

Development Control Committee

Meeting to be held on 25th February 2015

Electoral Division affected: Fylde East, Preston West
--

**Fylde and Preston Boroughs: Application number LCC/2014/0162
Variation of conditions 1 and 2b of permissions 05/09/0376 and 06/09/0395 to
allow landfilling and landraising activities to continue until 31st December
2035 with restoration within 12 months of cessation of landfilling and
landraising and to amend the final restored landform.**

Clifton Marsh Landfill Site, Preston New Road, Newton with Clifton, nr Preston.

Contact for further information:

Jonathan Haine, 01772 534130, Environment Directorate

DevCon@lancashire.gov.uk

Executive Summary

Application: Variation of conditions 1 and 2b of permissions 05/09/0376 and 06/09/0395 to allow landfilling and landraising activities to continue until 31 December 2035 with restoration within 12 months of cessation of landfilling and landraising and to amend the final restored landform. Clifton Marsh Landfill Site, Preston New Road, Newton with Clifton, near Preston.

The application is accompanied by an environmental statement which contains information in relation to landscape impacts, water resources, ecology and air quality.

Recommendation – Summary

That after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and subject to the applicant entering into a section 106 agreement in relation to the extension of the aftercare period to a total period of 15 years, that planning permission be **granted** subject to conditions controlling time limits, working programme, site operations, hours of working, noise and dust, traffic issues, landscaping and restoration and aftercare.

Applicant's Proposal

The application is to vary conditions 1 and 2b of planning permissions 5/09/0376 and 6/09/0395 in order to allow landfill and landraise activities at Clifton Marsh Landfill Site to continue until 31st December 2035 with a further one year period for completion of restoration. Permission is also sought to replace the approved plans listed in condition 2b of the existing permissions to allow the permitted contours to be amended.

Condition 1 of the existing planning permission requires landfill operations to cease by 31st December 2015 with restoration within a further one year period. The application therefore proposes that landfilling at the site would be able to continue for a further 20 years beyond the existing permitted end dates. The amendments that are proposed to the approved plans listed in condition 2b provide for amended contours for Phase 4 of the site with the maximum height of the site being completed approximately 1 metre lower than presently permitted and with no landfilling taking place within cell 6 of Phase 4.

The application is accompanied by an Environmental Statement which assesses the impacts of the proposed development in relation to landscape / visual impacts, the water environment ecology and air quality.

Description and Location of Site

Clifton Marsh Landfill Site is an established landfill/ landraise facility accessed of the A584 approximately 6 km west of Preston and 5 km east of Freckleton. To the south of the site is the River Ribble whilst to the north, west and east are areas of flat agricultural land. The site has historically accepted large quantities of household waste but inputs to the site are now largely confined to commercial and industrial wastes and also smaller quantities of low level radioactive wastes and non reactive hazardous wastes (asbestos).

Landfilling activities have resulted in a raised landform running parallel with the River Ribble. The currently active area of landfill activities is located towards the eastern end of the site in phase 4. This area of the site commenced operations in 2002 and now comprises a raised mound approximately 16 metres above surrounding ground levels, the east and south facing sides of which have now been restored to agricultural land. There are significant areas of tree planting around the northern sides of phase 4 which were planted as part of the development of this area of the site.

Landfill activities currently take place in the central and western parts of phase 4. Directly to the west (on the site of cell 6) is an area used for the composting of imported green wastes and for processing of waste timber together with plant used for the utilisation of landfill gas to generate electricity.

The River Ribble adjacent to the site is a designated Biological Heritage Site but becomes part of the Ribble Estuary SSSI and Special Protection Area approximately 1.5 km downstream of the landfill site. An area of agricultural land with large hedgerows (Pippy Lane Banks) directly to the north of phase 4 is also a designated Biological Heritage Site.

The nearest residential properties to the site are located at Clifton Marsh Farm 750 metres northwest of Phase 4 and at Savick Brook Farm 450 metres to the northeast.

Background

Clifton Marsh has a long history as a landfill site for the disposal of domestic, commercial and industrial waste. The earliest areas of tipping in the 1970's and 80's were at Grange Farm adjacent to the River Ribble. Landfilling operations then took place in phases 1-3 which created a raised landform parallel to the River Ribble. The existing operational area (Phase 4) received planning permission in 1996 (refs 5/95/39 and 6/95/44). These planning permissions were subject to end dates of December 2012. In 2009 a planning application (ref 5/09/0376 and 6/09/0576) was made to extend the time limits for completion of landfilling until December 2020. The application was approved but the duration of the permission was time limited until December 2015.

