

# Planning Application: Supplementary Report

Reference No. 21/1520/PP



Renfrewshire  
Council

## KEY INFORMATION

**Ward:** (10) Houston,  
Crosslee and Linwood

**Applicant:**  
SSH Recycling Ltd

**Registered:**  
10.09.2021

Report by Head of Economy & Development

## PROSPECTIVE PROPOSAL:

## LOCATION:

**APPLICATION FOR:** Full Planning Permission

**This supplementary report should be read together with the original report of handling considered by the Planning and Climate Change Policy Board on 1<sup>st</sup> November 2022.**

## BACKGROUND

The Planning and Climate Change Policy Board at its meeting on 1<sup>st</sup> November 2022 considered the attached report of handling and decided to continue the consideration of the report to allow a site visit to take place and to review correspondence related to the flood risk matters associated with the site. The detailed assessment of the proposed development is included in the attached report of handling.

## SITE VISIT

A site visit took place on the 11<sup>th</sup> January 2023 and those members attending viewed the application site and its surroundings.

The site visit was conducted in accordance with the Protocol for Site Visits (May 2018) and members attending did not discuss the merits of the proposal.

## FLOODING CORRESPONDENCE

All correspondence from SEPA, the applicant, and Dougal Bailie Associates relating specifically to the flood risk matters associated with the site has been made available for members to view.

## RECOMMENDATION

Refuse

Alasdair Morrison  
Head of Economy &  
Development

## **Reason for Decision**

1. The proposed development is at a location susceptible to flooding and will increase the risk of flooding elsewhere. It does not therefore align with the precautionary and avoidance principles advocated by the sustainable flood risk management framework set out in Scottish Planning Policy and is contrary to Policy I3 of the Adopted Local Development Plan and the associated New Development Supplementary Guidance on flooding and drainage.

Local Government (Access to Information) Act 1985 - Background Papers

For further information or to inspect any letters of objection and other background papers, please contact James Weir on 07483370666

# Planning Application: Report of Handling

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## KEY INFORMATION

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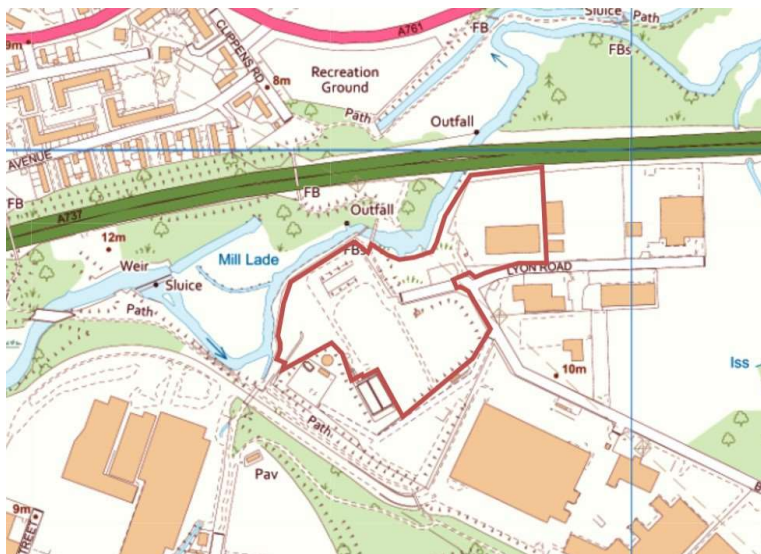
**Registered:**  
10.09.2021

Report by Head of Economy & Development

**PROSPECTIVE PROPOSAL:** Erection of Waste Tyre and Rubber Recycling and Processing Plant (Use Class 5, General Industry) with ancillary office and staff welfare facilities and associated access, parking, landscape, and infrastructure proposals.

**LOCATION:** 2 Lyon Road, Linwood, Paisley, PA3 3BQ

**APPLICATION FOR:** Full Planning Permission



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## RECOMMENDATION

Refuse

Alasdair Morrison  
Head of Economy &  
Development

## IDENTIFIED KEY ISSUES

- The application site is identified by Policy E1 'Renfrewshire's Economic Investment Locations' of the Adopted Renfrewshire Local Development Plan (2021).
- No representations have been received
- There has been an objection from SEPA.
- The proposal does not fully accord with Policy I3 of the Adopted Renfrewshire Local Development Plan (2021) on Flooding and Drainage.

