

Development Control Committee
Meeting to be held on 2 March 2022

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 HGV vehicles per day. Iron House Farm, Lancaster Road, Out Rawcliffe.

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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.

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 Iron House Farm, Lancaster, Out-Rawcliffe which is an existing green waste composting facility. The proposed building would measure 48m x 44m with two ridges to a maximum height of 8.2m (a total floor space of 2250m²). The building would be constructed from 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 improve the containment of the composting activity to minimise windblown plastic and litter on neighbouring land during the screening, shredding and composting processes. The building would be open on the principal elevation which is to the east with a solid 'push' wall on the western elevation. The proposal also includes landscaping comprising of a hedgerow along the northern side of the building, fronting Hornby Lane. The building would be accessed either via the existing composting site or via a new egress point directly off Hornby Lane.

This planning application also proposes the continuation of the existing composting operation but subject to a modified condition controlling Heavy Goods Vehicles (HGVs).

The original planning permission for the composting activity at this site granted in 2010 (02/08/1116) included a condition restricting the number of Heavy Goods Vehicles (HGVs) exporting compost from the site to five per day. This condition was amended in March 2019 to allow extended delivery hours of green waste up to 5pm on Saturdays, Sundays and bank holidays (LCC/2019/0001). The condition attached to the 2019 permission reads as follows:

Condition 10 of the existing planning permission states:

No more than five Heavy Goods Vehicles (HGVs), as defined in this permission, shall leave the site in any one day.

No more than two 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 wishes the control on Heavy Goods Vehicle (HGV) movements to revert back to the wording in permission ref 2/08/1116 which restricts Heavy Goods Vehicles (HGVs) exporting compost to five movements per day.

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 served via an access track (Hornby Lane) which links with Lancaster Road. The site lies in open countryside characterised by flat open agricultural land with few trees and hedgerows and fields separated by a ditch network. Small pockets of woodland and occasional ponds occur with the vicinity of the site.

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

The application site is used for the production of compost primarily produced from green waste arising from local authority collections and household waste centres. Waste wood and other compostable materials are also imported either as an additive to the green waste or are used to produce chipped/shredded wood products.

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 where the following permissions have been granted.

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 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 of the National Planning Policy Framework (NPPF) are relevant with regard 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 - No objection.

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 would 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 (EA) - No objection, the proposed development is at site which operates under a waste permit regulated by the Environment Agency (EA). Based on the information submitted, a permit variation would not be required for the proposed development and associated waste activities. The Environment Agency (EA) 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 has no objection regarding the proposed erection of a 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. In order to mitigate the effects of the proposed building on views from surrounding footpaths the following mitigation measures should be required:

- The proposed building should be moved closer to the application site's 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 assessment concludes that there would be no adverse effects on the integrity of the Special Protection Area (SPA) subject to the appropriate mitigation being secured (ie 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 should only take place during April to September inclusive.

Natural England - 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 require construction to only take place during April to September inclusive, to avoid impacts on Special Protection Area (SPA) bird species. Natural England advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

County Councillor John Shedwick - Concerns raised that vehicles servicing this operation are already exceeding the permitted numbers and the negative impact that 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 surrounding rural 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 accessing the site on a daily basis leading to a serious deterioration of all the access roads.

The local roads are just not wide or structurally substantial enough to take the numbers of large vehicles using them on a daily basis. 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 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 on that road.

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

Around 2010 a number of green waste composting sites received planning permission to deal with the increased amounts of green waste being collected from household collections and household waste recycling centres. These sites were located in rural areas often on current or former farm sites in order to ensure they were positioned away from houses to avoid odour / bioaerosol issues and due to the end product being used as a fertiliser soil or soil improver on local farmland.

The site at Iron House Farm was one of those sites and accepts green waste materials primarily from County Council household waste sites and also from district council household 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 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 (plant pots and other plastic packaging) which has to be removed during the shredding process to improve the quality of the finished compost product. The applicant has 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 prevent the wind blow of plastic 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, it would be considered good practice and an appropriate measure for minimising and managing windblown litter from composting operations.

Principle and Policy

Iron House Farm is an established waste management site. The National Planning Policy for Waste states 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 Development Plan Document seeks to manage waste as a resource, while Policy CS8 of the Core Strategy Development Plan Document 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 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 currently used for composting activities. It is considered that the building help to prevent the migration of plastic waste onto surrounding land and meet the requirements of the compost quality protocol review. The applicant has also confirmed that the building would provide them with covered storage space which would be especially useful during the peak season. Currently material has to be transferred off site for treatment elsewhere if the Iron House Farm 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 and 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. 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 they meet 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 proposed building would measure approximately 48m x 44m with a height of 8.2m. The scale and design of the building is similar to other agricultural buildings which are located within the site and at other neighbouring farms. The applicant has confirmed that the building needs to be 8m high due to the machinery which is proposed to be used within the building to shred and handle the waste/compost material. 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 Lancaster Road. The nearest public rights of way to the site are located 800 metres to the west and 600 metres to the east. 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 nine different viewpoints around the site. These viewpoints are from within the operational site and outside the site showing the visual impact of the building. The landscape in this area is very flat with very few existing landscape features that would assist in screening the building. From the viewpoints on Lancaster Road, the building would be clearly visible but the degree of impact 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 distance from the viewpoint and the use of grey cladding on the building to assimilate it with the sky which is the primary background in this flat landscape. Additionally, due to the flat landscape the proposed development appears as a small component in a wider panoramic view therefore reducing the visual impact of the proposed building. The building would also cover existing composting operations that are undertaken in the

open air and the visual impacts of the building therefore need to be considered in that regard.

