

Lancashire County Council

Development Control Committee

Wednesday, 6th March, 2019 at 10.30 am in Committee Room 'B' (The Diamond Jubilee Room) - County Hall, Preston

Agenda

Part I (Open to Press and Public)

No. Item

- 1. Apologies for absence**
- 2. Disclosure of Pecuniary and Non-Pecuniary Interests**
Members are asked to consider any Pecuniary and Non-Pecuniary Interests they may have to disclose to the meeting in relation to matters under consideration on the Agenda.
- 3. Minutes of the last meeting held on 23 January 2019** (Pages 1 - 6)
The committee are asked to agree that the Minutes of the last meeting held on 23 January 2019 be confirmed and signed by the Chair.
- 4. West Lancashire Borough: Application number LCC/2018/0050** (Pages 7 - 20)

Erection of wash plant facility for processing of inert waste materials to produce recycled aggregates. City Centre Commercials, Tower House, Simonswood Industrial Estate, Stopgate Lane, Simonswood, Kirkby.
- 5. Wyre Borough: Application Number. LCC/2019/0001** (Pages 21 - 30)
Variation of condition 8 of permission LCC/2015/0082 to allow extended delivery hours of green waste up to 5pm on Saturdays, Sundays and bank holidays. Iron House Farm, Lancaster Road, Out Rawcliffe.
- 6. Planning Applications determined by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation.** (Pages 31 - 32)
- 7. 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.

8. Date of Next Meeting

The next meeting of the Development Control Committee will be held on Wednesday 8 May 2019 at 10.30 a.m. in Committee Room B - the Diamond Jubilee Room, County Hall, Preston.

County Hall
Preston

L Sales
Director of Corporate Services

Lancashire County Council

Development Control Committee

Minutes of the Meeting held on Wednesday, 23rd January, 2019 at 10.30 am in Committee Room 'B' (The Diamond Jubilee Room) - County Hall, Preston

Present:

County Councillor Barrie Yates (Chair)

County Councillors

| | |
|------------|-------------|
| P Rigby | D Foxcroft |
| S Clarke | P Hayhurst |
| C Crompton | S Holgate |
| B Dawson | A Kay |
| J Eaton | A Schofield |
| K Ellard | |

County Councillors S Holgate and B Dawson replaced County Councillors M Dad and M Pattison on the Committee.

1. Apologies for absence

None.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

County Councillor C Crompton declared a non-pecuniary interest in agenda item 5 as a member of the Planning Committee at Preston City Council.

County Councillor P Rigby declared a non-pecuniary interest in agenda item 5 as his brother may have a business interest in the development.

County Councillor A Schofield declared a non-pecuniary interest in agenda item 5 as Vice-Chair of the LCC Pension Fund Committee and as a LCC shareholder representative Non-Executive Director on the board of Local Pensions Partnership Ltd.

County Councillors K Ellard and S Clarke declared a non-pecuniary interest in agenda item 5 as Members of the LCC Pension Fund Committee.

3. Minutes of the last meeting held on 12 December 2018

Resolved: That the Minutes of the meeting held on 12 December 2018 be confirmed and signed by the Chair of the Committee.

4. West Lancashire Borough: Application number. LCC/2018/0055 Construction of an electricity generating facility of up to 5MW from five generators powered by mains gas, and associated plant and equipment consisting of five radiators, five transformers, a high

voltage (HV) client building, a gas kiosk, a distribution network operator (DNO) building, an oil tank, an amenity cabin and three no. closed-circuit television cameras (CCTV) posts all enclosed by 2.4m high palisade fencing to form a compound area. West Quarry Railway Pad, Appley Lane North, Appley Bridge.

A report was presented on an application for the construction of an electricity generating facility of up to 5MW from five generators powered by mains gas, and associated plant and equipment consisting of five radiators, five transformers, a high voltage client building, a gas kiosk, a distribution network operator building, an oil tank, an amenity cabin and three no. closed-circuit television cameras posts all enclosed by 2.4m high palisade fencing to form a compound area at West Quarry Railway Pad, Appley Lane North, Appley Bridge.

The report included the views of West Lancashire Borough Council, Wrightington Parish Council, the county council's Highways Development Control, the Environment Agency, Network Rail, the Health and Safety Executive and details of four representations received.

The Development Management Officer presented a PowerPoint Presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown an illustration of the site plan and photographs of the site.

The officer reported orally that a further response had been received from the Environment Agency advising that in order for the facility to operate, they would have to issue a Medium Combustion Plant permit which covers air emissions only. Any other environmental/amenity issues (such as noise or odour) would not be covered by the permit.

In response, the officer referred to Paragraph 183 of the National Planning Policy Framework (NPPF) which states that the focus of planning policies and decisions should be on whether proposed development was an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively.

It was therefore considered that there was no need to impose any controls on any planning permission for the proposal as the controls on air emissions would be via this permit. The committee was therefore advised that Condition 6 was not required and should be deleted.

Resolved: That subject to the omission of Condition 6, planning permission be **Granted** subject to the conditions set out in the report to the committee.

- 5. Preston City: Application Number. LCC/2016/0085
Change of use / conversion / extension of the former Park Hotel building from offices (Class B1) back to a hotel (Class C1). Erection of a new build single storey pavilion building and demolition of the**

existing JDO building and its replacement with an office building / extension to the hotel. Change of use / conversion / part demolition and rebuild of No 8 East Cliff from offices (Class B1) to health spa (Class D1) and remodelling of existing car parking and landscaping works. Former Park Hotel Complex, East Cliff, Preston.

A report was presented on an application for the change of use / conversion / extension of the former Park Hotel building from offices (Class B1) back to a hotel (Class C1). The erection of a new build single storey pavilion building and demolition of the existing JDO building and its replacement with an office building / extension to the hotel. The change of use / conversion / part demolition and rebuild of No 8 East Cliff from offices (Class B1) to health spa (Class D1) and remodelling of existing car parking and landscaping works at the former Park Hotel Complex, East Cliff, Preston.

