

**Development Control Committee**  
Meeting to be held on 12<sup>th</sup> April 2017

Electoral Division affected: Poulton-le-Fylde
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**Wyre Borough: Application number LCC/2016/0091**  
**Erection of building with lean-to-canopy and walking floor fuel feed for a biomass boiler with an 11.5m high exhaust stack and an associated drying unit and the siting of 10 metal drying containers. Blackpool Skip Hire, Beacon Road, Poulton Industrial Estate, Poulton-le-Fylde.**

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### **Executive Summary**

Application – Erection of building with lean-to-canopy and walking floor fuel feed for a biomass boiler with an 11.5m high exhaust stack and an associated drying unit and the siting of 10 metal drying containers. Blackpool Skip Hire, Beacon Road, Poulton Industrial Estate, Poulton-le-Fylde.

### **Recommendation – Summary**

That planning permission be **granted** subject to conditions controlling time limits, working programme, colour and finish of building materials, lighting, gas protection measures, flood risk and noise.

### **Applicant's Proposal**

Planning permission is sought for a new building containing a biomass boiler with an exhaust stack with a lean-to-canopy and walking floor fuel feed for the boiler, and an associated drying unit and 10 metal containers for the drying of waste.

The building would measure 13m x 9m, with a pitched roof to be 8m high at the ridge. The building would be constructed from box profiled steel cladding to be coloured Juniper Green. The building would have a vehicle entrance/exit roller shutter door to measure 4m high x 3m wide, and a single personnel access door. The biomass boiler exhaust stack would be stainless steel and be 0.4m wide with an overall height of 11.5m extending 3.5m high above the plane of the roof of the biomass building.

The lean-to-canopy for the biomass building would measure 9m x 5.8m with a maximum height of 6m where it adjoins the biomass building. The canopy would be open at the two opposite ends. The elevations and roof would be constructed from box profiled steel cladding to be coloured Juniper Green.

The walking floor fuel feed would be at ground level and measure 5.8m x 4m and be constructed of black painted metal.

The drying unit would measure 4m x 2.8m x 3m high and be constructed from box profiled steel cladding to be coloured Juniper Green.

The metal containers would all measure 6m x 2.4m x 2.5m high to be coloured blue

The feedstock for the biomass boiler would be virgin and waste wood that has been collected by the applicant's skip hire business. The wood would then be chipped elsewhere on site and then delivered to the storage containers. The biomass would then be transferred from the containers to the boiler via a walking floor and corkscrew mechanism which is all under cover. The boiler heats water which would be pumped around the heat exchanger/drying unit where a fan draws warm air from this and transfers it to the drying containers via ducting where the heat would be used to dry wastes that have been processed at the site, and also wood to be used in the biomass boiler.

The biomass boiler would use approximately 2,000 tonnes of virgin and waste wood per year. The boiler would operate continually other than for essential maintenance, although the acceptance and chipping of the wood would only take place during normal operating hours. Ash produced from the boiler would be collected in an enclosed vessel and removed from site as and when required to a suitable, permitted waste facility.

### **Description and Location of Site**

The site is an unsurfaced area used for the storage of vehicles, plant and equipment which forms a part of an existing waste management site/ waste transfer station and skip company that imports construction and demolition wastes for recycling and processing.

The site is located at the southern end of Beacon Road on the south side of Poulton Industrial Estate located approximately 1.2km east of Poulton town centre. Access to the industrial estate is from the A586 Garstang Road East. The surrounding uses are industrial; immediately to the east is a public right of way with an open yard area used for the crushing and screening of waste materials is to the west. The watercourse known as Main Dyke and an open field drain are located approximately 25m to the south. Open countryside is beyond. The whole of the site is located within Flood Zone 2, with the southern half within Flood Zone 3.

### **Background**

The application site forms part of an existing waste management site that has been the subject of a number of planning permissions none of which are directly relevant to the present proposals.

### **Planning Policy**

National Planning Policy Framework (NPPF)

Paragraphs 11 – 14, 17 - 19, 56 - 66, 103, 104, 123-125 are relevant with regard to the requirement for sustainable development, core planning principles, building a strong and competitive economy, the requirement for good design, flood risk, noise, air quality and light pollution.

National Planning Policy for Waste - Section 7 is relevant in relation to the determination of planning applications and waste hierarchy.

National Planning Practice Guidance

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

Policy CS7	Managing Our Waste as a Resource
Policy CS9	Achieving Sustainable Waste Management

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
Policy WM4	Energy from Waste

Wyre Borough Local Plan

Policy SP14	Standards of Design and Amenity
Policy ENV13	Development and Flood Risk
Policy ENV15	Surface Water Run-Off
Policy ENV17	Surface Water Protection
Policy EMP2	Existing Commitments
Policy EMP8	Existing Industrial Areas
Policy TREC12	Public Rights of Way

## **Consultations**

Wyre Borough Council – The Borough Council originally objected to the application as they considered that insufficient information had been submitted to be able to assess the air emission impacts from the biomass boiler. On receipt of further information, the Borough Council's objections have been withdrawn. The Borough Council also draw attention to the previous use of the site and recommend that landfill gas protection measures be incorporated into the design of the building and request that a condition is imposed on any permission requiring such measures.