Planning Policy

National Planning Policy Framework: Paragraphs 11 - 16, 17, 109 – 120, and 121 - 123 of the NPPF are relevant with regards to the presumption in favour of sustainable development, core planning principles, protection of the natural environment, noise and pollution.

National Planning Policy for Waste

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

Policy CS7 Managing our waste as a resource
Policy CS8 Identifying capacity for managing our waste
Policy CS9 Achieving sustainable waste management

Joint Lancashire Minerals and Waste Local Plan (JLMWLP)

Policy DM2 Development Management
Policy DM3 Planning Obligations
Policy LF1 Sites for Non Hazardous Landfill

Fylde Borough Local Plan

Policy SP2 Development in the Countryside
Policy EP10 Protection of landscape and habitat features
Policy EP11 Landscape character
Policy EP15 European wildlife sites
Policy EP16 SSSI's
Policy EP17 Local Wildlife Sites
Policy EP20 Development affecting open coastline
Policy EP23 Development affecting surface water quality
Policy EP24 Ground water resources
Policy EP27 Noise

Consultations

Fylde Borough Council: No observations received.

Preston City Council: No objection.

Newton-with-Clifton Parish Council: No objection.

Lea Parish Council : No observations received.

LCC Developer Support (Highways): No observations received.

United Utilities: No objection.

Environment Agency: No comments to make.

Natural England: No observations received.

Health & Safety Executive : No objection.

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

Advice

Clifton Marsh Landfill Site is a long established landfill facility that has historically accepted large volumes of household, commercial and industrial waste from the Preston and Fylde areas. The earliest planning permissions provided for the construction of a raised landform running parallel to the River Ribble and these areas of the site have now been restored for many years. In 1996 planning permission (ref 5/95/39 and 6/95/44) was granted for the development of Phase 4 which related to a 75 ha area of agricultural land at the eastern end of the site. The landfill operations in this area were subject to an end date of December 2012 and although a considerable area of phase 4 was filled and restored, operations were not completed by the permitted end date. A further planning application was therefore made in 2009 for a time extension until December 2020. This planning application was approved but the end date was limited to December 2015.

Since 2009, landfill operations have continued within phase 4. The site historically accepted large volumes of household waste. However since 2009, the volumes of such wastes have dramatically reduced with the opening of the waste technology parks at Thornton (Fleetwood) and Leyland. Any residual wastes from these recovery parks are currently landfilled at Jameson Road in Fleetwood and Whinney Hill in Accrington with the result that the only waste now landfilled at Clifton Marsh is comprised of industrial and commercial wastes together with small amounts of low level radioactive wastes and non reactive hazardous wastes (asbestos) which is landfilled in separate mono waste cells. The volumes of waste being imported to Clifton Marsh have therefore reduced considerably with the result that a significant void space will remain to be filled at the current end date of December 2015. The applicant has therefore applied for a further time extension until December 2035 to ensure that the remaining voidspace at the site will remain available for the landfill disposal of waste over the longer term and to ensure that the site can be restored to a suitable final landform.

As part of this application, the applicant has reviewed the permitted contours of the site. The existing contours were based upon settlement rates of up to 20% but given that very little household waste is now accepted at the site, the settlement rates will now be considerably lower. The final tipping contours of the site have therefore been reduced by around one metre and shape of the site revised. The current permission allows for landfilling in an area known as cell 6 of phase 4. However, this area is separated from the rest of phase 4 by a pipeline and for engineering reasons cannot be linked with older areas of the site. Cell 6 is therefore now considered uneconomic to develop and it is no longer proposed to undertake any landfill operations in this area. The effect of these changes is therefore to reduce the void space by more than 300,000 m³ compared to the existing approved scheme.

The main issues arising from this application relate to the need for the continued landfilling waste at Clifton Marsh, the environmental impacts arising from activities continuing beyond the existing end dates and issues relating to the disposal of low level radioactive wastes at the site.

National Planning Policy for Waste is that landfill is the lowest level of the waste hierarchy and therefore should only be used for wastes that cannot be managed by methods that are higher in the hierarchy. However, it is acknowledged that some wastes and residues from other recycling processes will continue to demand a landfill disposal route albeit at a relatively low level.