The report included the views of Preston City Council, The Victorian Society, Historic England, Network Rail and the county council's County Ecology Service, Lancashire Archaeological Advisory Service, County Landscape Service, Highways Development Control and Lead Local Flood Authority. The report also included details of four representations received.

The Development Management Officer presented a PowerPoint Presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown illustrations of the proposed development and photographs of the site from various aspects.

The Officer reported orally that further representations had been received in respect of the application. A summary of the representations together with advice from the officers, was set out in the Update Sheet (copy set out at Annex A to the Minutes).

The officer also advised that Condition 14 should be reworded as follows:

'The playing of amplified music within any part of the hotel or pavilion shall not take place between the hours of 12.00 am midnight and 10.00 hrs on Mondays to Sundays'.

Mr Isaac and Mr Richardson both residents of East Cliff, addressed the committee reiterating the concerns set out in the report and the Update Sheet with regard to the potential for noise and the impact on traffic and parking in the area.

Mr Isaac called on the committee to ensure that the end walls of the pavilion were constructed out of suitable acoustic material to mitigate the impact of noise. He also called for mitigation measures to be incorporated into the design such as an acoustic lobby to ensure that noise from the interior of the pavilion would be better contained.

Mr Richardson maintained that the surrounding highway network would not be able to cope with the additional traffic that would arise from the proposed

development. He also raised concerns about parked vehicles along Winckley Square and Ribblesdale Place which made access to East Cliff difficult particularly in the evenings and on Sundays. It was felt that the proposed development would only exacerbate matters.

In response to the above concerns, the officer advised that in order to mitigate the impacts of noise from the pavilion building, the applicant proposed to incorporate a sound ceiling as part of the design. The sound ceiling and directional speakers located over the dance floor would help minimise noise escaping the room and that the installation of a sound limiter would prevent the break out of noise into the parks and nearby residential areas.

With regard to the traffic concerns, the officer advised that the site had a previous office use and it was considered that the total volume of traffic associated with the new hotel / office use would not be dissimilar to that occurring previously albeit that the times when the vehicle movements occur would be different. The committee was also advised that a scheme of traffic calming measures would be implemented which would include measures to reduce vehicle speeds on East Cliff and to control on street parking on East Cliff between its junctions with Ribblesdale Place and East Cliff Road.

Following questions to the officers by the Members with regard to the number of car parking spaces associated with the new development and the proposed noise mitigation measures, it was Moved and Seconded that:

"The conditions to the proposed planning permission be amended to require that the end walls of the pavilion be constructed out of suitable acoustic material."

On being put to the vote the amendment was Carried it was therefore:

Resolved: That subject to an amendment to condition 14 above and an amendment to the existing conditions requiring the end walls of the pavilion to be constructed out of suitable acoustic material, planning permission be **granted** subject to conditions set out in the report to the committee.

**6. Ribble Valley Borough: application number LCC/2018/0047
Single storey extension to rear, new canopy and non-floodlit multi-use games area (MUGA) at Barrow Primary School, Old Row, Whalley Road, Barrow, Whalley**

A report was presented on an application for a single storey extension to rear, new canopy and non-floodlit multi-use games area (MUGA) at Barrow Primary School, Old Row, Whalley Road, Barrow, Whalley.

The report included the views of Ribble Valley Borough Council, Barrow Parish Council, Lancashire County Council Ecology Service, Lancashire County Council Highways Development Control, Sport England, Lancashire Archaeological Advisory Service and details of one representation received.

The Development Management Officer presented a PowerPoint Presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown an illustration of the proposed extension and photographs of the site from various aspects.

The Head Teacher of Barrow Primary School, Janet Pays, addressed the committee and spoke in support of the application. The committee was advised that the proposal was required to address a shortage of primary school places due to significant levels of planned housing development combined with higher birth rates in the area. The application formed phase 1 of expansion proposals which would eventually allow an increase in the number of pupils at the school from 140 to 210. The committee was also advised that the proposal would provide a much needed new kitchen, an extension to the school hall and that the proposed multi use games area would provide a new sporting facility for the school to enhance the quality and availability of usable open space.

Following discussion by the Members with regard to parking issues and the school travel plan it was:

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

7. 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 on 12 December 2018, five 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

8. Urgent Business

There were no items of urgent business.

9. Date of Next Meeting

Resolved: That the next meeting of the Committee be held on Wednesday 6 March 2019 at 10.30am.

L Sales
Director of Corporate Services

County Hall
Preston

Development Control Committee

Meeting to be held on 6th March 2019

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| Electoral Division affected: West Lancashire East |
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West Lancashire Borough: Application number LCC/2018/0050

Erection of wash plant facility for processing of inert waste materials to produce recycled aggregates. City Centre Commercials, Tower House, Simonswood Industrial Estate, Stopgate Lane, Simonswood, Kirkby.

Contact for further information:

Rob Jones, 01772 534128

DevCon@lancashire.gov.uk

Executive Summary

Application - Erection of wash plant facility for processing of inert waste materials to produce recycled aggregates. City Centre Commercials, Tower House, Simonswood Industrial Estate, Stopgate Lane, Simonswood, Kirkby.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, site operations, stockpile heights, hours of working, highway matters, noise, dust, disposal of surface waters and lighting.

Applicant's Proposal

Planning permission is sought for the erection of a new wash plant facility to be sited on a concrete slab base with an area of 1821sq.m. The wash plant facility would be used for the processing of inert waste materials to produce a range of recycled aggregate materials. The plant would consist of various crushers and screens and a press to remove fine material from the washing water.

