

**Development Control Committee**  
Meeting to be held on 24 April 2024

Electoral Division affected:  
Cleveleys East

**Wyre Borough: LCC/2023/0003**

**Proposed development of an Energy Recovery Centre and associated infrastructure. Land at Hillhouse Business Park, Bourne Road, Thornton-Cleveleys**

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### **Brief Summary**

Application – Planning application for proposed development of an Energy Recovery Centre and associated infrastructure. Land at Hillhouse Business Park, Bourne Road, Thornton- Cleveleys.

The proposed development is subject to environmental impact assessment (EIA) and the application is accompanied by an Environmental Statement and non-technical summary.

### **Recommendation – Summary**

That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, and subject to the applicant first entering into a Section 106 Agreement for a commuted sum of £12,000 for highway safety improvements on Fleetwood Road North and to secure biodiversity net gain, that planning permission be **granted** subject to conditions including controlling commencement, working programme, construction environmental management plan, building materials, tonnage throughput, reversing alarms, surface water drainage, landscaping, employment and skills, lighting, R1 status, site investigation, groundwater protection, hours of construction working, heat pipes, highway matters, electric charging points, cycle storage, showers and changing facilities, and decommissioning.

### **Applicant's Proposal**

Planning permission is sought for the development of an Energy Recovery Facility which is designed to generate energy from the combustion of up to 120,000 tonnes per annum of residual waste/Refuse Derived Fuel (RDF). Refuse Derived Fuel



comprises pretreated, residual waste from municipal/household, commercial and industrial sources. Residual waste is that waste which remains after re-use and recycling/composting operations have taken place.

Residual waste/refuse derived fuel comprises both a biogenic and non-biogenic fraction. The biogenic content of the waste, circa 50% of the total waste, is recognised by the Government as a renewable source of energy. Thus, around 50% of the energy, whether it is heat or electricity, produced by the proposed development would be classed as renewable energy.

The proposal would comprise the following elements:

- The main building which would be approximately 117 metres in length and 49 metres wide. The building would have a dual pitched roof with stepped design. The highest part of the roof would have a maximum ridge height of 18 metres and an eaves height of 15 metres. The lower roof would have an eaves height of 10.6 metres and a ridge height of 13.6 metres. There would be two stacks (chimneys), each with a 1.5 metres diameter and a maximum height of 45 metres above ground level.
- The main building would include the following areas: Waste reception hall; Boiler hall; An Organic Rankine Cycle (ORC) 'turbine' unit; Flue gas treatment (FGT) facility; Workshop; Switchgear; and a control room plus welfare and office space.
- Air cooled condenser (ACC) unit to the south of the main building, measuring 36 metres x 17 metres in size with a height of 13 metres.
- Gatehouse with weighbridge on the western side of the main building.
- Water Treatment Plant to the east of the air cooled condenser building.
- Substation to the west of the air cooled condenser building.
- Ash Skip collection areas to the east of the main building.
- Associated site infrastructure including: 2.4 metres high palisade site fencing and gates, service connections, surface and foul water drainage, cycle storage shelter, perimeter roads and hardstanding areas for vehicle manoeuvring, car and motorcycle parking (32 car parking spaces) and soft landscaping.

The processes included within the energy recovery facility would include the following:

- The plant would have identical twin operating lines. Residual waste would be delivered to the facility in bulk transport vehicles (heavy goods vehicles - HGVs), with an assumed payload of 20 tonnes, although this could be up to 24 tonnes.
- The heavy goods vehicles (HGVs) would enter the site and join the one-way system leading to the weighbridge and continue along the internal site road and enter the enclosed waste reception hall through a door on the building's western elevation.
- Once in the hall, the door would close, the heavy goods vehicles (HGVs) would discharge their waste directly into the deposit area, or on the floor adjacent to the deposit area, or potentially into a stockpile bay. The entry and exit doors would



be equipped with manually operated 'rapid closing' vertical folding doors, which would be kept closed when delivery of waste is not taking place.

- The residual waste deposit area would be fitted with a walking floor which would transfer the waste to a conveyor. The conveyor would then transfer the waste to a hopper which would then feed into the combustion chamber.
- The facility would use a (reciprocating) moving grate which comprises inclined steel bars that move the waste from the feed inlet to the residue discharge. The grate movement turns and mixes the waste along the surface of the grate to ensure that all waste is exposed to the combustion process.
- The combustion control system regulates combustion conditions (and thereby minimises the levels of pollutants and particulates in the flue gas before flue treatment) and controls the boiler.
- The energy generation process would produce electricity and low-temperature heat through a closed thermodynamic cycle which follows the principle of the Organic Rankine Cycle (see below). The low-temperature heat is discharged through a set of water fan coils.
- Gases generated during the combustion process would be cleaned before being emitted into the atmosphere. The treatment plant works by using a number of filters and chemicals to remove pollutants from the gases.
- Following cleaning, the combustion gases would be emitted into the atmosphere via the stack. Emissions from the stack would be monitored continuously by an automatic computerised system and reported in accordance with the Environment Agency's requirements for the operation of the facility.
- Two types of solid by-products would be produced from the operation of the facility; bottom ash and Air Pollution Control residues, each of which would have separate handling and disposal arrangements.
- Bottom ash would be transferred from the base of the furnace into a bunker where it would be fed onto a conveyor linked to an enclosed storage area within the main building. Here it would be stored prior to being exported offsite, to be processed and used in construction projects.
- Air Pollution Control residues would be stored in sealed skips adjacent to the flue gas treatment facility. Due to the alkaline nature of the residues, they would be classified as hazardous waste and transported off site to a suitably permitted treatment or disposal facility.

The facility would have an installed electricity generating capacity of 9.28MWe with a net export capacity of 7.78MWe, the equivalent of the power consumption of over 19,000 homes (based on UK household median electricity consumption) and would generate electricity by way of a closed thermodynamic cycle, Organic Rankine Cycle 'turbine' (ORC) unit. The facility would also enable heat in the form of hot water to be extracted from the generation process for use by local heat users. It is proposed that the development would be Combined Heat and Power ready, to ensure that if heat export were to become viable within the local community and heat offtake agreements were made, the proposed development could be a provider of heat to the local community or businesses and further offset carbon emissions from alternative heat sources. Planning permission is being sought for a period of 40 years, which would be the operational lifetime of the facility.



The plant would process waste and generate electricity and heat on a 24 hour basis. It is proposed by the applicant that waste would be imported into the site between the hours of 07.00hrs and 19.00hrs five days a week and between 08:00hrs to 13:00hrs on Saturdays, including Bank Holidays, except Christmas Day, Boxing Day and New Year's Day. There would be no deliveries on Sundays. However, it is recommended that deliveries are restricted to slightly shorter times of 08.00 to 18.00 hrs Monday – Friday (with no change to the rest of the proposed delivery timings). Further detail regarding the proposed hours of operation and their suitability is contained below in section addressing Pollution Control.

The importation of residual waste/Refused Derived Fuel (RDF) and consumables, together with the exportation of ash and residues, would typically generate 29 heavy goods vehicle (HGV) loads per weekday (29 in and 29 out). Total daily staff and visitor traffic movements (i.e. cars/light vehicles) would typically be in the order of 40 per weekday (40 in and 40 out).

It is estimated that the facility would provide 40 new permanent full time jobs. The proposed development is expected to require two 12-hour shifts of 20 members of staff. It is anticipated that shifts would operate on a typical 06:00hrs – 18:00hrs and 18:00hrs – 06:00hrs shift pattern. During construction it is estimated that 100 (peak number) construction phase jobs would be created. It is estimated that construction would take approximately 24 months.

## **Description and Location of Site and Surroundings**

The application site has an area of approximately 1.62 hectares and is located within the Hillhouse Technology Enterprise Zone (also known as Hillhouse Business Park), which is located to the north of the settlement of Thornton. The site is located approximately 1 km north east of Thornton and 2.6 km east of Cleveleys. The site is located approximately 1.5 km east of the A585 Amounderness Way. The A585 connects Thornton with the M55 motorway approximately 10 km to the south.

The site has a long history of industrial uses and prior to the site being cleared was used as a chemical works by ICI.

The site is presently vacant and has been recently cleared of self-seeded vegetation. It now consists primarily of hardstanding and roadways remaining from its previous industrial uses, with some low lying scrub vegetation. The site is bounded by an access track and scrub vegetation to the east, beyond which lies the Wyre Way coastal footpath and River Wyre. To the west the site is also bounded by an access track and scrub vegetation, beyond which lies further industrial development within the Enterprise Zone/Business Park. The presently disused Fleetwood to Poulton railway line lies circa 260 metres west of the Site, separating Hillhouse Business Park from the residential area of Thornton to the west and south.



Access to the site is via Bourne Road which currently forms the main access into the Enterprise Zone. There is an area of new residential development located off the northern side of Bourne Road. These houses are the nearest areas of residential development to the application site (approximately 300 metres to the west).

The nearest statutory ecological designations are Morecambe Bay and Duddon Estuary Special Protection Area, Morecambe Bay Special Area of Conservation, Morecambe Bay Ramsar, Wyre Estuary Site of Special Scientific Interest (SSSI) and the Wyre-Lune Marine Conservation Zone. The application site is within 46 metres of the Wyre Estuary which is affected by all of the aforementioned designations. There are also eight non-statutory designated ecological sites within 2 km of the application site.

## **Background**

### *Scoping Opinion*

The applicant requested a scoping opinion under the provisions of the Environmental Impact Assessment Regulations 2017 to establish the extent of the information required for the Environmental Statement. Following consultation with statutory bodies and other interested parties, a scoping opinion was issued in 2023.

### *Environmental Statement*

The proposed development is subject to environmental impact assessment and therefore the application is accompanied by an Environmental Statement and Non - Technical Summary.

### *Planning History*

A scoping opinion was also requested in 2017 for an energy recovery scheme on the application site that would have processed up to 395,000 tonnes of residential waste per annum, with an electricity output of up to 40 MW. The proposal was not pursued, and the scoping opinion was not issued.

There is no other relevant planning history for the application site.

