

**Development Control Committee**  
Meeting to be held on 1 March 2023

Electoral Division affected:  
Padiham and Burnley West

**Burnley Borough: application number: LCC/2022/0050**  
**Construction of three additional waste processing/storage buildings and an office building at Hapton Valley Transfer Station, Hapton Valley Estate, Accrington Road, Hapton, Burnley**

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

Application - Construction of three additional waste processing/storage buildings and an office building at Hapton Valley Transfer Station, Hapton Valley Estate, Accrington Road, Hapton, Burnley.

### **Recommendation – Summary**

That planning permission be **granted** subject to conditions controlling working programme, hours of working, highway matters, ground investigation, sustainable drainage and access road noise attenuation review.

### **Applicant's Proposal**

This application is for the construction of three new waste processing and storage buildings, and one office building. Two of the waste storage buildings and the office building have already been constructed. The buildings are as follows:

#### Building B (already constructed)

Width: 45.8m, Length: 50.1m, Maximum Height: 13.42m

#### Building C (already constructed)

Width: 33.3m, Length: 57.4m, Maximum Height: 10.58m

#### Building E (not constructed)

Width: 45.8m, Length: 56.5m, Maximum Height: 13.92m



## Office (already constructed)

Width: 8.6m, Length: 18m, Maximum Height: 4.73m

Roofs are/will be grey, as per the existing buildings. Building B has an upper section of blue cladding, and a concrete panel lower section and Building C has a cladding mix of black, and light and dark grey colours with a concrete panel lower section. The external cladding for Building E would also be blue with concrete panels below. Existing buildings have a mixture of brown, grey and green cladding. The office is constructed with red brick and grey framed windows.

## **Description and Location of Site**

The former Hapton Valley Colliery site is located some 500 metres south of the A679 Accrington Road, 3km west of Burnley. To the west is the Network 65 Business Park and to the north is a small residential estate known as Valley Gardens, which runs parallel with, and at a lower level to, the access road to the site. Burnley Cemetery is located some 100m to the east beyond the Green Brook Valley. The nearest properties on Valley Gardens are approximately 100 metres to the north of the application site.

Other waste transfer related operations (and which have the benefit of separate planning permissions) are located elsewhere on the former colliery site. All operations at the site share the access road to the A679.

## **Background**

### **History**

The application site is at the former Hapton Valley Colliery.

Planning permission for the development of a waste transfer station was granted in June 1997 (ref. 12/96/228).

Planning permission to vary conditions 2 and 13 of planning permission 12/96/228 to allow the redesign of the site layout and to allow skips containing sorted wastes to be stored outside the building was granted in June 1998 (ref. 12/97/479).

Planning permission for the establishment and operation of equipment for shredding of tyres, timber and green waste to the southwest of the site was granted in July 2003 (ref. 12/03/0208).

Planning permission for the erection of a building and hardstanding for end-of-life vehicle breaking to the southeast of the site was granted in April 2004 (ref. 12/04/0176).

Planning permission for the extension to existing waste transfer and treatment building and realignment of access road, proposed introduction of a concrete crushing operation and levelling of land for the parking of trailers was granted in April 2008 (ref. 12/07/1134).



Planning permission for a new building to house biomass boilers including 2 x 9m high flues was granted on 7 March 2018 (ref. LCC/2018/0004).

On 3 June 2020 application ref. LCC/2019/0069 was approved for the change of use of an end-of-life vehicle building to use for the drying and pelletising of waste solid recovered fuel (SRF), construction of 2 x 20m high flues, construction of underground ducting to transfer warm air from boiler to the pelletising building, and the storage of baled solid recovered fuel (SRF) in the northern yard. Approval was subject to the applicant first entering into a Section 106 Agreement in relation to earthworks and landscaping. The Section 106 agreement is awaiting completion and the decision notice is likely to be issued shortly.

