

**Development Control Committee**  
Meeting to be held on 8 September 2021

Electoral Division affected: Thornton and Hambleton
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**Wyre Borough: Application Number. LCC/2020/0061**  
**Erection of new composting building and continuation of use of existing composting site subject to a condition restricting the export of compost to five heavy goods vehicles (HGVs) per day, Iron House Farm, Lancaster Road, Out Rawcliffe, Preston**

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**Executive Summary**

Application - Erection of new composting building and continuation of use of existing composting site subject to a condition restricting the export of compost to five heavy goods vehicles (HGVs) per day, Iron House Farm, Lancaster Road, Out-Rawcliffe, Preston.

**Recommendation - Summary**

That planning permission be **granted** subject to conditions controlling time limits, working programme, hours of working, materials, highways, landscaping, ecology, drainage, noise, and dust.

**Applicant's Proposal**

The application is for the erection of a multipurpose storage building at an existing composting facility at Iron House Farm, Lancaster Road, Out-Rawcliffe, Preston. The proposed building would measure 48m x 44m with two ridges to a maximum height of 8.2m (a total floor space of 2250m<sup>2</sup>). The building would be constructed with a steel portal frame with concrete blockwork at low level and prefabricated composite metal panels in a grey colour above.

The purpose of the building would be to contain part of the composting activity to minimise windblown plastic and litter on neighbouring land during the screening, shredding and storage processes. To provide functionality, the building would be open on the principal elevation which is to the east with a solid 'push' wall to the west. The application also incorporates associated landscaping that proposes the introduction of a hedgerow along the northern side of the building, fronting Hornby's Lane. The building would be accessed either via the existing composting site or via a new egress point directly off Hornby's Lane.

This planning application also proposes the continuation of the existing composting operation but subject to a modified condition controlling heavy goods vehicles (HGVs).

Condition 10 of the existing planning permission states:

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

*No more than 2 heavy goods vehicles (HGVs) shall leave the site between 12.00 - 17.00 hrs on a Saturday or at any time on Sunday or public holidays.*

The applicant is proposing a condition which only restricts Heavy Goods Vehicles (HGVs) exporting compost from the site. The original planning permission at the site approved in 2010 (02/08/1116) included a condition restricting the number of Heavy Goods Vehicles (HGVs) exporting compost from the site. This condition was amended in March 2019 during the determination of an application to vary condition 8 to allow extended delivery hours of green waste up to 5pm on Saturdays, Sundays and bank holidays (LCC/2019/0001). The applicant wishes the condition to revert to the wording in the 2010 permission which restricts Heavy Goods Vehicles (HGVs) exporting compost to five loads per day.

On average the site currently accepts deliveries of green waste from 25 Heavy Goods Vehicles (HGVs) daily during the peak season (Spring / Summer) and approximately 10 Heavy Good Vehicles (HGVs) daily during the off-peak season (Autumn / Winter). The applicant states that the change is required due to the existing condition being in conflict with the existing contracts with local authority green waste services. The existing Environment Agency permit for the site allows the treatment of up to 75,000 tonnes of waste per year and the applicant has confirmed this amount would not be exceeded.

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

The site is an existing green waste composting facility located off Lancaster Road in Out Rawcliffe approximately 7 km west of Garstang. The site is surrounded by arable farmland on all sides and is served via an access track (Hornby Lane) which links with Lancaster Road. The immediate and wider area is characterised by flat open agricultural land with few trees and hedgerows and a dense ditch network. Small pockets of woodland and occasional ponds occur in the vicinity of the site.

There is a single residential property at Moss Farm Cottage located 150 metres north east of the site.

The application site is used for the production of compost from waste wood, commercial biowastes and green wastes arising from local authority collections. The proposed building would be located on the western side of the site furthest from Lancaster Road on an existing hardstanding area. Currently the area is used to shred and compost green wastes.

### **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 biomass boiler and associated cladding of the host building (LCC/2017/0052).

Planning permission was granted in March 2019 for the 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 (LCC/2019/0001).

## **Planning Policy**

National Planning Policy Framework (NPPF)

Paragraphs 7 - 14, 55 - 58, 81 - 83, 84 - 85, 104 - 109, 110 - 113, 126 - 136, 179 – 182, 183 - 188 are relevant with regards to achieving sustainable development, planning conditions and obligations, building a strong competitive economy, supporting a prosperous rural economy, promoting sustainable transport, considering development proposals, achieving well designed places, habitats/biodiversity, ground conditions and pollution.