### *Planning Policy*

#### *National Planning Policy Framework (December 2023)*

The following paragraphs are considered to be particularly relevant:

- 8-11 - presumption in favour of sustainable development
- 85 and 86 - economic growth and productivity
- 114-117 - transport and highway considerations
- 131 and 135-141 - design



168-173 - flood risks  
175 - sustainable drainage systems  
180 and 186-188 - biodiversity  
189-194 - ground conditions and pollution

*National Policy Statement for Energy (EN-1) 2024*

*National Policy Statement for Renewable Energy Infrastructure (EN-3) 2024*

*National Planning Policy for Waste (2014)*

*Waste Management Plan for England 2021*

*The Resources and Waste Strategy (2018)*

*Energy from waste - A guide to the debate (February 2014)*

*Joint Lancashire Minerals and Waste Development Framework Core Strategy  
Development Plan Document – Part One and Two (adopted March 2009)*

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 (adopted September 2013)*

Policy NPPF1 Presumption in Favour of Sustainable Development  
Policy DM1 Management of Waste and Extraction of Minerals  
Policy DM2 Development Management  
Policy DM3 Planning Obligations  
Policy DM4 Energy from Waste  
Policy WM1 Capacity of Waste Management Facilities  
Policy WM2 Large Scale Built Waste Management Facilities  
Policy SA1 Safeguarding Rail Sidings  
Policy SA2 Safeguarding of Land for Access Improvements

*Adopted Wyre Local Plan (2011-2031) (incorporating partial update of 2022)*

Policy SP1 Development Strategy  
Policy SP2 Sustainable Development  
Policy SP8 Health and Well-being  
Policy CDMP1 Environmental Protection  
Policy CDMP2 Flood Risk and Surface Water Management  
Policy CDMP3 Design  
Policy CDMP4 Environmental Assets  
Policy CDMP6 Accessibility and Transport



*Hillhouse Technology Enterprise Zone Masterplan Report (November 2018)*

## **Consultations**

Wyre Council – No objection

Head of Enterprise Zone – Confirm support for the project.

Environment Agency – No objection. The Agency advises that they are satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented. This does not remove the need for the planning authority to apply the sequential test and to consider whether it has been satisfied.

In respect of contaminated land, the Environment Agency advise that the previous use of the site as a chemical works represents a high risk of contamination that could be mobilised during construction to pollute controlled waters. The details submitted demonstrate that it would be possible to manage the risks posed. It is recommended that a condition is imposed requiring submission of a remediation strategy.

Under the Environmental Permitting Regulations (England and Wales) 2016, the development will require an environmental permit in order to operate, and it will be regulated by the Environment Agency.

Additional advice to the applicant is also provided in respect of groundwater considerations, waste on site and to be taken off site, environmental permitting, foul drainage and the use of non-road mobile machinery.

Atkins Realis (Air Quality) – Atkins have confirmed that the air quality assessment submitted to support the application has been undertaken in accordance with accepted good practice, including Environment Agency permitted guidance. Additional information and clarification on a number of matters was requested and provided by the applicant. The additional information was considered to be acceptable, and all queries addressed. It is recommended that a condition is imposed on any permission requiring the submission of a construction environment management plan and includes mitigation of construction emissions from site traffic and non-road mobile machinery.

Natural England – Without appropriate mitigation Natural England consider that the application would:

- Have an adverse effect on the integrity of Morecambe Bay and Duddon Estuary Special Protection Area (SPA), Morecambe Bay Special Area of Conservation (SAC) and Morecambe Bay Ramsar.



- Damage or destroy the interest features for which Wyre Estuary Site of Special Scientific Interest (SSSI) has been notified.
- Hinder the conservation objectives of Wyre-Lune Marine Conservation Zone (MCZ).

In order to mitigate these adverse effects and make the development acceptable, the following mitigation options should be secured:

- The installation of 2.4 metres high boarded screening alongside the boundary with the Wyre Estuary.
- The production and implementation of a detailed Construction Environmental Management Plan (CEMP).
- Implementation of emergency procedures for avoidance of surface water contamination.
- The provision of attenuation of flows to Sustainable Drainage Systems (SuDS).
- The implementation of a sensitive lighting strategy.

It is advised that an appropriate planning condition or obligation is attached to any planning permission to secure these measures. If these conditions and obligations are fully secured Natural England have no objection to the development.

Marine Management Organisation - any works within the Marine area require a licence from the Marine Management Organisation. It appears that the proposal would have no interaction below the Mean Spring High Tide mark and therefore would not need any form of licensing from the Marine Management Organisation.

Atkins Realis (Ecology) – No objections subject to the imposition of conditions to secure mitigation measures set out in the Environmental Statement and a Construction Environmental Management Plan to protect adjacent non-statutory designated site habitats.

Lancashire County Council Ecology – Additional advice as regards the Habitat Regulations Assessment was provided to Lancashire County Council Ecologists during the course of the application and in respect of securing biodiversity net gain for the site.

Atkins Realis (Landscape) – The review of the Landscape and Visual Impacts Assessment chapter of the Environmental Statement and supporting documents finds that the assessment methodology, scope, baseline, and findings are compliant with current best practice. The findings of the assessment are consistent and represent a balanced report of likely landscape and visual effects the conclusions of which are likely accurate based on the information supplied. A number of recommendations as regards additional further information are made; however, it is concluded that it is unlikely that these recommendations would change the overall findings. It is advised that further detailed landscape mitigation is required. This could be secured by planning condition to require a landscape management plan to





be submitted that aligns landscape mitigation and biodiversity objectives with landscape management for the long term.

Lancashire County Council Highways – No objection, subject to the imposition of a condition requiring a construction traffic management plan to be submitted and approved and provision of a financial contribution of £12,000 towards highway improvements on Fleetwood Road North between Bourne Road and Victoria Road East.

Lancashire County Council Lead Local Flood Authority – No objection. It is recommended that a number of conditions are imposed that require the development to be completed in accordance with the submitted Flood Risk Assessment and Surface Water Sustainable Drainage Strategy and that a final surface water sustainable drainage strategy and a construction surface water management plan for the site should be submitted and approved.

Lancashire County Council Archaeology – No objection.

Health and Safety Executive – No objection.

United Utilities – No objection. It is recommended that a condition is imposed requiring details of a sustainable surface water drainage scheme and a foul water drainage scheme to be submitted and approved.

Cadent – No objection.

## Representations

The application has been advertised in the local newspaper, by site notice, and neighbours have been informed by individual letter. Three letters of objection have been received from local residents. They make the following comments:

- Concerns regarding the impacts of extra traffic on the village of Thornton. There are already lorries coming through the village instead of on Amounderness Way.
- Could a weight limit be imposed through Thornton to make the road safer and provide easier access for larger lorries?
- The area around Bourne Road already has a similar centre, operated by Global Renewables Thornton Waste Technology Park - why another incinerator?
- There are half a dozen new housing developments that have been built in the area, therefore there are now thousands of families living and breathing their daily lives within the Bourne Road site.
- The living environment is affected by incinerator emissions and traffic emissions.
- There is constant noise 24/7 from the traffic.
- Bourne Road is not an adopted road, and there are a lot of commercial lorries using the road to access the industrial site.
- The proposed development will dramatically increase traffic and pollution, such as noise and CO2 emissions.



- It will have a huge impact on the surrounding environment: land, air water, and noise pollutants.
- The proximity to housing and nature reserves make the location less than ideal.
- There are already issues of bad smells, as well as a fly problem caused by the recycling plant nearby. This development will increase these problems.
- No confidence in the Authority's ability to police any planning restrictions or stipulations of clean air.

## **Advice**

### *Principle of development (planning policy context)*

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 National Planning Policy Framework sets out the Government's planning policies and is a material consideration in planning decisions.

Paragraph 11 of the National Planning Policy Framework states that where there are no relevant development plan policies or the policies which are the most important for determining the application are out of date, planning permission should be granted unless:-

- 1) The application of policies in the Framework that protect areas of assets of particular importance provide a clear reason for refusing the development proposed; or
- 2) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.

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 Wyre Local Plan (2011-2031) (incorporating partial update of 2022). Whilst the Wyre Local Plan was updated in 2022, the plan period for the Lancashire Minerals and Waste Core Strategy and Local Plan ran between 2001 and 2021. It is therefore considered that some of the policies in the Core Strategy and Minerals and Waste Local Plan, particularly those dealing with waste management requirements over the plan period, are not up to date and should therefore carry reduced weight in the decision making process.

The National Planning Policy for Waste (October 2014) sets out the national planning policies for waste development and should be read in conjunction with the National Planning Policy Framework. 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. The Waste Management Plan for England was updated in January 2021 and



provides an overview of waste management. It states that the government supports efficient energy recovery from residual waste and that energy from waste is generally the best management option for waste that cannot be reused or recycled in terms of environmental impact and getting value from the waste as a resource.

The National Planning Policy for Waste also sets out specific considerations to be taken into account in determining planning applications. These include only expecting 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; and ensuring that waste management facilities in themselves are well-designed, so that they contribute positively to the character and quality of the area in which they are located. Additionally, Waste Planning Authorities should not concern themselves with the control of processes, which are a matter for the pollution control authorities. It should be assumed that the relevant pollution control regime will be properly applied and enforced. It is also recognised that new facilities will need to serve catchment areas large enough to secure the economic viability of the plant.

The Resources and Waste Strategy (2018) sets out the Government's plans to preserve material resources by minimising waste, promoting resource efficiency and moving towards a circular economy in England. It includes plans to reduce the amount of waste sent to landfill and the greenhouse gas emissions associated with breakdown of biodegradable waste, and to increase recycling. There is a commitment to drive greater efficiency of energy from waste plants by encouraging use of the waste heat that such plants produce.

A Government document entitled '*Energy from waste - A guide to the debate February 2014*' (revised edition) provides useful background commentary on the subject and is helpful in exploring some of the main issues. The key points are as follows:

- Residual waste usually involves waste that is a mixture of different items. Part of residual waste will come from items made from fossil fuels such as plastics, and part from things that were recently growing and are biodegradable such as food, paper, or wood. It is only the energy generated from the recently grown materials that can be considered renewable. Energy from residual waste is therefore a partially renewable energy source, sometimes referred to as a low carbon energy source.
- There is often concern that energy from waste discourages greater recycling counter to the Government's goal to move waste up the hierarchy. However, throughout Europe there are examples where energy from waste coexists with high recycling rates, ultimately delivering low rates of landfill.
- It is stressed that councils have a duty to cooperate to ensure that waste needs across their respective areas are handled properly and appropriately. They need to have regard for the proximity principle, which requires all waste for disposal and mixed municipal waste (i.e. waste from households) to be recovered in one of the nearest appropriate facilities. However, this principle must not be over-interpreted. It does not require using the absolute closest facility to the exclusion of all other



considerations. There is nothing in legislation or the proximity principle that says accepting waste from another council, city or region is undesirable and indeed in many cases it may be the best economic and environmental solution and/or be the outcome most consistent with the proximity principle.

- The Government sees a long term role for energy from waste both as a waste management tool and as a source of energy. This long term role needs to be based on energy from waste that at least constitutes recovery not disposal. This should therefore be a key consideration for both new and existing projects. To be classed as recovery, energy from waste facilities must meet the requirements set out in the Waste Framework Directive, for example through attainment of R1 status.
- Fossil fuel based residual wastes, such as plastics that cannot be recycled, do not decompose in the same way as biogenic material in landfill. For these waste streams conventional energy from waste will almost always deliver a negative carbon balance compared to landfill as the combustion of these materials will give rise to CO<sup>2</sup> emissions. However, they represent a potential resource that in line with the hierarchy should ideally be recovered and not disposed of to landfill where no energy recovery from these materials is possible. Advanced processing into energy sources that deliver lifecycle benefits compared to use of raw materials offer a potentially sustainable way to do this.
- The potential for energy from waste to consume materials, which could otherwise be managed higher up in the waste hierarchy is a legitimate concern. This applies to prevention and reuse but is most commonly identified in relation to recycling. This is not a fundamental issue arising from energy from waste as a process, but rather as a result of opportunities not being taken to separate and remove materials from residual waste. Provided the right action is taken to ensure separation and pre-treatment options are optimised, it is a risk that can be effectively addressed. Energy from waste can and should support, not compete, with effective recycling.

