

Development Control Committee
Meeting to be held on 19 October 2022

Electoral Division affected:
Moss Side and Farington

South Ribble Borough: application number. LCC/2022/0039

Erection of temporary inert waste processing and washing plant with a concrete base and export of recycled materials off-site at Lydiate Quarry, Lydiate Lane, Farington, Lancashire

Contact for further information:
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Brief Summary

Application - Erection of temporary inert waste processing and washing plant with a concrete base and export of recycled materials off-site at Lydiate Quarry, Lydiate Lane, Farington, Lancashire.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling commencement, time limits, working programme, access track, hours of working, reversing alarms, stockpile heights and restoration.

Applicant's Proposal

This application is for an inert waste processing and washing plant. The plant would include a number of components such as a primary feeder, feed conveyer, filter press and enclosure, stockpile conveyors, water tank, steel steps, handrails and walkways. The plant would sit on a new concrete pad covering an area of approximately 93m by 91m with the filter press enclosure the highest section at 15m above excavated ground level. The majority of the conveyor system would be steel finish with some sections coloured blue and white, and grey. The plant would be powered by mains electricity.

The applicant had originally requested a temporary permission to tie in with the permitted duration of mineral working, which is 1 June 2030 but has agreed that an end date of 1 June 2029 would be more appropriate in view of the existing landfill phasing arrangements at the site. Thereafter, final restoration is to be achieved by 2031.



Inert materials would be imported to the site in the same manner as they currently are for landfilling but the materials to be processed would be stockpiled immediately north of the concrete base. Any surface water from the stockpile would drain to the western and southern edge of the main water settlement lagoon/storage area located north of the processing and washing plant.

The plant would clean and sort materials into different sizes of aggregate, and fine and coarse sand. The new washing plant would also incorporate water recycling which the applicant states would ensure that up to 90% of the process water could be recirculated back into the system, offering an integrated water treatment solution. Clean water would be separated from the solid particles and those solid particles form a sludge which would be dried further in the filter press. The filter press would recover any remaining water for recirculation and create a dry filter cake that could then be used for landfill capping.

Description and Location of Site

The application site is at the south western area of an operational sand and gravel quarry, to the north of Lydiate Lane, Farington. The plant and concrete pad would be constructed on an existing sand and gravel storage area adjacent to existing sand and gravel processing plant. The new development would be accessed via the existing quarry road entrance arrangement, which also features a weighbridge, office, and wheel washing infrastructure. The permitted mineral extraction area extends over approximately 19 hectares. The inert waste processing and washing plant would be located at the base of the quarry within an existing processing and stockpile/storage area.

Land beyond the site to the north is in agricultural use although some of it is identified as a strategic investment site for future mixed employment use development. Residential properties are located along Lydiate Lane with the nearest approximately 100m to the west. A housing estate is located beyond Lydiate Lane to the south with the nearest properties at approximately 120m from the processing plant at Bristol Avenue. The M6 motorway is located some 300m east of the processing plant beyond the active quarry and landfill. The site is within Green Belt.

Background

Lydiate Lane sand quarry was granted planning permission on appeal in Aug 1993 (ref. 07/91/648) subject to conditions. The quarry has been operational since 1998.

On 13 July 2016 planning permission was granted for a continuation of sand and gravel operations until 1 June 2030 and restoration of the site using imported inert waste by 1 June 2031 (ref LCC/2016/0035).

Planning Policy

National Planning Policy Framework

Waste Management Plan for England

National Planning Policy for Waste



Joint Lancashire Mineral and Waste Development Framework Core Strategy DPD -
Managing our Waste and Natural Resources

Policy CS2	Minimising the need for mineral extraction
Policy CS3	Meeting the demand for new minerals
Policy CS7	Managing our Waste as a Resource
Policy CS8	Identifying Capacity for Managing our Waste

Joint Lancashire Minerals and Waste Local Plan - Site Allocations and Development
Management Policies – Part One

Policy NPPF1	Presumption in Favour of Sustainable Development
Policy DM1	Management of Waste and Extraction of Minerals
Policy DM2	Development Management
Policy WM4	Inert Waste Recycling

Central Lancashire Adopted Core Strategy

Policy 29	Water Management
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South Ribble Local Plan

Policy G17	Design Criteria for New Development
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Consultations

South Ribble Borough Council – No objection however would suggest that appropriate mitigating landscaping is implemented.

