



# Doncaster Council

**Date: 28 May 2019**

**To the Chair and Members of the  
PLANNING COMMITTEE**

## **Attero HGV Park Planning Permission – Position Statement**

| <b>Relevant Cabinet Member(s)</b>                                                                                                                                                                          | <b>Wards Affected</b> | <b>Key Decision</b> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|---------------------|
| Cllr Bill Mordue –<br>Cabinet Member for<br>Business, Skills and<br>Economic<br>Development<br><br>Cllr Chris McGuiness<br>– Cabinet Member for<br>Communities, the<br>Voluntary Sector and<br>Environment | Rossington            | No                  |

## **EXECUTIVE SUMMARY**

1. The purpose of this report is to update Members of the Planning Committee on the consideration of the temporary Attero (“the operator”) HGV Park under Planning Reference 16/02386/COUM.
2. Temporary planning permission was granted at the 11<sup>th</sup> December 2018 Planning Committee meeting. That permission was time limited for 6 months, meaning the permission will expire on 11<sup>th</sup> June 2019.
3. The permission was part recommended on the basis that planning permission had been recently granted at the operator’s main site under Planning Reference 18/00548/FULM, which included a direct access road in to the site and a permanent lorry park on land adjacent to the main site. The approved site plan is shown in appendix 1 to this report.

4. On 24<sup>th</sup> January 2019, the Environmental Agency (EA) consulted the Local Planning Authority on an application by the operator to vary the terms of their environmental permit to take into account the expansion of operations agreed under the planning ref: 19/00191/CON. The operator is seeking to have the necessary approvals in place prior to works commencing on the infrastructure to the site, which are 'front loaded' in the planning permission.
5. During the course of the consultation process, it was highlighted by the EA that the application was deficient in a number of areas and required significant modification. The process of dealing with the EA permit application is expected to take longer than the expiry date for the temporary lorry park permission.
6. The default position following the expiry of the temporary permission for the lorry park is that the use ceases and, where necessary, enforcement action is taken against the operator. However, in light of the significant risks, associated with distributing the significant HGV movements associated with the operator, a number of options for the lorry park have been considered. These options are:
  - Invite an application to extend the use of the current lorry park for a limited time period, to allow the EA to consider the environmental permit application;
  - Do not invite a further application and consider enforcement options for the further use of the temporary lorry park; or
  - Explore options for relocating a temporary lorry park, preferably away from residential areas.
7. The views of the local community are being sought on the above options. This includes consultation with Rossington Parish Council, Community Liaison Officer, Ward Members and local residents in the vicinity of the site. Following the results of the consultation process, legal will be consulted and a decision will be made on which option is most suitable.
8. The LPA will continue to work with the EA to ensure that the conditions of the environmental permit and the planning permission are aligned to ensure they are robust.

## **EXEMPT REPORT**

9. Not applicable.

## **RECOMMENDATIONS**

10. The Planning Committee note the content of the report.

## **WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?**

11. The HGV lorry park application seeks to provide a temporary solution for the off-site parking of HGVs whilst a permanent access road and lorry park is constructed at the main operation site. Officers have sought to engage with

the local community to fully understand the issues faced by local residents near the site. Officers continue to work with the applicant to address any concerns which are raised.

12. In planning terms, the NPPF requires local planning authorities to look for solutions rather than problems, and officers therefore need to work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.
13. Whilst the use of the Lorry Park has a wider public benefit by affording an off-road parking solution for HGVs that are visiting the Attero site, it is acknowledged that this means that there is a perceptible change in the character of the immediate area for a number of residents in close proximity. Likewise, the closure of the temporary lorry park has implications for how HGV movements are routed in Rossington in the absence of current under capacity for lorry parking in the operational site.
14. The HGV lorry park remains in operation with the benefit of temporary planning permission and with an agreed management plan in place. The Council's Environmental Health and Planning departments have continued to monitor the site to ensure that any adverse impacts being experienced by residents are reduced until such time as the permanent lorry park can be constructed.
15. For the Local Planning Authority to make an informed recommendation on the planning application for the HGV lorry park, it is first of all necessary to fully understand whether the temporary permission for the lorry park has been successful and gauge local support or opposition to its retention.

## **BACKGROUND**

16. The operator runs a waste processing facility at the northern end of the Bankwood Lane industrial estate. Materials are imported generally by articulated lorries (HGV) and undergo a range of processes including sorting, separation, screening, bailing, shredding, crushing, blending and compaction prior to being exported from the site.
17. The waste processing facility has few planning controls having grown organically under its original planning permission. It operates under an Environmental Permit license issued by the EA.
18. In 2015, the EA granted a permit to increase the permitted throughput of waste at the site from 75,000 to 200,000 tonnes per year. Around the same time, there were an increasing number of complaints to the Council by local residents over a perceived increase in the number of HGV movements travelling to the Bankwood Lane Estate, together with instances of on-street parking in surrounding streets whilst waiting to gain access to the Attero processing site.
19. In autumn 2015, Attero began operating a lorry park on the application site, at the southern end of Bankwood Lane, stating that a holding area was required in order to prevent HGVs from waiting in the surrounding streets prior to gaining entry to the site.

