

Lancashire County Council

Development Control Committee

Wednesday, 17th January, 2024 at 10.30 am in Committee Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Agenda

Part I (Open to Press and Public)

No. Item

- 1. Apologies for absence**
- 2. Disclosure of Pecuniary and Non-Pecuniary Interests**
Members are asked to consider any Pecuniary and Non-Pecuniary Interests they may have to disclose to the meeting in relation to matters under consideration on the Agenda.
- 3. Minutes of the last meeting held on 6 December 2023** (Pages 1 - 18)
The committee are asked to agree that the Minutes of the last meeting held on 6 December 2023 be confirmed and signed by the Chair.
- 4. Update Sheet**
The Update Sheet will be considered as part of each related agenda report.
- 5. West Lancashire Borough: application number LCC/2023/0026 Change of use of agricultural building and yard area from agriculture to waste management including the sorting, storage, recycling and distribution of non-hazardous waste, and including two ancillary buildings. Bank Farm, 40 Martin Lane, Burscough** (Pages 19 - 42)
- 6. West Lancashire Borough: application number LCC/2023/0033 Change of use from agriculture to waste management including the sorting, storage and distribution of non-hazardous waste, and two containers at Bank Farm, 40 Martin Lane, Burscough** (Pages 43 - 64)



7. **Preston City: Application LCC/2023/0029 Extension to existing school to include 4 no. new classrooms, WC's, hygiene room and corridor. Lea Community Primary School, Greaves Town Lane, Preston** (Pages 65 - 90)
8. **Decisions taken on development control matters by the Director of Environment and Planning in accordance with the County Council's Scheme of Delegation** (Pages 91 - 92)
9. **Urgent Business**
An item of urgent business may only be considered under this heading where, by reason of special circumstances to be recorded in the Minutes, the Chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency. Wherever possible, the Chief Executive should be given advance warning of any Member's intention to raise a matter under this heading.
10. **Date of Next Meeting**
The next meeting of the Development Control Committee will be held on Wednesday, 6 March 2024 at 10.30 a.m. in Committee Room B - the Diamond Jubilee Room, County Hall, Preston.

H MacAndrew
Director of Law and Governance

County Hall
Preston



Lancashire County Council

Development Control Committee

**Minutes of the Meeting held on Wednesday, 6th December, 2023 at 10.30 am in
Committee Room 'B' - The Diamond Jubilee Room, County Hall, Preston**

Present:

County Councillor Matthew Maxwell-Scott (Chair)

County Councillors

B Yates	M Pattison
J Berry	E Pope
S Clarke	P Rigby
A Cullens BEM	D Westley
M Dad BEM JP	S Serridge
S Holgate	

1. Apologies for absence

No apologies for absence were received.

Temporary replacement

County Councillor Serridge replaced County Councillor Hindle.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

County Councillor Pattison declared a non-pecuniary interest in Item 5 as she was a Lancaster City Councillor and the City Council was a statutory consultee.

County Councillor Michael Green declared a non-pecuniary interest in Item 5 as the application was in his electoral division.

3. Minutes of the meetings held on 18 October 2023 and 8 November 2023

Resolved: That the minutes of the meetings held on 18 October and 8 November 2023 be confirmed and signed by the Chair.



4. Update Sheet

The update sheet was circulated prior to the meeting (copy attached).

5. **South Ribble Borough: application number LCC/2022/0044 Application for outline planning permission (with all matters reserved save for access from the public highway to Development Zones A, B and D (M65 Terminus Roundabout, A49 Wigan Road and Stanifield Lane) and strategic green infrastructure/landscaping) for a mixed-use development including the provision of Employment use (Use Classes B2/B8/E(g)); retail (use Class E(a)); food, drink and drive-through restaurant use (Use Class E(b)/Sui Generis Drive-Through); hotel use (Use Class C1); health, fitness and leisure use (Use Classes E(d)/F(e)/F2(b)); creche/nursery (Class E(f)); car showrooms (Use Class Sui Generis Car Showroom); Residential use (C3) the provision of associated car parking, access, public open space, landscaping and drainage. Cuerden Strategic Site, east of Stanifield Lane, north of Clayton Farm, west of Wigan Road, Lostock Hall**

A report was presented on an application for outline planning permission (with all matters reserved save for access from the public highway to Development Zones A, B and D (M65 Terminus Roundabout, A49 Wigan Road and Stanifield Lane) and strategic infrastructure/landscaping) for a mixed-use development including the provision of Employment use (Use Classes B2/B8/E(g)); retail (use Class E(a)); food, drink and drive-through restaurant use (Use Class E(b)/Sui Generis Drive-Through); hotel use (Use Class C1); health, fitness and leisure use (Use Classes E(d)/F(e)/F2(b)); creche/nursery (Class E(f)); car showrooms (Use Class Sui Generis Car Showroom); Residential use (C3) the provision of associated car parking, access, public open space, landscaping and drainage at Cuerden Strategic Site, east of Stanifield Lane, north of Clayton Farm, west of Wigan Road, Lostock Hall.

It was clarified to Committee that Lancashire County Council had submitted a joint application with Maple Grove Developments Limited for the areas of land they owned that sat within the comprehensive Master Plan site.

The proposed development was subject to Environmental Impact Assessment and the application was accompanied by an Environmental Statement.

The report included the views of South Ribble Borough Council, Chorley Borough Council, Preston City Council, Farington Parish Council, Clayton-le-Woods Parish Council, the Environment Agency, Natural England, National Highways, LCC Highways Development Control, County Archaeological Service, County Landscape Service, Lead Local Flood Authority, The Wildlife Trust for Lancashire, Manchester and North Merseyside, United Utilities, LCC School Planning, British Horse Society and the Brookhouse Group Ltd. No comments had been received from Blackburn with Darwen Council, Historic England, Lancaster City Council, Cuerden Parish Council, National Grid Gas and Electricity, LCC Public Rights of Way Team and the Ramblers Association. Eight representations objecting to the application had been received.



Copies of the letters from Stantec UK Ltd and Town Legal LLP which had been emailed to the Committee were handed out at the meeting.

A site visit had taken place on 24 November 2023.

The Principal Planner presented a Powerpoint presentation showing the application boundary, site location plan and aerial view with the nearest residential properties, Masterplan land use, proposed site access, internal movement and proposed green infrastructure, Parameter Plan development zones, highways and access, strategic landscaping and infrastructure overview, highway improvement works and various photographs.

Committee's attention was drawn to the Update Sheet which included additional consultation comments, details of a further representation from Brookhouse Group Ltd and advice on these issues and amendments to conditions 19 and 44.

Mr Simon Ricketts, acting on behalf of Brookhouse Group Ltd, addressed the Committee and said the following:

'I represent Brookhouse Group Limited, which as you will be aware, owns the balance of the Cuerden strategic site.

I'm not going to discuss this morning whether legally the council can determine this application in place of South Ribble Council, though you'll be aware that there's ongoing litigation between Brookhouse and the council as to the legal effectiveness of the development arrangements, which the council says is in place with Maple Grove Developments Limited, and the potential consequences of the litigation, including the initial hearing which the council lost last week. It's only relevant because if my clients claim succeeds and this application is for South Ribble rather than this council, our letter yesterday urged that you defer this decision until the outcome of that litigation.

In any event, I urge that you make sure that a reasonable observer would conclude that this committee is not biased towards a decision which would be favourable to the council in financial terms. Again, I urge caution.

I want to focus on two points this morning.

First of all, Brookhouse's main concern is set out in our letter. Our previous letter states that if permission is granted, there should be a section 106 clause to prevent the councillors, landowner and indeed its successors from refusing Brookhouse access across the access roads that are created, particularly in relation to zone A, ensuring that Brookhouse is not held to ransom, throttled from developing the landlocked parts of its site. The risk of ransom would breach South Ribble Councils requirements in its local plan C4, requiring a comprehensive integrated development, and that was the reason why the site was removed from the green belt.

The Supreme Court recently described anti-ransom provisions as wholly justified. South Ribble is objecting to this application on the same basis. It made sure when



granting the 2017 permission that access would be unfettered. We've given examples to officers from across the country where this has been done. We don't understand why the council is refusing to agree to this provision. I can only think of one reason and is not becoming of this authority. Secondly, the county landscape service has 28 objections to the application. If you see pages 33 to 35 of this report, there's no explanation in the report as to why the committee should ignore those 28 objections. In summary, Brookhouse asks that you defer consideration of this application pending resolution of the litigation. In any event, you must ensure your decision making cannot be said to be unfairly favouring this Council as landowner.

Thirdly, no permission should be granted in any circumstances without the protections from the council for my clients of an anti-ransom provision and lastly, no permission should be granted without an adequate explanation of how the 28 concerns expressed by your landscape officers have been dealt with. Thank you committee members, for hearing me out.'

County Councillor Green, local County Councillor, addressed the Committee and said the following:

'Thank you, Mr. Chairman and good morning fellow councillors.

So clearly for those of you who've actually been on the site visit, you'll realise what a very large development the site is. This is quite unusual for the county council to talk about a site of this scale. The Cuerden site, Mr Chairman, has clearly been earmarked for development for many years and has been included in South Ribble's local plan as a mixed use site and I welcome the Development Control Committee considering this application this morning. I do have some concerns though colleagues - one of the biggest being the access onto Stanifield Lane; this is already a very busy road and I note that similar concerns have been raised by Farington Parish Council, of which I am a member, (although I excluded myself from that item), and South Ribble Borough Councils Planning Committee. Whilst personally I would prefer not to have the southern access point, I do note that the access is required and from what we've seen on the drawings, and it is compliant with the master plan which was adopted by South Ribble Borough Council and I think this is a compliant application.

I am also reassured by the significant agreement to reduce the speed along Stanifield Lane to 30 miles an hour, which will make a massive difference in that area, and I very much welcome that and it's something that I've been asking for. I would ask the developer to consider a request to make a contribution towards traffic calming measures though, to promote respect for the reduced speed limit, which I think will go somewhere and at very little cost for the developer, so I would ask that that be considered. Whilst designs will be considered at the reserved matters stage, I would hope that the site will be developed sensitively, maintaining the valuable trees and other features and reducing the visual impact of the site - this is particularly true for zone D. I note that the proposed widths along the western north are reduced, I think, to 18.5 metres, although I would submit that such a height does remain significant and we've recently had an application of a very similar height elsewhere in Farington West which has received significant criticism of the decision taking by South Ribble Borough Council. I welcome the reduced speed limit on Lostock Lane



and the new crossing which will make a big difference and connectivity for all users will be significantly improved. The application promotes economic growth, but it also considers the impact on our residential amenity and provides some major local improvements and therefore I do not object in principle to the application before us, however, I do hope that my earlier comments will be considered fully as further stages come forward, allowing the development to proceed in a way which protects the amenity of residents, reduces the visual impact of the development, promotes compliance with the reduced Highway speeds and protects valuable trees and other features.

Thank you very much for your time.'

Mr Paul Newton, agent for the applicant, addressed the Committee and said the following:

'Thank you, Chair. Good morning members, my name is Paul Newton and I'm the agent for this application. As you'll be aware, the site is one of the most significant economic development sites in Lancashire, and provides the once in a lifetime opportunity to deliver a dynamic, sustainable best in class development that will generate significant economic, social and environmental benefits.

We're pleased that your officers are supporting the application and recommending it for approval. The officers report provides a comprehensive and balanced assessment of the application proposals and considers all relevant matters. Importantly, and despite what you've just heard from Mr Ricketts, it provides a legally robust basis upon which to make your decision.

The Cuerden strategic site has been allocated for employment led development in successive development plans. It is the subject of an adopted master plan and has previously received planning permission for development. However, for various commercial and land ownership reasons, the site has never been brought forward.

The application proposes the development of 51 hectares, or 70% of the wider site allocation, and will provide up to 160,000 square metres of employment and commercial floor space, along with 116 new homes including affordable homes. Importantly, it will provide all of the onsite and offsite road infrastructure necessary to service the development and the wider allocation. The applicant controls all of the land necessary to deliver the scheme and after years of uncertainty, it presents the best opportunity for the site to come forward.

To be clear, it will not in any way preclude or restrict the future development of the remaining land within the allocation that sits beyond the applicants control, as the officer report notes the application accords with the site specific policy and the other policies within the development plan. The application has been the subject of a comprehensive pre and post submission programme of engagement and consultation with local residents, key stakeholders and your offices. As a result, the application has the support of the Environment Agency, Natural England, National Highways LCC as Highway Authority, Historic England and the lead local flood authority. There are no technical reasons why the application should not be supported. Further, the application has been subject to very little public or resident



objection. Whilst Brookhouse has been particularly vocal, their comments are clearly commercially driven and, as the officers report robustly sets out, are without foundation. Finally, the site was allocated to deliver economic benefits. This scheme does that by creating up to 5,600 jobs across a number of employment sectors and adding an estimated £390,000,000 to the Lancashire economy. We therefore have a scheme that your officer has supported and that will deliver significant and far reaching benefits. It fully accords with the national and local planning policies and there are no technical objections that would stop its delivery.

I therefore respectfully request that you endorse your officers recommendation and support the application.'

The Chair referred to Mr Rickett's calling into question of the motivation of Members of the Committee and re-iterated that, at the beginning of the meeting, with the exception of County Councillor Pattison referring to being a member of Lancaster City Council (as a statutory consultee), no Committee member declared any pecuniary or non-pecuniary interest in any item on the agenda.

County Councillor Holgate made the point that Committee Members needed to be clear that they were not representing Lancashire County Council for this application but that they were interpreting planning legislation as Members of Development Control Committee and that any statement made by the county council as the applicant should be taken on its merits.

The Officer answered questions from Committee.

It was reported that, should the Committee be minded to approve the application, this was for outline planning permission and that the detailed conditions would come back to Committee for their consideration, as was common practice.

After a discussion, it was Proposed and Seconded that:

"the application be deferred subject to details of the biodiversity net gain plan being received".

Upon being put to the Vote, the Amendment was lost.

It was therefore:

Resolved: That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, planning permission be granted subject to:

- (i) conditions controlling time limits (full permission and reserved matters), working programme, development parameters, phasing, affordable housing, building materials, landscape and ecology, pollution control, highways and transport, and surface and foul water management as set out in the Committee report.
- (ii) The following condition revisions as set out in the Update Sheet:



Condition 19

Replace paragraph (f) as follows to account for missing text:

(f). appropriate measures to control the emission of noise and vibration during construction in accordance with guidance set out in British Standard BS 5228: 2009 +A1 2014 Code of practice for noise and vibration control on construction and open sites.

Condition 44

Following revision to account for the most recent drawing revision:

There shall be no occupation of built development within Zone A until the Initial Site Infrastructure (within that Zone) has been constructed as shown on drawing no. 21017-FRA-XX-ZZ-DR-A-9112-**P20** - Parameter Plan 2: Highways and Access.

Reason: to provide access to the wider Cuerden Strategic site as set out in the Adopted Masterplan and to comply with Policy C4 of the South Ribble Local Plan.

6. Fylde Borough: Application number LCC/2022/0065 Proposed Anaerobic Digestion plant including digester/gas holder and associated equipment, relocated flare, new earth banking/perimeter landscaping and underground gas export pipeline. Stanley Villa Farm, Back Lane, Weeton with Preese

A report was presented on an application for a Proposed Anaerobic Digestion plant including digester/gas holder and associated equipment, relocated flare, new earth banking/perimeter landscaping and underground gas export pipeline at Stanley Villa Farm, Back Lane, Weeton with Preese.

This planning application had originally been reported to the Committee meeting on 18 October 2023. A copy of that report was attached to the Agenda papers. At that meeting, the Committee:

'Resolved: That the application be deferred, subject to:

- (i) a site visit taking place; and
- (ii) more detail to be provided by the applicant on the highway plans, the details of which would be included in the next Committee report.'