## **Planning Policy**

National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance (NPPFPPG)

National Planning Policy for Waste (NPPW) (October 2014)

Joint Lancashire Minerals and Waste Development Framework Core Strategy (JLMWDFCS) 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 (JLMWLP) – Site Allocation and Development Management Policies – Part One

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

Burnley Local Plan

Policy SP1	Achieving Sustainable Development
Policy SP4	Development Strategy
Policy SP5	Development Quality and Sustainability
Policy EMP3	Supporting Employment Development
Policy NE1	Biodiversity and Ecological Networks
Policy NE3	Landscape Character
Policy NE5	Environmental Protection
Policy CC5	Surface Water Management and Sustainable Drainage Systems (SuDS)

## **Consultations**

Burnley Borough Council – No objection. The following points are noted:



- The application site is located within the settlement boundary on an unallocated site.
- The historic use of the site is for waste transfer, ie established use. However, the proposed buildings will intensify the site so it should be ensured that any new permissions are appropriately conditioned.
- The western boundary of the site is covered by protected open space and a woodland ecological network. Although not within the red edge of the site, could there be any requirement in terms of biodiversity enhancements?
- The closest properties are approximately 120m to the north of the site in Valley Gardens. It should be ensured that the intensification of the site has appropriate conditions for noise, hours of operation so that there is no additional impact on residential amenity.

Hapton Parish Council – No comments received.

Lancashire County Council (LCC) Highways Development Control – No objection. Due to the extensive nature of the application, it is expected that a charging point for electric vehicles shall be included within the development to promote sustainable modes of transport. This shall be fitted in line with the Department for Transport (DfT) guidance regarding Electric Vehicle Charging in Residential and Non-residential buildings, which states: - charge points must have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicle.

Coal Authority – No objection.

Environment Agency – No objection subject to a condition for a land contamination risk assessment strategy.

Lancashire County Council (LCC) Lead Local Flood Authority – No objection subject to a condition requiring a surface water sustainable drainage strategy.

United Utilities - The proposals are acceptable in principle, but there is insufficient information on the detail of the drainage design and therefore a condition is recommended.

Representations – The application has been advertised in the local newspaper, by site notice, and neighbouring residents have been notified in writing. Two representations have been received objecting to the application on the following grounds:

- Residents are subjected to the daily movement of heavy goods vehicles.
- Hours of working conditions are regularly breached.
- The applicant's supporting information outlines a range of operating restrictions and measures taken including a 10mph speed restriction and an acoustic fence which is meant to dampen noise to the adjunct properties off Valley Gardens. The 10mph speed limit is broken daily on many occasions. The acoustic fence does not run behind all the residential properties. The supporting statement refers to the access road being recently resurfaced. This statement is misleading and incorrect, the work carried out does not cover the entire route behind the



residential properties and at best can be described as patchwork and pothole filling at best.

- The supporting statement talks about providing more operational space and outlines the fluctuating take up of the finished product by the end use for cement kiln fuel. The applicant appears to want to use the extra space to accommodate these fluctuations in take up by the introduction of storage of both pre and post treated material used and produced by the applicant. The approval of this application will introduce the uncontrolled opportunity for the applicant to scale up both pre and postproduction capability and in turn provide the opportunity for further vehicular movement.
- The applicant talks about transporting finished solid recovered fuel (SRF) to cement kilns within the region, this is misleading and appears to imply supporting other local businesses. Vehicles have been seen carrying bulk application fuel product outside the region, including Scotland.
- The increase in the capacity of this business, would result in more traffic on the already busy Accrington Road and the road up to the site which runs behind properties in Valley Gardens and would have an impact on the residential community.
- This business has already had two fires in the last year, resulting in Accrington Road being closed off to traffic, from the traffic lights at Rosegrove to the Network 65 Business Park. The Police and fire services were there on both occasions and there is a risk of the likelihood of even more fires of this nature in the future. This is a risk to the health and safety of the residents of Valley Gardens with the fumes and smoke. On one of these occasions, residents were initially informed by the Police that they could not return to properties.
- There is slight confusion with the site layout plans, as the proposed site plan shows that two of the buildings in this proposal have already been constructed (building B and building C).

## **Advice**

The former colliery site is an established waste management facility. The current site operator predominantly focusses on waste recycling and recovery through treatment of household, commercial and industrial waste to produce solid recovered fuel (SRF) for co-incineration in cement manufacturing kilns. Solid recovered fuel (SRF) is transported loose in bulk trailers to cement kilns where it is combusted as a replacement for fossil fuels.

