

Development Control Committee Update – 19 October 2016

Item 5 – Sandons Farm LCC/2016/0059

Representations

An additional representation has been received with an objection on the grounds that development within the existing site already causes flooding problems at Allanson Hall Farm due to surface water backing up within culvert 133 because of blockages within the Sandons Farm site. The site operator has opened up the culvert but this has not resolved the problem. The resident is concerned that the movement of vehicles around the proposed site extension and the movement of the topsoil from the proposed site would further disrupt the culvert itself, or that the temporary channel through which the water now flows would become blocked or filled in and so cause further flooding and damage.

The resident has stated that it is essential that a condition of any further development should be that before work starts the developer should reinstate a permanent and effective drainage solution.

The resident also states that a further problem caused by the existing works is that sand blows off the site covering cars, outdoor furniture and windows in a layer of red dust. If windows are left open then the dust covers the surfaces, including the furniture inside the house. The dust in the atmosphere must also be a health hazard and lead to respiratory problems.

A late representation has been received from Lindsay Hoyle MP who states that the sand is not required as there is enough capacity from existing permissions within the County. He states that permission should be refused on the basis that residents have had to ensure disruption for a number of years and the application would lead to loss of protection by virtue of the reduced distance between the residential properties and the site.

A late representation has also been received by Chorley Council raising an objection to the application with reference to the following summarised points:

- Chorley Council have not had the opportunity to comment on the application and have only been alerted by the Town Council and the production of the Committee Report and would seek that this site is subject to a site visit and deferral to provide more detailed comments on the scheme.
- There are current noise issues at the site. Any new conditions may not be enforceable.
- There are concerns from residents that the requirement to access the site from Wigan Lane is being flouted with access being taken from Castle House Lane.

- Concerns are raised in relation to assumptions and measurements in the noise assessment and current breaches of planning control.
- If it is considered appropriate to override the objections to this development from a number of residents, Town Council and the Borough Council then the conditions imposed on the development should include advance planting of the bund and the land between the bund and the houses, ensuring that there is a land drain in place to prevent water runoff into those residents gardens.
- It would also be appropriate to impose working hours conditions from 8am in order to ensure the harm to residents of working in proximity to the houses does not cause the level of harm currently experienced. The formation of the bund should be more closely controlled, it is not clear if this engineering operation is covered by the topsoil and subsoil stripping condition with hours conditions starting at 9am.

Advice

The application site would be distant from culvert 133, which runs under the canal, across the applicant's land and adjacent to Allanson Hall Farm and would therefore not have any direct impact. However, the comments raised by a local resident that development must not impact on the flow of water through the culvert are noted. A requirement on the developer to prevent any impact on this culvert remains by way of an existing condition on the larger site area covered by main quarry permission (ref. 09/05/0018).

The site operator has previously acknowledged that a buried field culvert on land beyond the existing extraction site may have presented a restriction in water flows due to some form of structural collapse, which appeared to cause flooding at Allanson Hall Farm. In 2013 the culvert was opened and a new open channel provided across land to the rear of the quarry site. It was not known that flooding issues had recurred since. If flooding events are still occurring then the site operator will have to take steps to relieve any restrictions to flow under the requirements of the existing permission. It is considered that operations within the proposed extension would have no impact on the culvert and therefore there would be no justification in seeking to address the concern through the determination of this planning application. Such issues can be addressed through the planning permission for the existing quarry.

The issue of dust is already addressed in the report.

The issues raised by Lindsay Hoyle MP are addressed in the Committee Report.

In response to comments received from Chorley Council, the Council was consulted by email on 27 July 2016 along with other consultees. Committee members visited the site on 17 October 2016.

In relation to noise matters, potential breaches of planning control associated with the existing site and planning permission can be investigated separately. Application

LCC/2016/0059 should be considered on its merits and there is no concern over the actual enforceability of the existing site conditions. The noise assessment provides a reasonable review of the background noise environment and predicted noise levels from operations within the application site along with the predictions of noise attenuation from the proposed screening bund/overburden mound. The exact nature, timing and duration of operations at the site can only be estimated and vehicles, plant and equipment may change over time. The noise assessment is a means to establish if acceptable noise standards are likely to be achieved and this can be secured by conditions. Conditions are recommended in this respect to reflect those imposed by the Planning Inspector on the permission for the existing site. It is considered that there would be no reason to defer the determination of this application.

A condition is already recommended to restrict the hours of working in relation to topsoil and subsoil moving operations and storage mound formation.

Site boundary advanced planting at the site has already been implemented under the provisions of the existing permission. It would be unreasonable to require planting on the bund as this would be a temporary feature to be removed as part of the final restoration of the site. A specific drainage condition to prevent flooding of residential gardens is unlikely to be necessary as the application site slopes gradually down away the houses.