The site visit had been held on 21 November 2023.

The October 2023 report had included the views of Fylde Borough Council, Weeton-with-Preese Parish Council, Greenhalgh Parish Council, the Environment Agency,



LCC Highways Development Control and the Lead Local Flood Authority. Five representations objecting to the application had been received at that time in addition to an email from County Councillor Singleton and two additional letters from local residents objecting to the application, which had been detailed in the Update Sheet.

This latest report updated Committee on further representations that had been received since the report to the October 2023 meeting had been prepared, and also to respond to various issues that were raised during the debate on this planning application. The further consultation exercise sought views from 14 addresses on Greenhalgh Lane.

Committee's attention was drawn to the Update Sheet which included further consultation responses and representations and a proposed additional condition in relation to any hedgerows removed being planted in the first season following the completion of the development.

Photographs from a local resident were circulated to the Committee.

The Head of Development Control presented a Powerpoint presentation showing site location plans, an air photograph of Stanley Villa Farm, proposals for the screen mound and digester vessel, cross sections and landscaping proposals. Also shown were photographs of the view along Back Lane looking towards the site entrance, the view of Back Lane looking east towards the application site and the view of Back Lane looking west towards the site entrance.

Councillor Richard Nulty addressed the Committee and said the following:

'Good afternoon, Mr Chairman and Members. I'm Richard Nulty, parish councillor from Greenhalgh with Thistleton. The Greenhalgh parish boundary is Back Lane in this location, and this application is of concern to our residents. Our earlier concerns over safety and visual intrusion have been largely met by the suggested conditions in the officers report.

However, our concerns over road safety matters on these rural roads remain and are informed not by desktop statistics, but by real life experience of daily users on the road network. In this location, much of the vehicle traffic associated with this site will enter the area via the M55 Junction 3, then to the A585, with four potential routes to the application site. The preferred route, and the safest, is Weeton Road from the Wesham bypass to Weeton crossroads, then right into Back Lane for a kilometre or so to the site. The other three are Bradshaw Lane, which is South of Junction 3, which is technically impossible for HGVs, and to the north Greenhalgh Lane and Back Lane, both off the A585 trunk. SATNAV instructions will indicate Greenhalgh Lane as the shortest direct route. Your officers accept that this unclassified lane is quite unsuitable for HGV traffic. However, your conditional requirements to curb such use are less than satisfactory. Similar conditions and signage have already been applied in regards to the potato processing plant at Stanley Villa, and this has not stopped quite a large percentage of heavy goods vehicles using the narrow lane with consequential damage to the verges, inconveniencing pedestrians and endangering them. Even the optimum route via Weeton Road and west via Back Lane is unsatisfactory, as it's still too narrow for an HGV to easily pass an opposing car, let



alone an agricultural vehicle or another HGV. Practical experience shows that the present level of HGV use is already causing damage to the verges and the newly resurfaced highway here is being broken up at the edges as vehicles nudge past each other.

Your highway engineers say the road is lightly trafficked, but your own figures show that a further 3,600 HGV visits a year will be necessary for this project over a five day working week. That equates to 29 movements each day. Allowing for loading and unloading and travel to and from time, the actual window of transit through the area is likely to be 5 hours a day, which would see something like 6 movements an hour, one every 10 minutes. It takes 2 minutes to cover the section from the application site to Weeton Road, and therefore there's a 20% chance of a confrontation between a car and HGV, or worse, an HGV and a tractor, or HGV and HGV. This is in addition to the existing unsatisfactory movements on the road.'

Ms Kat Kuczynska, local resident, addressed the Committee and said the following:

'Councillors, Mr Chair. It doesn't matter whether you're in Lancashire or Somerset or abroad. For as long as a large scale anaerobic digester, such as the proposed one, is in the wrong location, it will have significant impact and cause significant harm to the local area. The core impacts are the same – an area that is permanently locked into the constant operation of HGVs, problems with damage to the roads impacting road safety, loss of amenity and quality of life, noise pollution, air pollution, heavy reliance on fossil fuels.

Last year, Bath and North East Somerset Council rejected a large scale anaerobic digester project, referencing both the National Planning Policy Framework and local policies. They believed that there were cleaner and better yielding ways to achieve renewable energy targets. You have seen the damage to the roads that the existing operation at the development site is causing, in an area that is supposed to be designated as countryside. It is not going to get better by putting thousands more unsuitable vehicles on them. This development site has already exceeded what the local road network can support, many years ago. The proposed development is contrary to the National Planning Policy Framework, paragraphs 110, 111, 112, 174, 180, 185 and the Fylde local plan policies GD4, GD7, ENV1, ENV2, CL1 and CL2, Section 9 of the National Planning Policy Framework promoting sustainable transport. The proposed development would result in an unacceptable impact on Highway safety. The residual cumulative impacts on the road network would be severe. The proposal fails to promote sustainable travel and conflicts with Section 5 conserving and enhancing the natural environment and Paragraph 174 as the characteristic of the countryside would be permanently damaged and thousands of heavy vehicles is not representative of the countryside. Existing development would be put at unacceptable risk and adversely affected by unacceptable levels of air and noise pollution. Paragraph 180 habitats and biodiversity - there will be significant harm to biodiversity resulting from the development that cannot be avoided, adequately mitigated or compensated for.

Therefore, this planning permission should be refused. Paragraph 185 a, b and c ground conditions and pollutions - there would be adverse impact from the new development and its supporting infrastructure including the heavy use of HGVs both



in transit and loading and unloading. This would impact upon the health and quality of life of residents and visitors. The location is still prized for its recreational and amenity value, and it is essential to maintaining the established tourism economy. Light pollution from the site will impact upon amenity. There are also ongoing breaches of planning permission on site and various conditions and recent unlawful development, and the Council should not be promoting these actions.'

Ms Linda Johnson, local resident, addressed the Committee and said the following:

'The proposed development is effectively a power plant, 22,900 square metres in size, bigger than three Wembley football pitches. The existing digester application was 2,127 square metres, so this one is more than 10 times bigger. The proposed digester is more than double the volume of the existing one, which already services the waste produced by the potato processing factory. It is located in an area that is supposed to be designated as countryside. The quantity of material to be brought to support it on an old country lane is ridiculous. It's 18,000 tonnes, 6,300 of which is animal excrement, which will be stored and processed on the site. It does not create any new jobs and it will further erode the characteristics of the countryside. I set up my caravan park, respecting the countryside that I grew up in and was on the farm, the land on which the site is to be situated, but the applicant just sees the countryside as a blank canvas to develop more and more, and the roads can't handle it. This has to stop, otherwise the taxpayer is going to be burdened with not only unsafe roads, but even more resurfacing costs. We should be conserving the roads and not breaking them up with inappropriate development.

The proposed plan conflicts with the Fylde Local Plan to 2032 policies GD4, GD7, ENV1, ENV2 - development in the countryside, achieving good design in development, landscape and biodiversity. The development will damage the rural economy through tourism enterprises that rely on the characteristics of the countryside. There's no consideration for pedestrians and cyclists that use it. The heavy good vehicles are increasing and damaging the road. The caravaners will not be prepared to drive on narrow country lanes that are filled with thousands of potholes. I have lived in the area all of my life and the tractors that my father used to drive on the lanes were small and smaller than today's cars. The lanes have not changed, but the vehicles that drive on them have and it is little wonder that they are falling apart because of it. They were not built with the intention of HGVs and articulated lorries using them, to the level that the applicant is subjecting them to. The roads are as much a characteristic of the countryside as an amenity for everybody and should be retained for everybody and not altered to accommodate large vehicles that they cannot support or are not representative of the countryside.'

The legal officer read out the following written representation from Mr Paul Jackson, local resident:

'I object to the proposed development, and I am concerned that the negative impact that it will have on the local area is not being adequately assessed. I moved to the countryside several years ago and love being here but was very quickly shocked to hear the operation of what is a factory in an area designated as 'countryside' next door. It is a factory that operates 24 hours a day. We hear heavy machinery and large vehicles operating at all hours and this is not representative of an area



designated as 'countryside'. To add a further industrial development will only make it even worse and cause more damage.

The current site is lit up like Blackpool Illuminations all night and the local road network is in such a state of decay and disrepair that it is evident they cannot cope with the volume and weight of vehicles that the factory currently uses – they are old country lanes so it is ridiculous to consider that they ever could. I fail to see how writing 'slow' on the roads twice, or constructing a single passing place stops them from further deteriorating due to heavy use. The solutions put forward do very little to also deliver an acceptable level of road safety – what are people supposed to do when they are not near the 29.3m passing place on narrow and bendy country lanes – drive in hedges? Reverse back to the passing place? The increase in the number of vehicles on the lanes makes reversing dangerous.

A development of this type and size and the infrastructure required to support it will only ever be in conflict with its surroundings. It reaches a point where you have to consider if the cumulative impact of proposed solutions to try and accommodate it are themselves damaging the characteristics of the countryside and in this instance, they are – it is the wrong location and should not be approved. This development is not required in this location to support the applicants' existing on site activities, as all of the material a 2nd digester requires is 100% imported to it as confirmed by your planning officer – it is not needed. What the applicant wants is the money it will generate. However, the proposed scheme will permanently damage the amenities enjoyed by many and the tourism developments in the local area. Whatever the perceived benefits of the renewable energy delivered are, these are significantly outweighed by the negative impact on the local area and the heavy reliance on fossil fuels that the heavy goods vehicles infrastructure to support it requires. The application has to be assessed on what is now and not pipe dreams – it is fossil fuel reliant.

I ask the planning committee that if the words designated countryside and protection of it means anything to them as it does to so many people who either live in or visit this area of Lancashire and enjoy the amenities it offers, then they be minded to reject this planning application.'

The legal officer read out the following written representation from Mr Dan Galea, local resident:

'I object to this application and cannot believe that serious consideration is being given to adding further HGVs in the thousands onto roads that are not suitable for them. Equally, the size and type of the development proposed is huge and completely uncharacteristic of the countryside. It should be rejected.

I live at the bottom of Greenhalgh Lane and like many people I drive a car, not a 4 x 4 or SUV. The roads around here are breaking up at such a rate that it is alarming and this is due to the number of large and heavy vehicles that are on what are country roads and the roads cannot cope with it. The vehicles causing this are mostly from the operation at Stanley Villa Farm. Cars are impacted by the condition of roads before lorries and HGVs. Other uses for recreation such as cycling and walking are impacted upon even sooner. Myself and my wife like to walk the lanes



with our dog and further increasing the number of large vehicles will make this a more dangerous and less appealing activity to undertake. Our quality of life and well-being will be impacted by it.

In late November, the AA gave advice to drivers regarding potholes and said *“Our advice to drivers and those on two wheels is to avoid puddles where safe to do so”*. This is because of the dangers and damage caused when driving through potholes. Potholes are often caused by water entering cracks in the road surface and these lanes are covered in them from the heavy vehicles and it is getting worse. The constant freezing and thawing of water in icy winter weather weakens the structure of the road and material eventually comes loose causing the holes. When it rains, Back Lane and Greenhalgh Lane are covered in water with numerous puddles and floods and you only have to walk along them to see the damage that is being caused to the roads. When the roads are in this state of disrepair and it is ongoing, it makes no sense to be looking for ways to accommodate even more traffic that will further damage the roads. There is already significant damage and further cracks appearing along the lanes and there are so many places where vehicles have had to leave the road and drive on the grass verges to avoid the large oncoming vehicles that it should be a concern. The roads are not wide enough or suitable and a passing place does not change that.

I don't agree that the Lead Local Flood Authority's recommendation for refusal is ignored. They have said that there is not an acceptable surface water strategy proposed for what is a development that is going to be storing and processing over 6,300 tonnes of excrement on the site. I agree with the flood authority that this should be addressed before it can be approved and the applicant has had several opportunities to do this but has not. There is no comfort whatsoever in a condition to address this, when the risk being considered is sewage potentially entering the fresh water network. When you are told to reject a development that is managing excrement of a weight equivalent of over five and a half thousand Ford Fiesta Cars per year, what will happen to the surface water on the site during rainy conditions should be taken seriously such as it has been by the Council's own department. When considering what is involved, if the Committee Members have any reservations regarding this then they should include it as a reason to reject it.

There are so many other less intrusive and cleaner alternative renewable energy schemes that there is very little value in supporting one that causes so much damage to the area it would be located and to so many people.'

The legal officer read out the following written representation from Mr Dave McMonagle, local resident:

'First, may I start by saying having read through the planning application and looked at the photographs regarding the transport issues, how LCC highways cannot raise any objections to this application is ludicrous. None of the photos have been taken outside my property which is where the main issues should be raised. It seems that widening the verges by two feet to allow the vehicles more room on the road has been a solution from somebody at LCC who hasn't even looked at this road! The problem isn't making enough room for the wagons to run faster and easier, its having more wagons running down a lane that isn't capable of withstanding the wagons that are already using it. We have articulated wagons running at all times of day from



5am in the morning to very late at night, which is also not noted in the noise pollution section of the application. Only 6 weeks ago, I had two opposing wagons stopped outside my house at 10pm on a Sunday night chatting for half an hour!! Not only do we have to deal with the HGV issues but the tractors and trailers using the roads have made a terrible mess of all the grass verges. Having Simon Leaver ring my company for a road sweeper for the day before your planning meeting to 'tidy it up before the meeting' does not constitute a true representation of what is happening down this road. And even the idea that Stanley Villa farms will put a sweeper on does not fill me with encouragement as none has ever been on before in the years I have been at this property. The verges are ruined, the hedges are black instead of green, no longer can we walk down the road with our dogs / family due to the heavy weight of traffic down our road and this application wants to add over 3,000 more trips with faster, wider roads? The days of taking my children on bike rides in our area is no longer a safe possibility. I am not against progress, but the original digester was installed to use waste generated by Stanley Villa Farm. This new digester system is to have all the food stock imported from elsewhere only to generate energy for financial gain at the cost of our local environment.'

In relation to concerns about HGVs on the highways, the officer confirmed that the applicant had already put measures in place to ensure the HGVs used the relatively short section of Back Lane. Condition 8 sought to impose a number of different measures to ensure that was the case which included some works to the site entrance to direct traffic that way, management measures to ensure they informed hauliers of the correct route to use, and disciplinary measures in place should hauliers be seen to not be observing traffic management measures.

Also in terms of HGV usage, Committee were reminded that there was already existing HGV usage on the roads so it was important in Committee's deliberations to concentrate on what the extra HGV movements were from this application, in addition to what already existed. It was estimated that this development would result in approximately a 10% increase on that which already took place so was not seen as a substantial increase.

The officer answered questions from Committee.

It was Proposed that a separate condition be imposed on the hours of importation of materials and to limit these to normal hours of operation.

After a discussion, the Proposal was Withdrawn and residents were advised to report any incidents of environmental nuisance.

Resolved:

That planning permission be **granted** subject to:

- (i) conditions controlling time limits, working programme, design of the development, hours of construction, highways matters, drainage details and landscaping, as set out in the Committee report.
- (ii) The following additional condition, as set out in the Update Sheet:



'Any hedgerows that are removed to construct the gas export pipeline shall be replaced in the first planting season following the completion of the development. The replacement planting shall use the same species as those removed and the planting shall thereafter be maintained for a period of 10 years from the date of its implementation including replacement of failed planting, weed control and maintenance of protection measures.'

Reason : To ensure the proper landscaping of the site in the interests of the visual amenities of the area and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

7. Fylde Council: Application number: LCC/2021/0061 Application to raise levels of field using imported inert materials. Ream Hills Farm, Mythop Road, Weeton with Preese

A report was presented on an application to raise levels of field using imported inert materials at Ream Hills Farm, Mythop Road, Weeton with Preese.

