

Development Control Committee
Meeting to be held on 9th December 2015

Electoral Division affected: Thornton Cleveleys North
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Wyre Borough: Application Number LCC/2015/0071
Single storey extension to create enclosed antechamber for vehicles accessing the waste transfer building, the erection of 3 metre high acoustic fencing and raising the existing 2.5 metre high acoustic fencing to 3 metres high. Unit 8, Burn Hall Industrial Estate, Venture Road, Thornton.

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Executive Summary

Application – Single storey extension to create enclosed antechamber for vehicles accessing the waste transfer building, the erection of 3 metre high acoustic fencing and raising the existing 2.5 metre high acoustic fencing to 3 metres high. Unit 8, Burn Hall Industrial Estate, Venture Road, Thornton.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme and building materials.

Applicant's Proposal

Planning permission is sought for the erection of a single storey extension to the side of the existing waste transfer building to create an enclosed antechamber for vehicles accessing the waste transfer building. The application also proposes the erection of additional 3 metre high acoustic fencing and raising the existing 2.5 metre high acoustic fencing to 3 metres high.

The extension would measure 18.8m long x 9.3m wide with a mono-pitched roof measuring 7.8m high and sloping up to 8.8m high where it would adjoin the existing building. The elevations would be constructed from galvanised steel vertical cladding coloured grey with a standing seam roof coloured grey to match the existing waste transfer building. It would have a single vehicle entrance/exit door to measure 6.0m high x 5.0m wide with a roller shutter door to be coloured blue, and a single pedestrian emergency exit door.

The existing 138m long x 2.5 metre high wooden acoustic boundary fencing on the northern boundary would be raised in height to 3 metres, and a new 60m long x 3.0 metre high wooden acoustic fencing would be erected on another part of the north western boundary.

Description and Location of Site

The site is an existing waste transfer / processing site and is located on the north side of Burn Hall Industrial Estate 1.3km to the south-east of Fleetwood. The site covers an area of 1.21 ha. Access to the industrial estate is from the B5268 Fleetwood Road and then to the site via Venture Road within the industrial estate. Enterprise Way within the industrial estate is located along part of the western boundary.

The site entrance is on the west side of the site. A weighbridge and demountable units are near the site entrance with the 'L' shaped waste transfer building located along the southern boundary and south-east corner of the site. On the north side of the building are two vehicle entrances. An air filtration system is on the east elevation of the waste transfer building and by the site boundary. Wooden acoustic fencing 2.5m high is located along the northern boundary of the site with 2m high steel palisade fencing along the other boundaries.

The Cala Gran Caravan Park is located 20 metres to the north of the site boundary. The north-east boundary of the site borders the 'Burglars Alley Field' BHS which is a flat and open field to the north. The Thornton Waste Technology Park is on the east side of the site with an industrial estate to the south. Land between Fleetwood Road and the north-west side of the site is cleared and derelict. The closest residential properties are situated approximately 45 metres to the north-west of the site boundary on Springfield Terrace fronting Fleetwood Road. The whole of the site except for a small area by the eastern boundary falls within Flood Risk Zone 2.

The proposed extension would be located on the north side of the waste transfer building. The existing 2.5m high fencing to be raised in height is located along the entire northern boundary. The proposed 3m high fencing would be located along part of the western boundary between the northern boundary and the site entrance.

Background

Planning permission (ref.02/11/0184) for a change of use from general industrial to a waste transfer station for commercial waste including the demolition and modification of existing buildings, the erection of a waste transfer building, materials recovery facility plant, perimeter fencing, landscaping and hardsurfacing was granted on 28 October 2011. This permission was subject to a Section 106 Agreement relating to vehicle routing.

Planning permission (ref. 02/11/0876) for the erection of a building to enclose the material recovery plant previously approved in permission 02/11/0184 was granted on 24 October 2012. This permission was subject to a Section 106 Agreement relating to vehicle routing.

Planning permission (ref. 02/11/0877) for the variation of conditions 2b, 3, 5, 12, 13 and 27 of planning permission 02/11/0184 to increase the dimensions of the waste transfer building from 40m by 30m to 50m by 31m and decrease its height from 16.3m to 12.9m was granted on 24 October 2012. This permission was subject to a Section 106 Agreement relating to vehicle routing.