Farington Parish Council – Object on the basis that not enough information has been provided by the applicant. There will be more traffic, including commercial vehicles. There will be additional staff on site. More dust will be created, which does not appear to be mitigated and causes an environmental issue. There will be a requirement for additional drainage which has not been addressed in the application.

Environment Agency - The operator will need either a bespoke aggregates recycling permit that specifically includes washing or it may be possible to carry out a variation application relating to existing permits in operation at the site. If the applicant is able to satisfy the requirements of the bespoke permit that will be required for the proposed activities, there is no objection to the planning proposal.

Lancashire County Council Highways Development Control – No objection. There is no new site access or proposed alterations to the existing highway access arrangements. Lancashire County Council's five-year database for personal injury accidents has been reviewed, which indicates that there have not been any recorded incidents within the vicinity of the proposed access/access route for the last five years that could be attributed to the site operation. It would appear that the plant unit would be used for the processing of materials that would already be coming to the site and the application is unlikely to result in a material change in the current level of haulage traffic. The site access is of a good standard and there does not appear to



be any accidents associated with the existing site use. The proposal should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site.

Lancashire County Council Lead Local Flood Authority – No objection.

United Utilities – Request details/conditions relating to surface and foul water drainage to avoid sewer surcharge.

Representations – The application has been advertised in a local newspaper, by site notice, and neighbouring residents have been informed by individual letter. Four representations have been received objecting to the proposal for the following summarised reasons:

- The operator regularly burns all waste types at night, which leaves a smog over the residential area of Bristol Avenue.
- Unless a safer road access is created to the site, ie a roundabout, slow moving waste vehicles would be merging onto an already busy road where speeding is still an issue.
- Residents already suffer sand pollution on a regular basis when the wind blows from the east, which covers the house and vehicles, therefore requiring windows to be closed. Road sweeping often makes it worse and causes noise pollution by commencing at 7.30-8am.
- There is noise pollution from the site from machinery and vehicles entering and leaving the site as early as 6am.
- The addition of a recycling plant, the noise from the plant and additional vehicles is going to be horrendous, producing even more pollution.
- The junction of Lydiate Lane and Stanifield Lane is already very congested, additional heavy goods vehicles (HGVs) going to and from the site will only add to the congestion.
- Lydiate Lane from the motorway bridge onwards to Wigan Road is very narrow and even narrower when people park outside their cottages. Vehicles travel too fast, and it is dangerous.
- The development would be an eyesore.

Advice

This application is for an inert waste processing and washing plant, ancillary equipment, and a concrete pad sited within the base of an active quarry. The purpose of the plant is to enable a proportion of the imported inert waste materials to be washed and processed to produce a variety of recycled fine and coarse aggregates for resale into the construction market. Residual waste materials and soils would be used for restoration of the worked-out areas of the quarry back to agricultural land.

The site already contains aggregate screening and washing plant for the sand and gravel worked from the adjacent quarry and this can be carried out under permitted development rights (subject to conditions). However, this planning application relates to waste management operations and no permitted development rights are available so separate planning permission is required.



The National Planning Policy for Waste sets out the national planning policies for waste development and should be read in conjunction with the National Planning Policy Framework. It sets out the Government's continuing ambition to work towards a more sustainable and efficient approach to resource use and management including driving waste up the hierarchy and minimising waste. This includes helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment and recognising the need for a mix of types and scale of facilities, and that adequate provision must be made for waste disposal.

Policy CS3 of Joint Lancashire Mineral and Waste Development Framework Core Strategy sets out provision for sand, gravel and aggregate working and importantly stipulates that this will be met through a combination of rolling forward and identifying a minimal range of new mineral sites and relying on the maximum contribution from secondary and recycled aggregates.

Following on the policy above, Policy WM4 of the Joint Lancashire Minerals and Waste Local Plan gives support for aggregate recycling facilities at Lydiate Lane on condition that it will not compromise the long-term restoration of the quarry back to a beneficial after-use within the original timescale of the parent permission.

