

Planning Applications Committee

*Section C*

2 October 2008

<b>Agenda Number:</b>	<b>C3</b>
<b>Section/Area:</b>	OUTER
<b>Ward:</b>	WENSUM
<b>Officer:</b>	Lee Cook
<b>Valid Date:</b>	4th June 2008
<b>Application Number:</b>	08/00513/F
<b>Site Address</b> :	Bayer Cropscience Ltd, Sweet Briar Road, Norwich. NR6 5AP
<b>Proposal:</b>	Construction of new tank farm consisting of a 19.3m x 12m and a 15m x 12m both 650mm high reinforced concrete bunds in which horizontal tanks (5 No. total) shall be located. Modifications to existing reinforced concrete roadway to form tanker bay and ancillary pipeworks.
<b>Applicant:</b>	<b>Bayer CropScience Ltd</b>
<b>Agent:</b>	<b>Hale Allen Jones</b>

**THE SITE**

The Bayer CropScience site extends to a large area of land to the west of Sweet Briar Road within the North West part of Norwich. The site extends along the highway for this part of the outer ring road. The overall site is partly developed with other buffer land to the south and to the west separating the site from nearby residential uses.

## **RELEVANT PLANNING HISTORY**

The site is a long standing chemical works within the Norwich area and has incrementally changed to respond to the requirements of the company and safe operations on the site. Recent permissions include: -

**05/01152/F** - Construction of new firewater storage tank and pumphouse to replace existing site firewater supply. (APPR - 03/03/2006)

**06/00808/F** - Refurbishment of N50 building including new roof structure and over-cladding of existing building. (APPR - 22/09/2006)

**06/01013/F** - Provision of tank bund area, associated electrical switch room and pipe bridge to provide enhanced storage of flammable products. (APPR - 27/11/2006)

## **THE PROPOSAL**

Construction of a new tank farm consisting of 650mm high reinforced concrete bunds, one 19.3m x 12m and one 15m x 12m, in which horizontal tanks (5 No. total) of some 8 metres in length and 5 metres in height, with plant above extending to approximately 3 metres in height, and ancillary pipe works shall be located together with modifications to the existing reinforced concrete roadway to form a tanker bay.

## **CONSULTATIONS**

The application has been advertised on site, and in the press, and Statutory Agencies notified.

### **Environment Agency:**

No objections to the application submitted. They have previously been made aware of the proposals by the operator and are satisfied that the changes will be managed in the appropriate manner, either as a variation of the existing Environment Permit or as an agreed change.

### **Health and Safety Executive:**

No objections on safety grounds to the grant of permission

### **Environmental Health:**

Have commented and provided informative information on contamination and have asked that the Environment Agency is consulted on application as they are the regulators under IPPC legislation for this installation.

### **Councillor Rupert Read:**

Has received complaints on noxious discharge at Bayer and is dissatisfied with the existing safety regime at this factory. Given the problems brought to his attention he would be reluctant to allow any further expansion of operation, until Bayer can prove that they have cleaned up their act.

**Councillor Ruth Makoff:**

Comments that many people who use Marriotts Way have experienced severe problems recently with overpowering chemical smells from the factory and given this, would be extremely concerned about the impact of a further tank in operation, and the track-record of the factory in failing to minimise its impact on the local community area. Would also expect, if any additional tanks are to be considered, a guarantee of substantial improvement in air quality of the area and also that the new tanks and the existing site be vigorously monitored.

**PLANNING CONSIDERATIONS****Relevant National Planning Policies:**

PPS1 – Delivering Sustainable Development;

**Relevant East of England Plan Policies:**

ENV7 – Quality in the Built Environment;

**Relevant Local Plan Policies:**

EP1 Contaminated land and former landfill sites

EP3 – Health and Safety consultations

EMP7 – Single employer sites

HBE12 – High Quality of Design

The proposal relates to a primary industrial use and allows appropriate expansion/site rationalisation in line with policy EMP7. It is intended that the new storage facility will hold raw and waste materials for a new agrochemical product line at the site. This replaces an existing process which the applicant has said will shortly be redundant. The project comprises of two new low level concrete retaining bunds within which will be placed two or three horizontal steel tanks to hold different liquid products.

Other works are being carried out to the internal roadway to form a reinforced base and access for a tanker off loading containment area. This will form part of established routes on site which have regard to the needs of tanker deliveries.

The processes and environmental effects are principally the responsibility of the Environment Agency as the site is a Schedule 1 site under the Integrated Pollution Prevention and Control (IPCC) Regulations. There are very limited controls that the Council has under its environmental health powers. The Health and Safety Executive and the Environment Agency comments are given above and they have raised no objection to the proposal. The concerns raised by local councillors have been put to the company and Bayer Crop Science has written to confirm the position of the Environment Agency and understand that there are no outstanding odour issues relating to the site. Councillors Read and Makoff have

been notified of the need to contact the Environment Agency if they wish to raise specific concerns regarding smell from the existing site.

Although the impact of smell is a relevant material planning consideration, in the light of the lack of any objection on these grounds from the Council's Environmental Health Officer nor the Environment Agency then it is not considered that refusal could be justified on these grounds, nor is it appropriate to refuse permission for this development because of alleged problems of smell elsewhere on the site.