The report included the views of Fylde Council, Weeton-with-Preese Parish Council, Staining Parish Council, LCC Ecology Service, LCC Highways Development Control, Lead Local Flood Authority, Natural England and the Environment Agency. No comments had been received from LCC Public Rights of Way or Bae Systems. Comments had been received from County Councillor John Singleton objecting to the proposals and representations included one letter of objection on behalf of eight properties plus one further letter of objection.

Committee's attention was drawn to the Update Sheet which included observations from Lancashire County Council Estates and further comments from the applicant on the officer's report.

The Senior Planner presented a Powerpoint presentation showing site location plans, aerial view of the application site and the location of the existing bund, access details, proposed restoration and photographs of the existing view towards the eastern and northern boundaries, view to the western boundary and site access of Mythop Road.

The officer answered questions from Committee.

Resolved:

That planning permission be refused for the following reasons:

- (i) The applicant has not demonstrated that the proposed raising of the field levels is essentially required for the continuation of the agricultural use of the land, contrary to policy GD4 of the Fylde Local Plan to 2032 (incorporating partial review).
- (ii) The proposed development would have unacceptable landscape and visual impacts which would be harmful to the character of the countryside,



contrary to policies GD4 and ENV1 of the Fylde Local Plan to 2032 (incorporating partial review).

- (iii) The need for the inert landfill capacity in this area is insufficient to outweigh the conflict with Policy GD4 and the adverse landscape and visual impacts of the development.

8. Ribble Valley Borough: Application number LCC/2023/0023 Erection of two storey detached teaching block and additional staff car parking. Longridge High School, Preston Road, Longridge

A report was presented on an application for the erection of two storey detached teaching block at Longridge High School, Preston Road, Longridge.

It was reported that the reference to additional staff car parking could be disregarded as this had now been omitted from the scheme.

The report included the views of LCC Highways and United Utilities. No comments had been received from Longridge Town Council and comments were awaited from Ribble Valley Borough Council. Two representations objecting to the proposal had been received.

Committee's attention was drawn to the Update Sheet which included amended text to the second paragraph on page 194, details of the construction method statement provided by the applicant and proposed changes to the design and appearance of the building which were considered to be acceptable to officers as they did not materially alter the proposals. Also included were proposed amendments to conditions 2, 4, 5, 6 and 8.

The Senior Planner presented a Powerpoint presentation showing site location plans and an aerial view of the site of the proposed building, proposed site layout, proposed elevations and floor plans, cross section and photographs of the view of the site looking towards the northern boundary (Singletons Dairy), the view to the east towards the houses on Little Lane, the school entrance and the view of the site from Preston Road.

Resolved: That planning permission be **granted** subject to:

- (i) conditions controlling time limits approved drawings, materials, highway matters, drainage details, landscaping, hours of working and construction management plan as set out in the Committee report.
- (ii) Amendments to the following conditions:

Condition 2

2. The development shall be carried out, (except where modified by the conditions to this permission), in accordance with the following documents:



a) The Planning Application and supporting statement received by the County Planning Authority on 6 July 2023

b) Submitted Plans and documents:

Design and Access Statement received 30th November 2023

Arboricultural Assessment received 6th July 2023

Ecological appraisal received 6th July 2023

School Travel Plan 6th July 2023

Document ref. E230030 received 20th November 2023

Construction Method Statement received 30th November 2023

Drawing No. P2-00-DR-A-40_50_63-0001 Rev. S4-P01 Site Plan - Location (received 20th November 2023)

Drawing No. P2-00-DR-A-40_50_63-0002 Rev. S4-P03 Site Plan - Existing (received 30th October 2023)

Drawing No. P2-ZZ-DR-A-40_50_63-0004 Rev. S4-P05 Plans - Proposed (received 30th November 2023)

Drawing No. P2-ZZ-DR-A-40_50_63-0005 Rev. S4-5 Elevations - Proposed (received 30th November 2023)

Drawing No. P2-00-DR-A-40_50_63-0006 Rev. S4-P03 Site Plan Masterplan – Proposed (received 30th October 2023)

Drawing No. LA02 Rev H General Arrangement Plan (received 30th October 2023)

Drawing No. LA07 Section - Showing new teaching block and surrounding buildings (received 30th October 2023)

Drawing No. LA08 Rev A Temporary car park and reinstatement (received 30th November 2023)

Reason: To minimise the impact of the development on the amenities of the area and to conform with Policy DMG1 of the Ribble Valley Local Plan.

Condition 4

The external elevations of the building hereby approved shall be constructed from the following materials:

- Brick - Windmill Orange Mixture RG1889 by RGB North West
- External Windows and door frames, roof fascia, soffits and rainwater pipes in PPC aluminium RAL 5011
- Hyperion cladding Sentinel colour Walnut, by Envirobuild
- Roof - Pantile 2000 colour Mid Grey by Britmet

Reason: To protect the visual amenities of the area and to conform with policy DMG1 Ribble Valley Core Strategy.



Condition 5

The construction operations shall take place in accordance with the approved Construction Method Statement (received 30th November 2023) and document E230030 (received 29th November 2023) throughout the construction period.

Reason: In the interests of highway safety and in accordance with policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

Condition 6

Within two months of the occupation of the building hereby permitted the proposed temporary car parking area shall be restored in accordance with plan ref. LA08 rev. A received 30th November 2023.

Reason: In order to ensure that the final details of the highway scheme/works are acceptable before work commences on site and to conform with Policy DM12 and DMG3 of the Ribble Valley Core Strategy.

Condition 8

No construction development, delivery or removal of materials shall take place outside the hours of:

07:00 to 18:00 hours Monday to Friday (except Public Holidays)

08:00 to 18:00 hours on Saturday.

No construction development, delivery or removal of materials shall take place at any time on Sundays or Public Holidays.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policies DMG1 DMG3 of the Ribble Valley Core Strategy.

9. Planning decisions taken by the Director of Environment and Planning in accordance with the County Council's Scheme of Delegation

It was reported that, since the last meeting of the Development Control Committee on 18th October 2023, six decisions had been taken on development control matters by the Director of Environment and Planning, in accordance with the county council's Scheme of Delegation.

Resolved: That the report be noted.

10. Urgent Business

There were no items of Urgent Business.



11. Date of Next Meeting

Resolved: That the next meeting of the Committee be held on Wednesday 17th January 2024 at 10.30am in Committee Room B – The Diamond Jubilee Room, County Hall, Preston.

H MacAndrew
Director of Law and Governance

County Hall
Preston



Development Control Committee
Meeting to be held on 17 January 2024

Electoral Division affected:
Burscough and Rufford

West Lancashire Borough: application number LCC/2023/0026
Change of use of agricultural building and yard area from agriculture to waste management including the sorting, storage, recycling and distribution of non-hazardous waste, and including two ancillary buildings. Bank Farm, 40 Martin Lane, Burscough

Contact for further information:
Robert Hope, 01772 534159, Principal Planner
Devman@lancashire.gov.uk

Brief Summary

Application - Change of use of agricultural building and yard area from agriculture to waste management including the sorting, storage, recycling and distribution of non-hazardous waste and including two ancillary buildings. Bank Farm, 40 Martin Lane, Burscough.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling working programme, hours of working, site operations and highway matters.

Applicant's Proposal

This application is for the change of use of an existing agricultural building and yard area to use for the management of non-hazardous waste. The applicant initially stated that inert aggregate based materials would be stored in a designated outside storage area, but the application has been amended so that all waste management operations would now take place in the existing building.

The site includes an existing portal framed building measuring approximately 30m x 23m x 6m in height with an open front and a yard area with two new small steel demountable units for use as an ancillary site office and toilet block measuring 10m x 4m x 3m high and 6m x 3m x 2.5m high respectively. The site area is approximately 1400m². The applicant states that a maximum of 20 empty skips are stored on site at any one time. No full skips are stored on site, as they are brought to site and emptied for sorting.

The applicant has 60 mini-skips, which are sent out to households which are then returned to the building where the contents are manually sorted into separate bays and containers for metal, plastic, cardboard, wood, green waste, aggregate and general waste. Once full, large skip containers are collected by various recyclers, appropriate to the material contained within. The applicant has two skip wagons, which deliver and return the skips on a daily basis. The applicant states that there would be a maximum annual throughput of 15,000 tonnes of waste.

Operating hours would be Monday to Friday from 08:30 to 17:30 and Saturdays from 08:00 to 15:00.

Description and Location of Site

The application site is at an existing agricultural unit that includes a range of buildings and a yard area. The original farmhouse buildings are located to the north and the application site is bordered by agricultural land to the south and east. Martin Lane and Merscar Lane are located to the west. These roads include a number of residential properties, a disused public house, a timber mill and other agricultural enterprises. The nearest residential properties are approximately 130m from the application site. The site is in the Green Belt.

Access to the site is along an unmetalled track from Gorst Lane some 300m to the south. Gorst Lane has a 7.5-tonne weight limit except for access/loading.

The Wildfowl and Wetlands Trust (WWT) Martin Mere Site of Special Scientific Interest (SSSI) is located approximately 1km to the north-east. Langley's Brook is approximately 370m to the east and Merscar Brook is approximately 250m to the west. The site is not in Flood Zone 2 or 3.

On open land to the west of this application site, another waste management company is sorting, processing and storing soils and aggregates. Objections have also been made regarding this operation. It is subject of planning application LCC/2023/0033 and is reported elsewhere on the agenda.

Background

A number of permissions have previously been granted at the farm site by West Lancashire Borough Council for agricultural buildings and associated development. The building subject of this application has been on site since at least 2015.

Planning Policy

National Planning Policy Framework (December 2023)

National Planning Policy Framework Planning Practice Guidance

Waste Management Plan for England (December 2013)

National Planning Policy for Waste (October 2014)

Our Waste, Our Resources: A Strategy for England (December 2018)



Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD

Policy CS7	Managing our Waste as a Resource
Policy CS8	Identifying Capacity for Managing our Waste
Policy CS9	Achieving Sustainable Waste Management

Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One

Policy NPPF1	Presumption in Favour of Sustainable Development
Policy DM1	Management of Waste and Extraction of Minerals
Policy DM2	Development Management

West Lancashire Local Plan

Policy SP1	A Sustainable Development Framework for West Lancashire
Policy GN1	Settlement Boundaries
Policy GN3	Criteria for Sustainable Development

Burscough Parish Neighbourhood Plan

Consultations

West Lancashire Borough Council – object to the proposed development as no very special circumstances have been demonstrated which would overcome the harm to the openness of the Green Belt in this location. It is considered therefore, that in its present form, the development is considered to be contrary to Policy GN1 and GN3 of the West Lancashire Local Plan and Paragraph 148 and 150 of the National Planning Policy Framework.

The officer report from West Lancashire Borough Council acknowledges that Paragraph 150 of the National Planning Policy Framework provides a range of exceptions to development within the Green Belt. The re-use of the building would meet criteria d) of Paragraph 150 which refers to the re-use of buildings provided that the buildings are of permanent and substantial construction. The officer notes that in this instance the building would not need any alterations in order to accommodate the use and as such this element of the proposal is considered to be acceptable in relation to Green Belt considerations. However, outside storage operations would be inappropriate development.

[note – West Lancashire Brough Council comments are based on the National Planning Policy Framework September 2023 edition. Paragraph numbers have changed in the December 2023 edition of the Framework, but the Policy requirements remain the same].

Burscough Parish Council – In principle there is no objection to this development and are encouraged by the applicant's assurance that nothing, with regard to their operation, will require the need for the use of landfill. Although no objection is raised, the following points should be considered:



- Has the applicant considered developing the business on the nearby industrial estate, which would not then require the change of use in Green Belt?
- How many vehicle movements are estimated per day?
- What routes are proposed when nearing the site? The Parish Council ask this due to weight restrictions in the area and narrow country lanes, particular concern regarding the forty-tonne skips leaving the site.
- Concern has been raised about the Martin Lane access. Access on Gorst Lane should be the designated access for this development.
- This application, if approved, is a relatively small operation with the business only operating two vehicles. The Parish Council have concerns over further development in future as the local population increases and therefore demand is greater.

The Parish Council has submitted an additional representation and note that works have already started at the site and the hard standing is to be built on Grade 1 agricultural land. Water is running off the site which is going straight into a watercourse which in turn runs into Martin Mere Wetlands.

Environment Agency – No objection but note that the development requires an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016.

Lancashire County Council Highways Development Control – No objection following the submission of revised information clarifying access via Gorst Lane only, provision of a swept path analysis, expected traffic generation, staffing levels and details of parking.

Lancashire County Council Lead Local Flood Authority – No comments to make.

Representations – The application has been advertised in the local newspaper and by site notice, and neighbouring residents have been informed by individual letter. 32 individual representations and a petition with 303 signatories have been received objecting for the following summarised reasons:

- Noise from machinery on site and the tipping of waste on the yard floor, and from traffic.
- It will generate smells and noise nuisance.
- Disturbance to wildlife.
- Close to residential properties.
- Impact on local amenity.
- The skip business should be on an industrial estate.
- Inappropriate in the Green Belt and in a rural agricultural area.
- Gorst Lane has a weight limit of only 7.5-tonnes for trucks.
- Increase in heavy domestic, commercial and industrial traffic will have an adverse effect on the character of the immediate vicinity and area.
- Impact on highway safety on local road network.
- Roads not suitable for skip wagons.
- It will detract visitors to the area including Martin Mere Wildfowl Trust.
- Possible increase in vermin.
- How is drainage going to be dealt with?

- The development is already taking place and there is now litter in the area and hardcore and brick stockpiles.
- There is a current noise source with an extremely low-pitched rumble during the day due to a stone crusher processing an enormous pile of hardcore and soil on site.
- Heavy goods vehicles (HGVs) currently using an unauthorised unsafe access on Martin Lane.
- Potential water pollution to local watercourses.
- The application states 15,000-tonnes per year, which does not equate to a small-scale operation. With the addition of the 40-tonne skips to remove the waste to the intended recycling sites, then it will not be a small-scale activity and the noise levels as well as dust levels and air quality in the surrounding area will be impacted.
- Would planning permissions state only household waste and how would this be monitored to ensure no other items are contained?
- Why is there no noise assessment?
- What is the difference between sui generis and waste activity development?
- The Gorst Lane access track to the site is unsuitable for skip wagons and would need major upgrading.
- Waste being tipped adjacent to Langley Brook.

Wildfowl and Wetlands Trust (WWT) Martin Mere – object as the development has already started, it is in flood zone 3, the developer is tipping waste materials adjacent to a watercourse that could put Martin Mere at risk of pollution, and Natural England should be consulted.

Advice

This application is for the change of use of land and buildings from agricultural use to a waste management use including sorting, storage and distribution of non-hazardous waste).

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework sets out the Government's planning policies and is a material consideration in planning decisions.

The National Planning Policy for Waste sets out the national planning policies for waste development and should be read in conjunction with the National Planning Policy Framework. It sets out the Government's continuing ambition to work towards a more sustainable and efficient approach to resource use and management including by driving waste up the hierarchy and minimising waste. This includes helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment and recognising the need for a mix of types and scale of facilities, and that adequate provision must be made for waste disposal. The proposal would allow the sorting of mixed waste into different materials for recycling purposes and would therefore assist in meeting the requirements of the waste hierarchy.

The National Planning Policy for Waste also states that in identifying suitable sites and areas, priority should be given to the re-use of previously developed land, sites identified for employment uses, and redundant agricultural and forestry buildings and their curtilages. However, the document also notes that there should be consideration of physical and environmental constraints on development, including existing and proposed neighbouring land uses, transport infrastructure, and the cumulative impact of existing and proposed waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential. Furthermore, inappropriate waste management development in the Green Belt should be guided to locations outside the Green Belt.