The applicant estimates that the quarry has approximately 200,000-300,000 tonnes of remaining sand and a void space of around 900,000m³ (approximately 1.6 million tonnes), which will be filled with residual inert waste, soils and top soils. The quarrying side of operations is heading towards completion and the pace at which restoration takes place is governed by market forces, fluctuations in the availability of suitable material and site ground conditions.

The current Environmental Permit for the site allows for up to 200,000 tonnes of waste to be deposited at the site each year. Theoretically, the site could be restored to approved levels in eight years and within the current approved time limit of the planning permission. However, daily, weekly and annual inputs can vary depending on the factors mentioned above. Therefore, it is very difficult to predict how long restoration will actually take. Similarly, it is difficult to predict what impact recycling facilities would have on restoration of the site as this would depend on the availability of waste materials and the nature of those materials for recycling or disposal.

Fundamentally, the proposed development would allow the production of recycled aggregate materials of a higher quality helping to preserve mineral reserves elsewhere and would also reduce the likelihood of waste materials being landfilled, which is supported by local and national policy. At this stage there is no strong reason to argue that the proposal would compromise the long-term restoration of the quarry back to a beneficial after-use within the original timescale of the parent permission and the overriding benefits are supported in principle. A condition is recommended for the removal of the processing and washing facilities prior to the approved final restoration date for the sand quarry.



Green Belt

The application site is located in the Green Belt. Paragraph 137 of the National Planning Policy Framework (NPPF) states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.

Paragraph 138 of the National Planning Policy Framework (NPPF) explains that the purposes of including land in Green Belt includes checking the unrestricted sprawl of large built-up areas, preventing towns merging into one another, assisting in safeguarding the countryside from encroachment, preserving the setting and special character of historic towns, and assisting in urban regeneration.

Paragraph 147 of the National Planning Policy Framework (NPPF) advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The development includes built development in the form of the processing and washing plant and associated concrete pad that are inappropriate development and therefore very special circumstances must be demonstrated.

Paragraph 148 of the National Planning Policy Framework (NPPF) advises that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

In this instance there would be limited harm on the openness of green belt and purposes of including land in green belt as the proposed development is for a temporary period, is of a similar nature to existing quarry operations, and would be located within an existing sand quarry that is being restored with inert waste. A weighting of these very special circumstances against any other harm from the proposal is made in the conclusion of this report.

Landscape and visual Impact

The quarry has limited visual impact on the local area given that mineral working, and processing operations largely take place at or below surrounding ground levels, and there are well established peripheral screening mounds and tree planting. Views of the site can be experienced from the M6 motorway and public footpaths to the east; however these are transient and largely insignificant in terms of the processing and washing plant. The proposed development would be located at the south western corner of the quarry at a base level of 40m above ordnance datum (AOD), some 5-10m lower than surrounding land. The highest part of the plant would be lower than the top of tree planted peripheral bunding (50-54m above ordnance datum (AOD) when viewed from key residential receptors off Lydiate Lane.

The proposed development would be of a temporary nature and would be removed prior to the final restoration of the site. A condition is recommended to prohibit stockpile heights exceeding approved landfill restorations levels, which will minimise



visual impact and also help to minimise dust entrainment. On this basis it is considered that there would be no adverse landscape or visual impacts. South Ribble Borough Council raises no objection however recommends appropriate mitigation landscaping. Given the aforesaid assessment, further mitigation landscaping would not be necessary.

Impact upon local amenity and pollution control

The National Planning Policy Framework (NPPF) and the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) recognise that minerals and 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, dust and vibration. Paragraph 185 of the National Planning Policy Framework (NPPF) states that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. New development should mitigate and reduce to a minimum the potential adverse impacts resulting from noise and avoid noise giving rise to significant adverse impacts on health and the quality of life.

Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) supports development for minerals or 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 applicant has submitted a noise assessment that considers local ambient noise levels and predicted noise levels from the operation of the new processing and washing plant. The report concludes that there would be no significant or unacceptable adverse impacts at noise-sensitive premises in the vicinity of the site from the activity. This is primarily because of the relatively high background noise levels from road traffic using the M6 and M65 motorways along with other local routes including Lydiate Lane and Stanifield Lane and that the plant would only be used during the daytime in line with normal quarry working. On this basis, a condition is recommended to restrict plant usage to between 07.00 and 18.30 Monday to Friday, 08.30 and 12.30 on Saturdays, and no working on Sundays and public holidays. A condition is also recommended in relation to reversing alarms so that where they are employed on site on mobile plant and equipment, only broadband multi-frequency sound alarms (white sound) are to be used.