20. Following previous deferrals, the application was presented to Planning Committee on 11<sup>th</sup> December 2018 where the lorry park was given temporary planning permission until 11<sup>th</sup> June 2019. Temporary planning permission was granted on the basis that a permanent consent at the main operational site had recently been granted and that it was the intention for development to commence as soon as possible.
21. The operator subsequently submitted an application to the EA to vary the terms of their environmental permit. The purpose of the variation is to increase the maximum annual waste throughput from 200,000 tonnes to 400,000 tonnes (in line with the planning permission). Furthermore, as the daily capacity of the site would increase, there is a requirement to change the classification of the site from a waste facility to that of a waste installation. The application also seeks to expand the site operation and develop the waste recycling operations to include producing Refuse Derived Fuel (RDF) and Solid Refuse Fuel (SRF), in line with the planning permission.
22. In liaising with colleagues in the EA, it became apparent in the Spring that the application had encountered a number of issues and points of clarification which needed to be addressed concerning the environmental management of the site. It is unclear to Officers at this stage whether the variation to the permit application will be granted or refused.
23. As such, Officers feel it is prudent to assume that the application will not be determined and/or works to implement the planning permission will not commence prior to the expiry of the temporary planning permission for the lorry park.
24. Officers have engaged with Rossington Parish Council and Ward Members for their recommendations and have attended a joint collaborative meeting with the local MP. Further consultation is taking place via the Parish Council meeting and by conducting a community consultation exercise to local residents via the Stronger Communities team. Further consultation events will take place.
25. The results of this exercise will be collated and a decision will be taken by the Local Planning Authority.

## **OPTIONS CONSIDERED**

26. None

## **REASONS FOR RECOMMENDED OPTION**

27. None

## IMPACT ON THE COUNCIL'S KEY OUTCOMES

28.

|  | Outcomes                                                                                                                                                                                                                                                                                                                              | Implications                                                                                                                                                                                                                                                                |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <p>All people in Doncaster benefit from a thriving and resilient economy.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Creating Jobs and Housing</i></li> <li>• <i>Mayoral Priority: Be a strong voice for our veterans</i></li> <li>• <i>Mayoral Priority: Protecting Doncaster's vital services</i></li> </ul> | None                                                                                                                                                                                                                                                                        |
|  | <p>People live safe, healthy, active and independent lives.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Safeguarding our Communities</i></li> <li>• <i>Mayoral Priority: Bringing down the cost of living</i></li> </ul>                                                                                        | The location of the HGV Park remains a temporary solution pending a permanent solution coming forward. The Council will continue to control the use via the temporary planning permission and Environmental Health and Planning Officers continue to monitor the situation. |
|  | <p>People in Doncaster benefit from a high quality built and natural environment.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Creating Jobs and Housing</i></li> <li>• <i>Mayoral Priority: Safeguarding our Communities</i></li> <li>• <i>Mayoral Priority: Bringing down the cost of living</i></li> </ul>    | Officers have worked hard to bring forward a permanent solution, resulting in the granting of Planning Permission 18/00548/FULM. This permission will protect local amenity and would enable higher standards of environmental protection.                                  |
|  | <p>All families thrive.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Protecting Doncaster's vital services</i></li> </ul>                                                                                                                                                                                        | None.                                                                                                                                                                                                                                                                       |
|  | Council services are modern and value for money.                                                                                                                                                                                                                                                                                      | None.                                                                                                                                                                                                                                                                       |
|  | Working with our partners we will provide strong leadership and governance.                                                                                                                                                                                                                                                           | None.                                                                                                                                                                                                                                                                       |

## **RISKS AND ASSUMPTIONS**

29. The purpose of consulting with the community and seeking appropriate legal advice is necessary to ensure that a reasonable decision is made on the future of the temporary lorry park, balancing a range of conflicting factors. It is correct that due process is given before potential actions, risks and assumptions can be presented.

## **LEGAL IMPLICATIONS**

30. As noted within the report, legal advice will be taken in respect of any potential enforcement action being taken on the temporary lorry park site.

## **FINANCIAL IMPLICATIONS**

31. There are no specific Financial Implications associated with this report.

## **HUMAN RESOURCES IMPLICATIONS**

32. There are no specific Human Resources Implications associated with this report.

## **TECHNOLOGY IMPLICATIONS**

33. There are no specific Technology Implications associated with this report.

## **EQUALITY IMPLICATIONS**

34. There are no specific Equality Implications associated with this report.

## **CONSULTATION**

35. None

## **BACKGROUND PAPERS**

36. Previous committee report presented to Planning Committee dated 11th December 2018.

## **REPORT AUTHOR & CONTRIBUTORS**

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# Appendix 1

## Planning Permission 18/00548/FULM – Approved Site Plan