National Policy Statement for Energy (EN-1) 2024 – although principally relating to nationally significant infrastructure projects, NPS EN-1 recognises that there is a pressing national need to move away from out-dated fossil fuel based generation and increase the volume of energy supplied from low carbon sources. The National Policy Statement for Renewable Energy Infrastructure (EN-3)2024, which is designed to be read in conjunction with EN-1, recognises that the recovery of energy from the combustion of waste, where in accordance with the waste hierarchy, forms an important element of waste management strategy in England and Wales.

The Waste Management Plan for England (2021) states that efficient energy recovery from residual waste can deliver environmental benefits, reduce carbon impacts and provide economic opportunities. The Resources and Waste Strategy recognises that energy from waste is generally the best management option for waste that cannot be reused or recycled in terms of environmental impact and getting value from the waste as a resource.

On 4 April 2024 the Department of Environment, Food and Rural Affairs issued a Ministerial direction to the Environment Agency, under Regulation 62 of the



Environmental Permitting (England and Wales) Regulations 2016, to temporarily pause the determination of environmental permits for new waste incineration facilities, including Energy from Waste pending a review of the need case for further energy from waste facilities. The Direction only relates to the permitting process and does not affect the planning system. The Government have not issued any amendments to the National Planning Policy Framework, the National Planning Policy for Waste or any other guidance that relates to planning policy for such facilities. The applicant has confirmed that their Environmental Permit was issued in March 2024 and the proposal is therefore unaffected by the Direction.

In terms of strategic development plan policy, the site is located within the Hillhouse Enterprise Zone, and is the subject of Policy SA4 of the Wyre Local Plan.

Policy SA4 identifies the Hillhouse Technology Enterprise Zone as a strategic site for employment opportunities in Wyre over the Local Plan period. The Enterprise Zone is the site of a former ICI chemical production facility and is anticipated to deliver at least 250 dwellings and at least 13 hectares of employment development within use classes B1 (now part of class E(g)), B2 and B8 as defined in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

The Hillhouse Technology Enterprise Zone Masterplan Report was produced in November 2018 to guide development within the Enterprise Zone and to support the implementation of Policy SA4 of the Wyre Local Plan. The masterplan identifies the baseline conditions of the Hillhouse site, the visions and objectives for its development, proposed land uses, an access and movement strategy, the design principles and identifies a phasing plan. The Masterplan Report identifies energy production as one possible land use at the Enterprise Zone, and specifically earmarks the application site for an energy recovery facility such as that proposed. The masterplan also proposes a new primary access road from the roundabout on the B5268 (Fleetwood Road) into the northern part of the site.

In the Joint Lancashire Minerals and Waste Local Plan (Site Allocation and Development Management Policies), Policy WM2 (Large Scale Built Waste Management Facilities) sets out that large scale-built waste management facilities including energy from waste (thermal treatment) will be supported on identified sites subject to the total capacity of all new waste management facilities within the catchment not exceeding the need within the catchment area, as set out within the policy. The policy identifies the Hillhouse Industrial Estate for such development within the Fylde Coastal Towns Catchment Area. In respect of the Hillhouse site, the policy highlights the need to give particular attention to areas of high flood risk within the site and to the wildlife interests along the internationally important Wyre Estuary which borders to site to the east. For developments within the Hillhouse Industrial Estate the policy support within WM2 is subject to the provision of access improvements identified in policy SA2.

Policy SA2 of the Joint Lancashire Minerals and Waste Local Plan (Site Allocation and Development Management Policies) safeguards land for a new access road and



other access improvements to Hillhouse Industrial Estate. The safeguarded route is shown on a map within the powerpoint presentation attached to this report. There is also a separate safeguarding policy (Policy SA1) relating to the Fleetwood Railway Branch line serving the Hillhouse Industrial Site which is safeguarded for potential rail freight use.

Policy WM2 supports the development of large scale built waste management facilities (including energy from waste (thermal)) developments with a capacity around 200,000 tonnes per annum on the strategic sites listed in the policy (which includes the Hillhouse Industrial Estate). The current proposal would have a capacity of 120,000 tonnes per year. At the time of the adoption of the plan (September 2013) it was envisaged that the Fylde Coastal Towns catchment area was considered to require waste management capacity of 400,000 tonnes per annum.

Appendix B (Facilities Suitable for Strategic Locations) of the Joint Lancashire Minerals and Waste Local Plan (Site Allocation and Development Management Policies) provides a definition of what is considered to be a large scale built waste management facility under policy WM2. It states: "The following types of waste management facilities, with capacities of more than 50,000 tonnes per year up to around 200,000 tonnes per year, would be appropriate to the strategic locations identified in Policy WM2 – Large Scale Waste Management Facilities...Thermal Treatment (Energy from Waste)..." The scale and nature of the proposal therefore falls within the type of facility envisaged as being acceptable on the Hillhouse site under policy WM2.

As set out in the National Planning Policy for Waste, applicants are only required to demonstrate a quantitative or market need for a facility where proposals are not consistent with an up to date development plan.

Whilst the applicant is not necessarily required to address issues of need and requirement for the development, the applicant has provided an analysis of the current waste data.

The proposed facility would operate on a merchant basis and therefore it is likely that it would not be tied to any specific local authority contract. It is likely that the predominant feedstock would be commercial and industrial waste although it is possible that residual household waste could also be accepted by the plant. Although none of these waste types would necessarily be generated from within Lancashire, there remains a requirement for residual waste disposal capacity. Nationally in 2021, 12.7 million tonnes of residual waste (suitable for energy recovery) was sent to landfill with a further 1.6 million tonnes being exported to energy from waste sites in Europe.

All operators of regulated waste management facilities in England are required to provide the Environment Agency with details of the quantities and types of waste they deal with. The Environment Agency compiles and publishes this data in the form of an excel database called the Waste Data Interrogator. The results of the



exercise show that in 2021 there was 438,849 tonnes of waste recorded that was generated from within the Joint Lancashire Authority Area that was sent to landfill and was therefore potentially suitable for treatment further up the waste hierarchy (recovery). Of this total it is likely that around 185,000 tonnes was commercial and industrial waste. Notwithstanding that the applicant is not necessarily required to demonstrate a market need for the proposal, it is considered that the proposed development would provide a facility for managing a portion of these wastes as an alternative to landfill.

Whilst landfill capacity in Lancashire is not particularly constrained in the immediate period, the direction of policy is to move away from landfill as a means of waste management towards facilities that are higher up the waste hierarchy. Policy DM4 of the Joint Lancashire Minerals and Waste Local Plan concerns energy from waste development and specifies that all developments that include processes capable of recovering energy from waste will be required to include measures to capture any heat or electricity produced directly or as a by-product of the waste treatment process and either use it on site or export it to the national grid or a local energy or heat consumer. The primary aim of the proposed development is to recover energy from residual waste and the potential energy efficiency of the operation of the facility can be assessed through the Environment Agency's R1 accreditation scheme. This would consent the operation as a recovery operation (rather than a disposal activity) if it achieves R1 status. To ensure that the proposed development would genuinely be designed as a recovery facility and thereby allow for the management of waste at a higher level in the waste hierarchy than landfill, it is recommended that a condition be imposed requiring R1 status to be demonstrated prior to the commencement of development.

The plant would also be located on an industrial estate where there are a number of existing industrial facilities and where there is considerable scope for further growth particularly given the Enterprise Zone status. In addition, the Enterprise Zone includes provision for 250 new homes. Substantial potential therefore exists to utilise the waste heat from the plant either in an industrial process or in domestic heating. To address this issue, it is considered that any permission should be subject to a condition requiring submission of a combined heat and power review prior to waste acceptance commencing with provision for further reviews at regular intervals.

The National Planning Policy for Waste requires that applicants should only be required to demonstrate the quantitative or market need for new waste management facilities where proposals are not consistent with an up to date local plan.

The policy support for waste management facilities on Hillhouse Industrial Estate within Policy WM2 is subject to the provision of the access improvements identified in policy SA2. The road alignment safeguarded by Policy SA2 broadly aligns with the new access road through the northern part of the site as also identified in the Enterprise Zone Masterplan. A number of other measures to improve the existing Bourne Road site access are also set out in the masterplan document as interim improvements pending construction of the new northern access road.



The application proposes that vehicular access to the site (for both the construction and operational phases) would be via the existing industrial estate access using Bourne Road. No development of the proposed, safeguarded access route to the north of the Enterprise Zone is proposed as part of this application therefore conflicting with Policy WM2.

In response to the requirement of Policy WM2, the applicant considers that the proposed development would not generate significant levels of heavy goods vehicle (HGV) movements, and the Transport Statement submitted in support of the application identifies that Bourne Road is of a suitable standard to accommodate additional heavy goods vehicle (HGV) traffic associated with the development and that there are no capacity issues, even during peak hours, along the highway network. They go on to highlight that there are no specific triggers identified for the provision of the works to the proposed northern access road in the relevant policies and that the delivery of the new northern access remains hampered by uncertainty over the future of the Fleetwood Railway Line. Irrespective of the northern access proposal, the site landowner (NPL Estates) has progressed with other access improvement works. In particular, they have secured planning permission from Wyre Council for the gatehouse relocation and new access lane along Bourne Road (ref: 21/00705/FUL) to reduce the likelihood of heavy goods vehicles (HGVs) having to queue past the houses on Bourne Road in order to access the enterprise zone site. Furthermore, the Masterplan does not identify anything which prevents this part of Phase 1 of delivery of the Masterplan coming forward before the new northern access road is constructed.

In response to the requirements of Policy WM2, the applicant notes the following points:

- Policy WM2 predates, by over five years, the Hillhouse Technology Enterprise Zone Masterplan (2018). Whilst the latter identifies the new northern access road as particularly important, it places no specific thresholds, limitations or requirements on any development at Hillhouse Industrial Estate, relative to the delivery of the new road.
- The proposed development, with a throughput of up to 120,000 tonnes per annum, would be considerably smaller than the large scale waste facilities (200,000 tonnes per annum) referenced in Policy WM2.
- The application of Policy WM2 for a much smaller facility than the policy envisaged should be interpreted cognisant of the other identified access improvement works that the landowner is carrying out.

