

Development Control Committee
Meeting to be held on 15 January 2025

Electoral Division affected:
West Lancashire East

West Lancashire Borough: LCC/2024/0036

Erection of a portal framed soil storage building, Newbridge Farm, Stopgate Lane, Simonswood

Contact for further information:
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Brief Summary

Application - Erection of portal framed building in order to assist the processing and stockpiling of recycled soils at Newbridge Farm, Stopgate Lane, Simonswood.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, building materials and hours of construction.

Applicant's Proposal

Planning permission is sought for the erection of a portal framed building located at a waste transfer station. The site imports inert wastes which are then processed and screened to produce a variety of soil products which are suitable for use on sites such as football pitches, golf courses and domestic gardens.

The building would measure 36.6 metres by 29.5 metres with a height of 10.4 metres. The building would have a total floor space of 1,150m² and would be open sided to the western elevation. The materials used for the lower section of the building would be concrete panels to a height of 3.5 metres and the upper sections constructed from box profile coated metal cladding sheets coloured dark green. The building would be finished with a pitched roof constructed from fibre cement sheeting also coloured green.

Description and Location of Site

The proposed building would be sited within an existing inert waste processing facility located off Stopgate Lane approximately 3.5km north east of Kirkby. The site



which is the subject of this application measures 0.79 hectares in area being part of an operational site extending to 6.2 hectares.

The boundary of the Green Belt surrounds the north, east, and south sides of the waste transfer station. However, the site itself forms part of the Simonswood Industrial Estate that is allocated for waste management facilities in the Joint Lancashire Minerals and Waste Local Plan (Policies WM2 and WM3 - Large Scale and Local Built Waste Management Facilities) and is designated for employment use in the West Lancashire Local Plan.

The Kirkby – Wigan railway is situated immediately to the south of the site with the remainder of the waste transfer station and associated mounds awaiting processing being located to the west. To the north is the access road to the site and to the east is agricultural land. The nearest residential properties are located at Newbridge Farm approximately 380 metres to the north east and at Abrams Farm, off Stopgate Lane, 500 metres to the north west. A farm track crossing the railway is located 200 metres to the east of the site which is also a designated public right of way - Footpath No. BW0822011. The site is visible from this footpath and also in the middle-ground from Footpath No. FP0822016 approximately 240 metres to the south east.

History

Planning permission for the importation and storage of mature, soil, sand, compost and other non-special waste and the mixing, processing and grading of these materials was granted in 1999 (ref - 8/97/1115).

Planning permission for a new access road to the site and creation of a screening embankment was granted in 2006 (ref - 8/06/0129).

Planning permission was granted in January 2013 for the erection of a portal framed building for the storage of recycled soil materials (ref - 08/12/116).

Planning permission was granted in 2021 ref LCC/2021/0031 for a similarly sized building to the east of the current proposal for the storage of recycled soil materials products and this building has been constructed.

Planning Policy

The National Planning Policy Framework (NPPF) December 2024

The following paragraphs are particularly relevant – 7 – 11 (definition of sustainable development), 57 (planning conditions) and 135 (design).

The National Planning Policy for Waste (NPPW)

Section 7 - the determination of planning applications for waste related development. In particular the consideration of the likely impact on the local environment and on amenity against a number of locational criteria set out in Appendix B being: protection of water quality and resources and flood risk management; land instability; landscape and visual impacts; nature conservation; conserving the historic



environment; traffic and access; air emissions, including dust; vermin and birds; noise, light and vibration; litter; and, potential land use conflict.

Lancashire 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

Policy DM2 - Development Management

Policy WM2 - Large Scale Built Waste Management Facilities

Policy WM3 - Local Built Waste Management Facilities

West Lancashire Local Plan

Policy GN1 - Settlement Boundaries

Policy GN3 - Criteria for Sustainable Development

Policy EC1 - The Economy and Employment Land

Policy EC2 - The Rural Economy

Policy EN2 - Preserving and Enhancing West Lancashire's Natural Environment

Consultations

West Lancashire Borough Council – No observations received.

Health and Safety Executive – the Health and Safety Executive is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/pipelines. This consultation which is for such a development and is within at least one Consultation Distance, has been considered using the Health and Safety Executive planning advice website-based application. Considering the details input on behalf of Lancashire County Council the Health and Safety Executive does not advise against the grant of planning permission.

Simonswood Parish Council – No objections

Lead Local Flood Authority – No comments. The proposal will have minimal surface water implications.

Lancashire County Council Highways Development Control – No objection. The proposal will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

Representations - The application has been advertised by press notice and a site notice. The consultation period finishes on 28 December 2024 and no objections had been received when this report was finalised.

County Councillor Rob Bailey has requested that this application be brought before the Development Control Committee.