## REPORT OF HANDLING FOR APPLICATION 21/1520/PP

SITE ADDRESS	2 Lyon Road, Linwood, Paisley, PA3 3BQ
PROPOSAL	Erection of Waste Tyre and Rubber Recycling and Processing Plant (Use Class 5, General Industry) with ancillary office and staff welfare facilities and associated access, parking, landscape, and infrastructure proposals.
RECOMMENDATION	Refuse

PROPOSALS	<p>This application seeks planning permission for the erection of a waste tyre and rubber recycling and processing plant with ancillary facilities, parking and infrastructure on a part vacant site at Lyon Road, Linwood.</p> <p>The application site extends to 4.469 hectares in area. It is bound by the White Cart Water and the A737 to the north and west, and a mix of industrial and warehouse uses to the south and east. There is an existing manufacturing building in the northeast corner of the site. The remainder of the site is vacant having previously been used as a sewage treatment works. In terms of topography, the existing manufacturing building sits on higher ground. Most of the site to the west of this is on lower ground adjacent to the White Cart.</p> <p>For the purposes of the development the existing manufacturing building will be retained and incorporated as part of the proposed recycling plant. Three additional large warehouse style buildings, comprising a total of 8,577 square metres, are proposed on the western section of the site. These will be complemented by two smaller buildings housing staff welfare and office facilities with associated car parking, road infrastructure and hard standing. Access to the site is via Lyon Road and Burnbrae Drive.</p> <p>The proposed use will involve the processing of approx. 100,000 tonnes of loose tyres into a mix of tyre shred, wires, and fabric. The tyre shred will be further processed into crumbs and rubber products for onward distribution.</p>
SITE HISTORY	<p>Application No: 21/1148/PP Description: engineering works to stabilise river- bank &amp; realignment of pedestrian path. including re-positioning 3m high palisade fencing to site boundary. Decision: Grant subject to conditions</p> <p>Application No: 21/0114/EO Description: Request for screening opinion.</p>

	<p>Decision: Environmental Assessment not Required.</p> <p>Application No: 21/0051/NO Description: Erection of waste tyre processing and recycling plant with associated access, parking, and infrastructure proposals. Decision: Accepted</p> <p>Application No: 21/0044/PP Description: Erection of 3m high palisade security fencing around the site boundary. Decision: Not yet determined.</p> <p>Application No: 19/0674/PP Description: Erection of two storey temporary office, canopy to rear of existing warehouse, single storey microturbine, installation of five roller shutters and external alterations Decision: Grant subject to conditions.</p> <p>Application No: 17/0844/PP Description: Erection of single storey industrial building for use as an organic waste transfer station. Decision: Grant subject to conditions.</p> <p>Application No: 12/0391/PP Description: Formation of temporary concrete composting pad with associated access road. Decision: Grant subject to conditions.</p> <p>Application No: 08/0658/PP Description: Creation of anaerobic digestion facility to treat local authority waste streams and food waste from commercial and industrial facilities. Decision: Grant subject to conditions.</p> <p>Application No: 07/0037/PP Description: Creation of a composting facility using local authority green waste and formation of hardstanding and weighbridge. Decision: Grant subject to conditions.</p> <p>Application No: 05/0268/PP Description: Erection of a 2.4m high galvanised palisade fence. Decision: Grant subject to conditions.</p> <p>Application No: 03/0041/PP Description: Erection of control building and formation of access road at wastewater pumping station. Decision: Grant subject to conditions.</p>
CONSULTATIONS	SEPA – Object in principle to the development on the grounds that it

