

Development Control Committee
Meeting to be held on 13 April 2016

Electoral Division affected:
Chorley Rural North, Chorley
North, Leyland Central

Chorley Borough: application number 09/13/1075
Environment Act 1995 - application for the determination of conditions for
permission 09/98/0049 for the winning and working of minerals at Clayton Hall
Landfill Site, Dawson Lane, Whittle le Woods
(Appendix A refers)

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Executive Summary

Application – Environment Act 1995 - application for the determination of conditions for permission 09/98/0049 for the winning and working of minerals at Clayton Hall Landfill Site, Dawson Lane, Whittle le Woods.

The application is accompanied by an Environmental Statement and Non-Technical Summary for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

Recommendation – Summary

That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, for the purposes of Section 96 and Schedule 14 of the Environment Act 1995 conditions be imposed on planning permission 09/98/0049 controlling time limits, working programme, hours of working, site operations, highway matters, noise, restoration and aftercare.

Background

This application was presented to Development Control Committee on 2 March 2016 following a site visit on the preceding day.

Following an officer presentation and after listening to two public speakers the Committee resolved to defer determination of the application until officers had explored the opportunity to formulate an additional condition to more closely control the phased restoration of the site.

Advice

The following additional condition is recommended along with the list of recommended conditions set out in the report presented to the Development Control Committee on 2 March 2016 (see Appendix A).

'There shall be no deposit of waste in the area of cell 4B as shown on drawing no. 08469/99 – Working Plan until final capping and restoration has been completed in cell 3A of drawing no. 08469/99 – Working Plan in accordance with condition 19 to this permission..

Reason: To enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.'

It is considered that all the recommended conditions would meet all the tests for planning conditions, they would not restrict working rights in respect of the site and would not prejudice the economic viability of the applicant's working of the minerals at the site or the asset value of the site.

Recommendation

That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, for the purposes of Section 96 and Schedule 14 of the Environment Act 1995 conditions be imposed on planning permission 09/98/0049 controlling time limits, working programme, hours of working, site operations, highway matters, noise, restoration and aftercare as set out in the report to Development Control Committee on 2 March 2016 (at Appendix A), and including the additional condition referred to above.

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

| Paper | Date | Contact/ext. |
|------------|------------|--------------|
| 09/13/1075 | March 2016 | R Hope/34159 |

Reason for Inclusion in Part II, if appropriate

N/A