

Agenda Item	A10
Application Number	24/01221/CCC
Proposal	Variation of condition 1 of planning approval 01/99/0541 to allow retention of existing landfill gas electricity generating compound until it is no longer required for the management of landfill gas
Application site	Salt Ayre Landfill Site Salt Ayre Lane Lancaster Lancashire
Applicant	SUEZ Recycling And Recovery UK Ltd
Agent	
Case Officer	Mrs Petra Williams
Departure	
Summary of Recommendation	No objections

(i) **Procedural Matters**

This application (LCC/2024/0033) has been submitted to, and will be determined by, Lancashire County Council as they are responsible for planning matters that relate to waste and minerals. Lancaster City Council has been consulted as the proposal falls within our District and, as such, this report sets out the City Council's proposed **consultation response**. It will be for the County Council to determine whether planning permission should be granted.

1.0 Application Site and Setting

- 1.1 The site to which this application relates is a Materials Recycling & Transfer facility, on the former Salt Ayre Landfill Site, adjacent to the Household Waste Recycling Centre (HWRC). The site is allocated as green corridor open space, Nature Improvement Area and a Key Urban Landscape (KUL) on the Adopted Policies Map.
- 1.2 The site lies within 900m of the Morecambe Bay Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar internationally designated sites, and the Lune Estuary SSSI. The site is located approx. 350m north of the River Lune and is also located within the Air Quality Management Area.
- 1.3 The proposal relates to an existing compound within the site which has been in place for over twenty years and provides necessary infrastructure to control and manage landfill gas produced by the landfill site and produce green electricity which feeds into the National Grid. The landfill gas electricity generating compound is required to ensure that the site operator is appropriately managing all landfill gas arising from the adjacent landfill site in accordance with the site's Environmental Permit. The compound comprises of various infrastructure including landfill gas electricity generating units which utilise as much of the landfill gas as possible to generate green electricity, a landfill gas flare and ancillary infrastructure.

1.4 The existing landfill gas electricity generating compound operates under three separate planning permissions. The extant permissions are listed below and highlighted in bold.

- Planning permission 1 - The compound was originally granted planning permission in 1991 (ref: 1/91/219) and was retained until 31 December 2024 under a subsequent permission granted in 1999 (planning reference: **01/99/541**).
- Planning permission 2 – An extension was added to the north of the compound in 2002 under a separate planning permission (planning reference: **01/02/0689**).
- Planning permission 3 – Two extensions were added to the north and south of the compound in 2004, also under a separate planning permission (planning reference: **01/04/1631**)

All three existing planning permissions share the same expiry date, governed by a similarly worded condition which requires the electricity generating operations to cease no later than 31 December 2024 and to be restored in its entirety, in accordance with the relevant condition, by 30 June 2025.

1.5 This consultation relates to planning permission 1 listed above. Two other separate County Council Consultations have also been submitted in respect of the two other permissions relating to the compound.

2.0 Proposal

2.1 The application (ref. LCC/2024/0033), which has been submitted to Lancashire County Council, seeks to vary a condition on the earlier planning permission (ref. 01/99/541) for the compound in 1999 which includes a condition that requires the electricity generating operations to cease no later than 31 December 2024 and restoration by 30 June 2025. The current application (ref. LCC/2024/0033), seeks to vary the condition to allow the retention of the existing landfill gas electricity generating compound until it is no longer required for the management of landfill gas.

3.0 Site History

3.1 A number of relevant applications relating to this site have previously been received by the County Council. The most relevant of these are:

Application Number	Proposal	Decision
LCC/2022/0061	Permanent retention of the existing Salt Ayre materials recycling & transfer facility	Permitted
01/02/0689	Extension to compound to accommodate additional gas control and generation plant	Permitted
01/99/541	Amendment of condition 1 of planning permission 1/91/219 to allow development to continue until 2024	Permitted
01/04/1631	Extension to existing electricity generating compound to accommodate additional gas control and generation plant	Permitted

4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
Environmental Health	No objections

4.2 The following responses have been received from members of the public:

- No comments received at the time of compiling this report.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Principle of Development
- Landscape and Design
- Air Quality
- Biodiversity

