

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 28 May 2013
Planning Application Report of the Planning and Development Manager

Application address: Depot and land, West Bay Road, SO15 1AW			
Proposed development: Redevelopment of the site. Erection of buildings to be used as a Sulphur Pastillation Plant (revised application following previous planning permission reference 11/01645/Ful).			
Application number	13/00123/FUL	Application type	FUL
Case officer	Richard Plume	Public speaking time	15 minutes
Last date for determination:	18.04.2013	Ward	Freemantle
Reason for Panel Referral:	Referred by the Planning & Development Manager due to wider public interest	Ward Councillors	Cllr Moulton Cllr Parnell Cllr Shields

Applicant: ICEC Europe Limited	Agent: WYG - (Mr Adrian Lynham)
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Recommendation Summary	Conditionally approve
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. In deciding this application particular attention has been paid to the findings of the environmental reports submitted in support of the application. The applicants intention of transporting the finished material through the Port of Southampton complies with Core Strategy Policy CS 9. Other material considerations, including the impact on the amenities of neighbours through traffic movement, noise, odours and visual impact have been considered and are not judged to have sufficient weight to justify a refusal of the application. Where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should be granted.

Policies - SDP1, SDP7, SDP9, SDP12, SDP15, SDP16, SDP18, NE1, NE4 and RE12 of the City of Southampton Local Plan Review (March 2006) and Policies CS6, CS9, CS13, CS22, CS23 and CS24 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

Conditionally approve

1. The site and its context

- 1.1 The application site occupies an area of approximately 0.4 hectares and is situated on the northern side of West Bay Road within the western docks. The site is level, tarmaced and fenced and is currently used for passenger car parking for the cruise business. The adjoining uses are either industrial or dock related activities. To the north is a site used for vehicle parking prior to export through the docks; to the east is a timber wholesale warehouse and yard; and to the west is an area used for additional parking for cruise passengers. The existing vehicular access into the site is from a connection off West Bay Road.
- 1.2 The immediate surroundings are entirely commercial in character. The nearest residential properties are some 200 metres to the north in Saxon Road and Norman Road and are separated from the application site by the main railway line and Mountbatten Way. Millbrook Road to the west of the Paynes Road junction is a designated Air Quality Management Area.

2. Proposal

- 2.1 This planning application, submitted by ICEC Europe Ltd, a subsidiary of Oxbow Carbon, proposes various new buildings and structures in connection with use of the land as a Sulphur Pastillation Plant. The facility will receive liquid sulphur, which is a by product of the oil refining process, from the Fawley Refinery by road tanker. Once received, the sulphur would be cooled and processed into a dry bulk product. The liquid tankers would enter the Port estate from Dockgate 20 and utilise the private internal road system. It is intended that the finished product will be exported by container through the docks.
- 2.2 A variety of buildings and structures would be provided on the site: a 5.56 metre high steel clad industrial unit of 256 square metres floorspace; a cylindrical shaped storage tank and storage silo with approximate heights of 14 metres and 20 metres (to the top of the delivery conveyor); two small storage units; a motor control centre of approximately 36 square metres; a cooling tower; a fume scrubber with an approximate height of 7 metres; a fume scrubber stack of approximately 9 metres in height; a small pump house and a site office of approximately 30 square metres. Initially it is intended that two sulphur pastillation or forming units would be installed in the proposed industrial building. In the future a third unit could potentially be installed to enable a maximum throughput of 100,000 tonnes per annum. Each unit is capable of up to 6 tonnes per hour of dry formed sulphur pastilles. After the sulphur has been formed it would be transferred onto a covered bulk handling conveyor that would deposit the newly formed pastilles into a dedicated storage silo where it would be stored until loaded into shipping containers.
- 2.3 Tankers with a capacity of 30 tonnes would deliver liquid sulphur from Fawley. All other associated traffic movements would be container vehicles moving from the facility to the container holding area. On this basis, the level of traffic movements initially would be 6 per day into and out of the port and 12 movements within the port area. At the anticipated maximum throughput rate, the average level of traffic movements would be 18 per day into and out of the port and 38 within the port area. Under normal working, deliveries of liquid sulphur would only take place to the Port during the hours of 0600 to 2000. In the event of significant traffic delays

it is possible that some loads may need to be delivered later than this time. Operation of the facility would initially commence on an 8 hour production process but could increase to 24 hour operation, subject to demand. The storage tank system will have a capacity of 4,000 tonnes and a minimum working capacity of 2,500 tonnes. It is intended that the majority of the product will be shipped overseas although it is possible that some road transport will also be involved. The likely operational output of the plant will commence at a rate of 30,000 tonnes per annum and increase steadily towards a maximum output of 100,000 tonnes per annum.

