

Development Control Committee
Meeting to be held on 6th March 2019

Electoral Division affected: Thornton and Hambleton
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Wyre Borough: Application Number. LCC/2019/0001
Variation of condition 8 of permission LCC/2015/0082 to allow extended delivery hours of green waste up to 5pm on Saturdays, Sundays and bank holidays. Iron House Farm, Lancaster Road, Out Rawcliffe.

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Executive Summary

Application - Variation of condition 8 of permission LCC/2015/0082 to allow extended delivery hours of green waste up to 5pm on Saturdays, Sundays and Bank Holidays. Iron House Farm, Lancaster Road, Out Rawcliffe.

Recommendation - Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, waste types, hours of working, noise, dust and highway matters.

Applicant's Proposal

The application site currently operates as a green waste composting facility. The facility has planning permission for the importation of green waste and waste timber materials which are then shredded to produce a compost product that can be used as a soil enhancer / fertiliser on agricultural land.

Condition 8 of the existing planning permission on the site (LCC/2015/0082) states:

'No waste shall be imported or deposited on the site, sorted, screened or shredded and no recycled materials shall be loaded or exported from the site outside the hours of:

0830 to 1800 hours, Mondays to Fridays (except Public Holidays)
0830 to 1200 hours, Saturdays.

No such development shall take place at any time on Sundays or Public Holidays.

This application proposes to vary this condition to extend delivery hours of green waste up to 1700 hours on Saturdays and from 08.30 – 17.00 hours on Sundays and public holidays.

Description and Location of Site

The application site is at Iron House Farm in Out Rawcliffe which is located 9 km east of Fleetwood town centre. The site is accessed off Lancaster Road (C Class Road) via a tarmac / stone track known as Hornby's Lane and currently operates as a green waste composting facility. The site extends over 1.6 hectares accommodating two former agricultural buildings with an area of hard surface to the rear used for the windrowing and storage of compost. The land surrounding the site is flat agricultural land with the nearest residential property being at Moss Farm Cottage, approximately 150 metres to the north of the site.

Background

History: The site is an existing green waste composting facility.

Retrospective planning permission was granted in March 2010 for change of use to form a composting site. (02/08/1116)

Planning permission was granted in February 2015 for the variation of condition 2 of permission (02/08/1116) to allow the importation and treatment of waste wood. (02/13/0788)

Planning permission was granted in March 2016 for the variation of condition 2 planning permission (02/13/0788) to allow the wastes imported to the site to include green wastes, waste timber and sanitised compost from other waste management facilities. (LCC/2015/0082)

Planning permission was granted in September 2017 for the installation of a Bio Mass Boiler and Associated Cladding of the host building. (LCC/2017/0052)

Planning Policy

National Planning Policy Framework

Paragraphs 7 - 14, 54 - 55, 80 - 82, 83 - 84, and 102 - 103 are relevant with regard to achieving sustainable development, planning conditions and obligations, building a strong competitive economy, supporting a prosperous rural economy and promoting sustainable transport.

Joint Lancashire Minerals and Waste Local Plan

Policy DM2 - Development Management

Wyre Borough Local Plan

Policy SP13 - Development in the Countryside

Policy EMP12 - Diversification of the Rural Economy

Policy ENV13 - Development and Flood Risk

Consultations

Wyre Borough Council - No observations received.

Out Rawcliffe Parish Council - Objection raised on noise and traffic impacts associated with the proposed changes. Comments raised that the amount and times of traffic movements at the site exceed those currently permitted.

LCC Highways Development Control - No objection.

Environment Agency - No observations received.

Lead Local Flood Authority - No observations received.

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

Advice

Iron House Farm has operated as a green waste composting facility since 2010. The site imports green waste materials which are then shredded to produce a compost product that can be used as a soil enhancer / fertiliser on agricultural land. The current planning permission for the site (condition 8) restricts the importation of waste, hours of shredding and the export of finished compost at the site to between 08.30 - 18.00 hours Mondays to Fridays and 08.30 - 12.00 on Saturdays. Condition 14 of the planning permission also restricts the numbers of HGV's leaving the site with compost to 5 per day.

The applicant proposes to extend the hours of operation for the importation of green wastes by extending delivery hours of green waste up to 1700 hours on Saturdays, Sundays and Bank Holidays. It is not intended to increase the hours of operation for the shredding of waste, turning activities and export of finished compost.

The application has been submitted due to the operator expecting to receive more waste from Household Waste Recycling Centres in Wyre and Fylde boroughs which would increase the total volumes of materials accepted at the site by approximately 1500 tonnes per year. The extra demand is due to Household Waste Recycling Centres being generally busier at weekends and on occasions having inadequate space to store full skips which must therefore be removed from the sites in order to allow continued acceptance of green wastes. Consequently facilities for the composting of green wastes need to have the ability to accept green wastes at weekends. Given the restrictions in the existing planning permission for the Iron House Farm site, the applicant proposes to vary condition 8 to allow green wastes to be imported on Saturday afternoons, Sundays and public holidays. The applicant estimates that this would generate 4 additional HGV movements on Saturday afternoons, Sundays and public holidays

Access to the site is gained from the A586 at St Michaels on Wyre via C class roads (Lancaster Road and Rawcliffe Road). The existing permission (condition 14)

restricts the numbers of HGV's exporting compost from the site but does not restrict the numbers of HGV's associated with the importation of green waste. Although Lancaster and Rawcliffe Roads are C Class roads, they are of a reasonable standard and width and can accommodate the relatively small number of additional HGV movements that would result from the proposal. LCC Highways Development Control have raised no objection to the application.