The wash plant would have maximum dimensions of 65m long x 39 wide with the highest elements being the hopper, washing plant and stockpile conveyors with heights of 11m, 10m and 8.5m, respectively.

Description and Location of Site

The application site is in the centre of an existing waste management site/ waste transfer station and skip business that is located at the eastern end of Simonswood Industrial Estate approximately 800m from the northern edge of Kirkby.

Vehicular access to the industrial estate is from the south side of Stopgate Lane, and

then to the application site via the internal road that runs through the industrial estate. The applicant's site has an area of 5.7 hectares and consists of an open yard area used for the storage, sorting, crushing and screening of waste materials, and for the storage of skips and machinery. A waste transfer building, an office building, and a building used as a vehicle repair/maintenance workshop and to house biomass boilers, are located on the west, north and south sides of the site, respectively. The site has a planted screen mound along part of the northern boundary of a height of 6m, and along the entire southern boundary of a height of between 7.25m to 12m.

Beyond the northern boundary are agricultural fields and then the boundaries of the nearest residential dwellings on Sidings Lane that are approximately 240 metres from the application site. There are further properties on Stopgate Lane that are approximately 225m to the north-west of the application site. By the eastern boundary is another inert waste processing company, by the southern boundary is the Kirkby to Wigan railway line with agricultural fields beyond, and by the western boundary is a vehicle repair, MOT, de-pollution and breaking area for end of life vehicles, and land used for the storage of shipping containers.

Background

The application site forms part of an existing waste management site that has been the subject of a number of planning permissions, the most recent being as follows:

Planning permission for an extension to the existing portal framed shed to house 4 no. biomass boilers with associated fuel silos and drying floor, was granted in April 2017 (ref: LCC/2017/0007).

Retrospective planning permission for the provision of a concrete panel retaining structure to the earth bund along the northern boundary, the erection of an enclosure to house a 300kw biomass boiler with a 5.8m high exhaust stack and the provision of an associated fuel silo and ash bin, was granted in December 2017 (ref: LCC/2017/0060).

Planning permission for the erection of a detached vehicle repair/maintenance workshop and office accommodation building with the provision of photovoltaic solar panels on the southern half of the roof of the building, and an associated five space car park, was granted in July 2018 (ref: LCC/2018/0023).

Planning permission for the erection of a replacement warehouse for the storage and sorting of waste and recycling materials, with the provision of photovoltaic panels on the south facing roof pitch, was granted in October 2018 (ref: LCC/2018/0038).

Planning Policy

National Planning Policy Framework

Paragraphs 7 – 11, 47, 54 – 55, 80, 102 – 103, 120 – 121, 124, 127 – 130, 180 and 204 are relevant with regard to the following: Achieving sustainable development - the presumption in favour of sustainable development; Decision making -

determining applications, tailoring planning controls to local circumstances and planning conditions, Building a strong, competitive economy; Promoting sustainable transport, Achieving well-designed places, controlling the impacts on local amenity and securing supply of construction materials through recycled materials.

National Planning Policy for Waste - Section 7 is relevant in relation to the determination of planning applications.

National Planning Practice Guidance

Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document

Policy CS3 Meeting the demand for new minerals
Policy CS7 Managing Waste as a resource
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 DM1 Management of Waste and Extraction of Minerals
Policy DM2 Development Management
Policy WM1 Capacity of Waste Management Facilities
Policy WM4 Inert Waste Recycling

West Lancashire Local Plan 2012-2027 Development Plan Document (DPD)

Policy GN3 Criteria for Sustainable Development
Policy EC1 The Economy and Employment Land – Managing development on employment land - Other Significant Employment Sites – Allocated Waste Sites

Consultations

West Lancashire Borough Council – No objection. The Borough Council's Environmental Health Officer has considered the applicant's noise assessment and concludes that the noise from the new facility would be sufficiently below the existing background noise to not noticeably increase current noise levels.

Simonswood Parish Council – No observations received.

Knowsley Metropolitan Borough Council - No objection.

Environment Agency – No objection.

LCC Highways Development Control - No objection.

Health and Safety Executive – No objection.

Representations – The application has been advertised by press, site notice and neighbouring residents have been notified by letter. One objection has been received from a local resident on the grounds of noise levels, dust and hours of operation. The resident explains that operations on the existing industrial estate are very noisy and requests that a more effective noise barrier be erected along the northern edge of the site. Concern is also expressed that the application does not address how dust will be controlled. The hours of working of the plant should also be strictly controlled.

Advice

Planning permission is sought for the erection of a new wash plant facility to process inert waste materials that are imported to the site to produce clean and graded aggregate products that can be exported back into the market place. The plant would consist of an entry hopper that would feed reclaimed aggregate material into a crushing and washing plant and a series of screens and conveyors which would grade the material into different sized products ready for resale.

The applicant states that the wash plant would enable a large quantity of inert waste material that currently enters the site in an unusable state to be processed ready for re-sale and re-use. The washing plant would allow a higher quality of product to be produced than is currently possible thereby widening the uses of the recycled aggregate materials that are produced. This would make a significant contribution to the ongoing operation of the site by introducing an additional revenue stream. It would also help to ensure job security for the current workforce.

The main issues associated with the application are the need for the development, the design and visual impact, hours of working, noise, dust, highways matters, drainage and potential light pollution.

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 not only necessary to take into consideration the relevant policies of the Development Plan but also 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 Development Plan Document, the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and the West Lancashire Local Plan 2012-2027 Development Plan Document.

National Planning Policy encourages recycling and the re-use of waste to reduce reliance on land filling and requires waste to be managed at the highest level possible within the waste hierarchy. The National Planning Policy Framework seeks to ensure that the planning system supports and secures sustainable economic growth in order to create jobs and prosperity and that account is taken of the

contribution that recycled materials can make to the supply of construction aggregates

Policy CS3 of the Lancashire Minerals and Waste Core Strategy sets out requirements for the extraction of aggregates with the requirement to be met partially by maximising the contribution from recycled sources. Policy CS7 of the Lancashire Minerals and Waste Core Strategy seeks to manage waste as a resource and sets targets for recovering value from construction and demolition wastes. The proposal is therefore considered to accord with these policies.

