

Lancashire County Council

Development Control Committee

Wednesday, 19th July, 2017 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 held on 28 June 2017** (Pages 1 - 4)

The Committee are asked to agree that the Minutes of the last meeting held on 28 June 2017 be confirmed and signed by the Chair.
- 4. South Ribble Borough: Application number LCC/2017/0029** (Pages 5 - 24)

New primary, secondary and tertiary treatment plant with new sludge treatment plant, extension of the waste water treatment works, ground reprofiling with surplus excavated material, and landscaping at Blackburn Waste Water Treatment Works, Cuerdale Lane, Samlesbury
- 5. Planning Applications determined by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation.** (Pages 25 - 26)
- 6. 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.

7. Date of Next Meeting

The next meeting of the Development Control Committee will be held on Wednesday 13 September 2017 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, 28th June, 2017 at 10.00 am in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Present:

County Councillor Barrie Yates (Chair)

County Councillors

P Rigby	D Foxcroft
M Barron	J Marsh
S Clarke	J Mein
M Dad	M Pattison
K Ellard	A Schofield

County Councillor J Mein replaced County Councillor Stephen Holgate on the Committee.

County Councillor L Collinge attended the meeting under Standing Order 19.

1. Apologies for absence

Apologies for absence were presented on behalf of County Councillor P Hayhurst.

2. Appointment of Chair and Deputy Chair

The Committee was informed that the County Council had appointed County Councillors B Yates and P Rigby as Chair and Deputy Chair respectively of the Committee for the ensuing year.

Resolved:- That the appointment of County Councillors B Yates and P Rigby as Chair and Deputy Chair of the Committee be noted.

3. Constitution, Membership and Terms of Reference of the Committee

Resolved:- That the Constitution, Membership and Terms of Reference of the Committee be noted.

4. Disclosure of Pecuniary and Non-Pecuniary Interests

None declared.

5. Minutes of the last meeting held on 12 April 2017

Resolved: That the Minutes of the meeting held on the 12 April 2017 be confirmed and signed by the Chair.

**6. Preston City: Application number LCC/2017/0017
Variation of conditions 1 and 2 of planning permission
LCC/2015/0070 to remove reference to obsolete drawings, and to
extend the hours of working of the pre-shredder to between 0700 to
2130 hours, Mondays to Fridays, 0800 to 1830 hours on Saturdays,
and 0900 to 1700 hours on Sundays and Bank Holidays. Recycling
Lives, Longridge Road, Preston**

A report was presented on the variation of conditions 1 and 2 of planning permission LCC/2015/0070 to remove reference to obsolete drawings, and to extend the hours of working of the pre-shredder to between 0700 to 2130 hours, Mondays to Fridays, 0800 to 1830 hours on Saturdays, and 0900 to 1700 hours on Sundays and Bank Holidays at Recycling Lives, Longridge Road, Preston.

The report included the views of Preston City Council, Grimsargh Parish Council, the County Council's Highways Developer Support, the Environment Agency and details of ten letters of representation received including one from County Councillor George Wilkins and one from Preston City Councillor Neil Cartwright.

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 a site layout plan and photographs of the pre-shredder and fragmentiser on the site.

The Officer recommendation was for the hours of operation of the pre-shredder to be limited to between 0700 to 2000 hours, Mondays to Fridays, 0800 to 1400 hours on Saturdays, with no operation on Sundays and Bank Holidays.

The Officer reported orally that the applicant had made a number of comments in relation to the recommendation. These and the Officer's advice in relation to such, were set out in the Update Sheet circulated at the meeting (copy set out at Annex A to the Minute Book and published as a supplementary report to the agenda).

The agent for the applicant and the applicant's noise consultant addressed the Committee and spoke in support of the application.

The agent advised of the applicant's charitable status and asked for this to be taken into account given the social benefits brought by the company were linked to the success of the application. The agent also advised that the application was compliant with national planning policies and that mitigation measures had been introduced in the form of acoustic cladding to the fragmentiser.

The applicant's noise consultant disputed the officer findings set out in the committee report. He advised of the results of the applicant's noise survey which had concluded that there would be no impact from the operation of the pre-

shredder, even if a correction were to be applied for any tonal or impulsive noise characteristic.

Following questions to the officers with regard to the pre-shredder, the proximity of the nearest residential properties and the responsible body for enforcement, it was Moved and Seconded that:

"The hours of working of the pre-shredder be extended to between 0700 to 2000 hours, Mondays to Fridays and 0800 to 1730 hours on Saturdays, with no working on Sundays and Bank Holidays".

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

Resolved: That planning permission be **Granted** subject to the conditions set out in the report to the committee and to an amendment to condition 2 to extend the hours of working of the pre-shredder to between 0700 to 2000 hours, Mondays to Fridays and 0800 to 1730 hours on Saturdays, with no operation on Sundays and Bank Holidays.

**7. Burnley Borough: application number LCC/2017/0031
Change of use from B2 industrial unit to a Recycling Facility,
together with a new roller shutter door from the front access
road/car park. Unit 1a, Summit Works, Manchester Road, Burnley**

A report was presented on an application for the change of use from B2 industrial unit to a Recycling Facility, together with a new roller shutter door from the front access road/car park. Unit 1a, Summit Works, Manchester Road, Burnley

The report included the views of Burnley Borough Council, Habergham Eaves Parish Council, the Environment Agency, the County Council's Highways Development Control and one letter of representation received.