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. The existing waste operations at this site are already subject to an Environmental Permit, which specifies acceptable waste types and sets standards for the control of noise, water quality and air emissions. The introduction of the processing and washing plant



would require an amendment to the permit or a new permit. There is no reason to conclude that the permit should not provide the necessary pollution controls in this respect and the Environment Agency raise no objection. For existing quarrying operations, conditions are already in place for noise and dust control as part of permission ref. LCC/2016/0035.

Highway Matters

Paragraph 110 of the National Planning Policy Framework (NPPF) states that planning applications should be assessed to ensure that appropriate opportunities have been taken to promote sustainable transport; safe and suitable access to the site can be achieved for all users; and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 111 makes it clear that development should only be prevented or 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.

The policies of the Development Plan in particular DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) seek to ensure that proposals for minerals and waste development do not give rise to unacceptable traffic and road safety problems or unacceptable effects on amenity along the routes used.

The development would be at an existing quarry and landfill site with established access arrangements. There would be no change to these highway arrangements associated with the application and vehicle movement numbers have historically not been restricted due to the suitability of Lydiate Lane and the surrounding highway network to accept heavy goods vehicles (HGVs). The applicant has stated that the recycling plant has a maximum rating of 200 tonnes per hour, so for a typical 8-hour day this could be a throughput of 1600 tonnes, which could equate to approximately 64 trips a day at an average 25 tonne load. Inert waste already being delivered to Lydiate Lane for landfilling contains materials that are capable of being recycled however which are currently not for physical or economic reasons and are therefore deposited in the landfill site. The volumes imported to the site, are, and would be dependent on the availability of waste. The applicant anticipates that there could be an average of 100 trips per day and up to 200 trips per day for disposal and recycling operations, which would cater for such occasions where there was a large volume arising from a particular waste producing activity. The County Council's Highways Development Control has raised no objection and commented that the proposals would have a negligible impact on highway safety and capacity in the immediate vicinity of the site.

Notwithstanding the acceptability in highway capacity terms, heavy goods vehicle (HGV) movements have the potential to generate dust/mud nuisance. Historically, complaints have been received in relation to mud being tracked out of the site during wet weather and dust when the road is dry. This has been a particular problem when there have been high numbers of vehicle movements and there have also been contributions of mud and dust from overhanging kerb edge soil along Lydiate Lane. In recent times, there have been no particular concerns in this respect due to highway kerb edge clearance work and more disciplined wheel cleaning and road sweeping.



The operator has a responsibility to ensure that highway cleanliness is carefully monitored, and that action is taken in the event that there is evidence of dust or mud leaving the site. This application is for a processing and washing plant that has the potential to generate additional heavy goods vehicle (HGV) movements. However, the application provides for the construction of a concrete pad and internal concrete access road that would also serve the sand processing area of the site. This would represent an improvement on the existing sand quarry and landfill arrangement and is considered a positive planning gain. A condition is recommended to require that the concrete pad and access road be constructed before recycled products are exported off site.

Water management

Paragraph 169 of the National Planning Policy Framework (NPPF) states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should take account of advice from the Lead Local Flood Authority; have appropriate proposed minimum operational standards; have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and where possible, provide multifunctional benefits.

Planning Practice Guidance accompanying the National Planning Policy Framework (NPPF) promotes the employment of sustainable drainage systems that are designed to control surface water run off close to where it falls and mimic natural drainage as closely as possible. Generally, the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable. Firstly, into the ground (infiltration); secondly, to a surface water body then to a surface water sewer, highway drain, or another drainage system and finally to a combined sewer. Particular types of sustainable drainage systems may not be practicable in all locations.

