbeing will not be permitted.

For Air Quality, Policy DM33 of the SA&DM states that:

“Development that has the potential for significant emissions to the detriment of air quality, particularly in designated Air Quality Management Areas, should include an appropriate scheme of mitigation which may take the form of on-site measures or, where appropriate, a financial contribution to off-site measures.

Development in designated Air Quality Management Areas should take account of existing air pollution and include measures to mitigate its impact on future occupiers where possible and consistent with other policies of the development plan such as those on climate change and urban design.”

An Air Quality Assessment was submitted as a document in support of the application (Avonmouth is not in an Air Quality Management Area designated by Bristol City Council). This assessment includes a review of the cumulative impact of other nearby sites currently in construction or with planning permission.

The assessment states that there are no predicted exceedances of the air quality objectives for any of the modelled pollutants in relation to human health, and the impacts on vegetation and the ecosystem are insignificant when assessed against a worse-case scenario.

The Air Quality Assessment that accompanies the application has been assessed by the Council’s Air Quality Officer. The Air Quality Officer considers the assessment to be comprehensive using appropriate assessment methodologies and best practice.

Consideration has been given to a broad range of pollutants including metals, non-metals and a Human Health Risk Assessment for exposure to polychlorinated dioxins and dioxin-like compounds. Where appropriate, predicted impacts have been assessed for both human and sensitive ecosystem receptors.

Assessment of critical levels and critical loads for the protection of vegetation and ecosystems on designated areas were screened out and considered to be insignificant. The maximum process contribution to annual nitrogen dioxide concentrations from the proposed

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development was predicted to be 3.3µg/m³. The largest contribution at a relevant receptor location was predicted to be 0.84µg/m³.

A cumulative impacts assessment has been carried out in order to take into account the impacts from relevant developments for which planning permission has been granted but have yet to be built or become operational. The following sites were included within the cumulative assessment:

Biofuel Plant, Chittening Road (W4B UK Ltd) – 250m from the proposed development.

Resource Recovery Centre, Severn Road (Viridor) – 400m from the proposed development.

Sevenside Energy Recovery Centre (Sita UK) – 1.2km from the proposed development (South Gloucestershire).

Energy Generation Facility (Cyclamax/Sita UK) – 1.75km from the proposed development.

Low Carbon Energy Facility, Zinc Road (New Earth Energy Ltd) – 2.5km from the proposed development.

Energy from Waste Plant, Avonmouth Dock (Helius Energy) – 2.5 km from the proposed development.

Portbury Dock Renewable Energy Plant (E.ON) – 5km from the proposed development.

No exceedances of any objectives for any pollutants were predicted due to the proposed plant or when cumulative impacts were taken into account.

The City Air Quality Officer has advised that the assessment has modelled the air quality impacts assuming that a 27m stack will be installed at the site. Any reduction in stack height would have a significant impact on the air quality impacts from the development, therefore, if any stack height changes are proposed during the planning process, due consideration must subsequently be given to the potential impacts this could have on air quality.

The City Air Quality Officer is satisfied with the Air Quality Assessment as submitted in support of the application and has advised that it provides a robust assessment of the predicted impacts both of the proposed development and when considered in combination with planned developments that been granted but have yet to be built or become operational.

South Gloucestershire Council (SGC), as the adjoining authority, has been consulted on this application. SGC has also assessed the issue of air quality. SGC consider the air quality assessment to adequately address the relevant human health and ecologically sensitive receptors. This included the assessment of the Cribbs Causeway Air Quality Management Area. As such, SGC had no further comment to make with regard to this issue.

The facility would be operated under an Environmental Permit and will be required to meet the requirements the Environmental Industrial Emissions Directive which will regulate emissions to air.

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In conclusion, the proposed development is not considered to have a significant impact on air quality and therefore would not conflict with policies BCS23 and DM33.

(C) IS THE PROPOSED ACCESS, MOVEMENT AND INTERNAL CIRCULATION ACCEPTABLE?

Policy BCS10 and DM23 require development to provide safe and adequate access onto the highway network for all users and to consider the potential traffic impact.

Specifically, Policy DM23 states that development should provide: "Safe and adequate access for all sections of the community within the development and onto the highway network". It also states that proposals should generate appropriate improvements to overcome conditions created or exacerbated by development.

This application includes a Transport Statement which has been reviewed by Transport Development Management.

Vehicular Access:

The scheme proposes to stop up the existing site access direct to Chittening Road with access to the application site via amending the main access to the former Sevalco site. The upgrade to the radii of the existing access and the stopping up of the secondary access is supported by Transport Development Management.

Following comments from Transport Development Management on the original submission, the applicant revised plans to show a redesigned access which proposes better integration with the National Cycle Network Route 41 that passes the frontage of the site, and details the areas of holding/storage/manoeuvring within the application site.

The access whilst widened and radii increased to allow easier HGV access to a growing site, there has been the addition of a central refuge island within the junction, which gives the impression of 'pinching' therefore slowing HGV manoeuvring speeds.

In conjunction with this the National Cycle Route 41 has now been dog-legged on approach to the site access junction allowing a four metre buffer that improves cyclist visibility of movements at the junction, whilst enabling better driver visibility of pedestrian and cyclist crossings.