National Planning Policy for Waste

Section 7 is relevant with regards the determination of applications for waste development.

Joint Lancashire Minerals and Waste Development Framework (JLMWDF) Core Strategy Development Plan Document (DPD)

Policy CS7 - Managing waste as our resource

Policy CS8 - Identifying capacity for managing our waste

Policy CS9 - Achieving sustainable waste management

Joint Lancashire Minerals and Waste Local Plan (JLMWLP)

NPPF1 - Presumption in favour of sustainable development.

Policy DM1 - Management of waste and extraction of minerals

Policy DM2 - Development Management

Policy WM3 - Local Built Waste Management Facilities

## Wyre Borough Local Plan

Policy SP1 - Development Strategy  
Policy SP2 - Sustainable Development  
Policy SP4 - Countryside Areas  
Policy SP13 - Development in the Countryside  
Policy EP8 - Rural Economy  
Policy EMP12 - Diversification of the Rural Economy  
Policy ENV13 - Development and Flood Risk  
Policy CDMP1 - Environmental Protection  
Policy CDMP3 - Design  
Policy CDMP4 - Environmental Assets

### **Consultations**

Wyre Borough Council – Object to the application as the Borough Council consider that the building by reason of its scale, bulk and siting would be visually obtrusive in the landscape. The proposed building would be larger than the existing buildings at the site and inadequate information has been provided to demonstrate that the scale of the building is necessary contrary to policies SP4 and EP8 of the Wyre Local Plan.

Out Rawcliffe Parish Council - Objection raised as stockpiles at the site exceed the height level permitted by the existing planning permission. All operations on the site should cease until the stockpiling levels have been reduced to permitted levels. Also it is evident that the number of vehicle movements to and from the site far exceed those currently permitted. A large number of industrial size tractors and trailers access the site on Sundays, contrary to existing permissions. The moss roads in the area are in a dreadful state of repair and further development would make matters worse. The provision of the proposed building would, by its scale and nature, have an unacceptable visual impact on the environment.

The Parish Council understand the need for the recycling of this waste but question the suitability of this location. The Parish Council would support the relocation of the site to a less visually sensitive area where the road network is capable of withstanding the growing pressures. The Parish Council are also concerned that allowing the construction of this building will set a dangerous precedent for other industrial development in the area, particularly within a small industrial complex nearby.

Their objection to this proposal is also based on an increase in flood risk as well as the highly damaging environmental impact this development would have and the visual impact and road network. The building would require a concrete slab and footings or a ring beam to support it and the displacement of existing surface water caused by such a volume of concrete can only have a marked effect and the increased flood risk will be considerable.

Environment Agency - No objection - the proposed development is at site which operates under a waste permit regulated by the Environment Agency. Based on the information submitted, a permit variation would not be required for the proposed development and associated waste activities. The Environment Agency advise that it

may be beneficial if future operations are taken into consideration as part of the building design. The potential treatment of food waste, as alluded to in the Design and Access Statement, in a building may not in itself be sufficient for odour abatement. For instance, a building under negative pressure may be required.

Lancashire County Council Highways Development Control - Highways have no objection regarding the proposed storage building and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. The proposed building at the western end of the site is for the compliance with permit regulations and the new access from Hornby Lane is acceptable. There is no increase in the staffing (there is a reduction to the proposed employees) and no increase to the production and processing of waste on site. There is no increase in vehicle movements to and from the site. Hornby Lane is a private access track with an established junction with Lancaster Road. Improvements such as widening the junction are outside of the red edge of the development and cannot be requested.

Lead Local Flood Authority - No observations received.

County Landscape Service - The submitted Landscape and Visual Impact Assessment does not consider the likely effects of the development proposals at various points in time, e.g. during construction, first day of operation, future year etc. The applicant has submitted photomontages for each of the selected viewpoints, but no details of the methodology used have been provided. Also in order to mitigate the effects of the proposed building on views from surrounding footpaths, mitigation measures should be required. The proposed building should be moved closer to the existing buildings to reduce the apparent 'visual width' of the overall development and maintain a more harmonious visual/functional relationship. The proposals should provide more native tree and hedgerow planting along the site boundaries.

