

PLANNING APPLICATION NUMBER:P06/2105

Type of approval sought	Full Planning Permission
Ward	Wollaston & Stourbridge Town
Applicant	Martin Purchase, Caparo Aluminium Technologies Ltd
Location:	CAPARO ALUMINIUM TECHNOLOGIES LTD, SUNRISE BUSINESS PARK, HIGH STREET, WOLLASTON, STOURBRIDGE, WEST MIDLANDS, DY8 4ZZ
Proposal	ERECTION OF DUST FILTER AND FUME EXTRACTION SCRUBBER AND TWO COOLING TOWERS (RETROSPECTIVE).
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site is located to the rear of an existing industrial estate between factory units and the Stourbridge Canal. Residential properties are located off Holly Bush Lane on the opposite side of the canal some 43m (maximum) distant from the application site at approximately 10m higher beyond a planted embankment. The rear yard is enclosed by a mixture of concrete gravel board and palisade fencing that is 2m in height, positioned adjacent to the Stourbridge Canal at the rear of the site.
2. The site is located on hard standing with car parking and vehicular circulation spaces available around the application area.
3. The site forms part of a wider industrial area designated as a Key Industrial Area by the Adopted UDP (2005).

PROPOSAL

4. The applicants operate an aluminium foundry operation and this application seeks retrospective planning permission for the erection of a dust filter, fume extraction scrubber and two cooling towers.

5. The development is a maximum of 15m in overall height and is positioned adjacent to a 12m tall factory building.
6. This application relates to an intensification of activities on the site and forms part of a new aluminium casting line that was brought onto the site when Caparo Aluminium Technologies took over activities previously undertaken by a foundry in Walsall in addition to those undertaken by previous occupiers Zeus Aluminium Products Limited.

HISTORY

7.

APPLICATION No.	PROPOSAL	DECISION	DATE
P02/1808	Elevational alterations including canopy above enlarged roller shutter opening & canopy (created by removal of part of canteen walls) above new loading/unloading roller shutter opening. Siting of AC condenser unit on roof & gas housing meter to front.	Approved with conditions	21/10/2002
P03/0360	Demolition of end bay warehouse and rebuild	Approved with conditions	16/07/2003
P03/1922	Construction of a gas meter house	Approved with conditions	23/02/2004
P04/0125	Erection of temporary loading bay canopy	Approved with conditions	18/03/2004
P04/1876	Test track and ramp for testing powered wheelchairs and electric scooters	Approved with conditions	25/10/2004
P05/0301	Change of use to service storage and hire of forklift trucks (sui generis)	Approved with conditions	11/04/2005

PUBLIC CONSULTATION

8. In addition to statutory publicity and the display of a site notice, direct notification was carried out to eighteen surrounding properties. Five letters of objection has been received from the residents of properties on Hollybush Lane one anonymous response.

Objections include

- Loss of views and being an eyesore
- Smell and impact on health
- Emissions
- Noise, fumes and smells
- Working 24 hours

OTHER CONSULTATION

9. **The Head of Environmental Protection:**

- Caparo Aluminium Technologies operate an aluminium foundry which requires a Permit to operate under the provisions of the Pollution Prevention and Control (England and Wales) Regulations 2000. This regulatory regime controls emissions to air, water and land so any permit issued will include conditions relating to the control of noise and odour. The Council can only regulate the proposed activities under the afore-mentioned regulations if a Permit is granted. An application for a permit to operate an aluminium foundry has been submitted by Caparo Aluminium Technologies Limited and is currently being reviewed to determine whether the application can be approved. It is important to take into consideration that such determination may be protracted in view of its complexity and the receipt of numerous complaints concerning odour and noise. Furthermore it must also be noted that the approval of such an application can not be assumed.
- Concern is expressed over a lack of control of noise, odour and particulate emission in the interim period and therefore propose the imposition of planning conditions to deal with current circumstances until such time that controls under the Pollution

Prevention Regime may become applicable, to protect residential amenities of existing residential premises.

RELEVANT PLANNING POLICY

10. Adopted Dudley Unitary Development Plan (2005)

- Policy DD4 Development in Residential Areas
- Policy DD5 Development in Industrial Areas
- Policy DD11 Water Courses
- Policy EE1 Key Industrial Area and Development Sites
- Policy EP5 Air Quality
- Policy EP7 Noise Pollution

ASSESSMENT

Key Issues is:

- Residential amenity

11. Because the application site is screened by large industrial premises and at a significantly lower level than land to the east of the canal the proposed equipment will not to be generally visible from the highway. Views of the equipment from surrounding houses would be substantially screened by mature trees, therefore no adverse impact on the visual amenities of the area are considered likely to arise as a result of the development. The proposal is therefore considered to comply with Policy DD4 Development in Residential Areas of the adopted UDP (2005).
12. This plant and equipment relates to an intensification of activities on site and is installed as part of a new aluminium casting line. This application is retrospective in regards to the dust filter which relates to the recycling of sand for re-use within the process and is not concerned with odour or air quality.

13. The Head of Environmental Protection is concerned about a lack of control of noise and odour emission until a permit is granted under other legislation, but in particular the noise emissions created by the fans and filtration unit of the current application. It is therefore considered that the imposition of planning conditions is required to deal with circumstances until such time where other controls under the Pollution Prevention Regime may become applicable, in order to protect residential amenity at existing residential premises in accordance with Policy EP7 of the adopted UDP (2005).

CONCLUSION

14. The proposal complies with Policy DD4, Policy DD5 and Policy EE1 of the Adopted UDP as there would be no adverse visual impact on the area and it relates to the B2 General Industrial use of the adjoining industrial activities. The LPA also considers that this proposal would not unacceptably impact the residential amenities of the nearest properties subject to the imposition of conditions, therefore the proposal is considered to be acceptable.

RECOMMENDATION

15. It is recommended that this application is approved subject to the following conditions:

Reason for Determination of Planning Permission

The proposal complies with Policy DD4, Policy DD5 and Policy EE1 of the Adopted UDP as there would be no adverse visual impact on the area and it relates to the B2 General Industrial use of the adjoining industrial activities. The LPA also considers that this proposal would not unacceptably impact the residential amenities of the nearest properties subject to the imposition of conditions, therefore the proposal is considered to be acceptable.

The above is intended as a summary of the reasons of the grant of planning permission. For further detail on the decision please see the application report.

Conditions and/or reasons:

1. A scheme for protecting the nearby existing residential premises from noise from the dust filter and fume extraction scrubber and cooling towers hereby permitted shall be submitted to and approved by the Local Planning Authority within one month from the date of approval of this application. All works which form part of the scheme shall be completed to the satisfaction of the Local Planning Authority within three months from the date of approval of this application. The scheme shall be maintained throughout the life of the development.
2. A scheme for protecting the nearby existing residential premises from odour and particulate matter from the dust filter and fume extraction scrubber hereby permitted shall be submitted to and approved by the Local Planning Authority within one month from the date of approval of this application. All works which form part of the scheme shall be completed to the satisfaction of the Local Planning Authority within three months from the date of approval of this application. The scheme shall be maintained throughout the life of the development.