The Development Management Officer presented a PowerPoint presentation showing an aerial photograph of the site and the nearest residential properties. The committee was also shown an illustration of the site layout plan and photographs of the site from various viewpoints.

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

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, 13 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. Amendments to the Protocol of Good Practice on Development Control Matters

A report was presented on a number of updates to the Protocol of Good Practice on Development Control Matters. The Committee was advised that these were required in order to bring the Protocol in line with updates to legislation and procedural arrangements and to clarify existing processes and practices.

The Committee was advised that once approved, the Protocol would be considered by Full Council and replace the existing Protocol at Annex N to the Constitution.

Resolved: That the Full Council be recommended to approve the revised Protocol of Good Practice on Development Control Matters as set out at Appendix A to the report.

10. Urgent Business

There were no items of urgent business.

11. Date of Next Meeting

Resolved: That the next meeting of the Committee be held on Wednesday 19 July 2017.

I Young
Director of Governance, Finance
and Public Services

County Hall
Preston

Development Control Committee

Meeting to be held on 19 July 2017

Electoral Division affected:
South Ribble Rural East

South Ribble Borough: application number LCC/2017/0029

New primary, secondary and tertiary treatment plant with new sludge treatment plant, extension of the waste water treatment works, ground reprofiling with surplus excavated material, and landscaping at Blackburn Waste Water Treatment Works, Cuerdale Lane, Samlesbury

Contact for further information:

Robert Hope, 01772 534159

DevCon@lancashire.gov.uk

Executive Summary

Application – New primary, secondary and tertiary treatment plant with new sludge treatment plant, extension of the waste water treatment works, ground reprofiling with surplus excavated material, and landscaping at Blackburn Waste Water Treatment Works, Cuerdale Lane, Samlesbury.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, hours of construction working, ground investigation, building materials, soils, removal of permitted development rights, highway matters, removal of redundant plant, archaeology, and landscaping and ecology.

Applicant's Proposal

This application is for a range of works associated with the major redevelopment and extension of an existing waste water treatment works (WwTW), which are likely to take approximately 5 years to complete. Some of the redevelopment would be carried out with the benefit of permitted development rights available to sewerage undertakers. This includes small buildings and kiosks, car parking areas, storage tanks, plant and machinery not exceeding 15m high, and landscaping works on existing operational land. Consequently, planning permission is only required for the following:

Structure/Building	Dimensions / details	Materials /colour
Gatehouse building	7.79m x 3.85m x 2.8m high	Grey panels, green doors.
Primary settlement tank kiosk	8.4m x 2.0m x 3m high	Dark green GRP
Treated cake storage building	122m x 30m x 5.5m high	Dark green metal cladding

Sludge dewatering building	69.8m x 39.3m x 12.5 high	Dark green metal cladding
Cake Reception building	21.7m x 13.4m x 8.4m high	Dark green metal cladding
Digester kiosk	6.5m x 5m x 3.5 high	Dark green GRP
3 Digester tanks	18.5m Dia x 24.3m high, and handrailing	Steel. Dark green walls, Grey roof. Galvanised steel handrail.
Tertiary treatment tank control building	11.7m x 11.5m x 3.3m high	Dark green GRP
UV plant building	12.7m x 11.5m x 8.2m high	Dark green metal cladding
Final settlement tanks kiosk	7.6m x 2.2m x 3.2m	Dark green GRP
8 Final settlement tanks (part of)	46m dia x 3.67m high	Concrete with galvanised steel handrail.
2 Gas holders	23m dia x 17.5m high	Dark green
Blower building	23.4m x 11.5m x 7.2m high	Dark green metal cladding
Activated sludge plant (part of)	100m x 55m x 8.2m high (including hand railing)	Concrete with galvanised steel handrail.
HV substation building	5.8m x 4.3m x 2.1m high	Brickwork to match existing
Site entrances	Main entrance 9m wide.	
Reprofiling and landscaping/habitat creation of land to west of current operational site	Area of land approximately 550m long and up to 350m wide. Soil mound construction up to 3m high to provide visual screening. Replacement tree, hedgerow and grassland, and ponds.	

Description and Location of Site

Blackburn WwTW is an existing waste water treatment works with an area of around 20 hectares located some 8km east of Preston City Centre off Cuerdale Lane Salmesbury. The development subject of this application would be located across the existing site, which includes a range of buildings, plant and machinery, and within an extension area to the west of the existing wwtw. The extension area is currently agricultural grassland and includes field boundary hedgerows, trees and ponds. Cowell's Farm is located at the western boundary of the proposed extension and Rowley Fold on the opposite side of Cuerdale Lane that forms the northern boundary. A temporary construction access would be created towards the north western boundary and a new main access would be created at the north east off Cuerdale Lane. The existing access off Cuerdale Lane, located opposite a war memorial hall, would be removed.