2.4 The changes from the previously approved development are:

- The Forming Building has been rotated 90° and enlarged to 16m x 16m, (It was previously 16m x 14 m)
- One product conveyor has been eliminated,
- The Motor Control building, Boiler, Fume Scrubber, Spare Parts Storage, Water Cooler, Weighbridge and Bulk Product Silo have been relocated,
- The fume scrubbing technology has been upgraded to a Sodium Hydroxide (NaOH) and sodium hypochlorite (bleach) system necessitating an increase in height of the fume scrubber.
- The Storage Silo height has been increased to 18.96 meters and the conveyor feeding the silo remains 1.0 meter higher than the top of the silo at 20m, (it was previously 16 metres in height) and
- The proposed Water Cooler will be a Cooling Tower or a Fin Fan Aerial cooler, no higher than the Forming Building which is 5.56m high at the ridge. (The forming building was previously 6 metres to the eaves and 9.6 metres to the ridge)

2.5 The buildings would be metal clad and finished in 'goosewing grey' colour. The existing metal palisade fence around the site will be retained. The plant would employ up to 12 people. The application is accompanied by specialist reports covering noise, air quality and flood risk.

3. Relevant Planning Policy

3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 1**.

3.2 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

4. Relevant Planning History

4.1 Various planning permissions were granted in the early 1970's relating to the use of the land for container use, vehicle and container maintenance workshops etc. none of which are directly relevant to this application.

4.2 In October 2011 an Environmental Impact Assessment Screening opinion was issued confirming that the proposed development does not require the submission of a full Environmental Statement (Council reference 11/01342/SCR)

4.3 In March 2012 planning permission was granted for redevelopment of the site to provide a sulphur pastillation plant (Council reference 11/01645/FUL).

5. Consultation Responses and Notification Representations

5.1 Following the receipt of the planning application a publicity exercise in line with departmental procedures was undertaken which included notifying adjoining landowners and erecting a site notice (07.03.2013). The applicants also carried out their own consultation arrangements by delivering approximately 3,000 leaflets to properties in the surrounding area and holding an exhibition on 29 April 2013. A public meeting was held on 1 May. At the time of writing the report **14** representations (objections) have been received from surrounding residents. A summary of the comments is given below.

5.2 **There has been inadequate public consultation on the proposal which will radically alter the skyline to the south to the detriment of local residents. The plant will potentially run for 24 hours a day and there will be noise and odour issues which are not appropriate so close to residential properties.**

Response

The consultation process was in accordance with the statutory requirements and the Council's normal practice. Due to the subsequent level of public interest an exhibition was arranged by the applicant and a public meeting was organised by the Council. This part of the western docks is currently fairly 'open' in appearance as the prevailing use is for vehicle parking. However, the wider skyline is typified by waterfront cranes, lighting columns and electricity pylons. The port operator has extensive permitted development rights which could radically change the appearance of the area, for example with container storage, at any time. In this context, and given the scale of development proposed, the proposed plant and equipment, although noticeable, would not be unacceptable. The issues of neighbour amenity impact in terms of noise and odour are dealt with later in this report.

5.3 **In addition to the proposed Biomass Plant, another factory will be built 'down wind' of residential neighbours. This could set a precedent for other operations. Neither of these proposals should have been considered so close to residential properties.**

Response

This application has no connection to the Biomass proposal which is on land further to the west. The western docks is a long established commercial operation and the nearest residential properties are some 200 metres away.

