

Development Control Committee
Meeting to be held on 6 March 2024

Electoral Division affected:
Thornton and Hambleton

Wyre Borough: application number LCC/2023/0031

Planning application for amendment to conditions 3, 8 and 9 of planning permission LCC/2020/0061 to permit amended hours of operation, to allow up to 75,000 tonnes of green waste, waste timber or other waste materials for the purposes of producing compost to be imported per annum and to amend the limitation on the numbers of heavy goods vehicles (HGVs) exporting compost to an average of five per day over a 12-month period. Iron House Farm, Lancaster Road, Out Rawcliffe

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Brief Summary

Application - Planning application for amendment to conditions 3, 8 and 9 of planning permission LCC/2020/0061 to permit amended hours of operation, to allow up to 75,000 tonnes of green waste, waste timber or other waste materials for the purposes of producing compost to be imported per annum and to amend the limitation on the numbers of heavy goods vehicles (HGVs) exporting compost to an average of 5 per day over a 12-month period.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, highway issues, tonnage restrictions, hours of operation, noise and dust, drainage and landscaping.

Applicant's Proposal

The application is for the amendment of conditions 3, 8 and 9 of planning permission ref LCC/2020/0061 which relate to a green waste composting operation at Iron House Farm. These conditions read as follows:

3. *No waste shall be imported or deposited on the site, sorted, screened or shredded, and no recycled materials shall be loaded or exported from the site outside the hours of:*



08.30 to 18.00 hours, Mondays to Fridays (except Public Holidays)
08.30 to 12.00 hours, Saturdays.

Notwithstanding the above hours, the site shall also be open for the acceptance of green wastes between 12.00 to 17.00 hours on Saturdays and between 09.30 to 17.00 hours on Sundays and Public Holidays. No processing operations shall take place within these hours.

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

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

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

1 April to 30 November

- a) Mondays to Fridays - 18 heavy goods vehicles (HGVs) per day*
- b) Saturdays (08.00 hrs - 13.00 hrs) - seven heavy goods vehicles (HGVs)*
- c) Saturday afternoons (13.00 - 17.00 hrs) - two heavy goods vehicles (HGVs)*
- c) Sundays - two heavy goods vehicles (HGVs)*

1 December to 31 March

- a) Mondays to Fridays – six heavy goods vehicles (HGVs) per day*
- b) Saturdays (08.00 - 13.00 hrs) – three heavy goods vehicles (HGVs)*
- c) Saturday afternoons (13.00 - 17.00 hrs) - two heavy goods vehicles (HGVs)*
- d) Sundays – two heavy goods vehicles (HGVs)*

A written record shall be maintained of all heavy goods vehicles (HGVs) associated with the importation of waste materials to the site and the export of finished compost. The record shall contain details of the date and time of the movement, the vehicle registration number and the vehicle weight. The record shall be made available to the County Planning Authority on request.

Reason: In the interests of highway safety and the amenity of local residents and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

9. *No more than five vehicles per day shall leave the site associated with the export of finished compost or shredded waste timber material. This condition shall apply to heavy goods vehicles (HGVs) and tractors and trailers.*



Reason: In the interests of highway safety and the amenity of local residents and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

The applicant wishes to modify the wording of these conditions, so they read as follows:-

- 3. No waste shall be imported or deposited on the site, screened or shredded and no recycled materials shall be loaded or exported from the site outside the hours of:*

*08.30 to 18.00 hours Mondays to Fridays (except public holidays)
08.30 to 12.00 Hours Saturdays*

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

- 8. The numbers of tonnes associated with the importation of green waste, waste timber or other waste materials to the site for the purposes of producing compost or wood chip shall not exceed 75,000 tonnes annually with a maximum of 12,500 in any month between January and December. A written record shall be maintained of all heavy goods vehicles (HGVs) associated with the importation of waste materials to the site and the export of finished compost. The record shall contain details of the date and time of the movement, the vehicle registration number and the vehicle weight. The record shall be made available to the County Planning Authority on request.*
- 9. The average number of heavy goods vehicles (HGVs) leaving the site per day associated with the export of finished compost or shredded waste timber materials shall not exceed five over a 12-month period.*

Description and Location of Site

The site is an existing green waste composting facility located off Lancaster Road in Out Rawcliffe approximately 7 km west of Garstang. The site is served via an access track (Hornby Lane) which links with Lancaster Road. The site lies in open countryside characterised by flat open agricultural land with few trees and hedgerows and fields separated by a ditch network. Small pockets of woodland and occasional ponds occur with the vicinity of the site.