In terms of the ongoing need for landfill capacity, policy CS8 of the Lancashire Minerals and Waste Core Strategy identifies the required capacity for the disposal of non hazardous waste over the plan period to 2020 taking into account the need to divert significant quantities of waste from landfill disposal. Policy LF1 of the Lancashire Minerals and Waste Local Plan states that long term landfilling will only be supported at Whinney Hill Landfill site in Accrington.

Whilst Policy LF1 of the Lancashire Minerals and Waste Local Plan proposes that Whinney Hill will in time become the only site in Lancashire for the disposal of non hazardous waste, the policy also states that landfilling of non hazardous waste will be supported at existing permitted sites and that applications to extend the time frames of existing permissions will be supported subject to conformity with other policies of the Development Plan.

The flexibility within the policy is needed as there are some uncertainties regarding the availability of the void space at Whinney Hill due to the need to first quarry brickshale to provide the space for subsequent landfill in worked out areas of the quarry. In order to provide flexibility in the event that void space at Whinney Hill is not available, there is provision within policy LF1 to extend the end dates for existing sites to provide for the disposal of residual waste.

The residual waste from the Thornton waste technology plant is currently landfilled at Jameson Road which is planned to close on or before December 2018. In 2013 Jameson Road Landfill accepted around 100,000 tonnes of waste. If such tonnages continue post 2018, the continued availability of void space at Clifton Marsh would

provide a local disposal route for these wastes and save such wastes having to be transported over considerably longer distances.

The applicant also contends that there is a need for the continued importation of waste to allow suitable final contours to be achieved. The south and east facing slopes of phase 4 have already been restored in accordance with the approved restoration scheme. If further wastes could not be imported, a suitable landform could not be achieved without considerable regrading of already restored areas and even then, it would provide difficult to achieve sufficient gradients to allow run off and proper operation of landfill gas collection facilities. The remaining void space at the site is in the region of 2.3 million m³ which is considerable. However, the applicant has sought to review the need to infill all of that capacity and has reduced the remaining void by amending the final contours and proposing not to infill cell 6. It is therefore considered that there is a need to import further waste to the site in terms of the requirement to achieve appropriate levels and allow the proper restoration of the site.

It is therefore considered that the proposed time extension can be justified in terms of providing for the appropriate restoration of the site and a facility for the ongoing disposal of limited quantities of residual waste. The development therefore complies with policy LF1 of the Lancashire Minerals and Waste Local Plan.

The main environmental impacts of the time extension would relate to the visual impacts and noise and dust emissions of the site being active over a longer period the extended duration of any traffic impacts and any implications for water resources and ecology.

Visual impacts

The application is accompanied by an Environmental Statement which includes an assessment of the visual impacts of the proposed development. Given the nature of the application, the main visual impacts of the development would arise from the extended period of active landfill operations particularly when landfilling is taking place on the higher parts of the site. The other main impacts relate to the delay in the delivery of the final restored profile and the different final landform that is now proposed.

Policy EP11 of the Fylde Borough Local Plan requires that development in rural areas should be in keeping with the distinct landscape character tracts identified in the Landscape Strategy and that development must be of a high standard of design and suitable scale.

The site is now relatively well screened by the perimeter tree planting that was undertaken when phase 4 of the site was first developed in 1999 together with the areas of the site that have already been restored. Most viewpoints of the site, including highways, local footpaths and residential properties are located at some distance from the site and therefore the landfill operations are only a small part of a more expansive view. From the majority of viewpoints, only operations undertaken at the higher levels of the raised landform would be visible. It is very difficult to adequately screen such views but the perimeter landscaping will continue to develop

over the extended life of the site and the proposed reduction in overall height will also assist to reduce the visual impacts of the site.

The permitted landform is a raised mound which is not particularly in keeping with the local area. However with suitable landscaping, a feature is being developed which is acceptable in landform terms. If landfill operations were to cease at the end of 2015, even with landscaping it would be difficult to ameliorate the steep slopes that would result on the western side. In terms of being able to create a suitable final landform, there would be benefits in continuing the landfill operation over a longer period.

The final landform would be different from that currently approved with the maximum height being approximately 1 metre lower and of a slightly different shape. The landfilling of cell 6 would also not take place. As referred to above, the changes to the height and shape of the site would be largely beneficial as would the giving up of rights to landfill cell 6. The landfilling of this area would have created an isolated hill unrelated to the main landfill area which would have been a rather anomalous feature in the landscape. The applicant has not provided an alternative detailed restoration scheme for this area in lieu of the landfilling taking place. However, the applicant considers that restoration to either agricultural land or to a woodland would be an appropriate afteruse for this area and which can be the subject of a planning condition.