Policy 29 of the Central Lancashire Core Strategy aims to improve water quality, water management and risk of flooding by, amongst other things, appraising, managing and reducing flood risk in all new developments, managing the capacity and timing of development to avoid exceeding sewer infrastructure capacity, encouraging the adoption of sustainable drainage systems and by seeking to maximise the potential of green infrastructure to contribute to flood relief.

The processing and washing plant and associated development would be located on a concrete pad within the confines of the existing quarry. The site currently operates a closed-loop surface water management system to feed water into the existing quarry wash plant system. The water flows through a system of lined ditches and lagoons constructed from cohesive material excavated from the quarry. The concrete base would have a very gradual descending profile and small quantities of process water drainage and water runoff would be directed to the existing surface water ditch. The ditch would direct water north to the settlement lagoon/storage area.



No surface water is currently discharged from this system to controlled surface waters around the site or the sewer. This would continue to be the case with the proposed development. This is considered to be an appropriate and acceptable water management system and no concerns are raised by the Lead Local Flood Authority. United Utilities requested further details/conditions relating to surface and foul water drainage to avoid sewer surcharge. However, this is considered unnecessary given the proposed arrangements that are set out above.

Human Rights

The Human Rights Act 1998 requires the County Council to take into account the rights of the public under the European Convention on Human Rights and not to act in a manner incompatible with those rights. Article 1 of Protocol 1 states that 'every natural or legal person is entitled to the peaceful enjoyment of his possessions' which also means that an individual's peaceful enjoyment of their property shall not be interfered with except as is necessary, in accordance with the law and as is proportionate.

This application was it to be approved would be unlikely to generate a degree of impact on neighbouring properties, which would breach these rights bearing in mind the existing use of the site. It is considered that any potential impacts could be satisfactorily controlled by conditions and the requirements of other regulatory pollution control measures.

Conclusion

This is an application for a temporary inert waste processing and washing plant to sort and process construction, demolition and excavation waste and efficiently retrieve materials that may otherwise end up being landfilled. The proposed development is inappropriate development in the Green Belt, however it is considered that very special circumstances exist to justify the development within the Green Belt that would outweigh the limited harm to the Green Belt, or other harm, by virtue of the presence of the processing and wash plant and its operation. The plant would be temporarily sited at a location that is allocated in the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) for this purpose and there is strong policy support for the recovery and recycling of waste and production of secondary aggregate minerals. Recommended conditions and further regulation covered by the requirements of an Environmental Permit should mean that there would be no unacceptable impact on local amenity, the highway network or the environment. Overall, it is considered that, subject to conditions, the development complies with the policies of the development plan and the policies of the National Planning Policy Framework (NPPF) and should be supported.

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.

2. The development authorised by this permission shall be removed from the site not later than 1 June 2029. Thereafter the site shall be restored in accordance with the approved timeframe and restoration details for permission LCC/2016/0035.

Reason: Imposed pursuant to schedule 5 of the Town and Country Planning Act 1990 and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Working Programme

3. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:

Submitted Plans

Figure 1, Rev A - Site Location Plan

Figure 3, Rev B - Proposed Recycling Washing Plant

Figure 3, Rev A - Sections A-C

Figure 4, Rev A - Proposed Recycling Washing Plant Storage Area, Surface Water Drainage and Water Supply

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.

4. No heavy goods vehicles (HGVs) shall leave the inert waste processing and washing site (with the exception of construction working vehicles) until the access route and concrete pad shown on Figure 3, Rev B have been fully surfaced with concrete.

Reason: To safeguard the amenity of local residents and the highway network and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP).

5. No inert waste processing and washing plant operations, including heavy goods vehicle movements, shall take place outside the hours of 0700 to 1830 hours Mondays to Fridays (excluding Public Holidays) and 0830 to 1230 hours on Saturdays.

No inert waste processing and washing plant operations shall take place at any time on Sundays or Public Holidays.

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



6. All mobile plant on the site shall be fitted with broadband/non-audible reversing systems, which shall be employed during the operation of the mobile plant.

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.

7. No stockpiles of waste or processed/washed material shall exceed a height in excess of the final restoration levels approved under permission LCC/2016/0035.

Definitions

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

Notes

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

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Ext
LCC/2022/0039	Sept 2022	R Hope Planning and Environment (01772) 534159

Reason for Inclusion in Part II, if appropriate

N/A