County Ecology Service - A Habitats Regulations Assessment has been undertaken which includes an assessment of impacts on functionally linked land, water quality and surface water impacts and air pollution impacts. The Habitats Regulations Assessment includes the screening (all likely impacts screened out apart from disturbance to qualifying bird species from functionally linked land).

The assessment concludes that there would be no adverse effects on the integrity of the Special Protection Area subject to the appropriate mitigation being secured (i.e. timing the construction works to avoid the periods of the year when qualifying species may be present on land surrounding the application site). Planning conditions should be secured to control timing of the construction works. Also site clearance and ground preparation shall only take place during April to September inclusive.

Natural England (NE) - No objection- without appropriate mitigation the application would have an adverse effect on the integrity of Morecambe Bay Special Area of Conservation (SAC), Morecambe Bay and Duddon Estuary Special Protection Area (SPA), and Morecambe Bay Ramsar. In order to mitigate these effects and make the development acceptable, mitigation measures should be secured to control construction to only take place during April to September inclusive, to avoid impacts on SPA bird species. Natural England (NE) advise that an appropriate planning

condition or obligation is attached to any planning permission to secure these measures.

County Councillor John Shedwick (Member for Thornton and Hambleton) - Concerns raised that vehicles servicing this operation are already exceeding the permitted numbers and the negative impact any extra vehicles would have on the highways and local area. The proposed new egress point proposed to be taken directly off Hornby's Lane would disrupt residential amenity.

Representations - The application has been advertised by press, site notice and neighbouring residents informed by individual letter. One objection has been received raising concerns which are summarised below:

The development is not in keeping with the rural area, due to the nature of the surrounding area. The access to the site is a major concern and planning permission for a recycling plant of this size with such poor infrastructure and access should not have been approved. Since the commencement of this contract there has been a huge increase in frequency and the number of Heavy Goods Vehicles (HGVs) accessing the site on a daily basis leading to a serious deterioration of all the access roads.

The local roads are not wide or structurally substantial enough to take the number of large vehicles using them on a daily basis. However, the immediate access to the recycling site is off Lancaster Road which is a much wider road and therefore the impact of these large recycling wagons is much less. It is the access to Lancaster Road which is the issue. Access from the A6 is via Longmoor Lane and Skitham Lane, which is a moss road and has serious subsidence issues, access from the A586 is via Cartford Bridge which has a weight limit and the access from the A588 is via small country lanes.

The route most of the lorries use to access the site is from the A588 and this has impacted on the country lanes with two vehicles being unable to pass one another without one vehicle leaving the carriageway and using the verge. This has led to the creation of countless large potholes and road collapse at the edge of the carriageway, which is a danger to vehicles, cyclists etc. There is also a marked deterioration in the general surfaces of these country lanes with damage to roadside grids and uneven surfaces leading to more water retention on the road surface. There are also drains beneath the roads which are being damaged and leading them to collapse. More concerning is the subsidence of the road near the bridge adjacent to the buildings at Tarn Brook. All these extra vehicles are increasing the amount of pollution and noise in the area.

## **Advice**

The applicant has operated a green waste composting facility at Iron House Farm since 2010. The operator accepts green waste materials primarily from County Council household waste sites and also from district council household green waste collections (brown bins). Certain other materials are also accepted such as waste timber. These materials are then shredded and composted within outdoor windrows to produce a product that can be used as a soil enhancer/fertiliser on agricultural land. The application states the proposed building is to enable the operators to continue their

existing operations within the authorised limit of 75,000 tonnes with the Environment Agency permit.

The applicant states that the proposed building is required for two reasons. Firstly, the majority of the composting operation is currently undertaken outside in the open air and the proposed building would help keep the material dry during adverse weather conditions thereby reducing leachate production and possible water pollution issues. Secondly, green waste materials delivered to the site often contain plastic contamination which has to be removed during the initial shredding process. The applicant has confirmed they have previously used litter nets and picking lines to contain litter and whilst these measures have helped, they do not contain the material within the operational area adequately. Undertaking these operations within the building would mitigate environmental risk by preventing the wind blow of plastic contaminants onto other land surrounding the site.