5.4 **Southampton Docks should be used solely for purposes relating to shipping and not chemical processing. The ideal place for processing liquid sulphur is next to the facility at Fawley where it is produced. There is space at the oil refinery for such a facility where it could be pumped directly into the plant without the need to build storage tanks and the subsequent bagged pellets could be simply transported.**

Response

These concerns are understandable but it is a commercial decision whether another site might be available or preferable. The applicants in this case are not the owners of the oil refinery and therefore do not have control of that site. In response to queries raised by local residents, the applicants state that they conducted an extensive search and identified a number of potential sites in the Fawley and Southampton areas for the new facility. As part of this exercise it was determined that no land was available for lease within the Fawley refinery. Members will be aware that the planning application must be considered on its own merits, in the light of planning policy and other material considerations, such as whether the proposal is a suitable use of the land, not whether an alternative site might be preferable. The main reasons why this site was chosen by the applicants was because the land was available within the required project timescale and the finished product can be conveniently shipped out of the container port.

- 5.5 **This is the first sulphur pastillation plant in the country which raises various issues and the government should be made aware of it. The proposal is a fire hazard and potentially environmentally harmful to residents and future generations. If a fire incident occurs it will be catastrophic as Southampton does not have the infrastructure and contingency plan to contain such a disaster. The greatest public concern is the risk associated with a fire following an explosion event as this could cause Sulphur Dioxide gas to pass over the city on the prevailing westerly wind.**

Response

There is no planning requirement to refer this type of application to the government. The fire service have been consulted on this application and have raised no objections. Discussions have taken place with the Council's Emergency Planning Officer who is satisfied that the necessary land based contingency plans are in place in the event of an incident occurring.

- 5.6 **There should be an independent survey of the health impact. The Freemantle area has high rates of recorded asthma. This plant will quite obviously create an odour which, due to the prevailing westerly winds will impact on local properties. Health and well being are more important than money.**

Response

These environmental health issues are considered later in this report.

- 5.7 **The City should concentrate on developing the leisure sector of the economy connected to the cruise industry rather than developing the port for heavy chemical industries.**

Response

As this site is land within the operational port, where ABP have extensive rights to develop land without needing planning permission, it is not for the Council to dictate specific land uses. The western docks has traditionally been used for various port related activities including uses of an industrial and warehousing nature connected to the container docks etc.

- 5.8 **3** letters of support have been received from DP World Southampton; Solent Stevedores and Pentalver Transport who state that shipping the formed sulphur through the container facility will reduce the need for traffic over the public road network; shipping the end product out of the docks will result in additional jobs in the area and is in alignment with the Port's initiatives to grow Port related businesses and diversify its operations.
- 5.9 **Councillor Moulton** - objects on the grounds that such a large industrial development is inappropriate given its proximity to a residential area. There is a real possibility of odour problems which will impact on the quality of life for those living near by. Noise from the plant and traffic operating 24 hours a day will add to problems already suffered by local residents. I am formally asking for a further delay of the decision date to at least the end of June to allow for an independent scientific report to be commissioned. I would also like to request that independent health and safety / hazard report be commissioned considering the dangers that the plant might pose for the neighbouring area.

Response

Officers do not consider it would be justifiable to delay the decision further on this application, as a thorough assessment of the applicant's technical reports has already been undertaken by the Council's noise and air quality/odour specialists. In addition discussions have taken place with the Council's Scientific Adviser at the University. These assessments have led to the specification of a number of planning conditions which will place tight controls over plant operations, in addition to regulatory powers under other legislation.

- 5.10 **SCC Highways** - No objections on highways grounds as the vehicles will access the site from Dock Gate 20 and use the private access road within the port.
- 5.11 **SCC Environmental Health (Pollution & Safety)** - I am pleased to see the improvements to the filtration system compared to the previous application. Environmental Health have no objections to this application, subject to conditions being imposed to control the noise and potential odours from the site.

Noise

The plant shall be constructed with the control measures as recommended in the 24 Acoustic technical report R3731 – 1 Rev 2 dated 21st September 2011, in particular the treatment of the conveyor and silo.

Odour

Of the two gases, sulphur dioxide and hydrogen sulphide, only sulphur dioxide has a national air quality objective set for it, below which these levels are regarded as acceptable for health and environmental impacts. The emissions from this installation, at the nearest residential properties in Norman Road, are modelled at 0.12% of the 24 hour average of the air quality objective which is well within the limits for human health effects. The process has been designed to operate to a standard of emission of Hydrogen Sulphide (H₂S) of 0.15 parts per million by volume, resulting in the discharge being virtually odourless at the boundary of the site, and meaning the H₂S will be at extremely low levels.