In summary, whilst the proposed time extension would mean that the restoration of the site would be significantly delayed, the areas of the landfill that remain to be filled are not particularly prominent in the landscape and therefore the visual impacts arising from the development are not considered significant. Allowing the landfill to continue beyond existing end dates would also have some landscape benefit as it would allow the site to be restored to an improved landform compared to that which could be achievable using the waste currently present on site. The development is therefore considered acceptable in terms of Policy EP11 of the Fylde Borough Local Plan.

Amenity Impacts

Policy DM 2 of the Lancashire Minerals and Waste Local Plan requires that development for minerals and waste operations will be supported where it can be demonstrated that all environmental impacts can be eliminated or reduced to acceptable levels.

In relation to impacts on local amenity, the proposed time extension would prolong any existing noise, dust, litter and odour impacts. However, the site would continue to operate over the extended period in the same manner as existing with no changes to hours of operation. In terms of the impacts of noise, dust, litter and odour, it is considered that there would be a likely reduction in local environmental impacts due to the reduction in waste volumes that are now accepted and that the site is no longer accepting household waste. Whilst this could change in future, it is very unlikely that the site would ever accept household wastes at the rates previously landfilled due to the changes in the way that such wastes are now managed. In any event the nearest residential properties are located at some distance from the site

and provided that the existing mitigation measures are maintained, are unlikely to be affected by the landfill activities to an unacceptable degree.

It is also important to acknowledge that the site will still be subject to two permits (one for the radioactive waste inputs and the other for the non radioactive inputs) issued by the Environment Agency which contain detailed controls to mitigate the effects of the landfilling operation on the environment. Provided that conditions are attached to any permission in relation to hours of working, noise and dust controls, the development is considered acceptable in terms of policy DM2 of the Lancashire Minerals and Waste Local Plan.

Traffic

The site has a high standard access onto the A584. This access and local highway network was used when the site was accepting far higher volumes of waste than are currently landfilled. The continuation of these access arrangements over an extended period must therefore be considered acceptable in terms of highway safety and capacity given the lower level of traffic movements that would now occur.

Ecology and Water resources

Clifton Marsh Landfill Site is located adjacent to the River Ribble which is a Biological Heritage Site and which becomes a SSSI and SPA downstream of the site. The water environment in the vicinity of the site is therefore of some sensitivity from an ecological perspective. However, Phase 4 of the site has been designed with leachate collection and treatment facilities which are designed to reduce the possible impacts of the landfill activities on ground and surface water. These facilities would continue to be used for the extended period of operation and would be subject to the controls exercised by the EA through the permit. For these reasons it is therefore considered that the extended period of operation would be acceptable in relation to impacts on water resources and associated ecology.

Landfilling of Low Level Radioactive Wastes

Clifton Marsh has historically accepted low level radioactive wastes which are landfilled alongside other household, commercial and industrial wastes. Low level wastes are radioactive wastes with activities up to 4000Bq/g of alpha activity and 1200 Bq/g of beta / gamma activity. However Clifton Marsh is only permitted to accept waste with a total average activity for all radionuclides not exceeding 200Bq/g. This has led to the term of Lower Activity Low Level Waste (LA –LLW) being used to describe the types of waste permitted to be landfilled at Clifton Marsh.

The LA LLW disposed of at Clifton Marsh has historically mainly been derived from the nearby Springfields nuclear fuels factory in particular wastes such as demolition rubble arising from decommissioning activities and also minor amounts of other wastes such as gloves and overalls. Similar wastes are also obtained from a similar installation at Capenhurst in Cheshire along with minor amounts of other LA LLW obtained from other industries such as hospitals, educational establishments and pharmaceutical and biotechnology industries. The existing planning permission for the site contains a condition limiting the quantities of LA LLW derived from outside

the north west region to not more than 4,000 tonnes per year with no such waste to be imported from outside the UK. Such a condition would conform with the objective within the EU Waste Framework Directive that each member state moves towards self sufficiency in waste management. The applicant is willing to accept the same condition on any extended planning permission.

Until relatively recently, Clifton Marsh accepted general household, commercial and industrial wastes at a rate of around 300,000 m³ with LA LLW comprising approximately 5,000m³ per year and asbestos wastes being around 1200 tonnes per year. Deposits of general wastes have now reduced to around 50,000 m³ per year and therefore over the extended life of the site it is likely that the LA LLW wastes will become a greater proportion of the total waste disposed of at the site.

