

Development Control Committee
Meeting to be held on 1 March 2023

Electoral Division affected:
Accrington North

Hyndburn Borough: application number LCC/2021/0028

**Erection of building for metal storage and processing
Unit 3E, Bolton Avenue, Huncoat Industrial Estate, Accrington**

Contact for further information:
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Brief Summary

Application - Erection of building for metal storage and processing. Unit 3E, Bolton Avenue, Huncoat Industrial Estate, Accrington.

Recommendation – Summary

That planning permission be **granted** subject to conditions relating to working programme, highway safety, hours of working, impacts on neighbour amenity and surface water drainage.

Applicant's Proposal

This application proposes the erection of an industrial building for the purposes of metal storage and processing. The proposed building would have a 'L' shaped footprint, with the widest element to the front having a width of 29.8m and narrowest to the rear with a width of 26.5m. The building would be 54.77m long, with a dual pitched roof that steps up in height approximately halfway along the length of the building. The ridge height when viewed from the front (south west facing elevation) would be 13.1m and the rear elevation (north east facing) would have a ridge height of 14.8m.

The external elevations would be constructed from metal profiled acoustic insulated panels to the roof and walls in a grey colour.

Description and Location of Site

The application site is an area of land approximately 0.2 hectares in area that is located within Huncoat Industrial Estate, approximately 1.8km northeast of Accrington town centre. Vehicular access is taken from Bolton Avenue to the west. The site is



surrounded to the north, south, east and west by other industrial premises. The premises immediately to the north are in the same ownership as the application site and function as part of the same operation.

The application site is currently used for scrap metal processing.

Beyond the site to the south lies a railway line. The nearest residential properties are located on Oak Bank, Whinney Hill Road just over 100m away to the north, separated from the site by Whinney Hill Road. There are further residential properties also located approximately 100m to the east off Birch Close.

History

Permissions granted by Hyndburn Borough Council:

11/15/0396 Creation of car park

Approved 5 January 2016

11/20/0014 Erection of metal storage and processing building on existing car park (B2/B8)

Approved 9 March 2020

11/20/0064 Erection of perimeter fence, inward opening gates, 2no. 5m vehicular access gates and 1no. 1m wide pedestrian gate

Approved 17 April 2020 (adjacent southern part of site)

Permissions granted by Lancashire County Council:

11/07/0709 Proposed change of use of an industrial unit to a recycling facility for ferrous and non-ferrous metals and commercial waste

Approved 14 January 2008

11/08/0191 Variation of condition 4 of permission 11/07/0709 to enable oversized metal to be processed outside the building

Approved 4 July 2008

Planning Policy

National Planning Policy Framework (NPPF): Paragraphs 7 - 12, 51 - 53, 55 - 57, 81 - 83, 111 and 183 – 189, are relevant in regard to achieving sustainable development, tailoring planning controls to local circumstances, planning conditions and obligations, building a strong and competitive economy, highway impacts and ground conditions/pollution impacts.

National Planning Practice Guidance



Joint Lancashire Mineral and Waste Development Framework Core Strategy (JLMWDFCS) Development Plan Document (DPD) - Managing our Waste and Natural Resources

Policy CS7 Managing our Waste as a Resource
Policy CS8 Identifying Capacity for Managing our Waste
Policy CS9 Achieving Sustainable Waste Management

Joint Lancashire Minerals and Waste Local Plan (JLMWLP) - 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

Hyndburn Core Strategy (adopted January 2012)

BD1: The Balanced Development Strategy
ENV6: High Quality Design
ENV7: Environmental Amenity

Hyndburn Development Management Development Plan Document (adopted January 2018)

DM1: Employment Development (existing employment sites)
DM20: Flood Risk Management and Water Resources
DM24: Contaminated or Unstable Land & Storage of Hazardous Substances (Coal Authority low risk area)
DM26: Design Quality and Materials
DM29: Environmental Amenity
DM34: Urban Boundary

Consultations

Hyndburn Borough Council: The applicant has been undertaking waste storage and processing on this site since the end of 2020 and these operations have given rise to a significant number of complaints from local residents. The Council has advised the operator that the only way in which these operations can be carried out without causing harm to local amenity is by undertaking them in a building that is suitably designed for this purpose. The Council support the erection of a building for metal storage and processing. The Council object to the change of use of the car park to outdoor metal storage and loading facility.