The applicant has drawn attention to Environment Agency (EA) guidance on composting operations. The Environment Agency (EA) guidance (the quality protocol) is currently under review and one of the likely outcomes is to limit the release of plastic from waste sites into the local environment. The Environment Agency (EA) also state that although the permitting regime itself does not specifically require the erection of a building, a building would be considered good practice and an appropriate measure for minimising and managing windblown litter, from the screening, shredding and storage treatment processes.

### Principal and Policy

Iron House Farm is an established waste management site and the proposed development would generally accord with the aims of the National Planning Policy for Waste document. This policy states that when determining planning applications, waste planning authorities should consider a number of factors including nature conservation and potential land use conflict. Also as the site is located within a rural area designated in the countryside and served by a network of minor roads, it is necessary to consider whether the development/changes to the permission are appropriate in its location and ensuring the protection of important landscapes in the area.

National Planning Policy for Waste requires that waste materials should be managed at the highest level possible within the waste hierarchy. The Waste Management Plan for England sets out Government policy to work towards a more sustainable and efficient approach to resource use and management. It also sets out that planning plays an important role in delivering these ambitions through delivery of modern waste infrastructure at the highest level in the waste hierarchy and helping to ensure the re-use, recovery or disposal of waste without endangering human health or harming the environment.

Policy CS7 of the Lancashire Minerals and Waste Core Strategy seeks to manage waste as a resource, while Policy CS8 of the Core Strategy seeks to ensure an adequate provision of suitable waste facilities across the county to ensure that waste can be managed as a resource. In support of their application the applicant has stated the government has legislated to be a net zero carbon emission country by 2050 and

in order to achieve this aim, activities that reduce carbon emissions will play a significant role. The applicant states that every tonne of green waste that is composted at the site reduces carbon emissions (by diverting it from landfill and providing alternative fertilizer inputs for agricultural land) and due to the lack of other facilities in Lancashire accepting green waste and recycling it into a useful product, the Iron House Farm site helps to meet the government's strategy to reduce carbon emissions and address global climate change targets.

The building would not require a further extension of the site beyond its currently permitted boundaries. The area for the building is already hardstanding which is used for composting activities. It is considered that the building would help mitigate the risk of plastic contamination onto surrounding land and would help the operator to meet the requirements of the quality protocol review. Therefore in principle the development could be supported. The applicant has also confirmed the building would provide them with further covered storage space at the site which would assist them with their operations especially during the peak season where material would not have to be transferred off site for treatment elsewhere if the site is at capacity for space.

### Design and Landscape

Policy CDMP3 of the Wyre Local Plan states that all development will be required to be of a high standard of design and appropriate to the end use. Also all development must be designed to respect or enhance the character of the area and minimise energy consumption having regard to a number of issues, including density, siting, layout, height, scale, massing, orientation, landscaping and use of materials. Also, policy SP4 of the local plan states that development which adversely impacts on the open and rural character of the countryside will not be permitted. Policy EP8 of the Wyre Local Plan states the expansion of existing businesses within countryside areas will be supported where it meets the requirements of the Core Development Management Policies and where it is demonstrated that the scale, nature of the activity is not detrimental to the rural character of the area and any new building and supporting infrastructure is necessary.

The design of the development has a major bearing on how successfully it can be integrated into the landscape and countryside. The National Planning Policy Framework (NPPF) states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. The proposed building would measure approximately 48m x 44m with a height of 8.2m. The scale and design of the building is similar to buildings at other agricultural complexes in the area. There are also other existing buildings at the site which are at a similar height as the proposed development. The applicant has confirmed that this building needs to be 8m high due to the height and scale of the machinery which is proposed to be used within the building. No vegetation or landscaping would need to be removed to construct the proposed building.

The proposed building is located in a relatively remote location and at least 600m from the nearest public viewpoint point which is from Lancaster Road. The applicant has provided 3D modelling drawings in combination with a local viewpoint assessment showing the development configuration and impact on the surrounding landscape from 9 different viewpoints around the site. These viewpoints are from within the operational



site and outside the site showing the ability of the building to be assimilated with the landscape. The landscape in this area is very flat with very few existing landscape features that would assist in screening the building. From the sensitive viewpoints from Lancaster Road, the building would be clearly visible but the degree of harm to the landscape is limited due to the distance from this viewpoint. The visual effects would be neutral for most visual receptors primarily due to the use of grey cladding on the building to assimilate it with the sky which can be white, grey or dark grey, in long views. Additionally, due to the flat landscape the proposed development appears as a small component in a wider panoramic view from a number of the viewpoints that have been assessed.