Traffic Generation:

Based on process calculations the plant is to receive 300 – 320 tonnes of tyres per week with deliveries over a five day week.

In terms of deliveries, it is forecast that most material; will be delivered by heavy good vehicles from regional and sub-regional collection points. This is forecast to result in 5 one way heavy goods vehicle movements per day.

Some deliveries are expected from local sources. This is forecast to result in 10-15 light truck movements per day.

The steel would be despatched to a reclamation facility. Given anticipated volumes this is forecast to be one heavy good vehicle trip per week.

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The carbon black is to be bagged and transported off site. This is forecast to give rise to two heavy goods vehicle movements per week.

In practice, the despatch of goods is likely to be via heavy goods vehicles making deliveries therefore these would not be in addition to the delivery movements.

The synthetic diesel oil to be sold is forecast to be a maximum of 2 heavy goods vehicles (tankers) per week. As the precise nature of commercial trips is difficult to define this is a worst case scenario prediction.

In all cases outlined above, the movements are limited by the process at the plant, therefore the forecast trips are estimated on a worst case scenario.

The traffic generation of the proposed development is considered not to have a material impact on the wider highway network - on the A403 through Avonmouth or the north. The proposal would create a level of traffic considered acceptable for this industrial location.

The application has been assessed on a maximum tonnage and movement stated within the supporting documentation. To ensure the development does not compromise transport and the amenity of the area, a condition has been attached which states that no more than 167,640 tonnes of tyres shall be treated at the site per annum.

Cycling and Walking:

The site is accessed from the main traffic route of the A403 (Chittening Road) which is a 'greenway'. Policy DM25 states that greenways should maximise opportunities for walking and cycling, and that development should protect the function and amenity of these routes.

With the inclusion of the central crossing refuge island at the access to the site both pedestrians and cyclists are also allowed the facility to safely stop mid-crossing should vehicle movements restrict any part of their crossing.

The pedestrian and cyclist links have been continued into the proposed site, with designs showing and incorporating these movements and the provisions for links to specific entrance points and cycle parking facilities.

Discussions with the applicant have highlighted the requirement to raise awareness and signing of the official NCR past the site and the cycle crossings that will be occurring at the site access junction, as such there will be proposed signing on the north and south approaches, as well as internally, as approaching the junction. These will be located on the edge of the shared pathway so as to highlight the route to both users and passing vehicles. This combined with new lining to the NCR and the specific crossing facility at the junction means that all users should be fully aware of the facilities at this junction.

Summary:

Transport Development Management has no objection to the proposed development in terms of any transport or highway safety concerns. Conditions are requested to cover impacts on highways during construction (Construction management plan) and to ensure the implementation/maintenance of: vehicular, cycling, pedestrian access and parking before occupation of the development.

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The application is assessed to be conducive to pedestrian, cycle and vehicular movements. The implementation of improvements to the pedestrian/cycle route along Chittening Road and crossing over the site access is considered to be an improvement on the existing provision, as such the requirements of BCS10 and DM23 are deemed to have been met.

(D) HAS THE ISSUE OF CONTAMINATED LAND BEEN APPROPRIATELY ADDRESSED?

Policy BCS23 requires development to be sited and designed in a way as to avoid creating adverse exposure to contaminated land. Policy DM34 requires development to appropriately mitigate any existing contamination to ensure that the site is suitable for the proposed use and that the new development will not result in the land becoming contaminated.

As part of the closure of the former Chemical Works, the previous owners were required to reinstate the land to a level of decontamination suitable to accommodate development. The application site was formerly occupied by administration buildings, laboratories and a large product storage building.

A Land Contamination Statement has been submitted in support of the application. Appendix 6 of this statement contains an "Interpretative Environmental Site Investigation, Sevalco South Site" reference UK14-14783 which encompasses the entire site.

The entire site was subject to significant investigation, however the proposed development area was subject to limited investigation, in part due to the fact these buildings were the very last to be demolished and due to the lack of industrial processes that took place in this location.

The report makes reference to the potential risks associated with future commercial development across the entire site:

- Hotspots of unexpected contamination.
- Ground gases/vapours – discussion with regulators and agreement of a suitable scope for gas prevention measures prior to development.
- New services – appropriate risk assessment and use of appropriate materials as part of the construction.
- Foundation design, use of piling methods may require risk assessment to ensure no new pathways are created.

The application site has not been subject to any investigation since 2010.

The Contaminated Land Officer cited that during the remediation of the main site, significant pockets of unexpected contamination were encountered that had migrated along previously unknown trenches/drainage ditches, and consider that this would be a risk for future development on the application site.

The drainage of this area need to be carefully considered with respect to the materials used to cap the site following demolition – this has resulted in areas of impermeable site surface which shows signs of flooding during periods of high rainfall. A drainage strategy is to be conditioned; any new drainage should not create a preferential pathway and use appropriate materials in construction.

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It is also advised that the landscaping proposed will require imported soils, which will require validation of these materials prior to placement on site (to commercial end use GAC/C4SL's). This will be conditioned.