Lancashire County Council Highways have confirmed that they concur with the submitted Transport Statement that the level of increase of vehicle movements along Bourne Road will not have a material impact on highway capacity or safety along this route, even after taking into account traffic growth and traffic from committed developments.





The Head of the Enterprise Zone has commented that the proposed northern highway access to the Enterprise Zone features as essential enabling infrastructure and will continue to do so in the future. The ability to progress proposals for delivery of the northern access road, has been impacted by the delay in determining the future of the mothballed Fleetwood to Poulton railway line.

An outline planning application is currently under consideration by Wyre Council for the erection of 130 dwellings at the junction of Fleetwood Road North and the proposed northern highway access to the enterprise zone (re. 23/00215/OULMAJ) which proposes the delivery of part of the link road adjacent to the Hillhouse Technology Park.

The proposal potentially conflicts with Policy WM2 of the Joint Lancashire Minerals and Waste Local Plan. As this policy deals specifically with the provision of new built waste management facilities, it could be argued that this policy is the most important of all the development plan policies in terms of the determination of this application. However, given that the other policies within the development plan as a whole which deal with the development of this area do not include the same pre condition regarding the construction of the access road, there is a conflict between the policies. Neither the Wyre Local Plan (adopted in January 2023) or the Enterprise Zone Masterplan (dated November 2018) include any policies that require the delivery of the new road prior to any part of the Enterprise Zone site being developed. However, these policies post-date those of the Minerals and Waste Local Plan by several years. It is therefore considered that this element of policy WM2 can be considered as out of date for the purposes of decision making and reduced weight should therefore be attached. Policy SA4 of the Wyre Local Plan has only recently been adopted and therefore should be considered as an up to date policy for the purposes of decision making on this application.

The applicant has demonstrated suitability of vehicular access to the application site via the existing Bourne Road. There are no objections to the use of this access route by Lancashire County Council Highways. The development would not prejudice the ability to provide the link in the future should suitable funding be identified and therefore does not conflict with Policy SA2. Taking into account the weight to be given to each policy, it is considered that on balance the proposal is acceptable with the policies of the development plan which deal with development on the Hillhouse Industrial Estate. However, it is considered that a condition should be attached to any permission requiring that all traffic from the site should use the northern access route upon its eventual completion.

### *Alternatives*

The Environmental Impact Assessment Regulations place no specific obligation on an applicant to study alternatives, but simply to describe them in the manner specified.



The applicant has outlined in the Environmental Statement that they have not given any material regard to alternative sites. The site was selected as it is appropriately allocated for the proposed use in the adopted development plan; it was commercially available (on acceptable terms); it is located on undeveloped brownfield land; set within an industrial context; is proximate to a secured grid connection; and has a means of access suitable for heavy goods vehicle (HGV) traffic. A number of alternative design solutions were considered and are detailed in the design and access statement.

#### *Pollution Control (air/water/noise)*

The National Planning Policy for Waste advises that waste planning authorities should avoid carrying out their own detailed assessment of epidemiological and other health studies and that they should work on the assumption that the relevant pollution control regime will be properly applied and enforced. Paragraph 194 of the National Planning Policy Framework reinforces the latter assertion by stating 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.

An Environmental Permit would be required for the facility, and it would have to operate in compliance with prescribed emission limits, and noise and odour controls. The permit would also specify the waste types that could be accepted.

Paragraph 191 of the National Planning Policy Framework states that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. New development should mitigate and reduce to a minimum the potential adverse impacts resulting from noise and avoid noise giving rise to significant adverse impacts on health and the quality of life.

Policy DM2 of the Joint Minerals and Waste Local Plan states that the control of emissions from development proposals including dust, noise, light and water may be necessary in order to ensure that all material, social, economic or environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels.

The planning application is supported by a number of documents to address matters of pollution control:

- Baseline analysis of existing air quality in the area
- A construction Dust Assessment Methodology



- Emissions modelling which comprises dispersion modelling of process emissions from the stacks and of vehicle emissions
- A Dioxin Pathway Intake Assessment
- Ecological Interpretation of Air Quality Assessment
- Noise Assessment

The applicant has provided an assessment of the effects of the proposed development on air quality. From a construction perspective there is the potential for dust generation, and the applicant has provided an assessment of construction phase dust emissions. This finds that the site has been assessed to be of low risk for dust soiling, human health effects, and ecological effects associated with construction phase activities. Mitigation measures could be employed to minimise the likelihood of any unacceptable impact. This aspect can be incorporated into a recommended condition relating to a construction environmental management plan as referred to elsewhere in this report. Furthermore, any impacts would be temporary in nature, short-term in duration as they would only occur during the construction period.

During the operational phase of the development, impacts on air quality could arise from emissions from the stacks, odour emissions from waste and from road vehicles. A qualitative analysis has been undertaken by the applicant, which takes into account the control measures in place and the distance to the nearest receptors. This has concluded that the impact of the operation of the proposed development will be 'not significant'.

In relation to the increase in road traffic the applicant has undertaken an assessment of vehicle emissions. This has concluded that the effect of vehicle emissions on human health is predicted to be 'not significant', either alone or when combined with the proposed development stack emissions. An assessment of potential cumulative effects of stack and vehicle emissions from the proposed development with other projects has also been undertaken. This has concluded that the cumulative effect of the proposed development on human health will be 'not significant'.

An assessment of the significance of effect of stack emissions from the proposed development on ecological receptors has also been undertaken. This has qualitatively considered the effect of vehicle emissions and quantified the impact from process emissions. The impact of process emissions at a number of designated habitat sites cannot be screened out as 'insignificant' for certain pollutants. This is therefore addressed in the ecology section of this report.

Atkins Realis have reviewed the air quality information submitted to support the planning application and environmental statement on behalf of the Council. It is considered that the air quality assessments undertaken by the applicant have been undertaken in accordance with good practice including Environment Agency permitting guidance, such that the Council can be confident the site would be awarded an environmental permit to operate in relation to human health impacts. Additional information from the applicant was requested on a number of matters,



which were subsequently provided, in particular in respect of consideration of other potential development in the locality (both as potential sensitive receptors and emission sources), references to relevant guidance and clarification of a number of ecological issues.

Following receipt of additional information from the applicant, Atkins have confirmed that they are satisfied that the air quality assessment and its conclusions are robust. It is recommended that the construction environmental management plan condition should include mitigation of construction emissions, including non-road mobile machinery.

An Environmental Permit would be required for the facility, and it would have to operate in compliance with prescribed emission limits, and noise and odour controls. The Environmental Permit would include conditions to prevent fugitive emissions of dust and odour beyond the boundary of the installation. The Environmental Permit would also include limits on emissions to air. The permit would also specify the waste types that could be accepted.

The incineration process is tightly regulated and controlled by the Industrial Emissions Directive and the Environmental Permitting Regulations. The facility would have to meet or go beyond and improve on the strict emission limit level controls by reflecting modern best practice standards so that human health and the environment would be protected. The Environment Agency closely regulate the operation of energy from waste plants through the application of conditions and requirements imposed on Environmental Permits to ensure that operations do not lead to harm to the environment and human health. Stack emissions from the energy centre would be monitored and recorded continuously using a Continuous Emissions Monitoring System (CEMS) in line with Industrial Emissions Directive requirements.

An Environmental Permit would be monitored in accordance with the conditions set out within it. If the Environment Agency is of the view that the proposal could not operate within the emissions limits, then it would not issue a permit and the plant would be unable to operate. If the Environment Agency granted a permit and subsequently found out through its monitoring process that the plant was operating with emissions above prescribed limits, then it would revoke the permit and the plant's operation would cease until the matter had been resolved.

The applicant has provided an assessment of the likely significant effects of the proposed development in relation to noise. It examines direct and indirect likely significant effects arising from the construction and operation of the proposed development and provides details of mitigation measures to minimise noise.

The National Planning Policy Framework states that planning decisions should mitigate and reduce to a minimum potential adverse impact resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life. Policy DM2 of the Joint Minerals and Waste Local Plan states that development proposals development must demonstrate control of noise



levels, and policy CDMP1 of the Wyre Local Plan similarly requires that new development must not lead to adverse effects arising from pollution and noise impacts.

To establish any likely impact from noise, an assessment of baseline sound levels has been established by undertaking fixed position noise monitoring at four noise sensitive receptor areas around the application site (adjacent to eastern site boundary and the River Wyre; adjacent to the housing development under construction to the west; off Bourne Road and off Butts Road), over a five day period including a weekend. The noise assessment finds that no significant noise effects are identified, in relation to construction or operation of the proposed development. A number of mitigation measures are proposed to ensure that the resultant operational noise levels are within appropriate guidance and standards. These involve reducing operational sound power levels for equipment such as the stacks and condenser fans, the use of specific, insulating building materials for skylights and insulation and closure of doors except for access.

The following table summarises the predicted effects:

Summary of residual impacts at receptors after additional mitigation measures

Source	Nature of Effect	Time Period	Impact Magnitude	Level of Significance
Construction noise	Temporary	Daytime	Negligible to Slight <sup>1</sup>	Neutral to Minor
Road traffic noise (construction)	Temporary	Daytime	Negligible to Slight	Neutral to Minor
Road traffic noise (operation)	Permanent	Daytime	Negligible to Slight <sup>2</sup> Negligible <sup>3</sup>	Neutral to Minor <sup>2</sup> Neutral <sup>3</sup>
Industrial noise (Site operation)	Permanent	Daytime Night-time	Negligible Negligible	Neutral Neutral
Construction Vibration	Temporary	Daytime	Negligible	Neutral
Operational Vibration	Permanent	Daytime Night-time	Negligible Negligible	Neutral Neutral

<sup>1</sup>Construction impacts at residential receptors would be negligible.

<sup>2</sup>Based on 12-hour daytime assessment period. <sup>3</sup>Based on peak hour daytime assessment period.

<sup>3</sup> Vibration levels at residential NSRs is negligible

A condition is recommended for further details of the Construction Environmental Management Plan and this would also include matters relating to dust, parking arrangements, and drainage. A further precautionary measure is recommended by way of a condition to control the majority of construction working operations to the typical working day, with assessment and control of working outside typical hours covered in combination with the Construction Environmental Management Plan. Subject to the recommended conditions it is considered that noise from construction activities would not have any detrimental impact on neighbouring landowners or local residents given the industrial nature of the area and the separation from sensitive receptors.

