

Development Control Committee

Meeting to be held on 6th December 2023

Electoral Division affected:
Fylde West

Fylde Council: Application number: LCC/2021/0061
Application to raise levels of field using imported inert materials.
Ream Hills Farm, Mythop Road, Weeton with Preese

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Brief Summary

Application – Application to raise levels of field using imported inert materials. Ream Hills Farm, Mythop Road, Weeton with Preese

Recommendation – Summary

That planning permission be **refused** for the following reasons:

1. The applicant has not demonstrated that the proposed raising of the field levels is essentially required for the continuation of the agricultural use of the land, contrary to policy GD4 of the Fylde Local Plan to 2032 (incorporating partial review).
2. The proposed development would have unacceptable landscape and visual impacts which would be harmful to the character of the countryside, contrary to policies GD4 and ENV1 of the Fylde Local Plan to 2032 (incorporating partial review).
3. The need for the inert landfill capacity in this area is insufficient to outweigh the conflict with Policy GD4 and the adverse landscape and visual impacts of the development.

Applicant's Proposal

This application proposes the raising of land levels of a field through the importation of inert soils. The size of the field is approximately 12.75 hectares. The site presently slopes downwards from the south to north, and from east to west. The most easterly part of the field is presently just under 3m higher than the most northerly corner, and 2.5m higher than the most westerly part. The northernmost point of the field is approximately 0.5m higher than the most southerly part.



It is proposed that the infilling of the site will progress from east to west, allowing restoration to progress in a phased manner. It is proposed to import 120,000 cubic metres of inert soil over a two year period. It is estimated that there would be around 60 HGV vehicle movements per day over a period of two years.

The height of the land would be raised to the same level as a screening bund, that has recently been constructed adjacent to the north west boundary of the application site. The maximum increase in land level would be approximately 2.5m adjacent to the bund, with limited increase in level on some parts of the site adjacent to the access road to the south east.

Description and Location of Site

The application site is an agricultural field located to the north west of Ream Hills Farm approximately 1.4km west of Weeton and 200m north of the M55 motorway.

Ream Hills Holiday Park and Blackpool Wake Park (a leisure lake) are located immediately to the east of the application site and comprise of a touring caravan pitch, a number of holiday lodges and glamping pods and leisure lake. The application site is separated from the Holiday Park by a hedge/ditch. The ditch forms part of the Mythop Main Drain which runs to the north and west of the application site. Mythop Main Drain is designated as a main river by the Environment Agency.

The north western boundary of the site is adjacent to a recently constructed bund, which is itself adjacent to the field boundary. Beyond the bund further to the north lies more agricultural land. The site is also bounded by agricultural land to the west and south. A public footpath previously ran along the track bounding the site to the south. This has been diverted to run adjacent to the M55 motorway further to the south, however the final diversion has not been confirmed.

A temporary construction access to the site would be formed via the access point onto Mythop Road that was used to construct the existing bund. There would be a wheel wash adjacent to the entrance.

History : The following planning permissions are relevant:-

Application 05/09/0437 - Raise levels of land to form new paddock Ream Hills Farm
Mythop Road Weeton
Approved 19 October 2009

Application LCC/2014/0105 - Construction of bund
Refused 15/10/2014

Application LCC/2014/0160 - Construction of bund. Permission granted on appeal
16/10/2015

Application LCC/2020/0043 - Continuation of bund construction activities using imported inert waste until 30 June 2021. Approved 18/06/2021



The Ream Hills Farm site also benefits from a number of planning permissions granted by Fylde Borough Council for the use of parts of the farm for leisure and tourism uses. Consent has also been granted for a number of commercial uses at the property, primarily change of use of existing agricultural buildings to storage uses and the erection of 2152 sq m of B2 and B8 industrial floor space, granted in 2017.

In respect of agricultural uses at the site, permission was granted in 2014 for an agricultural livestock building and there is presently an outstanding retrospective application awaiting determination for a further agricultural building (Fylde Council ref. 19/0888. This building is being used for agricultural machinery and hay storage.

Planning Policy

National Planning Policy Framework (NPPF): Paragraphs 8 – 14, 84 – 85, 126 – 136, 152 – 169, 174 -175 and 179 - 182 are relevant in relation to the presumption in favour of sustainable development; supporting the rural economy, the need for good design, climate change and flood risk, conserving and enhancing the natural environment and habitats and biodiversity.

