

Development Control Committee
Meeting to be held on 26 April 2023

Electoral Division affected:
Heysham, Morecambe South,
Skerton

Lancaster City: application number LCC/2022/0061

The permanent retention of the existing Salt Ayre materials recycling and transfer facility at Salt Ayre Materials Recycling and Transfer Facility, Ovangle Road, Salt Ayre, Lancaster

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Brief Summary

Application - The permanent retention of the existing Salt Ayre materials recycling and transfer facility at Salt Ayre Materials Recycling and Transfer Facility, Ovangle Road, Salt Ayre, Lancaster.

Recommendation – Summary

That planning permission be **Granted** subject to conditions controlling all conditions relating to site operations, hours of working, safeguarding of watercourses and drainage, and the control of noise.

Applicant's Proposal

This application is a full planning application for the permanent retention of the existing Salt Ayre Materials Recycling and Transfer Facility at the closed Salt Ayre Landfill Site, Ovangle Road, Lancaster. The facility is presently time limited by planning conditions which require the use of the site to cease by 31 December 2022, with restoration required to be completed by 31 December 2023.

Description and Location of Site

Salt Ayre Landfill site is located on the northern bank of the River Lune approximately 1.5km northwest of Lancaster City Centre. Access to the site entrance is via a 130m long road from Ovangle Road (B5273) that also provides access to the Household Waste Recycling Centre located on the east side of the entrance to the landfill site. Countryside is to the west, and Asda supermarket and Salt Ayre Sports Centre are on the east side of the site with residential properties beyond.

Landfilling ceased at the site in 2006 and restoration work is almost completed. Restoration soils are in place across the site, but work is still ongoing to source and place soils to the full 1m depth above the engineered capping layer. The site will finally be restored to predominantly rough pasture, with woodland/shrub planting areas in glades, predominantly around the north east and western perimeter. The original restoration scheme has been recently amended to take into consideration the recently approved solar farm that is in the south eastern corner of the former landfill.

The materials recycling facility is located adjacent to the landfill site entrance. The materials recycling facility comprises a portal frame building and external yard area with three storage bays. The facility is used to collect and sort municipal mixed recyclable waste from kerbside collections, as well as similar materials from industry and commerce. The site is also used to bulk up residual, wood and green waste received from the adjacent Salt Ayre Household Waste Recycling Centre. The waste collected is segregated within the building into different material types. Once the materials are sorted, they are bulked up for economical transportation to a facility that can reprocess the materials for future use, or where not possible it will be taken for appropriate disposal. The facility covers an area of 0.57 hectares.

History

The facility is covered by two permissions:

Planning permission 1/93/0403 - Waste Recycling Station
Approved August 1995

Planning permission 01/04/0056 - Extension to building housing existing materials recovery facility together with external storage bays for glass and cans for recycling.
Approved March 2004

These permissions have been amended a number of times. Most recently permission was granted in 2017 to extend the use of the materials recycling facility for a further five years until 31 December 2022 with completion of site restoration no later than 31 December 2023 (references: LCC/2017/0013 for the original building and LCC/2017/0014 for the extension).

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 7-12, 51-53, 55-57, 81-85, 174, 179-182, 183-189 are relevant with regards to achieving sustainable development, tailoring planning controls to local circumstances, planning conditions and obligations, building a strong and competitive economy, conserving and enhancing the natural environment, habitats and biodiversity and ground conditions/pollution impacts.

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



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 Allocation and Development Management Policies – Part One

Policy NPPF 1 Presumption in favour of sustainable development
Policy DM2 Development Management
Policy WM1 Capacity of Waste Management Facilities
Policy WM4 Inert Waste Recycling

Lancaster City Council Local Plan Part One: Strategic Policies and Land Allocations Development Plan Document (DPD)

Policy SP1: Presumption in favour of Sustainable Development
Policy SP2: Lancaster District Settlement Hierarchy
Policy SP3: Development Strategy for Lancaster District
Policy EN5: Local Landscape Designations
Policy EN7: Environmentally Important Areas
Policy EN9: Air Quality Management Areas

Lancaster City Local Plan Part Two: Development Management Development Plan Document (DPD)