The site is located within Simonswood Industrial Estate that is subject to Policy EC1 of the West Lancashire Local Plan. This policy supports a mix of industrial, business, and storage and distribution uses within the allocated area. The proposed wash plant facility would be used in association with an existing waste management operation at the site and hence conforms with Policy EC1.

Policy WM4 of the Joint Lancashire Minerals and Waste Local Plan supports developments for aggregate recycling facilities at listed industrial estates, including Simonswood Industrial Estate. The location of the proposal is therefore acceptable in terms of Policy WM4.

The main issues relate to noise and dust impacts at the nearest properties. It should be noted that the site is an existing waste transfer operation which already processes inert waste using mobile crushing and screening plant. The noise and dust impacts of the proposal should therefore be considered against this background.

In relation to noise, West Lancashire Borough Council initially raised an objection on the basis that insufficient information had been supplied in respect of noise, which may affect the amenities of the nearest residential properties on Sidings Lane. Upon receipt of a noise assessment, the Borough Council withdrew their objection as they were satisfied that the likely noise from the new facility would be sufficiently below the existing background and ambient noise levels so as to not noticeably increase the current noise levels. However, to ensure that the development would not have any unacceptable noise impacts on the amenities of the nearest residential properties on Stopgate Lane and Sidings Lane, the use of the plant should be restricted to the hours of working at the site as a whole, all plant, equipment and machinery should be effectively silenced and sound proofed, and there should be a limit on noise emitted from the development when measured at the boundary of any nearby residential dwelling.

In relation to dust, Knowsley MBC originally objected to the application on the grounds that residents within Knowsley have previously been impacted by dust emissions from waste operations on the industrial estate.

The applicant has advised that the recycled aggregate materials to be reloaded into wagons and exported off-site, will be damp as a result of the washing operations. The damping down of existing raw material stockpiles at the site, and from which material would be taken for processing in the plant, would continue. A condition is recommended to require that dust mitigation measures should be taken to reduce

the incidence of dust generation. A restriction in stockpile heights to 5.5m of material associated with the wash plant would also help to restrict dust, and would accord with the current restrictions on stockpile heights elsewhere across the site. The nearest houses in Knowsley are located at considerable distance (1.5 km) from the site and therefore it is considered that these properties would not receive dust impacts from this site. Given the nature of the operation and the requirements of the above conditions, it is considered that dust can be controlled to acceptable levels.

Policy WM4 of the Lancashire Minerals and Waste Local Plan supports aggregate recycling facilities on the industrial estates named in the policy subject to such facilities being housed with a building. The proposed facility would be in the open air and not in a building. While it is accepted that the proposal would not truly accord with the requirements of Policy WM4, it is considered that the noise and dust impacts could be controlled to acceptable such that they would not be detrimental to the amenity of the surrounding area. It is therefore considered acceptable for the washing plant not to be enclosed within a building.

A local resident states that an acoustic barrier is needed along the north side of the site, in addition to the existing bund, so as to address all noise including that which would be generated by the wash plant. However, it is considered that the conclusions of the noise assessment, demonstrate that the provision of a noise barrier would be unnecessary in order to ensure that noise impacts are acceptable at the nearest properties.

In relation to highways impacts, the location of the wash plant would ensure that all existing vehicular and pedestrian routes within the site would be retained for continued use. Vehicular access to the site is via the internal road that runs through the Simonswood industrial estate from Stopgate Lane to the north of the site. Off-site vehicular movements would not be affected by the proposed development since it is anticipated that the same quantity of aggregate material that is currently exported off-site in an unusable state would be exported for re-use. LCC Highways Development Control have not objected. However, it is recommended that a condition should require that all vehicles transporting materials from the site should be securely sheeted.

In relation to drainage, the land around the proposed wash plant is graded so that water drains to an existing sluice on the west side of the site near the waste transfer building. The sluice is drained by pipework that connects the sluice to a final discharge point just outside the southern boundary of the site. It is proposed that all rainwater falling onto the site will continue to drain to the discharge point and should be the subject of a condition.

Policy GN3 of the West Lancashire Local Plan requires that proposals for development should be of high quality design and have regard to visual amenity through sensitive design including appropriate siting, orientation, scale and materials.

The proposed facility would be positioned centrally in the site in an area currently occupied by storage mounds. The scale and height of the proposed equipment is determined by the supplier in order to provide the required operation capacity. The

appearance of the proposed wash plant equipment is in keeping with the industrial nature of the site and surrounds and its visual impact would be largely screened by the surrounding storage mounds and the landscaped bunds along the northern and southern boundary of the site. It is considered that the visual impact of the proposed wash plant would be acceptable and would accord with Policy GN3.

Whilst no lighting is currently proposed, it may be introduced in the future, and so to ensure that any lighting used would not cause light pollution or glare to the countryside and the wider area, a condition is proposed requiring details of proposed lighting to be submitted for approval.

Subject to the imposition of conditions, as recommended above, it is considered that the development accords with the requirements of the National Planning Policy Framework, Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy, and Policies NPPF 1, DM1, DM2, WM1 and WM4 of the Joint Lancashire Minerals and Waste Local Plan.

A note should also be attached to any permission to advise the applicant that if the proposed development involves new waste activities, the site operator will need to vary the existing Environment Agency permit and additional infrastructure may be required in order to manage any new pollution risks.

Human Rights

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

This application were it to be approved would be unlikely to generate such an impact on neighbouring properties by reason of noise and dust which would breach those rights. The conditions relating to noise and dust and the sheeting of lorries that are proposed to be attached to the planning permission will protect the amenities of local residents.