Retrospective planning application (ref. LCC/2014/0144) for the variation of conditions 3 and 9 of planning permission 02/11/0876 to extend the hours of waste transfer and recycling operations and the delivery and removal of waste and processed materials, and to allow the doors of the waste transfer building to be open only for the ingress and egress of vehicles requiring access to the building while plant is operating, was approved at the Development Control Committee on 20 May 2015 subject to the applicant first entering into a legal agreement relating to vehicle routing.

Retrospective planning application (ref. LCC/2014/0145) for the variation of conditions 4, 12 and 17 of planning permission 02/11/0877 to extend the hours of waste transfer and recycling operations and the delivery and removal of waste and processed materials, to allow the waste imported to the site for processing to have low levels of food contamination, and to allow the doors of the waste transfer building to be open only for the ingress and egress of vehicles requiring access to the building while plant is operating, was approved at the Development Control Committee on 20 May 2015 subject to the applicant first entering into a legal agreement relating to vehicle routing.

Retrospective planning application (ref. LCC/2014/0146) for the retention of an air filtration system consisting of a pre-filter unit, a shipping container to house a carbon filter unit, single storey extension to contain the air filtration fan assembly, steel ducting and 16.6 metre high steel vent stack on the east and south elevations of the waste transfer buildings, a single storey extension to provide a site substation plant room on the south elevation of the waste transfer building, the relocation of a weighbridge, the provision of a demountable unit for use as a reception/ office, three shipping containers for use as a canteen, showers and mess rooms, and the construction of a secure cycle stand was granted on 20 May 2015.

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 11 – 14, 17 - 19, 56 – 66, 103, 104, 122, 123 and 124 are relevant with regard to the presumption in favour of sustainable development, core planning principles, building a strong competitive economy, the requirement for good design, flood risk, permitting regimes operated by pollution control authorities, noise and odour.

National Planning Practice Guidance

National Planning Policy for Waste

Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One (LMWLP)

Policy NPPF 1 Presumption in favour of sustainable development
Policy DM2 Development Management

Wyre Borough Local Plan

Policy SP14 Standards of Design and Amenity
Policy ENV13 Development and Flood Risk
Policy EMP8 Existing Industrial Areas

Wyre Borough Council Fleetwood - Thornton Area Action Plan (AAP)

Policy 1 Environmental Quality and Protection
Policy 3 Industry and Business

Consultations

Wyre Borough Council – No observations received.

Fleetwood Town Council - No observations received.

Environment Agency – No objection and comment that there is no evidence to suggest that installing an antechamber will improve the abatement of odour or that the increase in fence height and continuation along the northern boundary will reduce noise. The existing and proposed fence are adjacent to an existing ordinary watercourse and may require Land Drainage Consent from Lancashire County Council as the Lead Local Flood Authority.

LCC Developer Support (Highways) – No observations received.

LCC Specialist Advisor (Ecology) – No objection and comment that it should be ensured that the proposed extension and fencing do not affect the two pole mounted barn owl nest boxes along the northern boundary and the barn owl nest box inside the waste transfer building that were approved under the previous requirements of Condition 30 of permission 02/11/0877. A condition should require that the vegetation adjacent to the new fencing be checked immediately prior to the fencing being erected to prevent disturbance to nesting birds.

Representations – The application has been advertised by press and site notice and neighbouring properties have been notified by letter. One objection has been received on behalf of the operators of the Cala Gran Caravan Park on the grounds that insufficient technical information has been provided to demonstrate how the proposed works will improve issues of noise and odour. In addition, no noise and odour impact assessments have been provided.

Advice

Planning permission is sought for the erection of a single storey extension to the side of the existing waste transfer building to create an enclosed antechamber for vehicles accessing the waste transfer building. Permission is also sought for the erection of 3 metre high acoustic fencing and raising the existing 2.5 metre high acoustic fencing to 3 metres high.

The applicant has advised that the antechamber will form an air lock for vehicles entering and leaving the building. The extension would mean that the doors controlling access to the interior of the building will not be open at the same time thereby retaining pressure and odour within the existing building. The applicant also advises that the enclosure of the existing door within a further building will help to contain noise from the waste processing plant.

The increase in height of the existing fence and the provision of additional acoustic fencing is also intended to help contain any noise within the boundaries of the site.