5.2 **Principle of Development** (NPPF section 2; Policy CS9 of Lancashire Minerals & Waste Development Framework Core Strategy DPD; Policy DM30 of the Development Management DPD and Policy SO3 of the Strategic Policies and Land Allocations DPD)

5.2.1 The site is established and provides an important local recycling facility for bulking up of waste collected at the local Household Waste Recycling Centres (HWRCs) and from trade collections, facilitating movement of waste and recycling. It is noted that the site is not allocated or safeguarded for waste use on County Council Local Plan map, nor on the City Council's Local Plan. Sites allocated for waste management facilities within the District include White Lund and Heysham Industrial Estates. Policy CS9 of Lancashire Minerals & Waste Development Framework Core Strategy DPD seeks to achieve sustainable waste management and facilities and Policy SO3 of Strategic Policies and Land Allocations (SPLA) DPD seeks to minimise the generation of waste, promote recycling and prevent where possible or mitigate against, the effects of air, water and soil pollution, noise, smells and fumes.

5.2.2 Policy DM30 of the Development Management DPD acknowledges the importance of measures to reduce energy consumption and carbon dioxide emissions as well as opportunities for energy supply from on-site, decentralised, renewable or low carbon energy systems in delivering sustainable development. Lancaster City Council has declared a Climate Emergency and acknowledges that climate change remains the challenge of our generation. In light of the Councils declaration, a partial review of the Development Plan was undertaken to strengthen the climate change policy ambitions of the Council. It is envisaged that the updated policies will be adopted early 2025, however, it is not considered that this proposal would conflict with any proposed modification to policy DM30.

5.2.3 It is considered that the proposal will allow the site to continue to effectively manage landfill gas produced by the landfill site. As such the proposal complies with the relevant policies outlined above and is considered acceptable in principle.

5.3 **Landscape** (NPPF Sections 12 and 15; Policies DM29 and DM46 of the Development Management DPD; Policy EN5 of the Strategic Policies and Land Allocations DPD)

5.3.1 The existing landfill gas electricity generating compound is situated on an area of hardstanding in the middle of the landfill site and surrounding by other buildings and structures. The application site is therefore well screened in all directions. It is therefore considered that the proposal does not raise concerns in terms of landscape impacts.

5.4 **Air Quality** (NPPF Section 15; Policy DM31 of the Development Management DPD; Policy EN9 of the Strategic Policies and Land Allocations DPD)

5.4.1 The site lies within an Air Quality Management Area (AQMA) and Policy DM31 seeks to ensure that development which is located in such areas must not significantly worsen any emissions or air pollutants. Policy EN9 advises that developments that are located within AQMAs should not contribute to increasing levels of air pollutants within the locality.

5.4.2 The Environmental Health Officer (EHO) has confirmed that there are no historic issues with the installation relating to noise, odour or smoke. The EHO has advised that from an air quality perspective, the proposal is unlikely to impact the nearby AQMA as any NO2 emissions are already part of the background levels being monitored and there is no proposal to increase volumes of methane being burnt. While the installation will continue to emit some CO2 while operating, the methane produced by the landfill is a more potent greenhouse gas so reducing this through burning in the energy plant is a net environmental benefit. Therefore, the scheme accords with Policies EN9 and DM31.

5.5 **Biodiversity** (NPPF Section 15; Policy DM44 of the Development Management DPD; Policy EN7 of the Strategic Policies and Land Allocations DPD)

5.5.1 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. 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 proposal to allow the retention of the existing landfill gas electricity generating compound until it is no longer required for the management of landfill gas does not include any new development or changes to operations or practices. It is therefore considered that the retention of the existing facility until it is no longer required would not give rise to any new or differing harm to the designated ecological sites nearby.

6.0 Conclusion and Planning Balance

6.1 The proposal relates to variation of a condition on a planning permission to allow for the continued operation of existing landfill gas electricity generation. It is considered that the continued operation would not have a detrimental impact on landscape, air quality or biodiversity.

Recommendation

That the Lancaster City Council has **NO OBJECTION** to the proposal subject to the imposition of other conditions associated with the parent consent remaining.

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

This is not relevant as Lancashire County Council is the determining authority. Lancaster City Council is simply a consultee for this application.

Background Papers

None