Contaminated Land Officer considers that the soils on the site are not considered to pose a risk for future commercial site users, however requests a number of conditions to cover: a remediation method statement; validation statement; a foundation works risk assessment; and the reporting of unexpected contamination.

The Contaminated Land Officer and the Environment Agency have both reviewed the information relating to contamination on this site. Both have requested conditions requiring works to be undertaken before the commencement of development so that the proposed development can be carried out without risks to workers, neighbours or any offsite receptors.

The requirements of policies BCS23 and DM34 are deemed to have been addressed.

(E) DOES THE SCHEME ADOPT AN APPROPRIATE APPROACH TO SUSTAINABLE DESIGN AND CONSTRUCTION?

Policies BCS14-15 require development to seek to mitigate the impacts of climate change; sustainable energy; and sustainable design and construction.

Policy BCS14 states:

“Proposals for the utilisation, distribution and development of renewable and low carbon sources of energy, including large-scale freestanding installations, will be encouraged. In assessing such proposals the environmental and economic benefits of the proposed development will be afforded significant weight, alongside considerations of public health and safety and impacts on biodiversity, landscape character, the historic environment and the residential amenity of the surrounding area.”

The application incorporates tree planting and grassland which is to enhance the biodiversity value of this site.

The economic benefits of the proposed development would provide for 15 full time equivalent posts, as well as creating a number of jobs during the construction of the renewable energy plant. In recognition of the employment opportunity offered by the proposed development a local labour agreement is to be conditioned which requires the developer/occupier to enter into an agreement with the Council to maximize the opportunities for local residents to access employment.

The application has been assessed to have no significant impacts on landscape character, historic environment or residential amenity.

Policy BCS14 goes further to state:

“Development in Bristol should include measures to reduce carbon dioxide emissions from energy use in accordance with the following energy hierarchy:

1. Minimising energy requirements;
2. Incorporating renewable energy sources;
3. Incorporating low-carbon energy sources.

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Consistent with stage two of the above energy hierarchy, development will be expected to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%. An exception will only be made in the case where a development is appropriate and necessary but where it is demonstrated that meeting the required standard would not be feasible or viable.

The use of combined heat and power (CHP), combined cooling, heat and power (CCHP) and district heating will be encouraged. Within Heat Priority Areas, major development will be expected to incorporate, where feasible, infrastructure for district heating, and will be expected to connect to existing systems where available.”

As the electricity generated will be used by the facility, it will mean that there will be no requirement for on-site renewable technology as the energy created is deemed to be renewable.

Whilst BCS14 states that the use of combined heat and power (CHP) will be “encouraged”, national guidance on the incorporation of CHP in renewable energy plants (NPS EN-1), states that a generating station needs to be located close to industrial or domestic customers with heat demands (para 4.6.5). Avonmouth is not located within a Heat Priority Area (as defined by Policy BCS14); there is limited research to date on heat demand in the Avonmouth area, and therefore the proposed development does not incorporate CHP.

Policy BCS15 of the Core Strategy states that: “... for major development [the class that this application falls]... the Sustainability Statement should include a BREEAM and/or Code for Sustainable Homes assessment.”

The application includes a Sustainability Statement and a BREEAM (Building Research Establishment Environmental Assessment Methodology) pre-assessment. Buildings are rated and certified on a scale of ‘Pass’, ‘Good’, ‘Very Good’, ‘Excellent’ and ‘Outstanding’. This is a helpful way of capturing a broad range of sustainability matters through the design, construction and environmental management of the project.

The pre-assessment has outlined an indicative BREEAM rating of ‘Good’. A condition on any planning permission granted would be used so as to secure at least a ‘Good’ rating.

Based on the assessment above, the proposed development is considered to accord with the sustainable design and construction policies of the Core Strategy.

(F) DOES THE PROPOSED DEVELOPMENT ADEQUATELY ASSESS FLOOD RISK?

Policy BCS16 requires development in Bristol to follow a sequential approach to flood risk management – with priority given to the development of sites with the lowest risk of flooding. The development of sites with a sequentially greater flood risk will be considered where essential for regeneration or where necessary to meet the development requirements of the city.

Development in areas at risk of flooding are expected to be resilient to flooding through design and layout; and/or incorporate sensitively designed mitigation measures.

The application site is allocated for industrial purposes, therefore the Bristol Strategic Flood Risk Assessment has already considered that this site is suitable for industrial/commercial use as part of the development of local planning policy.

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The proposal is for a 'less vulnerable' use as classified by the Flood Risk Vulnerability and Flood Zone Compatibility in the National Planning Policy Framework – therefore it is appropriate for its location on Flood Zone 3.

The application is supported by a Flood Risk Assessment. This has been reviewed by both the Environment Agency and the Council's Flood Risk Officer. They have raised no objection to the Flood Risk Assessment as submitted requesting conditions covering finished floor levels for the development; flood evacuation plan for commercial development; and the submission of a surface water drainage scheme incorporating sustainable features.

The policy requirement of BCS16 with regards to flood risk and water management is deemed to have been adequately addressed.