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. In considering the issues that arise from the proposed development, it is necessary to take into consideration the relevant policies of the Development Plan and the planning history of the site and all other material planning considerations. Government policy is a material consideration that should be given appropriate weight in the decision making process.

The Development Plan for the site is made up of the Joint Lancashire Minerals and Waste Core Strategy and Local Plan – Site Allocation and Development Management Policies – Part One (LMWLP), the Wyre Borough Local Plan and the Fleetwood - Thornton Area Action Plan (AAP).

The site was originally granted planning permission to operate as a waste transfer station for inert construction and industrial waste. However, the site has been developed as a facility for the reprocessing of waste plastics, paper and textiles into a material that can be used as a kiln fuel for cement manufacture.

The site benefits from planning permissions for the management of waste. The proposed building and fencing would be ancillary to that use and is therefore acceptable in principle. The extension would not be large and is of a size necessary for its intended purpose to accommodate articulated vehicles. The design of the extension and the materials and colour would match the waste transfer building that it would adjoin and is acceptable. The colour and type of wooden acoustic fencing would match that already existing along the northern boundary of the site. The increase in height to 3 metres would only require a modest increase above the existing height and its impact from outside the site would be mitigated by the tree screening along Burglers Alley. The visual impacts of the building and fencing are therefore acceptable.

The Environment Agency have commented that there is no evidence to suggest that installing an antechamber will improve the abatement of odour or that the increase in fence height and continuation along the northern boundary will reduce noise. An objection has also been received from the adjacent caravan park that no noise and odour assessments have been provided to demonstrate the benefits of the development.

In response, while no assessments have been made as to the expected benefit of the new building and fencing, the development will not result in any additional noise or odours above that currently produced at the site. Given that the development is

otherwise acceptable, the applicant does not need to demonstrate that there would be benefits in terms of noise or odour. In general terms, it is considered that the proposal would have the effect of reducing odours and noise particularly for the adjacent caravan park and for the residents of Springfield Terrace.

In relation to the comments from the LCC Specialist Advisor (Ecology), the two pole mounted barn owl nest boxes along the northern boundary and the barn owl nest box inside the waste transfer building are present and would not be affected by the proposed extension and fencing. The new fencing would not affect any trees and the raising of the existing fencing would not have a significant effect on the existing vegetation. The condition requested in relation to birds is therefore considered to be unnecessary.

It is therefore considered that the development complies with Policy DM2 of the LMWLP, Policy SP14 of the Wyre Borough Local Plan and Policy 1 of the AAP.

The site lies within Flood Risk Zone 2. The Environment Agency has not raised any objection to the proposal and therefore it is considered it accords with Policy ENV13 of the Wyre Borough Local Plan

In view of the scale, location and nature of the proposed development it is considered no Convention Rights as set out in the Human Rights Act 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 received by the County Planning Authority on 15th July 2015.
 - b) Submitted Plans and documents received by the County Planning Authority on 15th July 2015:

Drawing No. 101 Rev. A - Ground Floor Plan & sections
Drawing No. 102 - Existing Building Elevations and Existing and Proposed Fence Elevations and Plans

Drawing No. 201 Rev. A - Proposed Plan, Section, Elevations and Site Plan

Submitted Plans and documents received by the County Planning Authority on 5th October 2015:

Supporting Information for extension
Acoustic Fencing and Barriers product information

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 Policies NPPF 1 and DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, Policies SP14, ENV13 and EMP8 of the Wyre Borough Local Plan and Policies 1 and 3 of the Wyre Borough Council Fleetwood - Thornton Area Action Plan.

Building Materials

3. The building materials to be used for the external elevations and roof of the extension shall match those used on the existing waste transfer building.

The additional sections of wooden acoustic boundary fencing shall match the appearance of the existing boundary fencing.

Reason: In the interests of the visual amenities of the area and to conform with Policies DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, Policy SP14 of the Wyre Borough Local Plan and Policy 1 of the Wyre Borough Council Fleetwood - Thornton Area Action Plan.

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

Paper	Date	Contact/Ext
LCC/2015/0071	15 July 2015	Rob Jones/Planning and Environment/34128

Reason for Inclusion in Part II, if appropriate

N/A