This application is for the construction of three new waste processing and storage buildings, and one office building. Two of the waste storage buildings and the office building have now been constructed. It should be borne in mind that Section 73A of the Town and Country Planning Act 1990 allows planning applications to be submitted for development that has already been carried out. A third building is planned to house dried solid recovered fuel (SRF) whilst awaiting dispatch from site.

The applicant states that the new waste management buildings would provide more indoor space and help comply with fire prevention guidance on separation distances between stockpiles, which is a requirement of the Environmental Permit. The new buildings would also allow the operator to accommodate the fluctuation in demand for solid recovered fuel (SRF) by the cement kiln operators. The cement



manufacturing sites have very limited storage space for solid recovered fuel (SRF) as the fuel is often delivered directly into the kiln from heavy goods vehicles (HGVs).

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) sets out the Government's planning policies and is a material consideration in planning decisions.

The National Planning Policy for Waste (NPPW) refers to the Waste Management Plan for England in which the Government supports efficient energy recovery from residual waste to deliver environmental benefits, reduce carbon impact and provide economic opportunities. The National Planning Policy for Waste (NPPW) sets out the national planning policies for waste development and should be read in conjunction with the National Planning Policy Framework (NPPF). It sets out the Government's continuing ambition to work towards a more sustainable and efficient approach to resource use and management including by driving waste up the hierarchy and minimising waste. This includes helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment and recognising the need for a mix of types and scale of facilities, and that adequate provision must be made for waste disposal.

The application site falls within the Burnley development boundary. Policy SP4 of the Burnley Local Plan supports new development within the development boundary subject to meeting certain criteria. This includes considering the use of previously developed land, not having a detrimental effect on residential amenity by reason of noise and other nuisance, and not having a detrimental effect on the safe and efficient operation of the road infrastructure. Policy SP5 of the Burnley Local Plan seeks to ensure that development is of a good design and quality.

In determining planning applications, paragraph 130 of the National Planning Policy Framework (NPPF) requires the decision maker to ensure that developments are sympathetic to local character, including the surrounding built environment and landscape setting while not preventing appropriate innovation or change. Developments should function well and be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

The buildings would be located on an established waste management site adjacent to the Network 65 Business Park and would be comparable in scale and height to existing buildings. In this respect it is considered that there is/would be no additional negative visual or landscape impact. Furthermore, application ref. LCC/2019/0069 for the change of use of an end of life vehicle building to use for the drying and pelletising of waste solid recovered fuel (SRF), construction of 2 x 20m high flues, construction of underground ducting to transfer warm air from boiler to the pelletising building, and the storage of baled solid recovered fuel (SRF) in the northern yard is subject to a Section 106 Agreement in relation to earthworks and site perimeter landscaping, which will improve the landscape setting of the overall site in relation to its surroundings.



## *Pollution control*

Paragraph 174 of the National Planning Policy Framework (NPPF) advises that planning decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and contribute towards remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

The application site is at a former colliery. Coal Authority information indicates that within the application site and surrounding area there are coal mining features and hazards, which need to be considered in relation to the determination of the planning application. Coal Authority records indicate the presence of two recorded mine shafts within the planning application boundary.

The Coal Authority initially noted the retrospective nature of the planning application, and that no evidence had been submitted to demonstrate that coal mining issues had been taken into consideration, prior to development taking place. Specifically, concern was raised that Building B may have been constructed directly over shaft 380431-001. Consequently, the Coal Authority initially objected as the required Coal Mining Risk Assessment Report, had not been submitted as part of the application.

The applicant subsequently provided an updated Coal Mining Risk Assessment which is appended by an engineering appraisal drawing showing the shaft treatment and foundations, together with a drawing showing Building E outside the calculated zone of influence of shaft 380431-002. On the basis that the report author confirms the subsequent risks to ground stability posed by shaft 380431-001 to Building B are very low; the Coal Authority has withdrawn its objection.

Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) supports development for minerals or waste management operations where it can be demonstrated that all material, social, economic or environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels. In assessing proposals, account should be taken of the proposal's setting, baseline environmental conditions and neighbouring land uses, together with the extent to which its impacts could be controlled in accordance with current best practice and recognised standards.