The whole of the site is within the Green Belt and Mason's Wood Biological Heritage Site (BHS) containing Hole Brook watercourse is located to the south and east of the site boundary. The WwTW site falls gradually from Cuerdale Lane towards the Hole Brook valley. The surrounding area is predominantly rural and used for agricultural purposes. There are a number of properties across the valley along Green Lane that have views of the existing site and proposed extension area.

There is some industry in the area including a brewery located northwest of the waste water treatment site. Furthermore, the Thirlmere Aquaduct runs through the extension area.

Background

History

Part of the proposal is at an existing waste water treatment works that includes a wide range of plant, machinery and buildings. There is no relevant planning history in relation to the extension area.

In July 2014 the applicant submitted a Screening Opinion request under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Officers at the County Council concluded that the proposed development was EIA development. However, the applicant disagreed and submitted a Screening Direction request to the Secretary of State. The Secretary of State concluded that the proposal would not be likely to have significant effects and therefore the proposal was not EIA development. The planning application subject of this report shares very similar characteristics from that presented in the Screening Direction and therefore it is considered that the findings of the Secretary of State are applicable here.

On 16 May 2017 the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 came into force. However, these Regulations do not apply to applications received before that date.

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 6 – 16, 79-92, 109-118, and 162 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 in relation to infrastructure.

Planning Practice Guidance accompanying the NPPF (PPG)

Waste

Joint Lancashire Mineral and Waste Development Framework Core Strategy DPD - Managing our Waste and Natural Resources (JLMWDF)

Policy CS7 Managing our Waste as a Resource
Policy CS8 Identifying Capacity for Managing our Waste

Joint Lancashire Minerals and Waste Local Plan - Site Allocations and Development Management Policies – Part One (JLMWLP)

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

Central Lancashire Adopted Core Strategy

Policy 29 Water Management

South Ribble Local Plan

Policy G1 Green Belt

Policy G17 Design Criteria for New Development

Consultations

South Ribble Borough Council – No objection. Additional comments have been provided by the Council's Environmental Health team including a recommendation for further details for noise, odour, dust and lighting and a condition for electric vehicle recharge points, wheel cleaning facilities and controls over construction working.

Samlesbury Parish Council – No comments received.

Environment Agency – No objection subject to a condition for a remediation strategy to address any risk of contaminated land.

LCC Highways Development Control – No objection subject to conditions controlling wheel cleaning, details of the new access arrangements and reinstatement of the existing access.

Natural England – No objection.

Lead Local Flood Authority – No observations received.

County Ecology Service – The proposals are supported by a comprehensive suite of ecological assessments, highlighting potential and actual impacts on protected and priority species and habitats. The Waste Water Treatment Works itself is of low biodiversity value, and the majority of biodiversity impacts are associated with the currently undeveloped areas where the proposed ground reprofiling and landscaping works would occur.

Measures are proposed to mitigate impacts on protected and priority species during site clearance and construction works. In the longer-term, the proposed landscaping scheme has the potential to offset habitat losses (priority habitats; habitat of protected and priority species) and result in enhancement subject to a landscaping and habitat management plan. Further details could be secured by condition including for the protection of wildlife interests.

County Archaeology Service – No objection. A condition is recommended in relation to a programme of archaeological work.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. Two letters of representation have been received raising the following concerns:

- Noise from existing site.
- Light pollution (which has recently been reduced).
- Visual impact – could items be painted green?
- Because of the natural topography, landscaping would not screen the development.
- There needs to be control of hours of lighting and hours of construction working.
- Will the proposal reduce the likelihood of smell?
- Will the Thirlmere Aquaduct be protected?
- Could the large tanks be sunk into the ground to reduce the visual impact?
- Ecological study required.
- Outfall controls are required to protect the River Darwen.
- Current proposal would lead to unacceptable visual impact.
- United Utilities should engage more with local residents.

Advice

The proposed development is part of a major programme of work for the redevelopment and extension of Blackburn WwTW. The proposal would support other infrastructure at the site, much of which benefits from permitted development rights without the need for separate planning permission, or was approved as part of previous planning applications. The location of the development is dictated by the operational requirements of the works.

Green Belt

The existing waste water treatment works falls within the Green Belt and the principle of development on this part of the application site has already been established. Paragraph 89 of the NPPF sets out exceptions to the general principles against inappropriate development in Green Belt and provides for the redevelopment of previously developed sites (brownfield land), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. Whilst some elements of the proposed development are of significant scale, it is considered that the buildings and tall plant including the digesters that have been reduced in height from the originally proposed 28m to 24m would not have a greater impact on the openness of the Green Belt in the context of the existing site. This being the case it is considered that the elements of the proposal within the existing waste water treatment works are not inappropriate development.

Within the proposed extension to the site, the majority of the development within this area relates to the reprofiling of the land with surplus excavated soil from the redevelopment works elsewhere on the site. As set out in paragraph 90 of the NPPF, this type of development is recognised as not inappropriate in Green Belt provided that it preserves the openness of the Green Belt and does not conflict with the purposes of including land in Green Belt. It is considered that is the case here particularly taking into account the proposed landscaping.