The applicant proposes to site the building at the western end of the site on an existing hardstanding area. This area is used to currently store material in the open. The County Landscape Service advise that 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. The existing hardstanding also slopes towards the existing buildings allowing leachate and contaminated water from the compost to be collected and treated. If the building were located immediately adjacent to the existing buildings, there would be implications for this leachate collection system. It would also be difficult to access the remaining areas of hardstanding which would still be required for outdoor composting activities as they would be behind the building.

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. There is also potential for some further landscaping to be added on the western edge and southern edges of the site. At present there is no landscaping on these boundaries of the site. Further hedge and tree planting works on these boundaries would assist in screening not only the proposed building but also the other existing parts of the site and would address the comments of the Lancashire County Council (LCC) Landscape Advisor. They would also facilitate a biodiversity enhancement. The applicant is willing for this landscaping to be the subject of a planning condition.

Overall, the development would have the general scale and character of buildings that are generally found in rural countryside areas and with the above conditions the visual impacts of the development can be mitigated to an acceptable level minimising harm to the countryside.

Ecology

The Application Site is located within 4.5km of Morecambe Bay Special Area of Conservation and Ramsar, and Morecambe Bay and Duddon Estuary Special Protection Area (SPA).

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 over wintering bird species for which the Special Protection Area (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 during passage and over-wintering periods and there is potential for the disturbance of these bird species that may forage on the

surrounding land 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. This can be secured through a planning condition.

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 have also raised no objection subject to appropriate mitigation being secured.

Highways

Condition 10 of the existing planning permission ref LCC/2019/0001 restricts the total number of Heavy Goods Vehicles (HGVs) leaving the site to not more than five in any one day and two Heavy Goods Vehicles (HGVs) on Saturday afternoon or Sunday/bank holiday. This condition related to an application to extend working hours to include Saturday afternoons and Sundays in order that the site could accept green waste from household waste disposal centres during weekends. The limitation on Heavy Goods Vehicle (HGV) numbers within that permission was intended to only relate to the Saturday afternoon and Sunday periods, these being the additional working periods that were applied for at the time.

Although condition 10 was not appealed, the applicant is concerned that this condition does not correctly reflect the vehicle number restriction that was historically applied to the site within the planning permission 2/08/1116. This permission restricted the numbers of Heavy Goods Vehicles (HGVs) leaving the site with compost to five per day (Mondays to Fridays and Saturday mornings) and did not restrict the numbers of vehicles entering the site with waste. The applicant states they can only control the export of finished compost material as the contracts with the local authorities require them to import 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. They also state that the site is subject to an Environmental Permitting Regulations permit from the Environment Agency (EA) which allows the treatment of up to a maximum of 75,000 tons of material annually.

It is acknowledged that the existing condition 10 is incorrect for the reasons stated above and therefore the opportunity should be taken through this application to address the error by reverting to the limitation on compost exports contained in the 2008 permission.

County Councillor Shedwick, the Parish Council and a local resident have raised concerns in relation to the numbers of Heavy Goods Vehicles (HGVs) that this site is generating and the impacts on the structure and safety of the local road network serving this site. The issue regarding Heavy Goods Vehicle (HGV) movements to

this site, in particular the importation levels, is complicated by the practicalities of the operation as more than five loads of green waste must be imported to the site in order to produce five loads of compost. This is because of the bulk reduction that occurs during the shredding and composting process. It is also important to recognise that the business is seasonal with imports being greater during the spring and summer months when larger amounts of green waste are collected by local authorities. To address the concerns raised by the Parish Council and local resident, it is considered that should any new permission be granted for this site, enforceable controls should be included to regulate the amounts of green waste and waste timber that are imported to the site.

The applicant has drawn attention to the existing limitation within the Environmental Permit of 75,000 tonnes per year. However, this level relates to the permitting process controlled by the Environment Agency (EA) and does not consider the traffic and environmental capacity issues which are assessed and controlled through the planning process.

The operator has provided some records of Heavy Goods Vehicles (HGVs) visiting the site. In June 2017 there were 725 Heavy Goods Vehicle (HGV) movements into the site at an average daily level of 29 and there were an additional five 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 Vehicle (HGV) movements with an average daily level of less than nine and a maximum of 11.

The applicant has not undertaken any transport assessment as part of this application to support an increase in traffic levels and the consultation has been carried out on that basis. Any new condition relating to importation of waste must reflect the historic restriction on compost export imposed through the 2008 permission and can be no higher. If the applicant wishes to increase the volumes of waste that can be imported, this should be the subject of a further application accompanied by the relevant assessment information.