Policy DM29: Key Design Principles
Policy DM31: Air Quality Management and Pollution
Policy DM36: Protecting water resources and infrastructure
Policy DM46: Development and Landscape Impact
Policy SC3: Open Space, Recreation and Leisure

Consultations

Lancaster City Council: raise the following objections to the proposals:

- The site is located within a key urban landscape, an important open area providing a setting to the main urban areas. The retention of the existing buildings and structures would be detrimental to the visual amenity of the area and inappropriate within the key urban landscape.
- The site lies close to environmentally important areas, including the River Lune, Lune Estuary and Morecambe Bay, which are nationally and internationally designated for their ecological importance. The proposal fails to conserve and enhance biodiversity and the natural environment.
- The site lies within an Air Quality Management Area Zone 1 and insufficient information has been submitted to enable consideration of air quality and air pollutants.

No further comments were received in response to additional supporting information provided by the applicant.



Heaton with Oxcliffe Parish Council: Support the application.

Environment Agency: No objections.

Lancashire County Council (LCC) Highways: No objections. A charging point for electric vehicles should be included within the development to promote sustainable modes of transport. Cycle storage should also be provided.

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

Advice

The materials recycling facility and transfer station is an established waste management facility at Salt Ayre landfill site that is used for the bulking of wastes, predominantly from Household Waste Recycling Centres, as well as from industry and commerce in the Lancaster and North Lancashire areas, for reuse, recycling and recovery at other waste management sites.

The facility is covered by two permissions: LCC/2017/0014 that relates to the original building and LCC/2017/0013 that relates to the extension to the original building and the provision of four external storage bays.

Planning permission was granted in 2017 to amend conditions attached to both permissions to allow the use of the materials recycling facility to continue until 31 December 2022 with the land thereafter restored by not later than 31 December 2023. The current application is to enable the facility to be retained on a permanent basis.

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 comprises the Joint Lancashire Minerals and Waste Development Framework (JLMWDF) Core Strategy Development Plan Document (DPD), the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) – Site Allocation and Development Management Policies – Part One, the Lancaster Local Plan Part One: Strategic Policies and Land Allocations Development Plan Document and the Lancaster Local Plan Part Two: Development Management Development Plan Document (DPD).

The main issues in determining the application are considered to be the principle of the permanent retention of the building, impacts on neighbour amenity, landscape impacts and ecology impacts.



Principle

National Planning Policy encourages recycling and the re-use of waste to reduce reliance on land filling and requires waste to be managed at the highest level possible within the waste hierarchy.

Policy CS7 of the Lancashire Minerals and Waste Core Strategy seeks to manage our waste as a resource, while Policy CS8 seeks to ensure an adequate provision of suitable waste facilities across the county to ensure that waste can be managed as a resource. Policy WM1 of the Lancashire Minerals and Waste Local Plan (LMWLP) supports development for waste management facilities. There is a requirement within policy WM4 of the Lancashire Minerals and Waste Local Plan (LMWLP) that recycling uses on operational quarries and landfill sites will be supported but only where they do not compromise the long-term restoration of the site back to a beneficial afteruse. Whilst Policy WM4 relates to inert waste recycling uses rather than materials recycling facilities for non-inert wastes such as at Salt Ayre, it is considered that the same issue applies in this case. The materials recycling facility at Salt Ayre was always time limited in previous planning permissions so that its life was linked to the restoration of the adjacent landfill site.

However, the Material Recycling Facility building is not located on the actual landfill site and the retention of the building on a permanent basis would not prejudice the ability to restore the landfill site to an acceptable standard of afteruse.

The applicant has put forward the following reasons for the proposal to permanently retain the facility:

- The site is an invaluable asset to local traders and business in the local area and wider area of Lancashire County in aiding the efforts to reduce waste taken to landfill and to increase recycling.
- The facility enables a variety of waste to be bulked up for onward transport, resulting in fewer vehicle movements. Without the facility, waste would have to be transported in smaller loads to facilities further away.
- Vehicle movements would not increase as a result of the permanent retention.

The provision of waste management facilities is supported by national and local policies. Policy CS8 emphasises the importance of providing a variety of waste management facilities, in both scale and location. This site is in an accessible location, close to existing urban areas from where a significant proportion of the waste processed on site is generated from.