The disposal of LA LLW is subject to a separate permit. A pre requisite of the original permit application was for the applicant to develop an Environmental Safety Case in order to demonstrate that the radioactive disposals could be conducted in a safe manner. As part of this process the applicant had to demonstrate that the dose limit of 1m Sv will not be exceeded and in order to achieve this dose limitation certain conditions must be complied with including average radioactivity concentration being less than 200 Bq/g and the ratio of non radioactive waste to radioactive waste being not less than 10:1. Although in future it is likely that less general wastes will be accepted in comparison to LA LLW, these basic conditions must still be complied with in order to ensure that the dose limitation is not exceeded. The operator has the ability to divert general wastes from other sites in order to ensure that the ratios of LA LLW to general wastes are complied with and that there will always be adequate cover once any radioactive wastes are deposited in the landfill.

Whilst the proposed time extension may result in a change in the proportion of radioactive to other wastes deposited in the landfill, it is considered that the controls contained within the permit are sufficient to ensure that there would be no detriment to safety or the environment arising from these waste types.

Clifton Marsh is one of only four sites in the UK that are licensed to accept low level wastes. The low level waste repository near Drigg in West Cumbria has historically been the disposal site for a large proportion of such wastes. However, this site has been specifically engineered for wastes of a higher activity level and to fill the site with decommissioning wastes of a low activity level would not be sustainable as the site would quickly be filled. The other sites are at Lillyhall also in West Cumbria and the East Northamptonshire Resource Management Facility. However, the Lillyhall site is only available for the disposal of wastes with an activity level of below 4Bq/g which severely limits the volume of such wastes that can be accepted. The Clifton Marsh site is therefore of some strategic importance in providing for the landfill of such wastes and the proposed time extension would ensure that the available capacity would continue to be available until 2035.

Planning Controls

The remaining void space at the site is in the region of 2 million m³. If input rates continue as at the present rates of around 50,000 tonnes per year, only approximately half of the remaining capacity would be infilled by 2035. There will

always be some uncertainties about future input rates and inputs to this site may increase in future with the closure of other sites, particularly Jameson Road. However, it is probable that not all of the remaining capacity will be infilled by 2035. To address this position, the applicant has proposed a condition which provides for five yearly reviews of void space utilisation and submission of a revised restoration scheme should it become clear that the end date would not be achieved. Compliance with this condition would ensure that the site can be finally restored by 2035 even in the event that not all of the available capacity has been used.

The existing permission for the site is also subject to a section 106 agreement relating to extended aftercare. It is considered that any new permission for an extended life of the site should be subject to similar controls to ensure that the site is properly restored.

The previous planning permission was subject to a large number of planning conditions, many of which duplicated controls which are more properly contained in the EA permit. An opportunity has therefore been taken to rationalise the planning controls to remove any duplication.

On this basis it is considered that an extended duration of landfilling at the site would meet a limited but ongoing need for the disposal of general waste together with low level radioactive wastes. The extended duration of landfilling would have a limited impact on the amenities of the area and would enable the site to be restored to an acceptable final landform. The proposal is therefore considered to be acceptable in relation to the policies of the NPPF and the Development Plan.

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

Recommendation

That after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and subject to the applicant entering into a section 106 agreement in relation to the extension of the aftercare period to a total of 15 years, that planning permission be **granted** subject to the following conditions:

Time Limits

1. The landfilling and landraising authorised by this permission shall cease not later than 31st December 2035. The site shall then be restored in accordance with the conditions of this permission within a further period of 12 months.

Reason : To ensure that the site is tipped and restored within an acceptable timescale in the interests of visual amenities and the amenities of local residents and to conform with policies CS7 and CS8 of the Lancashire Minerals and Waste Development Framework (Core Strategy), policy DM2 of the Lancashire Minerals and Waste Local Plan and policy SP2 of the Fylde Borough Local Plan.

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 refs 05/95/0039 and 06/95/0044 submitted on 25th January 1995 as modified by the planning application ref LCC/2014/0162 received by the County Planning Authority on 1st December 2014.
 - b) Submitted Plans refs

Drawing L12/0077A Location Plan
Drawing L01/00/133a Presettlement Contours
Drawing L12/00/72b – Indicative Order of Tipping for phase 4 dated September 2008
 - c) All schemes and programmes approved in accordance with this permission.

Reason : For the avoidance of doubt and to enable the County Planning Authority to adequately control the development and to minimise its impacts on the amenities of the area and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan and policy SP2 of the Fylde Borough Local Plan.