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 received by the County Planning Authority on 5th October 2018.

b) Submitted plans received by the County Planning Authority on 05 October 2018:

Drawing No. P185.2_200 - Site Location Plan

Drawing No. P185.2_201 - Existing Site Plan

Drawing No. P185.2_202 - Block Plan

Drawing No. P185.2_203 - Existing Site Section

Drawing No. P185.2_204 - Proposed Site Plan

Drawing No. P185.2_205 - Proposed Plan and Elevation

Drawing No. P185.2_206 - Proposed Site Section

Drawing No. P185.2_207 - Proposed Drainage Plan

c) All details approved under the conditions to 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 and CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policies NPPF 1, DM1, DM2 and WM1 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies -Part One, and Policies GN3 and EC1 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

Site Operations

3. A copy of this permission and all the documents referred to in condition 2 shall be available for inspection at the site office at all times throughout the development.

Reason: For the avoidance of doubt and to ensure all site operatives are aware of the planning conditions and approved documents and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

4. Stockpiles of raw and processed material associated with the operation of the wash plant shall not exceed 5.5 metres in height.

Reason: To safeguard the visual amenity and 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 Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

Hours of Working

5. The wash plant facility shall not be used outside the hours of:

0730 to 1800 hours, Mondays to Fridays
0730 to 1200 hours, Saturdays

The wash plant shall not be used at any time 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 machinery used on 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 Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

Highway Matters

6. All vehicles transporting recycled aggregate 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 Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

Control of Noise

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 CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals

and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

8. Noise emitted from the development shall not exceed 55dB(A)LAeq, 15min, as measured or calculated at the boundary of any nearby residential dwelling.

The measurements shall be undertaken in accordance with the methodology described in BS4142:2014.

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 GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

Dust

9. 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. The measures shall include the fitting of all crushing and screening plant with dust attenuation measures, the fitting of dust control measures on conveyor outfall points and the spraying of all dust generative stockpiles during dry and windy weather conditions.

Reason: To safeguard the amenity of the local area and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

Safeguarding of Watercourses and Drainage

10. All rain water collected from the wash plant facility shall be discharged to the existing drainage system on the south side of the waste transfer building and as shown on the submitted approved Drawing No. P185.2_207 - Proposed Drainage Plan.

Surface water must drain at the restricted rate of 5 l/s. No surface water will be permitted to drain directly or indirectly into the public sewer.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation

and Development Management Policies - Part One, and Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

Floodlighting

11. No external lighting and floodlighting shall be erected on the wash plant unless it is in accordance with a scheme and programme, which has first been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall contain details of the following:

- a) Type and power of lights
- b) Types of masking or baffle at the lighting head
- c) Number and size of lighting units
- d) Light spread diagrams showing lux levels at the site boundary and calculation of the impact of these on adjacent properties
- e) Times of use of lighting.

Thereafter the lighting and floodlighting shall be erected and operated in accordance with the approved scheme and programme.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to reduce light pollution and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

Notes

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

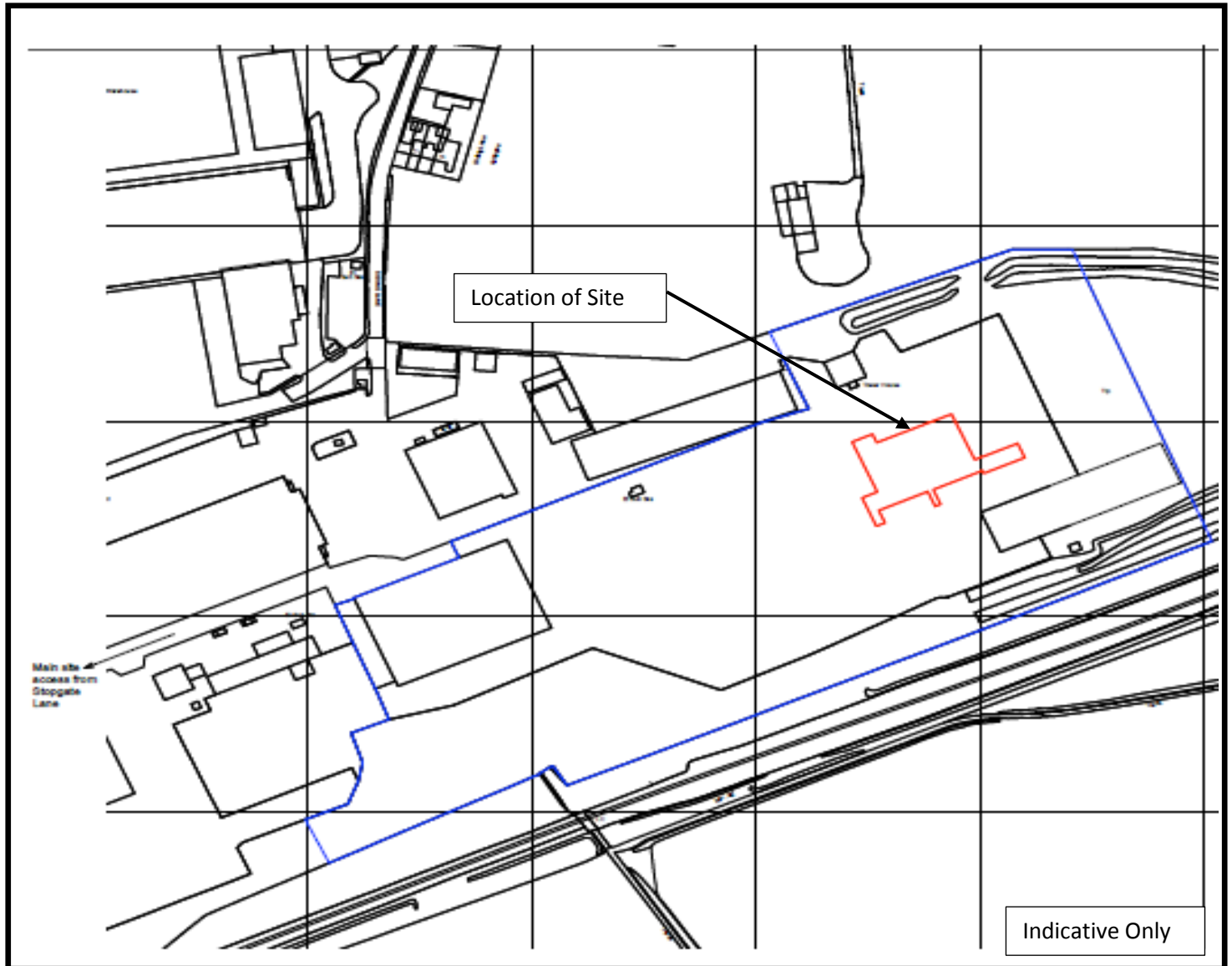
Local Government (Access to Information) Act 1985 List of Background Papers