National Planning Policy for Waste

Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD
Policy CS7 Managing Waste as a Resource
Policy CS9 Achieving Sustainable Waste Management

Joint Lancashire Minerals and Waste Local Plan

Policy NPPF1 Presumption in favour of Sustainable development
Policy DM1 Management of waste and extraction of minerals
Policy DM2 Development Management
Policy LF2 – Sites for Inert Landfill

Adopted Fylde Local Plan to 2032 (incorporating Partial Review)

Policy GD4: Development in the Countryside
Policy GD7: Achieving Good Design in Development
Policy CL1: Flood Alleviation, Water Quality and Water Efficiency
Policy CL2: Surface Water Run-Off and Sustainable Drainage
Policy ENV1: Landscape
Policy ENV2: Biodiversity

Consultations

Fylde Council: confirm that they have no objections to the proposals, but make the following observations:

- The justification for the works is queried. The site is in flood zone 1 and the site should not be witness to flooding.



- However, the land level change would not be discernible from external vantage points, especially when considering the finished appearance against the back drop of agricultural fields. The proposed raising of land levels is not therefore considered to harm the character or appearance of the countryside.
- The views of the highway authority should be sought. Fylde Council would support the imposition of conditions regarding safe routes to/from the site as well as provision of wheel washing facilities.
- The site has the potential to support notable bird species associated with the Ribble and Alt Estuaries Special Protection Area, and the views of Natural England and ecologists should be sought.

Weeton-with -Preese Parish Council: The Parish Council have raised the following concerns:

- Will there be a detrimental effect on drainage in the area, it already suffers from flooding issues.
- Will there be any affect on Mythop Road?
- Will the landfill materials be monitored/inspected?
- There is concern that HGVs travelling to and from the site may damage the highway and result in noise pollution for residents.
- If vehicles travel through Weeton village this will be of detriment to the area.
- Access should be from the west at Mythop Road with reasonable restricted hours.

Staining Parish Council: object to the proposals, raising the following issues:

- Excessive volume of traffic/HGVs over a long period of time
- Mythop Road is unsuitable for such traffic.
- The rural residential community will be adversely affected.
- Would inspections and policing of materials being deposited occur?

Lancashire County Council Ecology Service: initially advised that further information was required to be submitted regarding matters of non-breeding/overwintering birds, impacts on amphibians, habitat loss and ecological impacts from the proposed access track and associated works. Following the submission of a revised restoration plan, Preliminary Ecological Appraisal and other information it was advised that, subject to the provision of site specific over wintering and passage bird surveys to inform a habitats regulations assessment, the proposals are acceptable subject to the imposition of a number of planning conditions. It is recommended that conditions are imposed relating to nesting birds, provision of a buffer zone around the dyke, submission of a habitat creation/enhancement plan, retention of trees, shrubs and hedgerows, external lighting and mitigation measures for badgers and toads.

LCC Highways Development Control: confirm that they have no objections to the proposals. They also make the following observations:

- Mythop Road has been recently reconstructed and there are concerns that the proposed HGV movements will damage the highway. It is requested that a joint condition survey is undertaken.
- A construction management plan is requested.



Lead Local Flood Authority: confirm that they have no objections.

Lancashire County Council Public Rights of Way: no comments received.

BAE Systems: no comments received.

Natural England: It is advised that the application could have potential significant effects on the Ribble Estuary Site of Special Scientific Interest (SSSI), Ribble & Alt Estuaries Special Protection Area (SPA) and Ramsar Site. As such a Habitats Regulation Assessment is required. Following receipt of a shadow habitats regulations assessment Natural England concur with the conclusions of the assessment and raise no objections to the proposals.

Further guidance has also been provided by Natural England in respect of soil quality.

Environment Agency: confirm that they have no objections to the proposals. It is noted that an environmental permit will also be required for the proposals.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. One letter of objection signed by residents of eight properties on Mythop Road has been received and one further letter of objection has been received. A number of photographs illustrating surface water flooding on adjacent land to the north east have also been submitted. The objections raise the following concerns:

