

## Lancashire County Council

### Development Control Committee

Wednesday, 25th May, 2016 at 10.00 am in Cabinet 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** (Pages 1 - 6)

The committee are asked to agree that the Minutes of the last meeting held on 9 April 2016 be confirmed and signed by the Chair.
4. **Chorley Borough: application number LCC/2015/0069** (Pages 7 - 30)

**Revised working scheme including amended levels and extension of the mineral extraction and landfill areas at Clayton Hall Landfill Site, Dawson Lane, Whittle Le Woods**
5. **Fylde Borough: Application number LCC/2016/0014** (Pages 31 - 44)

**Change of use of land and building as an extension to the existing adjacent waste transfer station and for the storage of skips (Retrospective application). Land at Lidun Park Industrial Estate, off Boundary Road, Lytham.**
6. **South Ribble Borough: application number. LCC/2016/0025** (Pages 45 - 52)

**Proposed roof alteration to house additional tanks at 117-118 Clydesdale Place, Moss Side Industrial Estate, Leyland.**

- 7. Ribble Valley Borough: application number. LCC/2016/0027** (Pages 53 - 62)  
**Importation and processing of construction and demolition waste including road planings and reclaimed asphalt pavement (RAP) including the regularisation of the RAP hopper. Bankfield Quarry, Pimlico Link Road, Clitheroe.**
- 8. Preston City: application number. LCC/2016/0029** (Pages 63 - 74)  
**Application for the removal of condition 4 and the variation of condition 5 of permission 06/12/0695 to remove the restriction on opening hours of the visitor centre and to allow amplified music within the building from 9am to 1am Mondays to Sundays. Brockholes Nature Reserve, Preston New Road, Samlesbury**
- 9. South Ribble Borough: application number LCC/2016/0035** (Pages 75 - 80)  
**Variation of condition 1 of permission 07/11/0739 to allow the development to continue until 01 June 2031 and variation of condition 26 of permission 07/11/0739 to allow site operations from 06.30am Mondays to Fridays, in relation to the extraction of sand and restoration to agricultural land by the importation of waste at Lydiate Lane Sand Quarry, Lydiate Lane, Farington, Leyland.**
- 10. Chorley Borough: Application number. LCC/2016/0037** (Pages 81 - 84)  
**Proposed new three form entry primary school for pupils aged 4-7 including single storey building, car parking area, hard surface play area, grass playing pitch and 1.5m and 2.4m high perimeter fencing. Trinity CE Methodist Primary School, Brookwood Way, Buckshaw Village, Chorley**
- 11. Planning Applications determined by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation.** (Pages 85 - 86)
- 12. 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.

**13. Date of Next Meeting**

The next meeting of the Development Control Committee will be held on Wednesday 13 July 2016 at 10.00 a.m. in Cabinet Room B - the Diamond Jubilee Room, County Hall, Preston.

I Young  
Director of Governance,  
Finance and Public Services

County Hall  
Preston



# Agenda Item 3

## Lancashire County Council

### Development Control Committee

Minutes of the Meeting held on Wednesday, 13th April, 2016 at 10.00 am in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston

#### Present:

County Councillor Munsif Dad (Chair)

#### County Councillors

T Aldridge	M Johnstone
B Dawson	N Penney
M Devaney	P Rigby
M Green	A Schofield
P Hayhurst	K Sedgewick
S Holgate	K Snape
D Howarth	B Yates

#### 1. Apologies for absence

None received.

#### 2. Disclosure of Pecuniary and Non-Pecuniary Interests

County Councillor M Devaney declared a non pecuniary interest in agenda item 4 as the local member for the area.

County Councillor K Snape declared a non pecuniary interest in agenda Item 4 as a member of Chorley Borough Council.

County Councillor P Hayhurst declared a non pecuniary interest in agenda Item 6 as a member of Fylde Borough Council.

#### 3. Minutes of the last meeting held on 2 March 2016

**Resolved:** That the Minutes of the last meeting held on 2 March 2016 be confirmed and signed by the Chair.

#### 4. Chorley Borough: application number 09/13/1075 Environment Act 1995 - application for the determination of conditions for permission 09/98/0049 for the winning and working of minerals at Clayton Hall Landfill Site, Dawson Lane, Whittle le Woods

A report was presented on the application for the determination of conditions for permission 09/98/0049 for the winning and working of minerals at Clayton Hall Landfill Site, Dawson Lane, Whittle le Woods.

The Committee was reminded that at their last meeting on 2 March 2016 they had resolved to defer determination of the application until officers had explored the opportunity to formulate an additional condition to more closely control the phased restoration of the site. The additional condition is set out below:

'There shall be no deposit of waste in the area of cell 4B as shown on drawing no. 08469/99 – Working Plan until final capping and restoration has been completed in cell 3A of drawing no. 08469/99 – Working Plan in accordance with condition 19 to this permission.

*Reason: 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.'*

**Resolved:** That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, for the purposes of Section 96 and Schedule 14 of the Environment Act 1995 conditions be imposed on planning permission 09/98/0049 controlling time limits, working programme, hours of working, site operations, highway matters, noise, restoration and aftercare as set out at Appendix A to the report now presented and including the additional condition referred to above.

- 5. Preston City: application number LCC/2015/0070  
Variation of condition 3 of permission 06/10/0169 to vary the hours of operation of the shredder to 07.30 to 17.30 Monday to Friday (except bank holidays) 7.30 to 13.00 on Saturdays with no metal processing operations to be undertaken by the shredder recycling plant at any time on Sundays and public holidays. Recycling Lives, Longridge Road, Preston.**

A report was presented on an application for the variation of condition 3 of permission 06/10/0169 to vary the hours of operation of the shredder to 07.30 to 17.30 Monday to Friday (except bank holidays) 07.30 to 13.00 on Saturdays with no metal processing operations to be undertaken by the shredder recycling plant at any time on Sundays and public holidays.

The Committee was reminded that at their meeting on the 2 March 2016, they had resolved to refuse the application having concluded that the proposal would be likely to result in unacceptable harm to the amenities of the area. The Committee further resolved that the application should be reported back to the next available committee to confirm the full reasons for refusal.

The Development Management Officer reported orally that the County Council had received a request from the applicant to speak at the Committee to explain

that a further package of mitigation measures was being developed to address the impacts of the operation and that further consideration of the application should therefore be deferred. An email from the applicant requesting such and containing further details of the mitigation measures was circulated at the meeting (copy set out at Annex A to the Minute Book).

The Committee was reminded that the applicant had addressed the Committee at the 2<sup>nd</sup> March meeting and therefore, under public speaking rules, was not able to make a further presentation. However, the officer advised that the request to defer consideration of the application should be considered.

The committee was also advised that if the application was refused, the applicant would be able to appeal and could resubmit the application providing details of the further mitigation measures that could be employed. Alternatively, if the County Council considered that there was some merit in considering further mitigation measures, it could reasonably defer consideration of the application to allow such further measures to be developed and submitted for consideration.

Following debate and questions to the officers with regard to the additional mitigation measures, it was Moved and Seconded:

"That the application be deferred for a period of 3 months to allow the Officers to explore with the applicant, a further package of mitigation measures to address the impacts of the operation.

On being put to the vote it the Motion was carried whereupon it was:

**Resolved:** That the application be deferred for a period of 3 months to allow the Officers to explore with the applicant, a further package of mitigation measures to address the impacts of the operation.

**6. Fylde Borough: Application number. LCC/2016/0024  
Single storey extension, new pedestrian entrance, widening of existing vehicle entrance and 7 no. new car parking spaces to replace spaces lost due to new pedestrian footpath. Mayfield Primary School, St Leonard's Road East, Lytham St Annes.**

A report was presented on an application for a single storey extension, new pedestrian entrance, the widening of existing vehicle entrance and creation of 7 new car parking spaces to replace spaces lost due to new pedestrian footpath at Mayfield Primary School, St Leonard's Road East, Lytham St Annes.

The report included the views of St Annes on the Sea Parish Council, the County Council's Developer Support (Highways) and details of one letter of representation received.

The Development Management Officer presented a PowerPoint presentation which included an aerial photograph of the site and the nearest residential properties. The committee was also shown an illustration of the extension and photographs of the site.

**Resolved:** That planning permission be **Granted** subject to the conditions set out in the report to the Committee.

**7. The Housing and Planning Bill - Technical Consultation on implementation of planning changes. Implications for Development Management.**

A report was presented on the Housing and Planning Bill published in October 2015 and currently passing through Parliamentary procedures.

The Bill included a number of measures that would have implications for development management and other planning procedures. The Committee was advised that the Government had launched a technical consultation on how the provisions in the Bill would be implemented. The report detailed these provisions and explained possible implications for development management practice.

The Committee raised concerns with regard to a number of proposed changes and in particular the proposed planning application fees process, the expansion of the approach to planning performance, the introduction of competition in the processing of planning applications and the relaxation of permitted development rights for schools. It was felt that the proposals would affect the fundamentals of the planning system and reduce the quality of the planning process.

Following further debate it was Moved and Seconded that:

"The Head of Service be requested to write to the Government to oppose the introduction of competition in the processing of planning applications and the relaxation of existing permitted development rights for schools".

On being put to the vote the Motion was Carried unanimously, whereupon it was:

**Resolved:** The Head of Service be requested to write to the Government to oppose the introduction of competition in the processing of planning applications and the relaxation of existing permitted development rights for schools.

**8. Planning Applications determined by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation.**

It was reported that since the last meeting of the committee, seven planning applications had been granted planning permission by the Head of Service Planning and Environment in accordance with the County Council's Scheme of Delegation.



**Resolved:** That the report be noted.

**9. Urgent Business**

There were no items of urgent business.

**10. Date of Next Meeting**

**Resolved:** That the next meeting of the Committee be held on Wednesday 25 May 2016.

I Young  
Director of Governance, Finance  
and Public Services

County Hall  
Preston



# Agenda Item 4

**Development Control Committee**  
Meeting to be held on 25th May 2016

Electoral Division affected: Chorley North, Chorley Rural North
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**Chorley Borough: application number LCC/2015/0069**  
**Revised working scheme including amended levels and extension of the mineral extraction and landfill areas at Clayton Hall Landfill Site, Dawson Lane, Whittle Le Woods**  
**(Appendix A refers)**

Contact for further information:  
Robert Hope, 01772 534159  
[DevCon@lancashire.gov.uk](mailto:DevCon@lancashire.gov.uk)

## **Executive Summary**

Application – Revised working scheme including amended levels and extension of the mineral extraction and landfill areas at Clayton Hall Landfill Site, Dawson Lane Whittle Le Woods.

The application is accompanied by an Environmental Statement and Non-Technical Summary for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

## **Recommendation – Summary**

That, subject to the applicant first entering into a s.106 Agreement for the extended management of landscaping and habitats for a period of 5 years in addition to 5 years of aftercare controlled by condition (including the site area under permission 09/98/0049 (now replaced by permission 09/13/1075)), and the maintenance and management of footpaths and public access in perpetuity, and after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, planning permission be **granted** subject to conditions controlling time limits, working programme, site operations, hours of working, highway matters, noise, restoration and aftercare.

## **Background**

This application along with application ref. 09/13/1075 for the periodic review of existing planning conditions was presented to Development Control Committee on 2 March 2016 following a site visit the preceding day.

Following an officer presentation at Committee and after listening to two public speakers, the Committee resolved to defer determination of both applications until officers had explored the opportunity to formulate an additional condition to more closely control the phased restoration of the site in relation to the periodic review application (ref. 09/13/1075) and to examine opportunities to control waste types in relation to the extension application (ref. LCC/2015/0069).

Application 09/13/1075 was re-presented to the County Council's Development Control Committee on 13 April 2016 and the Committee resolved to approve the recommended planning conditions.

Application LCC/2015/0069 was deferred to this Committee at the applicant's request to allow a review of contractual and operational matters. The previous report is attached as Appendix A.

### **Advice**

Clayton Hall Landfill is a non-hazardous waste landfill and is regulated under a non-hazardous landfill permit. The site can accept all waste types that fall within the category of 'non-hazardous' and this would include domestic, commercial or industrial waste. Each landfill cell has to be constructed to the specification of a non-hazardous site including construction of a geological barrier and artificial liner, leachate drainage and collection, gas collection, leachate and gas monitoring and capping.

The specific waste types are, and would be, controlled through the permit. Government guidance within the National Planning Policy Framework states that local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. The County Council must assume the pollution control regime will work effectively and the County Council should not duplicate such controls. To seek to control specific waste types through the planning process would result in a duplication of controls or conflicting requirements contrary to the advice in the NPPF and is therefore not recommended.

The site already benefits from planning permission for the disposal of non-hazardous waste and this permission cannot be removed. The additional landfill capacity that would be provided by the proposed extension is not significant. In addition the extension area is in that part of the site furthest from local residents and could be landfilled using mixed non-hazardous waste without causing unacceptable harm to the amenities of local residents.

### **Recommendation**

That, subject to the applicant first entering into a s.106 Agreement for the extended management of landscaping and habitats for a period of 5 years in addition to 5 years of aftercare controlled by condition (including the site area under permission 09/98/0049 (now replaced by permission 09/13/1075)), and the maintenance and management of footpaths and public access in perpetuity, and after first taking into

consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, planning permission be **granted** subject to the conditions set out in the report to Development Control Committee on 2 March 2016 (see Appendix A).

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

Paper	Date	Contact/ext.
LCC/2015/0069	May 2016	R Hope/34159

Reason for Inclusion in Part II, if appropriate

N/A

**Appendix A**

Planning Application LCC/2015/0069 – Report to Development Control Committee on 2 March 2016.



## Appendix A

**Development Control Committee**  
Meeting to be held on 2 March 2016

Electoral Division affected: CHORLEY NORTH, CHORLEY RURAL NORTH
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**Chorley borough: application number LCC/2015/0069**  
**Revised working scheme including amended levels and extension of the mineral extraction and landfill areas at Clayton Hall Landfill Site, Dawson Lane, Whittle Le Woods**

Contact for further information:  
Robert Hope, 01772 534159  
[DevCon@lancashire.gov.uk](mailto:DevCon@lancashire.gov.uk)

### **Executive Summary**

Application – Application – Revised working scheme including amended levels and extension of the mineral extraction and landfill areas at Clayton Hall Landfill Site, Dawson Lane, Whittle Le Woods.

The application is accompanied by an Environmental Statement and Non-Technical Summary for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

### **Recommendation – Summary**

That, subject to the applicant first entering into a s.106 Agreement for the extended management of landscape and habitats for a period of 5 years in addition to 5 years of aftercare controlled by condition (including the site area under permission 09/98/0049), and the maintenance and management of footpaths and public access in perpetuity, and after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, planning permission be **granted** subject to conditions controlling time limits, working programme, site operations, hours of working, highway matters, noise, restoration and aftercare.

### **Applicant's Proposal**

Planning permission is sought for a revised working scheme at Clayton Hall Landfill Site including amended levels and extension of the mineral extraction and landfill areas at the southern boundary of the current active landfill area.

The applicant has stated that the proposal would include the excavation of some 72,000m<sup>3</sup> of sand/overburden over an area of approximately 0.6 hectare along with the landfilling of some 288,000m<sup>3</sup> of non-hazardous municipal, commercial and industrial waste over a wider area of 5.7 hectares incorporating the extension area and part of the existing site. Final contours would also be adjusted to accommodate the likely need to retain landfill gas and leachate control infrastructure beyond cessation of landfilling. The maximum height of proposed levels would not exceed those currently permitted.

The applicant has indicated that the remaining mineral reserves are below 6000m<sup>3</sup> and the landfill capacity has fallen to below 320,000m<sup>3</sup>, with a life of some 4 years. The proposal is likely to increase the life of the overall site from about 4 years to 8 years (notwithstanding the existing permission expires in 2028).

The area of the existing site still to be worked comprises Cells 3A, 3B, 3C, 4A and 4B shown on drawing no 08469/99 – *Boundary of Proposed Revised Working Scheme*. Cells 3A and 3B are largely complete and await capping and final restoration.

There would be no change to site accommodation, buildings, waste types, vehicle numbers (typically 16 HGV visits to the landfill each day) and operating hours.

The application is accompanied by an Environmental Statement (ES) and Non-Technical Summary. The ES provides details of the site history and the proposed development before examining the impacts associated with the proposal. It assesses key identified potential environmental impacts in respect of hydrology and hydrogeology, landscape and visual impact, landfill gas, ecology, cultural heritage, and other matters including noise, air quality and highways matters.

## **Description and Location of Site**

Clayton Hall is a largely worked out sand quarry, which is being restored through the deposit of non-hazardous waste. The site also has an associated waste management and recycling centre. The site is accessed from Dawson Lane and is located between Whittle-le-Woods and Leyland, on the western flank of the River Lostock Valley.

Agricultural land and woodland extends beyond the site to the north and east. Buckshaw Village is to the south. An established residential estate is located to the north-west of the existing site.

This site is located within Green Belt.

## **Background**

### **History**

Clayton Hall Quarry is a long established sand quarry, which is currently being restored by landfilling. The old mining planning permissions relevant to this site were reviewed under the provisions of the Environment Act 1995 and new planning conditions were determined on 6 April 1998 as part of permission ref. 09/98/049. The reviewed conditions provide for the extraction of minerals followed by progressive



restoration of the site involving the importation of waste materials until the end of 30 years from the date of the permission i.e. 6 April 2028. The site is subject of first periodic review for the determination of modern working conditions (see application ref. 09/13/1075).

Planning permission for a waste baling and recycling centre was granted in February 1991 (ref 09/90/0690).