- 5.12 **SCC Environmental Health (Contaminated Land)** - The proposal is for the redevelopment of an industrial site. This is not regarded as a sensitive land use, however, the mobilisation of contaminants that may be present on the site could present a risk to human health and/or the wider environment during the construction phase. Conditions are recommended.
- 5.13 **SCC Planning Ecologist** – No objections, the application site consists of an area of hard surface within the docks. There is no vegetation present and as such the site has no biodiversity value. There are some concerns about vehicle emissions affecting the nearby European sites, however, as the waste sulphur is already being moved from Fawley, past sections of the European sites, the change of destination is unlikely to result in an overall deterioration.
- 5.14 **Environment Agency** – No objections to the proposal. The development may require an Environmental Permit or an exemption from such a permit from the Environment Agency.
- 5.15 **Hampshire Fire and Rescue Service** - No objections to the application. The fire service would pick up on issues such as access, water supplies and fire safety measures within the buildings at the Building Regulations stage of the process.

6. **Planning Consideration Key Issues**

6.1 The key issues for consideration in the determination of this planning application are:

- The principle of this form of development.
- Design and visual impact.
- Transport Issues.
- Environmental impact in terms of noise, air quality and sustainability.

6.2 **Principle of Development**

The principle of this use has been established through the previous permission granted in March 2012. The current application is necessary because of detailed changes made to the size and position of the structures on the site. The application site is within the operational docks where Policy CS9 of the Core Strategy opposes non port related development. Although this is not an application by the port operator, Associated British Ports, the location has been chosen because the finished dry sulphur product will be sent out through the container port. In deciding the previous application, it was considered that the proposal was effectively port related development and therefore policy compliant. In terms of the location of the site the immediate surroundings are entirely industrial/commercial in character being within the western docks. This is the sort of location where uses of this nature have traditionally been located within the city.

6.3 Design and visual impact

In design terms this is clearly a functional industrial development, with a series of manufacturing and storage structures of up to 20 metres in height. This is a fairly 'open' part of the dock estate on the south and west sides, but there are substantial industrial and warehouse buildings on the site which adjoins to the east occupied by Montague Meyer so the buildings would by no means be out of place. The nearest residential properties in the vicinity are over 200 metres away on Norman Road and Saxon Road. These properties are separated from the application site by the main railway line, Mountbatten Way and other sites within the docks. There is extensive tree planting on both sides of Mountbatten Way which will act as an effective screen especially in the summer months. However, due to the height of the structures the plant would be visible from public areas including Mountbatten Way which, at this point, is at the same level as the application site before the road starts to climb up to its elevated level further west. The plant would be seen in the context of the existing dock estate where there are many structures of a similar size such as open container storage where the containers are often stored five or six high (equivalent to approximately 16 metres in height).

6.4 Environmental Issues

As far as the environmental impact is concerned, the proposed use is a potentially 24 hour use but it is anticipated that the works would largely be confined to the hours of 0600 to 2000. The previous planning permission did not restrict the hours of operation as this was not considered to be necessary or reasonable given the unrestricted nature of the other businesses within the docks. The applicants are seeking unrestricted hours of operation for the current application. Lorry movements are intended to be via Dockgate 20 and this would be controlled by a planning condition. The level of vehicle movements is relatively small in the overall context of the existing docks traffic. The applicants Flood Risk Assessment demonstrates that the site is at low risk of flooding and this has been accepted by the Environment Agency.

6.5 The applicant has submitted detailed noise and air quality assessments as part of this application. The updated air quality assessment is in response to technical improvements to the proposed plant since the previous application was submitted, and in response to issues raised during the consultation process. These changes result in an improved level of emission control compared with the previous application which is welcomed. The liquid sulphur will be discharged into a closed system and processed into a dry bulk product. The forming equipment uses an indirect contact water cooling process so there will be no visible water vapour. All vapour emissions from processing the sulphur will be contained and scrubbed to treat the odours before they are released to the atmosphere. Once the product is formed it will be inert or inactive. The assessment analyses the impact of the proposal at the site boundaries, within the docks, and at 'sensitive receptors' further away, i.e. the closest residential properties at Norman Road and Saxon Road. The assessment has been based on criteria specified by the Council which is in accordance with Environment Agency Guidance and National Air Quality Objectives. The air dispersion modelling assessment indicates there are no predicted exceedences of the benchmark level of odour units for either hydrogen sulphide or sulphur dioxide at any of the surrounding boundary or receptor locations. The conclusion of the

assessment is that the sulphur pastillation facility will be an insignificant source of air pollutants. The facility is designed to operate well within recognised emissions standards for vapour, odour and dust (particulate matter).