The applicant proposes to locate the building at the western end of the site on an existing hardstanding area. This area is used to currently store compost material in the open air. The County Landscape Service has advised the building should be located closer to the existing buildings to reduce the apparent visual impact of the overall development and maintain a more harmonious visual/functional relationship. In response the applicant has stated that a large building of this nature would be difficult to construct in close proximity to the existing buildings due to lack of space within that area. Also if it was located closer to the existing buildings it would be nearer to sensitive viewpoints on Lancaster Road.

To mitigate the impacts of the building the applicant has proposed new landscaping on an existing bund along the northern boundary of the site to integrate with the existing landscape character of the locality and help to mitigate the visual impacts of the proposed storage building. After assessing the submitted design, scale and mitigation measures with the inclusion of further landscaping, the landscape impacts of the new building are considered acceptable. Overall the development would have the general form and character of buildings that are generally found in rural areas. Conditions can be attached to any planning permission dealing with the final selection of building materials. In relation to landscaping works, further discussion has taken place with the applicant as it was not considered that the proposed landscaping along the northern side of the building would have been adequate. In response, the applicant has agreed to expand the scope of the landscape scheme to the western and southern edges of the site. At present there is no landscaping on these boundaries of the site and further hedge and tree planting works would assist in screening not only the proposed building but also the other existing parts of the site and would also facilitate a biodiversity enhancement. With these conditions the development can be controlled to mitigate the visual impacts of the development minimising harm to the countryside.

### Ecology

The application site is located within 4.5km of Morecambe Bay Special Area of Conservation and Ramsar site, and Morecambe Bay and Duddon Estuary Special Protection Area. Policy 181 of the National Planning Policy Framework (NPPF) states when determining planning applications the following sites should be given the same protection as habitats sites:

- a) potential Special Protection Areas (SPA) and possible Special Areas of Conservation (SAC)

- b) listed or proposed Ramsar sites
- c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas (SPA), possible Special Areas of Conservation (SAC), and listed or proposed Ramsar sites

Policy 182 of the National Planning Policy Framework (NPPF) states the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

Land surrounding the application site may be functionally linked to Morecambe Bay and Duddon Estuary Special Protection Area (SPA) as it is used at certain times of the year by bird species for which the SPA is designated. For this reason a Habitats Regulations Assessment has been carried out for the proposed development including an assessment of impacts on functionally linked land, water quality/surface water impacts and air pollution impacts.

The Habitats Regulations Assessment concludes that the surrounding area is used for feeding by qualifying bird species of the designated sites during passage and over-wintering. There is potential for the disturbance of qualifying passage or over-wintering bird species that may forage on the surrounding land, due to noise, lighting or visual disturbance during the construction of the building. The applicant has confirmed the construction of the building would take approximately eight weeks and this could represent a good proportion of the period of the winter months when birds may be utilising adjacent fields. The Habitats Regulations Assessment concludes that there would be no adverse effects on the integrity of the Special Protection Area (SPA) provided that appropriate mitigation is secured by timing the construction works to avoid the periods of the year when qualifying species may be present on land surrounding the application site.

Planning conditions can be secured to control timing of the construction works and to ensure that any form of site clearance and ground preparation only take place during April to September. The County Ecologist confirmed any adverse effects on the integrity of the designated site can be avoided through timing of the construction works to avoid the periods of the year when qualifying species may be present on land surrounding the application site. It is concluded that there would be no adverse effects on the integrity of the Special Protection Area (SPA) subject to the appropriate mitigation being secured. Natural England (NE) have also raised no objection to the Habitats Regulations Assessment subject to appropriate mitigation being secured.

### Highways

Condition 10 of the existing planning permission LCC/2019/0001 restricts the number of Heavy Goods Vehicles (HGVs) leaving the site to not more than 5 in any one day and 2 Heavy Goods Vehicles (HGVs) on Saturday afternoon or Sunday/bank holiday. The applicant states they can only control the export of finished compost material as the contracts with the local authorities require them to accept green waste at the rates that it is collected and that it cannot be held at another facility temporarily. They are

therefore concerned that condition 10 of the existing permission does not allow them to meet the terms of the contracts with the local authorities. The applicant proposes to amend the control on Heavy Goods Vehicles (HGVs) movements so that it reverts to the previous wording which restricted the export of finished compost to no more than 5 Heavy Goods Vehicles (HGVs) per day.