	<p>is contrary to the principles of sustainable flood management and the requirements of SPP.</p> <p>Chief Executive's Service (Roads Development) – No objection subject to conditions regarding active travel links to the site.</p> <p>Communities &amp; Housing Services (Environmental Protection Team) – No objections subject to conditions relating to contaminated land and noise. Air Quality Assessment has been approved.</p> <p>Transport Scotland – No objections.</p> <p>Scottish Water – There is capacity to serve the development with respect to water supply and foul water disposal.</p> <p>NATS – No objections.</p> <p>Coal Authority – No objections.</p> <p>Glasgow Airport Safeguarding – No objection subject to conditions regarding submission of a Bird Hazard Management Plan and further details of all soft and water landscaping.</p>
REPRESENTATIONS	None received.
DEVELOPMENT PLAN POLICIES	<p><b>Clydeplan Strategic Development Plan (2017)</b></p> <p>Policy 11 – Planning for Zero Waste</p> <p><b>Renfrewshire Local Development Plan (2021)</b></p> <p>Policy E1 – Economic Investment Locations  Policy I1 – Connecting Places  Policy I3 – Flooding and Drainage  Policy I5 – Waste Management  Policy ENV2 – Natural Heritage  Policy ENV4 – The Water Environment  Policy ENV5 – Air Quality</p> <p><b>New Development Supplementary Guidance (2021)</b></p> <p>Delivering the Economic Strategy  Delivering the Infrastructure Strategy  Delivering the Environment Strategy</p> <p><b>Material considerations</b></p> <p>Scottish Planning Policy  Scotland's Zero Waste Plan</p>

	<p>Planning legislation requires that planning decisions are made in accordance with the Development Plan unless material considerations indicate otherwise. In this case the proposal shall require to be assessed against the policies and guidance set out above, the history of the site, the comments of the consultees and any objections received.</p>
PLANNING ASSESSMENT	<p>The proposal is classed as a strategic development by virtue of the floor space proposed and the site area. It must therefore be assessed against Clydeplan.</p> <p>Policy 11 states that development proposals for waste management facilities will generally be acceptable (subject to local considerations) in the locations listed in the policy.</p> <p>The application site comprises of derelict land that has been designated for industrial uses. It is therefore in an appropriate location with regard to the requirements of policy 11 and is compliant with Clydeplan.</p> <p>Within the Local Development Plan the site is designated as a development opportunity site within an economic investment location as specified within Policy E1.</p> <p>Policy E1 states that class 5 uses will be promoted within economic investment locations. The proposed development in this regard is therefore considered to comply with Policy E1 in principle as it comprises of a class 5 use.</p> <p>Regarding the economic development criteria, the development will facilitate the regeneration of vacant previously used land. It will result in employment creation and bring economic benefit. It is also noted that other waste management uses are located within the vicinity of the site, and the development will complement this cluster of economic uses.</p> <p>The Roads Development team have offered no objection to the development and have advised that trip generation can be accommodated within the local road network. However, concerns are raised over the suitability of active travel routes to the site.</p> <p>The application site is not within a designated area with respect to natural heritage, and it is not anticipated that there will be a significant adverse impact on the natural environment.</p> <p>The development is of a scale, design and finish that is compatible with the character of the area.</p> <p>The application site is within the Burnbrae Local Industrial Area. The role of this area is as a locally important industrial area which includes a strategic freight transport hub.</p>