- This is the latest in a long list of applications/retrospective applications submitted by Reams Hill Farm over recent years that involves the movement of large numbers of HGV's.
- The building of the bund over ran and took four years to complete.
- During the building of the bund the residents were subjected to: continual noise pollution from 4.30am until 7.30pm, vibrations, damage to the surface of Mythop Road, debris on the road from uncovered trucks and mud and debris carried off site by HGVs creating an accident hazard.
- The residents are concerned that this will be a repeat of previous bad experiences of works on Ream Hills Farm.
- It would cause harmful emissions and pollution to the environment.
- Reams Hill Farm will not adhere to any planning conditions.
- The current application does not explain why the level of field has to be raised.
- It could potentially cause problems to the dykes, drainage and natural water courses in the area.
- Land to the north of Mythop Road (associated with Mythop Hall) has sunk up to 18 inches over the last 30 years, the field drains do not work and the land is very wet. Piecemeal developments in the area have affected the water table on this land.
- This application should be refused until proper consideration of the whole surface water problem in the area is considered.
- Will the application result in the removal of peat?



- A wider view needs to be taken so that adjacent land is not adversely affected.
- The potential extremes of weather, which could result in more flooding, due to climate change, must also be taken into account.

County Councillor John Singleton: Objects to the proposals, raising the following issues:

- The track record of Fox's and Ream Hills Farm on recent transport issues brings into question the reliability of their application statements, for example the flouting of previously authorised time restrictions.
- There will be road safety issues should this be permitted.
- There are already high volumes of traffic passing along the routes in question, especially at peak times.
- The speed limit is rarely adhered to.
- There will be damage caused by heavy lorries using roads which were not built for such use.
- There are two areas of Mythop Road (travelling east to the Chain Lane junction) that are subject to frequent flooding, and road damage needs to be considered.
- There will be unacceptable intrusion in the form of noise emanating from lorries, disturbance, materials and dust from the lorries, vibration to houses and other car uses, all out of character with the rural surroundings.
- Loss of tranquillity.

Advice

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.

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 Adopted Fylde Local Plan to 2032 (incorporating Partial Review).

The main issues associated with the application are considered to be the principle of the development, impacts on ecology, landscape impacts, matters of drainage and flood risk and impacts on highway safety.

Principle of development

Paragraph 174 of the National planning Policy Framework requires that planning decisions should recognise the intrinsic character and beauty of the countryside.

The application site is located within the countryside, as defined in the Fylde Local Plan. Policy GD4 of the Local Plan sets out the types of development that will be considered to be acceptable in the countryside. These include (in summary):



- a) Where it is needed for the purposes of meeting local business and community needs, for the purposes of agriculture, horticulture or forestry; or other uses appropriate to a rural area.
- b) The re-use or rehabilitation of existing permanent and substantial buildings.
- c) Extensions to existing dwellings and other buildings.
- d) Development essentially needed for the continuation of an existing enterprise, facility or operation of a type and scale which would not harm the character of the surrounding countryside.
- e) Isolated new homes on the countryside which meet specific criteria.
- f) Minor infill development.
- g) Entry level exception sites for first time buyers.

Policy GD7 of the Fylde Local Plan refers to the importance of achieving good design in development.

The applicant has stated that the reason for the application is to maintain the agricultural use of the land, by raising the land levels to prevent the holding of standing water. They state that the reasons for the land being waterlogged for prolonged periods of time is due to the following:

- The land is principally peat for considerable depths.
- The water table is high, with rising springs in adjacent fields.
- Due to weather and climate change the amount of water being deposited onto the land has increased significantly.
- The existing land drainage has become less effective over the years. The drainage was updated when the bund was constructed but has not proved to be effective in lowering the water table.
- Furthermore, the waterlogging of the field has caused high levels of copper to be brought to the surface causing the grass to be high in copper, which is toxic to deer. The field was previously used for the grazing of deer but the applicant states that this use was terminated for this reason.

In respect of policy GD4 of the Fylde Local Plan it is considered appropriate to examine the proposals under criteria (a) and (d):

'Where it is needed for the purposes of meeting local business and community needs, for the purposes of agriculture, horticulture or forestry or other uses appropriate to a rural area including uses which help diversify the rural economy. The development must be sensitive to its surroundings, must not have an unacceptable impact on local roads and should offer opportunities to make the location more sustainable'.

'Development essentially needed for the continuation of an existing enterprise, facility or operation, of a type and scale which would not harm the character of the surrounding countryside'.

In terms of policy GD4, for a development to be acceptable under criteria (a) and (d) it must satisfy both aspects of these parts of the policy; it must be both essentially needed for the continuation of an existing operations (in this case agriculture) and



also of a type and scale which would not harm the character of the surrounding countryside.