None

Reason for Inclusion in Part II, if appropriate

N/A

**APPLICATION LCC/2018/0050 ERECTION OF A NEW WASH PLANT FACILITY
FOR PROCESSING OF RECLAIMED AGGREGATES. TOWER HOUSE,
STOPGATE LANE, SIMONSWOOD**



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Development Control Committee

Meeting to be held on 6th March 2019

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| Electoral Division affected: Thornton and Hambleton |
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Wyre Borough: Application Number. LCC/2019/0001

Variation of condition 8 of permission LCC/2015/0082 to allow extended delivery hours of green waste up to 5pm on Saturdays, Sundays and bank holidays. Iron House Farm, Lancaster Road, Out Rawcliffe.

Contact for further information:

Faiyaz Laly, 01772 538810

DevCon@lancashire.gov.uk

Executive Summary

Application - Variation of condition 8 of permission LCC/2015/0082 to allow extended delivery hours of green waste up to 5pm on Saturdays, Sundays and Bank Holidays. Iron House Farm, Lancaster Road, Out Rawcliffe.

Recommendation - Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, waste types, hours of working, noise, dust and highway matters.

Applicant's Proposal

The application site currently operates as a green waste composting facility. The facility has planning permission for the importation of green waste and waste timber materials which are then shredded to produce a compost product that can be used as a soil enhancer / fertiliser on agricultural land.

Condition 8 of the existing planning permission on the site (LCC/2015/0082) states:

'No waste shall be imported or deposited on the site, sorted, screened or shredded and no recycled materials shall be loaded or exported from the site outside the hours of:

0830 to 1800 hours, Mondays to Fridays (except Public Holidays)

0830 to 1200 hours, Saturdays.

No such development shall take place at any time on Sundays or Public Holidays.

This application proposes to vary this condition to extend delivery hours of green waste up to 1700 hours on Saturdays and from 08.30 – 17.00 hours on Sundays and public holidays.

Description and Location of Site

The application site is at Iron House Farm in Out Rawcliffe which is located 9 km east of Fleetwood town centre. The site is accessed off Lancaster Road (C Class Road) via a tarmac / stone track known as Hornby's Lane and currently operates as a green waste composting facility. The site extends over 1.6 hectares accommodating two former agricultural buildings with an area of hard surface to the rear used for the windrowing and storage of compost. The land surrounding the site is flat agricultural land with the nearest residential property being at Moss Farm Cottage, approximately 150 metres to the north of the site.

Background

History: The site is an existing green waste composting facility.

Retrospective planning permission was granted in March 2010 for change of use to form a composting site. (02/08/1116)

Planning permission was granted in February 2015 for the variation of condition 2 of permission (02/08/1116) to allow the importation and treatment of waste wood. (02/13/0788)

Planning permission was granted in March 2016 for the variation of condition 2 planning permission (02/13/0788) to allow the wastes imported to the site to include green wastes, waste timber and sanitised compost from other waste management facilities. (LCC/2015/0082)

Planning permission was granted in September 2017 for the installation of a Bio Mass Boiler and Associated Cladding of the host building. (LCC/2017/0052)

Planning Policy

National Planning Policy Framework

Paragraphs 7 - 14, 54 - 55, 80 - 82, 83 - 84, and 102 - 103 are relevant with regard to achieving sustainable development, planning conditions and obligations, building a strong competitive economy, supporting a prosperous rural economy and promoting sustainable transport.

Joint Lancashire Minerals and Waste Local Plan

Policy DM2 - Development Management

Wyre Borough Local Plan

Policy SP13 - Development in the Countryside

Policy EMP12 - Diversification of the Rural Economy

Policy ENV13 - Development and Flood Risk

Consultations

Wyre Borough Council - No observations received.

Out Rawcliffe Parish Council - Objection raised on noise and traffic impacts associated with the proposed changes. Comments raised that the amount and times of traffic movements at the site exceed those currently permitted.

LCC Highways Development Control - No objection.

Environment Agency - No observations received.

Lead Local Flood Authority - No observations received.

Representations - The application has been advertised by site notice and neighbouring residents informed by individual letter. No representations have been received.

Advice

Iron House Farm has operated as a green waste composting facility since 2010. The site imports green waste materials which are then shredded to produce a compost product that can be used as a soil enhancer / fertiliser on agricultural land. The current planning permission for the site (condition 8) restricts the importation of waste, hours of shredding and the export of finished compost at the site to between 08.30 - 18.00 hours Mondays to Fridays and 08.30 - 12.00 on Saturdays. Condition 14 of the planning permission also restricts the numbers of HGV's leaving the site with compost to 5 per day.

The applicant proposes to extend the hours of operation for the importation of green wastes by extending delivery hours of green waste up to 1700 hours on Saturdays, Sundays and Bank Holidays. It is not intended to increase the hours of operation for the shredding of waste, turning activities and export of finished compost.