Planning permission for an extension to existing facility to provide new recycling shed weighbridge and office cabin and inert/green waste sorting bays was granted in March 2003 (ref 09/02/1268).

Planning permission for the demolition of existing workshop building and erection of new building on same site for use as transfer station was granted in April 2005 (ref 09/05/0150).

Planning permission for the erection of a concrete leachate tank and landfill gas flare was granted in August 2007 (ref. 09/07/0640).

Planning permission for the erection of 3 leachate tanks was granted in June 2008 (ref. 09/08/0478).

Planning permission for the erection of a landfill gas generator for the generation of electricity from landfill gas, gas flare, plant, switch/meter room and ancillary offices and stores was granted in March 2009 (ref. 09/09/0009).

Planning permission for a proposed additional gas engine, revised layout of renewable electricity generation compound used to generate electricity, and retention of meter and switch/substation cabinets was granted in April 2011 (ref. 09/11/0058).

Planning permission for the construction of a leachate tank, heat exchange unit, pipework and bridges to be used to treat landfill leachate was granted in November 2011 (ref: 09/11/0794).

Planning permission was granted on 30 November 2012 for an extension to the waste sorting and recycling centre building to connect with the existing waste transfer station, increase in the roof height of the existing building to create continuity, additional external water tanks, electrical cabinets and the creation of additional car parking spaces (ref. 09/12/0868).

Planning permission was granted on 19 February 2015 for the construction and use of a new tank for storage of water for fire-fighting, with association pump house and concrete foundation (ref. LCC/2015/002).

## **Planning Policy**

### *National Planning Policy Framework*

Paragraphs 6 – 16, 79 - 92, 109 – 125, 142 -148 are relevant with regard to the definition of sustainable development and the operation of the planning system,

protecting green belt land, conserving and enhancing the natural environment and facilitating the sustainable use of minerals respectively.

*Planning Practice Guidance accompanying the NPPF (PPG)*

Minerals

Waste

*Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD (JLMWDF)*

- Policy CS1 Safeguarding Lancashire's Mineral Resources
- Policy CS3 Meeting the demands for New Minerals
- Policy CS5 Achieving Sustainable Mineral Production
- 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 (JLMWLP)*

- Policy NPPF1 Presumption in Favour of Sustainable Development
- Policy DM1 Management of Waste and Extraction of Minerals
- Policy DM2 Development Management
- Policy DM3 Planning Obligations
- Policy DM4 Energy from Waste
- Policy LF1 – Sites for Non-Hazardous Waste
- Policy M1 Managing Mineral Production

*Central Lancashire Core Strategy*

- Policy 22 Biodiversity and Geodiversity
- Policy 29 Water Management

*Chorley Local Plan 2012-2026*

- Policy ST1 New Provision or Improvement of Footpaths, Cycleways, Bridleways and their associated facilities in existing networks and new development.
- Policy V1 Model Policy
- Policy BNE9 Biodiversity
- Policy HW3 Valley Parks

**Consultations** (summary)

Clayton-le-Woods Parish Council – Object to the extension and length of time for proposed operations. Concerns regarding breaches of planning and permitting regulations.

Whittle-le-Woods Parish Council – The Parish Council is concerned that conditions are set for the existing site but are regularly disregarded such as in relation to smells and levels.

Chorley Borough Council – No observations received.

LCC Developer Support (Highways) – No objection. Conditions are recommended in relation to wheel cleaning and travel plan.

County Landscape Service – No observations received.

County Ecology Service – The application is supported by an adequate assessment of potential impacts upon biodiversity; no additional ecological information is needed to enable determination of the application. In general, significant impacts on biodiversity do seem reasonably unlikely. There is however a need to secure mitigation and compensation through any planning permission for this site, to include, standard precautions for the avoidance of impacts on nesting birds; Watercourse/aquatic environment protection (pollution prevention); Revised landscaping proposals (layout plan, establishment, aftercare and management scheme).

Further revisions to landscaping may need to be considered including changes to planting around newt ponds, more areas of species rich/rough grassland, a greater range of habitats and the inclusion of bird and bat boxes. Details are required for the establishment, aftercare or management (woodland, scrub, grassland, hedgerow, ponds), avoidance of impacts on protected species, and should be secured as part of any planning permission.

County Archaeology Service –The site is immediately to the east of the Clayton Hall medieval moated site, which is designated as a Scheduled Monument (Monument number 1012313). It is recommended that Historic England be consulted directly on the possible implications of the proposed works on the setting of the monument. Beyond this, it does not appear that the changes to the existing scheme will have any direct or significant indirect impacts on non-designated heritage assets.

Environment Agency – No objection. It is assumed that the existing operational groundwater monitoring network installed and maintained for Environmental Permit purposes provides an enclosing envelope of groundwater level monitoring, which will provide continued monitoring data until mineral extraction has been completed and restoration has taken place. The site is subject to an existing permit and the EA is aware that there are issues on the site including amenity impacts, leachate storage and implementation of management systems, which they are working with the operator to address. Enforcement notices have been served, which have led to improved management of the site and subsequent reductions in complaints.

United Utilities – No observations received.

National Planning Case Work Unit – No observations received.

Natural England – No objection.

National Grid Gas and Electricity - No observations received.

National Grid Company P. L. C. - No observations received.

LCC Public Rights Of Way - No observations received.

Health & Safety Executive – No objection.

Lead Local Flood Authority – No objection subject to conditions controlling flood risk mitigation and sustainable drainage.

Ramblers Association – Provisions should be in place to ensure that the proposed development does not have a detrimental impact on users of public footpath number 11.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. 11 representations have been received with objections raised on the following grounds:

- The existing landfill site is already too high.
- Existing problems with noise, odour, bird nuisance, flies, rats and litter.
- Poor site management
- Visual impact of current landfill site
- For the extension to be granted there must be continued capping of the existing site and the Environment Agency must continue to inspect the site and apply standards rigorously.
- Proximity of the site to housing.
- Impact on users of the surrounding footpaths.

### **Advice**

This application is for a revised working scheme including amended levels and extension of the mineral extraction and landfill areas.

The minerals and waste policies of the Development Plan seek to ensure that Lancashire makes an appropriate contribution to meeting local, regional and national supplies of minerals and also encourage sustainable waste management practices, which reduce the need to transport waste great distances.

It is necessary to consider the need for mineral extraction and additional landfill capacity along with an assessment of the potential impacts of the proposal on the local environment including impacts on the public highway, the amenity of the residents who live nearby and the impact on the Green Belt. Planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The application is accompanied by an Environmental Statement which gives further consideration to any likely significant effects on the environment and details of mitigation where considered necessary.

### **Minerals**

Government policy is set out in the *National Planning Policy Framework* which seeks to ensure that Mineral Planning Authorities should plan for a steady and adequate supply of aggregates to the construction industry. When determining planning applications, Paragraph 144 of the NPPF is clear that local planning authorities should give great weight to the benefits of mineral extraction including to the economy.

The Joint Lancashire Minerals and Waste Plan covers the administrative areas of Lancashire County Council, Blackburn with Darwen Borough Council and Blackpool Council (the Joint Authorities). The Joint Plan consists of an adopted Core Strategy and Site Allocation and Development Management Policies Local Plan.

Policy CS1 of the JLMWDF (published February 2009) states that minerals will be extracted only where they meet a proven need for materials within particular specifications. Policy CS3 of the JLMWDF is about meeting the demand for new minerals and states that provision will be made for the extraction of 10.8 million tonnes of sand and gravel between the plan period of 2001 – 2021. Based on the position at 2005 this allowed for the release of not less than 4.1 million tonnes of sand and gravel between 2005 -2021.

Policy M1 of the JLMWLP (published September 2013) states that development will not be supported for any new extraction of sand and gravel, limestone, gritstone or brickshale. This policy was formulated in view of the mineral landbank information available at the time but acknowledges that there is explicit recognition for a need to plan, monitor and manage the supply of minerals.

In addition to the *National Planning Policy Framework*, the government has also published accompanying practice guidance. Paragraph 84 of the *Planning Practice Guidance* advises that an adequate or excess landbank is not a reason for withholding planning permission. The total landbank size is only one measure of the need to release additional reserves. It is also necessary to consider the ability of the existing operational sites to supply market demands, the suitability and availability of alternative materials and issues of possible sterilization should production cease at a quarry site. The PPG adds:

*'There are a number of reasons why an application for aggregate minerals development is brought forward in an area where there exists an adequate landbank.*

*These could include:*

- *significant future increases in demand that can be forecast with reasonable certainty;*
- *the location of the consented reserve is inappropriately located relative to the main market areas;*
- *the nature, type and qualities of the aggregate such as its suitability for a particular use within a distinct and separate market; and*
- *known constraints on the availability of consented reserves that might limit output over the plan period.'*

In April 2015 a Local Aggregate Assessment (LAA) report was published by Lancashire County Council to inform the monitoring and review of the Minerals and Waste Local Plan. The report contains information on the past 10 years data for aggregate production and sales and it seeks to identify objectively assessed need, a requirement of the NPPF's presumption in favour of sustainable development.

The report identifies that in 2013 there were 8.2 million tonnes of sand and gravel reserves in Lancashire with planning permission. These permitted reserves are held in eight quarries, though in 2012, one quarry, German Lane was inactive and Runshaw (Euxton) had not started extraction (which is still the case), although its permission has been implemented.

Based on the 10 year average of sales at 2013 the permitted reserves of 8.2 million tonnes are expected to last 15 years, and the 7 year landbank is expected to begin to be eroded in 2028. However, in order to ensure the continued steady and adequate provision of aggregate to market, the ability of permitted sites to meet the forecast annualised demand must be considered. The LAA indicates that it is likely that a number of these sites will not be worked out before the expiry of their permission. If this is the case, in the event that their permitted life is not extended, the permitted reserve and landbank will need to be revised. More crucially, in 2013 nearly half of the permitted reserve was held in one quarry (Runshaw Quarry) and this remains inactive. More recently, planning permission was granted in May 2015 for a small extension to Sandons Farm Sand Quarry. This has been implemented and provides an additional 60,000m<sup>3</sup> of sand and gravel.

In view of the updated information that is available in the LAA, known constraints on the availability of consented reserves that might limit output over the plan period, and given that the proposed extension relates to an almost insignificant volume of mineral it is considered that there is sound justification to override the 'no need' position set out in Policy M1 of the JLMWLP. Furthermore, rejection of this application on a 'no need' basis would be likely to result in a sterilisation of a known reserve given that the existing surrounding landfill site is likely to be completed in the near future.

A more contentious issue, perhaps relates to the creation of additional non-hazardous landfill void space by mineral extraction and the amendment of existing levels.

### **Landfill and restoration**

One of the aims of Government waste policy is to promote the movement of waste management up the waste hierarchy from prevention at the top, down through preparing for re-use, recycling, other recovery, and disposal at the bottom. The principles of proximity are also promoted whereby waste should be managed at one of the nearest appropriate facilities and disposed of as near as possible to its place of production so as to reduce the distances travelled and the associated economic, environmental and social costs of transport.

Policy DM1 of the JLMWLP states that developments will be supported in accordance with site specific policies with the plan for provision of a network of new waste management facilities based on strategic locations and local sites, and the management of a limited and declining number of existing landfill facilities.

Policy LF1 of the JLMWLP refers to site for non-hazardous landfill and states that long term landfilling of non-hazardous waste will only be supported at Whinney Hill Landfill Site in Accrington. Elsewhere, landfilling of non-hazardous waste will be supported at existing permitted sites.

Clayton Hall Quarry and Landfill site is a largely worked out sand quarry that is being restored through the importation of non-hazardous waste to previously approved levels under the provisions of permission ref 09/98/049. A small lateral extension within the confines of the existing site boundary is proposed along with revisions to the working programme and amendments to the slope profiles to provide additional void space and to account for the extended site. Sustainable management of waste materials is achievable as a major waste management facility exists at the site in conjunction with the landfill, and landfill gas is used to power existing gas engines. The proposal would provide a relatively small increase in capacity and would generally relate to an area of the existing site that is furthest removed from residential properties.

Clayton Hall is the only landfill site in the south area of Lancashire and therefore provides a local facility for residual waste material that is not currently re-used, recycled or recovered for other purposes, in accordance with the proximity principle.

The permitted highest levels for tipping at the site would not be increased. Existing operations are now moving away from residential properties and the site is being progressively restored. Consequently, previous concerns of local residents in relation to noise, dust, vermin and odour are likely to diminish.

The existing site is already subject of an approved restoration and landscaping scheme. As part of this application a restoration masterplan has been provided illustrating additional areas of tree/shrub planting and species rich meadow. The general arrangement is considered largely acceptable although a number of recommendations have been suggested by LCC's County Ecology Service, which are supported. The applicant has subsequently provided an amended restoration plan to include changes to planting around newt ponds, more areas of species rich/rough grassland, and a greater range of habitats.

Further details of restoration, landscaping and aftercare can be secured by condition. Additionally, in view of the nature of the restoration and habitat creation proposals and the need to manage the site for the protection of great crested newts, it is considered reasonable and necessary to require the applicant enter into a s.106 agreement for longer term management and maintenance of the site beyond the 5 year aftercare period limited by statute, by a further 5 years to seek to ensure satisfactory establishment of planting and habitats.

This application also presents an opportunity to provide public access through the creation and maintenance of a footpath link, in perpetuity, around part of the development site in the recreational interests of the local area and to contribute to the aspirations of Policies ST1 and HW3 of the Chorley Local Plan regarding the establishment of a network of footpaths and links with the Cuerden Valley Park. The applicant is amenable to this suggestion following further discussions, has amended the illustrative restoration masterplan accordingly, and is willing to enter into a s.106

agreement for the delivery of this. The alignment of footpath access around the site has been carefully considered to seek to ensure that there would be protection of more valuable habitat areas and sufficient distance from neighbouring properties so as not to compromise security and privacy.

The proposed restoration scheme is considered acceptable subject to the s.106 agreement and conditions controlling the management of existing soils, soil storage and waste operations, final restoration and aftercare.

### **Green Belt**

The site is located in the Green Belt. Paragraph 79 of the NPPF 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 80 of the NPPF 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 87 of the NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 90 of the NPPF states that mineral extraction and engineering operations are not inappropriate development in the Green Belt provided that the openness of the Green Belt is preserved and there is no conflict with the purposes of including land in Green Belt.

The proposed extension is small in relation to the existing site and amendments to existing approved levels would not change the use of the site or result in a significantly different restored site. Although the timeframe for mineral workings and restoration operations would be likely to be extended for an additional number of years, the temporary nature of the quarrying activity and the final proposed restoration scheme would not affect the openness of the Green Belt in the longer term and would not conflict with the purposes of including land in Green Belt. On this basis the proposed development would not be inappropriate in the Green belt and therefore very special circumstances do not need to be demonstrated.

### **Impact upon local amenity**

The NPPF and the JLMWDF recognise that minerals and waste developments have the potential to give rise to adverse impacts on the quality of life of people for a variety of reasons including noise, dust and vibration. More specifically, Policy DM2 of the JLMWLP 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.

The applicant has submitted an Environmental Statement to accompany the planning application, which addresses matters such as noise, air quality and landfill gas. The noise assessment concludes that the extension would produce no more noise than those similar operations that are already being carried out at the existing site and noise levels fall with acceptable levels set out in the NPPF. The extension area is at the furthest point from the main residential area at and around Spring Meadow and therefore noise, odour and general disturbance would be unlikely to be intrusive. Furthermore, the extension would have no greater impact on visual amenity or landscape character. Planning conditions are recommended which reflect those relating to working practices imposed on the permission for the existing quarry/landfill to seek to ensure equivalent controls. Further scrutiny and control of the restoration works, in terms of waste types, groundwater protection, working practices, vermin control, and pollution control would be undertaken by the Environment Agency through the Environmental Permitting process.

With regard to pollution control, paragraph 122 of the NPPF makes it clear that local planning authorities should focus on whether the development itself is an acceptable use of the land and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. The existing waste management facility operates under an Environmental Permit and it should be assumed that the permitting regime operates effectively.

### **Highway Matters**

The policies of the Development Plan in particular Policy DM2 of the JLMWLP seek to ensure that proposals for mineral development do not give rise to unacceptable traffic and road safety problems or unacceptable effects on amenity along the routes used.

The applicant has submitted a traffic statement that identifies the local highway network, the local road safety record and a review of the transport implications in relation to the proposed development. The report concludes that overall the existing highway network that serves the site is acceptable and has sufficient capacity. Although, the proposed development is unlikely to lead to any increase in the daily input of waste at the site or volumes of traffic compared with levels that have existing for many years, it is acknowledged that the proposed extension would increase the duration of operations at the site for several more years. Nevertheless, the road network appears to be capable of continuing to accommodate the traffic generated with no unacceptable impact. The County Council's Developer Support (Highways) has raised no objection and has recommended conditions to seek to ensure the cleanliness of the highway and for a travel plan. The latter is considered unreasonable given the existing site and waste management operations and given what the proposed development relates to.

Concern has been raised in relation to the potential impact on the local footpath network. Although quarrying operations and landfilling would take place closer to footpath number 11 than is currently approved (from typically 60m to around 20m at

the closet point) the overall impact would be negligible with the transient nature of passage along the path, the temporary nature of operations and the site boundary vegetation.

## **Water Management**

The application and Environmental Statement is accompanied a section on water resources and with a flood risk assessment report.

The site is not within a flood risk zone. However, as it is over 1 hectare there is a requirement to submit a flood risk assessment to demonstrate that the proposed development would not be affected by flooding and would not increase flooding elsewhere. The report concludes that there is low probability of flooding from fluvial sources, there is a low susceptibility to groundwater and surface water flooding, and the proposed development is unlikely to lead to significant increase in flooding elsewhere.