A number of other elements of the scheme fall outside the existing site, or straddle the boundary, including the final settlement tank arrangement, a final settlement tank kiosk, a blower building and an activated sludge plant. The part of the activated sludge plant and final settlement tanks that fall within the existing site are permitted development. Within the extension area, this development is inappropriate development and very special circumstances must be demonstrated. In this instance there is a clear necessity to construct these items of plant at or close to an existing waste water treatment facility and the element of built development outside the previously developed site would be relatively small and congruent. Furthermore, the aim of the proposed development is to be able to accommodate population growth and changes to local waste water management, to tighten final effluent standards to contribute towards improved river water quality and to expand the management of sludge to generate biogas, significantly reducing the carbon impact of the works. On this basis it is considered that very special circumstances exist to justify the location of these elements of the proposal within the Green Belt.

Visual impact

The existing WwTW fenced boundary containing waste water treatment infrastructure covers an area of approximately 20 hectares and this would increase to approximately 22 hectares. The other parts of the extension area would contain low level ground re-contouring / mounding using excavated soil making materials derived from the works elsewhere on the site.

Views of the existing site are restricted from the north and east due to local topography and screening by vegetation. The main views are from the south across the River Darwen valley and the southern boundary of the site is visible particularly from Green Lane. Concrete sludge tanks and a light coloured centrifuge house are prominent, while other green coloured structures including tanks and a gas holder are less noticeable against the woodland setting. From Rowley Fold on Cuerdale Lane there are currently oblique, filtered views through vegetation to the western boundary of the site. Most of the plant and structures are seen against a woodland backdrop which falls away to the south.

The proposal is for the major development of the works and therefore some of the existing waste water treatment infrastructure at the site would be replaced with new structures and plant. It is considered that, with the exception of a few larger structures, much of the new plant would have a similar visual impact to that existing at present.

One of the issues raised by residents is the height of the proposed digesters. Three of these structures were originally proposed each with a height of 28m. The applicant's visual impact assessment clearly shows that these features would be prominent on the skyline particularly when seen from Green Lane. At 28m high the digesters would be considered to have an unacceptable visual impact and on this basis the applicant was requested to examine options for lower digesters. The applicant has examined the options and stated that the reason for the height of the digesters is to ensure the most efficient operation. To operate the digesters efficiently their contents must be effectively heated and mixed and this is best

achieved within a certain aspect ratio (digester height to diameter). This also minimises heat losses by providing a lower surface area to volume ratio when compared with lower aspect ratio digesters. In order to significantly lower the height of the three digesters, an additional digester would be required to provide sufficient total capacity which would generate an additional cost of approximately £2m. The applicant has re-evaluated the design and concluded that the lowest viable operational height would be 24m. Revised visualisation drawings have been provided reflecting the reduced height. Although the digesters would still have some visual impact it is considered that this would not be unacceptable in the context of the existing workings.

It is also clear, and this has been identified by local residents, that there are a number of existing visually intrusive buildings and structures on site primarily as a result of their concrete finish / white colouring (as noted above). Should permission be granted for the redevelopment works proposed, these structures would become redundant. The applicant has accepted that there would be a major benefit if these were removed following redevelopment works and which would help to offset some of the additional visual impacts of the digester. This could be controlled by condition and would represent a significant visual improvement for the local area. All new buildings of a glass reinforced plastic (GRP) or steel would be coloured green.

The proposed re-profiling works within the extension area would cover an area measuring approximately 550m long by up to 350m wide. The works would enable the developer to sustainably manage surplus excavated material locally while also providing some visual screening against the western boundary following the redevelopment of the site. The existing agricultural land, which slopes gradually from Cuedale Lane to the river valley below would be re-contoured at varying levels up to 3m above existing levels and following the earthworks the site would be landscaped with an appropriate mix of trees, hedgerows, grassland and replacement ponds. There would be significant temporary visual impacts during construction working but following the completion of the works the landscaping would be not too dissimilar to the existing landscape and consequently there would be no unacceptable adverse impact in the longer term. Conditions are recommended in relation to details of temporary storage mounds, finer details of the landscaping plan and landscape and habitat management following implementation.

Pollution control

Local residents have raised concerns in relation to noise, odour and lighting nuisance particularly from the existing site.

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 water treatment works operates under an Environmental Permit and it should be assumed that the permitting regime operates effectively. Any issues relating to permitted activities at the existing site should be investigated by Environment Agency. United Utilities will be decommissioning much of the older plant at the works and the new plant would have appropriate odour control measures as required

by the Environmental Permit. Therefore the amenity impacts of the new development are considered acceptable and comply with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

A discharge consent would control the volume and concentration of treated wastewater that is permitted to be discharged into the receiving watercourse, Hole Brook. Therefore, the proposed development is considered acceptable in principle in terms of pollution control and the impacts on local amenity during its operation.

The applicant is aware that there has been a noise nuisance experienced by some residents due to a defective blower on the existing site causing reverberations along some pipework. The root cause of this is now known and work to rectify this is underway.

Construction working at the site has the potential to generate noise disturbance that would not be covered by the requirements of the Environmental Permit. The most effective means to control this is by way of a condition on any planning permission to limit the hours of construction working. For this reason, a condition is recommended to restrict construction working to 0730 to 1800 hours, Mondays to Fridays (except Public Holidays), 0800 to 1300 hours on Saturday, and no construction development, on Sundays or Public Holidays.