The application has been submitted due to the operator expecting to receive more waste from Household Waste Recycling Centres in Wyre and Fylde boroughs which would increase the total volumes of materials accepted at the site by approximately 1500 tonnes per year. The extra demand is due to Household Waste Recycling Centres being generally busier at weekends and on occasions having inadequate space to store full skips which must therefore be removed from the sites in order to allow continued acceptance of green wastes. Consequently facilities for the composting of green wastes need to have the ability to accept green wastes at weekends. Given the restrictions in the existing planning permission for the Iron House Farm site, the applicant proposes to vary condition 8 to allow green wastes to be imported on Saturday afternoons, Sundays and public holidays. The applicant estimates that this would generate 4 additional HGV movements on Saturday afternoons, Sundays and public holidays

Access to the site is gained from the A586 at St Michaels on Wyre via C class roads (Lancaster Road and Rawcliffe Road). The existing permission (condition 14)

restricts the numbers of HGV's exporting compost from the site but does not restrict the numbers of HGV's associated with the importation of green waste. Although Lancaster and Rawcliffe Roads are C Class roads, they are of a reasonable standard and width and can accommodate the relatively small number of additional HGV movements that would result from the proposal. LCC Highways Development Control have raised no objection to the application.

Out Rawcliffe Parish Council have raised an objection to the proposal on the grounds that the additional vehicle movements would have unreasonable noise and traffic impacts to nearby residents. Neighbouring residents were notified of the application by letter, including the nearest residential property (Moss Farm Cottage), located approximately 150m away from the site but no representations were received from these houses. There are some isolated properties that are located along Lancaster Road and Rawcliffe Road particularly in St Michaels on Wyre but the relatively small number of additional HGV movements that would result from the proposal would not result in unacceptable impacts on the amenity of local residents or recreational users of the highways.

The Parish Council objection also states that the amount and times of traffic movements at the site exceed those currently permitted. Condition 14 of the planning permission restricts the numbers of HGV's leaving the site with finished compost to 5 vehicles per day. The applicant has since provided records of the movements of Heavy Good Vehicles entering and leaving the site and the records show that the condition 14 is being complied with.

The proposal would allow for a small increase in the amount of green waste materials processed at the site. The times that shredding activity is allowed, which is the main source of noise at the site, would not be varied by this application but it is possible that there may be a small increase in processing activity during the existing permitted hours of operation. However noise impacts have been assessed with previous planning applications at the site and deemed to be acceptable in terms of residential amenity. For these reasons the Parish Council's views are not supported.

There would be no requirement to extend the existing areas of hardstanding or any other aspect of the development and therefore the visual impact of the site in the countryside would not be increased. The site is located in a very rural area that in general is remote from residential properties. The site is located within Flood Zone 3 however, the proposed changes would not increase the risk of flooding to adjacent land. The proposal is therefore considered acceptable and complies with policies within the National Planning Policy Framework and the Wyre Local Plan.

In view of the location, nature and scale of the proposal 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 LCC/2015/0082 received by the County Planning Authority on 10th August 2015 as modified by the planning application ref LCC/2019/0001 received on 9th January 2019.

b) Submitted Plans and documents:

Drawing No - GA3015-LP-01-A / 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 SP13 of the Wyre Borough Local Plan.

Waste Types

3. No waste other than green waste, waste timber and waste imported from other in vessel composting facilities shall be imported to the site. Green wastes shall only comprise of grass, tree and hedge cuttings, parks and garden wastes and green waste produced by householders. Any other wastes shall be removed from the site within 24 hours of receipt and taken to a licenced waste management site.

Reason: To protect the amenities of surrounding land users and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

4. No stockpile of waste material, compost or shredded timber shall exceed a height of three metres.

Reason: In the interests of the visual amenity of the area and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan and policy SP14 of the Wyre Borough Local Plan.

Hours of Working

5. No waste shall be imported or deposited on the site, sorted, screened or shredded, and no recycled materials shall be loaded or exported from the site outside the hours of:

08.30 to 18.00 hours, Mondays to Fridays (except Public Holidays)
08.30 to 12.00 hours, Saturdays.

Notwithstanding the above hours, the site shall also be open for the acceptance of green wastes between 12.00 to 17.00 hours on Saturdays and between 09.30 to 17.00 hours on Sundays and Public Holidays. No processing operations shall take place within these hours.

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 DM2 of the Lancashire Minerals and Waste Local Plan.

Control of Noise and Dust

6. Noise emitted from the site shall not exceed 55 dB (LA)eq 1 hour (free field) when measured from Moss Farm Cottage (NGR 412 448) at a point closest to the noise source.

Reason: In the interests of the amenity of local residents 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 DM2 of the Lancashire Minerals and Waste Local Plan and Policies SP13 and EMP12 of the Wyre Borough Local Plan.

8. An acoustic barrier comprised of straw bales not less than three metres in height shall be provided in the positions shown on drawing GA1574 -SS. The green waste and timber shredding and screening equipment shall only be located in the position shown on drawing GA1574 -55.

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

Highway Matters

9. Measures shall be taken at all times during the development to ensure that no dust, mud or other debris is deposited onto Lancaster Road by vehicles 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.

10. No more than 5 heavy goods vehicles, as defined in this permission, shall leave the site in any one day.

No more than 2 HGVs shall leave the site between 12.00 - 17.00 hrs on a Saturday or at any time on Sundays or public holidays.

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

11. A written record shall be maintained at the site office of all movements out of the site by heavy goods vehicles, as defined in this permission; such records shall contain the vehicle's weight, registration number and the time and date of the movement and shall be made available for inspection by the County Planning Authority on request.