- 6.6 The noise assessment report is based on a survey of background noise levels at the nearest residential property to the site. The noise assessment finds that the operation of the facility will create an impact which is better than 'marginal significance during the night' (meaning the operation would be below the background noise level but audible) and will be of a magnitude 'unlikely to cause complaints during the day' (as defined in the relevant British Standard). Noise from the plant operation will be mitigated by the by the current proposals to enclose some plant in buildings or other enclosures. Measures will be taken to reduce noise from the conveyors by approximately 10dBa and to reduce noise from the cooling tower by approximately 15 dBa. On this basis, the proposed plant should not cause any loss of amenity at any of the receptors in the locality. The applicant has demonstrated that the development would be acceptable in terms of noise and air quality criteria and this has been accepted by the Council's Environmental Health team subject to conditions being imposed.
- 6.7 In terms of wider sustainability issues, the current arrangements for exporting the liquid sulphur involve tankers travelling from Fawley to Runcorn where the product is stored before being loaded onto barges for processing abroad. The round trip to Runcorn for these vehicles is approximately 470 miles. Constructing the new facility much closer to the refinery would result in a significant reduction in large lorry movements on the national road network. Furthermore, locating the plant here maximises the opportunities for distribution of the end product by sea. This application is therefore intrinsically sustainable in terms of reducing CO2 emissions.
- 6.8 Local residents concerns about the health impact and safety concerns are perfectly understandable but storage and adaptation of sulphur in this way does not constitute a hazardous substance as defined by planning legislation and does not therefore require Hazardous Substances Consent. The planning system does not answer all these safety concerns which are dealt with through other legislation. The development will need to comply with other safety and environmental standards. Further discussions will be necessary with the Fire Service and the applicants will need to develop an emergency response plan with the port operator.

7. Summary

- 7.1 This application is effectively a revision to the planning permission granted last year. The site is within the established port operation of the western docks. The immediate surroundings are industrial/storage in character. The nearest residential properties are separated from the site by a major railway line and main road. The level of traffic movement to and from the site is relatively insignificant in the context of the western docks and all vehicle movements would be via Dockgate 20 and through the private roads within the port. Local residents concerns about the environmental and safety impact are appreciated but the technical reports submitted with the application and subsequent analysis do not give grounds for withholding permission for this development. The Council's Environmental Health team are satisfied that the proposal is acceptable in terms

of odour impact, due to the incorporation of best available techniques for treating the odour, and noise can be mitigated through a condition. The safety issues will be further addressed through other legislation/organisations.

8. Conclusion

It is recommended that permission be granted subject to conditions

Local Government (Access to Information) Act 1985 **Documents used in the preparation of this report Background Papers**

1(a), 1(b), 1(c), 1(d), 2(b), 2(d), 4(vv), 6(c), 7(a), 8(a), 9(a), 9(b).

RP2 for 28/05/2013 PROW Panel

PLANNING CONDITIONS

01. APPROVAL CONDITION - Full Permission Timing Condition - Physical works

The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason:

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. APPROVAL CONDITION - Samples details of building materials to be used [Pre-Commencement Condition]

No work for the construction of the buildings hereby permitted shall commence unless and until details and samples of the materials and finishes to be used for the external walls, windows, doors and roof of the building have been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details.

Reason:

To enable the Local Planning Authority to control the development in detail in the interest of the visual amenities of the locality and to endeavour to achieve a building of high visual quality.

03. APPROVAL CONDITION- Land Contamination investigation and remediation [Pre-Commencement & Occupation Condition]

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved by the Local Planning Authority. That scheme shall include all of the following phases, unless identified as unnecessary by the preceding phase and approved in writing by the Local Planning Authority:

1. A desk top study including;
 - historical and current sources of land contamination
 - results of a walk-over survey identifying any evidence of land contamination
 - identification of the potential contaminants associated with the above
 - an initial conceptual site model of the site indicating sources, pathways and receptors
 - a qualitative assessment of the likely risks

any requirements for exploratory investigations.