The Environment Agency has reviewed the ground contamination risk assessment supplied by the applicant. The EA highlights that the existing use of part of the proposed development site as a Wastewater Treatment Plant presents a medium risk of contamination that could be mobilised during excavation works and could pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon protected aquifers.

The EA is confident that it would be possible to suitably manage the risk posed to controlled waters. However, further detailed information would be required in relation to further details of ground contamination assessment. A condition is recommended to deal with this matter.

Thirlmere Aqueduct

Concern has been raised in relation to the protection of the Thirlmere Aqueduct (TA) that passes through the extension area. The aqueduct is in the ownership of the applicant along with the existing WwTW. The applicant already has a scheme of protection in place that any contractor would be required to adhere to. This would include a 15m easement from the edge of the nearest TA pipe to be provided to any permanent or temporary works, a requirement for trial holes to locate the TA, provision of secure construction fencing, suspended crossings, and seismic and vibration monitoring. As the applicant for this planning application also has a responsibility for the TA, it is considered unnecessary to impose a planning condition for the protection of the TA.

Residents have made reference to lighting at the existing site and acknowledged that lighting levels have been reduced generally. The applicant has advised that only low

level lighting would be installed as part of the redevelopment of the site and the large majority of this would be undertaken under permitted development rights.

Highway Matters

The existing site entrance is taken from Cuerdale Lane, around 290m south of the A59, opposite the Samlesbury War Memorial Hall. This access would be closed following the redevelopment of the site. An alternative new access would be created closer to the A59 to serve the revised internal layout for operational traffic, and a temporary construction access would be created towards Rowley Fold.

The applicant has provided a transport statement to assess the impacts of the proposed new arrangements. The report concludes that the traffic associated with the proposed development could be safely accommodated on the highway network with no detrimental impact. LCC Highways Development Control accepts the findings of the assessment and recommends conditions controlling wheel cleaning, details of the new access arrangements and reinstatement of the existing access. Conditions are recommended accordingly. The vehicle access points would need to be constructed under the terms of a section 278 agreement through Lancashire County Council as Highway Authority.

Permitted Development Rights

The proposed development includes a large extension of the site on land in Green Belt. The majority of the development within the extension area is for landscaping works. However, it is likely that the grant of permission would increase the extent of the applicant's 'operational land' thus giving them permitted development rights for the construction of new plant and equipment (subject to restrictions) without the need to apply for separate planning permission. Given the sensitive nature of the site within Green Belt it is recommended that a condition be imposed to partially remove the permitted development rights applicable for the operational land of sewerage undertakers within the extension area to ensure that if there was to be any future development proposal within the extension area involving buildings, plant and equipment, this could be assessed through a planning application.

Cultural Heritage and Archaeology

The applicant has submitted a Heritage Impact Assessment. The research has concluded that the main impact of the proposed development is likely to be on historic hedgerows and field boundaries as a consequence of the ground re-profiling. To mitigate the loss, a programme of archaeological investigation is recommended and as a minimum, hedgerows would be replanted thereafter. The Lancashire Archaeological Advisory Service has recommended a condition, which is included below.

Landscape and Ecology

Extensive ecological surveys have been undertaken by the applicant. The surveys concluded that the proposals do not affect any statutory or non-statutory protected sites, but that the development is located in close proximity to non-statutory

designated sites, such as Biological Heritage Sites. UK Habitats of Principal Importance are present within the site including lowland mixed deciduous woodland, hedgerows and ponds. The surveys found the site to mainly contain habitats of lower ecological value including; extensive areas of improved neutral grassland, areas of semi-improved (species-poor) grassland, semi-improved grassland, scrub, tall ruderal habitat, three waterbodies, and species poor hedgerows and buildings. Habitats of higher ecological value included; semi-natural broad-leaved woodland, scattered trees and species rich hedgerow.

To mitigate the loss of habitats to the development, habitats would be enhanced and compensated by an ecologically based landscape scheme as part of the major re-profiling and screening works within the extension area. Measures include enhancement to hedgerows, hedgerow reinstatement, new hedgerow creation and hedgerow relocation. Trees would be planted with extensive areas of native woodland. Three new ponds would be created to compensate for pond loss.

In the longer-term, the proposed landscaping scheme has the potential to offset habitat losses and result in enhancement subject to recommended conditions for the implementation of the landscape scheme and for a landscaping and habitat management plan for a period of 10 years to ensure that the mitigation and enhancement works would become fully established. A condition is also recommended to ensure that the applicant's proposed phased advanced planting works are implemented at the earliest opportunity. This would include areas of tree planting beyond the construction working area and infill planting within areas of woodland and hedgerow along the existing wastewater works site boundaries.

Conclusion

This application is for a number of elements associated with the redevelopment and extension of an existing waste water treatment works (WwTW). The main aims of the proposed development are to be able to accommodate population growth and changes to local waste water management, to tighten final effluent standards to contribute towards improved river water quality and to expand the management of sludge to generate biogas, significantly reducing the carbon impact of the works. The proposal would introduce some large new buildings, plant and equipment onto the existing site and would also introduce large scale re-profiling earthworks within a previously undeveloped area of Green Belt agricultural land. Some of the redevelopment work has the benefit of permitted development rights and is not subject to assessment through this planning application.