3. A topographical survey shall be submitted to the County Planning Authority on the anniversary of this planning permission and at annual intervals thereafter until the end of the aftercare period referred to in this permission. The survey shall have been carried out within two months preceding the date of each submission and shall consist of a plan drawn to a scale of not less than 1:2500 which identifies levels at 1 metre intervals relating to ordnance datum over all the land where wastes have been deposited.

Reason: To enable the County Planning Authority to monitor the site to ensure compliance with the planning permission and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy SP2 of the Fylde Borough Local Plan.

4. No waste shall be deposited above the levels shown on drawing LO1/00/133a or on any amendment to that plan approved under the requirements of condition 5 below.

Reason : To control the final heights of landfilling In the interests of the visual amenities of the area and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

5. Within ten years of the date of this permission and at five yearly intervals thereafter a report shall be submitted to the County Planning Authority for

approval in writing containing an assessment of the progress of tipping relative to the end date for landfilling imposed by condition 1 to this permission. Should the report demonstrate in the reasonable opinion of the County Council that landfilling to the contours shown on drawing L01/00/132, or on any amendment to that drawing approved under the requirements of this condition, is unlikely to be achieved, then an amended restoration scheme including amended final contours shall be submitted to the County Planning Authority within a further period of three months for approval in writing.

Thereafter landfill operations shall be undertaken in accordance with the approved scheme or any subsequent amendment thereto.

Reason : To ensure that landfill operations are completed within the approved end date in the interests of the visual amenities of the area and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

Site Operations

6. No general waste as defined in this permission shall be imported to the site from outside the North West Region, as defined in this permission. This condition shall not prohibit the importation of wastes from waste transfer stations within the North West Region where the origin of such wastes may be from producers outside of the region.

Not more than 4,000 tonnes of low level radioactive wastes originating from outside the North West Region shall be imported to the site per annum. No such waste shall be imported to the site from outside the United Kingdom.

Records shall be maintained at the site of all wastes that are brought to the site for disposal. All such records shall include the origin of the wastes and for low level radioactive wastes shall include the origin and tonnage of waste imported to the site. Such records shall be made available to the County Planning Authority on request.

Reason: In the interests of sustainable waste management and to reflect the requirements of the proximity principle and to conform with Policy CS8 of the Lancashire Minerals and Waste Local Development Framework Core Strategy.

7. No waste shall be removed from the area of the site being landfilled or landraised at any particular time once it has been deposited within that area.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and prevent the pollution of adjacent land and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy SP2 of the Fylde Borough Local Plan.

8. The landfilling operations approved by this permission shall be undertaken in the numerical order of the cells as indicated on Drawing Ref. L12/00/72b.

No landfill operations shall be undertaken within cell 6.

Reason: To secure the orderly working and progressive restoration of the site and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy SP2 of the Fylde Borough Local Plan.

9. A copy of this permission and all the documents referred to in condition 2 shall be available for inspection at the site office at all times throughout the development.

Reason: For the avoidance of doubt and to ensure all site operatives are aware of the planning conditions and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

10. No landfilling, landraising or restoration operations shall take place except between the hours of:

0730 to 1800 hours, Mondays to Saturdays (except Public Holidays)
0930 to 1700 hours, Sundays and Public Holidays,

This condition shall not, however, operate so as to prevent the use of pumping or leachate treatment equipment or the carrying out, outside these hours, of essential repairs or maintenance 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 DM2 of the Lancashire Minerals and Waste Local Plan.

Highway Matters

11. The existing wheel cleaning facilities at the site shall be used by all vehicles leaving the site so as to ensure that no debris from the site is deposited by vehicle wheels upon the public highway. The wheel cleaning measures shall be maintained in working order at all times throughout the development and restoration.

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.

12. Any private way between the wheel cleaning facilities and the boundary of the site shall, throughout the development, be metalled and drained and kept clear of debris along its entire length.

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.

13. All vehicles shall enter and leave the site using the existing access to Clifton Marsh Landfill Site as shown on Drawing L12/00/77A

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.

Dust

14. Measures shall be taken at all times to prevent the generation of dust from activities undertaken at the site. Such measures shall include the watering of all haul and access roads during dry weather conditions, the spraying of all stockpiles to reduce dust generation and the suspension of soil spreading operations during dry and windy weather conditions.

Reason ; In the interests of local amenity and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

Control of Noise

15. All plant, equipment and machinery used in connection with the operation and maintenance of the site shall be equipped with 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 development.