Environment Agency: Confirm that they have no objections to the proposals subject to the imposition of a condition requiring that the doors to the building to be closed when



metals are being loaded or unloaded to/from heavy goods vehicles (HGVs) and whenever processing of metal is taking place within the building.

Lancashire County Council (LCC) Highways: Confirm that they have no objections to the proposal subject to the imposition of a number of conditions dealing with the following matters:

- the access area to be kept clear of obstructions and clearly marked out
- the opening of doors for vehicular access
- the prevention of goods being loaded/unloaded from the highway
- vehicles to enter and exit in forward gear
- provision of staff parking

United Utilities: A large diameter trunk main is located in the vicinity of the site. It must not be built over, or access to the pipeline compromised in any way. Based on Drawing No. 1930.02 Rev P4 required access to the water main is provided. A condition should be added to ensure that the applicant confirms the exact location (line and depth) of the asset in question.

The submitted drainage strategy (dated June 2022), is not considered to be acceptable. This is because it does not robustly evidence that the drainage hierarchy has been thoroughly investigated and that the site is currently drained to the surface sewer. The car park was built in c. 2018 and there should be a sustainable drainage scheme related to the car park. It is recommended that a condition is added requiring a sustainable surface and foul water drainage scheme to be submitted and approved.

Lead Local Flood Authority: No objection to the proposals subject to the inclusion of conditions requiring a surface water drainage strategy to be submitted, a construction surface water management plan to be submitted, an operation and maintenance manual to be submitted and a verification report to be submitted.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter.

Seven letters of objection from local residents have been received making the following comments:

- This building has already been built.
- The heavy goods vehicles shake our houses.
- The noise from this company is horrendous and goes on during the night and at the weekend all night.
- They will still be storing and moving metal on the outside car park.
- The whole operation should be inside a soundproof building or relocated somewhere else where the noise does not impact residents.
- The noise from this company can be heard all over Huncoat.



- The scrap metal storage and processing operation have been moved outside onto a car park without planning permission.
- The operation is too loud to be taking place outside. It causes excessive noise pollution.
- There is an impact on the character of the village, as you can always hear the crash of metal.
- The operation has outgrown the size of the premises with no consideration for local residents.
- The site has never been used as a car park and has only been used for storage of scrap metal.
- When large machinery is moving large pieces of scrap metal around the site or dropping it into crushers the neighbouring buildings shake and vibrate. This disrupts our manufacturing processes, has an impact on health and safety and can adversely affect the calibration of sensitive equipment.
- There are also issues with power at neighbouring buildings since the recycling activities commenced.
- The noise impact assessment is superficial and subjective on residential amenity.
- The noise travels above the house and is intrusive from the back yard and garden.
- The high wall erected on the rear of the site has had little or no impact on the level of noise.
- The proposed building would be an eyesore and bring even more noise pollution to the area.

Advice

The applicant was granted planning permission for a change of use of Units 3D and 3E Bolton Avenue (which are located immediately to the south of the application site) by Lancashire County Council in January 2008 (application ref. 11/07/0709). This granted permission for a change of use from a general industrial use of the two buildings to a recycling facility for ferrous and nonferrous metals and commercial waste including cardboard, plastics and wood. The applicant then sought permission for a change of use of the current application site to a car park in 2015 (application ref. 11/15/0396), which was approved in January 2016. Planning permission was then granted for the application site in March 2020 (application ref. 11/20/0014) by Hyndburn Council for the erection of a metal storage and processing building. As the application was for waste processing this should have been dealt with by the County Council, however it remains that the application was determined, and planning permission issued. The approved building measured 18m by 12m, with a maximum height of 7.6m. The building has not been constructed but the applicant has commenced use of the site for waste metal recycling and processing. The applicant considers that this use is lawful, and that consent was sought for the change of use of the car park for metal storage.

Hyndburn Borough Council are of the view that the permission granted in 2020 has not been implemented. Although, there are no conditions attached to this permission that prohibit outside working, the Borough Council consider that the current use of the



site for metal processing is unauthorised. The site has been the subject of numerous noise complaints from neighbouring residents and the Environment Agency have investigated activities on the site.