It is considered that the majority of redevelopment works are appropriate development in the Green Belt as they relate to an existing developed site within the Green Belt. Where proposals are inappropriate development, very special circumstances exist to outweigh the limited harm to the Green Belt.

On other matters, it is considered that there is sufficient demonstration of need for the development to justify the loss of existing habitats and that the loss would be mitigated and compensated for through a comprehensive landscaping plan. Furthermore, there would be no unacceptable adverse visual impacts or detrimental impacts in terms of heritage, pollution control, ecology or highway matters. Overall,

it is considered that the application complies with the policies of the NPPF and the policies of the development plan.

Human Rights Considerations: 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.

2. The ground reprofiling works utilising surplus excavated material within the extension area shall cease no later than 31 December 2022.

Reason: To provide for the completion of the landscaping works in the interest of local amenities, visual amenity and nature conservation interests in accordance with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and G17 of the South Ribble 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 form dated 28/2/2017.

b) Submitted drawings:

5045/80040263/00/97/2013, Rev A - Site Location Plan

5045/80040263/00/97/1004, Rev C - Proposed Site Layout

5045/80040263/00/97/1022, Rev A - Area of Temporary Working Area/Compound

5045/80040263/00/97/2008, rev A - Proposed UV Plant Building - Roof and Floor Plan.

5045/80040263/00/97/2011, rev A - Proposed UV Plant Building - Elevations

5045/80040263/00/97/2012, rev A - Proposed UV Plant Building - Elevations

5045/80040263/00/97/2000, rev A - Proposed Primary Settlement Tanks Kiosk

5045/80040263/00/97/4000, rev A - Cake Reception Building Floor Plan

5045/80040263/00/97/4001, rev A - Proposed Cake Reception Building Elevations
5045/80040263/00/97/4003, rev A - Proposed Cake Reception Building Roof Plan
5045/80040263/00/97/4004, rev A - Proposed Cake Storage Building Floor Plan
5045/80040263/00/97/4005, rev A - Proposed Cake Storage Building Elevations
5045/80040263/00/97/4009, rev A - Proposed Cake Storage Building Roof Plan
5045/80040263/00/97/4010, rev A - Blower Building Floor Plan
5045/80040263/00/97/4011, rev A - Blower Building Elevations
5045/80040263/00/97/4013, rev A - Blower Building Roof Plan
5045/80040263/00/97/4014, rev A - Sludge Dewatering Building Floor Plan
5045/80040263/00/97/4016, rev A - Sludge Dewatering Building Elevations
5045/80040263/00/97/4017, rev A - Sludge Dewatering Building Elevations
5045/80040263/00/97/4019, rev A - Sludge Dewatering Building Roof Plan
5045/80040263/00/97/2002, rev A - Proposed Digester Kiosk
5045/80040263/00/97/2017, rev B - Proposed Digesters
5045/80040263/00/97/4021, rev A - Proposed Gate House, Elevations and Plan View
5045/80040263/00/97/4022, rev A - Proposed Tertiary Treatment Plant Control Building
5045/80040263/00/97/2001, rev A - Final Settlement Tanks Kiosk
7581/90017104/01/97/20001, issue A - GA of Typical Final Clarifier
5045/80040263/00/97/2016, rev A - Gas Holders
5045/80040263/01/04/50003, issue A (16.6.17) - Activated Sludge Plant
5045/80040263/00/97/2004, rev A - HV Supply Substation
5045/80040263/00/97/2018, rev A - Proposed Site Entrances
5045/80040263/00/97/9200, rev B - Tree and Hedgerow Retention and removal - Overview Plan
5045/8040263/00/97/9203, rev B - Tree and Hedgerow Retention and Removal - Area C
5045/80040263/00/97/9250, rev B - Tree and Hedgerow Protection, Overview Plan
5045/80040263/00/97/9251, rev A - Tree and Hedgerow Protection, Area A
5045/80040263/00/97/9252, rev A - Tree and Hedgerow Protection, Area B
5045/80040263/00/97/9253, rev B - Tree and Hedgerow Protection - Area C
5045/80040263/00/97/9401, rev B - Landscape Proposal
5045/80040263/00/97/9402, rev A - Landscape Contours Plan
5045/80040263/00/97/9403, rev A - Landscape Cross Sections
5045/80040263/00/97/9701, rev B (23.5.17) - Landscape Advanced works

c) All details 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 Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policies G1 and G17 of the South Ribble Local Plan.

4. Building materials and colours shall be as shown on the drawings listed in condition 3. All handrailing shall have a matt finish.

Reason: To protect the visual amenities of the area and to conform with Policy G17 of the South Ribble Local Plan.

5. The provisions of Part 13 Class B(d) and (f) of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 or any amendment, replacement or re-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: In order to protect the amenities of local residents and to conform with Policy G17 of the South Ribble Local Plan.

6. No site clearance works or soil stripping works shall take place where there may be an impact on nesting birds during the bird-breeding season between 1st March and 31st July inclusive. If areas cannot be cleared outside this time, they should be checked for breeding birds in accordance with Natural England's Guidance, and if appropriate, an exclusion zone set up. No work shall be undertaken within the exclusion zone until birds and any dependant young have vacated the area.