The control of noise through the operation of the facility would be a matter for the Environmental Permit as with air quality. Nevertheless, the applicant has



satisfactorily demonstrated that with appropriate mitigation measures that the resultant sound levels would remain within appropriate guidance and standards. The proposed facility would operate continuously, but the applicant proposes that waste deliveries would typically be made between the hours of 07:00hrs to 19:00hrs daily. The site is located within an existing and allocated strategic employment area, however until such a time as the new northern access can be provided the vehicular route to the site would pass close to a number of residential developments off Bourne Road. No objections have been raised by Wyre Council in relation to the proposals and the impacts on noise levels. The applicant has drawn attention to the fact that they consider normal working hours are between 07:00hrs and 19:00hrs. Furthermore, they highlight that the noise assessment concluded (based on a maximum heavy goods vehicle (HGV) demand using a 12 hour weekday or a five hour Saturday time period), that the impact showed *no change to slight impact* magnitude, and *neutral to minor* level of effect, in respect of traffic movement relative to the nearest local road network and at nearest residential properties. However, given the need to use Bourne Road as the access route to the site and the volume of vehicles proposed in close proximity to residential areas (at least until such time as a northern access is constructed) it is considered that the hours of waste import should be restricted to 08.00 to 18.00 hrs in order to protect the amenity of residents.

### *Flood Risk and Water Management*

Paragraph 175 of the National Planning Policy Framework requires that major development should incorporate sustainable drainage systems unless there is clear evidence that they would be unsuitable. The policy requires that advice should be taken from the flood authority, have appropriate minimum operating standards, have maintenance regimes in place for the lifetime of the development and where possible have multi-functional benefits.

Planning Practice Guidance accompanying the National Planning Policy Framework promotes the employment of sustainable drainage systems that are designed to control surface water run off close to where it falls and mimic natural drainage as closely as possible. Generally, the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable. Firstly, into the ground (infiltration); secondly, to a surface water body then to a surface water sewer, highway drain, or another drainage system and finally to a combined sewer. Particular types of sustainable drainage systems may not be practicable in all locations.

Policy CDMP2 of the Wyre Local Plan similarly requires major developments to include proposals for sustainable drainage systems and for development proposals to demonstrate that proposals will not be at unacceptable risk of flooding and that it would not increase risk of flooding elsewhere.

The application is accompanied by a Flood Risk and Drainage Assessment and an outline surface water drainage strategy.



That part of the application site where the proposed Energy Recovery Centre is to be located lies within Flood Zone 1. Approximately 0.75km of Bourne Road, which is the access to the site from the closest part of the adopted highway (Fleetwood Road North), lies within Flood Zones 2 and 3 (medium and high probability of flooding).

Bourne Road serves a large number of other residential and commercial developments and extends from Fleetwood Road North for a distance of approximately 1km until it crosses the railway line and enters the Hillhouse Enterprise Zone.

The Environment Agency advises that the proposal is considered to be 'less vulnerable development, as defined in Annex 3: Flood risk vulnerability classification of the National Planning Policy Framework. They advise that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented. This can be secured by condition.

In accordance with the National Planning Policy Framework (Paragraph 168), development in flood risk areas should not be permitted if there are reasonably available alternative sites, appropriate for the proposed development, in areas with a lower risk of flooding. The sequential test establishes if this is the case.

Development is in a flood risk area if it is in Flood Zone 2 or 3, or it is within Flood Zone 1 and the strategic flood risk assessment shows it to be at future flood risk or at risk from other sources of flooding such as surface water or groundwater.

National Planning Practice Guidance on flood risk and coastal change advises that the Flood Risk Sequential Test should be applied to 'Major' and 'Non-major development' proposed in areas at risk of flooding, but it will not be required where the site has been allocated for development and subject to the test at the plan making stage (provided the proposed development is consistent with the use for which the site was allocated and provided there have been no significant changes to the known level of flood risk to the site, now or in the future which would have affected the outcome of the test). The site falls within Policy SA4 Hillhouse Technology Enterprise Zone for which the masterplan identifies the site as a "Proposed Energy Recovery Centre (Sui Generis)". The proposed development accords with this and as such, is considered to comply with the requirements of the flood risk Sequential Test.

### *Contaminated Land*

Paragraph 189 of the National Planning Policy Framework advises that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. Further guidance is set out in the Planning Practice Guidance. The guidance states that where there is a reason to believe contamination could be an issue, proportionate but sufficient site investigation information should be prepared by a competent person to determine the extent of contamination.



Policy CDMP1 of the Wyre Local Plan states that development will be permitted where it can be demonstrated that, in the case of potentially contaminated land, a land remediation scheme can be secured which will ensure that the land is remediated to a standard that provides a safe environment for occupants and does not displace contamination.

The Wyre Local Plan also specifically provides guidance on the re-development of Hillhouse Enterprise Zone. One of the key development considerations highlighted is that the site is previously developed and there is the potential for ground and water contamination. A desk study will be required followed, if necessary, by more detailed site investigation.

The application is accompanied by a Preliminary Risk Assessment Report and a Ground Investigation Report. Chapter 9 of the Environmental Statement assesses the likely significant impacts and resulting effects of the proposal in the context of ground conditions and contamination. The assessment considers:

- Existing ground and groundwater conditions, including potential for contamination.
- Potential impacts of the Proposed Development on the ground and groundwater conditions, and wider surrounding environment; and
- Potential impacts of the existing ground, groundwater and contamination conditions on the Proposed Development.

It is concluded that the Risk Assessment and Ground Investigation Report provide no evidence to indicate that the site cannot be re-developed for continued industrial use based on the current proposals. However, mitigation measures are required to ensure that the development does not result in significant adverse effects on future users of the site and environment.

The Environment Agency advise that the previous use of the proposed development site as a chemical works presents a high risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a Secondary Aquifer B and in close proximity to the River Wyre. The Environment Agency advise that the details submitted demonstrate that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. However, it would be reasonable to secure this by a condition requiring a remediation strategy to be submitted, approved and a verification report to demonstrate completion of the works. Without such a condition it could not be guaranteed that the environment would not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.





## *Ecology and Biodiversity*

Paragraph 186 of the National Planning Policy Framework advises that when determining planning applications, local planning authorities should apply a number of principles. Of relevance, if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Secondly, development on land within or outside a Site of Special Scientific Interest, which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest. Thirdly, opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Paragraph 188 of the National Planning Policy Framework advises that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a European protected habitat site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitat site.

Policy CDMP4 of the Wyre Local Plan states that development proposals should, where possible, provide enhancements in relation to environmental assets and seek to minimise or eliminate net environmental impact. Mitigation measures are expected to be provided and ecological assets will be protected, enhanced and managed.

The application site is located within 46m of Morecambe Bay and Duddon Estuary Special Protection Areas, Morecambe Bay Special Areas of Conservation, Morecambe Bay Ramsar, Wyre Estuary Site of Special Scientific Interest (SSSI) and the Wyre-Lune Marine Conservation Zone. Although there would be no direct impacts on any of these sites, the site is located adjacent to the Wyre Estuary which is subject to these designations.

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 Habitats Regulations, including a Shadow Habitats Regulations Assessment; a Noise Technical note (in respect of ecological receptors), a Marine Conservation Zone Assessment Report and a Technical Note on the Wyre



Estuary Site of Special Scientific Interest (SSSI). A baseline ecology report, a wintering bird survey report and biodiversity net gain assessment has also been provided.

The shadow Habitats Regulations Assessment provided by the applicant provides a screening assessment, which identifies the likely impacts of the proposal upon the protected sites, and whether these are likely to be considered significant. Any possible effects that are not screened out at this first stage are then subject to an 'Appropriate Assessment' of the implications of the proposal on the protected site (in view of the conservation objectives for that site). The appropriate assessment carried out by the applicant concludes that it is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question.

Natural England have provided advice on the submitted information. They advise that they concur with the assessment conclusions, providing that all mitigation measures proposed are appropriately secured in any planning permission given. The suggested mitigation measures include: installation of 2.4 metres high boarded fencing along the eastern boundary of the application site; production and implementation of a detailed Construction Environmental Management Plan; implementation of emergency procedures for avoidance of surface water contamination; provision of attenuation flow to the drainage system and implementation of a sensitive lighting strategy.

Natural England have also advised that having reviewed the marine conservation zone assessment and the measures proposed to mitigate for all identified impacts, they concur with the assessment conclusions that the proposal will not hinder the conservation objectives of this site or impact the designated features; providing that all the mitigation measures set out above are appropriately secured in any planning permission given.

The application was submitted in January 2023 and is therefore not subject to the recently introduced mandatory requirements of biodiversity net gain. However, Paragraph 186 of the National Planning Policy Framework requires that opportunities to improve biodiversity in and around development should be integrated as part of their design especially where it can secure measurable net gains for biodiversity. Paragraph 180 states that planning decisions should enhance the natural and local environment by providing net gains for biodiversity. Policy CDMP4 of the Wyre Local Plan states that development should contribute to a net gain in biodiversity where possible.

To demonstrate net gain, the application is accompanied by a biodiversity net gain assessment, which used the Defra Biodiversity Metric 3.1 Calculation Tool. The conclusion of the report recognises that the overall development results in a net loss of 3.21 biodiversity units and that off-site offsetting is required. The applicant proposes that biodiversity net gain would be achieved through off site provision of the requisite number of biodiversity units. As the mandatory requirements are not applicable to this proposal, and there is no figure for biodiversity gain specified in the



Wyre Local Plan all that is required is a demonstration that there would be no net loss of biodiversity. The applicant has confirmed that the biodiversity net gain will be achieved through the use of a habitat bank, via a third party provider which is being secured through a Section 106 agreement. The applicant has provided written confirmation that they have identified a suitable habitat bank that would provide the required number of biodiversity credits, and a map identifying the site. This is considered to be sufficient to meet planning policy requirements subject to a legal agreement being signed. A draft legal agreement is currently under preparation.

The application and Environmental Statement is also accompanied by a baseline ecological report and ecological impact assessment. A total of eight non-statutory designated sites, all Biological Heritage Sites (BHS) are located within 2km of the Site and the site is included on the Priority Habitat Inventory (PHI) as Open Mosaic Habitat (OMH) on Previously Developed Land. However, the on-site assessment states that the habitat does not meet the priority habitat criteria due to the lack of sufficient spatial variation with plant communities. No notable habitats (including priority and ancient/irreplaceable habitats) are present within or immediately adjacent to the application site. Habitats within the site are stated to be of a relatively low value, comprising hardstanding and bare ground with occasional pioneer and waste ground plant species with a vegetated spoil mound in the south of the application site, nor is the on-site habitat considered suitable to support any notable bird, mammal or amphibian species. It is recommended that the mitigation measures proposed in the Environmental Statement and a Construction Environmental Management Plan are secured by condition.

### *Site design and Layout*

Paragraph 135 of the National Planning Policy Framework (NPPF) requires that developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, be sympathetic to local character and landscape setting. Policy CDMP3 of the Wyre Local Plan states that all development will be required to be of a high standard of design and appropriate to the end use. Development must be designed to respect or enhance the character of the area. The 2018 Master Plan for the Enterprise Zone sets out a number of design principles for the Enterprise Zone:

- Ensuring that development within the masterplan is in scale with its surrounding context, character, public realm and use;
- Promoting a scale and massing that contributes positively to the surrounding views and vistas into the site, including from adjacent residential areas, the Wyre Way and other viewpoints from across the estuary;
- Building design should consider clean, simple, geometric forms and coordinated massing to
- Produce overall unity, scale and interest.