It should be noted that in order to generate 5 Heavy Goods Vehicles (HGVs) loads of finished compost, the numbers of Heavy Goods Vehicles (HGVs) importing green waste will be more than 5. This is because of the bulk reduction that occurs during the waste treatment process. The site is constrained under an Environmental Permitting Regulations licence to treat up to a maximum of 75,000 tons of material annually and the applicant has complied with this since 2009. This restricts or controls the number of vehicles entering the site and tipping material through a calendar year. The business is seasonal with imports being greater during the spring and summer months of the year when larger amounts of green waste are collected by local authorities.

The operator has provided records of Heavy Goods Vehicles (HGVs) visiting the site. In June 2017 there were 725 Heavy Goods Vehicles (HGVs) movements into the site at an average daily level of 29 and there were an additional 5 exports of compost per day. In June 2021 there were 425 movements into the site with a daily average of 22 (excluding half day Saturdays) and the daily maximum was 26. In December 2020 the site had 168 Heavy Goods Vehicles (HGVs) movements with an average daily level of less than 9 and a maximum of 11.

Paragraph 109 of the National Planning Policy Framework (NPPF) states that proposals should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

When this development commenced in 2008, it was subject to a condition restricting the levels of Heavy Goods Vehicles (HGVs) exporting compost from the site. The condition attached to the 2019 permission restricting Heavy Goods Vehicles (HGVs) importing material to the site related to an application to extend working hours to include Saturday afternoons and Sundays. The limitation within that permission to 5 Heavy Goods Vehicles (HGVs) importing material to the site was intended to only relate to the Saturday afternoon and Sunday periods when there may be more amenity impacts arising from Heavy Goods Vehicle (HGV) movements. Unfortunately, the condition extended to the full operating period which appears to be an error in the wording of the condition, but which was never appealed by the applicant. Nevertheless, the applicant's current proposal to revert to the condition attached to the 2008 permission would mean that the limitations on Heavy Goods Vehicles (HGVs) would just reflect the levels that have historically applied to this site.

The proposed change to the condition would therefore not increase the number of Heavy Goods Vehicles (HGVs) accessing the site compared to the existing arrangement. During peak season the number of Heavy Goods Vehicle (HGV) movements accessing the site would be approximately two per hour and off-peak season would be approximately one per hour. This is not a significant number of Heavy Goods Vehicles (HGVs) and at these levels would not be detrimental to the surrounding highway network or local amenity.

Lancashire County Council Highways have been consulted on the application and have raised no objection and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. They have also commented that the application seeks to regularise the existing vehicle movements in relation to the previous conditions and there is no proposed increase to the current vehicle movements in relation to the facility.

The issues regarding local amenity and highway impacts as raised by the Parish Council and local resident are noted. The applicant maintains that the numbers of vehicles bringing green waste and other materials to the site cannot be controlled as they are contractually obliged to accept the waste. However, this argument is not accepted as it is tantamount to saying that the site should be able to generate unlimited amounts of waste as long as contracts are in place for that material. This argument does not take account of the environmental and highway impacts arising from the Heavy Goods Vehicles (HGVs) using local roads which in this case are C class roads. The 75,000 tonne limit imposed through the Environment Agency (EA) permit is also not for amenity and highway reasons. For this reason, it is considered that some changes should be made to the planning conditions in order to better control the highway impacts of this development going forwards. Firstly, the condition limiting the numbers of vehicles exporting compost from the site should extend to Heavy Goods Vehicles (HGVs) **and** to tractors and trailers. Secondly, it is considered that a condition should be imposed relating to the import of waste materials with an additional control on the numbers of such vehicles on a Saturday afternoon and Sunday.

With such conditions, the highway impacts are considered acceptable and comply with paragraph 109 of the National Planning Policy Framework (NPPF) and Policy DM2 of the Lancashire Minerals and Waste Local Plan (LMWLP).

### Other Matters

Paragraph 188 of the National Planning Policy Framework (NPPF) states that the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.