(G) WOULD THE PROPOSED DEVELOPMENT AFFECT THE CHARACTER OR AMENITY OF THE AREA?

Policy BCS21 of the Core Strategy and DM26-29 of the Site Allocations & Development Management Policies, require development to contribute to the character of an area, through its layout and form, public realm and building design.

The development will be situated within a 'Principal Industrial and Warehousing area', and therefore it is expected that the development will be in keeping with its surroundings.

Two points from which the proposed development can be viewed is the approach from the south along Chittening Road and the approach from the north from the Severn Road/Chittening Road.

From the south the proposed development, with the exception of the upper section of the fume stack, would be screened by the existing vegetation along the Stuppill Rhine. This vegetation is to be supplemented along this boundary with further planting of native species within the application site.

From the north, longer views of the proposed development would be screened by the existing vegetation that exists along the boundary of the Chittening Road. The site is visible on approach to the application site from the north, due to the remainder of the former Sevalco site being cleared. The approved developments and their associated landscaping if implemented would further screen the proposed development.

From the immediate surrounds of the site, the site layout proposes to re-structure the Chittening Road boundary by making provision for the pedestrian/cycle path along this edge, provision for an area of grassland with tree planting and the proposed generating plant set back over 20 metres from the Chittening Road.

The Council's Landscape Officer has advised that the landscape impact of the proposed development is acceptable. The proposed development through its layout seeks to enhance the environment for pedestrians and cyclists along Chittening Road through the provision of a 4m pedestrian/cycleway where the demarcation of the public realm and the crossing of the former Sevalco site access are currently poorly defined.

The treatment of this cycleway is to be secured via a condition requiring the submission of details for hard and soft landscaping; lighting and signage along the site frontage. Subject to its implementation, the proposal is considered not to have an impact on the character or the amenity of the industrial area.

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Policy BCS9 states that: “Individual green assets should be retained wherever possible and integrated into new development. Loss of green infrastructure will only be acceptable where it is allowed for as part of an adopted Development Plan Document or is necessary, on balance, to achieve the policy aims of the Core Strategy. Appropriate mitigation of the lost green infrastructure assets will be required.”

Policy DM15 states that: “the provision of additional and/or improved management of existing trees will be expected as part of the landscape treatment of new development.”

The application will not result in the loss of any trees. The application site is cleared and there are no tree preservation orders present on the application site. There is an area of existing mature planting on the Stuppill Rhine (drainage ditch) along the south west boundary of the site. These trees will remain and will not be impacted by the proposed development and its associated landscape plans.

The scheme proposes the planting of 22 no. native species trees around the site perimeter. This will be secured by way of condition covering the submission of hard and soft landscaping details to be submitted and approved by the Council's Landscape Officer before works would start on site. Within this scheme the canopy and root zone protection of the existing vegetation along the Stuppill Rhine will be maintained.

In conclusion, the policy requirement of BCS9 is considered to be addressed.

(I) DOES THE PROPOSAL RAISE ANY ECOLOGICAL ISSUES?

Policy BCS9 of the Core Strategy and DM19 of the Site Allocations and Development Management Policies require development to be assessed in terms of its ecological impact. These policies seek to protect habitats, species or features that contribute to nature conservation.

Policy DM19 states that development should:

- i. Be informed by an appropriate survey and assessment of impacts; and
- ii. Be designed and sited, in so far as practicably and viably possible, to avoid any harm to identified habitats, species and features of importance; and
- iii. Take opportunities to connect any identified on-site habitats, species or features to nearby corridors in the Wildlife Network.

This application is in close proximity to the Severn Estuary Site of Special Scientific Interest (SSSI). This SSSI forms part of the Severn Estuary Special Area of Conservation (SAC), Special Protection Area (SPA) and Wetland of International Importance under the Ramsar Convention (Ramsar Site).

The application is informed by a Preliminary Ecological Appraisal. The appraisal identifies and assesses the ecological receptors within and adjacent to the application site and determines if there are any potential impacts arising from the development. This proposes the provision of a tree root protection zone; trenches not to be left open overnight and a pre-commencement check for breeding birds on site.

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On what is a cleared site, the creation of a substantial area of grassland (1,490m²) and the planting of new native species trees will enrich local biodiversity, provide shelter for wildlife and improve connectivity into the wider landscape.

Natural England has been consulted on the application and has advised that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which Severn Estuary has been classified. Natural England has advised the BCC is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives. Natural England therefore has advised that this SSSI does not represent a constraint in determining this application.

In addition to this, the Council's Ecology Officer has been consulted on the application as submitted. The Ecology Officer has no objection to the proposed development and has requested conditions relating to environmental management during construction, works to be carried out in accordance with the ecological appraisal submitted, preservation of habitat for birds, and covering excavations overnight.

The proposed development is considered to comply with policies BCS9 and DM19.

SUMMARY AND CONCLUSION

The role of the Council as the local planning authority is to consider the proposed development within the context of the national and local planning framework; and impacts on the environment. This has required an assessment of impacts based on evidence and against national standards and guidance.