Policy SP1 of the West Lancashire Local Plan refers to a sustainable development framework for West Lancashire. It advises that when considering development proposals there should be a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Furthermore, applicants should be worked with proactively to find solutions, which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy GN1 of the West Lancashire Local Plan refers to development and settlement boundaries and states that development proposals within the Green Belt will be assessed against national policy and any relevant local plan policies.

Policy GN3 concerns general criteria for sustainable development and states, among other things, that development should minimise the risk from all types of pollution and contamination.

Green Belt

The site is located in the Green Belt and the large building and yard area have permission for agricultural use.

Paragraph 142 of the National Planning Policy Framework states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.

Paragraph 143 of the National Planning Policy Framework explains that the purposes of including land in Green Belt include checking the unrestricted sprawl of large built-up areas, preventing towns merging into one another, assisting in safeguarding the countryside from encroachment, preserving the setting and special character of historic towns, and assisting in urban regeneration.

Paragraph 152 of the National Planning Policy Framework advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 153 of the National Planning Policy Framework advises that when considering any planning application, local planning authorities should ensure that



substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 of the National Planning Policy Framework advises that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt with a number of exceptions including, of relevance, limited infilling or the partial or complete redevelopment of previously developed land, which would not have a greater impact on the openness of the Green Belt than the existing development.

Paragraph 155 of the National Planning Policy Framework advises that certain other forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. This includes, of relevance, material changes in the use of land and the re-use of buildings provided that the buildings are of permanent and substantial construction.

The majority of the application is for a change of use of an existing building. On this basis, there is no significant change at the site in terms of the overarching aims of Green Belt policy. The proposal also includes the siting of two small ancillary demountable units for office and toilet use on an existing concrete yard area. It is considered that these buildings would comprise the redevelopment of an existing developed site and in view of the National Planning Policy Framework referred to above, the development is appropriate in Green Belt policy terms. However, it is considered that a condition should be attached to any permission requiring the removal of the demountable buildings should the waste management use cease. West Lancashire Borough Council agree that the re-use of the building is appropriate development in the Green Belt and the storage of soil and aggregate materials outside on open land, which was the focus of their original objection, has now been removed from the application.

Traffic

Paragraph 115 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The application site sits within an agricultural unit that is served by an existing access track to Gorst Lane. The track will have historically been used for agricultural and horticultural vehicles, but this use has declined. The applicant states that there are typically two heavy goods vehicle (HGV) visits to the site each week and the applicant's skip lorries make approximately 10 trips per day into the site.

Following the submission of swept path analysis to demonstrate the access would still be suitable for the safe passage of heavy goods vehicles and subject to access improvements, Lancashire County Council Highways Development Control raise no objection. It is also recommended that conditions be imposed for the sheeting and containment of vehicle waste loads, for a requirement to keep the highway free from debris and mud and for surfacing improvements at the access junction with Gorst Lane. It should be made clear at this point that there is no authorised access at



Martin Lane/Merscar Lane, and the current site operator has been advised that this access cannot be used. This application for planning permission is based on access from Gorst Lane only.

Impact on local amenity and pollution control

Paragraph 191 of the National Planning Policy Framework states that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. New development should mitigate and reduce to a minimum the potential adverse impacts resulting from noise and avoid noise giving rise to significant adverse impacts on health and the quality of life.

Policy 194 of the National Planning Policy Framework states that the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities. The Environment Agency has raised no objection to the proposed development but has stated that the development will require an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2016.

Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan supports development for minerals or waste management operations where it can be demonstrated that all material, social, economic or environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels. In assessing proposals, account should be taken of the proposal's setting, baseline environmental conditions and neighbouring land uses, together with the extent to which its impacts could be controlled in accordance with current best practice and recognised standards.

On the basis that the waste management operations at the site will require an Environmental Permit from the Environment Agency and will be subject to further scrutiny, assessment and appropriate pollution controls as part of that process, it is considered unnecessary to impose specific pollution controls through the planning process. Nevertheless, as a means of seeking to ensure that general intermittent disturbance is minimised, a condition is recommended to control the hours of working to those proposed by the applicant, which are 0830 to 1730 hours Monday to Friday (excluding public holidays) and 0800 to 1500 hours on Saturdays. A condition is also recommended to require that all waste handling and storage takes place within the building and that there shall be no mechanical sorting, separating or processing of waste or materials. On this basis the development is considered to be acceptable in terms of local amenity impacts and complies with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

The applicant has stated that operations at the site will utilise the existing drainage arrangements. The site is connected to the mains sewer for foul drainage. The toilet

block is communal for the site and is not for the sole use of the applicant due to occupation of other units at the site. The site also features a 1000 litre interceptor tank, which collects yard water. Rainwater from the existing building is transported via gutters and downspouts into the various existing drainage grids in the yard area. The site is contained and distant from watercourses and there should be no reason to suggest that the site is a risk to local watercourses or Martin Mere Wetland Centre. Additionally, Lancashire County Council Lead Local Flood Authority has raised no issues.

Concerns have been raised about waste tipping on adjoining land adjacent to Langley Brook. This is not a material consideration for the assessment and determination of this application. However, the Environment Agency has investigated the site and are satisfied that the materials recently deposited are for the creation of an agricultural access and hardstanding and pose no pollution risk.

Human Rights

The Human Rights Act 1998 requires the County Council to take into account the rights of the public under the European Convention on Human Rights and not to act in a manner incompatible with those rights. Article 1 of Protocol 1 states that an individual's peaceful enjoyment of their property shall not be interfered with except as is necessary, in accordance with the law and as is proportionate.

This application as it to be approved would be unlikely to generate a degree of impact on neighbouring properties, which would breach these rights. However, it is considered that any potential impacts could be controlled by conditions or through an Environmental Permit should one be granted.

Conclusion

This application is for waste management activities at an existing agricultural site that present an opportunity for a local contribution towards policy aims of driving waste up the waste management hierarchy.

Subject to recommended conditions it is considered that there should be no unacceptable adverse impact on the environment, visual impact, the Green Belt, local highways or the amenity of local residents. Further scrutiny would be required through an application for an Environmental Permit, and should a permit be refused, waste management activities as currently undertaken would have to cease. The proposal is considered to be acceptable in terms of the policies of the National Planning Policy Framework and the policies of the Development Plan.

Recommendation

That planning permission be **granted** subject to the following conditions:

Working Programme

1. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:



Submitted Plans:

Drawing no. LM/DB/5111B - Proposed Site Plan rev date 29 November 2023
Drawing no. LM/DB/5111C - Site office and toilet block dated 18 December 2023

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Site Operations

2. Should no waste management operations take place on the site for a continuous period of 12 months, the demountable units shown on Drawing no. LM/DB/5111C shall be removed from the site within a further period of two months.

Reason: In the interests of protection of the Green Belt and to conform with Policy SP1 of the West Lancashire Local Plan.

3. No delivery of waste, waste management operations, bulking up of waste or recycled materials or the removal of waste materials or recycled materials off the site shall take place outside the hours of:

0830 to 1730 hours, Mondays to Fridays (except Public Holidays)
0830 to 1500 hours on Saturdays (except Public Holidays)

No delivery of waste, waste management operations, bulking up of waste or recycled materials or the removal of waste materials or recycled materials off the site shall take place at any time on Saturdays, Sundays or Public Holidays.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

4. Depositing, sorting, segregation, processing and loading of waste shall only be undertaken within the building shown on drawing no. LM/DB/5111B - Proposed Site Plan rev date 29 November 2023.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users, and the local environment and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

5. There shall be no mechanical sorting, separating or processing of waste or materials.



Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users, and the local environment and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

6. All vehicles transporting waste materials or recycled waste products into the site or from the site shall be securely sheeted or contained.

Reason: In the interest of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

7. There shall be no access to the site from Martin Lane/Merscar Lane.

Reason: In the interest of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

8. Within three months of the date of this permission the site access road shown on drawing no LM/DB/5111B - Proposed Site Plan rev date 29 November 2023 shall be surfaced over a 10m distance when measured from the carriageway edge at the junction with Gorst Lane using tarmac, concrete or similar surfacing product.

Thereafter the site access road shall be maintained in a smooth condition, free from potholes for the duration of the development.

Reason: In the interests of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

9. Steps shall be taken at all times to prevent the deposit of mud, dust or other deleterious material on the public highway by vehicles leaving the site.

Reason: In the interest of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

10. Provision shall be made for the collection, treatment and disposal of all water entering or arising on the site to ensure that there shall be no discharge of contaminated or polluted drainage to ground or surface waters.

Reason: To safeguard local watercourses and drainage and avoid the pollution of any watercourses or groundwater resource or adjacent land, and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.



11. All foul water drainage shall be discharged to a public sewer or else to a sealed watertight tank.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Notes

The grant of planning permission does not remove the need to obtain the relevant statutory consents/licences from the Environment Agency.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Directorate/Ext
LCC/2023/0026	December 2023	Rob Hope Environment and Planning 01772 534159

Reason for Inclusion in Part II, if appropriate

N/A





West Lancashire Borough: application number LCC/2023/0026

Change of use of agricultural building and yard area from agriculture to waste management –including the sorting, storage, recycling and distribution of non-hazardous waste, and including two ancillary buildings at Bank Farm, 40 Martin Lane, Burscough

LCC/2023/0026 Site Location



Merscar Lane

Martin Lane

Merscar Brook

Waste management site

Access track

Gorst Lane



LCC/2023/0026
Aerial view (2023)



Merscar Lane

Martin Lane

Merscar Brook

Waste management site

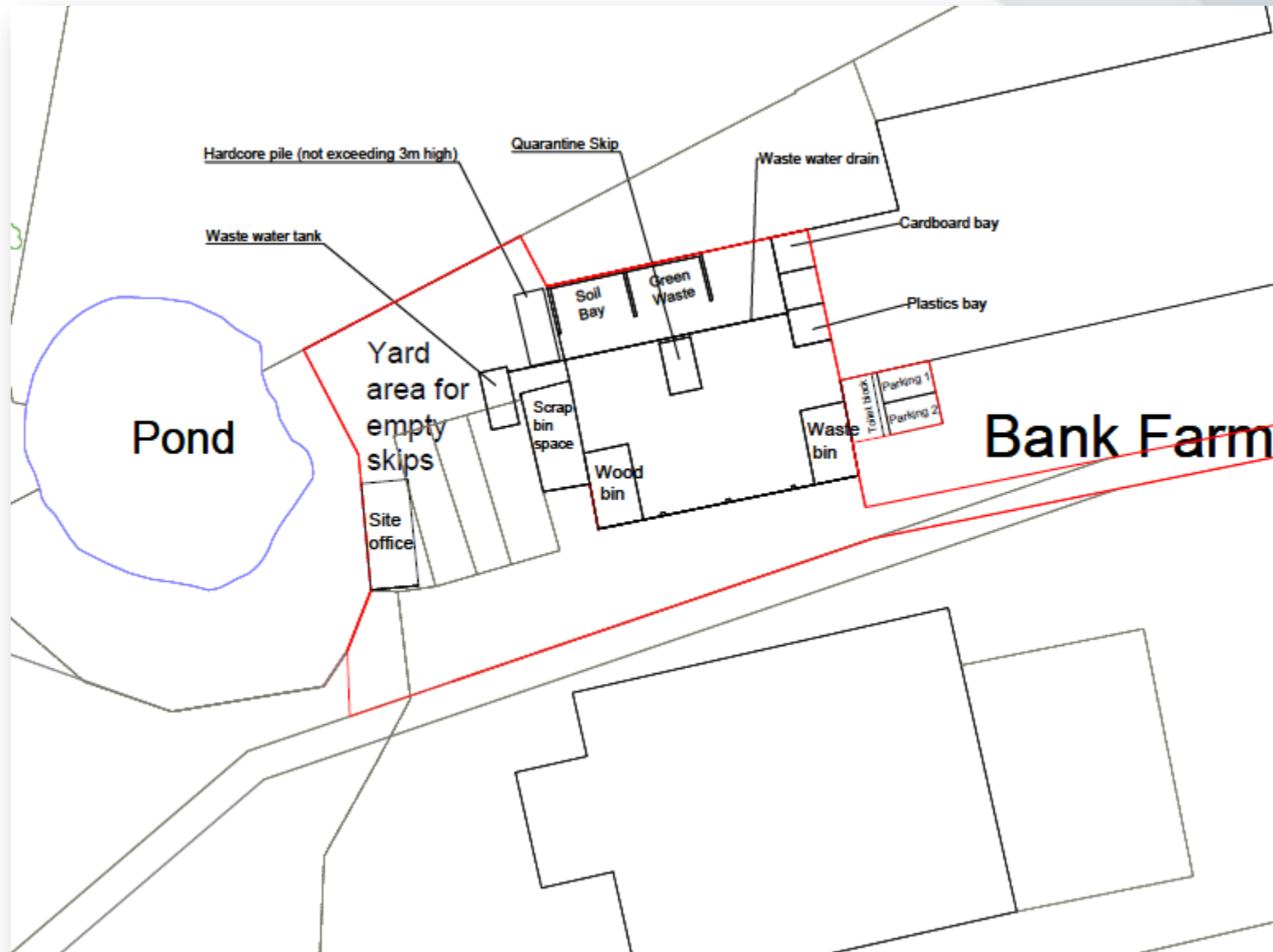
Access track

Gorst Lane



LCC/2023/0026

Site layout





Access track



Gorst Lane (East)



Gorst Lane (west)



Waste management building



Existing outside inert storage (to be removed)



Office unit and skip storage



View of site from Martin Lane

Development Control Committee
Meeting to be held on 17 January 2024

Electoral Division affected:
Burscough and Rufford

West Lancashire Borough: application number LCC/2023/0033
Change of use from agriculture to waste management including the sorting, storage and distribution of non-hazardous waste, and two containers at Bank Farm, 40 Martin Lane, Burscough

Contact for further information:
Robert Hope, 01772 534159, Principal Planner
Devman@lancashire.gov.uk

Brief Summary

Application – Change of use from agriculture to waste management including the sorting, storage and distribution of non-hazardous waste, and two containers at Bank Farm, 40 Martin Lane, Burscough.

Recommendation

That planning permission be **refused** for the following reasons:

- (i) The development is inappropriate development in the Green Belt for which no very special circumstances by way of a quantitative or market need for the development at this location have been demonstrated sufficient to outweigh the harm to Green Belt by reason of inappropriateness. The development is contrary to the National Planning Policy Framework and National Planning Policy for Waste regarding protection of the Green Belt, and Policy GN1 of the West Lancashire Local Plan.
- (ii) The waste management operations would be likely to have an unacceptable adverse impact on the amenity of surrounding residents and land users by virtue of noise, dust and general disturbance contrary to Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy G3 of the West Lancashire Local Plan.
- (iii) The development involves the loss of Grade 1 agricultural land contrary to Policy EC2 of the West Lancashire Local Plan.

Applicant's Proposal

This application seeks permission for a change of use of agricultural land to a use for the management of non-hazardous construction, demolition and excavation waste including the provision of two containers for storage and as an office measuring 6m x

2.5m x 2.6m high and 12m x 2.5m x 2.6m high respectively. The site provides specific areas in which to sort soil, hardcore and aggregate, which is brought to the site in 32-tonne grab wagons. Materials are separated and the soil, aggregate and hardcore are stored in small stockpiles on site, not exceeding 3m in height. The aggregate is crushed to form smaller components using a 21-tonne Volvo excavator with crushing bucket and screening bucket attachments. The separated products are subsequently sold and exported off-site to appropriate users. The applicant states that there would be a maximum annual throughput of 30,000 tonnes of waste.

The applicant proposes working hours to be Monday to Friday 07:00 to 17:30 and Saturday 08:00 to 14:00.