The Environment Agency have raised no objection and consider that the proposed extension could be adequately controlled as part of the existing Environmental Permit for the site (subject to any amendments that are necessary) including groundwater monitoring and assessment. It is considered that conditions would be unnecessary in this respect other than to restrict the depth of working.

## **Cultural Heritage**

The site is to the east of the Clayton Hall medieval moated site, which is designated as a Scheduled Monument (Monument number 1012313). However, it is considered that the proposal would have no direct or indirect effect on the monument or its setting, particularly given the long established operations at the site and the proposed end use.

## **Human Rights**

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

## **Conclusion**

The proposed extension and re-profiling of the existing site would release a small volume of sand and gravel and would provide a void for the deposit of a relatively small volume of non-hazardous waste materials for appropriate restoration of the site. Need for the mineral reserve can be demonstrated contrary to the policies of the Joint Lancashire Minerals and Waste Local Plan largely given the small volume of mineral involved and, in view of guiding principles within the NPPF. The extension area would be unlikely to generate any detrimental impacts on neighbouring land uses, local residents, the highway network, Green Belt or the environment in general especially when considered in relation to the existing site.

## **Recommendation**

That, subject to the applicant first entering into a s.106 Agreement for the extended management of landscape and habitats for a period of 5 years in addition to 5 years of aftercare controlled by condition (including the site area under permission 09/98/0049), and the maintenance and management of footpaths and public access in perpetuity, and after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, planning permission be **granted** subject to the following conditions:

### **Time Limits**

1. The development shall commence not later than 3 years from the date of this permission.

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

2. The mining operations authorised by this permission shall cease not later than 6 April 2028 and the site shall be progressively restored in accordance with the conditions of this permission and shall be finally restored by 6 April 2029.

*Reason: To provide for the completion and progressive restoration of the site within the approved timescale in the interest of local amenities, the visual amenity and to secure the proper restoration of the site in accordance with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.*

### **Working Programme**

3. 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 validated on 20 July 2015

- b) Submitted Plans:

Drawing no. 08469/136 - Site Location Plan

Drawing no. 08469/124B - Boundary of Proposed Revised Working Scheme

Drawing no. 08469/128 - Revised Scheme - Base of Waste Contours

Drawing no. 08469/132A - Revised Scheme Post Settlement 5m Contours

Drawing no. 08469/134D- Revised Scheme Pre-Settlement Levels (1m)

Drawing no. 08469/137 - Basal Layout Cross Sections

Drawing no. 08469/138A- Final Contours - Cross Sections - Sheet 1 of 2

Drawing no. 08469/138A- Final Contours - Cross Sections - Sheet 2 of 2

Drawing no. T239.202, Rev 2 - Restoration Masterplan

Drawing no. 11.171/11 - Site Layout - Sprinkler tank

Drawing no. T239.204 - Sandstone Surface Footpath Details

*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.*

4. A copy of the conditions and all documents referred to in this permission, shall be made available at the site office at all times throughout the development.

*Reason: to ensure all site operatives can readily make themselves aware of the planning conditions.*

5. A topographical survey of the site shall be submitted annually to the County Planning Authority within one month of the anniversary of the date of this permission until the end of the aftercare period referred to in the conditions to this permission. The survey shall have been carried out within two months preceding the date of the anniversary of this permission and shall consist of a plan drawn to a scale not less than 1:1250 which identifies all surface features within the site and a 10 metre grid survey identifying levels related to ordnance datum over all the land where wastes have been deposited.

*Reason: To enable the planning authority to monitor the site and to ensure compliance with the planning permission.*

6. The provisions of Part 17, Class A and B of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any amendment, replacement, or enactment thereof are excluded and shall not apply to this development. Any development referred to in that part shall only be carried out pursuant to a planning permission granted under Part III of the Town and Country Planning Act 1990 or any amendment replacement or re-enactment thereof.

*Reason: To maintain the County Planning Authority's control of the development and to safeguard the local landscape and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.*

7. Mineral extraction shall not take place below the base levels shown on drawing no. 08469/137 - 'Basal Layout Cross Sections' and drawing no. 08469/128 - Revised Scheme - 'Base of Waste Contours'.

*Reason: To ensure that the proposed works will not detrimentally impact upon groundwater quality or quantity, to ensure satisfactory working and restoration of the site, and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy 29 of the Central Lancashire Core Strategy.*

8. No waste or restoration materials shall be deposited either temporarily or permanently on any part of the site at a higher level than the levels shown on drawing no. 08469/134D - 'Revised Scheme Pre-Settlement Levels (1m)'.

*Reason: To ensure satisfactory restoration of the site and safeguard the amenity of the local residents and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.*

9. All available topsoil and subsoil shall be stripped from any part of the site before that part is excavated or is traversed by heavy vehicles, plant or machinery. All stripped topsoil and subsoil shall be stored in separate mounds within the site for use in the restoration of the site, including the site covered by permission 09/98/049.

*Reason: To ensure the proper removal and storage of soils to ensure satisfactory restoration and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.*

10. No mining operations, landfilling or restoration works shall be carried out and no movement of heavy goods vehicles from the site shall take place except between the hours of 7.30am and 6.30pm Monday to Friday inclusive, 8.00am to 12.00 noon on a Saturday, and at no time on a Sunday or Public Holiday. For the purposes of this permission a heavy goods vehicle shall be defined as a vehicle designed to carry a payload of 1,500kg or more.

*Reason: 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.*

11. All plant and machinery shall be silenced effectively in accordance with the manufacturer's specification and shall be maintained in that condition at all times.

*Reason: 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.*

12. Where reversing alarms are employed on site on mobile plant and equipment, only broadband multi-frequency sound alarms (white sound) shall be used.

*Reason: 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.*

13. Within 6 months of the completion or cessation of mining operations/restoration works as provided for in condition 2 of this permission, a scheme and programme shall be submitted to the County Planning Authority for approval in writing to include the following matters:

- a) a plan showing the position of all plant and equipment, which is to be retained beyond the period required to complete the restoration of this site in accordance with condition 19, and a timeframe for that retention;

- b) the works necessary to make good any subsidence of or damage to the land brought about by the repair or provision of the control equipment involved in the management of leachate or landfill gas;
- c) details of all additional plant, equipment, buildings, structures, pipelines or similar which involve disturbance of the land and will be required in addition to those shown on the plan referred to in a) above; and
- d) details of the final restoration of the land following the removal or cessation of the use of the plant, equipment, buildings, structures and pipelines referred to in a), b) and c) above.

The approved scheme and programme shall be carried out.

*Reason: To ensure satisfactory restoration of the site and to comply with Policy DM2 of the Lancashire Minerals and Waste Local Plan.*

14. All plant and equipment other than that referred to in the proceeding condition shall be removed from the site by 6 April 2030.

*Reason: To ensure satisfactory restoration of the site and to comply with Policy DM2 of the Lancashire Minerals and Waste Local Plan.*

15. The site shall be the final place of deposit for waste and no waste shall be removed from the site once it has been used in the restoration of the site.

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

16. No machinery, plant or equipment, which is not directly concerned with the actual mining or restoration operations, shall be stored on the site.

*Reason: 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.*

17. The existing wheel cleaning facilities shown on drawing no. 11.171/11 - 'Site Layout - Sprinkler tank' shall be retained and shall remain available for use at all times during the operational life of the site so as to ensure no mud or other materials from the site are deposited on the public highway. Such facilities shall be used and maintained in full working order at all times and shall be used by all 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.*

18. All vehicles transporting minerals of a size less than 100 mm in any dimension from the site shall be securely sheeted.

*Reason: In the interests of highway safety and 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.*

## **Restoration**

19. No development shall commence until details of the working, restoration and aftercare of the site (including the site area under permission 09/98/0049), in general accordance with drawing no. T239.202, Rev 2 - Restoration Masterplan have been submitted to and approved in writing by the County Planning Authority.

The submitted details shall include:

- a) The nature of the intended after-use of the site;
- b) The removal of any plant, machinery, erections and their foundations, including the removal of all internal haul roads, subsidiary site roads and hardstanding areas;
- c) The final excavation levels of the site;
- d) The final configuration of the excavated areas and determination of the angles of slope;
- e) The respreading of any available soil making materials and seeding specification;
- f) Full detail of proposed soil types and depths within surface horizons to demonstrate that the soils will be capable of supporting the desired habitats and plant communities.
- g) The drainage and treatment of silt traps, lagoons and water areas;
- h) Native tree/shrub planting, seed specification and planting densities;
- i) The methods to be employed to promote normal plant growth;
- j) Full detail of habitat establishment and management methods.
- k) The maintenance and aftercare of the site for a period of 5 years following the completion of restoration, as defined in this permission.
- l) Details of management responsibilities.
- m) A schedule of management prescriptions.

Thereafter the restoration of the site shall be carried out in accordance with the approved details.

*Reason: To secure the proper restoration of the site and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy 22 of the Central Lancashire Core Strategy.*

20. If the approved pre-settlement levels have not been achieved within the permitted time limit of this permission, details for revised lower restoration levels utilising existing materials on the site and a revised landscaping scheme shall be submitted to the County Planning Authority for approval in writing within 1

month of the expiry of the permitted time period to this permission. The approved details shall be completed within 12 months of the date of approval. All landscaping works including the planting of trees and shrubs approved as part of the approved scheme and programme shall be implemented within the first planting season, as defined in this permission, following the completion and restoration of the site and shall thereafter be maintained for a period of five years including replacement of dead and dying species and maintenance of protection measures.

*Reason: To secure the proper restoration of the site and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.*

### **Aftercare**

21. Upon certification in writing by the County Planning Authority of the completion of restoration, as defined in this permission, aftercare of the site to promote the amenity after use of the site shall be carried out in accordance with the conditions of permission for a period of five years.

*Reason: To secure the proper aftercare of the site and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.*

### **Definitions**

Completion of Restoration: The date the County Planning Authority certifies in writing that the works of restoration have been completed satisfactorily.

### **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**

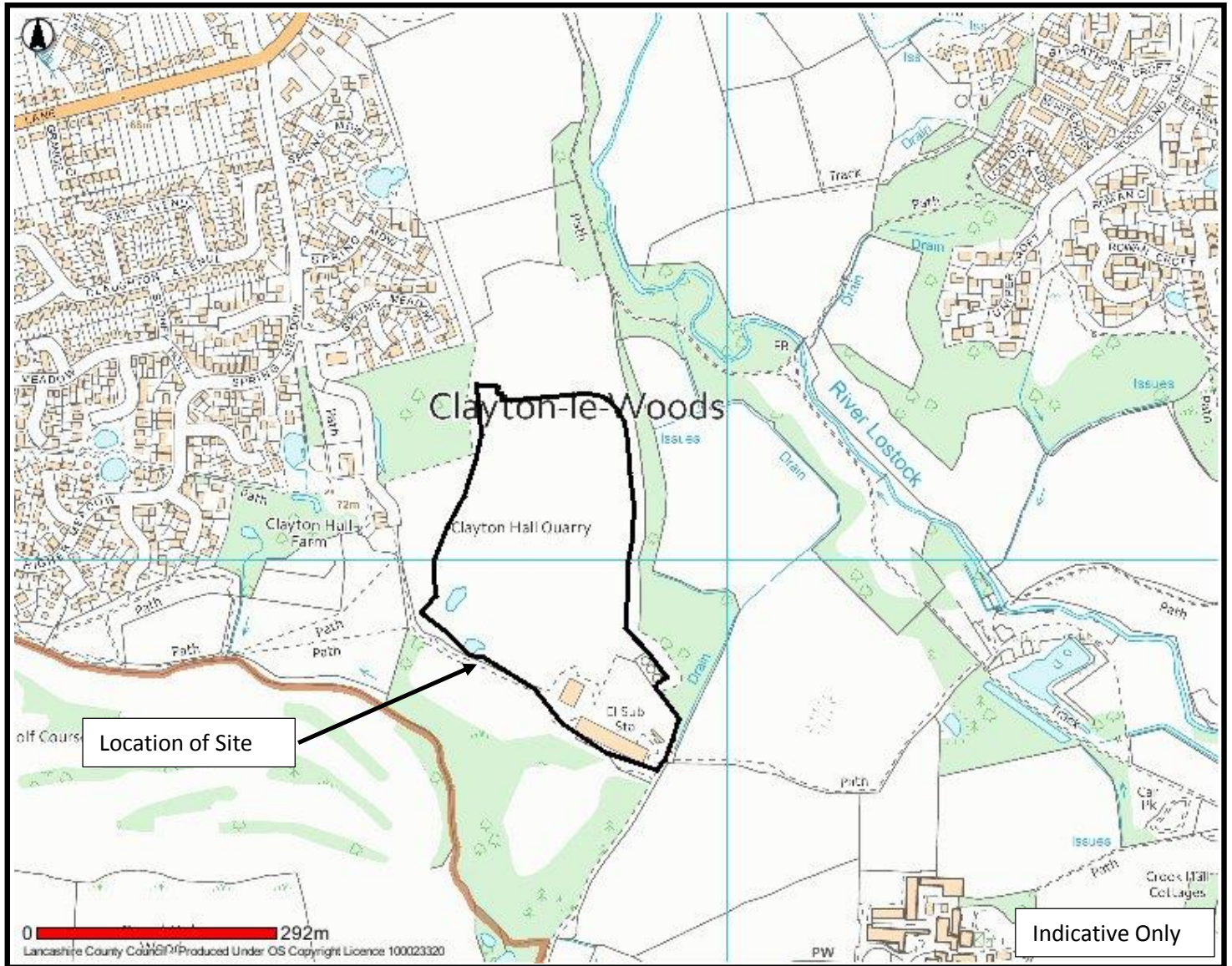
Paper	Date	Contact/Ext
LCC/2015/0069	Feb 2016	R Hope/34159

Reason for inclusion in part II, if appropriate

N/A



**APPLICATION LCC/2015/0069 REVISED WORKING SCHEME INCLUDING AMENDED LEVELS AND EXTENSION OF THE MINERAL EXTRACTION AND LANDFILL AREAS. CLAYTON HALL LANDFILL SITE, DAWSON LANE, WHITTLE LE WOODS.**



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**Development Control Committee**  
Meeting to be held on 25th May 2016

Electoral Division affected: Lytham
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**Fylde Borough: Application number LCC/2016/0014**  
**Change of use of land and building as an extension to the existing adjacent waste transfer station and for the storage of skips (Retrospective application).**  
**Land at Lidun Park Industrial Estate, off Boundary Road, Lytham.**

Contact for further information:  
Rob Jones, 01772 501772 534128  
[DevCon@lancashire.gov.uk](mailto:DevCon@lancashire.gov.uk)

## **Executive Summary**

Application - Retrospective change of use of land and building as an extension to the existing adjacent waste transfer station and for the storage of skips (Retrospective application). Land at Lidun Park Industrial Estate, off Boundary Road, Lytham.

## **Recommendation – Summary**

That planning permission be **granted** subject to conditions relating to working programme, hours of operation, building materials, noise, dust and litter, site operations, highway matters and floodlighting.

## **Applicant's Proposal**

The proposal is for the retrospective change of use of a vacant piece of land and industrial building for the recycling and transfer of inert and non-hazardous household, commercial and industrial waste.

Waste materials are currently delivered to the adjacent waste transfer station, sorted within the building by a combination of machinery and by hand, and then stored outside in designated skips and on the ground in the yard areas of both the existing site and the site the subject of this application, before removal from site for reuse or disposal. The intention is that the sorted wastes will be stockpiled and stored outside within moveable bays to be constructed from concrete 'lego' type blocks that can be covered to enclose any windblown material. The building is used for the storage of plant and equipment, and potentially for additional indoor space for the sorting of waste.

The operating hours are 0730 to 1700 hours Monday to Saturday, and closed on Sundays and public/bank holidays.

## **Description and Location of Site**

The site is located on the northern edge of the Lidun Park Industrial Estate on the edge of Lytham approximately 2km north-east from the town centre. Access to the industrial estate is from Boundary Road that leads on to the A584 Lytham Road. The site is a flat and triangular shaped piece of land 0.2 hectares in area. It consists of a building measuring 26 metres by 16 metres on the west side of the site located by 2m high metal palisade access gates, a small area between the front of the building and Boundary Road that is used for the storage of skips, and a hard surfaced yard area on the east side of the site used for the outside storage of sorted waste and skips.

The site is bordered to the east by a tidal watercourse known as the Main Drain that forms part of the Lytham Coastal Changes Site of Special Scientific Interest (SSSI) beyond which are flat and open fields in agricultural use. To the west is an existing unit within the industrial estate, and to the south is the existing permitted waste transfer station and other industrial units. The site lies within Flood Zone 3.

The nearest residential dwellings are on Cheviot Avenue. The rear boundaries of the houses back onto a railway line that separates them from the industrial estate. The closest property is approximately 45m to the west of the application site.

## **Background**

### **History**

There is no relevant planning history for the application site but it was previously used by an engineering company prior to becoming vacant.

Land adjacent to the site is subject to the following permissions which are relevant to the current application.

Planning permission for the change of use of vacant land to a Waste Transfer Station and the erection of an associated industrial building, was granted on 22 May 2008 (ref. 05/08/0326).

Planning permission for the change of use of land for the storage of empty skips was granted on 07 May 2015 (ref. 15/0152) by Fylde Borough Council. The permission is temporary for a period of five years and relates to land adjacent to the railway line to the west of the application site.