Environment Agency – No objection. The submitted Controlled Water Risk Assessment is acceptable. It is commented that the site is to continue to accept wastes in accordance with the waste permit for this facility, and all storage of materials for the biomass boiler will be kept as required by the new permit from the local authority. With these controls in place, the EA consider that any further intrusive investigation on the site would not be necessary and hence there is no requirement

to include a contaminated land condition relating to the potential impact on controlled waters.

LCC Highways Development Control - No objection.

LCC Lead Local Flood Authority – No observations received.

Representations – The application has been advertised by press and site notice and neighbouring residents have been notified by letter. One representation has been received objecting due to the dust, flooding and obnoxious gasses that the application site creates on Poulton Industrial Estate.

### **Advice**

Planning permission is sought for a building with a lean-to-canopy and walking floor fuel feed for a biomass boiler to be housed within the building, and an associated drying unit and 10 metal containers for the drying of waste. The dried wastes would be transported to other sites for use as refuse derived fuel (RDF), while the wood to be dried would be used as fuel in the biomass boiler.

The main issues associated with the application are the need for the development, the acceptability of the site to be used for this purpose, the visual impact, flood risk and air quality.

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 not only necessary to take into consideration the relevant policies of the Development Plan but also 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 Development Framework Core Strategy DPD, Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One (LMWLP), and the Wyre Borough Local Plan.

National Planning Policy encourages recycling and the re-use of waste to reduce reliance on land filling and requires waste to be managed at the highest level possible within the waste hierarchy.

The NPPF seeks to ensure that the planning system supports and secures sustainable economic growth in order to create jobs and prosperity. Policy CS7 of the Lancashire Minerals and Waste Core Strategy DPD seeks to manage our waste as a resource. The development would allow the use of waste wood as a fuel resource to generate heat that would be used to dry other waste materials that are separated as part of the recycling operations at the site. These dried wastes can then be used as refuse derived fuel either in power generation or in other facilities that require large amounts of heat such as cement manufacturing plants. The proposal would therefore allow the recovery of energy from waste wood and from other general waste materials thereby securing a move up the waste hierarchy for

these waste types in compliance with National Waste Policy and Policy WM4 of the LMWLP.

The site is located within an existing industrial area and hence the proposal would accord with Policies EMP2 and EMP8 of the Wyre Borough Local Plan that seeks to retain industrial uses.

The building would not be overly large and is of a size appropriate for its intended purpose. The design of the building and the materials and colour are acceptable. As the site is on the south side of Poulton Industrial Estate, the only views of the development are from the fields to the south where the visual impact would be limited and acceptable. It is considered that the proposed design of the building and other external storage would have an acceptable visual impact. However, a condition should be imposed requiring that the building, lean-to-canopy, drying unit and metal drying containers be painted in their proposed colours and that they be maintained in those colours throughout their presence on the site. To ensure that any lighting used would not cause light pollution or glare to the countryside and the wider area, a condition is proposed requiring details of proposed lighting to be submitted for approval. The development would therefore comply with Policy CS9 of the Lancashire Minerals and Waste Core Strategy DPD, Policy DM2 of the LMWLP, and Policy SP14 of the Wyre Borough Local Plan.

In view of the possibility that the site may have been previously subject to landfill operations, Wyre Borough Council have requested that a condition should be imposed to require the incorporation of suitable gas protection measures into the biomass building, or the submission of the results of a gas monitoring programme and risk assessment of the results. The applicant considers that these requirements are not necessary as the nature of the landfill activities means that the risk is very low. However, no evidence has been produced by the applicant that the site is not affected from gas from previous landfill operations. As an alternative, it is considered that the building should include ventilation measures to prevent the build up of gas within the building should it be present.

The whole of the site is located within Flood Zone 2 (medium probability of flooding), with the southern half within Flood Zone 3 (high probability of flooding). The Environment Agency have raised no objection and commented that the submitted Flood Risk Assessment is in accordance with the NPPF, and that the proposed development would be safe and that it would not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere, provided that a condition requires that the development proceeds in accordance with the recommendations of the FRA. With such a condition, the development would accord with the requirements of Policy CS9 of the Lancashire Minerals and Waste Core Strategy DPD, Policy DM2 of the LMWLP, Policies ENV13, ENV15 and ENV17 of the Wyre Borough Local Plan.

There are no residential properties in the local area but there are other commercial and industrial businesses on adjacent parts of the industrial estate. The potential noise impacts are considered acceptable but to ensure that the amenities of the area are not affected, a condition should require all plant, equipment and machinery to be fitted with effective silencing equipment. It is considered that the development would not create issues related to dust.

In relation to highway matters, the proposal should reduce the number of vehicle trips on the public highway associated with the site as waste wood would not be exported from the site for re use as is current practice but would instead be chipped on site and then burnt in the combustion chamber..

The proposal would not affect the public right of way that is located immediately to the east of the site's palisade boundary, and hence accords with Policy TREC12 of the Wyre Borough Local Plan.