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

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



History

The site is an existing green waste composting facility where the following permissions have been granted.

Retrospective planning permission was granted in March 2010 for change of use to form a composting site (02/08/1116).

Planning permission was granted in February 2015 for the variation of Condition 2 of permission (02/08/1116) to allow the importation and treatment of waste wood (02/13/0788).

Planning permission was granted in March 2016 for the variation of Condition 2 planning permission (02/13/0788) to allow the wastes imported to the site to include green wastes, waste timber and sanitised compost from other waste management facilities (LCC/2015/0082).

Planning permission was granted in September 2017 for the installation of a bio mass boiler and associated cladding of the host building (LCC/2017/0052).

Planning permission was granted in March 2019 for the variation of Condition 8 of permission LCC/2015/0082 to allow extended delivery hours of green waste up to 5pm on Saturdays, Sundays and bank holidays (LCC/2019/0001).

Planning permission LCC/2020/0061 was granted in 2022 for a new compost building and continuation of the existing composting site subject to a condition restricting the export of compost to five heavy goods vehicles (HGVs) per day.

Planning Policy

National Planning Policy Framework

Paragraph 115 is relevant in relation to the highway impacts of the development.

National Planning Policy for Waste

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

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

Policy CS7 - Managing 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)

NPPF1 - Presumption in favour of sustainable development.

Policy DM1 - Management of waste and extraction of minerals

Policy DM2 - Development Management



Policy WM3 - Local Built Waste Management Facilities

Wyre Borough Local Plan (adopted 26 January 2023)

Policy SP1 - Development Strategy

Policy SP2 - Sustainable Development

Policy SP4 - Countryside Areas

Policy CDMP1 - Environmental Protection

Policy CDMP4 - Environmental Assets

Policy CDMP6 – Accessibility and transport

Consultations

Wyre Borough Council: No observations received.

Out Rawcliffe Parish Council: Object to the application on the grounds of impact on the rural environment and public nuisance. The Parish Council also consider that the local road network is inadequate and that there is insufficient information in relation to frequency of vehicle movements. They are also concerned about a loss of seasonality with greater impact on the residents, an increase in plastic waste as evidenced from local hedgerows and a likely increase in mound heights which frequently exceeds the permitted levels.

Environment Agency: No comment to make. The site operates under a permit which authorises an annual throughput of 75,000 tonnes per year.

Lancashire County Council Highways Development Control: No observations received.

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

Advice

Iron House Farm is a green waste composting site which accepts green wastes collected mainly from municipal household waste recycling centres in Lancashire and Cumbria. These wastes are mechanically shredded and screened with the resulting fine materials placed in windrows for maturation into a compost material which is sold to farmers as a soil improver in place of chemical or animal fertilisers.

Planning permission was granted at this site in 2022 for a new building so that some parts of the maturation process can take place under cover. This building would allow improved quality and environmental control over the composting process as it keeps the materials drier and also allows better management of any plastic contamination within the incoming green waste materials. The building has not yet been constructed.

As part of the application for the new building, planning permission was also requested for the continuation of the existing operation subject to a condition restricting the output of compost materials to not more than five loads per day. This



aspect of the application was proposed in order to correct an error in planning permission ref LCC/2019/0001. This planning permission erroneously contained a condition restricting the **total** number of heavy goods vehicle (HGV) loads leaving the site to five per day whereas historically the planning permissions for this site have restricted vehicles leaving the site with **compost** to be limited to five per day. In order to produce compost it is necessary for significantly greater numbers of heavy goods vehicles (HGVs) to visit the site importing green waste material than those leaving the site with compost. This is due to the loss in bulk that occurs during the composting process.

