

Agenda Item 6

Development Control Committee

Meeting to be held on 20th January 2021

Electoral Division affected: Chorley Central

Chorley Borough: Application number LCC/2020/0052 Erection of recycling wash plant to process selected wastes at Common Bank Works, Common Bank Lane, Chorley

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Executive Summary

Application – Erection of recycling wash plant to process selected wastes at Common Bank Works, Common Bank Lane, Chorley.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling working programme, hours of working, reversing alarms, lighting and landscaping.

Applicant's Proposal

This application is for a wash plant for the processing of inert waste material. The plant includes a number of components such as a primary feeder, feed conveyer, filter press and enclosure, stockpile conveyors, water tank, aquacycle, floccstation, galvanised steel steps, handrails and walkways. The plant is sat on a new concrete pad that covers an area of approximately 69m by 47m with the filter press enclosure the highest section at 13m high. The majority of the conveyor system is coloured blue and white, and the filter enclosure is grey. The wash plant will be a closed-system requiring no water discharge and will be topped-up, when required, from the on-site surface water lagoons.

Description and Location of Site

The application site relates to an area of approximately 3440m² on within land within an existing construction, demolition, and excavation waste management site. The wider site covers an area of approximately 2 hectares and includes large areas of stockpiled waste, a wheel bath, a site office and surface water storage ponds. The perimeter of the site is secured by a mixture of waste stockpiles, earth bunds of varying heights between approximately 1-5 metres and green weldmesh fencing.

The site is located at the end of Common Bank Lane, the majority of which is a privately maintained road owned by Chorley Borough Council. The road also provides access to Chorley Wastewater Treatment Works and there are a number of residential properties towards the junction with Ackhurst Road. Common Bank Lane is also a public footpath (number 8), which links through to German Lane via a footbridge across the River Yarrow.

Immediately north of the site boundary is public footpath number 1, which runs through Wallets Wood Biological Heritage Site. The woodland rises to the north to a yard area owned by the applicant and other areas of the Ackhurst Road Industrial Estate. To the north, close to the site entrance, is a collection of properties including Clayton Brook Garage and Common Bank Farm. The River Yarrow flows to the south and west of the site in area of mixed woodland and grassland. Woodland and meadow to the north west is designated as Blanche Meadows and Woodland Biological Heritage Site. A dormant sand quarry is located to the west in woodland across the river and there are a number of residential properties at higher elevations some 250-300m away from the site.

Background

History

The site was formerly occupied by a bleach works until operations ceased and buildings were demolished in the 1990s. The site then lay disused for a number of years. On 3rd November 1999, Chorley Borough Council granted a lawful development certificate in respect of the continuation of the B2 use under the provisions of section 192 of the Town and Country Planning Act 1990. The site has been used to varying degrees for the recycling and processing of construction, demolition, and excavation waste under the terms of the lawful development certificate as these operations are a B2 use. The site operates under an Environmental Permit issued by the Environment Agency, which allows the importation of up to 250,000 tonnes of waste per year for the production of soil, soil substitute and aggregate.

Planning Policy

National Planning Policy Framework

Planning Practice Guidance accompanying the National Planning Policy Framework

Waste Management Plan for England

National Planning Policy for Waste

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

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

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

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

Central Lancashire Adopted Core Strategy

Policy 29	Water Management
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Chorley Local Plan 2012-2026

Policy V1	Model Policy
Policy V2	Settlement Areas
Policy BNE1	Design Criteria for New Development

Consultations

Chorley Borough Council – It is acknowledged that the application site has a lawful Class B2 use and so it can be lawfully used for an industrial activity and there are no restrictive planning conditions in relation to this use. The access to the application site is via Common Bank Lane which is a narrow unadopted road serving the application site, a waste-water treatment plant and a small number of commercial and residential uses. The lane is also a public footpath. The proposal has the potential to generate additional levels of traffic that would be detrimental to highway safety and for all users of Common Bank Lane, including pedestrians. This would also likely generate unacceptable levels of noise and disturbance to the occupiers of dwellings on Common Bank Lane. The objection is made on the grounds that Chorley Council consider that the proposal would prejudice highway and pedestrian safety and would cause an unacceptable degree of noise disturbance to surrounding land uses contrary to the provisions of policy BNE1 of the Chorley Local Plan 2012 – 2026.