Description and Location of Site

The application site is on open agricultural land and the waste management activities are already operational. The original farmhouse buildings are located to the north and the application site is bordered by agricultural land to the south and east. Martin Lane and Merscar Lane are located to the west. These roads include a number of residential properties, a disused public house, a timber mill and other agricultural enterprises. The nearest residential properties are approximately 35m from the application site. The site is in the Green Belt.

Access to the site is along an unmetalled track from Gorst Lane some 300m to the south. Gorst Lane has a 7.5-tonne weight limit except for access/loading.

The Wildfowl and Wetlands Trust (WWT) Martin Mere Site of Special Scientific Interest (SSSI) is located approximately 1km to the north-east. Langley's Brook is approximately 450m to the east and Merscar Brook is approximately 180m to the west. The site is not in Flood Zone 2 or 3.

Another waste management company is sorting, processing and storing non-hazardous waste materials in a building to the east of this application site. Objections have also been made regarding this operation. This operation is the subject of planning application LCC/2023/0026 and is reported elsewhere on this agenda.

The application site is on Grade 1 agricultural land.

Background

A number of permissions have previously been granted by West Lancashire Borough Council for agricultural buildings and associated development at this farm site. The application site was grassland in 2018 but by 2020 appears to have been stripped and then used for trailer storage and more recently waste management operations.

Planning Policy

National Planning Policy Framework (December 2023)

National Planning Policy Framework Planning Practice Guidance



Waste Management Plan for England (December 2013)

National Planning Policy for Waste (October 2014)

Our Waste, Our Resources: A Strategy for England (December 2018)

Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document (DPD)

Policy CS7	Managing our Waste as a Resource
Policy CS8	Identifying Capacity for Managing our Waste
Policy CS9	Achieving Sustainable Waste Management

Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One

Policy NPPF1	Presumption in Favour of Sustainable Development
Policy DM1	Management of Waste and Extraction of Minerals
Policy DM2	Development Management

West Lancashire Local Plan

Policy EC2	The Rural Economy
Policy SP1	A Sustainable Development Framework for West Lancashire
Policy GN1	Settlement Boundaries
Policy GN3	Criteria for Sustainable Development

Burscough Parish Neighbourhood Plan

Consultations

West Lancashire Borough Council – object for the following reasons:

- The development site is within the Green Belt within the West Lancashire Local Plan. In relation to the provision of waste management facilities these are considered to be inappropriate in the Green Belt. Paragraph 149 of the National Planning Policy Framework provides a range of exceptions to the construction of new buildings within the Green Belt. The proposed buildings associated with this use would not fall in the exception categories and are therefore considered to be inappropriate development.
- Paragraph 150 of the National Planning Policy Framework allows for other forms of development including changes in the use of land. Changes of use referred to as examples are outdoor recreation or cemeteries or burial grounds. Again, it is not considered that the development of a waste management facility would fall within any of these categories. It is considered that the proposal, through the introduction of stockpiles of up to 3m in height along with the provision of two portacabins in association with the development would fail to preserve the openness of the Green Belt. Furthermore, the National Planning Policy for Waste document states in Paragraph 6 that 'waste management facilities that, if located within the Green Belt, would be inappropriate development'. The proposed retention of the development is therefore considered to be unacceptable in



principle as it harms the Green Belt and no very special circumstances have been demonstrated.

[note – West Lancashire Brough Council comments are based on the September 2023 edition of the National Planning Policy Framework. Paragraph numbers have changed in the December 2023 version, but the Policy requirements remain the same].

- The National Planning Policy for Waste states that when determining a planning application for a waste use, the Council should expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date local plan. When making their assessment Councils should consider the extent to which the capacity of existing facilities would satisfy the need. The application is not supported by an assessment of need or any evidence which shows that there is no capacity for the waste elsewhere. The proposed development is therefore contrary to the National Planning Policy for Waste.
- Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan requires decision makers to be certain that all impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels. In assessing the harm, the policy requires the decision maker to take account of the setting of the application site, the baseline environmental conditions and neighbouring land uses which this application fails to do.
- Policy GN3 of the West Lancashire Local Plan states that new development should minimise the risk from all types of pollution and contamination. There are a number of residential properties within the vicinity of the works. There are no details of the crusher on site or any details of measures to be taken in relation to dust suppression, noise, odours etc. It is considered that the lack of information in this regard fails to demonstrate that amenity can be appropriately protected. The proposal is therefore considered to fail in this regard.
- The planning application has been submitted with no information in relation to highways. It is clear that the scheme will generate an increasing number of heavy goods vehicle (HGV) movements entering and exiting the site. No details of the anticipated heavy goods vehicle (HGV) trips during operation have been provided. Lancashire County Council Highways who have responded to the consultation request confirm that they require details of the access route, levels of traffic anticipated from the site and details of parking and operational requirements. A decision should not be made in advance of this information being received.
- West Lancashire Borough Council object to the retention of this use within the Green Belt. It is considered that no very special circumstances to overcome the harm to the Green Belt have been established and the application has not been supported by information to demonstrate that there is a need for the development and that there would be no adverse impacts to residential amenity and highway matters. The development is considered to be contrary to Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan, Policy GN1 and GN3 of the West Lancashire Local Plan and the National Planning Policy for Waste.

Burscough Parish Council – No comments received.



Environment Agency – No objection but note that the development requires an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016.

Lancashire County Council Highways Development Control – No objection following the submission of revised information clarifying access via Gorst Lane only, provision of a swept path analysis, expected traffic generation, staffing levels and details of parking.

Lancashire County Council Lead Local Flood Authority – No comments to make as the development has minimal surface water implications.

Representations – The application has been advertised in the local newspaper and by site notice, and neighbouring residents have been informed by individual letter. 40 individual representations and a petition with 303 signatories have been received objecting to the application for the following summarised reasons:

- Noise from ongoing crushing machinery on site, and from traffic.
- Disturbance to wildlife.
- Close to residential properties.
- Impact on local amenity including health impacts.
- The development should be on an industrial estate.
- Inappropriate in the Green Belt and in a rural agricultural area.
- Gorst Lane has a weight limit of only 7.5-tonnes for trucks.
- Increase in heavy domestic, commercial and industrial traffic will have an adverse effect on the character of the immediate vicinity and area.
- Impact on highway safety on local road network. There is no footpath on Gorst Lane and the size and speed of the vehicles is of concern for pedestrians, as well as cyclists and other road users.
- It will detract visitors to the area including Martin Mere Wildfowl Trust.
- Possible increase in vermin.
- How is drainage going to be dealt with?
- The development is already taking place and there is now litter in the area and hardcore and brick stockpiles.
- There is a current noise source with an extremely low-pitched rumble during the day due to a stone crusher processing an enormous pile of hardcore and soil on site.
- Heavy goods vehicles (HGVs) currently using an unauthorised unsafe access on Martin Lane.
- Potential water pollution to local watercourses.
- 30,000 tonnes per year is concerning, which does not equate to a small-scale operation.
- Site hidden behind wooden boxes.
- Why is there no noise assessment?
- What is the difference between sui generis and waste activity development?
- The Gorst Lane access track to the site is unsuitable.
- Proposed working hours are unacceptable in the residential area.
- New houses are due to be built on the site of the disused pub on Martin Lane.

Wildfowl and Wetlands Trust (WWT) Martin Mere – object as the development has already started, it is in flood zone 3, the developer is tipping waste materials adjacent to a watercourse that could put Martin Mere at risk of pollution, and Natural England should be consulted.

Advice

This application is for the change of use of the land from agriculture to a waste management/skip recycling use including the sorting, storage and distribution of non-hazardous construction, demolition and excavation waste, and for two containers for storage and office use.

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework sets out the Government's planning policies and is a material consideration in planning decisions.

The National Planning Policy for Waste sets out the national planning policies for waste development and should be read in conjunction with the National Planning Policy Framework. It sets out the Government's continuing ambition to work towards a more sustainable and efficient approach to resource use and management including by driving waste up the hierarchy and minimising waste. This includes helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment and recognising the need for a mix of types and scale of facilities, and that adequate provision must be made for waste disposal.

The National Planning Policy for Waste advises that when determining waste planning applications, waste planning authorities should only expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date local Plan. In such cases, waste planning authorities should consider the extent to which the capacity of existing operational facilities would satisfy any identified need. There is also a requirement to consider the likely impact on the local environment and on amenity, and to ensure that waste management facilities in themselves are well-designed, so that they contribute positively to the character and quality of the area in which they are located.

Policy SP1 of the West Lancashire Local Plan refers to a sustainable development framework for West Lancashire. It advises that when considering development proposals there should be a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Furthermore, applicants should be worked with proactively to find solutions, which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy GN1 of the West Lancashire Local Plan refers to development and settlement boundaries and states that development proposals within the Green Belt will be assessed against national policy and any relevant local plan policies.



Policy GN3 concerns general criteria for sustainable development and states, among other things, that development should minimise the risk from all types of pollution and contamination.

Green Belt

The site is located in the Green Belt. Paragraph 142 of the National Planning Policy Framework states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.

Paragraph 143 of the National Planning Policy Framework explains that the purposes of including land in Green Belt includes checking the unrestricted sprawl of large built-up areas, preventing towns merging into one another, assisting in safeguarding the countryside from encroachment, preserving the setting and special character of historic towns, and assisting in urban regeneration.

Paragraph 152 of the National Planning Policy Framework advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 153 of the National Planning Policy Framework advises that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 of the National Planning Policy Framework advises that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt with a number of exceptions that are not relevant in this case.

Paragraph 155 of the National Planning Policy Framework advises that certain other forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. This includes, of relevance, material changes in the use of land.

The application is for a change of use of agricultural land for waste management operations and the siting of two small ancillary demountable containers for office and toilet use. The change of use of the land has already taken place and involves the sorting, processing and storage of waste materials, which would negatively impact on the openness of the green belt and would also conflict with the purposes of including land in green belt particularly in terms of encroachment in the countryside. On this basis the change of use is inappropriate development. Further, the proposed containers would also be representing inappropriate development on open land. The applicant has not demonstrated a quantitative or market need for the development at this location and the National Planning Policy for Waste advises that inappropriate waste management development in the Green Belt should be guided to locations outside the Green Belt. It is considered that there are no very special circumstances

to outweigh the harm to green belt to be able to support the development in this respect.

Agricultural Land

Policy EC2 of the West Lancashire Local Plan regarding the rural economy states that the irreversible development of open, agricultural land will not be permitted where it would result in the loss of the best and most versatile agricultural land, except where absolutely necessary to deliver development allocated within the Local Plan or strategic infrastructure, or development associated with the agricultural use of the land. The application site is Grade 1 agricultural land. Notwithstanding that the area is small, the application is for the change of use to a permanent waste management facility that would result in the loss of agricultural land, it is not allocated in the local plan for such use, and it is not for agricultural use. The application is therefore contrary to this policy.

Traffic

Paragraph 115 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The application site sits within an agricultural unit that is served by an existing access track to Gorst Lane. The track will have historically been used for agricultural and horticultural vehicles, but this use has declined. The applicant states that on average there are three small vans at the site each day (morning and evening). Additionally, a 32-tonne grab wagon makes 4-5 trips each day to the site.

Following the submission of swept path analysis to demonstrate the access would still be suitable for the safe passage of heavy goods vehicles and subject to access improvements, Lancashire County Council Highways Development Control raise no objection. If approved, conditions could be imposed for the sheeting and containment of vehicle waste loads and for a requirement to keep the highway free from debris and mud. It should be made clear at this point that there is no authorised access at Martin Lane/Merscar Lane, and the current site operator has been advised that this access cannot be used. This application for planning permission is fixed on access from Gorst Lane only.

Impact on local amenity and pollution control

Paragraph 191 of the National Planning Policy Framework states that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. New development should mitigate and reduce to a minimum the potential adverse impacts resulting from noise and avoid noise giving rise to significant adverse impacts on health and the quality of life.

Policy 194 of the National Planning Policy Framework states that the focus of planning policies and decisions should be on whether proposed development is an



acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities. The Environment Agency has raised no objection to the proposed development but has stated that the development will require an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2016.

Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan supports development for minerals or waste management operations where it can be demonstrated that all material, social, economic or environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels. In assessing proposals, account should be taken of the proposal's setting, baseline environmental conditions and neighbouring land uses, together with the extent to which its impacts could be controlled in accordance with current best practice and recognised standards.

Waste management operations at the site require an Environmental Permit from the Environment Agency and would be subject to further scrutiny, assessment and appropriate pollution controls as part of that process. On this basis it would be unnecessary to seek to impose specific pollution controls through the planning process. However, the nature of the operations taking place in the open in close proximity to neighbouring residents and other land users would be likely to lead to unacceptable disturbance and risk of dust pollution. Whilst controls could be imposed by planning conditions to restrict hours of operation, restrict areas and height of externally stored materials, and for the employment of dust mitigation measures for example, it is considered that such controls would not sufficiently mitigate the impacts. The applicant has not provided a noise assessment in support of the application. However, it is considered that a noise assessment would not be able to accurately predict the impact of short term intermittent and varied noise events given the nature of operations at the site and the proposal is therefore considered to be contrary to Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan

The site is relatively small, unsurfaced and distant from watercourses and there should be no reason to suggest that the site is a risk to local watercourses or Martin Mere Wetland Centre. Specific water pollution management controls would be covered under Environmental Permitting requirements and drainage and pollution control. In terms of surface water management, Lancashire County Council Lead Local Flood Authority has raised no issues given the development has minimal surface water implications.

Concerns have been raised about waste tipping on adjoining land adjacent to Langley Brook. This is not a material consideration for the assessment and determination of this application. However, the Environment Agency has investigated the site and are satisfied that the materials recently deposited for agricultural access and hardstanding pose no pollution risk.

Human Rights

The Human Rights Act 1998 requires the County Council to take into account the rights of the public under the European Convention on Human Rights and not to act in a manner incompatible with those rights. Article 1 of Protocol 1 states that an individual's peaceful enjoyment of their property shall not be interfered with except as is necessary, in accordance with the law and as is proportionate.

This application was it to be approved would be likely to generate a degree of impact on neighbouring properties, which would breach these rights. Although the applicant also has rights to use his land, it is considered that these rights are outweighed by the need to protect local amenity and the Green Belt.

Conclusion

This application is for waste management activities at an existing agricultural site that presents an opportunity for a local contribution towards policy aims of driving waste up the waste management hierarchy. However, the development is inappropriate in the Green Belt and the applicant has not demonstrated a quantitative or market need for the development at this location. It is considered that there are no very special circumstances to outweigh the harm to Green Belt and furthermore, the National Planning Policy for Waste advises that inappropriate waste management development in the Green Belt should be guided to locations outside the Green Belt.

The development involves the loss of Grade 1 agricultural land, which is contrary to Policy EC2 of the West Lancashire Local Plan.

Waste management activities at the site would be likely to have an unacceptable impact on neighbouring residents and land users in terms of noise, dust and general disturbance, contrary to the requirements of Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy GN3 of the West Lancashire Local Plan.

Overall, the proposal is considered to be unacceptable in terms of the policies of the National Planning Policy Framework and the policies of the Development Plan.

Recommendation

That planning permission be **refused** for the following reasons:

- (i) The development is inappropriate development in the Green Belt for which no very special circumstances by way of a quantitative or market need for the development at this location have been demonstrated sufficient to outweigh the harm to Green Belt by reason of inappropriateness. The development is contrary to the National Planning Policy Framework and National Planning Policy for Waste regarding protection of the Green Belt, and Policy GN1 of the West Lancashire Local Plan.
- (ii) The waste management operations would be likely to have an unacceptable adverse impact on the amenity of surrounding residents and land users by virtue of noise, dust and general disturbance contrary to Policy DM2 of the Joint



Lancashire Minerals and Waste Local Plan and Policy G3 of the West Lancashire Local Plan.