The applicant has provided a design and access statement in support of the application. It sets out how the site and the surrounding area have informed the



development of the design and how the design evolved through the design development process. It details how it was concluded that the 'Stepped' design approach would be the most appropriate way to reduce the vertical scale of the building, add visual interest while at the same time allowing the facades to better respond to the visual context of the site, and considered to be the most successful from both architectural and landscape and visual impact assessment perspectives.

It is proposed that the external elevations of the building would be in metal cladding with a vertically orientated trapezoidal profile outer sheet with colour matched integrated ventilation louvers and doors. The colour of its lower cladding would be Olive Green (RAL 100 30 20) with the upper parts and the main roofs in Hamlet (RAL 9002) (a light grey). It is considered that this lighter colour would complement and contrast with the darker plinth and help blend the upper parts of the building with the background of sky therefore reducing the overall visual impact of the building especially when seen from the east across the Wyre Estuary. It would also be similar to the colours used on the existing buildings across Hillhouse Business Park.

Hillhouse Enterprise Zone/Business Park has a range of other industrial scale buildings and structures, and a number of substantial areas of vacant land. It is acknowledged that the proposed development has specific and prescriptive process and operational requirements, and these will necessarily have informed the site layout, the scale and sizes of the main building components, and access arrangements. The building is necessarily utilitarian and functional in form and nature; however it is considered that the applicant has demonstrated that careful consideration has been given to achieving a design of a high standard that is appropriate to the nature of both the proposed use and surrounding area.

The size, scale, design and appearance of the proposed development are considered to be in keeping with the proposed and existing uses of the site and in accordance with planning policies including policy CDMP3 of the Wyre Local Plan.

### *Landscape and Visual Impact*

Paragraph 135 of the National Planning Policy requires that development should function well and add to the overall quality of the area, be visually attractive as a result of good architecture, layout and effective landscaping and should be sympathetic to local character and history including the landscape setting.

Policy CDMP4 of the Wyre Local Plan states that development permitted by other policies of the Plan should have no unacceptable cumulative impact on landscape character within or outside settlement boundaries and the principal elements and features associated with it. Development proposals should be designed to avoid negative landscape effects and where this is not possible negative landscape effects should be effectively mitigated.

The applicant has provided an assessment of the likely significant landscape and visual effects of the proposed development. Landscape effects are caused by



physical changes to the landscape and visual effects are changes to what can be seen by people as a result of what is proposed. The site is presently vacant and predominantly comprises areas of hardstanding and access and has been recently cleared of self-seeded vegetation. It is largely level. There are a number of other vacant plots to the north, east and west of the site and established industrial areas to the south and further west. The site is wholly within an area allocated for industrial development in the Local Plan. The proposed development would introduce new industrial buildings, ancillary structures, hard surfacing and new landscaping onto the site. New species-rich grassland, new native hedgerows and new specimen tree planting would be introduced at the site perimeter. There is a public Right of Way (ref. FP0204013) to the east of the site, which is part of the Wyre Way.

The landscape and visual impact assessment concludes that effects on landscape character would be small scale and incremental and would not be significant. Views of industrial development at Hillhouse Business Park are an established component of the landscape as experienced from the Wyre Estuary and from the surrounding rural and suburban areas, and this would not change appreciably as a result of the proposed development. Significant visual effects would be experienced from a very short stretch of the Wyre Way long distance footpath, immediately east of the site. However, these significant visual effects would occur as a result of development at a site that is specifically allocated for an Energy Recovery Centre.

Visually the proposed development would introduce a development of substantial scale where there is presently none. However, the site is allocated for industrial development, and would be typically seen in the context of existing industry and other large scale infrastructure. Consequently, even though the proposed development would comprise a large building and tall stacks, this would not be particularly incongruous, and the visual effects should not be viewed as unacceptable.

Overall, it is considered that the proposal would not result in any significant cumulative landscape or visual effects with any other development, although it is accepted that the proposal would result in some significant very localised landscape and visual effects.

### *Highway Matters*

Paragraph 114 of the National Planning Policy Framework states that planning applications should be assessed to ensure that appropriate opportunities have been taken to promote sustainable transport; safe and suitable access to the site can be achieved for all users, and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 115 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.



Policy CDMP6 of the Wyre Local Plan states that development will be permitted provided that it has been demonstrated that a number of criteria related to highway safety have been met.

The applicant has undertaken a transport assessment to evaluate the impact of the proposed development on the performance of the local highway network and the application is accompanied by a Framework Travel Plan.

The site would be accessed via the existing vehicular access junction, off an unnamed Hillhouse Business Park access road, located to the south west of the site. This access junction connects to an existing road running in a north to south orientation within the western section of the site. All operational heavy goods vehicle (HGV) traffic to/from the proposed development would then route via Bourne Road and Bourne Way to access the A585.

Lancashire County Council Highways have confirmed that the assumptions made in the Transport Statement are appropriate and acceptable. The Transport Statement shows that 58 two way heavy goods vehicle (HGV) movements would be expected each weekday and 15 two way heavy goods vehicle (HGV) movements on a Saturday. Vehicle movements would be spread over the day and as such it is anticipated that there would be an average of five two way heavy goods vehicle (HGV) movements per hour.

The Transport Statement also takes into account traffic movements by staff (and assumes a worst case of 80 two way movements per day), however, due to the nature of the proposal the majority of these movements will take place outside of peak traffic hours. In assessing the impact on the highway network, the Transport Statement assumes that all heavy goods vehicle (HGV) movements will take the most direct route to the trunk road (A585), along Bourne Way and private car movements will be distributed along routes including Fleetwood Road North, through Thornton.

The heavy goods vehicle (HGV) movements along Bourne Way will increase traffic levels by a maximum of 1.9% (five heavy goods vehicles (HGVs)) in the peak hour. If all vehicle movements from the development (heavy goods vehicles (HGVs) and staff) are looked at then traffic levels on Bourne Way will increase by 3.3% per day. This level of increase will not have a material impact on highway capacity or safety along this route, even after taking into account traffic growth and traffic from committed developments.

The Transport Statement predicts that 34% of staff movements will use Fleetwood Road North through Thornton, which equates to 54 one-way daily traffic movements. Whilst these movements will occur outside peak traffic hours, and consequently do not impact on highway capacity, they could still impact on highway safety as safety concerns are not limited to peak hour traffic.



Fleetwood Road North has been previously identified as a road with a relatively poor road safety record. This together with local concerns regarding road safety and its unnecessary use as a through route has led to the development of a strategy to address these concerns. As such, developments that generate additional traffic movements along this route should provide mitigation in line with the scale of their impact. It is therefore requested that £12,000 be sought for highway mitigation measures on Fleetwood Road North. The applicant has indicated that they agree to this request, and this can be secured through a Section 106 agreement.

It is considered that any permission should be subject to a condition requiring a traffic management strategy to be submitted requiring all hauliers to be issued with instructions regarding the approved access routes to the site avoiding Fleetwood Road North through Thornton.

The application is also accompanied by a Framework Travel Plan. Lancashire County Council Highways have commented on the Travel Plan that this is welcome. However, it is considered that given the distance to public transport, a modal shift toward public transport is unlikely. The nearest bus route is along Fleetwood Road North (approximately 1.3km from the development site) with bus stops approximately 200m north and south of Bourne Road which leads to a walking time of around 20minutes.

Modal shift towards cycling could be possible through a Travel Plan initiative. However, Lancashire County Council Highways consider that it is just as likely that improvements to make cycling safer on the local highway network would have an equal if not better chance of encouraging a modal shift.

Bourne Road is currently privately maintained, However, adoption is being addressed by way of Section 38 agreement(s) to support walking and cycling. In addition to this, a recently approved development on Fleetwood Road North includes provisions for cycling improvements between Bourne Road and the development site at the roundabout.

Fleetwood Road North south of the Bourne Road junction has been identified as a road with a relatively poor accident record and the monies previously requested from developments will be used to improve safety and encourage walking and cycling. In view of the above, Lancashire County Council Highways therefore do not consider it necessary for a Travel Plan to be provided to promote a modal shift.

The applicant has indicated that all 32 car parking spaces proposed would be provided with access to an electric vehicle charging point. This can be secured via condition.

### *Neighbour Amenity*

The nearest residential properties to the site are located off Butts Road, circa 360 metres to the south west, and which is separated from Hillhouse Business Park by a railway line, located circa 260 metres west of the Site, and further housing development is currently under construction off Bourne Street (Osier Court, planning



application ref. 20/00405/LMAJ) circa 300 metres to the west of the site. Vehicular access to the site would be via Bourne Road, which also affords access to a number of other residential developments. Three letters of objection have been received from local residents expressing concerns with regard to the impacts of the proposed development, in particular those impacts arising from increased traffic including noise, disturbance and impacts on air quality. Concerns are also expressed with regards to the environmental impact of the operation and processes of the facility itself. The impacts of the proposal in respect of highway safety and traffic, air and noise pollution are each addressed separately above.

### *Sustainability and Climate Change*

The applicant has included within the Environmental Statement an assessment of the likely significant effects of the proposed development on climate change, specifically greenhouse gases. The assessment is based upon a comparison of the proposed project with the alternative of destination of the waste to landfill. This is considered to be the most likely alternative route for the waste. The impact of the construction phase of the development has not been considered in the assessment. The assessment includes an assumption that the proposed development is expected to displace electricity from gas generation rather than renewables or nuclear.

The analysis shows that the proposed development would produce 17,759 less tonnes of carbon dioxide equivalent per annum than the alternative of the waste going to landfill. This is over the first 25 years of the development and includes offset of grid electricity for both landfill and that generated by the development. It is acknowledged that it is proposed that the development would actually have a longer lifetime of 40 years. There are considered to be difficulties in predicting parameters so far into the future, although an analysis is provided. The results show that the carbon impact of the proposed development is a carbon benefit annually until 2049, although the benefit decreases with time. This is because the decrease in the electricity grid displacement factor means that the offset from displacement of power generated by the proposed development decreases and also landfill becomes less of a carbon burden as Landfill gas capture rates improve. Changes to waste composition over time may also influence results. It is therefore difficult to accurately predict future assumptions.

It is acknowledged that emissions from the proposed development would contribute to the total carbon emissions of the region and UK and would not actively reverse the risk of climate change, as it does not remove carbon from the atmosphere. However, the analysis concludes that the effect of the greenhouse gas emissions associated with the proposal would have a negligible effect which is not significant, in relation to the UK Net Zero trajectory.

National Planning Practice Guidance and the National Planning Policy Framework raises the question of how the challenges of climate change can be addressed through Local Plans in line with the statutory duty on climate change and ambition in the Climate Change Act 2008. Of relevance, it identifies opportunities for emission





reduction by providing opportunities for renewable and low carbon energy technologies and providing opportunities for decentralised energy and heating.