The proposed development may cause some additional noise impacts from construction activities but due to the short-term nature of the construction these impacts would be negligible. A precautionary measure is recommended by way of a condition to control the majority of construction working operations to the typical working day. Subject to the recommended condition it is considered that it would be unlikely that construction activities would have any detrimental impact on neighbouring landowners or local residents. It is also considered that enclosing some of the composting activities within a building would mitigate some of the noise impacts of the shredding operations and may also have some beneficial impacts in relation to odours/bioaerosols.

The National Planning Policy Framework (NPPF) sets out the vulnerability to flooding of different land uses. It encourages development to be located away from areas at highest risk (whether existing or future), and states that where development is necessary in such areas, the development should be made safe for its lifetime. It also stresses the importance of preventing increases in flood risk offsite to the wider catchment area. The building and the majority of the site falls within a flood zone 1, the lowest probability area. The site is an existing hardstanding area and the development would not increase surface run off any more than the existing arrangement. There would also be an improvement of the quality of the surface water run off as the building would help to reduce leachate and contamination of rainwater. Therefore, the development would not increase the risk for individuals onsite nor would it increase the likelihood of flooding elsewhere therefore being acceptable in terms of Policy ENV13 of the Wyre Local Plan.

### Conclusion

The National Planning Policy Framework (NPPF) and the Joint Minerals and Waste Local Plan (JMWLP) recognise that waste developments have the potential to give rise to adverse impacts on the quality of life of people for a variety of reasons including noise and dust. More specifically, Policy DM2 of the Joint Minerals and Waste Local Plan (JMWLP) supports development for waste management operations where it can be demonstrated that all material, social, economic or environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels. In assessing proposals, account should be taken of the proposal's setting, baseline environmental conditions and neighbouring land uses, together with the extent to which its impacts could be controlled in accordance with current best practice and recognised standards.

The site has been established as a biowaste composting facility for a number of years and the operations at the site have facilitated economic growth in a rural area utilising disused agricultural buildings. The proposal does include a new large building that would be visible from certain viewpoints within the landscape. However, the treatment of the external finish of the buildings, existing bunds and structures within the site and the submission of a further landscaping scheme could be developed to ensure the development would be integrated into the landscape such that there would be no significant landscape or visual impacts. On balance, the development is therefore considered acceptable in terms of policies in the local plan.

Overall it is considered that the development is an acceptable use of the site and it is unlikely that there would be any unacceptable impacts provided that any permission is subject to the recommended conditions. The site operations help in the re-use of waste which reduces reliance on landfill and moves the management of waste up the waste hierarchy. Subject to the imposition of conditions, as stated above, it is considered that the development accords with the requirements of the National Planning Policy Framework (NPPF), Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy, and Policies National Planning Policy Framework (NPPF) 1, DM1, DM2 of Joint Lancashire Minerals and Waste Local Plan (JLMWLP).

In view of the location, design and nature of the development 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:

a) The Planning Application received by the County Planning Authority on 26 October 2020.

b) Submitted Plans and documents

Drawing Number - GA3343-LP-01B / Location Plan

Drawing Number - GA3343-SP-01 / Existing Site Plan

Drawing Number - GA3343-001 / Proposed Plans and Elevations

Drawing Number - GA3343-PSP-01 / Proposed Site Plan

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 policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JMWLP) and policies SP2 and CDMP3 of the Wyre Local Plan.*

### **Hours of Working**

3. 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 (LMWLP).*

4. No works to construct the building shall take place outside the hours of:

07.00 to 18.00 hours Monday to Friday (except Public Holidays),  
08.00 to 14.00 hours on Saturday.

No construction works shall take place at any time on Sundays or Public Holidays.

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

*Reason: To safeguard the amenity of local residents and adjacent properties and land users and to conform with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) and policy SP1 of the Wyre Local Plan.*

5. 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 (LMWLP).*

## **Materials**

6. No external cladding or finishes to any building or structure shall be applied until details of the building materials to be used for the external elevations and the roof of the building have been submitted to and approved in writing by the County Planning Authority. Thereafter, only those materials approved by the County Planning Authority shall be used.