Charnock Richard Parish Council – The Parish Council object very strongly to the proposals in this application. A number of residents living close to the site, on the Charnock Richard side of the river, have contacted the Parish Council with their objections and notifying the Council that these works started back in March and that that heavy construction is still underway, all being undertaken without planning permission.

The applicant submitted an application for water abstraction, subsequently withdrawn, to abstract 20,160 cubic metres of water from the river Yarrow per year (80 cubic metres per day). However, the Council now understands that a licence was granted to abstract 20,160 cubic metres of water per year, at a rate of 80 cubic metres per day, 10 cubic metres per hour and 2.8 litres per second for mineral washing purposes from the River Yarrow at Old Bleach Works between grid reference SD 56360 17188 and SD 56435 17186 back in July 2020, the filtered water to be either lost in production or returned to a lagoon to be used again, not back in the river. It is also understood that

Ruttle Plant have made an application to vary their waste licence to incorporate the washing of waste on site, which is yet to be determined. None of this information, licences or permissions were ever notified to the Parish Council.

The Parish Council object to the fact that:

1. Footings & building work are well underway which gives no room for residents who will be affected to have the site moved west of its current location due to there being a natural bank which would afford more protection from excessive noise and light pollution (the existing site for crushing & screening is already extremely noisy). This will increase for longer periods of time to feed the new recycling plant.
2. The application states it cannot be seen from paths. However, the whole site next to the river is surrounded by paths and can most certainly be seen and heard (A Parish Councillor having walked the path in the rain reported that she could actually hear the men talking let alone the machinery).
3. One resident's main concern is around the erecting and maintaining the 10 metre bund – particularly around heavy noise emitting plant, (especially crushers) which will be in more constant use on site to provide the new process plant with feedstock.
4. The immediate surrounding area is Green Belt and also forms part of Chorley Yarrow Valley Park which is extensively used by residents of West Chorley for recreation. Therefore, the site is in full view of a number of footpaths including the famous Chorley Circular Route & the access gate to the site passes directly across. There also appear to be newly constructed roads, which again are not on the planning application.
5. Most importantly, the environmental impact of the proposals gives serious cause for concern. This area of the river has been extensively nurtured and restored to a clear flowing river, with an abundance of wildlife, Herons, Kingfishers, Deer to name a few. There is no mention of what the wash recycling plant will put back to pollute the river itself such as sand, silt, rock, concrete, washing solvents and chemicals, The Parish Council do not believe this recycling site has to be located here. The applicant has a big enough site to have it well away from the river embankments. The Parish Council cannot imagine how much inert waste they will create with a recycling plant producing up to 250,000 tonnes per year, 8 hours a day, 6 days a week and how dealing with that waste will impact on the local roads and infrastructure around Charnock Richard and neighbouring Parishes.

The Parish Council are totally opposed to these proposals and feel there are more appropriate locations, both in the Borough and even on the applicant's site itself where these could be located.

Coal Authority – No comments to make.

Environment Agency – Provided initial comments on the first version of the noise assessment and included a general comment that it is understood that the site is currently allowed to operate 0700-1800 Mon-Sat, and that there are no additional restrictions on operation of specific activities or machinery. Given the scale of the installation being proposed and the possibility of exacerbating existing noise impacts

reported by local residents, it is suggested that the County Council considers restricted hours of operation for the proposed machinery, in particular early mornings and Saturdays, which are especially sensitive periods.