Reason: 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.

16. Noise emitted from the site shall not exceed 55dBLAeq (1 hour) (free field) as defined in this permission when measured from any of the following properties at a point closest to the noise source.

- a) Clifton Marsh Farm NGR 465 292
- b) Savick Brook Farm NGR 477 296

The noise monitoring shall be undertaken in accordance with the scheme and programme of noise monitoring that is contained in the Assessment of Noise Impact Document submitted by Hepworth Acoustics Ltd dated June 2000 and approved by the County Planning Authority on 3rd November 2000.

Reason : In the interests of local amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy EP27 of the Fylde Borough Local Plan.

17. The noise limits approved in condition 16 above shall not apply during the stripping of soils and overburden on the site, the construction of storage mounds from these materials and their re-spreading during restoration of the site or the construction of landscape or baffle mounds. Noise from any of

these activities shall not exceed 70dB LAeq (1 hour) (free field), as defined in this permission, as measured from any of the properties identified in condition 16 at a point closest to the noise source.

Reason: To permit higher noise limits for certain activities and to still 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 and Policy EP27 of the Fylde Borough Local Plan.

Safeguarding of Watercourses and Drainage

18. Provision shall be made for the collection, treatment and disposal of all water entering or arising on the site to ensure that there shall be no discharge of contaminated or polluted drainage to ground or surface waters.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

19. Any oil, fuel, lubricant or other potential pollutant shall be handled on the site in such a manner as to prevent pollution of any watercourse or aquifer. For any liquid other than water, this shall include storage in suitable tanks and containers which shall be housed in an area surrounded by bund walls of sufficient height and construction so as to contain 110% of the total contents of all containers and associated pipework. The floor and walls of the bunded areas shall be impervious to both water and oil.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policies EP23 and EP24 of the Fylde Borough Local Plan.

20. Repair, maintenance and fuelling of plant and machinery shall only take place on an impervious surface drained to an interceptor and the contents of the interceptor shall be removed from the site completely.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policies EP23 and EP24 of the Fylde Borough Local Plan.

21. From the commencement of development until completion of restoration, all perimeter hedges, fences and walls shall be maintained and made stockproof and protected from damage. Where the site boundary does not coincide with an existing hedge, fence or wall, stockproof fencing shall be provided and maintained until completion of restoration.

Reason: To secure the proper restoration and aftercare of the site in accordance with the approved scheme and programme and to conform with

Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy SP2 of the Fylde Borough Local Plan.

22. All undisturbed areas of the site and all topsoil, subsoil, soil making material and overburden mounds shall be kept free from excessive plant growth. Cutting, grazing or spraying shall be undertaken, as necessary, to prevent build up of a seedbank of agricultural weeds or their dispersal onto adjoining land.

Reason: To ensure the satisfactory restoration of the site and in the interests of the visual and local amenity and the local environment and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy SP2 of the Fylde Borough Local Plan.

Soils and Overburden

23. All available topsoil and a minimum of 1.5 metres of subsoil shall be stripped from the site before that part of the site is excavated or is traversed by heavy vehicles, plant or machinery, or roads, buildings, plant yards or stores are constructed on the land. All stripped topsoil and subsoil shall be stored on the site for use in the restoration of the site in accordance with the conditions of this permission and shall not be traversed by heavy vehicles or machinery.

Reason: To ensure the satisfactory restoration of the site and in the interests of the visual and local amenity and the local environment and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy SP2 of the Fylde Borough Local Plan.

24. No movement of topsoil or subsoil shall occur during the period from 1 October to 30 April (inclusive) without the prior written consent of the County Planning Officer. At other times, the stripping, movement and re-spreading of top and subsoils shall be restricted to occasions when the soil is sufficiently dry to allow passage of heavy vehicles, plant and machinery over it without damage to the soils.

Reason: To ensure the satisfactory restoration of the site and in the interests of the visual and local amenity and the local environment and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy SP2 of the Fylde Borough Local Plan.

25. Soil stripping and storage shall be carried out in accordance with the scheme and programme of details submitted with the letters from Lancashire Waste Services Ltd dated 04 April 2000 and 15th June 2000 and approved in writing by the County Planning Authority on the 04 August 2000.

Reason: To ensure the satisfactory restoration of the site and in the interests of the visual and local amenity and the local environment and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy SP2 of the Fylde Borough Local Plan.