In terms of the first aspect, the applicant has stated that the reason for the development is to continue to use the land for agriculture by improving the drainage of the field. The land falls towards the Main Dyke to the north and therefore drainage from this field would have naturally flowed towards the dyke. However, the applicant has constructed a large bund alongside the dyke under the planning permission granted on appeal in 2015. The applicant has confirmed that a new drainage system was installed when the bund was constructed in order to assist with the flow into the dyke, however despite the additional capacity provided in the pipework the field is still remaining waterlogged for long periods.

Notwithstanding the additional land drainage that has been installed, it is considered that the position of this bund will be a barrier to surface water from the application site flowing into the dyke. It is therefore not surprising that the field is now experiencing drainage issues. To resolve these drainage issues, it is now intended to raise the levels of the field to the same level as the top of the bund. Raising of the field levels to create a surface with a reduced fall compared to the existing situation will therefore not necessarily improve the drainage. The applicant has pointed to climate change impacts increasing drainage issues but this is clearly an issue that is affecting all agricultural enterprises, the majority of which appear to be managing to continue farming without having to raise the levels of their land.

Furthermore, the agricultural land classification of the application site is grade 2 which is best and most versatile agricultural land. To achieve this grade, the land must only have minor limitations which affect crop yield, cultivation or harvesting. If the land had major fundamental drainage issues which limited the agricultural potential of the land it would not reach grade 2 land classification.

The National Planning Policy Framework is clear that planning decisions should recognise the benefits (including economic) of the best and most versatile agricultural land and that new development should be prevented from contributing to unacceptable levels of soil pollution (para. 174). Natural England have advised that these land protection policies are relevant to all planning applications on agricultural land, regardless of size. The criteria for classification are based on the long-term physical limitations of land for agricultural use, such as climate (temperature, rainfall, aspect, exposure and frost risk), site (gradient, micro-relief and flood risk) and soil (texture, structure, depth and stoniness, and also chemical properties which cannot be corrected), and interactions between these factors such as soil wetness, droughtiness and erosion. Any operations that impact these factors, may impact the agricultural land classification. Best and most versatile agricultural land once lost cannot be replaced and is considered to be a resource of special importance.

It is likely that the imported materials would be comprised of waste subsoils and clay materials from construction sites which would not be free draining materials. It is therefore unlikely that the covering of the field with a substantial depth of imported materials would improve the agricultural land classification of this area or substantially improve the agricultural potential of the land.



For this reason, it is considered that the proposed operations are not essentially needed for the purposes of agriculture and therefore do not satisfy the first aspect of policy GD4.

In terms of the second aspect of policy GD4 (whether the development is of a type and scale which would not harm the surrounding countryside), this issue is discussed below under the landscape impacts paragraph.

Ecology

The application is accompanied by a number of supporting documents to address ecological matters:

- Preliminary Ecological Appraisal (version 4)
- Shadow Habitats Regulations Assessment
- Biodiversity Net Gain Report
- Proposed Restoration Plan
- Over wintering bird survey

The application site is located approximately 6.1 km from the Ribble & Alt Estuaries Special Protection Area and the Ribble & Alt Estuaries Ramsar site, and Lytham St Annes Dunnes Site of Special Scientific Interest and within 2.1 km of Marton Mere, Blackpool Site of Special Scientific Interest and 5km from Lytham Coastal changes Site of Special Scientific Interest.

Special Protection Areas (SPAs) are designated for rare and vulnerable birds. Birds for which the above sites are designated may also rely on areas outside of the designated site, including areas of land such as the application site. As the proposals have the potential to impact the Special Protection Area qualifying and supporting features, a Habitats Regulation Assessment is required to be undertaken to assess the impacts on the aforementioned designated site. It is the responsibility of Lancashire County Council to carry out the Habitats Regulations Assessment. However, the applicant has provided a number of reports to assist the Council in discharging its duties under the Habitat Regulations.

The shadow Habitats Regulations Assessment submitted by the applicant concluded that the proposed development would not have significant adverse impacts on designated sites. Natural England concurred with the assessment conclusions and also advised that they considered that the development would not damage or destroy the interest features for which the above sites have been notified.

Policy ENV2 of the Fylde Local Plan seeks to protect and enhance nature conservation sites and ecological networks. The National Planning Policy Framework states that planning decisions should contribute to and enhance the local environment by minimising impacts on biodiversity and providing for a net gain, although there is presently no statutory level of gain that has to be provided.