Furthermore, the central Government policy states that applicants are not required to demonstrate the overall need for renewable or low carbon energy, and local planning authorities should recognise that even small-scale projects provide a valuable contribution to significant cutting greenhouse gas emissions. It is important to note that the proposed development is on an enterprise zone where it is likely that there will be other industrial and commercial developments taking place which would be likely customers for the electricity and particularly the waste heat from this site. Should such opportunities be realised it would further enhance the carbon merits of the development by allowing use of energy produced by renewable/low carbon sources as opposed to fossil fuels. This matter can be addressed through a condition requiring a combined heat and power review as discussed above.

### *Cumulative Impacts*

Each application should be considered on its own merits. However, there may be occasions, when other existing or approved development may be relevant in determining whether significant effects are likely as a consequence of a proposed development. In this instance, there does not appear to be any existing or approved development or in combination effects arising on the site that could give rise to significant cumulative effects on the environment.

### *Other issues*

#### **Heritage**

Paragraph 200 of the National Planning Policy Framework concerns heritage issues and requires that planning authorities should require applicants to describe the significance of any heritage assets affected including any contribution made by their setting. It states that where a site on which development is proposed, includes or has the potential to include heritage assets with archaeological interest, planning authorities should require developers to submit an appropriate desk-based assessment and where necessary a field-based evaluation.

Paragraph 203 states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied. This is irrespective of whether any harm is identified as being substantial, total loss or less than substantial harm to its significance.

The application is accompanied by an archaeological desk based assessment. Lancashire County Council archaeology have advised that there is limited potential for any remains of WWII structures or other pre-post medieval remains to exist. Given this, and the limited significance that could be assigned to any remains it is



considered that any mitigation works are not justified and therefore no further archaeological investigation is recommended.

The closest listed building to the application site is over 700m to the south west (Poolfoot Cottage) and the nearest conservation area is several kilometres to the south in Poulton le Fylde. It is therefore considered that the proposals would not give rise to any adverse impacts on any heritage assets.

### *Overall conclusion*

The application is for an energy recovery facility on a site within the Hillhouse Enterprise Zone that is allocated as a strategic employment site in the Wyre Local Plan. It is located on a part of the site that has been identified as being suitable for a proposed energy recovery centre in the Masterplan for the Enterprise Zone.

The site is also allocated for a large scale built waste management facilities within policy WM2 of the Joint Lancashire Minerals and Waste Local Plan subject to the northern access road being provided. The proposal does not include provision for such access. However it is considered that that less weight should be attributed to this policy, in favour of the more recent policies of the development plan in the decision making process.

The facility would require an environmental permit to operate, and it is for the Environment Agency to regulate the combustion process and emissions in the interests of preventing pollution and protecting public health. On this basis, it should be assumed that there are unlikely to be any unacceptable adverse impacts on the environment, neighbouring occupiers of land or local residents in terms of noise, air quality, odour or water. Outside permitting controls, recommended conditions, particularly relating to drainage, lighting, ground investigation and construction working should ensure there are no unacceptable environmental effects.

It is considered that there would be no unacceptable adverse impacts on the highway network. The applicant has agreed to make a financial contribution towards improvements to road safety. This would be secured by legal agreement.

Potential ecology and nature conservation issues have been scrutinised by Natural England, Lancashire County Council and Atkins Realis on behalf of the County Council. It is considered 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.

A net gain in biodiversity would be achieved through off site provision and this would be secured by legal agreement.

Overall, it is considered that subject to the applicant first entering into a Section 106 agreement as recommended and subject to the recommended conditions, the



proposed development would comply with relevant national planning policy and the development plan as a whole.

## Recommendation

That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, and subject to the applicant first entering into a Section 106 Agreement for a commuted sum of £12,000 for highway safety improvements on Fleetwood Road North and to secure biodiversity net gain, planning permission be **granted** subject to the following conditions:

## Time Limits

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

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

## Working Programme

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:

- a) The Planning Application and supporting statement received by the County Planning Authority on 27 January 2023
- b) Submitted Plans and documents:

Dwg. No. 1447 PL001 Site Location Plan  
Dwg. No. 1447 PL100 Existing Site Layout  
Dwg. No. 1447 PL101 Proposed Ground Floor Site Plan  
Dwg. No. 1447 PL102 Proposed Site Layout - Fencing  
Dwg. No. 1447 PL110 Proposed Roof Plan  
Dwg. No. 1447 PL120 Proposed Admin & Workshop Floor Plans - Ground Floor  
Dwg. No. 1447 PL121 Proposed Admin & Workshop Floor Plans - First Floor  
Dwg. No. 1447 PL200 Existing Site Sections  
Dwg. No. 1447 PL201 Proposed Site Sections  
Dwg. No. 1447 PL300 Proposed Elevations - East & West  
Dwg. No. 1447 PL301 Proposed Elevations - North & South  
Dwg. No. 1447 PL400 Proposed Gatehouse - Plans & Elevations  
Dwg. No. 1447 PL401 Proposed Substation - Plans & Elevations  
Dwg. No. 1447 PL402 Proposed Water Treatment Plant - Plans & Elevations  
Dwg. No. 1447 PL403 Proposed Cycle Shelter - Plans & Elevations  
Dwg. No. 1447 PL404 Proposed Fencing Details  
Dwg. No. 1447 PL500 Material Sample Sheet  
Dwg. No. 3110-01-01 Illustrative Landscape Proposals



- 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 Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policies SP1, SP2, SP8, CDMP1, CDMP2, CDMP3, CDMP4, CDMP6, EP12, SA4 of the Wyre Borough Local Plan.*

- 3. No development shall commence until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the County Planning Authority. The construction environmental management plan (CEMP) shall include details of the following:

- a) Arrangements for the parking, turning, loading and unloading of vehicles during the period of construction.
- b) Control of noise from construction operations in relation to residential and ecological receptors, and neighbouring businesses.
- c) Control of vibration from the site.
- d) Control of dust from the site.
- e) Wheel cleaning for vehicles leaving the site.
- f) Drainage control measures including oil interceptors and bunds to minimise any water quality impacts to designated ecological sites during the construction phase .
- g) Artificial site illumination (including proposed hours of use and in relation to ecological receptors).
- h) Precautionary measures for the protection of wildlife that may be encountered on site, including avoidance of impacts on nesting birds and a Reasonable Avoidance Measures report to ensure the avoidance of impacts to amphibians and reptiles.
- i) Provision for site inductions and toolbox talks that emphasise the sensitivity of the water environment and the need to avoid contaminants entering the surface water drainage system.
- j) Provision of a suitably qualified and experienced ecologist or Ecological Clerk of Works and schedule of measures to be undertaken.
- k) A mechanism for the review and modification of the Construction Environmental Management Plan.

The Construction Environmental Management Plan shall be implemented in accordance with the approved details and applied throughout the construction phase of the development.

*Reason: To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of local amenity, and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One.*



4. All vehicles transporting recovered materials and ash from the site shall be adequately sheeted, covered or contained to prevent the discharge of such materials during transport.

*Reason: In the interests of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.*

5. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with those specified on drawing no. 1447 PL500 Material Sample Sheet.

*Reason: To ensure a satisfactory external appearance in accordance with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policies SP2 and CDMP3 of the Wyre Local Plan.*

## **Ecology**

6. Notwithstanding the details shown on the approved plans, no development shall commence until a scheme to provide a 2.4 metres high boarded screening fence along the eastern boundary of the proposal site has been submitted to and approved in writing by the County Planning Authority. The scheme shall provide details of the design and location of the fencing.

The approved fencing shall be retained at all times thereafter.

*Reason: To minimise noise and visual disturbance impacts on qualifying bird species utilising the surrounding area and in accordance with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy CDMP4 of the Wyre Local Plan.*

7. No development shall commence until a scheme for the emergency procedures for avoidance of surface water contamination has been submitted to, and approved in writing, by the County Planning Authority. The scheme shall include measures to:

- Ensure sufficient over-capacity of containment systems
- Measures for transporting contaminated water for off-site disposal

The development shall thereafter operate in accordance with the approved details at all times.

*Reason: In the interests of ecology and in accordance with Policy No. CDMP4 of the Wyre Local Plan.*

8. No lighting columns or lights shall be erected or fitted on site until details have been submitted to and approved in writing by the County Planning Authority.



The details shall include the following:

- a) Location, type and intensity of lights.
- b) Types of masking or baffle at head.
- c) Type, height and colour of lighting columns.
- d) Number and size of lighting units per column.
- e) Light levels at the site and at nearby properties.
- f) Control of the times of illumination of the lighting.
- g) Assessment of light levels in relation to appropriate guidance to demonstrate that there would be no unacceptable impact upon qualifying bird species utilising the surrounding area.

The lighting at the site shall only be provided and operated in accordance with the approved details throughout the duration of the development.

*Reason: In the interests of ecology and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy CDMP4 of the Wyre Local Plan.*

9. Prior to the commencement of development a scheme and programme of ecological mitigation works shall be submitted to the County Planning Authority for approval in writing. The scheme and programme shall include details of how the mitigation measures set out in Chapter 6 of the Environmental Statement shall be implemented.

*Reason: To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of local amenity, and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and policy CDMP4 of the Wyre Local Plan.*

## **Landscaping**

10. Within 12 months of the commencement of development, a landscaping and habitat establishment and management plan for the site, in general accordance with drawing no. 3110-01-01, shall be submitted to the County Planning Authority for approval in writing.

The submitted details shall include:

- a) The nature and depth of any soil making materials in landscaping areas.
- b) Native tree/shrub planting and seed specification.
- c) Detail of habitat establishment (including seasonal timing), management, monitoring, and review and reporting methods.
- d) On-going maintenance and management of the landscaping and habitats at the site while the energy recovery facility remains operational.



Thereafter, the approved landscaping works shall be implemented within the first available planting season (the period between 31 October in any one year and 31 March in the following year) following the commencement of the full operation of the facility.

Any tree and shrub planting shall be maintained for a period of five years including replacement of failed plants, weed control and maintenance of protection measures.

The approved provisions for habitat management shall be carried out throughout the duration of the development.

*Reason: To ensure satisfactory landscaping of the site, to provide biodiversity interests and mitigation, and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policies SP2, CDMP3 , CDMP4 and SA4 of the Wyre Local Plan.*

## Highway Matters

11. No development shall take place, including any works of demolition or site clearance, until a Construction Traffic Management Plan (CTMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan/statement shall provide:

- 24 Hour emergency contact number.
- Details of the parking of vehicles of site operatives and visitors.
- Details of loading and unloading of plant and materials.
- Arrangements for turning of vehicles within the site.
- Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures.
- Measures to protect vulnerable road users (pedestrians and cyclists).
- Wheel washing facilities.
- Measures to control the emission of dust and dirt during construction.
- Details of a scheme for recycling/disposing of waste resulting from demolition and construction works.
- Construction vehicle routing.
- Delivery, demolition and construction working hours.