26. No topsoil, subsoil or overburden shall be sold or otherwise removed from the site.

Reason: To ensure satisfactory restoration and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy SP2 of the Fylde Borough Local Plan.

27. Plant and vehicles shall not cross any area of replaced or loosened ground, replaced subsoil or topsoil except where essential and unavoidable for purposes of spreading soils or beneficially treating such areas.

Reason: To ensure the satisfactory restoration of the site in the interests of visual and local amenity and the local environment and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy SP2 of the Fylde Borough Local Plan.

Restoration and Aftercare

28. Within six months of any cell reaching the pre settlement levels shown on drawing L01/00/133a, restoration works including spreading of soils and seeding shall take place over the completed surface in accordance with the scheme and programme of landscaping submitted under the requirements of condition 41 of planning permissions 5/09/0376 and 6/09/0395 and approved by the County Council on 6th June 2013.

The landscaping works including any tree and hedge planting shall be undertaken in the first planting season following the respreading of soil materials and shall thereafter be maintained for a period of five years including replacement of failures, maintenance of protection measures and weed control.

Reason : To ensure the proper and phased restoration of the site in the interests of the visual amenities of the area and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and policy EP11 of the Fylde Borough Local Plan.

29. Within six months of the date of this permission, a scheme and programme of woodland management works for the existing plantations around the perimeter of phase 4 shall be submitted to the County Planning Authority for approval in writing. The scheme and programme shall provide for a programme of woodland management works including removal of inappropriate species and thinning works to improve the structure and ecological value of the woodland.

The management works shall be implemented within two years of the date of approval of the scheme and programme.

Reason: In the interests of the visual amenities of the area and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

30. By not later than 31st December 2025, a scheme and programme for the restoration of cell 6 shall be submitted for the approval in writing of the County Planning Authority.

The scheme and programme shall provide a restoration concept for the area of land covered by cell 6 and shall include provisions for replacement of soils, cultivation, drainage works, seeding and any tree and hedge planting including planting layout, details of numbers, types and sizes of species, planting methods and protection measures.

The restoration works to cell 6 shall be completed by not later than 31st December 2035. Any planting works shall be maintained for a period of five years including replacement of failed planting, maintenance of protection measures and weed control.

Reason: In order to ensure the proper restoration of the site in the interests of the visual amenities of the area and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy SP2 of the Fylde Borough Local Plan.

31. Upon certification in writing by the County Planning Authority that the works of restoration in each landfill cell have been carried out satisfactorily, aftercare works to secure the agricultural use of the land shall be undertaken for a period of five years. The aftercare works shall include the following.

a) applications of fertilizer or other crop nutrients to enhance the fertility of the soil in accordance with good agricultural practice.

b) installation of drainage or surface regarding works to ensure that the surface of the site is free draining without excessive ponding of water.

c) works to alliviate the effects of surface water run off.

d) reseeding works to ensure a full grass sward over the entire restored area.

e) measures to control invasive weeds.

Reason: To secure the proper restoration and aftercare of the site in accordance with the approved scheme and programme and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy SP2 of the Fylde Borough Local Plan.

32. Within 6 months of the completion of the landfilling or landraising or the cessation of landfilling or landraising as defined in this permission, whichever is the earlier, a scheme and programme containing details of the plant and other equipment to be retained following the restoration of the site shall be submitted to the County Planning Authority for approval in writing. The scheme and programme shall include details of:

- a) All surface plant, machinery, buildings, structures and erections, roadways, pipelines or other similar apparatus which are either to be retained beyond the period required to complete restoration of the site in accordance with this permission or will be required for the future management of the site and a timescale for the removal of such plant.
- b) The final restoration of the land concerned following the removal or cessation of the use of the apparatus referred to in (a) above;
- c) The installation of water supplies for livestock.
- e) Details including a timescale for the restoration of the site access road, offices, wheel cleaning facilities and weighbridge.

Reason: To secure the proper restoration and aftercare of the site in accordance with the approved scheme and programme and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy SP2 of the Fylde Borough Local Plan

Definitions

Completion of Restoration: The date when the County Planning Authority certifies in writing that the works of restoration in any cell have been completed.

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

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

Free field : At least 3.5 metres away from the facade of a property or building.

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

Paper	Date	Contact/Directorate/Ext
-------	------	-------------------------

LCC/2014/0162		
---------------	--	--

1st December 2014		
-------------------	--	--

Jonathan Haine Environment 534130		
---	--	--

Reason for Inclusion in Part II, if appropriate N/A		
--	--	--