Following the submission of a revised noise assessment the Environment Agency provided the following additional comments:

The noise impact assessment for the proposed activity (wash plant and peripherals) indicates that this particular activity is likely to have an adverse noise impact (up to +8dB above background at noise sensitive receptors). The applicant attempts to justify this adverse impact by stating that existing operations are already having an adverse noise impact (up to +10dB above background). However, as the existing activities will continue to operate alongside the proposed wash plant, then the contribution from the wash plant will only increase the total noise from the site, possibly increasing the rating level over background to >10dB, which indicates a significant adverse impact according to BS4142. The report separates the proposed activities from the existing activities and individual BS4142 assessments are undertaken on each. To understand the noise impact from the site when both proposed and existing activities are operating together then the BS4142 assessment must consider the contribution from all activities. With regard to the potential impacts on the four main residential receptors, there are various background noise sources in the area, which are likely to impact on the noise sensitive receptors (NSRs) 1&4 differently to NSR 2&3. We would advise the authority requests more robust justification that the measurement at MP1 is representative of all of these noise sensitive receptor locations.

We remain concerned at the decision to use the lowest possible correction factors for the likely acoustic features of the proposed activities. Because this is subjective, then others, i.e. residents or nearby office workers, may feel that the tones/impulses are clearly or highly perceptible. We would reiterate to the authority that we continue to receive noise complaints from residents living in the noise sensitive receptor locations.

It is emphasized that background levels should be measured when the entire site is not operating. The key concern for residents and other receptors will be whether the proposed combination of activities on site causes an adverse or significant adverse impact, therefore individual site activities should not be separated. Whilst the applicant has now stated that the background levels previously presented were measured when the site was not operating, they have also said that site preparation works were underway for installing the wash plant. No detail is provided on the type of work being undertaken, however any site noise is likely to have been measured in the background level therefore artificially raising this.

We would advise that the authority seeks further justification for the assertion that the ongoing site activity/preparation works did not contribute to the measured background level.

The Environment Agency has also provided comments in relation to surface water management arrangements. Many of the comments relate to the existing wider site rather than the application site. Other comments highlight errors within the storage calculations and also query the water use of the wash plant.

Lancashire County Council Lead Local Flood Authority – No comments received.

Lancashire County Council Highways Development Control - The site is an existing waste recycling facility located at the end of the un-adopted section of Common Bank Lane which is a Public Right of Way (PROW – FP1 and FP8). Access to the site is via the Public Rights of Way and the proposal as described above is to install a recycling wash plant. The proposal is likely to have minimal transport impacts, therefore, no objection is raised.

United Utilities - In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. Conditions are recommended accordingly.

Representations – The application has been advertised in the local newspaper and neighbouring residents have been informed by individual letter. 12 representations have been received objecting to the application for the following reasons:

- Noise impact of the current works can already be heard at distance. There are concerns that this proposal will make it worse. The development should not be permitted at night or at weekends.
- Environmental impact on the wildlife, birds, fish, fowl and amphibians which has been nurtured by the improvements done by Chorley Circle.
- Concerns with heavy goods vehicle traffic on Common Bank Lane including the noise, vibration and damage to the road surface. What will the traffic impacts be with the new development?
- The access road along Common Bank Lane is unsuitable given it is a single track with no pavement or streetlights.
- Access should be made via the applicant's existing yard on Ackhurst Industrial Estate.
- The wash plant is already being built.
- The wash plant has an unacceptable visual impact on the Yarrow Valley Country Park and on local amenity.
- The site is in the flood plain.
- The site is within 20 metres of the River Yarrow.
- The site is adjacent to Blanche Meadows and Woodland Biological Heritage Site.
- The original noise assessment made an assumption of a 10m high screening bund, which is not there. There are also concerns regarding the assessment of representative background noise.
- Large numbers of heavy goods vehicle movements will be unacceptable given the local footpath network in and around Common Bank Lane.
- Could the bunding be planted with trees?
- The wash plant should be relocated further away from residents.
- Concern about potential light pollution.
- Measures should be put in place to protect local wildlife.
- The surrounding area is Green Belt.
- The conditions of the Environmental Permit should be met and adequately policed along with a satisfactory noise management plan.

- The footpath to the north of the site is already affected by flooding due to the impact of the adjoining stockpile areas. This proposal will make it worse.
- Increased likelihood of air pollution.