Reason: To protect nesting birds and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

7. No construction working, importation of materials or removal of materials off site shall take place outside the hours of:

0730 to 1800 hours, Mondays to Fridays (except Public Holidays)
0800 to 1300 hours on Saturdays

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

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

8. All mobile plant on the site to be used in connection with the construction phase of the development shall be fitted with broadband/non-audible reversing systems, which shall be employed during the operation of the mobile plant.

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

9. Wheel cleaning facilities shall be made available at the site for use at all times during the construction development, so as to ensure that no debris from the site is deposited by vehicle wheels upon the public highway. Wheel cleaning facilities shall be maintained in full working order at all times throughout the development.

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

10. All vehicles transporting excavated soils and subsoils 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.

11. No site access construction shall commence until details of the construction of the site accesses have been submitted to and approved in writing by the County Planning Authority. Thereafter, the new access arrangements shall not be used until they have been constructed and completed in accordance with the approved details.

Reason: In order to satisfy the County Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site, and to comply with Policy G17 of the South Ribble Local Plan.

12. The existing access shall be physically and permanently closed and the existing verge and kerbing of the vehicular access shall be reinstated in accordance with Lancashire County Council Specifications within 12 months of the opening of the alternative new permanent access.

Reason: To limit the number of access points and to maintain the proper construction of the highway and to comply with Policy G17 of the South Ribble Local Plan.

13. No development shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the County Planning Authority. The strategy shall include the following components:

- a) A preliminary risk assessment which has identified:
all previous uses; potential contaminants associated with those uses;

a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.

b) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c) The results of the site investigation and the detailed risk assessment referred to in b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution and to comply with Policy G17 of the South Ribble Local Plan.

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

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

15. Measures shall be taken to prevent dust or wind blown material being carried on to adjacent property and in particular shall include the watering of all haul and access roads and the spraying of storage heaps or areas as necessary during dry weather conditions, at all times during construction development.

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.

16. No clearance or soil stripping works shall take place within the extension area until details of a written scheme of archaeological survey and investigation for the extension area of the site have been submitted to and approved in writing by the County Planning Authority. The details shall provide for an initial phase of geophysical surveying and trial trenching, followed by such subsequent work as required to investigate and record any remains encountered. This work shall be carried out by an appropriately qualified and experienced

professional archaeological contractor to the standards and guidance set out by the Chartered Institute for Archaeologists. Thereafter, the approved details shall be implemented in full.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological importance associated with the site and to confirm to Policy G17 of the South Ribble Local Plan.

17. All available topsoil and subsoil shall be stripped from any part of the extension area 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 final landscaping of the site.

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.

18. No development shall take place within the extension area of the site until details of the construction, design, height, treatment and location of temporary storage mounds have been submitted to and approved in writing by the County Planning Authority. No topsoil storage mound shall be greater than 2m high and no subsoil storage mound shall be greater than 3m high. Topsoil and subsoil shall be stored separately.

Thereafter, the development shall be carried out in accordance with the approved details.

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.

19. Advanced landscaping works shall be undertaken in accordance with the details shown on drawing no. 5045/80040263/00/97/9701, rev B - 'Landscape Advanced Works'

All advance planting shall be maintained for a period of ten years including weed control, maintenance of protection measures and replacement of failed plants.

Reason: In the interests of local amenity and nature conservation and to comply with Policy G17 of the South Ribble Local Plan.

20. No development shall take place in the extension area to the west of the existing wastewater treatment works site until details of Landscape and habitat creation have been submitted to and approved in writing by the County Planning Authority. The submitted details shall be in accordance with the indicative layout shown on drawing no. 5045/80040263/00/97/9401, rev B - Landscape Proposal and shall also include details of pond creation and associated planting.

Thereafter, the development shall be carried out in accordance with the approved details.

Tree and shrub planting shall take place within the first available planting season following completion of the earthworks. Other areas and types of landscaping shall be implemented within 6 months of the completion of earth works. The planting season is the period between 1 October in any one year and 31 March in the following year.

Reason: In the interests of visual amenity and nature conservation and to comply with Policy G17 of the South Ribble Local Plan.

21. No development shall take place in the extension area to the west of the existing wastewater treatment works site until details of landscape and habitat management at the site have been submitted to and approved in writing by the County Planning Authority.

The management works contained in the approved details shall be carried out for a period of 10 years following completion of the landscaping and habitat creation works required by condition 20.

Reason: In the interests of local amenity and nature conservation and to comply with Policy G17 of the South Ribble Local Plan.

22. Not later than 12 months after the commencement of the operational use of sludge management development subject of this permission, the sludge digesters (annotated 'Y') and the GBT/Centrifuge House (annotated 'Z') as shown on drawing no. 045/80040263/00/97/1004, Rev C - 'Proposed Site Layout' shall be removed from the site and the land occupied by these structures restored by the spreading of soils and seeding.

Reason: To protect the visual amenities of the area and to conform to Policy G17 of the South Ribble Local Plan.

Definitions

Planting Season: The period between 1 October in any one year and 31 March in the following year.

Notes

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

This consent requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980, the County Council, as Highway Authority, must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Before any works to the access commence you should contact Lancashire

Highway Services [address and telephone number see below] quoting the planning permission reference.