Paragraph 188 of the National Planning Policy Framework (NPPF) states that the focus of planning policies and decisions should be on whether proposed development is 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. The operations at this site are already subject to an Environmental Permit, which specifies acceptable waste types, seeks to control noise and air emissions, and requires fire safety plans. The proposed new buildings should contribute to improved management, control and storage of waste operations. Neither Burnley Borough Council nor the Environment Agency have raised objection. Taking these circumstances into account, the proposal is considered acceptable in this respect



and complies with Policy DM2 of the Lancashire Minerals and Waste Local Plan (LMWLP).

### *Highway Matters*

Paragraph 111 of the National Planning Policy Framework (NPPF) makes it clear that development should only be prevented or 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. The proposed new buildings would provide new storage space with potential for greater numbers of vehicle movements. However, it is recommended that a condition be imposed to limit vehicle movements to that which is currently applied to the site, which is a limit of 50 heavy goods vehicles (HGVs) leaving the site per day Monday to Friday inclusive, no more than 25 heavy goods vehicles (HGVs) between 0730 hours and 1300 hours on Saturdays and no more than 5 heavy goods vehicles (HGVs) between 1300 hours and 1600 hours on Saturdays. This should allay concerns of local residents that there could be an intensification of heavy goods vehicle (HGV) movements associated with this proposal.

Moreover, it is recommended that in line with the operating hours for the main waste transfer activity it is considered reasonable and necessary in the interests of the amenity of local residents to continue to restrict site operations to 0700-1800 hours Monday to Fridays and 0700-1300 on Saturdays with no operations on Sundays or Public Holidays. Although no waste treatment operations may take place after 1300 on Saturdays, waste may be imported to the site until 1600 on Saturdays as previously approved.

Some local residents at Valley Gardens have previously complained about noise disturbance from heavy goods vehicles (HGVs) travelling along the access road particularly in the early morning. The site is well established as a waste management facility and as part of a previous planning permission an acoustic barrier was erected along the access road boundary. However, there is an opportunity to review the efficacy and extent of the barrier as part of this application. The applicant is agreeable to this approach and longer term is also looking to review the whole access road arrangements. In the meantime it is recommended that a condition be imposed for a review of the acoustic barrier including options for improvements to reduce any noise disturbance.

Lancashire County Council (LCC) Highways Development Control raise no objection on highway grounds although a recommendation is made for the provision of a new electric vehicle charging point. However, the applicant has stated that an electric vehicle charging point isn't current feasible at the site as there is insufficient power supply connection and hence why they currently have to supplement power with diesel generators. They advise that they have an agreement with Electricity North-West for improved power supply but there is no certainty of when upgrade works will take place. A condition is therefore unreasonable.

### *Surface water management*

Policy CC5 of the Burnley Local Plan refers to surface water management and sustainable drainage systems and sets a focus on managing and minimising surface





water run-off from sites. The applicant has submitted a flood risk assessment and drainage strategy. The overall strategy includes proposals to manage surface water by collecting roof water from processing buildings and directing into a pond before attenuated discharge into the closest watercourse, Green Brook. Roof water from the new office building is collected and discharged to a soakaway constructed close to the building. Lancashire County Council's (LCC) Lead Local Flood Authority has raised no objection to this approach subject to a condition for further details. Similarly, United Utilities also request a condition to address this matter. A condition is recommended accordingly.

### *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 1<sup>st</sup> Protocol states that an individuals' peaceful enjoyment of their property shall not be interfered with except as is necessary, in accordance with law and as is proportionate.

The development, if approved, would be unlikely to generate such an impact on neighbouring properties which would breach those rights. The conditions would protect the rights of local residents and would not have a disproportionate impact on the rights of the applicant.

### *Conclusion*

Overall, it is considered that the development would provide enhanced facilities for the management of waste, would have no adverse impact on the local landscape or visual amenity and subject to recommended conditions (many of which reflect the existing waste management permissions at the site) and the Environmental Permitting requirements, there would be no unacceptable pollution or drainage impacts. The development accords with the policies of the National Planning Policy Framework (NPPF) and the Development Plan.

### **Recommendation**

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

### **Working Programme**

1. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:
  - a) Submitted Plans:  
  
Drawing No 11575/49 - Site Location Plan  
Drawing No 11575/50 - Existing and Proposed Layout Plan  
Drawing No 11575/51, rev A - Elevations Plan
  - b) All details approved in accordance with this permission.