Objections have also been received from Chorley Borough Cllr Beaver, summarised as follows:

- It is not disputed that the site has existing rights of use, the site has historically been used for commercial purposes. However, it is questioned why Chorley Council gave permission for the site to be used to process selected waste given that Common Bank Lane is little more than a dirt track for most of its length and is totally unsuitable for HGV movements, some of which are Class 1 articulated plant transporter vehicles weighing over 80 tonnes, which is borne out by damage caused to the track.
- The development could contaminate the River Yarrow.
- Could access be taken via Ackhurst Road Industrial Estate?
- Damage to Common Bank Lane is damaging tree roots and hedgerows.
- The applicant states that the site is not in a flood risk area but this is incorrect.
- The site is within 20m of a watercourse.
- The development will affect flooding elsewhere.
- No storage or collection of waste.
- The applicant states that there is no proposal to carry out industrial or commercial processes. Yet this is what the application is for.
- The application says the development will not be seen from local footpaths. This is incorrect.

Advice

This application is at an existing construction, demolition and excavation waste recycling and processing site on land that was previously occupied by a bleach works. The existing activities at this site operate with the benefit of a lawful development certificate for B2 'General Industrial' use granted in 1999 and are not subject to any planning controls. Therefore, there are no restrictions on the hours of working or the number of vehicles that can visit the site each day. The site is subject to an Environmental Permit issued by the Environment Agency and this requires the standard of operations at the site to minimise pollution. The permit allows for the importation of up to 250,000 tonnes of waste per year for the production of soil, soil substitute and aggregate.

The site currently operates a range of mobile crushing, sorting and screening plant and equipment which is used to dry screen imported inert waste. The wash plant would be used as an alternative way of processing the waste material in order to produce a higher quality of end product. The applicant states that with the proposed operations there would be the wash plant, a loading vehicle, a vehicle for stockpiling material and a crusher. The latter being used for approximately 2 days per month. The applicant envisages that the wash plant would be capable of separating and screening material to produce higher quality aggregate products and to increase recycling capabilities. The proposal would therefore helping to minimise demand for primary quarried

materials and minimising the need for landfill as set out in Policies CS2, CS3, CS7 and CS8 of the Lancashire Minerals and Waste Core Strategy.

The applicant has chosen to commence with the development prior to securing planning permission. However, this option is provided for under section 73A of the Town and Country Planning Act 1990 and therefore it is recommended that no negative prejudice should be applied in the decision making process. It is at the applicant's own risk in following this approach.

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

Policy V1 of the Chorley Local Plan is an overarching model policy, which advises that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It advises that the Council will always work proactively with applicants jointly to find solutions, which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in this Local Plan will be approved without delay, unless material considerations indicate otherwise.

The site falls within the Chorley 'Settlement Area', under Policy V2 of the Chorley Local Plan. This policy states that there is a presumption in favour of appropriate sustainable development, subject to material planning considerations and other policies and proposals within the Local Plan. Commentary that accompanies the policy states that development within settlement areas may be for an appropriate use such as housing, offices, community facilities or Green Infrastructure. However, in this case the site is already established as a general industrial site and the planning application relates to plant and machinery associated with the existing use.

Policy V2 continues by adding that development proposals will be judged by their compatibility with existing surrounding development and their ability to satisfy material planning criteria. This includes factors such as access, parking, servicing, design and amenity, which includes an assessment of noise, emissions, disturbance because of anti-social hours of operation, and traffic generation. The impact on the character and distinctiveness of the area including visual intrusion for existing residents is also an important factor.

In determining planning applications paragraph 127 of the National Planning Policy Framework requires the decision maker to ensure that developments are sympathetic to local character, including the surrounding built environment and landscape setting while not preventing appropriate innovation or change. Developments should function

well and be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

The National Planning Policy Framework and the Joint Lancashire Minerals and Waste Local Plan recognise that minerals and waste developments have the potential to give rise to adverse impacts on the quality of life of people for a variety of reasons including noise, dust and vibration. Paragraph 180 of the National Planning Policy Framework states that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. New development should mitigate and reduce to a minimum the potential adverse impacts resulting from noise and avoid noise giving rise to significant adverse impacts on health and the quality of life.

Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan supports development for minerals or waste management operations where it can be demonstrated that all material, social, economic or environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels. In assessing proposals, account should be taken of the proposal's setting, baseline environmental conditions and neighbouring land uses, together with the extent to which its impacts could be controlled in accordance with current best practice and recognised standards.

The applicant has submitted a noise assessment that considers local ambient noise levels and predicted noise levels from the operation of the new wash plant. This is also compared with operations that have been typical at the site. The assessment concludes that the employment of the wash plant and ancillary operations would be likely to be 2dB lower than the typical current situation. However, the Environment Agency has raised a number of concerns regarding the methodology of the noise assessment and seeks clarification on the type of extent of operations should the wash plant be given approval. The site operates under the provisions of an Environmental Permit and the Environment Agency currently has responsibility for ensuring that noise levels from the site as a whole are acceptable. Further noise assessments and scrutiny will be required as part of an application to vary the Environmental Permit to account for the wash plant.

Paragraph 183 of the National Planning Policy Framework states that the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. The existing waste operations at this site are already subject to an Environmental Permit, which specifies acceptable waste types and sets standards for the control of noise, water quality and air emissions.

It appears that the wash plant is unlikely to generate significantly higher levels of noise or dust than the existing waste processing activities and therefore the wash plant is considered acceptable in planning terms in this respect. However, this is on the basis that operations do not intensify across the site through the use of additional mobile crushing and screening plant. For this reason a condition is recommended such that

only one crusher plant and the wash plant, along with loading vehicles and excavators would be permitted and a condition is recommended for further details of the crusher plant and its location at the site. It is also recommended that planning conditions be imposed to control hours of working across the whole site including tighter restrictions for the wash plant and crushing plant, and that no operations be permitted on Sundays or bank holidays. This would represent a major planning gain on a currently uncontrolled site. Furthermore, a condition is recommended in relation to white noise reversing alarms to reduce the likelihood of tonal noise disturbance at neighbouring properties.

The proposed wash plant, and in particular the filter enclosure, has generated a new visual presence at the site for users of the local footpath network and from residential properties further afield. However, this should be considered in the context of the existing use of the site and location of other neighbouring industrial premises to the north. The presence of the wash plant is considered to be typical of plant, equipment and/or buildings that could be seen on any general industrial site and is considered acceptable. Nevertheless, it is considered that the visual impact of the site on the surrounding woodland environment could be reduced through the introduction of peripheral tree and shrub planting. A condition is recommended accordingly. No lighting is proposed for the wash plant and a condition is recommended in that respect.

Highways

Paragraph 108 of the National Planning Policy Framework states that planning applications should be assessed to ensure that appropriate opportunities have been taken to promote sustainable transport; safe and suitable access to the site can be achieved for all users; and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 109 makes it clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

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

The development is at an existing waste management site that has an established and unrestricted access via Common Bank Lane, which also serves as a public footpath. There are currently no controls on vehicle movements and traffic varies depending on site activity. The wash plant is a system to improve the processing and separation of waste materials and does not change the overall use of the site. Waste inputs are restricted to 250,000 tonnes per year by the Environmental Permit and this would not change with the wash plant. Lancashire County Council's Development Control Highways raises no objection.

It has been suggested that the site could be accessed via a new link from within the Ackhurst Road Industrial Estate to avoid the top end of Common Bank Lane at its junction with Ackhurst Road. That may be something the site operator could pursue

in future but at this time this does not form part of the planning application and there would be no basis to require construction of an alternative access.

Water management

Paragraph 163 of the National Planning Policy Framework states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should take account of advice from the Lead Local Flood Authority; have appropriate proposed minimum operational standards; have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and where possible, provide multifunctional benefits.

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

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

The wash plant and associated development would be located on a concrete pad within the confines of the much larger waste management site that is already subject to water containment controls. The concrete pad would introduce an impermeable surface at the site, which is already largely impermeable due to the underlying surface. The site is not within flood risk area 2 or 3 and is located within a contained and bunded area.