When originally submitted the current application proposed the erection of a smaller building, with a footprint of 26.5m by 30m, with a ridge height of 14.85m and sought the authorisation of the use of the car parking area for outdoor metal storage and a loading facility. The application has subsequently been amended so that the proposed building is now larger, measuring 54.77m long, with a maximum width of 29.8m and a ridge height of 14.85m. It is proposed that all operations would take place inside of the proposed building, with no outside working.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. In considering the issues that arise from the proposed development, it is necessary to take into consideration the relevant policies of the Development Plan and the planning history of the site and all other material planning considerations. Government policy is a material consideration that should be given appropriate weight in the decision-making process.

The Development Plan for the site is comprised of the Joint Lancashire Minerals and Waste Development Framework Core Strategy (JLMWDFCS) Development Plan Document (DPD), the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) – Site Allocation and Development Management Policies – Part One, Hyndburn Core Strategy (adopted January 2012) and the Hyndburn Development Management Development Plan Document (adopted January 2018). The current stage of the new Hyndburn Local Plan 2037 is the 'Proposed Submission Version', which has recently undergone a period of public consultation (ending January 2023). Therefore, only limited weight can be afforded to the emerging Hyndburn Local Plan 2037.

The application site is located within the urban boundary as identified in the Hyndburn Local Plan as an existing employment area. There is a presumption in favour of appropriate sustainable development subject to other policies and material considerations.

Neighbour amenity

The main concern associated with the proposed development is the impact of the proposals on the amenity of neighbouring residents, in particular noise and disturbance arising from activities on the site.

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.

Paragraph 187 of the National Planning Policy Framework (NPPF) states that new development should integrate effectively with existing businesses and community facilities and not place unreasonable restrictions upon them.

Policy DM29 of the Hyndburn Development Management Development Plan Document requires that new development should not cause an unacceptable level of noise or vibration. Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocations and Development Management Policies seeks to ensure that proposals for waste management operations make a positive contribution to residential amenity.

The applicant has provided a noise assessment with the application. This concludes that the proposed building would enclose all of the onsite operations and greatly reduce the noise impact on noise receptors. It is recommended that the applicant has a noise management plan in place to control the noise impact on the nearest noise sensitive receptors. The assessment was based on all operations being used continuously and assumed that the main shutter doors would remain fully open.

The Environment Agency has raised a number of concerns with regard to the current operation of the facility. The site has been the subject of numerous complaints in its current form whilst operations are not operating in a fully enclosed acoustic structure. Some outdoor operations are permitted on the upper site. The Environment Agency consider that the site could not operate in a way that would protect people and the environment from noise pollution and significant impact on residents nearby if operations were to be carried out in a building with the doors open. Furthermore, they have indicated that they would be very unlikely to grant an environmental permit for the proposals to operate with the doors open. Whilst the planning and environmental permit regimes are separate and should not seek to duplicate each other, clearly the indication that an environmental permit would not be granted for the development by reason of noise impact is of significant concern.

The applicant amended the proposals to increase the size of the building so that all operations could take place inside. No works would take place outdoors. They have confirmed that doors to the building would only be opened when vehicles would be entering and exiting the building. A condition is therefore recommended to require the operators of site to carry out no processing or loading/unloading operations whilst the building doors are open.

It is therefore considered that the applicant has satisfactorily demonstrated that with appropriate mitigation measures, the activities could operate on the site without causing undue noise and disturbance to the amenities of neighbouring residents. The Environment Agency are supportive of the proposals with such measures in place.



The proposals therefore accord with the provisions of the National Planning Policy Framework (NPPF) and Development Plan relation to the protection of local amenity.

In respect of visual amenity some views of the proposed building will be afforded from the residential properties located on Oak Bank, Whinney Hill to the north west, in particular due to the elevated position of the site and the height of the proposed building. However, there would be a distance of approximately 100m between the front elevations of these dwellings and the proposed building. There are also a number of other industrial buildings, both existing and under construction between the application site and these properties (albeit with lower ridge heights of approximately 7m). It is considered that the size and scale of the proposed building would not be so detrimental on the amenities of the nearest properties as to warrant refusal of the proposal.

