

APPENDIX A

Development Control Committee

Meeting to be held on 4 September 2013

Electoral Division affected: St Annes North
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Fylde Borough: Application ref 05/13/0431

**Change of use from general industrial unit (Class B2) to metal recycling site.
Unit 2, Scafell Road, Queensway Industrial Estate, St Annes.**

Contact for further information:

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Executive Summary

Application - Change of use from general industrial unit (Class B2) to metal recycling site. Unit 2, Scafell Road, Queensway Industrial Estate, St Annes.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, control of noise and storage activities and hours of operation.

Applicant's Proposal

Planning permission is sought for the change of use of an existing industrial unit and associated yard to a waste transfer station involving the receipt, sorting and segregation and bulking up of waste metals prior to onward delivery to metal reprocessing facilities.

The unit would primarily accept scrap non ferrous metals from local tradesmen such as plumbers and builders. The materials would be delivered into the building where they would be sorted into different metal types with any cable being stripped of its plastic coating and larger items of waste such as boilers being broken into constituent parts. A skip would be provided outside the building for the storage of ferrous metals with any sorted non ferrous metals being stored within bins within the building. The site would accept approximately 2 tonnes of materials each day, which would be delivered to the site in light goods vehicles (approximately 15 per day) with recycled metals being collected by HGV (approximately 1 vehicle per day).

The proposed use would operate between the hours of 08.00 -17.00 hours Monday to Friday and 08.00 – 13.00 hours on Saturdays.

Description and Location of Site

Unit 2 is located on the Queensway Industrial Estate approximately 2km north east of St Annes town centre. The Industrial Estate is comprised of a number of small business units used mainly for storage and distribution and general industrial uses, which are accessed from the B5261 (Queensway) via Kilnhouse Lane and Everest Road.

The unit to which the application relates measures 32m x 20m and includes a building measuring 18m x 20m. The adjacent units are used for vehicle parts distribution or are presently vacant. The nearest houses to the unit are located on Walter Avenue, the rear elevations of which face the industrial estate approximately 46m from the application site.

Background

History

There is no relevant planning history.

Planning Policy

National Planning Policy Framework

Paragraphs 11 – 16, 17 and 18 – 22 of the NPPF are relevant with regard to the definition of sustainable development, core planning principles and building a strong competitive economy.

Planning Policy Statement 10 – Planning for sustainable waste management

Lancashire Minerals and Waste Local Plan (LMWLP)

Policy 2	Quality of Life
Policy 37	Strategic Road Network
Policy 88	Recycling Sorting and Transfer of Waste

Lancashire Minerals and Waste Development Framework

Policy CS7	Managing our waste as a resource
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Fylde Borough Local Plan

Policy SP1	Development within settlements
Policy EMP 2	Development within the defined business and industrial areas

Consultations

Fylde Borough Council: No observations received.

St Annes on the Sea Parish Council: No observations received

LCC Assistant Director (Highways): No objection.

Environment Agency: No objection. The development will require an environmental permit unless a waste exemption applies.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. Three representations have been received from residents on Walter Avenue objecting to the proposal in view of the likely noise and traffic impacts of the development. A further representation has been received from a metal recycling business located on Snowdon Road expressing concern to the prospective loss of trade and increased competition.

Advice

Director of Transport and Environment – Observations

The proposal is for the change of use of an existing industrial unit to a waste transfer station for the receipt, sorting and segregation and bulking up of metals. The unit is currently vacant but was last used as a storage facility / warehouse by a garden furniture retailer. The proposed use would accept waste metals and metal goods from local tradesmen such as plumbers and builders following which they would be dismantled, sorted and segregated into different metal types. The operation would include equipment to strip plastics from cables and to cut metals but no other mechanised processing would occur. All the processing activities would be undertaken within the existing building and the external yard area would only be used to locate a skip for the storage of ferrous metals and for car parking. Sorted metals would be bulked up prior to collection and moving on for further reprocessing at other sites.