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

12. All vehicles transporting compost 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 to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

Definitions

Heavy Goods Vehicle: A vehicle of more than 7.5 tonnes gross weight.

Free field: At least 3.5 metres away from the facade of a property or building.

Notes

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

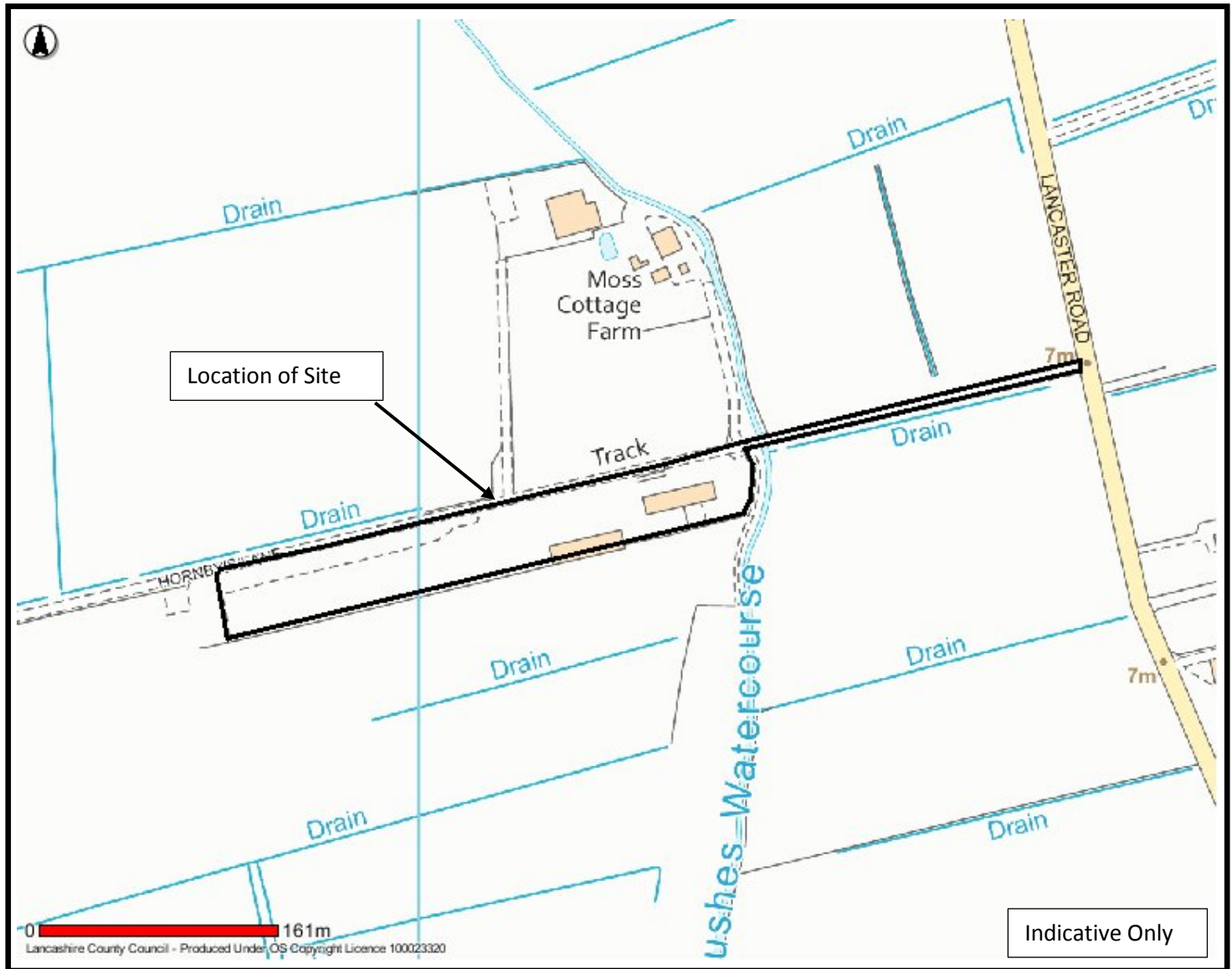
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None

Reason for Inclusion in Part II, if appropriate

N/A

**APPLICATION LCC/2019/0001 VARIATION OF CONDITION 8 OF PERMISSION
LCC/2015/0082 TO ALLOW EXTENDED DELIVERY HOURS OF GREEN WASTE
UP TO 5PM ON SATURDAYS SUNDAYS AND BANK HOLIDAYS. IRON HOUSE
FARM, LANCASTER ROAD, OUT RAWCLIFFE**



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Development Control Committee

Meeting to be held on 06 March 2019

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|-------------------------------------|
| 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 23 January 2019, the following decisions on planning matters have been taken in accordance with the County Council's Scheme of Delegation.

Wyre

LCC/2018/0056

Carr Head County Primary School, Carr Head Lane, Poulton-Le-Fylde

Car park extension to form 12 new spaces and 1 disabled space

Fylde

LCC/2018/0053

Wesham C of E Primary School Garstang Road North Medlar with Wesham

The creation of a multi-use games area

Preston

LCC/2018/0057

Barton Waste Water Treatment Works, Station Road, Barton

Installation of an MCC kiosk and 2 chemical storage and dosing kiosks.

SCP/2018/0004

Red Scar Industrial Estate, Preston

Scoping request for proposed energy recovery facility

Hyndburn

Application: No.11/11/0082NM2

Whinney Hill Landfill Site, Whinney Hill Road, Altham

Non-material amendment to conditions 3, 14 and 15 to include reference to an additional drawing (Figure 3.5f Rev 1) to allow longer hours of working for cell preparation and tipping in that part of Enfield Quarry that lies within the main Whinney Hill Quarry void

Recommendation

That the report be noted.

Local Government (Access to Information) Act 1985

List of Background Papers

None

Reason for Inclusion in Part II, if appropriate

N/A