A retrospective planning application on the existing waste transfer station for the retention of a trommel and two extensions to the existing waste transfer building; one for use as an office building and one as an open sided structure to cover sorting and screening equipment (ref. LCC/2016/0013), has not yet been determined as further information is required to be submitted.

## **Planning Policy**

National Planning Policy Framework (NPPF)

Paragraphs 11 – 14, 17 - 19, 56 – 66, 103 – 104, 109, 111, 122, 123 and 125 are relevant with regard to the requirement for sustainable development, core planning principles, building a strong competitive economy, the requirement for good design, flood risk, conserving and enhancing the natural environment, use of brownfield land, permitting regimes operated by pollution control authorities, noise and light pollution.

National Planning Policy for Waste

National Planning Practice Guidance

Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD

Policy CS7 Managing 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 (LMWLP)

Policy NPPF 1 Presumption in favour of sustainable development  
Policy DM2 Development Management  
Policy WM1 Capacity of Waste Management Facilities  
Policy WM3 Local Built Waste Management Facilities

Fylde Borough Local Plan

Policy SP1 Development within Settlements  
Policy EMP2 Existing Industrial Areas  
Policy EMP4 Buffer Zones and Landscaping on Industrial Estates  
Policy EP16 Sites of Special Scientific Interest  
Policy EP23 Pollution of Surface Water  
Policy EP26 Air Pollution  
Policy EP27 Noise Pollution  
Policy EP28 Light Pollution  
Policy EP30 Development within Floodplains

## **Consultations**

Fylde Borough Council – No objection but request that screen landscaping be provided to the northern boundaries of the site to mitigate the visual impact of stored skips when viewed from passing rail traffic and from across the wider adjoining countryside.

LCC Highways Development Control – No objection. The development should have a negligible impact on highway safety and capacity in the immediate vicinity of the site.

Environment Agency – No objection. The application site lies within Flood Zone 3 in an area benefiting from defences. A Flood Risk Assessment has not been submitted with the application but the proposal is considered to be of low risk and therefore would not create unacceptable flood risk. The site is bordered by a watercourse 'Main Drain' which is classed as a Main River and any work carried out within our easement of Main Drain will require Flood Defence Consent. This development requires an environmental permit if the applicant intends to carry out waste management activities as suggested.

LCC Specialist Advisor (Ecology) – No observations received.

Natural England – No objection. EN are satisfied that the proposed development will not damage or destroy the interest features for which Lytham Coastal Changes SSSI has been notified.

Representations – The application has been advertised by press and site notice and local residents informed by individual letter. Two letters of objection have been received from local residents commenting that the extended site would create noise and vibration disturbance to nearby residential properties in addition to such problems already arising from the existing permitted waste transfer station. To mitigate against the noise and vibration, it is suggested that an acoustic barrier mound be erected on the industrial estate side of the railway line, and the skip storage area (the subject of permission ref. 15/0152) be relocated to another part of the site and as far from the houses as is possible. Similarly, the area where the waste is dumped and where the mechanical digger operates should be moved away from the housing area. Fylde Borough Council is investigating an alleged breach of operating hours and the lack of the provision of a planted tree scheme associated with permission ref. 15/0152.

### **Advice**

Retrospective planning permission is sought for the change of use of a 0.2 hectare area of land including a building for use as an extension to an existing permitted waste transfer station and for the storage of skips. The applicant operates a skip hire company and waste transfer station on an adjacent unit and has purchased the application site to enable an expansion of the skip hire and waste transfer business which currently employs 20 people. The principle issues concern the acceptability of the site to be used for this purpose, the potential to cause nuisance or disturbance to local residents and highway safety.

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 Joint Lancashire Minerals and

Waste Development Framework Core Strategy DPD, the Joint Lancashire Minerals and Waste Core Strategy and Local Plan – Site Allocation and Development Management Policies – Part One (LMWLP), and the Fylde Borough Local Plan (FBLP).

National Planning Policy encourages recycling and the re-use of waste to reduce reliance on land filling.

The NPPF seeks to ensure that the planning system supports and secures sustainable economic growth in order to create jobs and prosperity. Policy CS7 of the Core Strategy DPD seeks to manage our waste as a resource, while Policy CS8 of the Core Strategy DPD seeks to ensure an adequate provision of suitable waste facilities across the county to ensure that waste can be managed as a resource. The proposal would provide increased facilities for the collection and recycling of inert and non-hazardous household, commercial and industrial waste materials and complies with the principle of National Planning Policy and with Policies CS7 and CS8 of the Core Strategy DPD in terms of waste management strategy.

The site is located within Lidun Park Industrial Estate. Policy WM3 of the Lancashire Minerals and Waste Local Plan supports local waste management facilities firstly on the strategic sites listed in Policy WM2 and the local sites as listed in Policy WM3, and then other vacant previously developed land. The site is an existing established industrial estate and therefore the proposal conforms to the general locational criteria in Policy WM3. The site is subject to Policy EMP2 of the Fylde Borough Local Plan. Where industrial estates are located adjacent to residential areas, open countryside or other sensitive locations, Policy EMP4 of the Fylde Borough Local Plan seeks to protect the amenities of such areas through the use of effective buffer / landscaping zones on the relevant boundaries and not permitting industrial development within a minimum distance of 30 metres from any existing dwelling.

Fylde Borough Council have not objected but advise that screen landscaping be provided to the northern boundaries of the site to mitigate the visual impact of stored skips when viewed from the railway and from across the wider adjoining countryside. However, it is considered that such landscaping would not be possible because it would result in the loss of land within the site to the detriment of operational area. It would also not be possible to undertake planting outside the boundary as the applicant does not own this land and the Environment Agency does not normally consent to planting within their easement of 8m of the top of the Main Drain. An advice note is to be included in relation to the Environment Agency's comments.

Two letters of objection have been received from local residents concerned that the extended site would create noise and vibration disturbance to nearby residential properties, in addition to such problems already arising from the existing permitted waste transfer station, and the skip storage area granted by Fylde Borough Council on land adjacent to the railway line.

The nearest residential dwellings are to the west on Cheviot Avenue. The rear boundaries of the houses back onto a railway line that separates them from the industrial estate. The closest property boundary is approximately 45m from the building and adjacent small area used for the storage of skips, and 60m from the

hard surfaced yard area to be used for the outside storage of sorted waste, although other houses in the locale increase in distance from the application site due to the route of the railway line. The building on the site screens the yard area to a significant degree from the houses on Cheviot Avenue and therefore it is considered that activities such as the storage of skips and recycled waste materials could take place at the rear of the building furthest from the houses without causing harm to the amenities of local residents. The location and design of the outside storage of sorted waste and skips should be the subject of a planning condition.

The existing permission 05/08/0326 for the waste transfer operations contains a number of conditions relating to hours of operation, noise, dust and litter, and site operations.

In relation to hours of operation, it is proposed that the extended site be open 0730 to 1700 hours Monday to Saturday, and closed on Sundays and public/bank holidays. However, to ensure consistency and to accord with the existing waste transfer site, the hours of operation should be restricted to 0800 to 1800 hours Monday to Saturday, and closed on Sundays and public/bank holidays. A condition should require that all plant, equipment and other machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment or sound proofing equipment.

The applicant proposes all sorted wastes (inert, wood, scrap metal and plastic) to be stockpiled outside in the yard area along the eastern boundary of the site adjacent to the Main Drain within moveable bays to be constructed of concrete 'lego' type blocks that can be covered to enclose any windblown material. The principle of the storage of sorted waste within moveable bays is considered acceptable. In the location along the eastern boundary, the use of the concrete blocks would provide some visual screening as requested by the Borough Council, and also prevent waste from falling outside of the site into the watercourse. The applicant has submitted a plan showing the design of the storage bays and this is considered acceptable subject to control over stockpile heights and sheeting to prevent windblown material.

Provided that conditions are imposed regarding hours of working, noise, dust, litter, floodlighting, control of external storage activities, and a restriction on the height of stored skips, the development is considered acceptable in terms of residential amenity and complies with Policy CS9 of the Core Strategy DPD, Policy DM2 of the LMWLP, and Policies EMP2, EMP4, EP16, EP23, EP26, EP27, EP28 and EP30 of the Fylde Borough Local Plan.

The site is easily accessed from the A584 Lytham Road via Boundary Road. No details have been provided as to the number of HGV's visiting the site each day. However, LCC Highways Development Control have no objection and are satisfied that the development should have a negligible impact on highway safety and capacity in the immediate vicinity of the site. A condition should be included to require that all vehicles transporting materials from the site shall be securely sheeted.



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

## **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:
  - a) The Planning Application received by the County Planning Authority on 1st February 2016.
  - b) Submitted Plans and documents received by the County Planning Authority on 1st February 2016:

Drawing No. 6632/PL/02 - Change of Use to Existing Building - Planning Layout & Details

Drawing No. 6632/PL/03 Rev A - Layout of concrete block storage areas from stockpiles to be removed off site.
  - c) All schemes and programmes approved in accordance with this permission.

*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 Policies CS7, CS8 and CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policies NPPF 1, DM2 and WM1 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies SP1, EMP2, EMP4, EP16, EP23, EP26, EP27, EP28 and EP30 of the Fylde Borough Local Plan.*

## **Hours of Working**

2. No waste transfer or sorting operations shall take place outside the hours of:

0800 to 1800 hours, Mondays to Saturdays except public holidays.

No waste transfer or sorting operations shall take place on Sundays or public holidays.

This condition shall not however operate so as to prevent the carrying out outside these hours of essential repairs to plant and equipment used on the site.

*Reason: To safeguard the amenity of local residents and adjacent properties, landowners and land-users, and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies EP26, EP27 and EP28 of the Fylde Borough Local Plan.*

### **Control of Noise**

3. All plant, equipment and machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the development.

*Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policy EP27 of the Fylde Borough Local Plan.*

### **Dust and Litter**

4. Measures shall be taken at all times during the development to ensure that no dust or wind blown material from the site is carried on to adjacent property and which shall include the watering of dust generative stockpiles and vehicle circulation areas during dry weather conditions.

*Reason: To safeguard the amenity of local residents and adjacent properties, landowners and land users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policy EP26 of the Fylde Borough Local Plan.*

5. All skips within the site containing light materials such as paper or plastics shall be netted at all times to ensure that there is no release of litter outside of the site.

*Reason: In the interests of local amenity and to protect the adjacent Lytham Coastal Changes Site of Special Scientific Interest and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies EP16, EP23 and EP26 of the Fylde Borough Local Plan.*

### **Site Operations**

6. The areas for the external storage of sorted materials shall be laid out and constructed according to the dimensions shown on drawing 6632/PL/03 Rev A. Stockpiles of sorted materials within the bays shall not exceed 3.5 metres in height. The bays used for the storage of plastics and mixed wastes shall incorporate netting or other measures to prevent materials from leaving the site.

No sorted waste materials shall be stored other than within the bays shown on drawing 6632/PL/03 Rev A.

*Reason: In the interests of local amenity and to protect the adjacent Lytham Coastal Changes Site of Special Scientific Interest and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies EP16, EP23, EP26 and EP30 of the Fylde Borough Local Plan.*

7. No sorting of waste materials shall be carried out other than within the waste transfer building shown on the submitted Drawing No. 6632/PL/02 - Change of Use to Existing Building - Planning Layout & Details.

*Reason: To protect the amenities of surrounding land users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies EP26 and EP27 of the Fylde Borough Local Plan.*

8. No waste materials or skips shall be stored on the ground in the area between the front (west facing elevation) of the building and Boundary Road as shown on the submitted Drawing No. 6632/PL/02 - Change of Use to Existing Building - Planning Layout & Details.

*Reason: To protect the amenities of surrounding land users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies EP26 and EP27 of the Fylde Borough Local Plan.*

9. All pre-sorted waste stored outside of the building shall be contained within skips.

*Reason: To safeguard the amenity of adjacent properties, landowners and land-users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, and Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One.*

10. Empty skips shall not be stored to a height exceeding 4 metres.

*Reason: To safeguard the amenity of adjacent properties, landowners and land-users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, and Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One.*

### **Highway Matters**

11. All vehicles transporting materials from the site shall be securely sheeted.

*Reason: In the interests of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, and Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One.*

### **Floodlighting**

12. Any flood lighting to be used during the operational life of the site shall be angled into the site, downwards, shaded to minimise light spill and only illuminated during the working hours specified in condition 2.

*Reason: To minimise light spill beyond the boundaries of the compound and to safeguard the amenity of the area and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policy EP28 of the Fylde Borough Local Plan.*

### **Notes**

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

The watercourse adjoining the site is designated a `Main River` and is therefore subject to Land Drainage Byelaws. In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines or any other structure erected within 8 metres of the top of any bank/retaining wall of the watercourse without prior written consent of the Environment Agency. Full details of such works, together with details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to the Environment Agency for consideration.

The Environment Agency has a right of entry to Main Drain by virtue of Section 172 of the Water Resources Act 1991, and a right to carry out maintenance and improvement works by virtue of Section 165 of the same Act. The developer must contact Pippa Hodgkins on 02030 251397 to discuss our access requirements.

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

<b>Paper</b>	<b>Date</b>	<b>Contact/Directorate/Ext</b>
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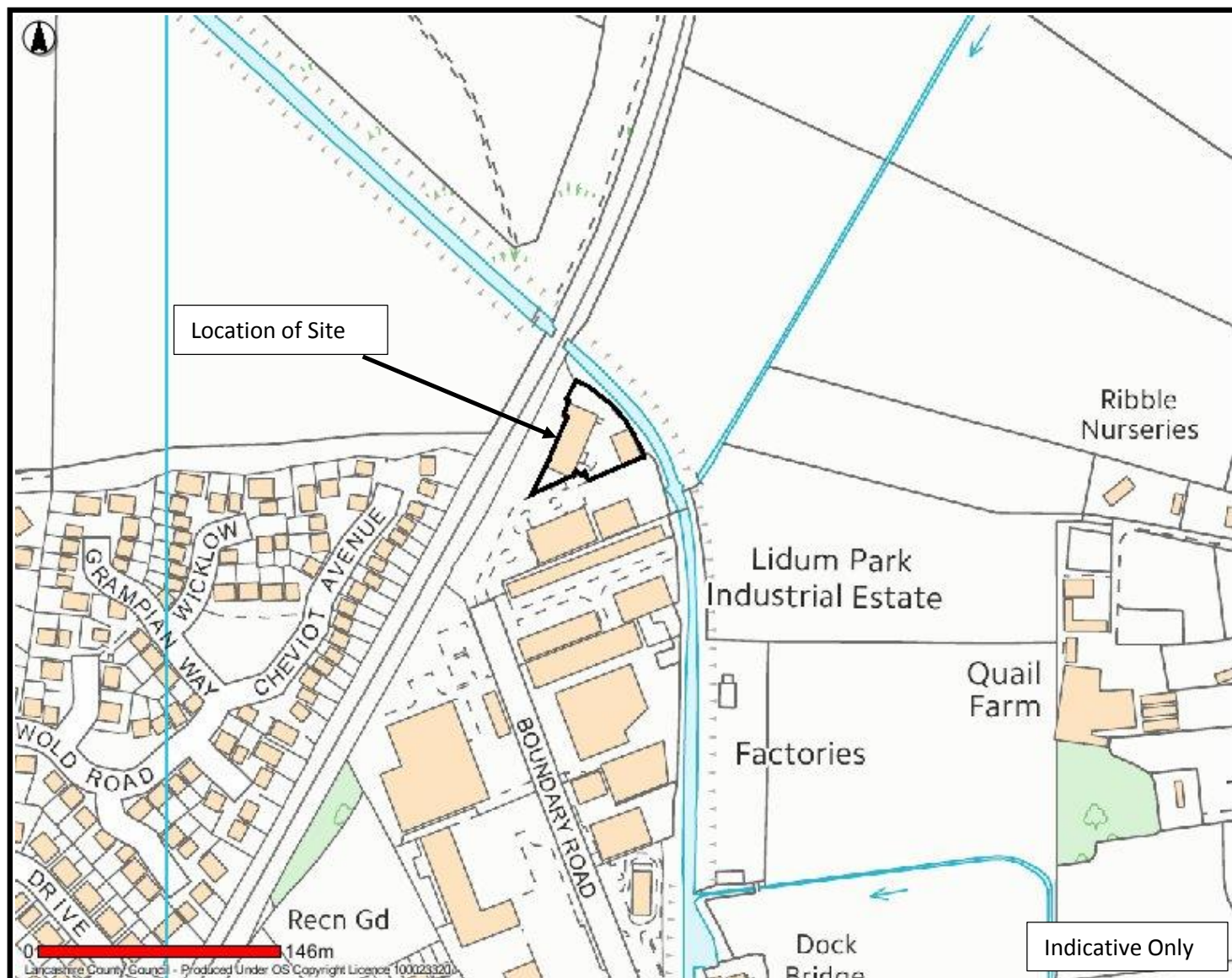
LCC/2016/0014	01 February 2016	Rob Jones/534128
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Reason for Inclusion in Part II, if appropriate

N/A



**APPLICATION LCC/2016/0014 CHANGE OF USE OF ADJACENT LAND AND BUILDINGS TO ALLOW THE STORAGE OF SKIPS AND USE AS AN EXTENSION TO THE EXISTING WASTE TRANSFER LIDUN PARK INDUSTRIAL ESTATE, BOUNDARY ROAD, LYTHAM ST ANNES.**



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**Development Control Committee**  
Meeting to be held on 25th May 2016

Electoral Division affected:  
Leyland South West

**South Ribble Borough: application number. LCC/2016/0025**  
**Proposed roof alteration to house additional tanks at 117-118 Clydesdale Place, Moss Side Industrial Estate, Leyland.**

Contact for further information:  
Robert Hope, Development Management Group, 01772 534159  
[DevCon@lancashire.gov.uk](mailto:DevCon@lancashire.gov.uk)

## **Executive Summary**

Application - Proposed roof alteration to house additional tanks at 117-118 Clydesdale Place, Moss Side Industrial Estate, Leyland.