Highways

The entrance to the building is set back from the highway by a distance of 8m. Lancashire County Council (LCC) Highways Development Control have advised that the building should be set back sufficiently from the highway in order to allow vehicles entering the site to pull clear of the highway before entering the building. Based on the information provided by the applicant this would mean that the entrance to the building would need to be set back by 17m from the highway. This would reduce the floor area of the building to use for waste management purposes and the applicant therefore proposes to retain the original building dimensions. It is not possible to move the building further east due to the presence of the United Utilities Haweswater Aqueduct immediately to the east.

It therefore falls to be considered whether the reduction in the recommended set back from the highway would be so detrimental to highway safety as to warrant refusal of the proposals and whether the benefits in terms of noise reduction and improvement to amenity of the area from the provision of a larger building would outweigh any detriment to highway safety that could arise from the proposals.

The applicant has provided a swept path analysis to demonstrate that vehicles once in the building have full space to turn around and enter and exit the building (and therefore the site onto Bolton Avenue) in a forward gear. Lancashire County Council (LCC) Highways Development Control advise that the area of the swept path of the vehicle within the building, would need to be kept clear of obstructions at all times to allow vehicles to turn within the building and exit on to Bolton Avenue in forward gear. This can be secured by condition.

In order to address the concerns of the Highways Engineers regarding the reduced setback of the front elevation of the building, the applicant has proposed a procedure to allow vehicles to enter the building safely. The applicant has indicated that this procedure is also one which is followed at present. The applicant has also confirmed that there is adequate staff parking available at the site. This is located on the upper



part of the site. Lancashire County Council (LCC) Highways has confirmed that they consider this arrangement to be satisfactory.

The National Planning Policy Framework (NPPF) states that development should only be prevented or refused on highway safety grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Bolton Avenue is a relatively wide road, which is not heavily trafficked. Lancashire County Council (LCC) Highways have indicated that with these measures in place they would not be minded to object to the proposals. A number of conditions are recommended to ensure that these measures are implemented and remain in effect, together with other conditions relating to keeping the swept path clear, loading and unloading of vehicles, retention of staff parking and vehicles entering and exiting in a forward gear. It is also recommended that a condition is imposed requiring no outside storage or working takes place. The outside area remaining would be relatively small and unlikely to be suitable for significant operations to take place. However, it is considered reasonable and relevant to the permission to ensure that this area remains clear to protect the amenity of neighbouring residents.

Considerable weight should be afforded to the benefits of enclosing all operations within the building. It is clear from the advice of the Environment Agency that the proposed operations would only be acceptable if they take place wholly within an enclosed building of a suitable design.

Taking all of the above factors into consideration it is considered that the risk of harm to highway safety in this particular circumstance is considered to not be so significant as to warrant refusal of the proposals. Furthermore, when balanced with the benefits to amenity arising from the enclosure of all activities within a building, there are sufficient material planning considerations to allow a recommendation for approval in this instance.

Drainage

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. Policy DM20 of the Hyndburn Development Management Development Plan Document also promotes the use of sustainable drainage systems and states that every option should be investigated before discharging water into a public sewerage network.

The applicant has provided a drainage strategy in support of the application. It is proposed that surface water runoff from the proposed building roof will discharge via the existing outfall into the existing public sewer within Bolton Avenue. The site is presently hard surfaced, and this is how the current drainage system operates. The report concludes that it is unlikely that ground conditions would allow for discharge of



surface water by infiltration, and it would be difficult to install soakaways that are compliant with building regulations.

As part of planning permission 11/15/0396 a drainage scheme for the site was approved which details the surface water being collected from the proposed car park, held in a pond/attenuation tank connected to the public sewer.

The Lead Local Flood Authority have advised that a number of detailed conditions should be added to any consent requiring a final surface water drainage strategy (including an operation and maintenance manual and verification report) for the site to be submitted and agreed and a construction surface water management plan. United Utilities also recommend that planning conditions can be added to ensure that a sustainable surface water drainage scheme is submitted and approved prior to the commencement of development. This can be achieved by the applicant demonstrating that the sustainable drainage systems that were previously approved under the conditions to planning permission 11/15/0396 have been implemented and demonstrating that they are sufficient to manage water from the proposed building.