- (iii) The development involves the loss of grade 1 agricultural land contrary to Policy EC2 of the West Lancashire Local Plan.

Local Government (Access to Information) Act 1985
List of Background Papers

Paper	Date	Contact/Directorate/Ext
LCC/2023/0033	January 2024	Rob Hope Planning and Environment 01772 534159

Reason for Inclusion in Part II, if appropriate

N/A





**West Lancashire borough: application number LCC/2023/0033
Change of use from agriculture to waste management including the
sorting, storage and distribution of non-hazardous waste, and two
containers at Bank Farm, 40 Martin Lane, Burscough**

LCC/2023/0033

Site Location



Martin Lane

Merscar Lane

Merscar Brook

Waste management site

Access track

Gorst Lane



LCC/2023/0033
Aerial view (2023)

Merscar Lane

Martin Lane

Merscar Brook

Waste management site

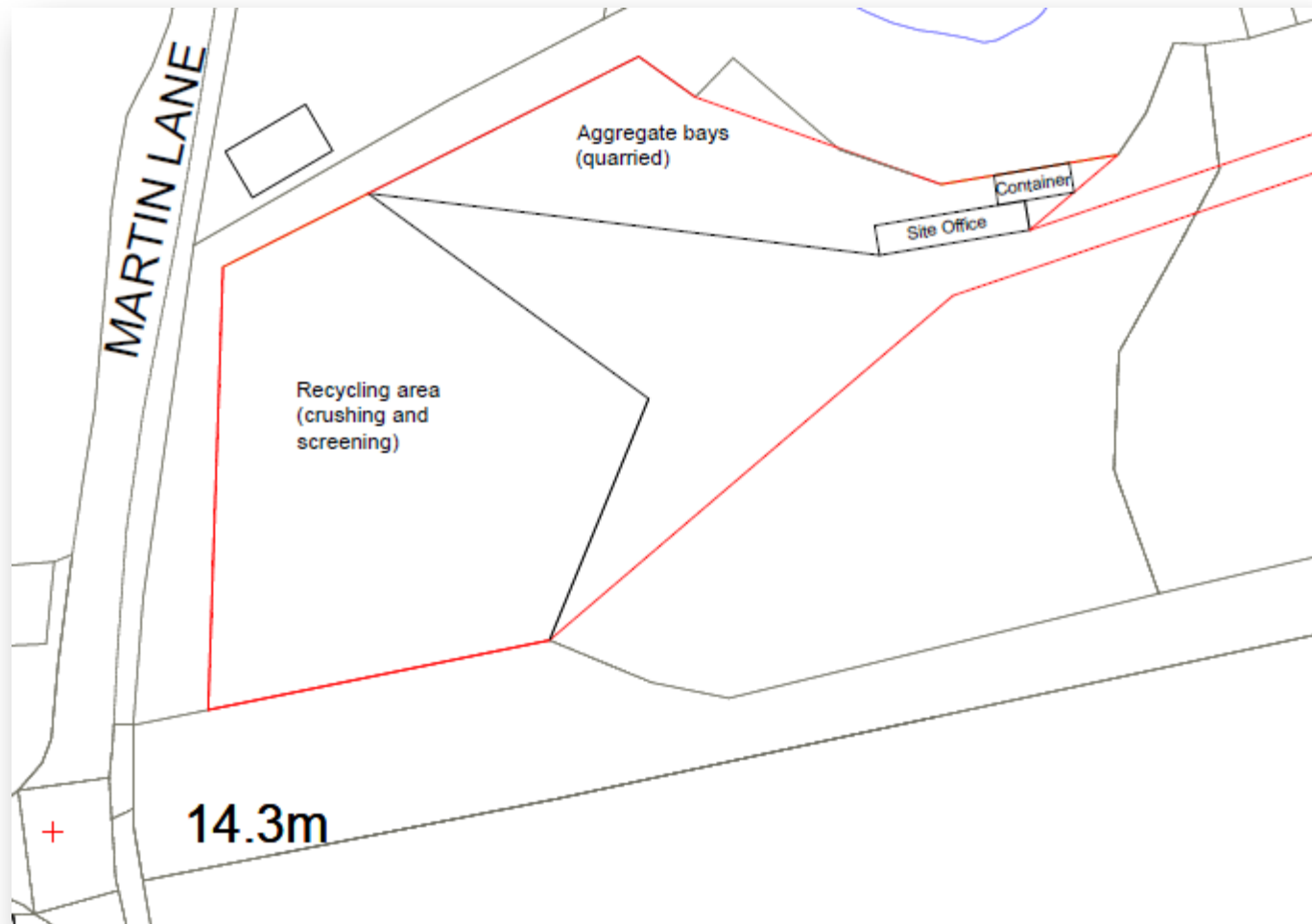
Access track

Gorst Lane



LCC/2023/0033

Site Layout





Waste management area



Access track



Gorst Lane (East)



Gorst Lane (west)



View of site from Martin Lane

Development Control Committee
Meeting to be held on 17 January 2024

Electoral Division affected:
Preston South West

Preston City: Application LCC/2023/0029
Extension to existing school to include 4 no. new classrooms, WC's, hygiene room and corridor. Lea Community Primary School, Greaves Town Lane, Preston

Contact for further information:
Helen Ashworth, 01772 530084, Senior Planner
Devman@lancashire.gov.uk

Brief Summary

Application - Extension to existing school to include 4 no. new classrooms, WC's, hygiene room and corridor. Lea Community Primary School, Greaves Town Lane, Preston.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, matching materials to be used, highway matters, the provision of a planting scheme along the site boundary and a surface water drainage strategy to be submitted and approved.

Applicant's Proposal

Planning permission is sought for the erection of a single storey extension to the existing school that would provide an additional four classrooms, toilets and plant room. The extension would have a footprint of approximately 35m by 11.9m. There is a difference in ground levels across the site which results in the maximum ridge height (when measured at the adjacent ground level) varying from 7.5m at the north east gable and 6.9 m at the south west gable.

The extension would have a dual pitched roof with external elevations constructed from facing brickwork to match the existing building (buff colour) with a tiled pitched roof also to match the existing school (dark grey), with solar panels on the south facing roof slope only. Windows would be white UPVC with doors in powder coated aluminium in Yellow Green (RAL 6018) colour.

The proposed extension would be located within the existing school grounds to the north of the existing school building and playground. It would be linked to the eastern

most wing of the existing school building by a 1.34m long corridor. The proposed extension would result in the school buildings forming a courtyard around the existing key stage 2 playground.

Description and Location of Site

The proposed development would be located within the grounds of Lea Community Primary School. The school is located off Greavestown Lane within a predominantly residential area, approximately 3km to the west of Preston City Centre. The proposed extension would be situated to the north of the main school building, adjacent to the existing key stage 2 playground.

The site of the proposed extension is currently a grassed area with trees and shrubbery along the school boundaries. The proposal would require the relocation of an existing trim trail further to the west of the grassed area to the north of the school, close to its current location.

To the north of the site are residential properties on Blackpool Road, to the east are residential properties on Greavestown Lane, to the south are residential properties on Westerlong and to the west are residential properties on Thorntrees Avenue. The boundary of the nearest residential property (no. 795 Blackpool Road) is approximately 6.97m from the proposed extension at its closest point.

History

The following permissions have been granted at the school:

LCC/2023/0028: Creation of new 325 sq m tarmac playground and new tarmac car park to the north of the school utilising the existing school entrance to provide an additional 11 car parking spaces. Approved 14 November 2023.

Ref 06/09/0839: Construction of new early years play area including two storage sheds, path, Clatter Bridge and two seating areas. Approved 27 January 2010.

Ref 06/05/1167: Construction of new sports area enclosed by 3m high ball court fencing. Approved 2 December 2005.

Ref 06/05/0792: Construction of new sports area enclosed by 3m high ball court fencing. Approved 15 September 2005.

Ref 06/05/0425: Proposed play area, secure store, landscaping and security fencing and gates. Approved 27 June 2005

Planning Policy

National Planning Policy Framework (2023)

Paragraphs 11-14, 99, 102-107 and 131-141 are relevant in terms of the presumption in favour of sustainable development, the requirement for educational development, protecting open spaces and the need for high standards of design.



Central Lancashire Core Strategy (adopted 2012)

Policy 1: Locating Growth
Policy 17: Design of New Buildings
Policy 29: Water resources

Preston Local Plan 2012-2026 (adopted 2015)

Policy ST1: Parking Standards
Policy AD1: Development within (or in close proximity to) the Existing Residential Area
Policy EN9: Design of New Development

Consultations

Preston City Council: No objections to the proposals. The application site is identified as being within an existing residential area as defined by Policy AD1(a) within the Policies Map of the Adopted Preston Local Plan 2012-2026.

Lea Parish Council: No comments received.

Sport England: No objections as the proposal is considered to meet exception 3 of the Playing Fields Policy (the proposed development only affects land incapable of forming part of a playing pitch) and accords with Paragraph 99 of the National Planning Policy Framework.

Lancashire County Council Highways: No objections to the proposals. It is recommended that a condition is imposed requiring wheel cleaning measures to be put in place for the duration of construction activities.

United Utilities: No objection. A condition requiring the details of a sustainable urban drainage scheme and a foul water drainage scheme to be submitted and approved prior to the commencement of development is requested.

Representations – The application has been advertised by site notice, and neighbouring residents informed by individual letter. Six letters of objection from three separate respondents have been received, making the following comments:

- There are problems with parking on Westerlong at drop off and pick up - if the school expands it will mean even more cars parking. Is it possible to put some parking restrictions on the road or lines painted across fronts of driveways to stop cars blocking access?
- Parking is very bad on Greavestown Lane and Westerlong at school pick up and drop off as cars park along both sides of the roads.
- The classroom windows will be facing my garden and upstairs bedroom window.
- The new temporary classrooms would look directly into the into the 1st floor windows of nos 789, 791, 793 and 795 Blackpool Road. This would be a complete invasion of privacy.
- Screening should be installed as a matter of urgency.



- When the temporary buildings were erected, asbestos was removed causing dust and disturbance with no consideration for neighbours' safety and wellbeing.
- There is no mention of screening or consideration for the closeness to the properties on Blackpool Road on the new plans.
- The school have failed to consult with local residents and not responded to polite requests.
- Although the law requires residents to be consulted there is no guarantee that any representations will be considered.
- There has been no consideration for anyone with any health condition, nor was the noise and disruption of works being carried out late into the evening considered by the school.
- The revised plans still have four classrooms looking straight into my home. Has no consideration been made to amend the plans by placing the classrooms, so they overlook the playground rather than the adjacent houses.
- There is no mention that the proposed new building means that a previous play area for physical activities has now been lost. There is plenty of space elsewhere on the school grounds that is not so close to properties on Blackpool Road.
- There has been total disregard for neighbours' health and safety during works to date and no communication from contractors.
- The existing security lighting is excessive and an intrusion of the light pollution into my property.

Two of the respondents have also raised concerns about the increased number of rats appearing in their gardens in recent months (especially during work on the drains).

Advice

The main issues in determining the proposal are principle of the development, impact on the amenity of local residents, loss of open space/playing pitches, highway safety and design and appearance.

Principle of the development

Planning permission is sought for the erection of a new single storey extension that would provide an additional four classrooms at Lea Community Primary School. Lea Community Primary school is a community school for children aged 5 to 11. There are presently around 270 pupil places at the school.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. In considering the issues that arise from the proposed development, it is necessary to take into consideration the relevant policies of the Development Plan and the planning history of the site and all other material planning considerations. Government policy is a material consideration that should be given appropriate weight in the decision-making process. The Development Plan for the site is made up of the Central Lancashire Core Strategy and the Preston Local Plan.

Paragraph 99 of the National Planning Policy Framework (NPPF) states that the Government attaches great importance to ensuring that a sufficient choice of school places are available to meet the needs of existing and new communities and that Local Planning Authorities should give great weight to the need to expand schools.

The application site is an existing primary school within the settlement boundary of Preston. There are currently 270 pupils on roll, and this is due to increase to 420 in the medium to longer term. There will also be an increase in staff numbers from 41 to 55.

Lancashire County Council (LCC) has a statutory duty to ensure that a primary or secondary school place is available for every child of statutory school age living in Lancashire who requests one.

On 6 October 2022 Lancashire County Council's Cabinet approved an updated School Place Planning Delivery Programme 2023-25, which includes the provision of additional primary places in future years in Preston. The School Place Planning Delivery Programme identifies the need for a one form entry (30 places) temporary expansion from September 2023, and a one form entry permanent expansion from September 2024.

At its meeting in February 2023, Lancashire County Council's Cabinet approved the proposal to permanently expand Lea Community Primary School by one form of entry, by increasing the published admission number from 30 to 60 with effect from 2023/24, gradually increasing the school's capacity from 210 to 420.

The temporary expansion has been accommodated by locating two demountable classroom units on the Lea Primary School site with the current planning application designed to provide for the permanent expansion. In the longer term, there is potential for a further 647+ houses to yield approximately 110 to 246 additional pupils beyond 2026 which will require a further new school in this area of Preston.

The application site is an existing primary school within the Preston Urban Area where Policy 1 of the Core Strategy seeks to concentrate growth and investment. It is also within the existing residential area of Preston (as defined by policy AD1 (a) of the Preston Local Plan). Policy AD1(a) seeks to ensure the full utilisation of land and buildings within the main urban area, whilst protecting the character of the urban area.

The proposal would therefore meet the aim within Paragraph 99 of the National Planning Policy Framework (NPPF) in relation to the provision of an adequate level of school places and it is considered that there is a local need for this development. It is also considered that the school is located within a sustainable location and the proposal also accords with the presumption in favour of sustainable development.

Amenity

The National Planning Policy Framework (NPPF) states that developments should provide a high standard of amenity for existing and future users.



The application site is identified as being within an Existing Residential Area as defined by Policy AD1(a) of the Preston Local Plan. The impact of development proposals on residential amenity will be a principal consideration in determining planning applications in these areas. This policy states that development will be permitted, provided that:

- a) the design and scale of development is sensitive to, and in keeping with, the character and appearance of the area;
- b) there would be no adverse impact on residential amenity, particularly by reason of noise, general disturbance and loss of privacy due to the activity under consideration or the vehicular/pedestrian movement it generates;
- c) the proposal would not lead to an over-concentration of non-residential uses, detrimental to residential character and amenity, and;
- d) the proposal would not lead to an over-intensification of use of the site.

Preston Council have also adopted a supplementary planning document on Residential Extensions and Alterations, and although the current proposals relate to a non-residential extension, it provides useful guidance on acceptable separation distances between development. It states that the separation distance between windows to habitable rooms (such as living rooms, dining rooms, bedrooms and studies) should be a minimum of 21 metres where two habitable rooms face each other such that direct overlooking is possible.

Six letters of objection have been received from local residents several of which raise concerns regarding the impacts of the proposals on the amenities of neighbouring properties on Blackpool Road. During the course of the application the proposal has been amended to reduce the number of classrooms from five to four. This has had the effect of reducing the footprint of the proposed extension (from 42.8m by 12m to 35m by 11.9m). The location of the extension has also been moved further from the boundary with the properties on Blackpool Road (the minimum distance increasing from 5.38 to 6.97m).

The applicant has also provided the following information to explain the rationale for the location of the proposed extension:

- The location of the extension is to ensure that the existing playing fields and the hard play area were left intact.
- The difference in levels from the front of the building to the rear has guided the layout.
- The orientation of the building (classrooms at the rear and corridor at the front) ensures the fire exits to the building are leading to the playground and can provide level access. If the building layout was changed with the classrooms facing onto the playground and the corridor facing the houses, this would result in the exits being at the back, and there is a significant difference in level of over one metre, which would lead to ramps and platform areas being required. This would move the footprint of these closer to the boundary, thereby impacting more on the neighbouring houses.
- Exits at the rear would likely result in more noise to neighbouring houses when the children are exiting the building.