The works, tanks and roadway are seen within an industrial setting and located within rather than at the edge of operations at the site. The resultant height will be similar to adjacent buildings and not visible in the wider area and unlikely to have any wider impact. In the context of its setting the proposal would be an acceptable form of development.

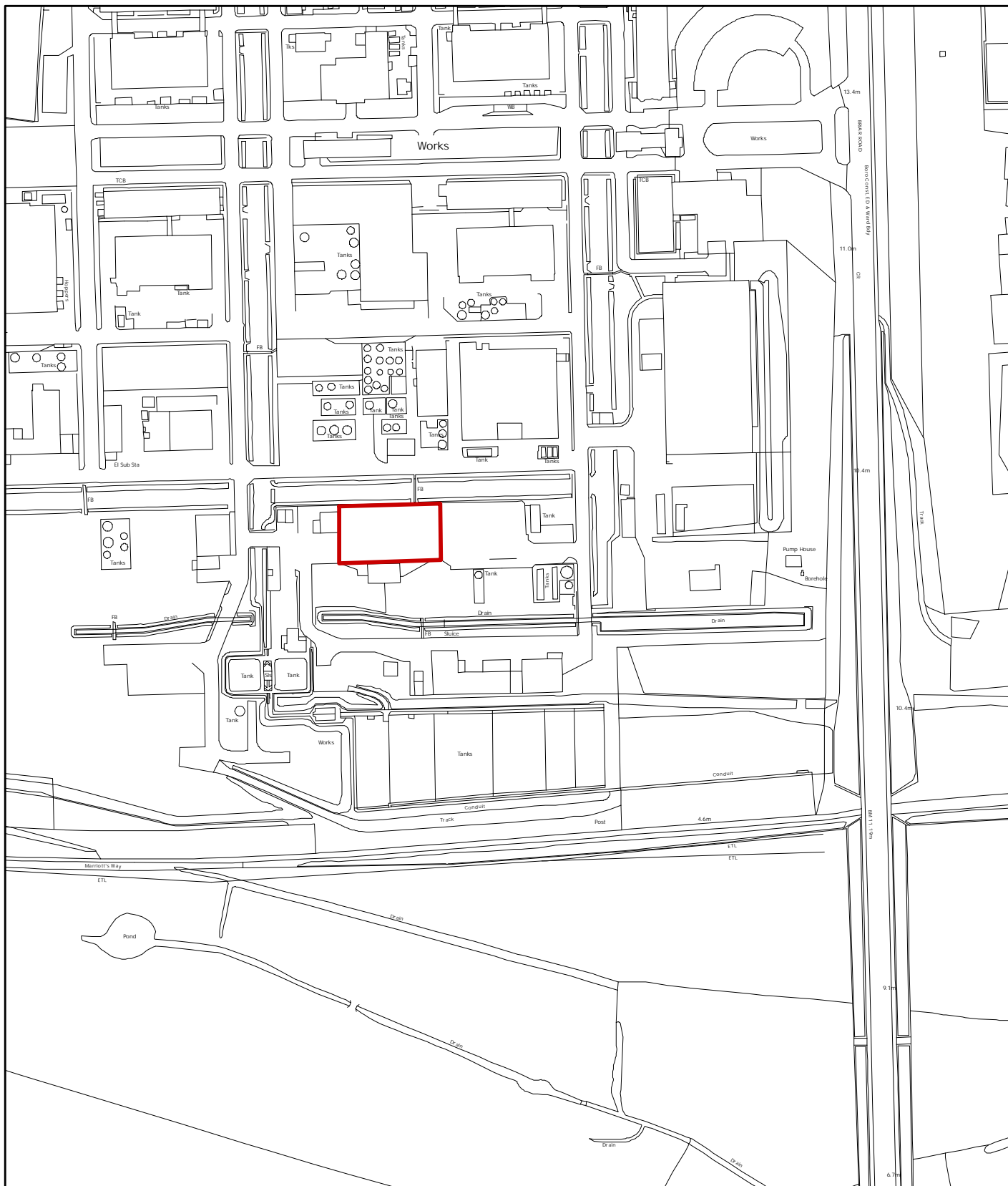
## **RECOMMENDATIONS**

GRANT PLANNING PERMISSION subject to the following conditions:

1. Commencement within three years of the date of permission.
2. Contamination assessment post demolition, remediation report and any mitigation measures prior to construction.
3. If contamination is found during construction, scheme to be submitted to deal with contamination and works completed before development continues.

## **REASON FOR APPROVAL:**

The proposal would not detract from the amenity of the area and would be of an appropriate nature and design in this industrial setting. The decision to grant planning permission has been taken having regard to saved policies EP1, EP3, HBE12, EP3 and EMP7 of the City of Norwich Replacement Local Plan Adopted Version, November 2004, and to all other material planning considerations.



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Site Address - Bayer Cropscience Ltd, Sweetbriar Road

Scale - 1:2500



**NORWICH**  
**City Council**

DIRECTORATE OF REGENERATION  
AND DEVELOPMENT