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

## **Site Operations**

2. No operations shall take place at the site outside the hours of 0700 to 1800 hours Monday to Friday and 0700 to 1300 hours on Saturday (excluding Public Holidays). No operations 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 comply with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) and policies NE5 and SP5 of the Burnley Local Plan.*

3. Notwithstanding condition 2 above, waste may also be imported to the site between the hours of 1300 and 1600 on Saturdays.

*Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users, and to comply with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) and policies NE5 and SP5 of the Burnley Local Plan.*

4. There shall be no storage of loose waste outside any building.

*Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users, and to comply with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) and policies NE5 and SP5 of the Burnley Local Plan.*

## **Highway Matters**

5. The site access road, and all manoeuvring and circulation areas within the site shall be kept metalled, free from potholes, drained and clear of debris at all times through the duration of the development.

*Reason: In the interests of highway safety and to safeguard the amenity of local residents, and adjacent properties/landowners and land users and to comply with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) and policies NE5 and SP5 of the Burnley Local Plan.*

6. No more than 50 heavy goods vehicles (HGVs), as defined in this permission, shall leave the site in any one day during Mondays to Fridays, inclusive. No more than 25 heavy goods vehicles (HGVs) shall leave the site between 0730 hours and 1300 hours on Saturdays and no more than 5 heavy goods vehicles (HGVs) shall leave the site between 1300 hours and 1600 hours on Saturdays.



No heavy goods vehicles (HGVs) shall leave the site on Sundays or public Holidays.

This condition shall apply to all vehicle movements from the site as a whole as shown on drawing no. 11575/49 - Site Location Plan.

*Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users, and to comply with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) and policies NE5 and SP5 of the Burnley Local Plan.*

7. 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 or his representative at all reasonable times. The records for each movement shall be retained at the site for a period of at least 12 months.

*Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users, and to comply with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) and policies NE5 and SP5 of the Burnley Local Plan.*

8. All vehicles transporting materials from the site shall be securely sheeted or alternatively waste shall be securely contained.

*Reason: In the interest of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with policy DM2 of the Joint Lancashire Minerals (JLMWLP) and Waste Local Plan and policies NE5 and SP5 of the Burnley Local Plan.*

9. Within six months of the date of this permission, details of further noise attenuation measures to be employed between properties at Valley Gardens and the access road shall be submitted to the County Planning Authority for approval in writing. Thereafter, the approved measures shall be implemented within six months of their approval.

*Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users, and to comply with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) and policies NE5 and SP5 of the Burnley Local Plan.*

10. No further development shall take place until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the Local Planning Authority. The detailed surface water sustainable drainage strategy shall be based upon the site-specific flood risk assessment and indicative surface water sustainable drainage strategy (14853-FRA and Drainage Strategy-02, 22/09/2022, Waterco) and sustainable drainage principles and requirements set out in the National Planning Policy Framework (NPPF), Planning Practice Guidance and Defra



Technical Standards for Sustainable Drainage Systems (SuDs). No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

The details of the drainage strategy to be submitted for approval shall include, as a minimum:

- a) Sustainable drainage calculations for peak flow control and volume control for the:
  - i) 100% (1 in 1-year) annual exceedance probability event
  - ii) 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep
  - iii) 1% (1 in 100-year) annual exceedance probability event + 50% climate change allowance, with an allowance for urban creep
  
- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
  - i) Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary.
  - ii) Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels.
  - iii) Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate.
  - iv) Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems (SuDs).
  - v) Finished Floor Levels (FFL) in Above Ordnance Datum (AOD) with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for Finished Floor Levels (FFL).
  - vi) Details of proposals to collect and mitigate surface water runoff from the development boundary.
  - vii) Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components.
  
- c) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.

Thereafter, the approved sustainable drainage strategy shall be implemented within six months of its approval.

*Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Policy CC5 of the Burnley Local Plan.*



11. No further development shall commence until a strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the County Planning Authority. The strategy shall include the following components:
- i) A preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site
  - ii) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
  - iii) The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  - iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Thereafter, the strategy shall be implemented as approved.

*Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution and to comply with Policy NE5 of the Burnley Local Plan.*

## **Definitions**

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

## **Notes**

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



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

Paper	Date	Contact/Ext
LCC/2022/0050	February 2023	Rob Hope Planning and Environment 01772 534159

Reason for Inclusion in Part II, if appropriate

N/A