Out Rawcliffe Parish Council have raised an objection to the proposal on the grounds that the additional vehicle movements would have unreasonable noise and traffic impacts to nearby residents. Neighbouring residents were notified of the application by letter, including the nearest residential property (Moss Farm Cottage), located approximately 150m away from the site but no representations were received from these houses. There are some isolated properties that are located along Lancaster Road and Rawcliffe Road particularly in St Michaels on Wyre but the relatively small number of additional HGV movements that would result from the proposal would not result in unacceptable impacts on the amenity of local residents or recreational users of the highways.

The Parish Council objection also states that the amount and times of traffic movements at the site exceed those currently permitted. Condition 14 of the planning permission restricts the numbers of HGV's leaving the site with finished compost to 5 vehicles per day. The applicant has since provided records of the movements of Heavy Good Vehicles entering and leaving the site and the records show that the condition 14 is being complied with.

The proposal would allow for a small increase in the amount of green waste materials processed at the site. The times that shredding activity is allowed, which is the main source of noise at the site, would not be varied by this application but it is possible that there may be a small increase in processing activity during the existing permitted hours of operation. However noise impacts have been assessed with previous planning applications at the site and deemed to be acceptable in terms of residential amenity. For these reasons the Parish Council's views are not supported.

There would be no requirement to extend the existing areas of hardstanding or any other aspect of the development and therefore the visual impact of the site in the countryside would not be increased. The site is located in a very rural area that in general is remote from residential properties. The site is located within Flood Zone 3 however, the proposed changes would not increase the risk of flooding to adjacent land. The proposal is therefore considered acceptable and complies with policies within the National Planning Policy Framework and the Wyre Local Plan.

In view of the location, nature and scale of the proposal it is considered that no Convention Rights set out in the Human Rights Act 1998 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 LCC/2015/0082 received by the County Planning Authority on 10th August 2015 as modified by the planning application ref LCC/2019/0001 received on 9th January 2019.

b) Submitted Plans and documents:

Drawing No - GA3015-LP-01-A / Location Plan

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 policy DM2 of the Lancashire Minerals and Waste Local Plan and Policies SP13 of the Wyre Borough Local Plan.

Waste Types

3. No waste other than green waste, waste timber and waste imported from other in vessel composting facilities shall be imported to the site. Green wastes shall only comprise of grass, tree and hedge cuttings, parks and garden wastes and green waste produced by householders. Any other wastes shall be removed from the site within 24 hours of receipt and taken to a licenced waste management site.

Reason: To protect the amenities of surrounding land users and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

4. No stockpile of waste material, compost or shredded timber shall exceed a height of three metres.

Reason: In the interests of the visual amenity of the area and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan and policy SP14 of the Wyre Borough Local Plan.

Hours of Working

5. No waste shall be imported or deposited on the site, sorted, screened or shredded, and no recycled materials shall be loaded or exported from the site outside the hours of:

08.30 to 18.00 hours, Mondays to Fridays (except Public Holidays)
08.30 to 12.00 hours, Saturdays.

Notwithstanding the above hours, the site shall also be open for the acceptance of green wastes between 12.00 to 17.00 hours on Saturdays and between 09.30 to 17.00 hours on Sundays and Public Holidays. No processing operations shall take place within these hours.

This condition shall not, however, operate so as to prevent the carrying out, outside these hours, of essential repairs to plant and equipment used on the site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

Control of Noise and Dust

6. Noise emitted from the site shall not exceed 55 dB (LA)eq 1 hour (free field) when measured from Moss Farm Cottage (NGR 412 448) at a point closest to the noise source.

Reason: In the interests of the amenity of local residents and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

7. 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 DM2 of the Lancashire Minerals and Waste Local Plan and Policies SP13 and EMP12 of the Wyre Borough Local Plan.

8. An acoustic barrier comprised of straw bales not less than three metres in height shall be provided in the positions shown on drawing GA1574 -SS. The green waste and timber shredding and screening equipment shall only be located in the position shown on drawing GA1574 -55.

Reason: In the interests of amenity and the local environment and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

Highway Matters

9. Measures shall be taken at all times during the development to ensure that no dust, mud or other debris is deposited onto Lancaster Road by vehicles leaving the site.

Reason: In the interests of highway safety and local amenity and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

10. No more than 5 heavy goods vehicles, as defined in this permission, shall leave the site in any one day.

No more than 2 HGVs shall leave the site between 12.00 - 17.00 hrs on a Saturday or at any time on Sundays or public holidays.

Reason: In the interests of highway safety and the amenity of local residents and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

11. A written record shall be maintained at the site office of all movements out of the site by heavy goods vehicles, as defined in this permission; such records shall contain the vehicle's weight, registration number and the time and date of the movement and shall be made available for inspection by the County Planning Authority on request.

Reason: In the interests of highway safety and the amenity of local residents and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

12. All vehicles transporting compost from the site shall be securely sheeted.

Reason: In the interests of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

Definitions

Heavy Goods Vehicle: A vehicle of more than 7.5 tonnes gross weight.

Free field: At least 3.5 metres away from the facade of a property or building.

Notes

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

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

None

Reason for Inclusion in Part II, if appropriate

N/A