	<p>The proposed class 5 use will support the role and function of this economic investment location and is compatible with the character of the surrounding area. The development will not have a significant impact upon existing uses in the area.</p> <p>In view of the above, I am satisfied that the development complies with Policy E1</p> <p>In addition to the employment and brownfield regeneration benefits noted above, the proposed development will also contribute to delivery of Scotland's Zero Waste Plan. The planning statement which accompanies the application states that the site would have capacity to process 100,000 tonnes of waste tyres.</p> <p>Policy I5 states that development proposals for waste management will be supported if they meet the listed criteria. Each of the criteria will be considered in turn.</p> <p>The site has a good level of accessibility, and the development does not have an adverse impact on the existing road network.</p> <p>The development will be able to co-exist with surrounding existing and allocated land uses.</p> <p>The benefits of the proposal with respect to processing of waste materials are noted. The development will also facilitate the re-use of a sustainably located vacant brownfield site and will create additional jobs within an area allocated for industrial uses. There are positive environmental, social, and economic benefits associated with the development.</p> <p>The development is located on land adjacent to other waste management operations and is compatible with the Burnbrae economic investment location. Site operations will not have a detrimental impact on other users at this location.</p> <p>There are no significant impacts with respect to built heritage or the natural environment.</p> <p>There is no requirement for restoration or after-use proposals.</p> <p>In view of the above, the development is considered to comply with Policy I5.</p> <p>With respect to Policy I3, it is noted that SEPA have objected to the development in principle on the grounds that it is contrary to sustainable flood risk management practices and the requirements of Scottish Planning Policy (SPP).</p> <p>Policy I3 states that a precautionary approach will be adopted to the reduction of flood risk in line with the framework set out in SPP. New</p>
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	<p>developments require to avoid areas susceptible to flooding.</p> <p>It is accepted that the precautionary approach would advocate avoidance of development at this location given the flood risk. While the site has been developed before, the previous use as a sewage treatment works would be compatible with the site location in terms of land use vulnerability. The proposed development has a different character in terms of land use vulnerability.</p> <p>The developer has submitted a flood risk assessment which identifies measures that would mitigate flood risk at the site. These measures include all staff welfare and office facilities being elevated above the predicted peak flood risk level. Within the processing buildings all equipment will be on raised decks to protect it from flooding. The buildings will also be designed with large openings on all sides. These openings will allow flood water to pass through the building during storm events. Further measures include a bespoke suds drainage system, and installation of a flood monitoring alarm system.</p> <p>The Council has sought an independent review of the flood risk analysis undertaken by the applicant. While the mitigation measures proposed by the applicant are acknowledged, it is noted that the development will nevertheless result in an increased flood risk upstream including to an allocated housing land supply site. There is also a marginal increased flood risk downstream.</p> <p>Additionally, the applicant sought to demonstrate that the development would result in betterment to existing flood risk within the surrounding economic investment location. However, the analysis shows that tolerances within the modelling mean that this betterment may not be realised.</p> <p>In view of the above, it is concluded that development of the site would be contrary to the precautionary approach advocated by policy I3. Despite the mitigations proposed the development will increase flood risk upstream and downstream. Betterment within the immediate locality may also not be realised. The development is therefore considered to be contrary to Policy I3.</p> <p>Policy I1 states that all development proposals require to ensure appropriate provision and accessibility including connection to active travel and public transport networks.</p> <p>The site is accessibly by all transport modes. It is also near the Burnbrae strategic freight hub which provides opportunities for inter modal freight transfer.</p> <p>The roads development officer has offered no objection to the development subject to conditions regarding active travel links to the site. Should planning consent be granted, it is recommended that a condition be applied to ensure that active travel links to the site are upgraded.</p>
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	<p>The development is considered to comply with Policy I1.</p> <p>Regarding policies ENV 2, 4 and 5, the Ecological Appraisal submitted with the application states that the site is of low ecological value and there are no ecological constraints. The site predominantly comprises of hard standing. Woodland habitat on the northern side of the Black Cary Water will not be impacted by the works. The development will not have a significant detrimental impact on natural heritage assets in this regard.</p> <p>The Ecological Appraisal goes onto outline ecological enhancement opportunities at the site. These range from clearance of invasive species to improvement of habitat along the banks of the Black Cart Water. Should planning consent be granted, it is recommended that a condition be applied to ensure the development is undertaken in accordance with the recommendations within the ecological appraisal.</p> <p>To protect the water environment during the construction phase, the developer will be required to submit a construction management and pollution prevention plan for approval.</p> <p>Finally, regarding policy ENV5 the air quality assessment submitted in support of the application has been approved.</p> <p>In view of the above I would consider the development to comply with policies ENV2, 4 and 5.</p> <p>In conclusion it is noted that the proposed development would be compatible with the economic investment designation at this location. The development would regenerate a brownfield site, result in employment creation, and contribute to zero waste goals.</p> <p>However, the site is at risk of flooding, and despite mitigation it is noted that the development would increase the risk of flooding elsewhere. The development is therefore contrary to the precautionary and avoidance principles set out within SPP and Policy I3 and has attracted an objection from SEPA on this basis. Flood risk is considered to take precedence in terms of the overall assessment of the development, and it is not considered that the development can be supported on this basis.</p>
RECOMMENDATION	Refuse

### Reason for Decision

1. The proposed development is at a location susceptible to flooding and will increase the risk of flooding elsewhere. It does not therefore align with the precautionary and avoidance principles advocated by the sustainable flood risk management framework set out in Scottish Planning Policy, and is contrary to

Policy 13 of the Adopted Local Development Plan, the associated New Development Supplementary Guidance on flooding and drainage.

Local Government (Access to Information) Act 1985 - Background Papers  
For further information or to inspect any letters of objection and other background papers, please contact Gwen McCracken on 07483419705.