

**Development Control Committee**  
Meeting to be held on 20th January 2021

Electoral Division affected: Preston East
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**Preston City: Application number. LCC/2020/0053**  
**Change of use of land and buildings to a sui generis waste recycling use for the recycling and storage of plastic contained in waste electronic and electrical equipment at Unit 21-22 Roman Way, Longridge Road, Preston.**

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### **Executive Summary**

Application – Change of use of land and building to a sui generis waste recycling use for the recycling and storage of plastic contained in waste electronic and electrical equipment.

### **Recommendation – Summary**

That planning permission be **granted** subject to conditions controlling time limits, working programme, hours of operation and site operations.

### **Applicant's Proposal**

Planning permission is sought for the change of use of land and building to a sui generis waste recycling use for the recycling and storage of plastic contained in waste electronic and electrical equipment. The existing building is to be utilised and no new buildings are proposed. The external yard area is for the receipt of waste only, no waste will be stored on the external yard area. The existing attached offices would be retained as offices and ancillary accommodation.

The proposal would involve the separation of different types of plastic that are contained in waste electrical and electronic equipment. The equipment to be installed within the building would allow plastic containing POPs (Persistent Organic Pollutants) to be separated from plastic that does not contain POPs using a density separation process.

The high temperature destruction process required on the POPs contaminated plastic would not be completed on this site; such material would be sent to a dedicated facility off site for incineration and which does not form part of this application.

It is proposed to operate the separation plant on a 24 hour basis on Monday to Friday and on Saturdays from 00.00 to 18.00 with no working on Sundays and Bank Holidays. Deliveries to the site would be between the hours of 07.00 to 23.00 Monday to Friday and on Saturdays from 07.00 to 18.00 with no deliveries on Sundays and Bank Holidays.

## **Description and Location of Site**

The site is located on Roman Way within Units 21 /22 Roman Way Industrial Estate and extends over an area of approximately 5871 sq.m. Roman Way is a large established Industrial Estate off Longridge Road, Preston approximately 1km south of Grimsargh and 1.4km west of the M6 junction 31a. To the west of the site is Rough Hey Industrial Estate and to the south of the site is Red Scar Industrial Estate. The estate includes various general industrial units, including food production, warehousing and manufacturing as well as Astra Business Centre with a number of offices. The nearest residential properties are north of the site on Longridge Road approximately 350 metres away. Roman Road Farm is situated to the east approximately 380 metres away.

The application site consists of a large warehouse and external yard area. Adjoining the yard area, the site comprises a single storey office along the south façade. The site is generally level and predominately covered with a concrete apron, with a grassed area from the edge of the kerbing rising to the pavement along Roman Way on the southern and eastern boundary. The site contains an existing car parking area to the south but there are no changes to the car parking or office area with this application. Vehicular access is via an existing entrance off Roman Way to the north corner of the site.

## **Background**

The proposal is located at an established Industrial Estate. There is no relevant planning history for the site but the applicant has advised that it was previously used as a storage building and yard for FX Carpets. The site in the last 12-18 months has been used by the applicant to store waste plastic arising from household waste collections. The Environment Agency did grant a temporary licence for this use but no planning permission was in place for this activity.

## **Planning Policy**

### **National Planning Policy Framework**

Paragraphs 11 – 14, 80 – 82, 124 – 132, 180 and 183 are relevant with regard to the requirement for sustainable development, building a strong and competitive economy, achieving well designed places, controlling noise impacts and the relationship between planning and pollution control.

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

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

Policy CS7 – Managing Our Waste as a Resource

Policy CS8 – Identifying capacity for managing our waste

Policy CS9 – Achieving Sustainable Waste Management

Joint Lancashire Minerals and Waste Local Plan- Site Allocation and Development management Policies – Part One (LMWLP)

Policy NPPF1 – Presumption in favour of sustainable development

Policy DM2 – Development Management

Preston Local Plan

Policy V1 – Model Policy

Policy EP2 – Protection of Existing Employment Areas

Policy EN9 – Design of New Development

## **Consultations**

Preston City Council – No objection.

Preston City Council Environmental Health Officer – Initially raised concerns over noise levels and requested a Noise Impact Assessment. On receipt of the assessment, the Environmental Health Officer was satisfied with findings of the report subject to conditions requiring any roller shutter doors to be closed during operation and restricted delivery/collections times.

Ecology Service – No objection.

Environment Agency – Concerns over potential noise levels and suggested a Noise Impact Assessment to be submitted. The Environment Agency also recommend specifying suitable hours of operation to avoid impact on local residents and businesses. The applicant is applying for an Environmental Permit.

LCC Highways Development Control – No objection.

SUDS – No comments received.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. Five representations have been received from neighbouring businesses, which raise the following concerns:

- Increase in HGV movements and lack of parking spaces will cause roadside parking.
- Concerns over incineration taking place on proposed site.
- Unsightly waste being stored on site.
- Potential dust issues.

- Don't want a re occurrence of the problems which have happened over the last 12-18 months with plastic waste being stored on the site, waste being blown over roads and grassed areas and issues with flies around the estate from smelly waste being stored.
- Increase in noise and vibration levels.

## **Advice**

Planning permission is sought for the change of use of land and building to a sui generis waste recycling use for the recycling and storage of plastics from waste electronic and electrical equipment (WEEE).