*Reason: To safeguard the visual amenity of the area and to comply with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) and Policies SP4, SP5 and CDMP3 of the Wyre Local Plan.*

## **Highway Matters**

7. Measures shall be taken at all times during the operation of the site to ensure that no dust, mud or other deleterious materials are transferred onto the public highway 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 Development Framework Site Allocations and Development Management Policies Development Plan Document (DPD).*

8. The numbers of Heavy Goods Vehicles (HGVs) leaving the site associated with the importation of green waste or other waste materials for the purpose of producing compost shall not exceed the following levels:-

1st April to 30th November

a) Mondays to Fridays - not more than 580 Heavy Goods Vehicles (HGVs) per month with a maximum number of 30 Heavy Goods Vehicles (HGVs) per day

b) Saturdays and Sundays - 10 Heavy Goods Vehicles (HGVs) per day

1st December to 31st March

a) Mondays to Fridays - not more than 180 Heavy Goods Vehicles (HGVs) per month with a maximum number of 11 Heavy Goods Vehicles (HGVs) per day

b) Saturdays and Sundays - 5 Heavy Goods Vehicles (HGVs) per day.

A written record shall be maintained of all Heavy Goods Vehicles (HGVs) associated with the importation of waste materials to the site and the export of finished compost. The record shall contain details of the date and time of the movement, the vehicle registration number and the vehicle weight. The record shall be made available to 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 (LMWLP).*

9. No more than 5 vehicles per day shall leave the site associated with the export of finished compost material. This condition shall apply to Heavy Goods Vehicles (HGVs) and tractors and trailers.

*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 (LMWLP).*

10. 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 (LMWLP).*

11. All mobile plant used in connection with the operation of the site shall be fitted with and use white noise reversing alarms. No reversing beepers shall be used on such plant.

*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 (LMWLP).*

## **Landscaping**

12. Within three months of the date of this planning permission, a landscaping scheme for the further screening of the Iron House Farm composting site shall be submitted to the County Planning Authority for approval in writing.

The scheme shall provide details of landscaping including tree and hedge planting including details of areas to be planted, layout and sizes of species to be planted, planting techniques, and protection measures.

The measures contained in the approved scheme shall be implemented in the first planting season following the completion of the development.

All planting works shall be maintained for a period of five years including the replacement of dead and dying plants, weed control and the maintenance of protection measures.

*Reason: In the interests of biodiversity and to secure the proper landscaping of the site and to conform with policies EMP12, CDMP1 and CDMP4 of the Wyre Local Plan.*

13. No stockpile of waste material, compost or shredded timber outside of the building shall exceed a height of five 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 (LMWLP) and Policies SP2 and CDMP3 of the Wyre Local Plan 2011 – 2031.*

## **Ecology**

14. All construction works including site clearance and ground preparation for the building subject to this planning permission shall only take place during April to September inclusive, to avoid impacts on the Morecambe Bay and Duddon Estuary Special Protection Area bird species during the overwintering period.

*Reason: To protect birds and to conform with Policies CDMP1 and CDMP4 of the Wyre Local Plan.*

## **Drainage**

15. No development shall commence until a scheme and programme for the management and attenuation of surface water from the building subject to this application has been submitted to and approved in writing by the County Planning Authority.

The measures for the management and attenuation of surface water from the development shall be implemented as part of the construction works and maintained in operational condition thereafter.

*Reason: In the interests of surface water control and to prevent flooding and to conform with policy CDMP4 of the Wyre Local Plan.*

## **Noise**

16. 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 and policy SP1 and SP2 of the Wyre Local Plan.*

17. Noise from the site shall not exceed the background level by more than 10dB(A) LAEQ (1 hour) free field when measured from Moss Farm Cottage, Hornby's Lane (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 (LMWLP).*

## **Dust**

18. Measures shall be taken at all times during the development to ensure that no dust or wind-blown material from the site is carried on to adjacent property.

*Reason: To safeguard the amenity of the local area and to conform with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) and policies SP1, SP2 and CDMP4 of the Wyre Local Plan.*

## **Definitions**

Heavy Goods Vehicle (HGV): 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.

Planting Season: The period between 1 October in any one year and 31 March in the following year.

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

**List of Background Papers**

Paper	Date	Contact/Directorate/Telephone
LCC/2020/0061	August 2021	Faiyaz Laly, Planning and Environment 01772 538810

Reason for Part II

N/A