- A corridor at the rear of the building would also result in the building needing to be lengthened to form a through corridor from the new link (to the right of the hygiene room and plant room) which would move the building into the Multi use games area.
- Classrooms having separate exits onto the playground would result in a security and safeguarding issue, with the children having to access other areas of the school (dining hall/library etc) via an external route. The design as it stands provides a secure route from the new classrooms to other areas of the school.

In response to the objections received following the receipt of amended plans the applicant has made the following comments:

- The parking issues on Greavestown Lane and Westerlong will be improved with the formation of the new carpark as this will provide extra parking for the school staff and visitors.
- A screening plan will be drawn up by the landscape architect which will address the boundary to the properties on Blackpool Road.
- The building has been moved further away from the boundary in consideration of the proximity and overlooking of the classroom windows.
- The contractor has been contacted regarding the issue with the rats and they will continue to liaise with the school on this matter.

At present the closest part of the existing school building is approximately 17.4m from the boundary with residential properties on Blackpool Road and although there are a large number of windows facing properties on Blackpool Road, there are presently none serving classrooms in the north facing elevations of the school buildings that directly overlook the residential properties on Blackpool Road.

The proposed extension would be 6.97m from the rear garden boundary of properties on Blackpool Road at its closest point. The first-floor rear elevations of the properties on Blackpool Road are approximately 18m from the boundary with the school, and a number of properties have single storey extensions with ground floor windows facing the school also. The closest property, no. 795 Blackpool Road has a first-floor window approximately 26.8m from the proposed extension and a ground floor window approximately 22m from the extension. It should be noted that the proposed classroom would lie at an angle to the rear boundary of the properties and therefore is at its closest at the eastern end with a greater separation distance to properties further to the west. The impact on properties on Blackpool Road would be exacerbated by the difference in levels, with the school buildings being at a slightly higher ground floor level than those of the adjacent properties.

Existing boundary treatments between the school and residential properties on Blackpool Road currently comprise an array of close boarded fencing that varies in height and design at individual properties and existing mature trees and shrubbery, on both sides of the boundary. The existing trees and shrubbery do provide a degree of screening along the boundary, but this is not consistent and varies from property to property. The applicant has indicated that they are willing to provide additional screening in the form of planting along the boundary with Blackpool Road. This could be secured by condition.

It is acknowledged that there will be some impact on the amenities of neighbouring residents of Blackpool Road as a result of the proposals. The proposed extension would introduce a degree of overlooking that does not presently exist by introducing windows that directly serve classrooms into the northern elevation of the school. It would also bring the school buildings closer to the boundary, creating the potential for an overbearing and over shadowing impact, to the south of the residential properties. The increased intensity of use of the school grounds could also impact on the amenities of neighbouring residents although it should be recognised that there is already a playground and trim trail to the rear of the properties. It must therefore be considered whether this impact would be so great as to warrant refusal of the proposals.

It is also important to note the fallback position that schools have extensive permitted development rights under the provisions of Schedule 2, Part 7, Class M (extensions for schools, colleges, universities, prisons and hospitals) of the Town and Country Planning (General Permitted Development Order) 2015 (as amended). The proposal requires a planning application due to its proximity to the boundary and its height but an extension of significant size and scale, overlooking Blackpool Road, could be constructed under the above permitted development rights subject to certain conditions.

The site is an existing school, with buildings and windows that presently overlook neighbouring residents. The grounds of the school where the building is to be located are utilised already by the school for outdoor recreation and education purposes. The extension has been located to avoid the loss of playing fields in accordance with national planning policies. The amendments to the scheme have reduced the size and scale of the extension, and also the number of proposed windows. The separation distance between the proposed classroom windows and existing residential windows would meet Preston Council Standards for separation between residential developments. The school buildings are also not occupied for large parts of the day and at weekends. Additional screening planting along the boundary could be secured by condition. Taking into consideration all of the above matters and the great weight that should be attached to the need for additional school places, it is considered that on balance the proposal would comply with national and local planning policies that seek to protect residential amenities and that a refusal on this basis could not be sustained.

The two temporary classrooms that have been recently erected at the school are permitted development under Schedule 2, Part 7, Class M (extensions for schools, colleges, universities, prisons and hospitals) of the Town and Country Planning (General Permitted Development Order) 2015 (as amended) and therefore do not require planning consent.

The issues with regards to asbestos removal and rats have been raised with the applicant to liaise with the site contractors.

Loss of open space

Paragraph 103 of the National Planning Policy Framework (NPPF) states that existing open space, sports and recreational grounds should not be built on unless an assessment has identified that the open space is surplus to requirements, the



loss would be replaced, or the development is for alternative sports and recreation provision, the benefits of which clearly outweigh the loss of the current or former use.

Sport England have a statutory remit to protect playing fields. Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless it meets a number of exceptions.

Sport England have advised that they consider that the proposal would meet exception 3 of the playing fields policy, in that the proposed development would affect only land incapable of forming part of a playing pitch and does not:

- *reduce the size of any playing pitch;*
- *result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);*
- *reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;*
- *result in the loss of other sporting provision or ancillary facilities on the site; or*
- *prejudice the use of any remaining areas of playing field on the site.*

The proposed development would be located on a grassed area north of the existing school buildings and the key stage 2 playground. The location presently accommodates a trim trail. This would be relocated further to the west. The school also has significant grassed areas and playing fields to the south of the existing buildings. The site of the proposed extension is not protected by any special designation in the Preston Local Plan and is not considered to form part of the existing school playing pitch provision. The erection of the extension in this location would therefore accord with local and national planning policies to protect open spaces and playing pitches. Furthermore, the benefits of the proposals in the form of increased school place provision are considered to be significant.

Highway Safety

Policy ST1 of the Preston Local Plan states that development proposals should provide car parking spaces in accordance with parking standards set out in the Local Plan. The adopted standards require two car parking spaces per classroom for schools. The school presently has 22 car parking spaces and approximately 15 classrooms (plus two temporary classrooms). The proposed extension would result in an additional four classrooms being provided at the school. The extension would result in a total of 19 permanent classrooms at the school and therefore a parking requirement of 38 spaces. Planning permission was granted for 11 further parking spaces at the school in November 2023. This development is not yet under construction, but it is understood that this work is likely to be commenced during the construction of the proposed extension should permission be granted.

The total number of spaces would therefore be less than required by the parking standards in Policy ST1, and the comments of the neighbouring residents are noted. However, Lancashire County Council Highways have commented that there are no known highway issues at the site and that there have not been any recorded accidents on Greaves Town Lane in the vicinity of the site within the last five years. The access to the site is considered to be of a good standard and therefore



Lancashire County Council Highways are of the opinion that the proposals should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site, and therefore they raise no objections to the proposals.

The application site is considered to be in a sustainable location, close to Preston City Centre, the residential area it serves and public transport routes. As no objections have been raised by Lancashire County Council Highways, it is considered that a refusal on highway safety grounds could not be sustained. The National Planning Policy Framework (NPPF) states that development should only be prevented or refused on highway safety grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Lancashire County Council Highways have also recommended that a condition is imposed requiring wheel cleaning to take place during the construction period. This is considered to be reasonable.

Design and appearance

Policy AD1 (a) of the Preston Local Plan states that development will be permitted provided that the design and scale of development is sensitive to, and in keeping with, the character and appearance of the area. Policy EN9 of the Preston Local Plan also states that new development should take the opportunity to make a positive contribution to the character and local distinctiveness of the area through high quality design.

The external elevations of the proposed teaching block would be constructed of facing brickwork to match the existing school. The roof, doors and windows would also match the existing building. The school is located within a predominantly residential area. Neighbouring properties are predominantly two storey or dormer bungalows, with red brick and render the predominant materials, although there is some variety.

The proposed extension would be approximately 70m from Greavestown Road to the east. There is some existing shrubbery and planting along the boundary. There would be some limited views of the proposals from outside of the site and they would be viewed against the existing backdrop of school buildings. The proposals are considered to be in keeping with the design and building materials of the existing school. Visual impacts on neighbouring residents are considered above.

Drainage

The application site is not within an area at risk of flooding from rivers and the sea or at risk from surface water flooding. United Utilities (UU) have not raised any objections to the proposals and have recommended that conditions are imposed regarding the submission and implementation of a surface water drainage system.

Conclusions

It is considered that this is a finely balanced decision. The proposed extension would result in the school buildings moving closer to neighbouring residents than is



presently the case and the number of windows directly serving classrooms and overlooking the neighbouring properties would increase significantly. However, the proposals have been amended in order to try and mitigate these impacts and the separation distances would still accord with those in the City Council's Supplementary Planning Guidance.

The site is an existing school which already gives rise to noise and disturbance. This area of the school grounds is already used as a play area. It is also important to consider the clear guidance in the National Planning Policy Framework at Paragraph 99 that states that local planning authorities should take a proactive, positive and collaborative approach to meeting the requirement for a sufficient choice of school places. They should give great weight to the need to create, expand or alter schools in decision making.

Taking all of the above matters into consideration the proposal is recommended for approval, subject to conditions requiring matching materials to be used, the provision of a planting scheme along the site boundary and a surface water sustainable urban drainage strategy to be submitted and approved.

In view of the size and scale of the proposed development it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Recommendation

That planning permission be **granted** subject to the following conditions:

Time Limits

1. The development shall commence not later than three years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1)(a) of the Town and Country Planning Act 1990.

Working Programme

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:
 - a) The Planning Application received by the County Planning Authority on 01 August 2023 (as amended by the email from Suzanne O'Loughlin dated 20th December 2023).
 - b) Submitted Plans and documents:

Drawing No. P2-00-DR-A-40_50_63-0001 rev. S4-P02 Site Location Plan (received 20/12/2023)

Drawing No. P2-ZZ-DR-A-40_50_63-0002 rev. S4-P01 Site Plan Existing (received 01/08/2023)

Drawing No. P2-ZZ-DR-A-40_50_63-0003 rev. S4-P03 Site Plan Proposed (received 20/12/2023)



Drawing No. P2-ZZ-DR-A-40_50_63-0005 rev. S4-P02 Proposed Floor Plan (received 20/12/2023)

Drawing No. P2-XX-DR-A-40_50_63-0008 rev. S4-P02 Proposed Elevations (received 20/12/2023)

Reason: To minimise the impact of the development on the amenities of the area and to conform with Policies 1 and 17 of the Central Lancashire Core Strategy and Policies ST1, AD1 and EN9 of the Preston Local Plan.

Safeguarding of Watercourses and Drainage

3. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the County Planning Authority. The drainage scheme shall include:
 - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
 - (ii) A restricted rate of discharge of surface water agreed with the county planning authority (if it is agreed that infiltration is discounted by the investigations);
 - (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
 - (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
 - (v) Foul and surface water shall drain on separate systems.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The drainage shall be constructed in accordance with the approved scheme prior to the bringing into use of the development and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution and in accordance with Policy 29 of the Central Lancashire Core Strategy.

4. No construction development, delivery or removal of materials shall take place outside the hours of:

08.00 to 17.30 hours Monday to Friday (except Public Holidays),
08.30 to 13.00 hours on Saturday.

No construction development, delivery or removal of materials shall take place at any time on Sundays or Public Holidays.



Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy EN9 of the Preston City Local Plan.

Building Materials

5. The building materials used for the external elevations and roof of the extension shall match those used on the existing building.

Reason: In the interests of the visual amenities of the area and to conform with Policies AD1(a) and EN9 of the Preston Local Plan.

Highway Matters

6. Measures shall be taken throughout the period of construction works to ensure that no mud, dust or other deleterious matter is deposited on the public highway by heavy goods vehicles (HGVs) leaving the site.

Reason: To prevent stones, mud and debris being carried onto the public highway to the detriment of road safety and in accordance with Policy AD1 (a) of the Preston Local Plan.

Landscaping

7. No development shall take place until a scheme and programme for the landscaping of the area between the proposed development and the houses on Blackpool Road has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall include details of the planting of tree and shrubs including numbers, types and sizes of species to be planted, location and layout of planting areas, protection measures and methods of planting.

The approved landscaping works shall be undertaken in the first planting season following the completion of the development and shall thereafter be maintained for a period of five years including weed control, replacement of dead and dying trees and maintenance of protection measures.

Reason: In the interests of visual and local amenity and the local environment and to conform with Policy 17 of the Central Lancashire Core Strategy and Policy EN9 of the Preston City Local Plan.

Local Government (Access to Information) Act 1985
List of Background Papers

Paper	Date	Contact/Directorate/Ext
LCC/2023/0029	January 2024	Helen Ashworth Planning and Environment 01772 530083

Reason for Inclusion in Part II, if appropriate

N/A





Planning Application LCC/2023/0029

Extension to existing school to include 4 no.
new classrooms, W.C.'s hygiene room and
corridor