When application LCC/2020/0061 was determined, a number of objections were received from the Parish Council and local residents regarding the traffic levels to this site. It was therefore considered that in addition to a control on compost exports, a condition should also be imposed relating to the import of green waste. The applicant stressed the seasonality issues applying the supply of green waste where significantly more material is available during the summer and autumn periods and that these issues should be taken into account in any condition limiting vehicle numbers delivering green waste and waste timber to the site. These issues were considered and resulted in the controls on incoming waste vehicles as set out in Condition 8 to planning permission LCC/2020/0061. The applicant did not agree with the limitations on heavy goods vehicle (HGV) numbers contained in the condition but did not appeal the condition.

The applicant is willing to accept a condition limiting incoming wastes, however, instead of the existing Condition 8, the applicant proposes that the condition should be reworded so that it restricts incoming green waste and waste timber volumes over a calendar year to a maximum of 75,000 tonnes. The applicant states that this would replicate the tonnage stipulated in their permit from the Environment Agency and is reflective of the tonnages of waste materials that they have historically imported to the site. The applicant states that the proposed amendment is necessary to ensure that the business can continue to deliver of existing contracts and to provide the necessary confidence to allow them to invest in the site, including the construction of the building that was the subject of planning permission ref LCC/2020/0061.

The main issue arising from the proposed amendment relates to the impacts of heavy goods vehicles (HGVs) on the local rural road network and associated amenity impacts on local residents living alongside these roads.

The site is served off Lancaster Road which is a C class road which links with the A586 at St Michaels on Wyre via Rawcliffe Road at its southern end and the A588 at Pilling at its northern end. Lancaster Road itself is generally of reasonable width and horizontal alignment but is more constrained at its northern end with a number of properties. Rawcliffe Road generally has a reasonable width, however, does have a number of areas of restricted forward visibility together with residential properties particularly close to the A586 junction in St Michaels on Wyre. Lancaster Road is also part of the national cycle network.

The limitation of 75,000 tonnes within the environmental permit is understood to relate to an Environment Agency threshold for different levels of permit and was not set following an assessment of highways or local amenity issues. Some caution is



therefore advised in adopting this level within a planning condition restricting waste inputs into the site.

During the composting process, there is a significant reduction in bulk/weight of the green waste material which can be as much as 50%. Assuming a conservative 60% reduction rate during the composting process means that approximately 30,000 tonnes of compost material would be produced per annum should 75,000 tonnes of green wastes be imported each year. Assuming that the site is operational for the export of compost on 20 days per month means that an annual output of compost from the site of 30,000 tonnes per year can be exported in five heavy goods vehicle (HGV) loads per day (assuming 25 tonnes per load). This is the same as the existing vehicle limitation within Condition 9 which the applicant is willing to retain going forwards. The input figure of 75,000 tonnes per year is therefore considered to be broadly equivalent to the existing restriction. Acceptance of the applicant's suggested change to Condition 8 would not result in an increase in the volume of green wastes and waste timber that can be imported to this site. There is also a condition on the existing permission which limits the heights of stockpiling to five metres therefore also restricting the level of activity on this site. Taking account of the above issues, it is considered that the applicant's proposed amendment to Condition 8 is acceptable as it would not permit an increase in waste inputs to this site and therefore would not present any further issues in relation to highway or local amenity impacts.

The applicant is also proposing to amend Condition 3. This condition permitted a limited number of heavy goods vehicle (HGV) movements importing materials on Saturday afternoons and Sundays. The applicant is willing to forego this ability and whilst the number of vehicle movements is not significant (eight in total) there would be some benefit particularly in terms of recreational and residential amenity issues on the associated transport routes.

The amendment to Condition 9 is in recognition that the export of compost from the site is also seasonal in nature linked to when farmers are applying the compost as a fertiliser. The current condition limits export of compost to five loads per day whereas the current application is to permit five loads per day when averaged over a 12-month period. With minor changes to wording, the proposed amendment to Condition 9 is considered acceptable.