## **Recommendation – Summary**

That planning permission be **granted** subject to conditions controlling commencement, working programme, building materials and turning area.

## **Applicant's Proposal**

Planning permission is sought for alterations to the roof of an existing building to allow for the accommodation of additional internal tanks. The change would result in an increase in the height of a 25m x 26m section of a large industrial building by up to 5.5m and a corresponding alteration of the existing roofline. The extended roof area would be constructed from insulated profile metal sheeting to match the existing building.

## **Description and Location of Site**

The proposed development would be at an existing waste transfer station located at 117 - 118 Clydesdale Place on Moss Side Industrial Estate approximately 2km west of Leyland town centre. The site includes industrial buildings largely clad in brown/grey profile metal sheeting and a service yard and external tanks. An electricity pylon is located towards the south of the service yard and high voltage overhead wires cross the south west of the site. The site is adjacent to a range of business units. The nearest residential properties are approximately 100 metres south of the site.

## **Background**

History

Planning permission was granted in 1991 for the storage, processing and transfer of contaminated waste solvents at part of the site (Unit 117A) (ref. 07/91/343).

Retrospective planning permission was granted in March 2007 for the use of the site (Units 117 and 118) for the recovery of waste solvents (ref. 07/07/0071).

Planning permission was granted in 2008 for the siting of 4 steel storage tanks (ref. 07/08/0772)

Planning permission was granted on 9 December 2015 for a smaller proposed roof alteration to house additional tanks (ref. LCC/2015/0099).

## **Planning Policy**

National Planning Policy Framework

Paragraphs 11 – 16, 17 and 56 of the NPPF are relevant with regard to the definition of sustainable development, core planning principles and requiring good design.

Joint Lancashire Minerals and Waste Local Plan (JLMWLP)

Policy DM2 – Development Management

Central Lancashire Core Strategy

Policy 17 – Design of New Buildings

South Ribble Local Plan 2015

Policy G17 - Design Criteria for New Development

## **Consultations**

South Ribble Borough Council – No objection.

LCC Highways Development Control – No objection. The development would be likely to have a negligible impact on highway safety and capacity in the immediate vicinity of the site.

Environment Agency – No objection. The permit holder will need to apply to the Environment Agency to vary the permit for the operation of the proposed development.

Representations – The application has been advertised by press and site notice, and neighbours informed by individual letter. Two representations have been received raising objection in relation to the potential adverse impact of a likely increase in heavy goods vehicles on the estate roads and parking availability as a consequence of the creation of additional storage capacity within the building and lack of vehicle

turning provision. Concern is also raised in relation to existing unpleasant odour from the site and the risk of contamination through spillages.

### **Advice**

The principle of waste management operations at the site has already been established through the granting of planning permissions at this site in 1991 and 2007 and the facility has an Environmental Permit issued by the Environment Agency. In December 2015 permission was granted for a modest extension to the roof line of the existing building to provide more space to house internal storage tanks (ref LCC/2015/0099). Following that approval the site operator concluded that the structural design was not fit for purpose and hence the need for the current application which would supersede the earlier approved design. The size of the change was considered too significant to be addressed through the non-material amendment procedure.

Policy 17 of the Central Lancashire Core Strategy is entitled 'Design of New Buildings' and requires new buildings to take account of the character and appearance of the local area.

Policy G17 of the South Ribble Local Plan 2015 requires, *inter alia*, development to be well related to neighbouring buildings and the locality in terms of its size, scale and intensity, and that development should not prejudice highway safety, pedestrian safety, or the free flow of traffic.

In terms of the design, it is considered that this proposed enhanced extension would still have a limited effect on the surrounding area given the size and scale of the existing site and the nature, scale and variety of other existing industrial buildings in the surrounding area. The proposed building materials would match the existing building and this could be controlled by condition.

The main issue, as raised by neighbouring businesses, is the potential impact of the increased storage capacity on increased traffic generation outside the premises and on Clydesdale Place, and concerns regarding pollution control.

Clydesdale Place is an adopted public highway and serves a range of business units and there is competition for parking within the wider site. The applicant's business is already present and although the extension would provide greater capacity it is still considered that any increase in vehicle movements would not be of a scale to warrant refusal of planning permission. The County Council's Highway Development Control section has raised no objection and has commented that the development would be likely to have a negligible impact on highway safety and capacity in the immediate vicinity of the site. There are no restrictions on vehicle movements or production output at the industrial estate and therefore traffic levels could ebb and flow at any time depending on market activity or the nature of businesses within each unit.

When determining the previous application at the site, and following a site visit, the Development Control Committee raised concerns about the lack of sufficient HGV manoeuvring capability within the yard area. Consequently, it was approved subject

to a condition requiring the submission of details and the provision of a turning circle prior to commencement of development. Those details were submitted and approved and have also been re-submitted as part of this application. It is recommended that the requirement for a turning circle should also be imposed by way of condition should permission be granted.

With regard to pollution control, paragraph 122 of the NPPF makes it clear that local planning authorities should focus on whether the development itself is an acceptable use of the land and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. The waste management facility operates under an Environmental Permit and it should be assumed that the permitting regime operates effectively.

In summary, it is considered that the proposed development complies with the policies of the NPPF and the development plan.

In view of the scale, location and nature of the proposed development, and the requirement for the developer to comply with other statutory controls, it is considered that no Convention Rights as 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 3 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 validated by the County Planning Authority on 15th March 2016.
  - b) Submitted Plans and documents:

Drawing no. 2015-154-A01, B - Site Location

Drawing no. 2015-154-A03, B - Proposed Elevations and Roof Plan

Drawing no. 2015-154-A04, B - Proposed Plan and Section

Drawing no. 2015-154-A05 - Building and Yard Plan Showing Vehicle Movement in Yard of 117A - Autotrack 1

Drawing no. 2015-154-A06 - Building and Yard Plan Showing Vehicle Movement in Yard of 117A - Autotrack 2

*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 and Policy G17 of the South Ribble Local Plan.*

3. 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 policy G17 of the South Ribble Local Plan.*

4. No development shall commence until the HGV turning area shown on drawing numbers 2015-154-A05 and 2015-154-A06 has been provided. Thereafter the HGV turning area shall be retained at all times free from obstruction to allow HGV's to enter and exit the site in forward gear. HGVs shall not reverse out of the yard area of 117A Clydesdale Place at any time.

*Reason: In the interests of local amenity and highway safety and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.*

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

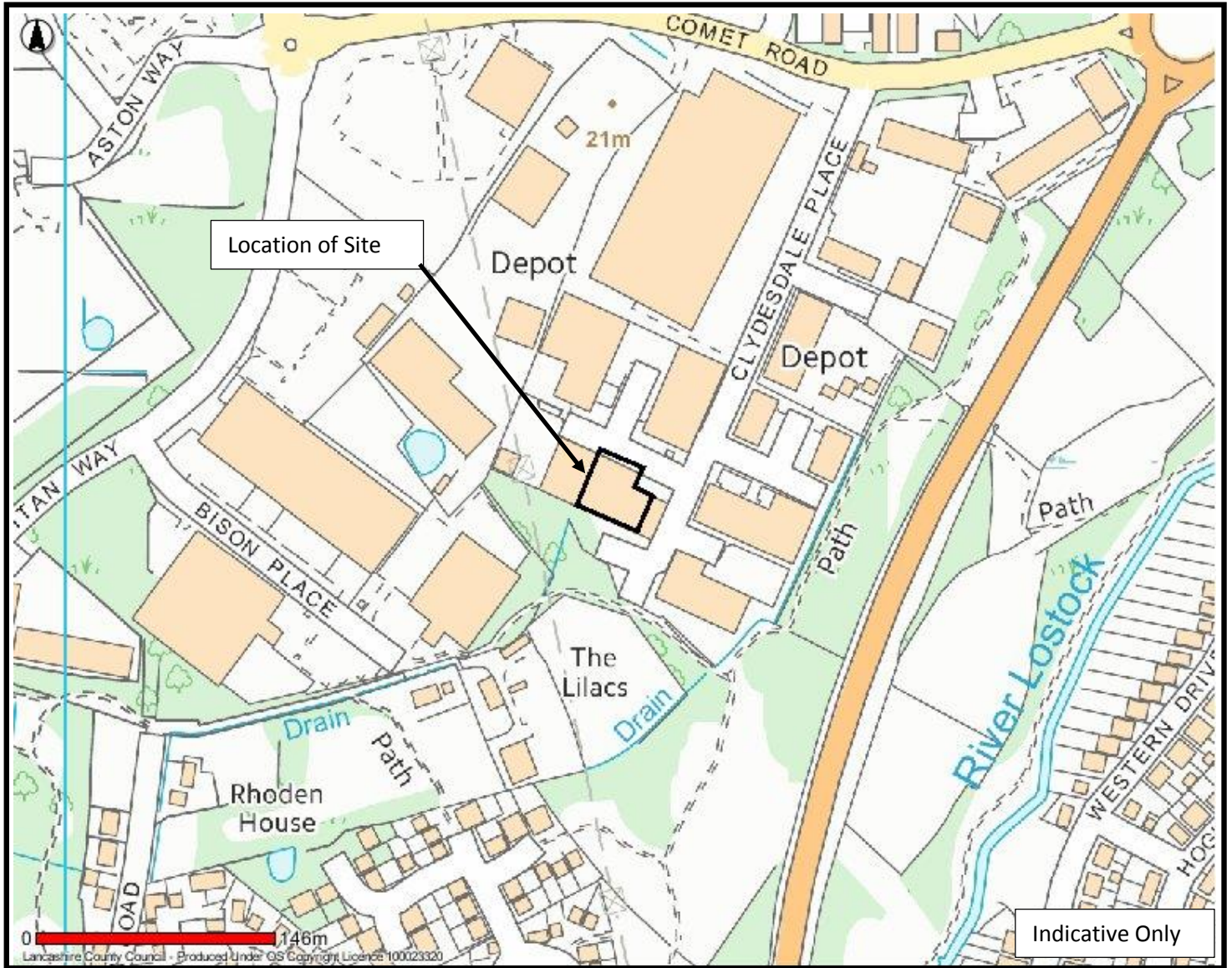
<b>Paper</b>	<b>Date</b>	<b>Contact/Ext</b>
LCC/2016/0025	May 2016	R Hope/34159

Reason for Inclusion in Part II, if appropriate

N/A



**APPLICATION LCC/2016/0025 PROPOSED ROOF ALTERATION TO HOUSE  
ADDITIONAL TANKS. 117-118 CLYDESDALE PLACE, MOSS SIDE  
INDUSTRIAL ESTATE, LEYLAND.**



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**Development Control Committee**  
Meeting to be held on 25th May 2016

Electoral Division affected: Clitheroe
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**Ribble Valley Borough: application number. LCC/2016/0027**  
**Importation and processing of construction and demolition waste including road planings and reclaimed asphalt pavement (RAP) including the regularisation of the RAP hopper. Bankfield Quarry, Pimlico Link Road, Clitheroe.**

Contact for further information:  
Jonathan Haine, 01772 534130  
[DevCon@lancashire.gov.uk](mailto:DevCon@lancashire.gov.uk)

## **Executive Summary**

Application - Importation and processing of construction and demolition waste including road planings and reclaimed asphalt pavement (RAP) including the regularisation of the RAP hopper. Bankfield Quarry, Pimlico Link Road, Clitheroe.

## **Recommendation – Summary**

That planning permission be **granted** subject to conditions controlling time limits, duration of the permission, working programme, hours of operation, noise and dust and access issues.

## **Applicant's Proposal**

The application is for the change of use of an area of land within an existing limestone quarry to permit its use as a site for the processing of construction and demolition waste predominately arising from road maintenance operations.

Retrospective permission is also sought for the construction of a new hopper forming part of the existing asphalt production plant at the site.

The area to be used for the processing of construction waste measures 1.6 hectares in area. The proposal would involve the importation of up to 65,000 tonnes of construction and demolition wastes per year. Imported wastes would be stockpiled and then crushed and screened using mobile plant with the resultant material being transported to the RAP hopper where it would be stored pending use in the production of road surfacing materials.

The crushing and screening activities would take place between the hours of 07.00 – 22.00 hours Mondays to Fridays and from 07.00 – 13.00 on Saturdays. The importation of waste materials would take place between 05.00 – 22.00 hours Mondays to Fridays and from 05.00 – 13.00 hours on Saturdays. Provision is also

requested to import waste materials outside of these hours on 150 occasions per year.

The RAP hopper is a building measuring approximately 6 metres by 4 metres and 10 metres in height enclosed on 3 sides by green metal profiled sheeting and which incorporates a hopper and conveyor used to load recycled materials into the asphalt plant.

### **Description and Location of Site**

The proposed development is located at Bankfield Quarry, located off Pimlico Link Road approximately 1.8 km north east of Clitheroe. Bankfield Quarry is a deep limestone quarry approximately 40 hectares in area. The application site is located within an area near original land levels located south west of the quarry occupied by an asphalt plant, stockpiles of stone, site offices and workshop and weighbridge facilities. The quarry access is onto Pimlico Link Road.

To the north and east is a cement works and large quarry used to supply cement making materials. The southern boundary of the site is formed by Pimlico Link Road beyond which is Coplow Quarry, a former landfill site used for the disposal of waste arising from cement manufacture. To the west is a chemical manufacturing plant. The nearest residential properties are located off Chatburn Old Road and at the junction of Pimlico Link Road and Pimlico Road, 300 metres to the west of the application site. There is also a further single property and a hospital located at the junction of Pimlico Link Road and Chatburn Road, 400 metres to the south east of the application site.

### **Background**

History: Bankfield Quarry has a long history of development related to limestone quarrying.

Planning permission for the marginal widening and extension in depth of the quarry to minus 50 metres AOD was granted in 2002 (planning permission 3/97/636) which is the current permission for the site.

The asphalt plant at the site benefits from a planning permission granted in 1989 (ref 3/88/0786).

### **Planning Policy**

National Planning Policy Framework : Paragraphs 11- 14, 17, 122 – 123 and 142 - 146 of the NPPF are relevant with regards to the presumption in favour of sustainable development, core planning principles, impacts of noise and pollution and the sustainable use of minerals.

National Planning Policy for Waste: Paragraph 7 is relevant regarding the determination of applications for waste facilities.

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

Policy CS8 Identifying capacity for Managing Waste  
Policy CS9 Achieving Sustainable Waste Management

Joint Lancashire Minerals and Waste Local Plan (JLMWLP)  
Policy DM2 Development Management

Ribble Valley Borough Core Strategy

Policy DS2 Presumption in favour of sustainable development  
Policy DMG1 General Considerations  
Policy DMG3 Transport and Mobility  
Policy DMB1 Supporting Business Growth and the Local Economy

### **Consultations**

Ribble Valley Borough Council: No objection.

Clitheroe Town Council: No observations received.

LCC Highways Development Control: No objection- the proposed development would have a negligible impact on highway safety and capacity in the immediate vicinity of the site.

Environment Agency: No objection. The proposal will need to be the subject of an environmental permit.

Representations – The application has been advertised by press and site notice and neighbouring residents informed by individual letter. One representation has been received on behalf of the landowner of a plot of land off Pimlico Link Road. The representation states that an outline planning permission (ref 3/2014/0742) has been granted on this land for up to 19 dwellings. Concern is expressed that the applicant's noise report does not acknowledge the existence of this planning permission and that the proposed recycling activity would give rise to harm to the occupiers of the residential development due to noise and night time activities.

### **Advice**

Bankfield Quarry is a long established limestone quarry. The site includes a large asphalt plant which is used for the production and supply of road surfacing materials.

Planning permission was granted in 2002 for the marginal widening and extension in depth of the quarry to minus 50 metres AOD (ref 3/97/636). This is the current permission for the site and permits the working of limestone until 31<sup>st</sup> December 2018 with a further one year period for restoration. Whilst, the applicant Company ceased quarrying activities at the site in 2008, the asphalt plant has continued to

operate using hardstone and sand materials imported from other quarries together with bitumen.

Much of the asphalt material supplied for Bankfield Quarry is used for road maintenance contracts where the existing road surface is removed before new surfacing materials are laid. The old surfacing materials contain stone and bitumen that can be reused in the production of new surfacing materials if they are included as an admixture at limited rates. Such reuse has benefits in terms of reducing the quarrying of new hardstone materials and allowing the reuse of bitumen which is produced from crude oil.

The applicant therefore proposes to establish a facility at Bankfield Quarry for the recycling of up to 65,000 tonnes of such wastes per year. A stockpile of waste material (which may include road planings, kerb stones, concrete and other cement / bitumen based materials) would be constructed and a crusher / screening plant used on a periodic basis to produce a suitably graded material for feeding into the asphalt plant alongside other virgin materials. The proposed activity would therefore achieve a move up the waste hierarchy for these materials and would reduce demand for primary won aggregate and hydrocarbon materials, thereby meeting a number of objectives in national planning policy.

In terms of locational issues, the application site is situated within the permitted boundary of a limestone quarry. Whilst the applicant is currently not operating the adjacent quarry, the nature of the recycling activities would be very similar to that which previously took place when the site was an active quarry. Moreover, the recycling activities would be on a considerably smaller scale compared to when quarried limestone was being processed for sale. The application site is well screened from Pimlico Link Road by landscaped screen bunding and subject to conditions being imposed to limit stockpile heights and the duration of the activity to the same time limit as the existing quarrying permission, it is considered that the recycling development is acceptable in terms of visual amenity.