Planning Policy Guidance Note 10, which represents Central Government planning policy on waste management, states that the overall objective of Government policy on waste is to protect human health and the environment by producing less waste and by using it as a renewable resource whenever possible. Policy CS7 of the Lancashire Minerals and Waste Core Strategy sets out targets for the recycling and recovery of industrial and commercial wastes. The proposal would help to meet such targets and objectives as it would provide a facility for local tradesmen to dispose of waste metals in a way that would maximise the recovery and reuse and such materials. The development therefore complies with the overall waste policies as set out in PPS10 and the Lancashire Minerals and Waste Core Strategy.

Policy 88 of the LMWLP sets out policy for the location of development for the transfer and recycling of household, commercial or industrial waste. The policy provides that such development will be supported where it is located on appropriate industrial areas or in other appropriate locations and that all operations should be carried out within buildings where they would otherwise give rise to harm to amenity, not give rise to unacceptable adverse impacts on people or the environment and the highway network and site access can safely accommodate the traffic generated.

The unit is located on an existing industrial estate. Policy EMP2 of the Fylde Borough Local Plan allocates this site as an existing business and industrial area and states that such sites will be retained for uses falling within Class B of the Use

Classes Order. Development for the recycling of waste metal is considered to be a *sui generis* use – one that does not fall within a particular use class. However, the development is small in scale and would have a similar light industrial nature to many of the other uses located on this industrial estate. Other waste uses have also been permitted on the industrial estate including a scrapyard and household waste centre. The development is therefore considered to be acceptable in terms of policy EMP2 of the Fylde Borough Local Plan and the site is therefore in an appropriate industrial area as required by policy 88 of the Lancashire Minerals and Waste Local Plan.

Three representations have been received from residents on Walter Avenue. The rear elevations of these properties overlook the industrial estate and are approximately 40m from the application site. The waste would be sorted on site, mainly by hand, with the only mechanised equipment being two machines to strip insulation from cable, a shear to cut metal and a bailer. Such operations would be undertaken within the building and the only operations undertaken in the external yard area would be the loading / unloading of vehicles and storage of ferrous metals in a skip. Given the layout and nature of the operations, it is considered that the development would not result in unacceptable harm to the amenities of local residents. However, conditions are proposed relating to the use of the external yard area, hours of working and silencing of plant to protect the amenities of the area.

One further representation has been received from the occupier of a nearby unit on the industrial estate who operates a similar business who is concerned about loss of trade. However, it is considered that this is not a material consideration.

The development would not generate large numbers of heavy goods vehicles. The site is served by a purpose built access serving the remainder of the industrial estate which does not require traffic to pass the front of any residential properties. Subject to the imposition of conditions referred to above, the proposed use is considered acceptable in relation to Policies 2 and 88 of the Lancashire Minerals and Waste Local Plan and can be supported.

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

Recommendation

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

Time Limits

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

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

Working Programme

2. The development shall be carried out, 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 24th June 2013.

- b) Submitted Plans and documents:

Drawing no Scar/001

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with policies 2 and 88 of the Lancashire Minerals and Waste Local Plan.

3. No receipt or export of metals, waste processing, bulking up and loading activities shall take place outside the hours of:

08.00 to 17.00 hours, Mondays to Fridays (except Public Holidays)
08.00 to 13.00 hours on Saturdays

No receipt or export of metals, waste processing, bulking up and loading activities shall take place at any time on Sundays or Public Holidays.

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

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

4. All metal processing activities shall be undertaken within the building shown on Drawing no Scar/001.

Reason: To protect the amenities of the area and to conform with Policies 2 and 88 of the Lancashire Minerals and Waste Local Plan.

5. No metals apart from ferrous materials shall be stored outside of the building. Any storage of ferrous metals shall only be within purpose designed skips or storage containers which shall be located within the area shown by a dashed line on drawing Scar/001.

Reason: In the interests of the visual amenities of the area and to conform with policies 2 and 88 of the Lancashire Minerals and Waste Local Plan.

6. All plant, equipment and machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the operation of the site.

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

Notes

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

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

Paper	Date	Contact/Directorate/Ext
5/13/0431	24/5/13	Jonathan Haine/Environment/534130

Reason for Inclusion in Part II, if appropriate

N/A