The approved Construction Traffic Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

*Reason: In the interests of the safe operation of the adopted highway during the demolition and construction phases and in accordance with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and policy CDMP6 of the Wyre Local Plan.*



12. Upon the northern access to the Hillhouse Enterprise Zone as shown on drawing with the Masterplan being opened to traffic, all traffic from the development shall be routed via that road. No such traffic shall use Bourne Road.

*Reason: In the interests of local amenity and to conform with Policy CDMP1 of the Wyre Local Plan.*

13. The development shall not be brought into use until an heavy goods vehicle (HGV) traffic management plan for the operation of the development has been submitted to and approved in writing by the County Planning Authority. The traffic management plan shall contain details of the following:

- a) Details for informing all hauliers of the approved access routes to the site. The details shall specify that all heavy goods vehicles (HGVs) shall access the site using Bourne Way or Fleetwood Road North. No such vehicles shall access the site along Fleetwood Road South through Thornton.
- b) The measures to be taken should hauliers be observed to not use the above approved routes.

The provisions with the approved traffic management plan shall be implemented at all times during the operation of the development.

*Reason: In the interests of highway safety and local amenity and to conform with Policy CDMP6 and CDMP1 of the Wyre Local Plan.*

14. Within 12 months of the commencement of development, details of the location, number and design of electric vehicle charging points, location, number and design of cycle storage facilities, showers and changing facilities shall be submitted to and the County Planning Authority for approval in writing. The location of the electric vehicle charging points and cycle storage shall be as shown on drawing number 1447\_PL101 - 'Proposed Ground Floor Site Plan'.

The development shall be carried out in accordance with the approved details prior to the commencement of the operational phase of the development and thereafter maintain in accordance with those details at all times.

*Reason: To promote alternative means of accessing the site and to comply with Policy CDMP6 of the Wyre Local Plan.*

### **Safeguarding of Watercourses and Drainage**

15. The development shall be carried out in accordance with the submitted Flood Risk Assessment and Surface Water Sustainable Drainage Strategy.

The development permitted by this planning permission shall be carried out in accordance with the principles set out within the site-specific flood risk assessment (November 2022, Weetwood Services Ltd).





The measures shall be fully implemented prior to the first use of the development and in accordance with the timing/phasing arrangements embodied within the scheme.

*Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 173 and 175 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and in accordance with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy CDMP2 of the Wyre Local Plan.*

16. No development shall commence until a detailed, final surface water sustainable drainage strategy and foul water drainage scheme for the site has been submitted to, and approved in writing by, the County 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 submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. 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 + 45% 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 creepCalculations must be provided for the whole site, including all existing and proposed surface water drainage systems.
  
- 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; to include all existing and proposed surface water drainage systems up to and including the final outfall;
  - 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;
  - 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 of an assessment of the existing on-site surface water drainage systems/culverted watercourse to be used, to confirm that these systems are in sufficient condition and have sufficient capacity to accept surface water runoff generated from the development.
  - d) 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.
  - e) Foul and surface water shall drain into separate systems.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

*Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 173 and 175 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and in accordance with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy CDMP2 of the Wyre Local Plan.*

- 17. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the County Planning Authority.

The details of the plan to be submitted for approval shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent runoff rate from the site prior to redevelopment.



- b) Measures taken to prevent siltation and pollutants from the site entering any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

*Reasons: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase in accordance with Paragraph 173 of the National Planning Policy Framework and in accordance with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy CDMP2 of the Wyre Local Plan.*

18. The commencement of use of the development shall not be permitted until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the County Planning Authority.

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

- a) A timetable for its implementation;
- b) Details of sustainable drainage systems (SuDS) components and connecting drainage structures, including watercourses and their ownership, and maintenance, operational and access requirement for each component;
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and
- g) Means of access for maintenance and easements.

Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

*Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained pursuant to the requirements of Paragraph 175 of the National Planning Policy Framework and in accordance with Policy DM2 of the Joint Lancashire*



19. The commencement of use of the development shall not be permitted until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the County Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

*Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the development as constructed is compliant with the requirements of Paragraphs 173 and 175 of the National Planning Policy Framework and in accordance with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy CDMP2 of the Wyre Local Plan.*

### **Remediation Strategy**

20. No development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development has been submitted to, and approved in writing by, the County Planning Authority. This strategy will include the following components:

1. An exploratory site investigation scheme, based on the following documents:
  - Preliminary Risk Assessment Report by Tier Environmental Limited (ref. TE1674-TE-00-XX-RP-GE-001-V01, Version 1.0, Final; dated 29 July 2022)
  - Ground Investigation Report by Tier Environmental Limited (ref. TE1674-TE-00-XX-RP-GE-002-V01, Version 1.0, Draft; dated 5 October 2022)

to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

2. The results of the site investigation and the detailed risk assessment referred to in (1) 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.



3. 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 (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme 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 in line with Paragraph 180 of the National Planning Policy Framework and in accordance with Policy CDMP2 of the Wyre Local Plan.*

21. Details of the proposed scope and extent of the exploratory site investigation as required by Condition 18 shall be submitted to, and approved in writing by, the County Planning Authority prior to the commencement of any intrusive ground works. Any subsequent ground investigations shall take place in accordance with the approved scheme.

*Reasons: To ensure the proposed development does not increase the risk of pollution to controlled waters by the prior approval or scheme for site investigation works and in accordance with Policy CDMP1 of the Wyre Local Plan.*

22. Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the County Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

*Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with Paragraph 180 of the National Planning Policy Framework and in accordance with Policy CDMP2 of the Wyre Local Plan.*

### **Hours of Working**

23. No importation of waste or export of ash or other treatment residue shall take place outside the hours of:

08:00 to 18:00 hours Mondays to Fridays

08:00 to 13:00 hours on Saturdays

No deliveries shall take place at any time on Sundays, Christmas Day, Boxing Day and New Years Day

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



The above hours shall only apply whilst the site is accessed via Bourne Road. Upon a northern access route being constructed and opened to traffic, the hours for importation of waste and export of ash or other treatment residues shall be 07.00–19.00 hours Mondays to Fridays and 07.00–13.00 hours on Saturdays.

*Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies – Part One and Policy CDMP1 of the Wyre Local Plan.*

24. Other than operations specifically assessed and agreed through the Construction Environmental Management Plan (CEMP) required by Condition 3, all construction working, importation of construction materials or removal of construction waste materials off-site shall only take place between 07.30–18.00 hours Monday to Friday and 08.00–17.00 hours on Saturdays and not at any time on Sundays, public or bank holidays.

*Reason: As a precautionary measure 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 – Part One.*

### **Recovery (R1) status**

25. No development shall commence until details confirming verification that the Energy Recovery Facility has achieved Phase 1 R1 Status through Design Stage Certification from the Environment Agency, have been submitted to and approved in writing by the County Planning Authority.

The facility shall thereafter be configured and operated in accordance with these approved details.

*Reason: To seek to ensure that the development contributes towards the movement of waste up the waste hierarchy as a recovery operation and to comply with Policy DM4 of the Lancashire Minerals and Waste Local Plan.*

### **Electricity export**

26. Except for during the commissioning and pre-operational testing of the Energy Recovery Facility, no waste shall be accepted at the site until written confirmation from the District Network Operator or private purchase agreement (PPA) has been submitted to the County Planning Authority that the electricity produced at the site can be exported via an established connection to the District Network Operator’s system or private connection.

*Reason: To ensure that the development contributes towards the movement of waste up the waste hierarchy as a recovery operation and to comply with Policy DM4 of the Lancashire Minerals and Waste Local Plan.*



## Ash storage and loading

27. No construction of the ash storage and loading facilities shall commence until a scheme and programme detailing the design of the ash storage and loading facilities including the methods of containment to prevent dust nuisance has been submitted to and approved in writing by the County Planning Authority.

Thereafter ash shall only be stored and loaded via a facility which conforms with the approved details.

*Reason: In the interests of local amenity and conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One.*

## Site Operations

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

*Reason: For the avoidance of doubt and to ensure the site operator is aware of the planning conditions and approved documents and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.*

29. No waste other than residual non-hazardous household, municipal, commercial and industrial waste, and refuse derived fuel shall be accepted at or brought onto the site.

No more than a total of 120,000 tonnes of such non-hazardous waste and refuse derived fuel shall be delivered to the energy recovery facility in any one calendar year.

The site operator shall maintain a record of the tonnage of waste delivered to site per day and the record shall be made available to the County Planning Authority upon written request. A report of the total tonnage of waste imported to the site in each calendar year shall be provided to the County Planning Authority by 1 February of the following year.

*Reason: To ensure that the development is representative of that granted permission and because acceptance of materials outside these categories might raise environmental and amenity issues which would require consideration afresh; and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.*

30. Prior to the commissioning of the development, a Heat Investigation Study/Combined Heat and Power (CHP) Feasibility Review assessing potential opportunities for the use of heat from the development shall be submitted to and approved in writing by the County Planning Authority. The Review shall provide for the ongoing monitoring and full exploration of



potential opportunities to use heat from the development and shall provide for the subsequent reviews of such opportunities at three yearly intervals beginning from the date of submission of the initial review. Where viable opportunities for the use of heat in the initial or subsequent reviews are identified, a scheme for the provision of the necessary plant and pipework to the boundary of the site shall be submitted to the County Planning Authority and, subject to its approval in writing, implemented.

*Reason: In order to maximise the recovery of energy in order to conform with the waste hierarchy and to conform with Policy DM4 of the Lancashire Minerals and Waste Local Plan.*

31. All waste materials to be used as fuel in the Energy Recovery Facility shall only be stored in the fuel reception facilities within the building.

*Reason: To safeguard the visual amenity and the amenity of local residents and adjacent properties/landowners and land users, to contain odour, and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.*

32. Except for when access is required, all vehicular and pedestrian openings to the following areas of the Main Energy Recovery Facility building shown on Drawing Number 1337 PL 110 EC Ground Floor Plan, shall remain closed at all times to prevent the migration of noise from within the buildings:

- Ash storage
- Waste Reception Hall
- Boiler Hall
- Fuel Gas Treatment (FGT)
- Turbine Hall

*Reason: To safeguard the amenity of local residents and adjacent properties/landowners and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.*

### **Site remediation**

33. Following a continuous three year period of no energy from waste operations taking place at the site, all buildings, chimney stacks, associated plant, machinery, waste and processed materials shall be removed from the site.

*Reason: To ensure the timely removal of the development should it no longer be required and so as not to compromise any future development of the site, and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One.*

### **Notes**

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





## Definitions

Planting Season: The period between 1 October in any one year and 31 March in the following year.

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

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

Paper	Date	Contact/Directorate/Ext
LCC/2023/003	April 2024	Helen Ashworth Planning and Environment 01772 530058

Reason for Inclusion in Part II, if appropriate

N/A