The RAP hopper would normally be considered as permitted development under the rights relating to buildings and plant associated with mineral workings. However, the permitted development rights were removed by a condition to the 2002 planning permission. Whilst the RAP hopper is a substantial structure, it is located adjacent to the existing asphalt plant which is significantly larger and due to the existing boundary screening around the site perimeter, the visual impacts would be acceptable. The RAP hopper incorporates a conveyor to transport recycled materials into the coating plant. However, any noise impacts would be acceptable given the distance to the nearest properties.

Bankfield Quarry benefits from a high standard access direct onto Pimlico Link Road which links to the A59 and wider strategic road network. Establishing a recycling facility at Bankfield Quarry would also allow HGV's delivering asphalt materials to road surfacing contracts to return to the site loaded with waste materials rather than running empty thereby reducing vehicle miles. The existing planning permission for the site permits up to 50 HGV's to leave the site per hour and the proposed development could be undertaken within that overall limitation. For these reasons there are no highway objections to the development.

One representation has been received on behalf of a landowner who has outline planning permission for the construction of up to 19 dwellings on an area of land on the south side of Pimlico Link Road, approximately 150 metres from the application site. The landowner is concerned that the potential noise impacts of the recycling development have not been properly assessed and that there would be unacceptable impacts, particularly during the night time and early morning for occupiers of the proposed houses.

The historical permissions for Bankfield Quarry did not contain any restrictions on hours of operation. However, the 1997 planning application for widening and deepening of the quarry provided an opportunity to review that position. The applicant maintained that the asphalt plant at the site was an important facility for the production of highway surfacing materials and that such materials were often required during the night time period, particularly for motorway and trunk road contracts. The controls on hours of working within condition 19 of the planning permission therefore limit quarrying and processing of stone to between 05.00 – 22.00 hours Mondays to Fridays and 05.00 – 13.00 on Saturdays with the production and export of coated roadstone able to take place outside these hours (during the night time period) on up to 150 instances in any one year.

The applicant does not wish to crush or screen materials at night but has applied for the ability to import waste materials outside of the core hours contained in condition 19 of the permission with the same limitation on frequency of 'out of hours' operation. As discussed above, the site already has permission to use the asphalt plant at night and due to the manner of operation, the importation of waste materials into the quarry should not significantly increase levels of traffic or noise during the night time period beyond those levels that can take place under the existing permission. There are controls within the current planning permission that relate to night time noise and it is considered that these controls would allow noise during the night time period to be maintained at acceptable levels. Paragraph 123 of the NPPF also states that planning authorities should recognise that development will often create some noise and existing businesses wanting to develop in continuation of their businesses should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established. It should also be noted that the existing permission for the quarry is time limited until 2018 and should an application be made for a continuation of any quarrying and recycling activities beyond that date, there would be opportunity to review night time working and noise limitations at that time. For these reasons, the objections of the adjacent landowner are not supported. However, it is considered that conditions should be imposed on any permission in relation to hours of operation and dust and noise controls and with such conditions, the proposal would be acceptable in relation to Policy DM2 of the Lancashire Minerals and Waste Local Plan.

In view of the scale, location and nature of the 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

1. The recycling activities authorised by this permission shall cease not later than 31st December 2018. All stockpiles of waste and recycled materials shall thereafter be removed and the site restored by not later than 31st December 2019 in accordance with the scheme and programme of restoration approved under condition 52 of planning permission 3/97/636.

*Reason : To provide for the restoration of the site within the approved timescale in the interests of the visual and local amenities of the area and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy DMG1 of the Ribble Valley Core Strategy.*

## 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 and supporting statement received by the County Planning Authority on 24th March 2016.

- b) Submitted Plans and documents:

Drawing B004/00138A - Recycling and RAP storage area - Site Plan  
Drawing B004/00139B - Recycling and RAP storage area - Location Plan

*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 Lancashire Minerals and Waste Local Plan and policies DMG1 and DMG3 of the Ribble Valley Core Strategy.*

3. No stockpile of imported waste materials or processed material shall exceed a height of five metres.

*Reason: In the interests to the visual amenities of the area and amenities of local residents and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.*

4. No crushing and screening of waste materials shall take place outside the hours of:-

07.00 - 22.00 hours Mondays to Fridays  
07.00 - 13.00 hours on Saturdays

No such operations shall take place at any time on Sundays or public holidays.

The above hours shall not apply to the importation of waste materials which shall not take place outside the following hours:

05.00 - 22.00 hours Mondays to Fridays  
05.00 - 13.00 hours on Saturdays

This condition shall not, however, operate so as to prevent the carrying out outside of these hours of essential repairs to plant and machinery used on site.

*Reason: In the interests of the amenity of local residents and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.*

5. Notwithstanding the general hours of working specified in condition 4 above the importation of waste materials to the site may also be able to be undertaken outside the specified hours including on Saturdays, Sundays and public holidays provided that the instances of working outside the hours specified in condition 4 do not exceed 150 occurrences as defined in this permission, in any one calendar year.

*Reason: In the interests of the amenity of local residents and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.*

6. Measures shall be employed at all times to minimise dust emissions from the site. Such measures shall include the fitting of dust suppression measures to all crushing and screening plant, the watering of all stockpiles and haul roads to reduce dust emissions and suspension of processing activities during dry and windy weather conditions.

*Reason: In the interests of local amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.*

7. All plant, equipment and machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the development.

*Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy 2 of the Lancashire Minerals and Waste Local Plan.*

8. The noise levels emitted from the site when measured at Park House or Clitheroe Hospital shall not exceed the levels stated in conditions 30 and 31 of planning permission ref 3/97/0636.

*Reason: In the interests of local amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.*

9. The sole access to and egress from the site by HGV's shall be to and from the Pimlico Link Road as shown on drawing B004/00139B.

*Reason : In the interests of highway safety and residential amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy DMG3 of the Ribble Valley Core Strategy.*

10. The wheel cleaning facilities installed at Bankfield Quarry shall remain available for use at all times during the development so as to ensure that no debris from the site is deposited by vehicle wheels upon the public highway. The wheel cleaning facilities shall be maintained in full working order at all times and shall be used by all HGV's leaving the site.

*Reason: In the interests of highway safety and local amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.*

## **Definitions**

Occurrence: any instance of importation of waste material outside the hours specified in condition 4.

## **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**

<b>Paper</b>	<b>Date</b>	<b>Contact/Directorate/Ext</b>
LCC/2016/0027		

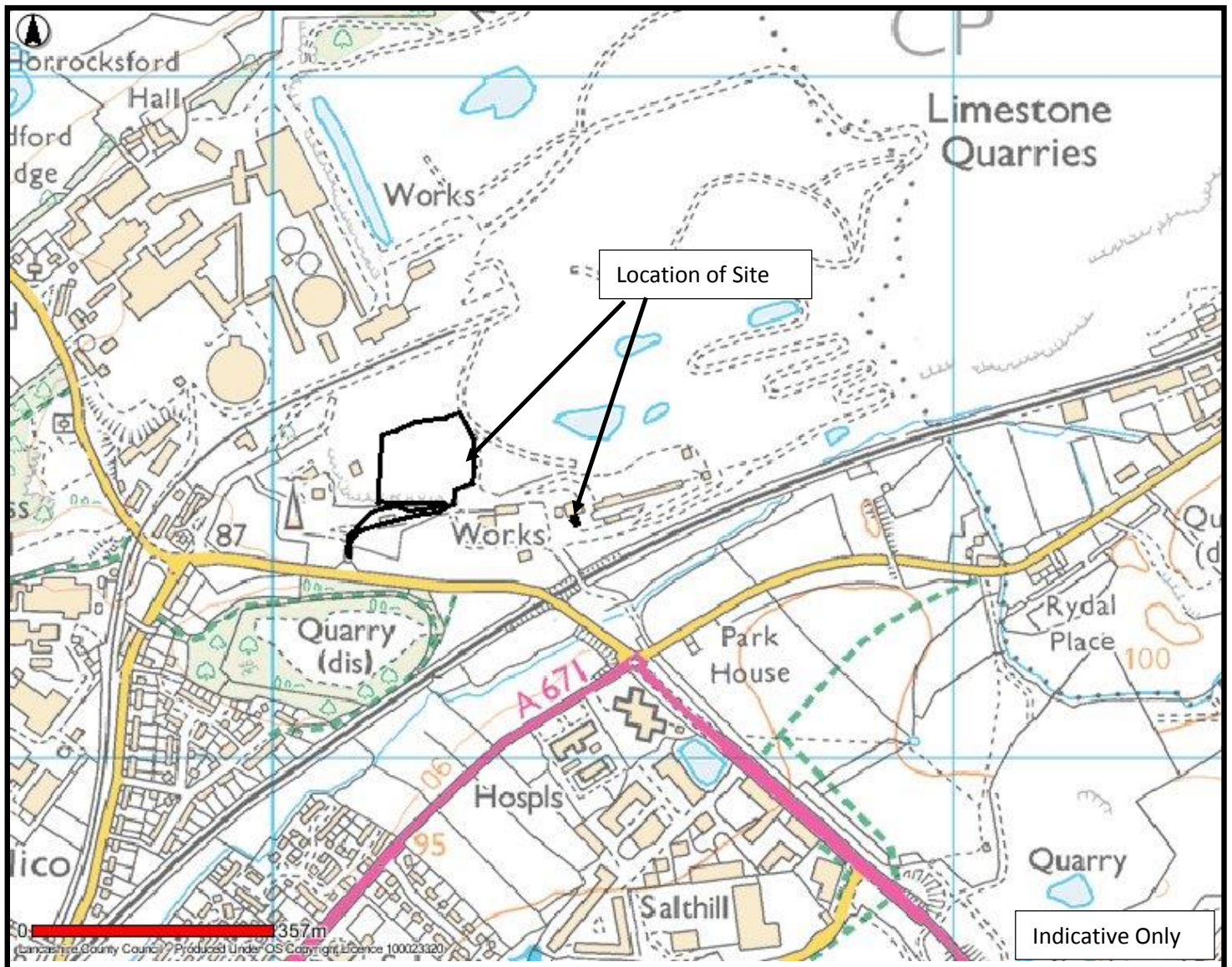
24th March 2016

Jonathan Haine  
Planning and Environment  
534130

Reason for Inclusion in Part II, if appropriate  
N/A



**APPLICATION LCC/2016/0027 IMPORATION AND PROCESSING OF CONSTRUCTION AND DEMOLITION WASTE INCLUDING ROAD PLANINGS AND RECLAIMED ASPHALT PAVEMENT (RAP) INCLUDING THE REGULARISATION OF THE RAP HOPPER. BANKFIELD QUARRY, PIMLICO LINK ROAD, CLITHEROE.**



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**Development Control Committee**  
Meeting to be held on 25th May 2016

Electoral Division affected: Preston East
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**Preston City: application number. LCC/2016/0029**  
**Application for the removal of condition 4 and the variation of condition 5 of permission 06/12/0695 to remove the restriction on opening hours of the visitor centre and to allow amplified music within the building from 9am to 1am Mondays to Sundays. Brockholes Nature Reserve, Preston New Road, Samlesbury.**

Contact for further information:  
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## **Executive Summary**

Application for the removal of condition 4 and the variation of condition 5 of permission 06/12/0695 to remove the restriction on opening hours of the visitor centre and to allow amplified music within the building from 9am to 1am Mondays to Sundays. Brockholes Nature Reserve, Preston New Road, Samlesbury.

## **Recommendation – Summary**

That planning permission be **granted** subject to conditions controlling time limits, working programme, hours of operation, noise controls, highway matters, flooding and landscaping.

## **Applicant's Proposal**

The application relates to the existing nature reserve site at Brockholes, Preston. The existing planning permission for the site ref 6/12/0695 contains two conditions restricting the hours of use of the visitor centre:-

- condition 4 restricts the opening hours of the visitor centre to between 06.00 – 12.00 midnight
- condition 5 states that no amplified music shall be played outside of the building at any time and that amplified music within the building shall only take place between the hours of 09.00 -23.00 hours.

The current application is for the deletion of condition 4 and for the variation of condition 5 to allow amplified music to be played within the building from 09.00 – 01.00 hours Mondays to Sundays.

## **Description and Location of Site**

Brockholes Nature Reserve is located in a former sand and gravel quarry immediately east of the M6 motorway, 4km east of Preston city centre. Access to the site is gained via a private access road from junction 31 of the M6.

The site is comprised of a series of lakes and other surrounding grassland and woodland. In the southern part of the site is a large lake that includes a floating pontoon accommodating a visitor centre including café/ restaurant, retail facilities and event space.

To the south and east of the site is the River Ribble beyond which are a number of properties in Salmesbury village which are accessed off Potters Lane. These properties are approximately 300 metres from the Brockholes visitor centre.

To the north of the Brockholes site is Tun Brook Woods which is a SSSI. The whole of the River Ribble and the Brockholes site is designated as a Biological Heritage Site.

The Ribble Way footpath and Guild Wheel cycle path run through the centre of the application site and a permissive footpath runs along the bank of the River Ribble.

## **Background**

### History

The site was a sand and gravel quarry between 1995 and 2007.

Planning permission for the development of a visitors centre at the site including café unit, retail, conference and exhibition space, car parking and other visitor facilities was granted in 2011 (planning permission 6/09/0311).

Planning permission (ref 6/12/0695) was granted in 2012 for the variation of conditions 4 and 5 of planning permission 6/09/0311 to allow the visitor centre to open between 06.00 – 12.00 midnight.

## **Planning Policy**

### National Planning Policy Framework

Paragraphs 6 -14, 17, 28, 79 – 90, 123 of the NPPF are relevant with regards to the presumption in favour of sustainable development, core planning principles, supporting a prosperous rural economy, green belts and the impacts of noise

### Central Lancashire Core Strategy

Policy 13 Rural Economy

### Preston City Local Plan

Policy V1 Model Policy

Policy EN1 Development in the open countryside

## Consultations

South Ribble Borough Council: The Borough Council's Environmental Health Officer is aware of the complaints that have previously been received regarding noise from the Brockholes site. He notes that the noise survey accompanying the application was conducted until midnight whereas the proposal is for music to be played until 01.00 when background noise levels are likely to be lower. The EHO considers that the existence of complaints is an indication that the extended hours have the potential to result in an adverse impact on the nearby residential properties. The EHO considers that there may be potential to mitigate impacts through all doors and windows being closed during periods of entertainment, provision of a lobby and use of a limiting device on amplification equipment.

Preston City Council: No objection.

Samlesbury Parish Council: Object to the application. The affected properties are within Salmesbury and the Parish Council consider that there are fundamental conflicts between a bird reserve and the playing of loud music.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. Fifteen representations have been received objecting to the application for the following reasons:-

- The applicant has not assessed background noise over the full period for which opening hours are proposed and the assessment was carried out when the wind was away from the properties in Salmesbury. The assessment is therefore defective.
- The mitigation measures proposed by the applicant rely on the owner being able to manage events at the site.
- Loud music will be detrimental to the wildlife interest of the site and is not compatible with the intended nature conservation purpose of the site.
- The introduction of private functions is detrimental to the use of site by others as it restricts access to certain facilities at the site.
- The amenity of local residents has been ignored by the applicants.
- The use of the site as a wedding / party venue is inappropriate for a wildlife site within the Green Belt.
- Most of the mitigation measures proposed by the applicant to limit noise are unenforceable.
- The use of the site for longer hours would result in more light pollution.
- The extended hours will have an adverse effect on the amenity of local residents and property values.
- The existing noise from the site is not acceptable and allowing further noise will increase the impact on the area.
- The applicant should be safeguarding wildlife and this proposal would be detrimental to the original objectives of the site.
- The noise would interfere with Sunday services, funerals and weddings at Salmesbury church.
- It is unreasonable to expect parties to be contained within the buildings and the outside areas at the site will undoubtedly be used at night thereby increasing noise.

- It is unsafe to have such parties on a site surrounded by water.

A further letter has also been received via Nigel Evans MP who believes that proper scrutiny of the application is needed.

## **Advice**

The Brockholes Nature Reserve was established on the site in April 2011 following the cessation of the former sand and gravel extraction operation and the restoration of the site to a series of lakes and other habitats that quickly acquired nature conservation value.

When the Lancashire Wildlife Trust acquired the site, they maintained that the site required a visitor centre to provide some visitor facilities such as a café and interpretation area as well as ancillary exhibition and event space. These facilities were required to allow the development of an income stream which could be used to support the nature conservation activities on the site. An outline planning permission was granted in 2008 for the construction of the visitor facilities with a full application following in 2009 which included details of the buildings located on the floating raft structure and the car parking and other ancillary developments (planning permission 6/09/0311). This permission included a condition (no.8) restricting the opening hours of the visitor centre to between 10.00 – 17.00 Mondays to Fridays and 09.00 – 18.00 on Saturdays and Sundays.

A planning application ref 6/12/0695 was then made to vary condition 8 of planning permission 6/09/0311 to allow the visitor centre to be used between the hours of 06.00 to 12.00 midnight. At that time the applicant stated that longer hours were required to allow evening events such as natural history talks, early morning or evening guided walks, late night seasonal opening at Christmas and summer evenings and community group meetings. The Wildlife Trust explained that these events were essential as they helped to attract a wider range of visitors and increase income, thereby ensuring that the site could be economically sustainable.

