

**Development Control Committee**  
Meeting to be held on 8<sup>th</sup> April 2015

Electoral Division affected:  
Wyreside

**Wyre Borough: Application number. LCC/2014/0166**  
**Variation of condition 2 of planning permission 02/08/1116 to allow the importation of post IVC compost from commercial waste management facilities.**

**Iron House Farm, Lancaster Road, Out Rawcliffe, Preston.**

Contact for further information:  
Jonathan Haine, 01772 534130, Environment Directorate  
[DevCon@lancashire.gov.uk](mailto:DevCon@lancashire.gov.uk)

**Executive Summary**

Application - Variation of condition 2 of planning permission 02/08/1116 to allow the importation of post IVC compost from commercial waste management facilities.

Iron House Farm, Lancaster Road, Out Rawcliffe, Preston.

**Recommendation – Summary**

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

The development would give rise to bio aerosol and odour emissions and such impacts on the nearest residential property could not be mitigated to acceptable levels. The development would therefore have unacceptable impacts on residential amenity contrary to policy DM2 of the Lancashire Minerals and Waste Local Plan and policy SP14 of the Wyre Borough Local Plan.

**Applicant's Proposal**

The application is for a variation of condition 2 of planning permission 2/08//1116 to allow composted material from in - vessel composting plants to be imported to the site for further composting alongside the green waste materials that are currently permitted.

Condition 2 of permission 2/08/1116 limits the waste types imported to the site to green wastes such as grass, tree and hedge cuttings and green wastes produced by parks and garden and householders.

**Description and Location of Site**

The application site is at Iron House Farm in Out Rawcliffe, 9 km east of Fleetwood town centre. The site is accessed off Lancaster Road (a C class road) via a stone track known as Hornby's Lane. The site extends over 1.6 hectares accommodating two former agricultural buildings and an area of open land with a hard surface used for the windrowing and storage of compost.

The land surrounding the site is flat agricultural land with the nearest residential property being approximately 160 metres to the north of the site.

## **Background**

History:

Planning permission ref 2/08/1116 was granted in 2008 for a retrospective change of use of land to a composting facility.

Planning permission ref 2/13/0788 was granted on 11<sup>th</sup> February 2015 for a variation to condition 2 to permission 2/08/1116 to allow the importation of waste wood for chipping to be exported from the site as biomass or to be incorporated within the composting process.

## **Planning Policy**

National Planning Policy Framework: The following paragraphs are relevant:

7 – 10 – Achieving sustainable development  
11- 14 - The presumption in favour of sustainable development  
17 - Core planning principles  
120 – 123 Pollution impacts

National Planning Policy for Waste

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

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

Joint Lancashire Minerals and Waste Local Plan (JLMWLP)

NPPF1 – Presumption in favour of sustainable development.  
Policy DM1 Management of waste and extraction of minerals  
Policy DM2 Development Management

Wyre Borough District Local Plan

Policy SP13 Development in the Countryside  
Policy SP14 Standards of design and amenity

## Consultations

Wyre Borough Council: No observations received

Out Rawcliffe Parish Council: No observations received.

LCC Developer Support (Highways): No observations received.

County Ecology Service: The proposed development would not increase the scale of operations, traffic or the size of the site and impacts on biodiversity therefore appear unlikely.

Environment Agency: No objection. The waste proposed to be accepted at the site is not covered by the existing permit and a permit variation would therefore be required. Bioaerosols and odour emissions are likely to increase with the importation of such partially composted materials and therefore the planning authority should be satisfied with the site specific bioaerosol risk assessment prior to any planning decision. In a further letter in response to the applicant's bioaerosol and odour risk assessment, the EA consider that the sanitised, partially composted material is likely to be hot, smelly and difficult to transport.

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

## Advice

Planning permission ref 2/08/1116 for the change of use of agricultural land to a site for the composting of green waste materials was granted in 2010. This permission was subsequently varied in February 2015 to allow waste timber to be also imported to the site for chipping with the product either being exported as biomass or incorporated within the composting process.

The site extends over an area of 1.6 hectares and includes an open sided former agricultural building which covers the equipment used for the shredding of green waste together with a hardsurfaced area to the west of the building which accommodates the windrows used for the production of compost.