The proposed development would not require the removal of any trees or hedgerows and as part of the restoration the applicant has proposed some new lengths of



hedgerow and small areas of tree and shrub planting. It is therefore possible that the proposal would give rise to some net gain in the biodiversity value of the site.

The Council's Ecologist has recommended that a number of planning conditions be imposed in order to ensure that the impacts of the proposals are mitigated and to ensure the reasonable avoidance measures suggested in the submitted reports are adhered to. These are considered to be appropriate and proportional.

It is therefore considered that in light of the comments received from Natural England and the County Council's Ecologist that subject to the imposition of appropriate conditions, the proposal would not cause any undue harm to any designated sites of ecological importance, protected species or any other ecological assets or natural habitats and the proposals are therefore in accordance with national and local planning policy.

Landscape and Visual appearance

Policy ENV1 of the adopted Fylde Local Plan states that the development should have regard to its visual impact within its landscape context and the landscape type in which it is situated. Development will be assessed to consider whether it is appropriate to the landscape character, amenity and tranquillity within which it is situated. In this instance the site is located within the South Fylde Mosses (area 16b) as defined in the Landscape Character Assessment (2000). The primary characteristics of this area are of an extremely flat low lying landscape comprised of peat deposits, now largely reclaimed for intensive crop production. This particular area is heavily influenced by the close proximity of urban areas, with many golf courses, camp sites, new development and industry eroding the rural character.

Policy GD7 of the Fylde Local Plan states that development is expected to be of a high standard of design, taking into account the character and appearance of the local area. The siting, layout, massing, scale, design, materials, architectural character, proportion, building to plot ratio and landscaping of proposed development, is expected to relate well to the surrounding context.

In addition to the local planning policies mentioned above, Paragraph 130 of the National Planning Policy Framework (NPPF) sets out that planning decisions should be sympathetic to the local character, including the surrounding landscape setting and that developments should be visually attractive as a result of good layout, and appropriate and effective landscaping.

The land levels would be raised a maximum height of approximately 2.5 m in the northern part of the application site, to be level with the top of the existing bund. In the eastern part of the site the levels would not change significantly. It would be visible from a limited number of vantage points outside of the site, few of which are publicly accessible. The site would be most visible when viewed from the adjacent holiday park, which is in the same ownership as the application site.

The existing bund was initially refused planning permission on the basis that it was not considered to be essentially required to support the existing tourist facilities and its scale and design would harm the character of the surrounding countryside. However, at the subsequent appeal the Inspector found that the relatively low profile



of the bund would be in keeping with the undulating topography thereabouts and the landform would not be alien to the surrounding landscape and would thus not form an obtrusive feature. The need for the bund to provide shelter for the existing tourism facility was also accepted. However, the proposed raising of levels of this field would be over a much larger area of approximately 12 ha. The operations would take two years over which time the field would have the appearance of a landfill operation. Where the tipping area joins the existing bund there would inevitably be steep slopes on the edges and creation of a raised plateau neither of which are characteristic features of this area with its predominately flat or gently undulating landscape. The development would therefore be of a type and scale which would harm the surrounding countryside contrary to the provisions of Policy GD4 and ENV1 of the Local Plan.

Flood Risk and Drainage

The application is accompanied by a flood risk assessment and proposed drainage plan. Policy CL1 of the Fylde Local Plan states that all new development is required to minimise flood risk impacts on the environment. Developments should incorporate the most sustainable forms of managing surface water.

The Lead Local Flood Authority does not object to the application. In response to the concerns raised by a neighbouring resident regarding surface water flooding problems and issues in the wider area, the Lead Local Flood Authority has further commented that low lying coastal areas such as this will typically show extensive areas of standing water after a major storm event. The Lead Local Flood Authority does not hold any information relating to groundwater levels in this area, but mapping from the Environment Agency suggests that there is fairly high risk of groundwater flooding at this site, which is indicative of a high water table. The proposed development would not introduce any additional impermeable surface area, meaning that there should be little or no increase in surface water run-off compared to existing. It is advised that the raised ground levels should actually provide more ground water storage, which could ultimately help to alleviate groundwater flooding associated with the high water table. The proposal has minimal implications for surface water flood risk, and therefore there is no objection. The neighbours comments regarding the need for a wider, more comprehensive scheme of drainage to serve the surrounding area are noted, but these are not matters that can be addressed through this application, or for the County Planning Authority to address.