Whilst application 6/12/0695 was considered to be generally acceptable, the County Council also became aware that the site had been granted an alcohol licence and was also a licenced wedding venue. In order to protect local amenities from the noise impacts that might arise from such activities, two conditions were attached to the permission. Condition 4 limits the use of the visitor centre to between 06.00 and 24.00 hours and condition 5 prevents the playing of amplified music outside of the buildings at any time and inside the buildings only between the hours of 09.00 – 23.00 Mondays to Sundays.

An application has now been made to remove condition 4 on general opening hours and to vary condition 5 to allow the playing of amplified music within the building until 01.00 hours Mondays to Sundays. In support of their application to remove condition 4, the applicant maintains that they need to operate the site outside of the existing general opening hours in order to be able to clean the buildings and external areas following evening / night time events and that the nature of the access (which is direct to the M6) and distance from properties means that there is no need for the condition to remain. In respect of condition 5, the applicant states a significant part of their income comes from weddings and other celebrations and that the current restrictions on the playing of amplified music limit the ability to attract such business.

The Trust draw attention to the need for this income stream to be able to fund the management of the surrounding nature reserve which they state is now a considerable visitor attraction (160,000 visitors per annum) and is of SSSI quality for its population of whimbrel and assemblage of other birds.

A number of comments have been raised in representations regarding the appropriateness of the site being used for weddings and other celebratory events given the location of the site in a nature reserve which is also in the Green Belt and open countryside. However, the buildings on the site have already been constructed for the purposes of providing visitor facilities and exhibition / event space and it is considered that the use of the facilities for weddings and other events does not necessarily conflict with the purposes of including land within the Green Belt or is contrary to the policies of the development plan relating to development within the open countryside. The nature reserve is a large area of land and the visitor centre is located well away from the existing SSSI and the other areas of the Brockholes site where visitor access is restricted to encourage wildlife. For these reasons, longer opening hours would not necessarily conflict with the overall nature conservation objectives of the site and it is clearly necessary for the site to be able to develop an income to support the management of the wider site.

The main issue relates to the applicant's request to vary condition 5 to allow the playing of amplified music within the building until 01.00 hours Mondays to Sundays. The current permission restricts such activities until 23.00 hrs. In support of their application, a noise assessment has been undertaken in order to evaluate noise impacts at the nearest properties in Salmesbury. The assessment was undertaken by generating a noise level within the visitor centre building equivalent to a loud disco and then measuring the noise in the village to assess impacts. The assessment concluded that the noise levels in Salmesbury were below the background levels such that the noise could not be measured or heard.

There are some concerns in that the survey only assessed noise impacts until 12.00 and therefore did not cover the full period over which site activities are proposed. Background noise levels may reduce between 24.00 and 01.00, particularly in this location where the noise climate is heavily influenced by motorway traffic. The wind during the survey period was also towards the site rather than towards the nearest houses which could have affected the result.

In summer 2015 two complaints were received from a local resident on Potters Lane, Salmesbury regarding music noise from the site late at night. A number of representations received to this application have also commented that night time noise from the site has been heard on occasion. When the complaints were investigated, the Wildlife Trust conceded that the occurrence of noise beyond 11.00 was due to a change of staff at the site and confusion as to the finishing time for events as the premises (alcohol) licence issued by the City Council permits the site to open until midnight as opposed to 23.00 in the planning permission.

Notwithstanding the findings of the noise survey, it is therefore considered that noise from weddings and other events at the site has the potential to impact upon local amenity unless properly controlled.

The noise assessment submitted in support of the application suggests a range of mitigation measures that could be employed to reduce noise levels in the event that

the buildings are to be used for a loud disco / live performance. These include the use of a noise limiter which would restrict outputs from a PA system to a pre-set level or ensuring that the doors and windows to the buildings remain closed.

Closure of the doors and windows would be effective in containing noise. However, the buildings are sited on a large decking type area with floor to ceiling glazing. It is inevitable that the decking areas will be used in conjunction with the interior space during events and that the glazed panels will be open especially during summer thereby allowing sound to escape. A condition requiring doors and windows to remain closed in order to contain sound would therefore not be acceptable to the applicant and would also be difficult to enforce.

The Wildlife Trust consider that the use of a noise limiter would be excessively prescriptive regulation and as an alternative they propose a number of alternative measures including that the manager would actively monitor music levels, control of the use through room hire conditions, use of certain approved DJ's and careful screening where live music is proposed so that load bands are declined. However, none of those measures are considered to be enforceable in planning terms.

The Borough Council EHO considers that additional mitigation measures are required including doors and windows to be kept closed, provision of a lobby and use of a limiting device for all entertainment. For the reasons set out above, it is considered that requiring all doors and windows to remain closed would not be possible and the design of the buildings would not lend itself to the construction of a lobby. However, noise limiters are often employed in clubs and pubs to restrict noise to acceptable levels and it is considered that the use of such a device could be the subject of a planning condition and would be effective in restricting noise to a pre-set level. Such a condition would also need to require further investigation as to the noise level to which such a limiter should be set and procedure to be followed should complaints be received.

Permission is sought for amplified music to be able to be played until 01.00 Mondays to Sundays. However such hours are considered to be excessive in this location and therefore it is considered that the hours should be restricted to 12.00 midnight on Fridays and Saturdays and 23.00 on other days. Such hours would be within those included in the existing premises licence. In terms of the general hours of opening (condition 4), it is considered that there is some scope for flexibility and that the general opening hours could be extended until 02.00 to allow for cleaning / maintenance following events.

With such conditions, the application is considered acceptable in terms of local amenity and complies with the NPPF and policies V1 and EN1 of the Preston City Local Plan.

In view of the scale, location and nature of the 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 3 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 ref 6/09/0311 and supporting statement received by the County Planning Authority on 27 April 2009 as modified by the planning application ref 6/12/0695 dated 30th August 2012 and planning application LCC/2016/0029 dated 18th March 2016.

- b) Submitted Plans and documents:

Drawing nos 027/3001a, 027/3002a, 027/3100a, 027/3105, 027/3110, 027/3111, 027/3120, 027/3121, 027/3400,

*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 policies 13, 17, 18, 21 and 22 of the Central Lancashire Core Strategy.*

3. The car parking including the disabled parking, motorcycle and cycle parking provision shall be retained in accordance with the scheme and programme received by the County Planning Authority on 28th January 2011 including car park layout plan ref 027/3105 rev A.

*Reason: In the interests of highway safety and to ensure the proper management of parking to conform with Policy 17 of the Central Lancashire Core Strategy.*

4. The visitor centre including the café, retail units, offices, education facility, exhibition space and conference centre and meeting rooms authorised by this permission shall not be open to the public outside the hours of:

06.00 to 01.00 hours, Mondays to Sundays

Notwithstanding the requirements of this condition, the site shall also be able to be open until 02.00 hours Mondays to Sundays for the purposes of cleaning and site maintenance following events.

*Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy 17 of the Central Lancashire Core Strategy.*

5. There shall be no playing of amplified music outside of the buildings within the visitor centre at any time.

The playing of amplified music shall be contained within the buildings and shall not take place outside of the hours of 09.00 - 24.00 hrs on Fridays and Saturdays and 09.00 - 23.00 on any other days.

*Reason: In the interests of the amenities of the area and to conform with Policy 17 of the Central Lancashire Core Strategy.*

6. There shall be no playing of amplified music at the site after 23.00 hours until noise attenuation measures have been installed in accordance with a scheme and programme to be first submitted to and approved in writing by the County Planning Authority.

The scheme and programme shall provide details of the following:-

- a) Details of a noise limiting device to be fitted to any PA or amplification equipment used at the site.
- b) Details of the noise level to which the noise limiting device shall be set. The noise level used shall be based upon a background noise level survey undertaken on the southern boundaries of the Brockholes Wildlife Site between the hours of 23.00 hours and 24.00 hours. The survey shall be undertaken according to the methodology in BS4142 and shall be undertaken on a Friday or Saturday night.

The level used for the limiting device shall ensure that the noise from the site in each octave band between 63Hz and 4Hz shall not exceed the background level when measured at any noise sensitive property.

- c) The procedure to be followed in the event that there is a complaint about noise from the site including reviewing the levels used on the noise limiting device.

The noise limiting device shall be employed at any time when PA or amplification equipment is used at the site and shall be set at the level identified under part b) of this condition or any alternative level subsequently approved under the requirements of c).

*Reason: In order to control noise in the interests of the amenity of local residents and to conform with Policy 17 of the Central Lancashire Core Strategy.*

7. The traffic and parking management measures described in the scheme and programme dated submitted on 28th January 2012 to comply with the requirements of condition 3 of planning permission 6/09/0311 shall be maintained and operated in working order throughout the duration of the development.

*Reason: In the interests of highway safety and the management of parking and to conform with policy 17 of the Central Lancashire Core Strategy.*

8. The recommendations contained in appendix 6 of the Brockholes Travel Plan dated 29th October 2009 and submitted with the letter from Adam Khan Associates dated 28th January 2011 pursuant to condition 6 of planning permission 6/09/0311 shall be implemented at all times during the development.

*Reason: In the interests of promoting sustainable travel and road safety and to conform with Policy 17 of the Central Lancashire Core Strategy.*

9. The flood warning measures and evacuation procedures contained in the flood risk assessment and operational plan submitted with the letter from Adam Khan Associates dated 28th January 2011 pursuant to condition 9 of planning permission 6/09/0311 shall be implemented at all times during the operation of the visitor centre and nature reserve site.

*Reason: To ensure the safety of users of the site and to conform with Policy 29 of the Central Lancashire Core Strategy.*

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

Paper	Date	Contact/Directorate/Ext
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LCC/2016/0029		
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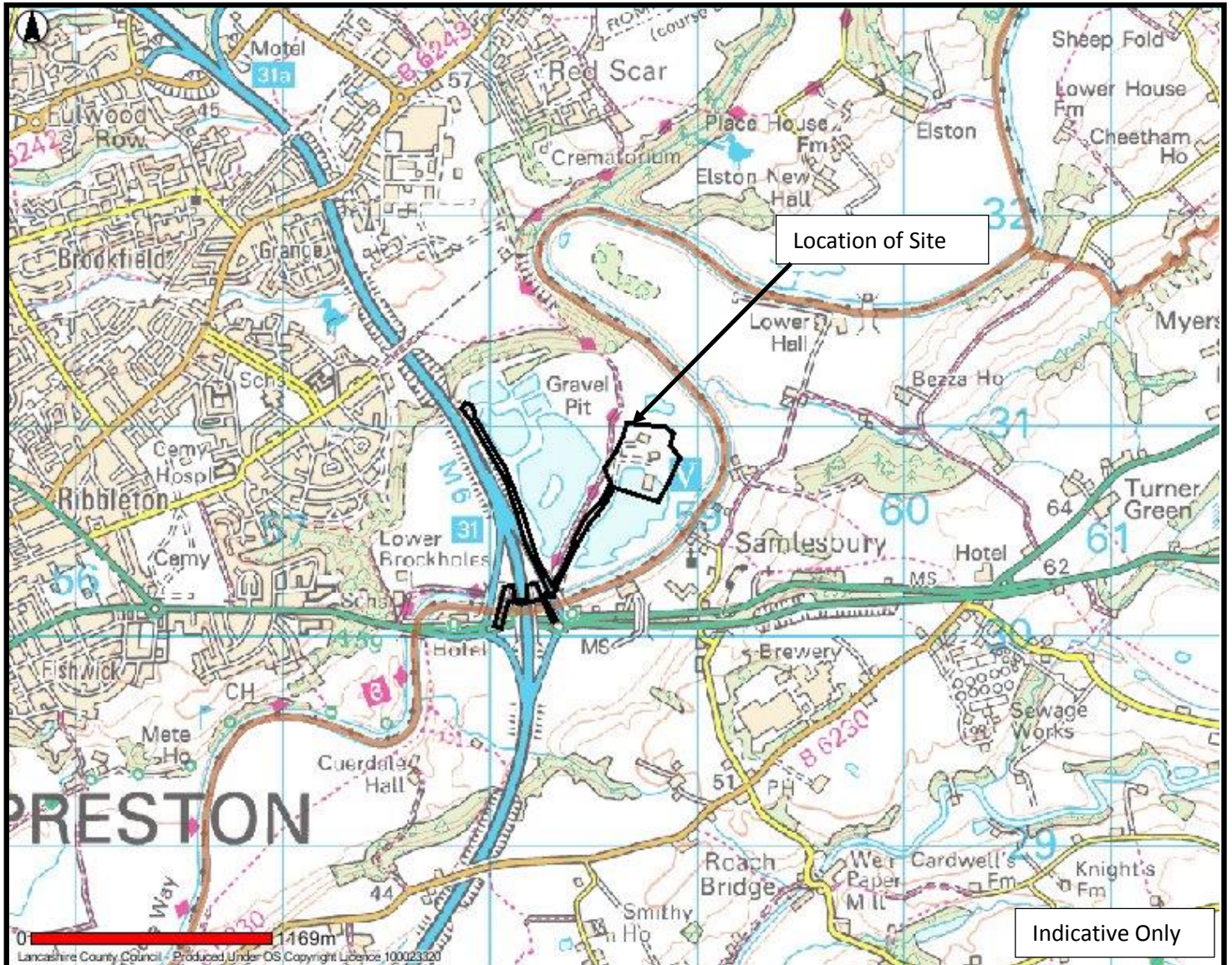
31st March 2016		
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Jonathan Haine Planning and Environment 534130		
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Reason for Inclusion in Part II, if appropriate N/A		
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**APPLICATION LCC/2016/0029 APPLICATION FOR THE REMOVAL OF CONDITION 4 AND THE VARIATION OF CONDITION 5 OF PERMISSION 06/12/0695. TO REMOVE THE RESTRICTION ON OPENING HOURS OF THE VISITOR CENTRE AND TO ALLOW AMPLIFIED MUSIC WITHIN THE BUILDING FROM 9AM TO 1AM MONDAYS TO SUNDAYS. BROCKHOLES NATURE RESERVE PRESTON NEW ROAD SAMLESBURY**



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**Development Control Committee**  
Meeting to be held on 25th May 2016

Electoral Division affected: Farington
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**South Ribble Borough: application number LCC/2016/0035**  
**Variation of condition 1 of permission 07/11/0739 to allow the development to continue until 01 June 2031 and variation of condition 26 of permission 07/11/0739 to allow site operations from 06.30am Mondays to Fridays, in relation to the extraction of sand and restoration to agricultural land by the importation of waste at Lydiate Lane Sand Quarry, Lydiate Lane, Farington, Leyland.**

Contact for further information:  
Robert Hope, 01772 534159  
[DevCon@lancashire.gov.uk](mailto:DevCon@lancashire.gov.uk)

## **Executive Summary**

Application – Variation of condition 1 of permission 07/11/0739 to allow the development to continue until 01 June 2031 and variation of condition 26 of permission 07/11/0739 to allow site operations from 06.30am Mondays to Fridays, in relation to the extraction of sand and restoration to agricultural land by the importation of waste at Lydiate Lane Sand Quarry, Lydiate Lane, Farington, Leyland.

## **Recommendation – Summary**

That the Development Control Committee visits the site before determining the application.

## **Applicant's Proposal**

The application site is an existing sand quarry with permission for restoration back to agricultural land by the importation of inert waste. The existing planning permission (ref. 07/11/0739) is subject to a number of conditions. Condition 1 requires that operations cease by 2 August 2016 and that the site be progressively restored by 2 August 2017. Condition 26 states that no work should take place on the site except between the hours of 7.30am and 6.30pm Mondays to Fridays and between 8.30am and 12.30pm on Saturdays with no working on Sundays or Public Holidays. Maintenance of equipment, plant and machinery only may be carried out on Saturday afternoons between the hours of 12.30pm and 6.30pm.

The applicant is seeking to change condition 1 of permission 07/11/0739 to allow the development to continue until 01 June 2031 and to change condition 26 of

permission 07/11/0739 to allow site operations including quarrying of sand and importation of inert waste to take place from 06.30am Mondays to Fridays.

## **Description and Location of Site**

The application site is an operational sand and gravel quarry to the north of Lydiate Lane and adjacent to the M6 motorway, approximately 2 km north-east of Leyland town centre. Access to the site is taken from Lydiate Lane. Sand and gravel has been extracted from several phased areas of the site with agricultural grassland to the north where extraction is yet to commence. The site has planning permission to be restored to original land levels by the importation of inert waste which has already commenced in the early phases of the site. Land beyond the site to the north is in agricultural use although is identified as a strategic investment site for future mixed employment use development. Residential properties are located along Lydiate Lane, primarily opposite the site access on the south side of Lydiate Lane at Bristol Avenue.

## **Background**

### Planning history

The site has a varied and complex planning history involving a number of different operators.

Lydiate Lane sand quarry was granted planning permission on appeal in Aug 1993 (ref. 07/91/648) subject to conditions. The quarry has been operational since 1998.

In October 1998 planning permission was granted for an extension of time to allow the mining and landfilling operations for a further 5 years until 2016 (ref 7/98/360).

In 2006 the site operator submitted a planning application (ref. 07/06/0672) to vary conditions 4, 10, 16, 25 and 30 of planning permission 7/91/648 (as amended) to provide for: the cessation of mining and landfilling operations no later than 2 August 2021 and progressive restoration of the site within a further period of 12 months; cessation of sand extraction in any further phase until imported waste is physically deposited in the preceding phase, commencing with phase 3 for the purpose of restoring it; the erection of a 4.0m high screen mound along the entire southern boundary of Phase 6 in place of the close boarded fence originally required by the condition; Skip carrying vehicles to enter the site to deposit engineering materials for the construction of on-site roads and to remove wastes from the site; and the construction of a mini-roundabout at the junction of Lydiate Lane with Stanifield Lane within 3 months of the date of granting of a certificate of Pollution Prevention and Control Permit for the importation of waste to the site. Permission was granted for the variation of conditions but was refused for the operational life of the site to be extended until 2 August 2021 and for a variation to the condition relating to the construction of a mini-roundabout.