Neighbour Amenity

The site is not located close to residential development (the nearest residential properties are over 400m away to the east), or other sensitive land uses, therefore subject to the re-imposition of the appropriate conditions regarding site operations, hours of working, safeguarding of watercourses and drainage, and the control of noise it is considered that any impacts on amenity could be controlled to acceptable levels. The existing facility does not give rise to any complaints from local residents.



Air quality

The materials recycling facility is located within an Air Quality Management Area Zone 1 as set out in the Lancaster Local Plan. This is a zone outside of a designated Air Quality Management Area, but areas where traffic from development in the area is more likely to add a contributory impact on the three designated Air Quality Management Areas in Lancaster. The site should therefore be considered in terms of air quality impacts, in particular on the Lancaster City Centre Air Quality Management Area (policies EN9 and DM31 of the Lancaster Local Plan).

Lancaster City Council have expressed concerns that insufficient information has been submitted in order to assess the impacts on air quality.

In terms of existing vehicle movements, the applicant has indicated that they comprise of the following:

- Monday to Friday - There are approximately 34 (17 in and 17 out) lorries entering the Materials Recycling Facility per day on a week day.
- Routes - Approximately 30% of these are internal movements from the neighbouring Household Waste Recycling Centre, 40% access via the bypass from the M6 and 30% are from the local area.
- Saturday and Sunday – There are approximately 10 (five in and five out) lorries entering the Materials Recycling Facility per day on a weekend, all of which are internal movements from the neighbouring Household Waste Recycling Centre.

The existing permissions for the site do not limit the number of daily vehicle movements to and from the site. The applicant has indicated that should the facility close there would be a likely increase in vehicle movements overall as waste would need to be bulked up and transported in smaller loads to other suitable sites further afield. Some of these vehicle movements may occur locally as some waste comes from the adjacent household waste recycling centre, however waste is also imported to the site from other locations as set out above.

The retention of the existing facility is considered unlikely to result in any significant increase in the number of vehicle movements in the locality. Existing vehicle movement levels are likely to be maintained. Should the facility close, the need for the waste processing function will not cease, but be displaced, therefore there is not likely to be a net overall reduction in vehicle movements as a result of the closure of this facility. It is therefore considered that the retention of the facility would not conflict with the aims of Policies EN9 and DM31 as it is unlikely to have anything more than a neutral impact.

Landscape impacts

Policy EN5 of the Lancaster Local Plan Part One seeks to safeguard areas identified in the Local Plan as important areas of open space around the main urban areas of the district. The application site is within an area identified as a key urban landscape by this policy. The extent of the designation encompasses the whole of the former landfill site, washing over the materials recycling facility, household waste centre and recently constructed solar farm in the south east of the former landfill.



Key urban landscapes include those areas that are integral to the built form of the district, providing a setting for important features and/or heritage assets. They play an important role in defining the townscape of the main urban areas and are inextricably linked to the experience of the wider setting of these features. They also provide amenity value for residents. Policy EN5 states that development proposals within these areas will only be permitted where they preserve the open nature of the area and character and appearance of its surroundings. Similarly, policy DM46 of the Lancaster Local Plan Part Two also addresses development and landscape impacts and stresses the importance of conserving the natural features of local landscape designations such as key urban landscapes.

It is important to note that buildings and operations at the materials recycling facility are already in situ, and the site has been operational for over 20 years. It is well screened from Ovangle Road to the north, Salt Ayre Lane to the east and is not visible from land to the south, on the opposite side of the River Lune. The application site is located less than 150m from the White Lund Industrial Estate to the north of Ovangle Road and the wider area is very urban in character. The materials recycling facility is not considered to be out of context with the surroundings or represent an intrusive development in the countryside as the site is located within the urban boundary of Lancaster, as defined in the Local Plan. Lancaster is the main urban area for the district and where the Local Plan states that development should be focussed (Policies SP2 and SP3 of the Local Plan Part One).