Having carefully considered the policy context and specifically against the Core Strategy as the development plan, as well as the technical information for the assessment of the impacts on: air quality, transport; contaminated land, sustainable design, flood risk, ecology; and trees - this application is considered to be consistent with the Council's policy.

Subject to the following conditions, the proposal would comply with the Bristol Core Strategy and the Site Allocations and Development Management Policies. This application is recommended for approval.

COMMUNITY INFRASTRUCTURE LEVY

How much Community Infrastructure Levy (CIL) will this development be required to pay?

The development is liable for CIL. The CIL rate for this type of development, as set out in the CIL Charging Schedule is £nil, and therefore no CIL is payable.

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RECOMMENDED GRANT subject to the following conditions.

Time limit for commencement of development

1. Full Planning Permission

The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Act 2004.

Pre commencement condition(s)

2. Site Specific Construction Environmental Management Plan

No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison
- Arrangements for liaison with the Council's Pollution Control Team
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
- Bristol City Council encourages all contractors to be 'Considerate Contractors' when working in the city by being aware of the needs of neighbours and the environment.
- Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: In the interests of the amenities of surrounding occupiers and to conserve the Wildlife Network Site.

3. Sustainable Urban Drainage System (SUDS)

No development shall take place until a detailed design of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved development shall be implemented in accordance with the approved detailed design prior to the use of the building commencing.

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Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal.

4. Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

5. Foundation Works Risk Assessment

Prior to foundation works commencing a 'Foundation Works Risk Assessment' must be submitted to and approved in writing by the Local Planning Authority. Works shall then be undertaken as agreed. The Risk Assessment will be expected to summarise detail of:

- i) The process of the assessment, including the pollution scenarios that may occur using these techniques;
- ii) The potential mitigation measures that may be appropriate;
- iii) Proposals for any monitoring;
- iv) Particular issues and uncertainties associated with the methods chosen.

Reason: To ensure the proposed development will not cause pollution of Controlled Waters.

6. Submission and Approval of Landscaping Scheme

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection, in the course of development. The approved scheme shall be implemented so that planting is carried out no later than the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

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Reason: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory.

7. Public Art

Prior to the commencement of the development hereby permitted, a Public Art Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall also contain a timetable for delivery and details of future maintenance responsibilities and requirements. All public art works shall be completed in accordance with the agreed scheme and thereafter retained as part of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that public art is integrated into the design of the development.

8. BREEAM

No development shall take place until evidence that the development is registered with a BREEAM certification body and a pre-assessment report (or design stage certificate with interim rating if available) has been submitted indicating that the development can achieve the stipulated final BREEAM level. No building shall be occupied until a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating "Good" has been achieved for this development unless the Local Planning Authority agrees in writing to an extension of the period by which a Certificate is issued.

Reason: To ensure that the development achieves BREEAM rating level "Good" (or any such equivalent national measure of sustainability for building design which replaces that scheme) and assessment and certification shall be carried out by a licensed BREEAM assessor and to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

9. Artificial Lighting (external)

No development shall take place until a report detailing the lighting scheme has been submitted to and been approved in writing by the Local Planning Authority. Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E2 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

No development shall take place until the developer/occupier enters into an agreement with the City Council to produce and implement a strategy that aims to maximise the opportunities for local residents to access employment offered by the development. The approved strategy shall be undertaken in accordance with an agreed timetable.

Reason: In recognition of the employment opportunity offered by the development.

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10. Submission of samples before specified elements started

Samples of the coated steel sheeting shall be submitted to and be approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved samples before the building is occupied.

Reason: In order that the external appearance of the building is satisfactory.

11. Finished Floor Levels

Prior to the commencement of development a scheme of finished floor levels shall be submitted and agreed in writing by the Local Planning Authority. Finished floor levels should be set a minimum of 300mm above the design climate change flood level of 7.47m AOD.

Reason: To reduce the risk and impact of flooding on the proposed development and future occupants.

12. Flood Evacuation Plan - Commercial Property

No development shall take place until the applicant has submitted to and had approved in writing by the Local Planning Authority a Flood Warning and Evacuation Plan (FEP). This Plan shall include the following information:

- command & control (decision making process and communications to ensure activation of FEP);
 - training and exercising of personnel on site (H&S records of to whom and when);
 - flood warning procedures (in terms of receipt and transmission of information and to whom);
 - site evacuation procedures and routes; and
 - provision for identified safe refuges (who goes there and resources to sustain them).
- The FEP shall be reviewed at intervals not exceeding 3 years, and will form part of the Health & Safety at Work Register maintained by the applicant.

Reason: To limit the risk of flooding by ensuring the provision of a satisfactory means of flood management on the site

13. Clearance of Vegetation

No clearance of vegetation or structures suitable for nesting birds, shall take place between 1st March and 30th September inclusive in any year without the prior written approval of the local planning authority. The authority will require evidence provided by a suitably qualified ecologist that no breeding birds would be adversely affected before giving any approval under this condition.

Reason: To ensure that wild birds, building or using their nests are protected.

