

# **MEMORANDUM**

**Department of Environmental Services**  
**Director: Shona I C MacDougall**



Tel: 0141 840 3100 Fax: 0141 840 3233  
My Ref: I:\s\_admin\sm 2010\smacd\memo\Director of P&T 09\_0456\_PP Landfill Planning Application,  
ROF\_Final 150310  
Your Ref  
Date: Andrew Jamieson  
15<sup>th</sup> March 2010

**To:** Bob Darracott  
Director of Planning & Transport

**From:** Shona I C MacDougall  
Director of Environmental Services

**Subject: 09/0456/PP – LANDFILL PLANNING APPLICATION,  
ROYAL ORDNANCE FACTORY, BISHOPTON**

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I refer to the above planning application and your consultation request.

## **1. SCOPE OF REVIEW**

The land area encompassed by this application is included in the associated Remediation and Bulk Earthworks application (09/527/PP), and many of the comments, and recommended conditions, made in our response to that application are relevant to this application.

This proposed landfill facility which is the subject of this application is also subject to control under the Pollution Prevention and Control (Scotland) Regulations, 2000, which are enforced by the Scottish Environment Protection Agency (SEPA). In accordance with Planning Advice Note 51: Planning, Environmental Protection and Regulation, discussions have been ongoing with SEPA to avoid duplication of controls and ensure that controls which are put in place are complementary.

The purpose of these was to clarify the role of each control regime with discussion focussed on air, dust and noise. Additionally, given the extent of soil being moved both within the geographical boundary of this application and the associated Earthworks & Remediation Application (09/0527/PP) boundary there was a need to ensure that any controls which applied to the Landfill Application and the Earthworks & Remediation Application were consistent. Each of the above issues is considered below.

**a) Noise**

SEPA have confirmed that the PPC Permit conditions will cover noise and there is no requirement for this to be controlled through the Planning System.

**b) Dust and Air**

Dust can be considered as solids suspended in air with a particle size between 1 and 76 microns. ( $PM_{1-76 \mu m}$ ) Consequently, dust can in theory come within the controls set out in the Environment Act, 1995, Part V where there is a statutory air quality objective covering  $PM_{10}$  (particle size  $<10 \mu m$ ). Advice was sought from SEPA and Atkins, who both commented to the effect that although  $PM_{10}$  is present in dust from landfill sites, it makes up a tiny fraction of the emissions and is more associated with combustion and secondary sources. Most of the particulates from the site will be around the greater than 30 micron level and would largely deposit from atmosphere within 100 metres from source, and will therefore be dealt with under PPC controls. SEPA would therefore not expect that emissions of  $PM_{10}$  would be a major issue or be likely to result in any exceedences of current Air Quality Objectives. Atkins concurred with SEPA's opinion.

SEPA have confirmed that the PPC permit will contain conditions to regulate dust therefore the planning consent need not duplicate this aspect. Given SEPA's and Atkins' comments, it seems unlikely that smaller dust particles should be an issue, however, Condition 3.i. of the Remediation and Bulk Earthworks Application will allow for the control of any smaller particles which could have the potential to result in the exceedences of statutory health based Air Quality Objectives.

Conditions recommended by Environmental Services which relate solely to this application are set out below.

1. Prior to commencement of construction, any required remediation works within the boundary of the planning application must be completed, verified and approved in writing by the Planning Authority.

**Reason:** *To ensure that the land is suitable for proposed use as a landfill facility*

2. Unless otherwise agreed in writing by the Planning Authority in consultation with SEPA, construction of the landfill facility shall be carried out in accordance with the approved detailed strategies, method statements and any other plans, drawings, documents, details, schemes or strategies which have been approved in writing by the Planning Authority pursuant to these conditions.

**Reason:** *To ensure that all construction activities are conducted as agreed and that any deviations are brought to the attention of the PA and agreed as appropriate.*

3. All assessment criteria utilised for interpretation of data or for the screening of imported or site won materials for re-use should be protective of all relevant receptors and agreed in writing with the Planning Authority in consultation with SEPA. Assessment criteria shall be updated following any changes in legislation and/or authoritative guidance during the period of landfill construction. Where new assessment criteria are developed, full justification for the changes to criteria should be provided in writing and subsequently approved in writing with the Planning Authority in consultation with SEPA.

***Reason:*** *To ensure that best practice and guidance current at the time of the construction of the landfill are used in the assessment and development of the site. To ensure that no new pollutant linkages are created through the movement and/or importation of materials to the site.*

4. Following closure of the landfill, and prior to any public access to the landfill area, a validation report confirming suitability for final end use shall be submitted to the Planning Authority for written approval.

***Reason:*** *To ensure that the site is suitable for intended final end use as recreational open space*

5. Only materials from within the boundary of the site which is the subject of application 09/0527/PP may be deposited within the proposed landfill.

***Reason:*** *To prevent the importation of waste.*

If you wish to discuss any of these matters further, please do not hesitate in making further contact with myself and/or Robert Steenson/Andrew Jamieson.

***Shona I C MacDougall***  
***Director of Environmental Services***