Area Surveyor (Public Realm) South: Cuerden Way, Bamber Bridge, Preston PR5 6BS Tel: 01772 658560

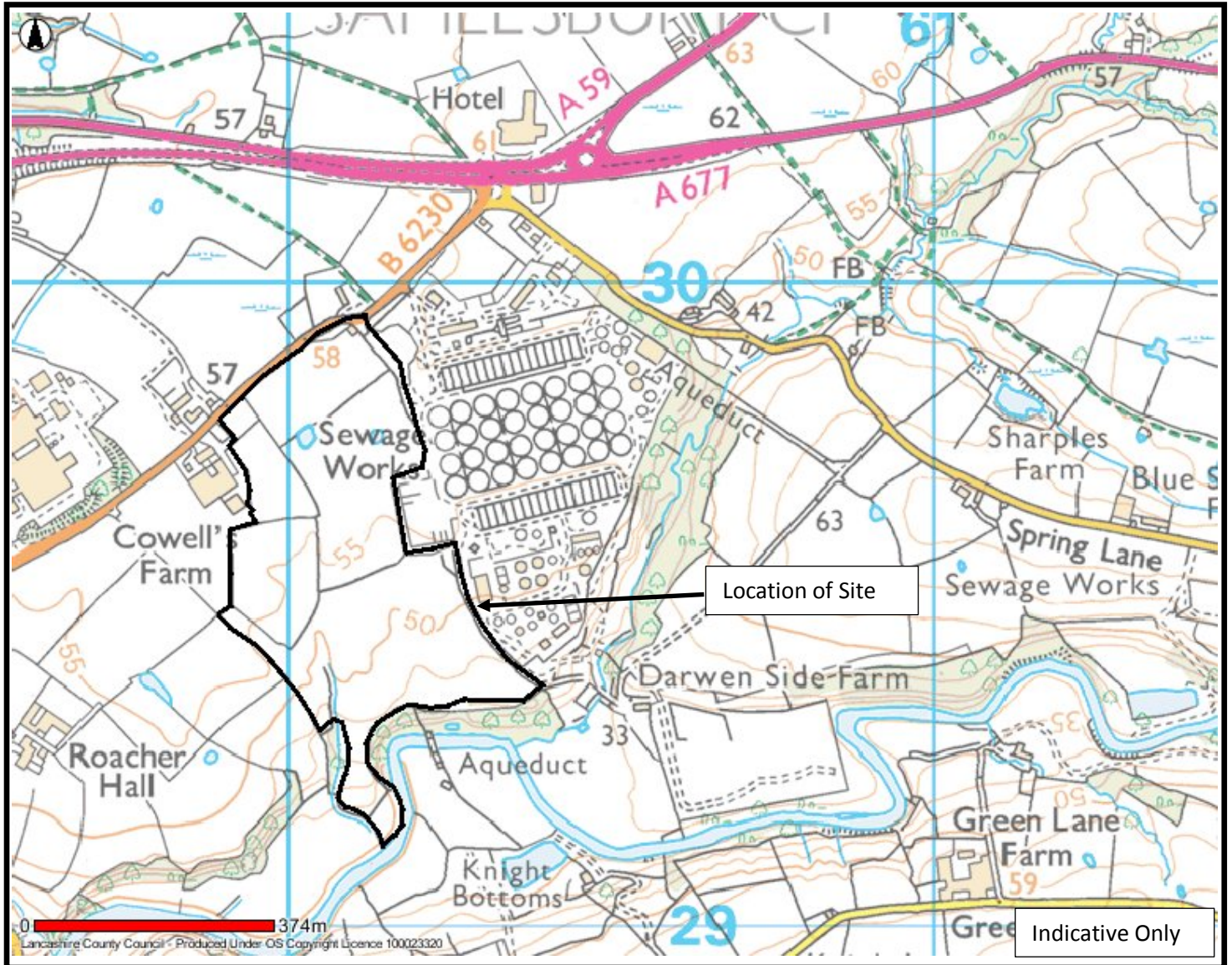
**Local Government (Access to Information) Act 1985
List of Background Papers**

Paper	Date	Contact/Ext
LCC/2017/0029	June 2017	R Hope/34159

Reason for Inclusion in Part II, if appropriate

N/A

APPLICATION LCC/2017/0029 NEW PRIMARY, SECONDARY AND TERTIARY TREATMENT PLANT WITH NEW SLUDGE TREATMENT PLANT, EXTENSION OF THE WASTE WATER TREATMENT WORKS, GROUND REPROFILING WITH SURPLUS EXCAVATED MATERIAL, AND LANDSCAPING. BLACKBURN WASTE WATER TREATMENT WORKS, CUERDALE LANE, SAMLESBURY



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Development Control Committee

Meeting to be held on 19 July 2017

Electoral Division Affected: All

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 28 June 2017, 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.

Chorley

Application: No. LCC/2017/0047
Primrose Hill Primary School, Primrose Hill Road, Euxton
New single storey modular building on site of former garage within the school grounds

Recommendation

That the report be noted.

Local Government (Access to Information) Act 1985

List of Background Papers

Paper

LCC/2017/0047

Contact/ /Ext

Susan Hurst, Ext: 34181