Lea Community Primary School, Greaves
Town Lane

Planning application LCC/2023/0029: Site Location Plan

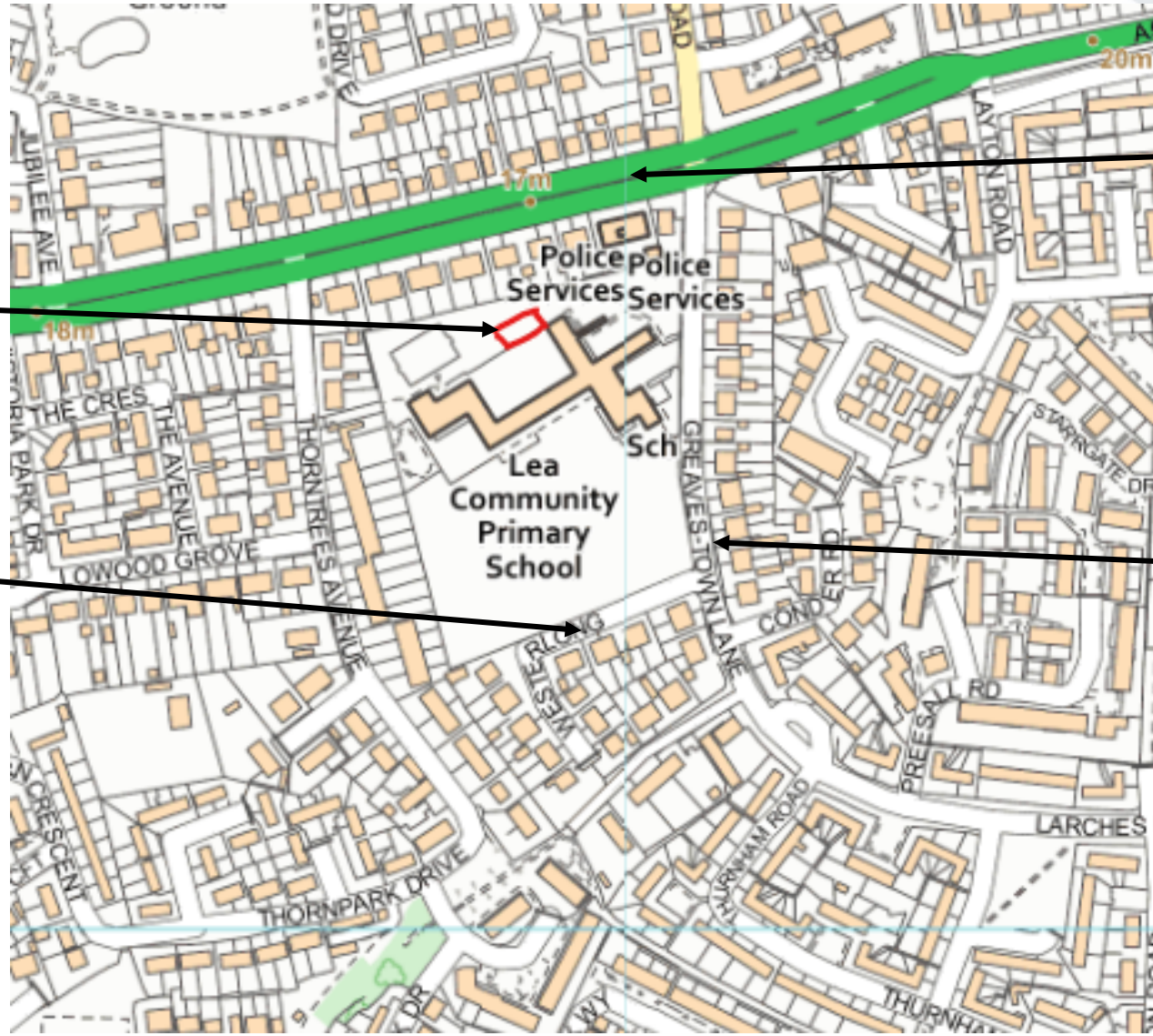
Page 80

Application site

Westerlong

Blackpool Road

Greaves Town Lane



Planning application LCC/2023/0029: Site Location Plan

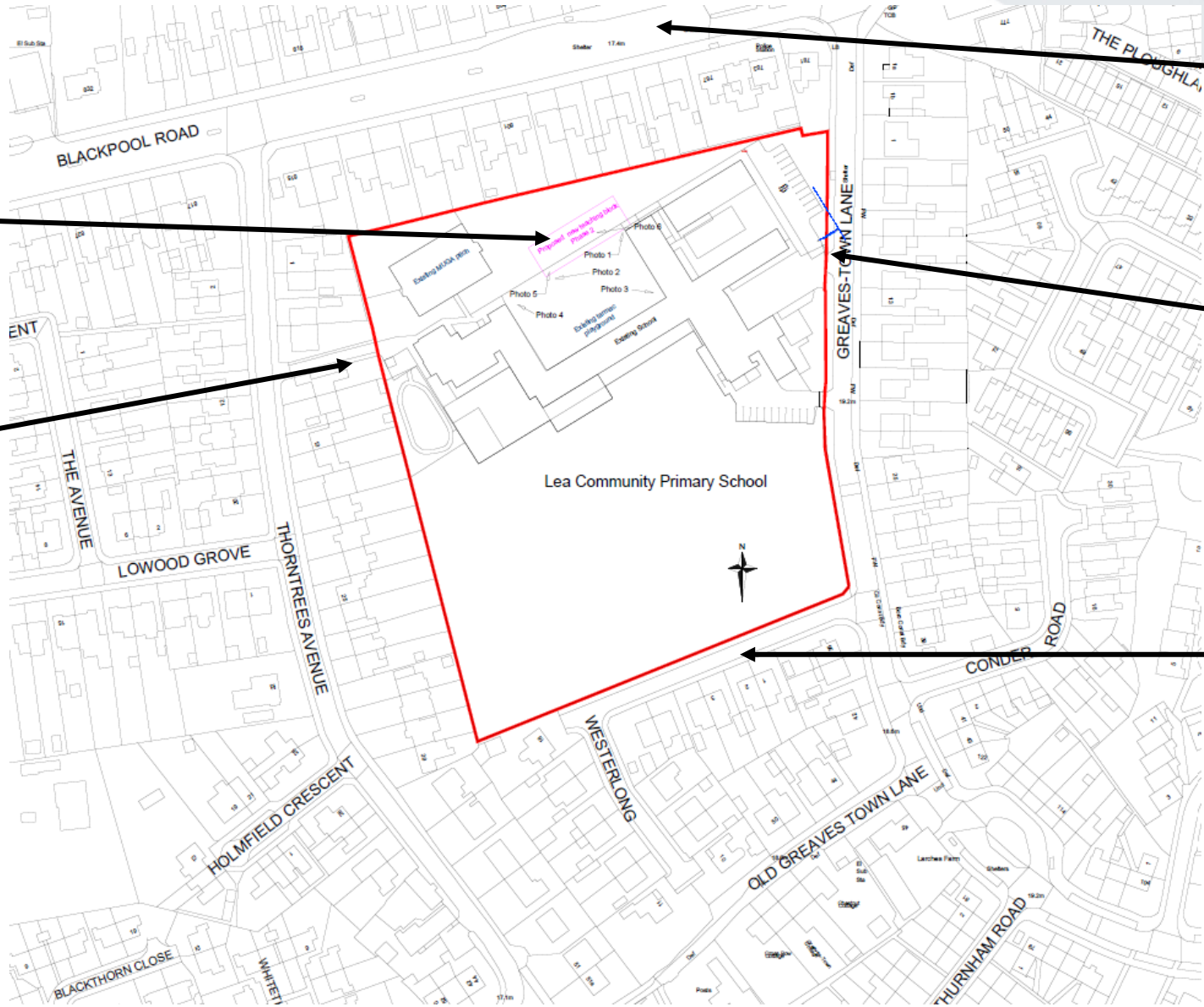
Proposed building

Access for construction vehicles

Blackpool Road

Main school entrance

Westerlong



Planning application LCC/2023/0029: Aerial View

Blackpool Road

Proposed extension

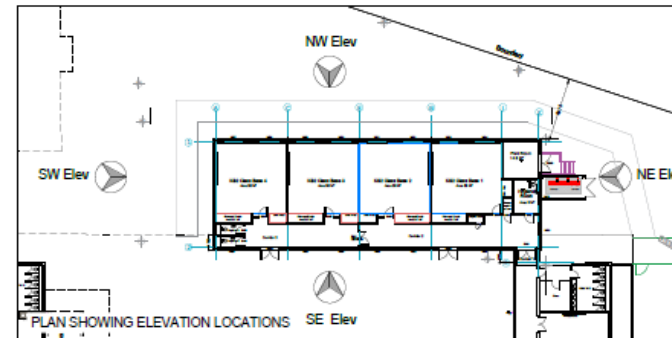
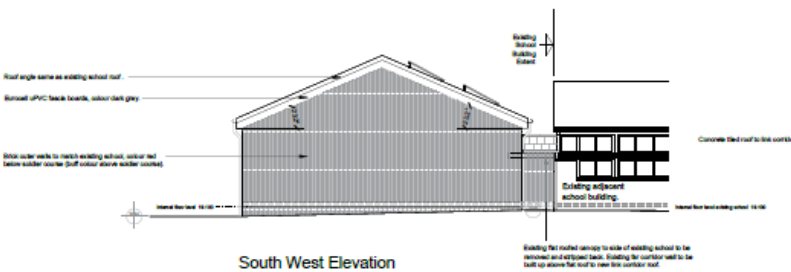
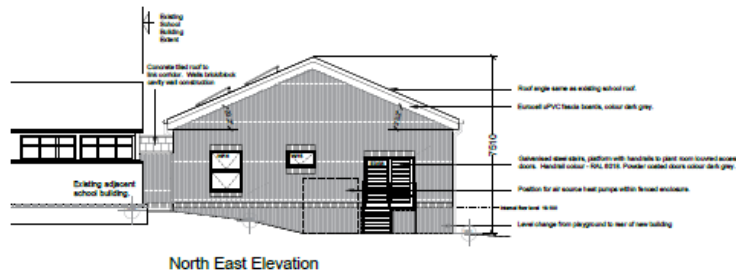
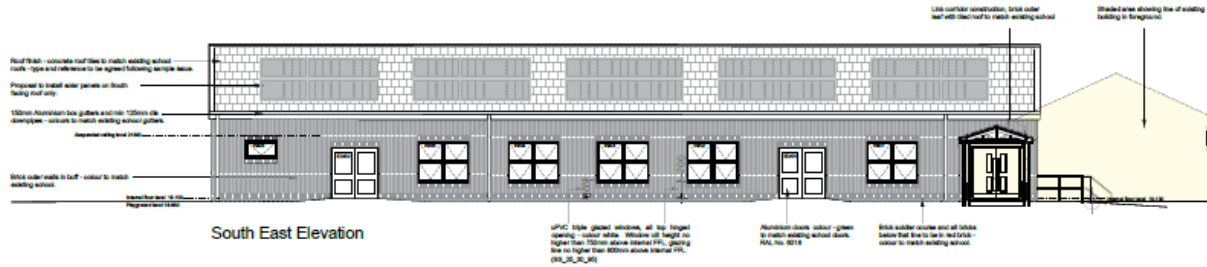
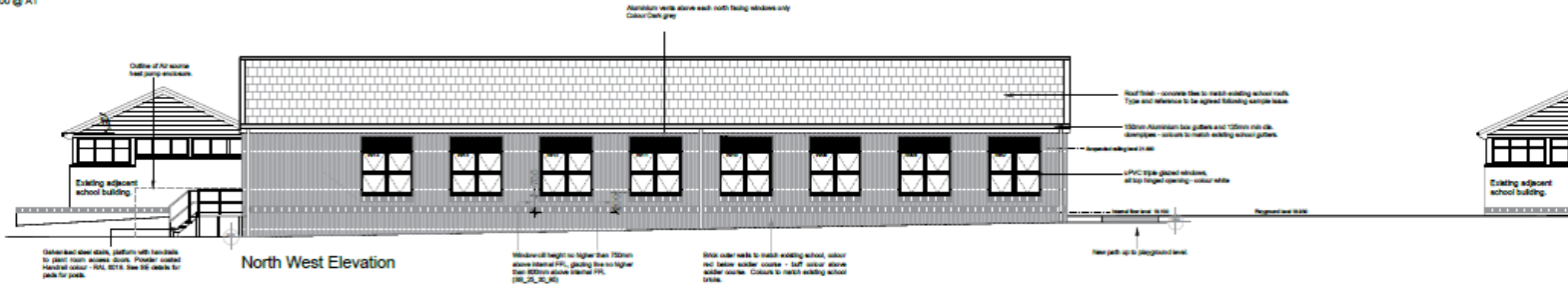


Planning application LCC/2023/0029: proposed site layout

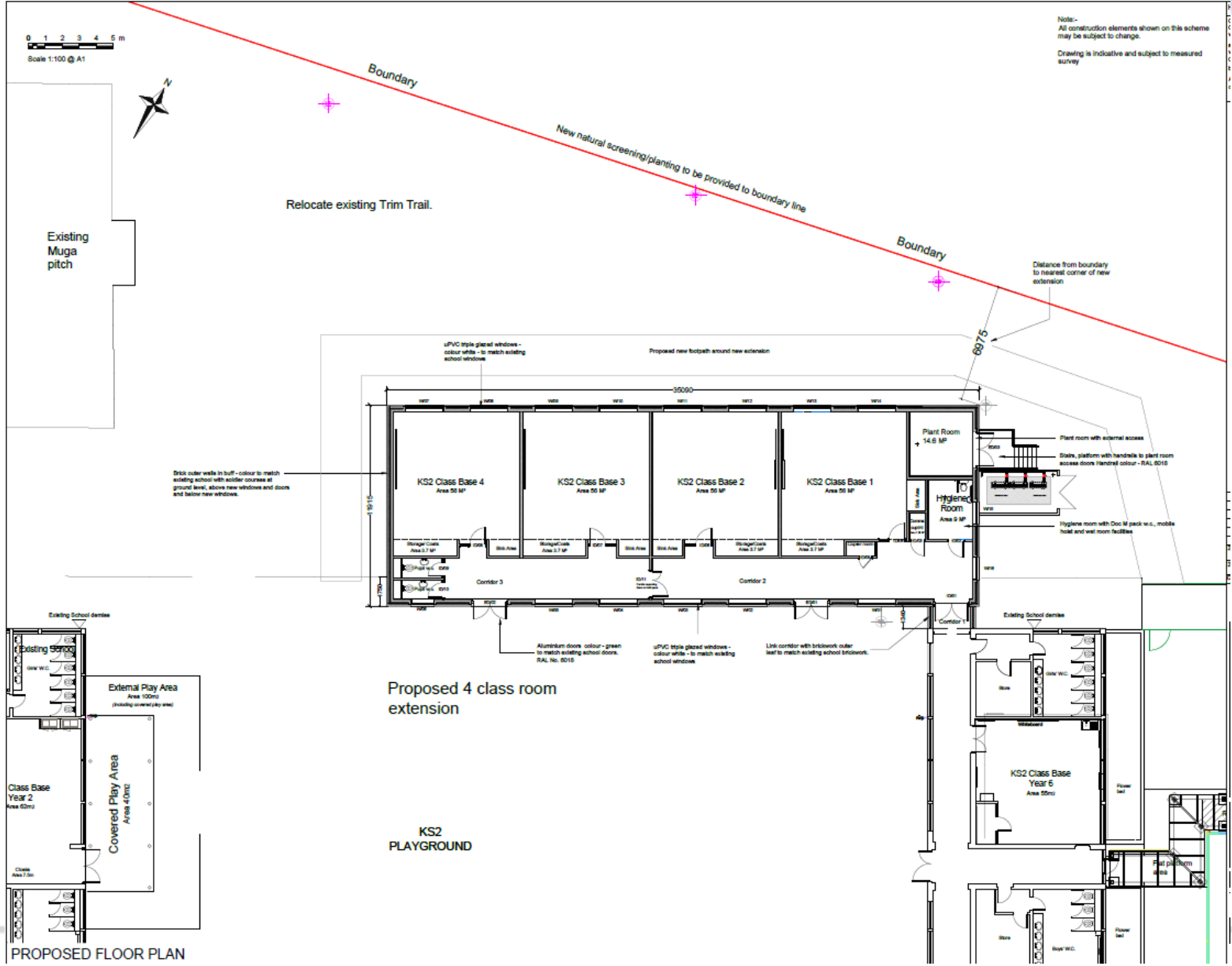


Planning application LCC/2023/0029: proposed elevations

Scale 1:100 @ A1



Planning application LCC/2023/0029: proposed floor plans



Planning application LCC/2023/0029: existing school building rear elevation

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Planning application LCC/2023/0029: view towards rear of properties on Blackpool Road (towards north and north east)



Planning application LCC/2023/0029: View towards north west



(from Google Street View)

Planning application LCC/2023/0029: View from rear of property on Blackpool Road towards application site

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From rear garden



From first floor window



Development Control Committee
Meeting to be held on 17 January 2024

Electoral Division affected:
All

Decisions taken on development control matters by the Director of Environment and Planning in accordance with the County Council's Scheme of Delegation

Contact for further information:
Steph Bullock 01772 534129, Planning Technician
devman@lancashire.gov.uk

Brief Summary

Decisions taken on development control matters by the Director of Environment and Planning in accordance with the County Council's Scheme of Delegation.

Recommendation – Summary

That the report be noted.

Since the last meeting of the Development Control Committee on the 6 December 2023, the following decisions have been taken on development control matters by the Director of Environment and Planning in accordance with the County Council's Scheme of Delegation:

Fylde

Application: No. LCC/2018/0019/1
Westby Landfill Site Annas Road Westby with Plumpton
Compliance with condition 4 (phased infilling of site), condition 5 (final tipping levels), condition 12 (details of road to be hard surfaced and timescales) and condition (27 final restoration details) of permission LCC/2018/0019.

Preston

Application: No. LCC/2023/0038
County Hall, Pitt Street, Preston
Demolition of existing (not original) flat roof dormers on the north and west existing elevations and replace with pitched slate roof to match existing.

Chorley

Application: No. LCC/2023/0034

Shore Road, Junction with Chapel Road, Hesketh Bank

Regulation 77 application for the installation of a new precast outfall unit into Dunkirk Dib and laying of a new 300mm sewer across field and highway connecting into the existing network.

Application: No. LCC/2022/0042NM1

Park Hall Road, Heskin, Chorley

Non-material amendment to extend the Saturday working hours from the approved 8am till 1pm to 8am till 5pm.

Recommendation

That the report be noted.

List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A