In 2008 a planning application was submitted by a new operator to vary the requirements of planning permission 07/06/0672 with an alternative phasing scheme with particular emphasis on ensuring that operations would be compliant with best



practice for landfilling in accordance with any future Pollution, Prevention and Control (PPC) Permit (now Environmental Permit) issued by the Environment Agency. The revised scheme provided for the retention of the existing operations area (sand washing/screening plant and stockpiles etc) at the south western part of the permitted site until the site is finally restored. The scheme included four additional progressive working and tipping phases incorporating the construction of geological barriers suitable for the receipt of waste, which follows a more irregular pattern but maintaining a general trend of working towards the north of the site. Planning permission was granted on 16 July 2010 (ref. 07/08/0231).

On 18 January 2012 planning permission was granted for removal of condition 23 (provision of a road sign for the south side of Lydiate Lane) and 25 (the construction of a mini roundabout) of permission 07/08/0231 (ref. 07/11/0739).

### **Advice**

Lydiate Lane Quarry is a substantial sand quarrying and inert landfill site where there are considerable unworked reserves and inert tipping capacity. The current application would result in a significant extension in the life of the site. The operations have historically generated some local interest. This being the case, it is considered that a site visit would provide the Committee with a clearer understanding of the development proposal, any issues raised, and the relationship of the site to the surrounding area before the application is determined.

### **Recommendation**

That the Development Control Committee visits the site before determining the application.

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

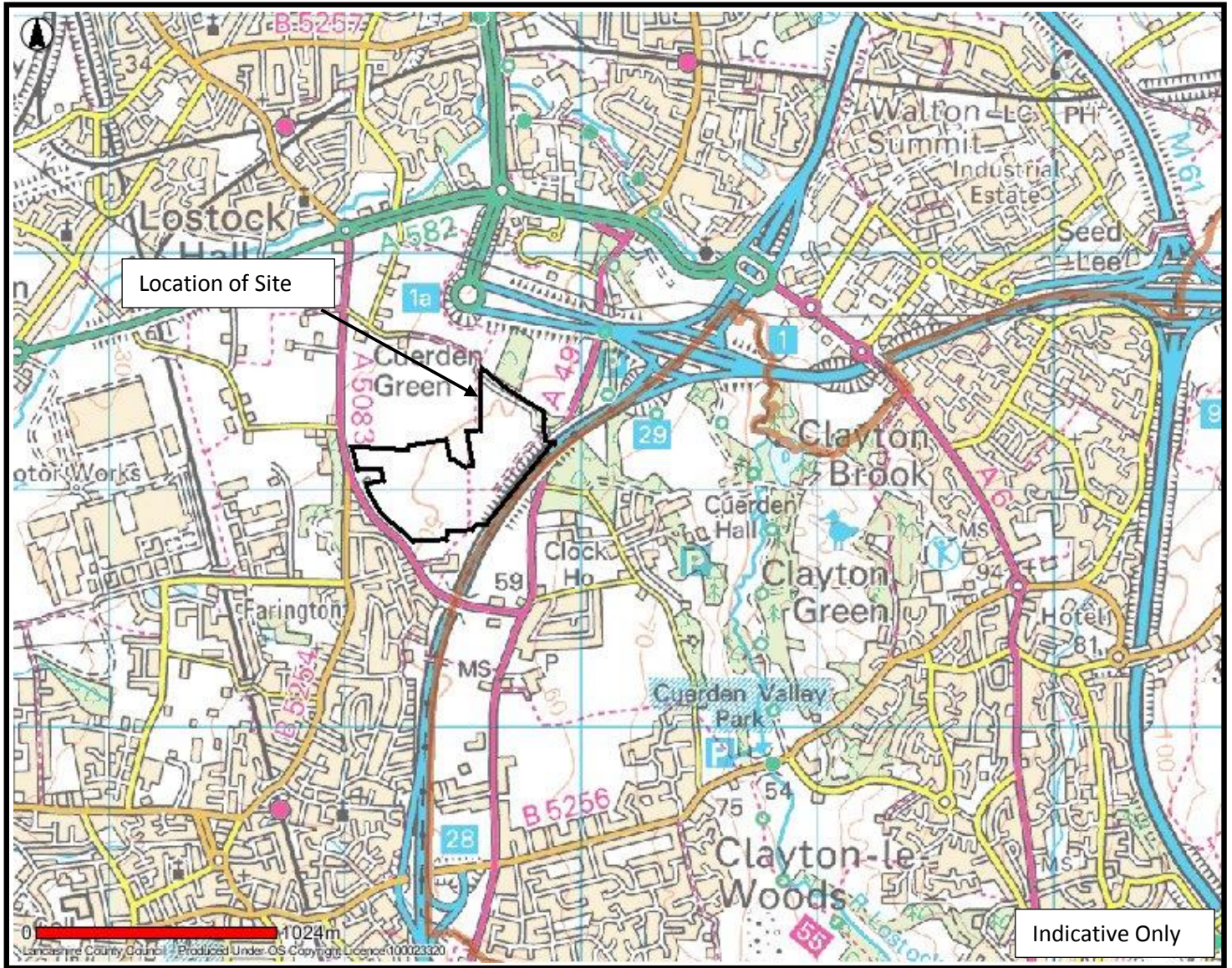
<b>Paper</b>	<b>Date</b>	<b>Contact / Ext</b>
LCC/2016/0035	May 2016	R Hope/34159

Reason for Inclusion in Part II, if appropriate

N/A



**COMMITTEE SITE VISIT LYDIATE LANE SAND QUARRY LYDIATE LANE  
LEYLAND**



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## Development Control Committee

Meeting to be held on 25<sup>th</sup> May 2016

Electoral Division affected: Chorley North
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### **Chorley Borough: Application number. LCC/2016/0037**

**Proposed new three form entry primary school for pupils aged 4-7 including single storey building, car parking area, hard surface play area, grass playing pitch and 1.5m and 2.4m high perimeter fencing.**

**Trinity CE Methodist Primary School, Brookwood Way, Buckshaw Village, Chorley.**

Contact for further information:

Faiyaz Laly, 01772 538810

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### **Executive Summary**

Application - Proposed new three form entry primary school for pupils ages 4-7 including single storey building, car parking area, hard surface play area, grass playing pitch and 1.5m and 2.4m high perimeter fencing.

Trinity CE Methodist Primary School, Brookwood Way, Buckshaw Village, Chorley.

### **Recommendation - Summary**

That members visit the site before considering the application.

### **Applicant's Proposal**

The application is for a proposed new three form entry primary school for pupils aged 4-7. This would include a single storey building which would comprise of 9 classrooms with a capacity to accommodate 270 pupils. These facilities would include 3 classrooms for reception pupils and 6 classrooms for infant pupils. The proposal would include a car parking area for 40 vehicles with 1.5m and 2.4m high perimeter fencing around the school site.

The development would also include the provision of one outdoor grass junior football pitch (45m x 27m) and outdoor hardstanding play areas within the parameters of the school site. The planning application site area is 1.1925 ha with a gross internal floor area of 1485m<sup>2</sup>. Full details of the proposal will be provided when the application is reported to committee for decision.

### **Description and Location of Site**

The proposed school site is situated on the west side of Central Avenue, with residential properties to the west, east and south. The premises would be accessed

from Brookwood Way, with an additional point of entry from Wigan Road, on the western side of the proposed school grounds. The proposed school would be located 550m south west of the existing Trinity CE Primary School site on Unity Place. The site is currently comprised of open brownfield land on the west of Buckshaw Village.

The immediate surrounding areas consist of similar development areas, adjacent on the west of the proposed school is deciduous woodland, with residential and retail building towards the east. There are two Biological Heritage Sites (Buckshaw Wood and Worden Wood) within 1km of the proposed site. The closest residential properties would be located approximately 25m away on Brookwood Way.

### **Advice**

The application is for a new three form entry school which is required due to the demand for school places in the area. The current Trinity Primary School located on Unity Place is close to capacity but due to the physical constraints of the site it would not be feasible or possible to extend the site.

The proposed new school on Brookwood Way would accommodate infant children (Key Stage 1) with the existing school site on Unity Way accommodating the junior children (Key Stage 2). The main planning issues raised by the proposal relate to the traffic impacts on the highway network particularly on Buckshaw Avenue, Central Way and Brookwood Way. Given that this application is for the development of a new school, it is considered that Members may wish to visit the site before determining the application.

### **Recommendation**

That Members visit the site before determining the application.

### **Local Government (Access to Information) Act 1985**

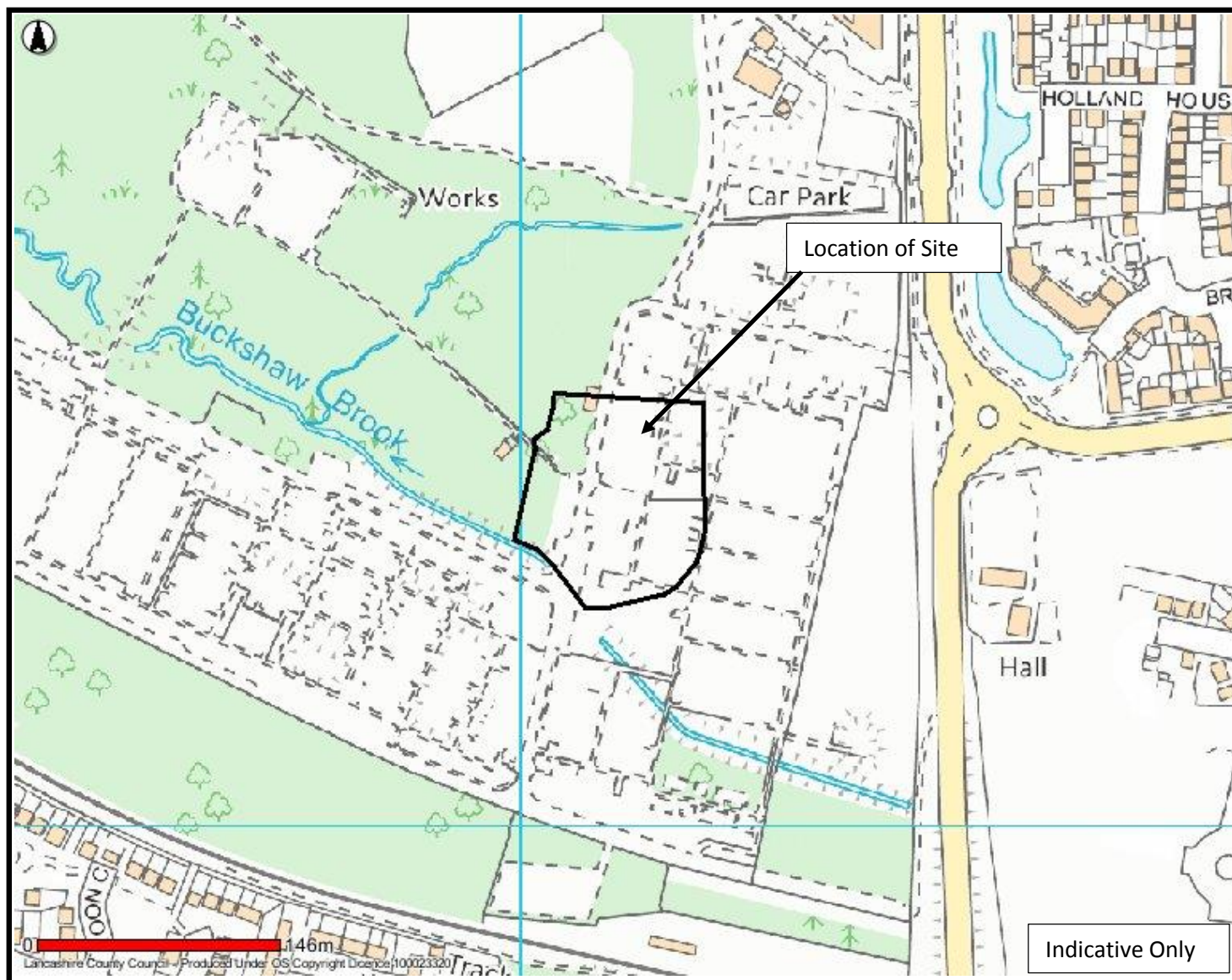
#### **List of Background Papers**

<b>Paper</b>	<b>Date</b>	<b>Contact/Directorate/Ext</b>
LCC/2016/0037	6th May 2016	Faiyaz Laly Planning and Environment 01772 538810

### **Reason for Inclusion in Part II, if appropriate**

N/A

**APPLICATION LCC/2016/0037 PROPOSED NEW THREE FORM ENTRY PRIMARY SCHOOL FOR PUPILS AGED 4-7 INCLUDING SINGLE STOREY BUILDING, CAR PARKING AREA, HARD SURFACE PLAY AREAS, GRASS PLAYING PITCH, 1.5M AND 2.4M HIGH PERIMETER FENCING. TRINITY CE METHODIST PRIMARY SCHOOL, BROOKWOOD WAY, BUCKSHAW VILLAGE, CHORLEY**



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## Development Control Committee

Meeting to be held on 25 May 2016

Electoral Division Affected: All
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### Planning applications determined by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation

Contact for further information:  
Susan Hurst 01772 534181  
DevCon@lancashire.gov.uk

#### Executive Summary

Planning applications determined by the Head of Planning and Environment 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 13 April 2016, the following planning applications have been granted planning permission by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation.

#### Lancaster City

Application: No. LCC/2016/0023

The Loyne School, Sefton Drive, Lancaster

Single storey extension to provide therapy room, therapy office and alterations to form dining table store

#### Ribble Valley

Application: No. LCC/2016/0019

Bolton by Bowland C of E Primary School, Gisburn Road, Bolton by Bowland

Proposed trim trail within an existing eco mulch pathway, equipment to include log rope, traverse wall and tarzan traverse

## **West Lancashire Borough**

Application: No. LCC/2016/0009

Hesketh Bank Waste Water Treatment Works, Marsh Lane, Hesketh Bank.

Construction of two kiosks; a blower kiosk and an electrical kiosk in association with development required to serve population growth and EU directives

## **Pendle Borough**

Application: No. LCC/2016/0020

Pendle View Primary School, Gibfield Road, Colne

Erection of a canopy

Application: No. LCC/2015/0055

Catlow Fold Farm, Southfield Lane, Southfield.

Extension to the west of Catlow quarry in the former larger Catlow quarries with restoration using quarry materials and imported inert waste

## **Recommendation**

That the report be noted.

## **Local Government (Access to Information) Act 1985**

### **List of Background Papers**

Paper

Contact/ /Ext

Susan Hurst, Ext: 34181

LCC/2016/0023      LCC/2015/0055

LCC/2016/0019

LCC/2016/0009

LCC/2015/0020

## Update Sheet

### Development Control Committee Update – 25<sup>th</sup> May 2016

#### Item 5 - Application LCC/2016/0014 – Land at Lidun Park Industrial Estate

The applicant has submitted further information in response to the committee report and in particular comments on conditions 6 and 8.

Condition 6: The applicant notes that Condition 6 restricts the height of stockpiles of sorted materials within the bays to 3.5 metres. This is because the height of the containing walls on the submitted drawing was shown as 3.6m high. Unfortunately, this was wrong and the walls should have been marked as 5m high so that the stockpile heights within them would be 5m. The stockpiles would not usually be this high but it is just in case there is a delay in the removal of them from site.

Condition 8: It is also noted that Condition 8 restricts both waste materials and skips from being stored on the ground in the area between the front of the building and Boundary Road. The applicant maintains that this could create operational issues as he needs to have adequate space to store empty skips during quiet periods when skips are not hired.

The applicant has also commented upon the noise, dust and odour impacts that are raised in the comments from local residents and is of the view that the site has a minimal impact in this regard due to the nature of the operation and the mitigation measures that are employed.

#### Advice

Condition 6. The use of 5m, instead of 3.6m high retaining walls for outside storage would be acceptable in the proposed location along the eastern boundary of the site. It is considered that Condition 6 should be amended as follows :-

*6. The areas for the external storage of sorted materials shall be laid out according to drawing 6632/PL/03 Rev A. The height of the retaining walls shall not exceed 5 metres.*

*Stockpiles of sorted materials within the bays shall not exceed 5 metres. The bays used for the storage of plastic s and mixed wastes shall incorporate netting or other measures to prevent stored materials from leaving the site.*

Condition 8: The applicant's comments are noted. The area concerned is small and could only accommodate a small number of skips. It is therefore considered that the wording of the condition should be amended to allow the storage of empty skips in this area.

*8. No skips containing waste materials shall be stored on the ground in the area between the front (west facing) elevation of the building and Boundary Road as shown*

*on the submitted Drawing NO. 6632/PL/02 – Change of use to existing building – Planning Layout and details.*

The general impacts of the development on local residents are addressed in the report.

**Item 8 Application LCC/2016/0029 Brockholes Wildlife Site**

Consultations – Additional Representation:

Objects to the application as being able to play amplified music is not conducive to a site which is meant to be a nature reserve. The noise and vehicle headlights would disrupt the wildlife and there are many underutilised venues elsewhere that would not present such risks.

Advice

Similar issues have been made in other representations and are addressed in the report (page 67).