The Environment Agency have also raised no objections to the proposals. They note that Mythop Main Drain, to the west and north of the site, is a designated main river and as such a permit may be required for certain activities taking place in proximity to the main river.

Highway Safety

It is proposed to access the site from Mythop Road to the north east of the existing caravan and leisure park. This is the point of access that was used for the bund construction.



Lancashire County Council Highways have confirmed that they do not object to the proposals. The National Planning Policy Framework is 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. As no objections have been raised by Lancashire County Council Highways it is considered that a refusal on highway safety grounds could not be sustained.

Regarding the requested road condition survey, it is considered that this condition would not meet the tests set out in the national planning policy framework as it would be difficult to clearly attribute any deterioration to the road network as a result of the specific development only.

The impact on the road network would be localised, and temporary over a relatively short timescale.

Neighbour Amenity

The concerns of local residents regarding noise and disturbance arising from vehicle movements are noted. Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocations and Development Management Policies states that proposals for waste management operations will be supported where it can be demonstrated that all social, economic or environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels.

The applicant has proposed that vehicle movements will take place between 07:30 AM - 17:00 PM Monday to Friday and 08:00 – 12:00 Noon on Saturdays.

The site would be accessed from Mythop Road, utilising the previous point of access used for the construction of the bund. The nearest residential properties to the point of access are Mythop Hall Cottages approx. 260 m to the north and Westfield Cottage approx. 750m to the west. The village of Weeton is approximately 1.5km to the east of the application site.

It would be possible to impose conditions to control site operational procedures to minimise the impacts on neighbouring residents. This could include controls on hours of working, noise, dust and wheel washing facilities. Whilst there may have been issues in the past with compliance with previous planning conditions, this not a reason for refusal of the application proposals. It is acknowledged that there would be some impact on the local road network as a result of the proposals. However, the site is accessed off a B class road where except for the village of Weeton, there are very few properties that are located close to the highways that would serve this site. It is not considered that a reason for refusal could be sustained on these grounds.

Need for the development

The National Planning Policy for Waste requires that waste planning authorities should only expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up to date local plan. In such cases, waste planning authorities should consider the extent to which the capacity of existing operational facilities would



satisfy any identified need. In this case the proposal is considered to conflict with policy GD4 of the Fylde Local Plan and there are no other factors that would indicate that the proposal, on balance, accords with the policies of the Development Plan as a whole. In accordance with the National Planning Policy for Waste it is therefore appropriate to consider the extent to which need for inert landfill capacity is met by other existing operational facilities. At present inert landfill capacity in the wider Fylde and Wyre area is provided by a number of sites including Clifton Marsh, Westby landfill site at Peel, Jameson Road landfill site and the Hillhouse former lagoons site at Fleetwood/Thornton Cleveleys. These sites have substantial remaining capacity for landfill of inert waste. It is therefore considered that a present there is adequate inert waste landfill capacity in the wider Fylde area and that there is no need for a further site at present that would override the harms to the Development Plan explained above.

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

Conclusion

The proposal is for a landfill / land raising exercise on an area of existing farm land in the countryside area. Policy GD4 permits various types of development to take place in the countryside but only where they meet certain requirements including being necessary for agriculture and where their landscape impacts are acceptable.

It is considered that the applicant has not demonstrated that there is an essential agricultural need for this development and it is also considered that the design and nature of the development would harm the character of the countryside. There is no need for the inert landfill capacity in this area that would outweigh the harm identified to Policy GD4 or the adverse landscape and visual impacts of the proposal. The proposal is accordingly recommended for refusal for the following reasons:

Recommendation : That planning permission be **refused** for the following reasons

1. The applicant has not demonstrated that the proposed raising of the field levels is essentially required for the continuation of the agricultural use of the land, contrary to policy GD4 of the Fylde Local Plan to 2032 (incorporating partial review).
2. The proposed development would have unacceptable landscape and visual impacts which would be harmful to the character of the countryside, contrary to policies GD4 and ENV1 of the Fylde Local Plan to 2032 (incorporating partial review).
3. The need for the inert landfill capacity in this area is insufficient to outweigh the conflict with Policy GD4 and the adverse landscape and visual impacts of the development.

List of Background Papers

Paper	Date	Contact/Tel
LCC/2021/0061	November 2023	Helen Ashworth Planning and Environment



Reason for inclusion in Part II, if appropriate

N/A