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14. Protection of badgers

No development shall take place until measures to protect badgers from being trapped in open excavations and/or pipes and culverts are submitted to and approved in writing by the local planning authority. Measures shall include cover-plating, chain link fencing or the creation of sloping escape ramps for badgers by edge profiling of trenches/excavations or placing a plank in the bottom of open trenches at the end of each working day to allow any trapped badgers to escape. This is to prevent foraging badgers falling into trenches during the construction phase of the development. Open pipework larger than 150mm outside diameter should be blanked off at the end of each working day.

Reason: To prevent harm to legally protected badgers.

15. Ecological Appraisal

All site clearance and construction works shall be carried out in strict accordance with the recommendations in the submitted preliminary ecological appraisal dated June 2014, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the protection and welfare of legally protected and priority species.

Pre occupation condition(s)

16. Implementation of Approved Remediation Scheme

Prior to occupation and following completion of measures identified in the approved remediation scheme, a verification report (also known as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and be approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

17. Implementation/Installation of lining and signage of the NCN cycle crossing facility to the site access junction – Shown on approved plans

No building or use hereby permitted shall be occupied until the lining and signage of the NCN cycle crossing facility to the site access junction have been completed in accordance with the approved plans and remain in perpetuity.

Reason: The implementation of the development without lining and signage of the NCN cycle crossing facility to the site access junction would result in an unacceptable scheme which would be detrimental to highway safety.

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18. Completion of vehicular access - Shown on approved plans

No building or use hereby permitted shall be occupied until the means of vehicular access has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be maintained in perpetuity.

Reason: In the interests of highway safety.

19. Completion of Pedestrians/Cyclists Access – Shown on approved plans

No building or use hereby permitted shall be occupied until the means of access for pedestrians and/or cyclists have been constructed in accordance with the approved plans and shall thereafter be retained for access purposes only in perpetuity.

Reason: In the interests of highway safety.

20. Reinstatement of Redundant Accessways – Shown on approved plans

No building or use hereby permitted shall be occupied until the existing access to the development site has been permanently stopped up and the footway reinstated in accordance with the approved plans.

Reason: In the interests of pedestrian safety.

21. Completion and Maintenance of Vehicular Servicing facilities – Shown on approved plans

No building or use hereby permitted shall be occupied until the facilities for loading, unloading, circulation and manoeuvring have been completed in accordance with the approved plans. Thereafter, these areas shall be kept free of obstruction and available for these uses.

Reason: To ensure that there are adequate servicing facilities within the site in the interests of highway safety.

22. Completion and maintenance of car/vehicle parking - shown on approved plans

No building or use hereby permitted shall be occupied commenced until the car/vehicle parking area shown on the approved plans has been completed, and thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development.

Reason: To ensure that there are adequate parking facilities to serve the development.

23. Completion and Maintenance of Cycle Provision – Shown on approved plans

No building or use hereby permitted shall be occupied commenced until the cycle parking provision shown on the approved plans has been completed, and thereafter, be kept free of obstruction and available for the parking of cycles only in perpetuity.

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Reason: To ensure the provision and availability of adequate cycle parking.

Post occupation management

24. The development hereby approved shall only operate whilst tyres are used as the source of fuel for the electricity generating engines of the renewable energy plant.

Reason: The application has been assessed on the tonnage and processes outlined within the supporting documentation and to ensure the development does not compromise the transport and amenity of the area.

25. No more than 167,640 tonnes of tyres shall be treated at the site per annum.

Reason: The application has been assessed on this maximum tonnage stated within the supporting documentation and to ensure the development does not compromise transport and the amenity of the area.

26. The development hereby approved shall only operate whilst two fume stacks of no less than 27m are installed on the site.

Reason: The application has been assessed on this stack height stated within the supporting documentation. Any reduction in stack height would have a significant impact on the air quality impacts from the development.

27. Reporting of Unexpected Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To secure an appropriate assessment of the risks to human health and controlled waters in the event that unforeseen ground conditions are encountered.

28. Restriction of Parking Level on site

Parking within the development site is to be restricted to the areas allocated on the approved plans and shall not encroach onto areas allocated on the plans for other uses.

Reason: To control the level of parking on the site and to safeguard the uses of other areas.

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29. Protection of Parking and Servicing Provision

The areas allocated for vehicle parking, loading and unloading, circulation and manoeuvring on the approved plans shall only be used for the said purpose and not for any other purposes.

Reason: To ensure the provision and availability of satisfactory off-street parking and servicing/loading/unloading facilities for the development.

30. List of Approved Plans and Drawings

The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision.

Site location plan, received 20 August 2014

1A Site location plan, received 20 August 2014

2A Site layout plan, received 20 August 2014

3A Proposed elevations, received 20 August 2014

4A Proposed floor plan, received 20 August 2014

5A Proposed site section, received 20 August 2014

6A Proposed roof plan, received 20 August 2014

APL 7 Proposed layout plan, received 20 August 2014

Site Access with Central Island and Cycle Crossing Facilities (Drawing No. 2640.03)

Reason: For the avoidance of doubt.