Advice

Planning permission is sought for the erection of a building on an existing waste transfer station site to be used for the storage of recycled soil materials. The site imports inert waste materials which are then screened and processed to produce a variety of soil products which are suitable for use on sites such as football pitches, golf courses, landscaping and domestic gardens. At present the soil screening and storage operations take place in the open air. However, this is resulting in the recycled soil materials becoming saturated by rain making the product unfit for purpose. The building would be used for the storage of soil undercover in order to prevent it being exposed to the weather and in order to ensure there is enough on-site storage of dry product. The height of the building is required to allow a loading shovel to operate inside the building to create and remove stockpiles of soil.

The wider site benefits from a planning permission that was granted in 1999 for the importation and recycling of soils and inert waste materials under reference 8/97/1115. Planning permission for a portal framed storage building for the storage of recycled materials was granted on this site in January 2013 under reference 8/12/1116 which expired. Following this an application seeking planning permission for a similar proposal was granted and implemented under reference LCC/2021/0031. The applicant now intends to construct a further building to be constructed, of similar dimensions to that approved under reference LCC/2021/0031, approximately 70 metres to the west.

The National Planning Policy for Waste (NPPW) requires that waste materials should be managed at the highest level possible within the waste hierarchy. Policy CS7 of the Lancashire Minerals and Waste Core Strategy Development Plan Document (DPD) seeks to manage waste as a resource, while Policy CS8 of the Core Strategy Development Plan Document (DPD) seeks to ensure an adequate provision of suitable waste facilities across the county. The site has been established as a waste processing site since at least 1998 and the proposed development would generally accord with the aims of the National Planning Policy for Waste (NPPW) and the Core Strategy.

The National Planning Policy Framework 2023 and the Joint Minerals and Waste Local Plan recognises that 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 and dust. More specifically, Policy DM2 of the Joint Minerals and Waste Local Plan supports development for 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 building would be located adjacent to the southern boundary of the waste processing site adjacent to the railway line. The application site is designated in the West Lancashire Local Plan for Employment Use. As the proposed building would be



wholly located within an industrial land allocation, the principle of the development would accord with this policy.

Paragraph 135 of the National Planning Policy Framework (NPPF) concerns design and states that developments are visually attractive as a result of good architecture, layout and effective landscaping.

Policy GN3 of the West Lancashire Local Plan confirms development should have regard to visual amenity within its surroundings through sensitive design including appropriate siting, orientation, scale, materials, landscaping and boundary treatment.

Whilst the proposed building is large in scale it would be of an agricultural appearance and would be almost identical in form to the building on this site approved in 2021. The materials for the building are considered to be appropriate for the location and for the type of building proposed. The dark green cladding of the proposal would mitigate any visual impact of the building when viewed from the surrounding Green Belt and from the nearest public viewpoints from the east and south east of the operational site.

The site is generally well screened by field boundary hedges and landscaped bunding surrounding the waste processing site. Stopgate Lane itself is approximately 310 metres to the north of the proposed building and is also bound with high hedgerows. For the above reasons it is considered no landscaping is required.

In conclusion it is considered that because of the location, siting, design and nature of the development there would be no adverse impacts on the surrounding area in terms of visual or landscape impacts. The development is considered to be one that improves the method of on-site processing of soil products and consequently would not give rise to intensification in highways terms. The development therefore accords with the policies of the National Planning Policy Framework and the Development Plan.

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

Recommendation

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

Time Limits

1. The development shall commence not later than 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 in accordance with the following documents:
 - a) The Planning Application received by the County Planning Authority on 8 November 2024.
 - b) Submitted Plans and documents:
 - Drawing Number - X387-157-004-PL01-01A - Site Location Plan
 - Drawing Number - X387-157-004-PL02-01A - Proposed GA Plans
 - Drawing Number - X387-157-004-PL03-01A - Proposed Elevations
 - Drawing Number - X387-157-004-PL010-03A - Proposed Site Block Plan

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 Policy GN3 of the West Lancashire Local Plan.

Building Materials

3. The building materials used for the elevations and roof of the building shall conform to the details shown on Drawing Number - X387-157-004-PL03-01A - Proposed Elevations.

Reason: In the interests of the visual amenities of the area and to conform with Policy GN3 of the West Lancashire Borough Local Plan.

Hours of construction

4. No construction development, delivery or removal of materials shall take place outside the hours of:

07.30 to 18.30 hours Monday to Friday (except Public Holidays)

07.30 to 13.00 hours on Saturday

No construction development, delivery or removal of 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 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/landowners and land users and to conform with Policy 2 of the Lancashire Minerals and Waste Local Plan and Policy GN3 of the West Lancashire Local Plan.



Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Ext
LCC/2024/0036	December 2024	Robert Taylor, Planning and Environment 01772 534558

Reason for Inclusion in Part II, if appropriate

N/A