It is acknowledged that the removal of the buildings and restoration of the site would result in a limited increase in the openness of the wider designated landscape area. However, the household waste recycling centre is not part of the materials recycling facility and would remain. The beneficial impact, both visually and on openness from the removal of the buildings would be limited in the overall context of the site, in particular due to the location and topography of the application site and the urban nature of the wider area (the industrial estate, sports centre and supermarket for example). The former landfill is a manmade feature in itself. The proposed scheme of planting and restoration for the landfill (planning application ref. 01/86/0800NM1) will also provide additional screening in due course. On balance therefore it is considered that the harm arising to the openness of the designated landscape from the retention of the existing buildings would not be so great as to warrant refusal of the proposals, nor would their retention result in the loss of any significant amenity value arising from the key urban landscape.

Ecology

The concerns of Lancaster City Council regarding proximity to the designated sites of River Lune, Lune Estuary and Morecambe Bay are noted. The materials recycling facility is located approximately 1km to the north east of the River Lune Estuary Sites of Special Scientific Interest (SSSI) and 3km to the east of the Morecambe Bay Special Scientific Interest (SSSI). The River Lune, a locally designated biological heritage site runs to the south of the site approximately 300 metres away.

Policy EN7 of the Lancaster Local Plan Part One states that sites designated for environmental importance will be protected from development proposals that have a



detrimental impact on their designation. The materials recycling facility has been in operation for over 20 years and the proposals to retain the site do not include any new development or changes to operations or practices. It is therefore not considered that the retention of the existing facility would give rise to any new or differing harm to the designated ecological sites nearby.

Conclusion

Subject to the re-imposition of all conditions relating to site operations, hours of working, safeguarding of watercourses and drainage, and the control of noise, the permanent retention of the development is considered acceptable and complies with relevant national and local planning policies.

Recommendation

That planning permission be **Granted** subject to the following conditions

Working Programme

1. 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 supporting statement received by the County Planning Authority on 14 November 2022 and additional supporting information received on 17 March 2023.

- b) Submitted Plans and documents:

Boundaries Location Plan Drawing Ref. Slt-MRF-1213-01a received 17/03/2023

Site layout plan Drawing Ref. Slt-TS-PLN-1122-01a Rev A received 17/03/2023

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 Policies CS7, CS8 of the Joint Lancashire Minerals and Waste Development Framework (JLMWDF) Core Strategy Development Plan Document (DPD) and Policy DM2 of the of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) and Policies DM29, DM31 and DM36 of the Lancaster City Council Local Plan Part 2.

Site Operations

2. Waste bailing or recycling operations involving the sorting or treatment of waste or other materials shall only be carried out within the building.

Reason: To safeguard visual amenity and 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) - Site



Allocation and Development Management Policies - Part One, and policies DM29 and DM46 of the Lancaster City Council Local Plan Part Two: Development Management Development Plan Document (DPD).

3. No materials other than glass, cans, green waste, rubble, timber and soil shall be stockpiled within the four external storage bays. Any such stockpiles shall not exceed a height of four metres above ground level.

Reason: To safeguard visual amenity and the amenity of local residents and adjacent properties/landowners and land users and to confirm with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) - Site Allocation and Development Management Policies - Part One and policies DM29 and DM46 of Lancaster City Council Local Plan Part Two: Development Management Development Plan Document (DPD).

Hours of Working

4. No importation or sorting of waste shall take place outside the hours of:

0730 to 1830 hours, Mondays to Fridays (except Public Holidays)
0730 to 1700 hours on Saturdays
0800 to 1700 hours on Sundays and Bank Holidays

This condition shall not prevent the carrying out of essential maintenance to plant and equipment used on the site.

Reason: In the interests of local amenity and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) - Site Allocation and Development Management Policies and policy DM29 of the Lancaster City Council Local Plan Part Two: Development Management Development Plan Document (DPD).

Safeguarding of Watercourses and Drainage

5. Provision shall be made for the collection, treatment and disposal of all water entering or arising on the site to ensure that there shall be no discharge of contaminated or polluted drainage to ground or surface waters.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) - Site Allocation and Development Management Policies and Policy DM36 of the Lancaster City Council Local Plan Part Two: Development Management Development Plan Document (DPD).

Control of Noise

6. All plant, equipment and machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the



manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the development.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) - Site Allocation and Development Management Policies - Part One.

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Directorate/Ext
LCC/2022/0061	April 2023	Helen Ashworth Planning and Environment 01772 530083

Reason for Inclusion in Part II, if appropriate

N/A