Advices

1. Works on the Public Highway

The development hereby approved includes the carrying out of work on the public highway. You are advised that before undertaking work on the highway you must enter into a formal agreement with the Council which would specify the works and the terms and conditions under which they are to be carried out. You should contact City Development, Wilder House, Wilder Street, Bristol, BS2 8PH or telephone 0117 903 6846, allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

1) Drafting the Agreement

2) A Monitoring Fee equivalent to 15% of the planning application fee

3) Approving the highway details

4) Inspecting the highway works

2. Traffic Regulation Order (TRO)

In order to comply with the requirements of condition [SPECIFY] you are advised that the implementation of a Traffic Regulation Order is required. The Traffic Regulation Order process is a lengthy legal process involving statutory public consultation and

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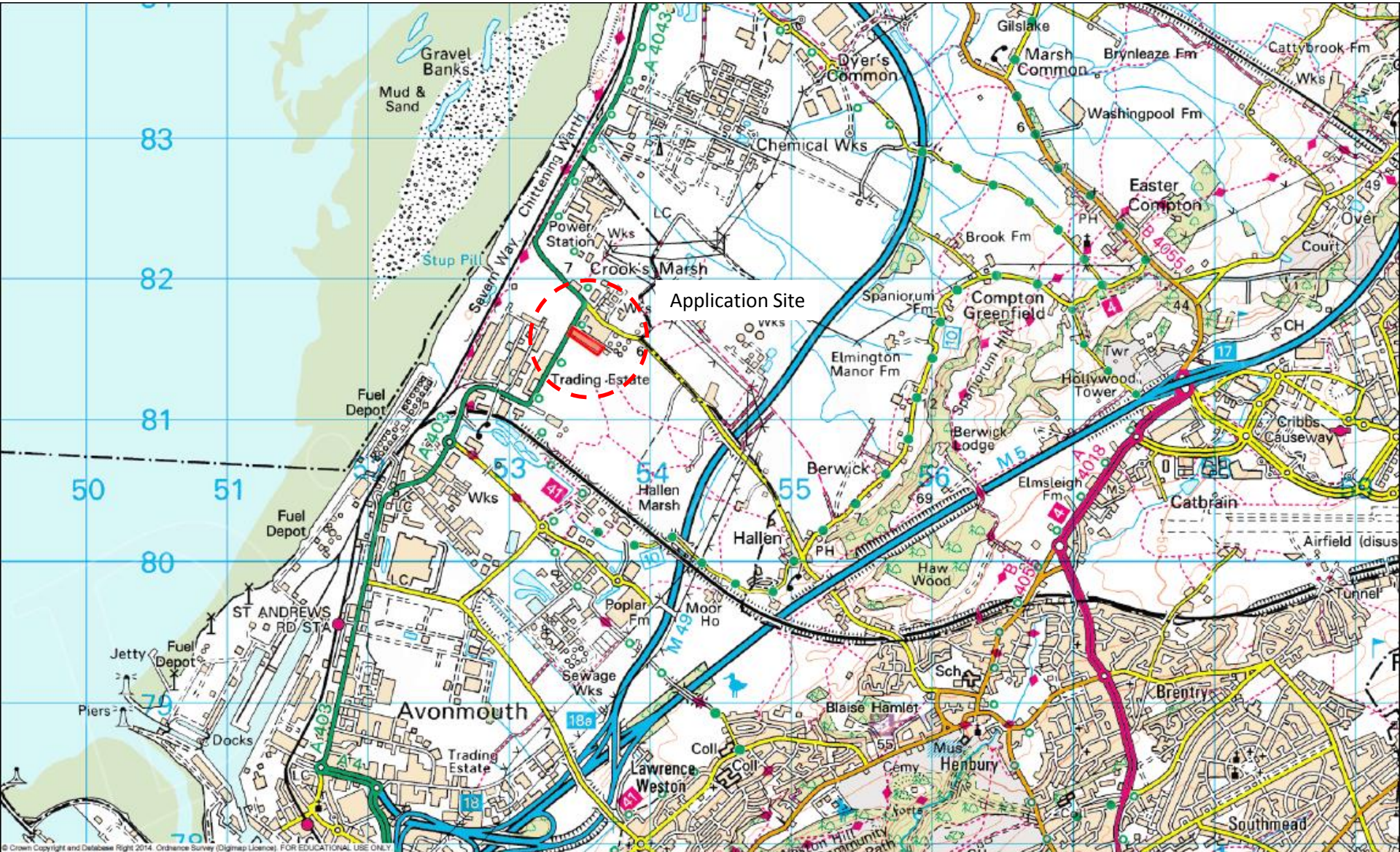
you should allow an average of 6 months from instruction to implementation. You are advised that the Traffic Regulation Order process cannot commence until payment of the TRO fees are received. To start the TRO process telephone 0117 9036846.