2. A report of the findings of an exploratory site investigation, characterising the site and allowing for potential risks (as identified in phase 1) to be assessed.

3. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

On completion of the works set out in (3) a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scene of remediation and setting out any measures for maintenance, further monitoring, reporting and arrangements for contingency action. The verification report shall be approved by the Local Planning Authority prior to the occupation or operational use of any stage of the development.

Any changes to these agreed elements require the express consent of the local planning authority.

Reason:

To ensure land contamination risks associated with the site are appropriately investigated and assessed with respect to human health and the wider environment and where required remediation of the site is to an appropriate standard.

04. APPROVAL CONDITION- Unsuspected Contamination [Performance Condition]

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority.

Any changes to the agreed remediation actions will require the express written consent of the Local Planning Authority.

Reason:

To ensure any land contamination not previously identified is assessed and remediated so as not to present any significant risks to human health or, the wider environment.

05. APPROVAL CONDITION - Use of uncontaminated soils and fill [Pre-Commencement Condition]

Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to the occupancy of the site.

Reason:

To ensure imported materials are suitable and do not introduce any land contamination risks onto the development.

06. APPROVAL CONDITION - Large vehicle access and egress (Performance Condition)

Except in the event of an emergency or road closure, access and egress to and from the site by liquid sulphur vehicles shall be via Dockgate 20 and the internal roads within the Port of Southampton estate.

Reason:

To limit heavy vehicle movements on public highways and to accord with the terms of the application supporting statement paragraph 5.18.

07. APPROVAL CONDITION - Enclosure of sulphur (Performance Condition)

Where the sulphur is in a liquid form and is open to the air, it is to be contained in an enclosure that is maintained at a negative pressure sufficient to prevent any fugitive emissions from leaving the enclosure.

Reason:

In the interests of protecting the amenities of the area.

08. APPROVAL CONDITION - Exhaust Gases (Performance Condition)

Hydrogen Sulphide (H₂S) Emissions shall be designed to give an average discharge rate of 0.15ppm (1 hour average) from the scrubber stack. However, maximum H₂S Emissions from the scrubber stack should not exceed 1 ppmv (15 minute average). Continuous (minimum average recording every 15 minutes) monitoring of H₂S emissions (by pH as a surrogate) measurements, should be undertaken throughout every shift during normal operation. Records of these measurements shall be held for a minimum of 1 year and available to the local planning authority on request. Within 3 months of operation, a report shall be submitted to the local planning authority, detailing and certifying the relationship between the pH surrogate measurements and H₂S emissions. This report must be based on, and include, directly measured stack emissions of H₂S undertaken in compliance with MCERTS and undertaken over a minimum 3 hour testing period during normal operations.

Reason:

To safeguard the amenities of the surrounding area.

09. APPROVAL CONDITION - Gas emissions (Performance Condition)

Hydrogen Sulphide (H₂S) emissions shall be directly measured annually (in compliance with MCERTS and undertaken over a minimum 3 one-hour testing period during normal operations. Records of this testing shall be held for a minimum of 5 years and available to the local planning authority on request.

Reason:

To safeguard the amenities of the surrounding area.

10. APPROVAL CONDITION - Noise (Performance Condition)

The plant shall be constructed with the control measures as recommended in the 24 Acoustic technical report R3731 – 1 Rev 2 dated 21st September 2011, in particular the treatment of the conveyor and silo.

Reason:

To control the development in accordance with the terms of the application and to safeguard the amenities of the surrounding area.

11. APPROVAL CONDITION - Odour Management Plan (Pre-Commencement Condition)

No development shall commence until an Odour Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the amenities of the surrounding area.

12. APPROVAL CONDITION - Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

For the avoidance of doubt and in the interests of proper planning.