In June 2020 the Environment Agency released guidance on the reclassification of plastics from waste electronic and electrical equipment. If the electronic or electrical item was manufactured prior to 2009 the plastic may contain Persistent Organic Pollutants (POPs). POP's are used as flame retardants in such equipment. If the plastic contains levels of POPs over a certain limit, this plastic has to be destroyed by high temperature incineration. It is common for waste electronic and electrical equipment materials to arise from equipment manufactured both pre and post 2009 and therefore, without separation, all plastic from mixed sources has to be treated as hazardous waste and destroyed by incineration. The process included in this planning application is for the installation of equipment which separates the non-POPs and POPs contaminated plastic allowing for some waste electronic and electrical equipment plastic to continue on a recycling route rather than all waste electronic and electrical equipment plastic having to be destroyed in high temperature incineration.

The main issues associated with the application are the acceptability of the site to be used for this purpose, visual impact, noise/pollution, hours of operation and potential increase in heavy goods vehicles that the use of the site may generate.

The site is an existing unit located within the Roman Way Industrial Estate which is designated as an Existing Employment Area for the purposes of Policy EP2 of the Preston Local Plan, and is an acceptable location for the proposal.

National Policy seeks to achieve sustainable waste management by moving the management of waste up the 'waste hierarchy' and only disposing of waste as a last resort. The equipment that is proposed to be installed would allow an increase in the volume of waste plastics that can be recycled rather than it all being incinerated. The proposal would therefore allow the management of certain waste electronic and electrical equipment plastic at a higher level in the waste hierarchy and therefore contributes towards meeting the objectives of Government policy and Policy CS7 and CS8 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy.

In terms of environmental impacts, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan states that development for waste operations will be supported where it can demonstrate that all material impacts can be eliminated or reduced to acceptable levels.

Five representations have been received concerned that the impacts that have occurred on site over the previous 12-18 months will re-occur. The applicant was issued with a temporary waste license to store waste plastic on the site and in the building, although no planning permission was ever granted for such a use. The waste plastics that were stored originated from household waste collections and there were issues with flies, odours and waste blowing over roads and grassed areas. These problems have now been resolved with the waste stored in the external yards being removed. Under the new proposal no general waste plastic would be stored on site and only waste electronic and electrical equipment plastic would be accepted all of which would be stored and processed in the building; no storage of waste in the yard is proposed. A bespoke Environment Agency permit will be required for the proposed use.

In relation to noise and dust, the applicant has advised that the separation plant would be located inside the building. The density separation process does not cause dust as it uses floatation and a centrifuge process to separate the different types of plastic. The waste electronic and electrical equipment plastic is not odorous and thus odour issues would not arise. A noise assessment submitted with the application has demonstrated no likely unacceptable noise impact and given that the site would be subject to an Environment Agency permit which would control noise levels, the impact on local amenity would be acceptable. To ensure that the development would not have any noise impacts on the amenities of the nearest residential properties a condition is proposed requiring the roller shutter doors to be closed at all times during operation other than when a delivery or collection is taking place.

Given the distance to the nearest residential properties, it is considered that the impacts of the site could be adequately controlled through the imposition of planning conditions in relation to the hours of working, no storage of waste on the forecourt and only allowing for the management of electrical waste

In relation to traffic impacts, the site is an established industrial location and therefore the site/building could be used for a range of storage and distribution uses without the requirement for any further permission. LCC Highways have no objection to the application. The development would generate approximately 16 HGV traffic movements per day and there is already provision for vehicle parking spaces within the site, which would ensure that the proposal would not create any highway problems both within the industrial estate or on the wider public highway and would have very similar traffic impacts to any other use for the site.

Overall it is considered that the proposed development would be an acceptable use for the site and complies with the policies of the National Planning Policy Framework and the development plan.

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

## **Recommendation**

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

## **Time Limits**

1. The development shall commence not later than 3years 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 25 August 2020

- b) Submitted Plans received by the County Planning Authority on 25 August 2020

Drawing No. 01P - Location Plan

Drawing No. 02P - Site Plan

Drawing No. 03P - Plant Design Plan

Drawing No. 06 - Material Storage Plan

Drawing No. 07 - Drainage Plan

- c) All schemes and programmes approved in accordance with this permission.

*Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with Policies CS7, CS8 and CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policies NPPF 1, DM1, DM2, WM1, WM2 and WM4 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies and Policies V1, EP2 and EN9 of the Preston Local Plan.*

## **Hours of Working**

3. No waste processing activities shall take place outside the hours of:

00.00 to 23.59 hours Monday to Friday (except Public Holidays)

00.00 to 18.00 hours Saturdays

No delivery of waste, collection of waste or separated plastics or servicing of the premises shall be undertaken outside the hours of:

07.00 to 23.00 hours Monday to Friday (except Public Holidays)

07.00 to 18.00 hours Saturdays

No waste sorting operations, deliveries or collections of waste or recycled materials shall take place 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 CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document and Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies.*

### **Site Operations**

4. No waste other than plastics originating from waste electronic and electrical equipment shall be processed at the site.

*Reason: Waste materials outside these categories raise environmental and amenity issues which would require consideration afresh and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies.*

5. All waste management operations and storage of materials shall be undertaken within the building. No materials shall be stored anywhere in the external yard area

*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 - Site Allocation and Development Management Policies.*

6. The roller shutter doors to the external elevations of the building shall remain closed at all times except to allow the access and egress of delivery vehicles into the premises.

*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 - Site Allocation and Development Management Policies.*

### **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