Condition 2 of planning permission 2/11/1116 requires:

*No waste other than green waste shall be imported to the site. Green wastes shall only be comprised of grass, tree and hedge cuttings, park and garden waste and green waste produced by householders and shall not include any waste construction timber, paper, cardboard, meat or any product of animal origin. Any other wastes shall be removed from the site within 24hours and taken to a licensed waste management site.*

The current application is to vary condition 2 to also allow the importation of partially composted waste arising from in vessel composting plants. The applicant states that the volumes of green wastes that are available have reduced and therefore they wish to import post IVC wastes alongside green wastes but remaining within the existing input levels of around 20,000 tonnes per year. The post IVC wastes are

derived from household waste collections and are composted at other facilities within an enclosed environment where they are held for 7 – 14 days to sanitise the material so that it complies with the Animal By-products Regulations. After this time the material would then be transferred to the application site for placement in windrows for further composting over a period of around 8 weeks after which it will meet the PAS100 requirement allowing it to be used as an agricultural soil enhancer.

Policy CS7 of the LMWLP Core Strategy states that an integrated waste management strategy will be planned for that implements the waste hierarchy and maximises reuse, recycling and composting. The proposal would assist in moving the management of such wastes up the waste hierarchy as it would provide a facility whereby food waste collected from household waste collections can be recycled into a useful soil improver or fertilizer. The application site is situated within a large agricultural area where there is a ready market for such products and the proposal complies with Policy CS7 of the LMWLP Core Strategy.

The proposal would not increase the total volumes of materials accepted at the site and therefore would not increase traffic levels to the site. There would be no requirement to extend the existing areas of hardstanding and therefore the visual impact of the site in the countryside would not be increased.

The main issues relate to the possible impacts on odour, noise and bioaerosols. Policy DM2 of the LMWLP requires that development for waste management operations will be supported where it can be demonstrated that all environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels.

The site is located in a very rural area that in general is remote from residential properties. However, there is a single property located 210 metres north east of the windrow area. The next nearest property is located 600 metres to the north.

At present green wastes are imported to the site and are shredded prior to the materials being placed in windrows. The post IVC wastes would replace a proportion of the green wastes and would not require any shredding prior to being placed in the composting windrows. The shredding activities do generate noise and therefore the substitution of the green wastes for the post IVC material is likely to result in an overall decrease in noise impacts from the site.

However, the post IVC wastes do have characteristics that may increase odour and bioaerosol impacts above those levels current experienced particularly when materials are disturbed during turning or loading operations. When received on site, the IVC wastes have already passed through an initial composting and sanitising process and will not require further shredding. On arrival at the site, the wastes will be directed straight into the windrow area where they would be stored for a further period of 8 weeks to complete the composting process. During this stage, windrows require turning at regular intervals to control temperature and such a process can give rise to odour or dust / bioaerosol emissions. The operator has submitted an odour management plan and site specific bioaerosol risk assessment to assess the likelihood of such impacts and the need for mitigation measures. The risk assessment identifies the sensitive receptors are at most risk from such impacts where they are within 250 metres. The nearest property at Moss Cottage is located approximately 200 metres from the composting area and the risk assessment finds

that the wind is blowing towards the nearest property for a high proportion of the time. Measures to reduce dust / bioaerosol emissions can be adopted such as applying water to windrows. However, it would not be possible to use such mitigation measures continually as a leachate problem would occur and such measures would also not mitigate against any odour impacts. It should be noted that the EA state that post IVC wastes are likely to have particularly odorous qualities. It is therefore considered that the waste types proposed to be imported to this site would give significant potential for bio aerosol and odour emissions and which could give rise to significant amenity impacts given the proximity to the nearest residential property. The proposed development would therefore be contrary to policy DM2 of the LMWLP and policy SP14 of the Wyre Borough Local Plan.

Human Rights Issues: The proposal raises issues relating to the protection of amenity and property under Article 1 of the 1<sup>st</sup> Protocol of the Human Rights Act 1998.

Article 1 of the 1<sup>st</sup> Protocol concerns the enjoyment of property and provides that everybody is entitled to the peaceful enjoyment of his possessions and that no one should be deprived of the enjoyment of property except in the public interest. The applicant has rights under this article. However, the County Council has a duty to secure the proper location of waste recycling development in order to protect the amenities of local residents as set out in the policies of the development plan. The proposal would conflict with these policies and the interference in the rights of the applicant is therefore considered to be justified in order to protect the public interest. It is considered that the public interest can only be safeguarded by the refusal of permission and that the refusal of the application would not place a disproportionate burden on the applicant.

## Recommendation

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

The development would give rise to bio aerosol and odour emissions and such impacts on the nearest residential property could not be mitigated to acceptable levels. The development would therefore have unacceptable impacts on residential amenity contrary to policy DM2 of the Lancashire Minerals and Waste Local Plan and policy SP14 of the Wyre Borough Local Plan.

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

Paper	Date	Contact/Directorate/Ext
LCC/2014/0166		

10th December 2015

Jonathan Haine  
Environment  
534130

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