To the rear of the site (north east) is a large diameter trunk water main (Haweswater Aqueduct). United Utilities have advised that it must not be built over, or their access to the pipeline compromised in any way. The applicant has carried out ground investigations to determine the location of the pipeline. United Utilities have confirmed that the site layout as submitted would provide for the required access. It is requested that a condition is imposed to ensure that the applicant knows the exact location (line and depth) of the pipeline, through specific site investigations as this could be material to the detail of the design. This is considered to be appropriate.

Design and appearance

The application site is located in an area that is predominately used for commercial and industrial uses, with a small number of residential properties to the north, and further residential development in the wider area. Neighbouring buildings are predominantly constructed from a mixture of steel frames and masonry, with metal profile cladding. A variety of colours and types of brickwork and cladding are used.

Whilst the proposed building is higher than those on surrounding land, the application site is lower than surrounding land levels which would reduce the apparent height of the building. The design, scale and appearance of the buildings is therefore considered to be in keeping with surrounding properties and appropriate to the proposed use of the building. The building would not appear out of character with the commercial nature of the area.

The proposals would therefore comply with Joint Lancashire Minerals and Waste Local Plan (JLMWLP) - Site Allocations and Development Management Policies Policy DM2 and Hyndburn Development Management Development Plan Document Policy DM26 and the National Planning Policy Framework (NPPF) at paragraph 124.



Overall conclusions

The application site is presently used for the outdoor processing of scrap metal and causes noise and disturbance for neighbouring residents. The proposals would enable this work to be carried out indoors, wholly within the proposed building. It has been adequately demonstrated that noise levels arising from the proposals would not be unduly harmful to local residents and would improve the current situation. The erection of a building is supported by the Environment Agency. The environmental benefits of the proposal are therefore considered to be significant.

In respect of the impacts of the proposals on highway safety this is a finely balanced decision. The specific circumstances of this proposal and the site are such that a reduction in the usual requirements for the set back of a building from the highway can be considered acceptable in this instance, subject to the position of appropriate conditions. The proposal would thus not cause an unacceptable impact on highway safety. Furthermore, the benefits of the proposals can be afforded significant weight in the planning balance.

The proposal is accordingly recommended for approval subject to a number of conditions to ensure that highway safety is maintained, neighbour amenity is protected, and adequate drainage measures are implemented.

In view of the size, scale and nature of the proposals it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Recommendation

That planning permission be **granted** subject to the following conditions:

Time Limits

1. The development shall commence not later than 3 years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1)(a) of the Town and Country Planning Act 1990.

Working Programme

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:
 - a) The Planning Application and planning statement received by the County Planning Authority on 21/06/2021



b) Submitted Plans and documents:

Site and Location Plans Drawing No. 1930.01 P1 received 21/06/2021
Elevations as Proposed Drawing No. 1930.03 P1
Layout Plan and Section AA as Proposed Drawing No. 1930.02 P4
Car Park Location Plan received 22/09/2022
Utility Survey Drawing ref. G21247-T 01
Noise Impact Assessment V5 dated 16/03/2022
Drainage Strategy June 2022

c) All schemes and programmes approved under the conditions to 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 Lancashire Minerals and Waste Local Plan (JLMWLP) and policies ENV6, ENV7, DM26 and DM29 of the Hyndburn Local Plan.

Hours of Working

3. No processing, loading or unloading of metal or other waste materials shall take place outside the hours of:

07:00 to 18:00 hours, Mondays to Fridays (except Public Holidays)
07:00 to 17:00 hours on Saturdays

No processing, loading or unloading of metal or other waste materials 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 these hours, of essential repairs to plant and machinery used on 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 (JLMWLP) and Policy ENV7 and DM29 of the Hyndburn Core Strategy and Hyndburn Development Management Development Plan Document.

Safeguarding of Watercourses and Drainage

4. No development shall commence until a surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the County Planning Authority.

The detailed surface water sustainable drainage strategy shall be based upon indicative surface water sustainable drainage strategy submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.



The details of the drainage strategy to be submitted for approval shall include, as a minimum;

- a) Sustainable drainage calculations for peak flow control and volume control for the:
 - i) 100% (1 in 1-year) annual exceedance probability event.
 - ii) 3.3% (1 in 30-year) annual exceedance probability event + 35% climate change allowance.
 - iii) 1% (1 in 100-year) annual exceedance probability event + 40% climate change allowance.

