

Development Control Committee
Meeting to be held on 20 October 2021

Electoral Division affected: West Lancashire East
--

West Lancashire Borough: application number LCC/2021/0032
Erection of portal framed building for storage of recycled soils, Newbridge Farm, Stopgate Lane, Simonswood

Contact for further information:
Faiyaz Laly, 01772 538810
DevCon@lancashire.gov.uk

Executive Summary

Application - Erection of portal framed building for storage of recycled soils, Newbridge Farm, Stopgate Lane, Simonswood.

Recommendation - Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, building materials and hours of construction.

Applicant's Proposal

Planning permission is sought for the erection of a portal framed building located at a waste transfer station at Newbridge Farm, Stopgate Lane, Simonswood. The building would measure approximately 37.6m x 30.5m with a height of 10.5m. The building would have a total floor space of approximately 1150m² and would be open sided to the western elevation.

The lower section of the building would be constructed from concrete panels to a height of 3.5m with the upper sections of the building being constructed from box profile coated metal cladding sheets coloured green. The building would be finished with a pitched roof constructed from fibre cement sheeting also coloured green.

The site imports inert wastes which are then processed and screened to produce a variety of soil products which are suitable for use on sites such as football pitches, golf courses and domestic gardens. The site was granted planning permission for a portal framed storage building for storage of recycled materials in January 2013 (Ref - 8/12/1116). As the applicant never implemented this permission it has since expired. The applicant now intends to construct a building of similar dimensions but in a different location.

At present soil screening and storage operations take place in the open air. However, this is resulting in the recycled soil materials becoming saturated by rain

making the product unfit for purpose. The building would be used for the covered storage of soil in order to prevent the soil being exposed to the weather. The height of the building is required to allow a loading shovel to operate inside the building to create and remove stockpiles of soil.

Description and Location of Site

The proposed building would be at an existing inert waste recycling site located off Stopgate Lane, Simonswood approximately 3.5 km north east of Kirkby. The whole operational site extends to 6.2 hectares (ha).

The Wigan - Liverpool railway line forms the southern boundary of the site with the remainder of the waste transfer station and associated screening mounds located to the west. To the north is the access road to the site and to the east is agricultural land. The nearest residential properties are located at Newbridge Farm 350m to the north and at Abrams Farm, off Stopgate Lane, 400m to the west. A farm track crossing the railway is located 150m to the east and which is also designated as a public footpath. The boundary of the Green Belt wraps around the north, east, and south sides of the waste transfer station site.

Background

History

Planning permission for the importation and storage of mature, soil, sand, compost and other non-special waste and the mixing, processing and grading of these materials was granted in 1999 (ref - 8/97/1115).

Planning permission for a new access road to the site and creation of a screening embankment was granted in 2006 (ref - 8/06/0129).

Planning permission was granted in January 2013 for the erection of a portal building for the storage of recycled soil materials (ref - 08/12/116).

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 7 - 14, 51 - 53, 54 - 57, 84 - 85, 124 - 136 and are relevant with regards to the presumption in favour of sustainable development, tailoring planning control to local circumstances, planning conditions, supporting the rural economy, and achieving well designed places.

National Planning Policy for Waste (NPPW)

Section 7 is relevant with regards the determination of applications for waste development.

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

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

Joint Lancashire Minerals and Waste Local Plan

Policy DM2 - Development Management
Policy WM2 - Large Scale Built Waste Management Facilities
Policy WM3 - Local Built Waste Management Facilities

West Lancashire Local Plan

Policy GN1 - Settlement Boundaries
Policy GN3 - Criteria for Sustainable Development
Policy EC1 - The Economy and Employment Land
Policy EC2 - The Rural Economy
Policy EN2 - Preserving and Enhancing West Lancashire's Natural Environment

Consultations

West Lancashire Borough Council - No objection.

Simonswood Parish Council - No objection to the portal frame building. The parish council would like the starting hours to remain as existing due to concern for the residents.

Health and Safety Executive - No objection.

The Coal Authority - No observations received.

Lancashire County Council Highways Development Control - No objection. The proposed development is within an established waste transfer business and does not involve a new or altered access to the public highway. The site has previously been granted planning permission (2012/1116) for the construction of a storage building. This application is for the relocation of the previously approved storage building. The proposed building is for the storage of materials and to cover current waste on site.

The supporting statement submitted with this application states that as the building purpose is to cover current waste on site, the development would not enable greater volumes of waste to be produced and therefore would not increase traffic levels along Stopgate Lane. Lancashire County Council Highways does not have any objection to the relocation of the portal framed building and is of the opinion that the proposed development would not have a significant impact on highway safety or highway capacity within the immediate vicinity of the site.

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

An email has been received from County Councillor Rob Bailey requesting that the application is determined by the Development Control Committee and raising concerns over expanded operating hours and additional Heavy Goods Vehicles movements through Bickerstaffe as a consequence of the new operation.