The objections raised by the adjacent landuser are noted but it is considered that this development would not lead to dust emissions, additional flooding or an increase in fumes from the site and the objection is therefore not supported.

Subject to the imposition of conditions as recommended above, it is considered that the development accords with the requirements of the NPPF, and the policies of the Development Plan.

In view of the nature, location and purpose of the proposal it is considered that 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 validated by the County Planning Authority on 07 December 2016, and the emails from the applicant dated 25 January 2017 and 07 February 2017.

b) Submitted Plans and documents validated by the County Planning Authority on 07 December 2016:

Drawing No. 3193/2178/02 Rev. A - SITE LOCATION PLAN  
Drawing No. 3193/2178/03 - SITE LAYOUT PLAN  
Drawing No. 3193/2178/04 - PROPOSED ELEVATIONS

Submitted document validated by the County Planning Authority on 25 January 2017:

Environmental Report (Phase 1) and Controlled Water Risk Assessment

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 CS7 and CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policies NPPF 1 and DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policies SP14, ENV13, ENV15, ENV17, EMP2, EMP8 and TREC12 of the Wyre Borough Local Plan.*

### **Building Materials**

3. The external elevations and roof of the building housing the biomass boiler, the lean-to-canopy and the drying unit shall be coloured juniper green, and the metal drying containers shall be coloured blue. All structures shall be maintained in those colours throughout their presence on the site.

*Reason: To protect the visual amenities of the area and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policy SP14 of the Wyre Borough Local Plan.*

4. The building shall be constructed in accordance with the design shown on drawing nos 3193/2178/03 and 3193/2178/04 dated 01/12/2016. No structural changes shall be made to the elevations or roof of the biomass building that would have compromise the level of ventilation to the interior space of the building.

*Reason: The development is within 250 metres of a closed landfill site and gas protection measures are therefore required in the interests of public safety and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policy SP14 of the Wyre Borough Local Plan.*

### **Floodlighting**

5. No external lighting and floodlighting shall be erected on the new building unless it is in accordance with a scheme and programme, which has first been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall contain details of the following:

- a) Type and power of lights
- b) Types of masking or baffle at the lighting head

- c) Number and size of lighting units
- d) Light spread diagrams showing lux levels at the site boundary and calculation of the impact of these on adjacent properties
- e) Times of use of lighting.

Thereafter the lighting and floodlighting shall be erected and operated in accordance with the approved scheme and programme.

*Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to reduce light pollution and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policy SP14 of the Wyre Borough Local Plan.*

### **Safeguarding of Watercourses and Drainage**

6. Only clean surface water from roofs and paved areas shall be discharged to any surface water soakaway or watercourse.

Suitable mitigation measures shall be put in place during construction and operation of the site to prevent silty run-off water from polluting the adjacent watercourses.

*Reason: To prevent pollution of surface water courses and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.*

7. The development shall be carried out in accordance with the recommendations of the Flood Risk Assessment submitted on the 07 December 2016.

*Reason: To safeguard local watercourses and drainages and avoid the pollution of controlled waters, and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policies ENV13, ENV15 and ENV17 of the Wyre Borough Local Plan.*

### **Control of Noise**

8. All plant, equipment and machinery used in connection with the operation and maintenance of the site shall be equipped with effective 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 CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy*

*DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy SP14 of the Wyre Borough Local Plan.*

## **Notes**

The grant of planning permission does not remove the need to obtain the relevant statutory consents/licences from the Environment Agency.

The applicant should be aware that as of 6 April 2016 the Flood Defence Consent regime has moved into the Environmental Permitting Regulations.

If you already have Flood Defence Consent please refer to the following page on the GOV.UK website: <https://www.gov.uk/guidance/changes-to-your-flood-defence-consentafter-6-april-2016>

The wider site is adjacent to Oldfield Carr Lane watercourse and Main Dyke (Skipool Creek) which are designated Main Rivers and the developer may need an Environmental Permit. In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines or any other structure erected within 8 metres of the top of any bank/retaining wall of the watercourse without the prior written consent of the Environment Agency. Full details of such works, together with details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to the Environment Agency for consideration.

The developer should check at <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> and contact Flood Risk Officer, Pippa Hodgkins, on 020 30251397 to discuss our requirements if a permit or advice is required.

The Environment Agency has a right of entry to Oldfield Carr Lane watercourse and Main Dyke (Skipool Creek) by virtue of Section 172 of the Water Resources Act 1991, and a right to carry out maintenance and improvement works by virtue of Section 165 of the same Act.

It should be noted that the grant of future planning approval does not guarantee that any necessary permissions or consents that are required under separate legislation will be forthcoming.

The site currently holds an Environmental Permit. Therefore the permit holder must check whether any waste imported and used in connection with the biomass boiler does not require any changes to be made to the Environmental Permit.

## **Local Government (Access to Information) Act 1985**

### **List of Background Papers**

Paper	Date	Contact/Directorate/Ext
LCC/2016/0091	07 December 2016	Rob Jones/534128

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