In order to resolve the difficulties presented by the bulk reduction issue, the County Council has obtained advice from a consultancy with experience in composting operations. The consultant has reviewed the weighbridge data provided by the applicant as well as returns that are provided to the Environment Agency. The consultant considers that based upon the types of waste processed at this site, there would be a loss in volume of 50 – 60% as a result of the shredding and composting process. Using this reduction factor, it is likely that between 10 -13 Heavy Goods Vehicle (HGV) loads of imported waste per day would provide sufficient material to produce five Heavy Goods Vehicle (HGV) loads of compost per day. Based upon the average tonnage per Heavy Goods Vehicle (HGV), this would equate to an annual throughput of 31,500 tonnes. This is reflective of the tonnages to the site recorded by the Environment Agency (EA).

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. A level of activity at this site based upon five loads of

compost leaving the site has previously been assessed and has been determined as acceptable in terms of highway safety/capacity and local amenity. Lancashire County Council (LCC) 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 to the facility.

The issues regarding local amenity and highway impacts as raised by the County Councillor Shedwick, 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 accept unlimited amounts of waste if 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. For this reason, it is considered that some changes should be made to the planning conditions in order to control the volumes of waste being imported to the site and to ensure that they are commensurate and proportional to the historic limitation on compost exports. It is considered that an additional condition regulating daily Heavy Goods Vehicle (HGV) movements importing waste to the site is necessary and which should take account of the seasonal issues raised by the applicant including allowing higher numbers of inputs during certain times of the year.

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

Other Matters

Paragraph 188 of the National Planning Policy Framework (NPPF) states 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 help to mitigate the noise impacts of the shredding and composting 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 area with the lowest probability of flooding. Although the site is already covered by a concrete hardstanding and therefore would not increase total surface run off any more than the existing arrangement, run off from the building roof would be clean and therefore can potentially be discharged direct to a water course. It is considered that the details of run off control should be the subject of a planning condition. There would also be an improvement of the quality of the surface water run off as the building would help to reduce leachate volumes and contamination of rainwater. With the above condition, the building would be acceptable in terms of water volume and quality considerations and conforms with Policy ENV13 of the Wyre Local Plan.

Conclusion

The site has been an established 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 and also contribute to the recycling of waste helping to achieve a move up the waste hierarchy. The proposed building 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 would enable the development to be integrated into the landscape such that there would be no significant landscape or visual impacts.

The introduction of a new condition to control green waste imports would ensure that the traffic impacts of this development are acceptable and that traffic levels remain consistent in terms of the level of activity that has previously been permitted on this site.

On balance, the development is considered acceptable in terms of the policies of the development plan.

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 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.

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 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 horticultural 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.

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 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 DPD.

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

1 April to 30 November

- a) Mondays to Fridays - 18 Heavy Goods Vehicles (HGVs) per day
- b) Saturdays (08.00 hrs - 13.00 hrs) - seven Heavy Goods Vehicles (HGVs)
- c) Saturday afternoons (13.00 - 17.00 hrs) -two Heavy Goods Vehicles (HGVs)
- d) Sundays - two Heavy Goods Vehicles (HGVs)

1 December to 31 March

- a) Mondays to Fridays – six Heavy Goods Vehicles (HGVs) per day
- b) Saturdays (08.00 - 13.00 hrs) – three Heavy Goods Vehicles (HGVs)
- c) Saturday afternoons (13.00 hrs - 17.00 hrs) – two Heavy Goods Vehicles (HGVs)
- d) Sundays – two Heavy Goods Vehicles (HGVs)

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.

9. No more than five vehicles per day shall leave the site associated with the export of finished compost or shredded waste timber 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.

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.

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.

Landscaping

12. No construction of the building shall commence until a landscaping scheme for the further screening of the boundaries of the Iron House Farm composting site has been submitted to and approved in writing by the County Planning Authority.

The landscaping scheme shall provide details of the following:

- a) details for landscaping including details of areas to be planted, layout and sizes of species to be planted, planting techniques, and protection measures.
- b) details of the works that will be undertaken to the bund on the northern side of the site to accommodate the building and new access.

The landscaping proposals contained in the approved scheme shall be implemented in the first planting season following the completion of the building.

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 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.

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

Drainage

15. No building works shall commence until details of a surface water sustainable drainage system for the surface water run off from the building have been submitted to and approved in writing by the County Planning Authority. The details shall include
- a) Information about design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), surface water discharge point(s) and the methods employed to delay and control surface water discharged from the building.
 - b) Demonstration that the surface water run-off will not exceed greenfield runoff rate.
 - c) Details of flood water exceedance routes, both on and off site.

Thereafter, the approved surface water sustainable drainage system shall be implemented in accordance with the approved details and operated and maintained while the building is present on site.

The measures contained in the approved scheme 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.

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 and policies SP1, SP2 and CDMP4 of the Wyre 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.

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 / Telephone
LCC/2020/0061	August 2021	Faiyaz Laly, Planning and Environment 01772 538810

Reason for Part II

N/A