Calculations must be provided for the whole site, including all existing and proposed surface water drainage systems.

- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
 - i) Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary.
 - ii) Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels; to include all existing and proposed surface water drainage systems up to and including the final outfall.
 - iii) Details of all sustainable drainage components.
 - iv) Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems.
 - v) Finished Floor Levels (FFL) in Above Ordnance Datum (AOD) with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for Finished Floor Levels (FFL).
 - vi) Details of proposals to collect and mitigate surface water runoff from the development boundary.
 - vii) Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components.
- c) Evidence of an assessment of the existing on-site surface water drainage systems and sewer to be used, to confirm that these systems are in sufficient condition and have sufficient capacity to accept surface water runoff generated from the development.

The sustainable drainage strategy shall be implemented in accordance with the approved details prior to the building being brought into use and thereafter maintained in full working order.



Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework (NPPF), Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

5. The commencement of use of the development shall not be permitted until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the County Planning Authority.

The details of the manual to be submitted for approval shall include, as a minimum:

- a) A timetable for its implementation.
- b) Details of Sustainable Drainage Systems (SuDS) components and connecting drainage structures, including watercourses and their ownership, and maintenance, operational and access requirement for each component.
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues.
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity.
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life.
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly.
- g) Means of access for maintenance and easements.

Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained pursuant to the requirements of Paragraph 169 of the National Planning Policy Framework (NPPF).

6. The commencement of use of the development shall not be permitted until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the County Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the



approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the development as constructed is compliant with the requirements of Paragraphs 167 and 169 of the National Planning Policy Framework (NPPF).

Highway Matters

7. The area shown on the swept path analysis drawing (plan ref. 1930.02 P4) must be kept clear of all obstructions at all times to enable HGVs to turn within the building. The extent of the swept path area should be clearly marked out on the floor of the building and clearly signposted for drivers and staff. These markings shall be retained at all times thereafter.

Reason: In the interests of highway safety and to ensure adequate turning and loading space for vehicles off the highway and to conform with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) - Site Allocations and Development Management Policies and Policies DM1 and DM32 of the Hyndburn Local Plan.

8. No metals or other waste materials shall be loaded or unloaded from Bolton Avenue.

Reason: In the interests of highway safety and to conform with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) - Site Allocations and Development Management Policies and Policies DM1 and DM32 of the Hyndburn Local Plan.

9. All vehicles shall enter and exit the building to/from Bolton Avenue in a forward gear.

Reason: In the interests of highway safety and to conform with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) - Site Allocations and Development Management Policies and Policies DM1 and DM32 of the Hyndburn Local Plan.

10. Staff car parking shall be clearly marked out on the surface of the land and kept free of obstruction and freely available for the purposes of car parking at all times in accordance with the car park location plan received 22/09/2022.

Reason: To prevent car parking on Bolton Avenue in the interests of highway safety and to conform with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) - Site Allocations and Development Management Policies and Policies DM1 and DM32 of the Hyndburn Local Plan.



11. All vehicles shall enter and exit the approved building in accordance with the procedure as set out in the email dated 26/09/2022 from PWA Planning. This procedure shall be adhered to at all times thereafter.

Reason: In the interests of highway safety and to conform with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) - Site Allocations and Development Management Policies and Policies DM1 and DM32 of the Hyndburn Local Plan.

Site Operations

12. All waste materials brought onto the site shall be deposited, sorted and processed within the workshop building shown on drawing no. 1930.02 P4. No waste materials shall be deposited, sorted, screened or processed outside the building.

Reason: To safeguard the amenity of adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) - Site Allocations and Development Management Policies and Policies ENV7 and DM29 of the Hyndburn Local Plan.

13. All doors to the building shall be closed whenever processing of metal is taking place within the building or whenever metals are being loaded or unloaded to/from heavy goods vehicles (HGVs).

Reason: To safeguard the amenity of adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) - Site Allocations and Development Management Policies and Policies ENV7 and DM29 of the Hyndburn Local Plan.

Notes

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

Definitions

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

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

Paper	Date	Contact/Directorate/Ext
LCC/2021/0028	February 2023	Helen Ashworth Planning and Environment 01772 530084

Reason for Inclusion in Part II, if appropriate

N/A