The site current has a land drainage network made up of an open and culverted land drain that takes run-off generated on-site into two man-made surface water settlement ponds where surface water is attenuated. The existing ponds discharge surface water run-off from the wider site (including the proposed development area) into the River Yarrow at a restricted rate of 7.0 litres per second as controlled through the Environmental Permit. The application area would need to allow for 64.5m³ of storm flow based on a 1 in 100yr storm event plus climate change allowance.

The applicant advises that the total storage capacity of the settlement ponds is 298m³, which provides more than sufficient capacity for the 173m³ total surface water storage requirement for the wider site including the 64.5m³ specifically calculated for the wash plant concrete platform. The Environment Agency has provided comments in relation to surface water management arrangements but many of the comments relate to the

existing wider site rather than the application site and are not relevant to the determination of this application. Other comments highlight errors within the storage calculations, which have been addressed by the applicant and also query the water use of the wash plant, which would have no significant effect on the surface water management arrangements at the site. In this respect it is considered that the water management arrangements would be acceptable for the purposes of this application.

Human Rights

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

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

Conclusion

This is an application for a wash plant to sort and process construction, demolition and excavation waste and efficiently retrieve materials that may otherwise end up being landfilled. The plant would be located at an existing waste materials management facility on established general industrial land that has no planning controls. General activities and pollution controls are regulated through an Environmental Permit issued by the Environment Agency but this does not control hours of working or the arrangement of activities on site. Given the activities that can take place under the existing authorised use for the site, the principle of the use of a wash plant is considered acceptable. It is unlikely that there would be any unacceptable impact on local amenity, the highway network or the environment over and above the current situation and subject to recommended conditions. Conditions relating to the control of hours of working, restrictions on site activities, and landscaping in relation to the whole site, would provide significant planning gain as a benefit of planning permission. Overall, it is considered that, subject to conditions, the development complies with the policies of the development plan and the policies of the National Planning Policy Framework and should be supported.

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) Submitted Plans and documents:

Drawing no. 305/6-1, rev 1.0 - Location Plan
Drawing no. 305/6-2, rev 3.0 - Layout Plan
Drawing no. C466225, rev B - C&D Recycling Wash Plant
Details Document 'Ruttle Plant - Project ref: 4476, dated 14 Nov 2019

- b) All details 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 policies V2 and BNE1 of the Chorley Local Plan and Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

2. No heavy goods vehicle movements and/or general waste management operations within the site edged green on drawing no 305/6-1, rev 1.0 shall take place outside the hours of 0700 to 1800 hours Mondays to Fridays (excluding Public Holidays) and 0700 to 1600 hours on Saturdays.

No crushing or wash plant operations within the site edged green on drawing no 305/6-1, rev 1.0 shall take place outside the hours of 0800 to 1800 hours Monday to Fridays (excluding public holidays) and 0800 to 1600 on Saturdays.

No waste management operations shall take place at any time on Sundays or Public Holidays.

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

3. No crushing operations shall take place until details of the type of crusher to be operated and its location on the site to the north east of the wash plant enclosure have been submitted to and approved in writing by the County Planning Authority.

Thereafter, crushing operations shall take place in accordance with the approved details.

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.

4. No mobile plant shall be used on the site edged green on drawing no 305/6-1, rev 1.0 while the wash plant is in use, except for one crushing plant and the wash plant subject of this permission. This condition excludes loading vehicles and excavator machinery.

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.

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

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

6. No lighting shall be used to illuminate any part of the wash plant subject of this permission.

Reason: To avoid light pollution and comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

7. Within 3 months of the date of this permission, a landscaping establishment and management plan within the boundaries of the site edged green on drawing no. 305/6-1, rev 1.0 shall be submitted to the County Planning Authority for approval in writing.

The submitted details shall include:

- a) The nature and depth of any soil making materials.
- b) Native tree/shrub planting and seed specification.
- c) The ongoing maintenance and management of the landscaping at the site while the materials and waste management facility remains operational.

Thereafter, the approved landscaping establishment and management plan shall be implemented within the first available planting season (the period between 31 October in any one year and 31 March in the following year) following the approval of the details.

Reason: To ensure satisfactory landscaping of the site boundaries and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Notes

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

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

None

Reason for Inclusion in Part II, if appropriate

N/A