Advice

Planning permission is sought for the erection of a building on an existing waste transfer station site to be used for the storage of recycled soil materials. The site imports inert waste materials which are then screened and processed to produce a variety of soil products which are suitable for use on sites such as football pitches, golf courses and domestic gardens. At present the soil screening and storage operations take place in the open air. However, this is resulting in the recycled soil materials becoming saturated by rain making the product unfit for purpose. The building would be used for the storage of soil undercover in order to prevent it being exposed to the weather. The height of the building is required to allow a loading shovel to operate inside the building to create and remove stockpiles of soil.

The overall site benefits from a planning permission granted in 1999 for the importation and recycling of soils and inert waste materials (ref 8/97/1115). Planning permission for a portal framed storage building for the storage of recycled materials was previously granted on this site in January 2013 (Ref - 8/12/1116) but this permission was never implemented and has expired. The applicant now intends to construct a building of similar dimensions to that previously approved but in a different location.

The National Planning Policy for Waste (NPPW) requires that waste materials should be managed at the highest level possible within the waste hierarchy. Policy CS7 of the Lancashire Minerals and Waste Core Strategy Development Plan Document (DPD) seeks to manage waste as a resource, while Policy CS8 of the Core Strategy Development Plan Document (DPD) seeks to ensure an adequate provision of suitable waste facilities across the county. The site has been established as a waste processing site since at least 1998 and the proposed development would generally accord with the aims of the National Planning Policy for Waste (NPPW) and the Core Strategy.

The National Planning Policy Framework (NPPF) and the Joint Minerals and Waste Local Plan recognises that waste developments have the potential to give rise to adverse impacts on the quality of life of people for a variety of reasons including noise and dust. More specifically, Policy DM2 of the Joint Minerals and Waste Local Plan supports development for waste management operations where it can be demonstrated that all material, social, economic or environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels. In assessing proposals, account should be taken of the proposal's setting, baseline environmental conditions and neighbouring land uses, together with the extent to

which its impacts could be controlled in accordance with current best practice and recognised standards.

The building would be located adjacent to the southern boundary of the waste processing site adjacent to the railway line. The application site is designated in the West Lancashire Local Plan for Employment Use. As the proposed building would be wholly located within an industrial land allocation the principle of the development would accord with this policy.

Policy GN3 of the West Lancashire Local Plan states that development should have regard to visual amenity within its surroundings through sensitive design including appropriate siting, orientation, scale, materials, landscaping and boundary treatment.

The building would measure approximately 37.6m x 30.5m with a height of 10.5m. Whilst the proposed building is large it would be of an agricultural appearance and therefore would not look out of place in this area where there are a number of similar buildings at nearby farm complexes and on the adjacent Simonswood Industrial Estate. The materials for the building are considered to be appropriate in this area and for the type of building proposed and would help to mitigate the visual impact of the building when seen from the surrounding Green Belt. Overall the site is generally well screened by the existing landscaping surrounding the waste processing site and the nearest viewpoint from Stopgate Lane to the north is a considerable distance from the site. For these reasons it is considered no further landscaping is required.

County Councillor Bailey has raised concerns over the expanded operating hours and additional Heavy Goods Vehicles (HGV) movements through Bickerstaffe as a consequence of the new operation. Although there are concerns in the Bickerstaff area regarding HGV movements from this site and from the wider Simonswood Industrial Estate, the applicant has confirmed the development would not enable greater volumes of waste to be processed at the site and therefore would not increase traffic levels from the site. The hours of operation would also not be changing as part of this application which are the hours permitted by permission ref 8/97/1115 (07.30 to 18.30 Mondays to Fridays and 07.30 to 13.00 on Saturdays).

Paragraph 109 of the National Planning Policy Framework (NPPF) states that proposals should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Lancashire County Council Highways does not have any objection to the new building and are of the opinion that the proposed development would not have a significant impact on highway safety or highway capacity within the immediate vicinity of the site.

In conclusion, the location, design and nature of the development would ensure that there would be no adverse impacts. The development therefore accords with the policies of the National Planning Policy Framework (NPPF) and the Development Plan.

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

Recommendation

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

Time Limits

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

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

Working Programme

2. The development shall be carried out in accordance with the following documents:
 - a) The Planning Application received by the County Planning Authority on 19 July 2021.
 - b) Submitted Plans and documents:

Drawing Number - X387.158.PL01 / Site Location Plan
Drawing Number - X387.158.PL03 / Proposed GA Plans
Drawing Number - X387.158.PL04 / Proposed Elevations

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy GN3 of the West Lancashire Local Plan.

Building Materials

3. The building materials used for the elevations and roof of the building shall conform to the details shown on Drawing Number - X387.158.PL04 / Proposed Elevations.

Reason: In the interests of the visual amenities of the area and to conform with Policy GN3 of the West Lancashire Borough Local Plan.

Hours of construction

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

07.30 to 18.30 hours Monday to Friday (except Public Holidays)

07.30 to 13.00 hours on Saturday

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

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

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy 2 of the Lancashire Minerals and Waste Local Plan and Policy GN3 of the West Lancashire Local Plan.

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

Paper	Date	Contact/Ext
LCC/2021/0032	September 2021	Faiyaz Laly, Planning and Environment 01772 538810

Reason for Inclusion in Part II, if appropriate

N/A