The proposed amendments to Conditions 3, 8 and 9 of planning permission LCC/2020/0061 are therefore considered to be acceptable in terms of the policies of the development plan. All other conditions attached to planning permission LCC/2020/0061 should be carried over into any new permission.

In view of the scale, location and nature of the proposal, 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 three years from the date of this permission.

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

Working Programme

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following:
 - a) The Planning Application ref LCC/2020/0061 received by the County Planning Authority on 26 October 2020 as modified by planning application ref LCC/2023/0031 dated 19 July 2023.

- b) Submitted Plans and documents

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

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

Drawing Number - GA3343-001 / Proposed Plans and Elevations

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

- c) All schemes and programmes approved in accordance with this permission.

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and policies SP2 and CDMP3 of the Wyre Local Plan.

Hours of Working

3. No waste shall be imported or deposited on the site, sorted, screened or shredded, and no compost or shredded timber materials shall be loaded or exported from the site outside the hours of:

08.30 to 18.00 hours, Mondays to Fridays (except Public Holidays)

08.30 to 12.00 hours, Saturdays.

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



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

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

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

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

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

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

5. No waste other than green waste, waste timber and waste imported from other in vessel composting facilities shall be imported to the site. Green wastes shall only comprise of grass, tree and hedge cuttings, parks and garden wastes and horticultural waste produced by householders. Any other wastes shall be removed from the site within 24 hours of receipt and taken to a licenced waste management site.

Reason: To protect the amenities of surrounding land users and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

6. No stockpile of waste material, compost or shredded timber outside of the building shall exceed a height of five metres.

Reason: In the interests of the visual amenity of the area and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policies SP2 and CDMP3 of the Wyre Local Plan 2011 – 2031.

Building Materials

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

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



Highway Matters

8. Measures shall be taken at all times during the operation of the site to ensure that no dust, mud or other deleterious materials are transferred onto the public highway by vehicles leaving the site.

Reason: In the interests of highway safety and local amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies Development Plan Document.

9. The tonnage of green waste, waste timber or other waste materials authorised by Condition 5 imported to the site for the purposes of composting or shredding shall not exceed 75,000 tonnes in any calendar year with no more than 12,500 tonnes of such waste imported to the site in any one month.

A written record shall be maintained of the tonnages of waste materials imported to the site. The record shall contain details of the date and time of the movement, the vehicle registration number and the weight of the vehicle load. The record shall be made available to the County Planning Authority on request.

Reason: In the interests of highway safety and the amenity of local residents and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

10. No more than five vehicles per day when averaged over a calendar year shall leave the site associated with the export of finished compost or shredded waste timber material. This condition shall apply to heavy goods vehicles (HGVs) and tractors and trailers.

A written record shall be maintained of the numbers of vehicles exporting compost or shredded timber from the site. The record shall contain details of the date and time of the movement, the vehicle registration number and the weight of the vehicle load. The record shall be made available to the County Planning Authority on request.

Reason: In the interests of highway safety and the amenity of local residents and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

11. All vehicles transporting compost from the site shall be securely sheeted.

Reason: In the interests of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

Landscaping

12. No construction of the building shall commence until a landscaping scheme for the further screening of the boundaries of the Iron House Farm composting



site has been submitted to and approved in writing by the County Planning Authority.

The landscaping scheme shall provide details of the following:

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

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

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

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

Drainage

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

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

The measures contained in the approved scheme shall be implemented as part of the construction works and maintained in operational condition thereafter.



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

Noise and Dust

14. Noise emitted from the site shall not exceed 10 dB(A) Leq 1 hour (free field) when measured from Moss Farm Cottage (NGR 412 448) at a point closest to the noise source.

Reason: In the interests of the amenity of local residents and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

15. All plant, equipment and machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the development.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy and policy SP1 and SP2 of the Wyre Local Plan.

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

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

Definitions

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

Free field: At least 3.5 metres away from the facade of a property or building.

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/2023/0031	February 2024	Jonathan Haine Planning and Environment 01772 534130

Reason for Inclusion in Part II, if appropriate

N/A