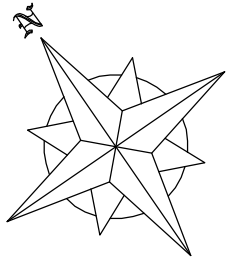
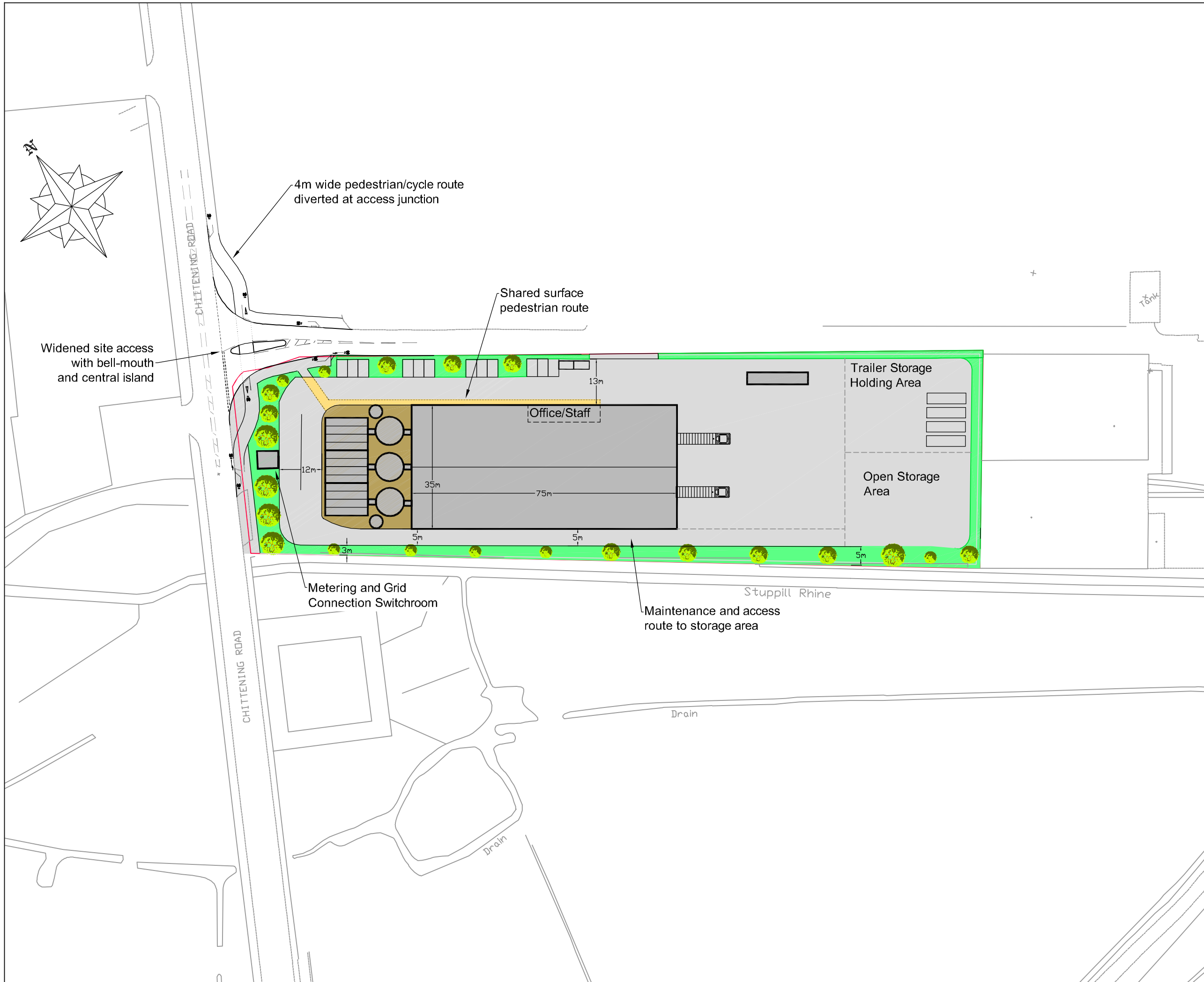
3. Highway to be Adopted

All or part of the highway to be constructed in accordance with planning approval hereby granted is to be constructed to an adoptable standard and subsequently maintained at public expense. It is necessary for the developer to comply with the Highway Engineer's specification and terms for the phasing of the development, in accordance with section 38 (Adoption of highway by agreement) or section 219 (the Advance Payments code) of the Highways Act 1980. You must also contact the Engineering Design and Main Drainage Design section of City Transport to discuss the requirements for adopted roads or sewers and in due course submit a separate application in respect of these works. You are reminded of the need for early discussions with statutory undertakers to co-ordinate the laying of services under highways to be adopted by the Highway Authority. Telephone 0117 9222100.

BACKGROUND PAPERS

Archaeology Team	17 September 2014
Landscape	11 September 2014
Natural England	9 September 2014
South Gloucestershire Council	30 September 2014
City Centre Projects (Public Art)	3 October 2014





Widened site access with bell-mouth and central island

4m wide pedestrian/cycle route diverted at access junction

Shared surface pedestrian route

Office/Staff

Trailer Storage Holding Area

Open Storage Area

Metering and Grid Connection Switchroom

Maintenance and access route to storage area

Stuppill Rhine

Drain

CHITTENING ROAD

Drain

Avon Power Ltd.
Planning Application

Drawing 2c
Site Layout Plan

Date	Scale	Drwn
Nov 14	1:1000	EJM/ PEP revision

Drawing No.	A3
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