POLICY CONTEXT

Core Strategy - (January 2010)

CS6	Economic Growth
CS9	Port of Southampton
CS13	Fundamentals of Design
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS22	Promoting Biodiversity and Protecting Habitats
CS23	Flood Risk
CS24	Access to Jobs
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (March 2006)

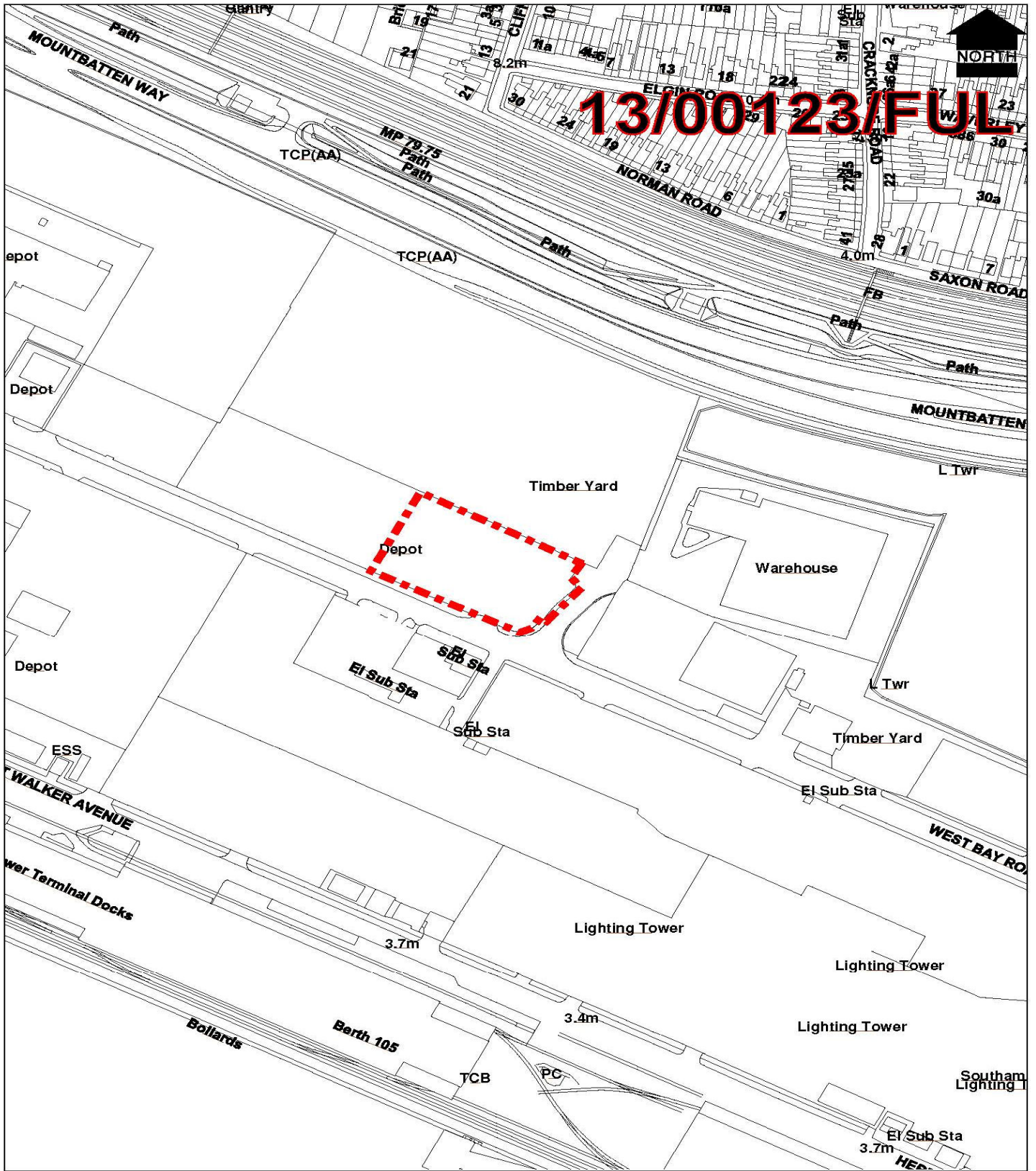
SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP15	Air Quality
SDP16	Noise
SDP17	Lighting
SDP22	Contaminated Land
NE4	Protected Species
NE5	Intertidal Mudflat Habitats
HE6	Archaeological Remains
CLT11	Waterside Development
REI12	Industry reliant Upon Wharfage and Port-Related Uses
TI2	Vehicular Access

Supplementary Planning Guidance

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework 2012



Scale : 1:2500

Date : 15 May 2013

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