

DECISION DATE 12 October 2007	APPLICATION NO. 07/01233/CCC A16	PLANNING COMMITTEE: 8 October 2007
DEVELOPMENT PROPOSED RETROSPECTIVE CHANGE OF USE OF LAND TO INERT RECYCLING FACILITY, ERECTION OF NEW BUILDING AND ANCILLARY PARKING IN ASSOCIATION WITH TRANSFER STATION		SITE ADDRESS ELLEL CRAG QUARRY BAY HORSE ROAD ELLEL LANCASTER LANCASHIRE
APPLICANT: Eurowaste UK Ltd C/o Nans Nook Bay Horse Lancaster LA2 9DF		AGENT: ML Planning Services Ltd

REASON FOR DELAY

Committee Cycle

PARISH NOTIFICATION

None

LAND USE ALLOCATION/DEPARTURE

The application site is allocated within the Lancaster District Local Plan (1996 - 2006) as designated Countryside Area and is protected by Policy E4.

STATUTORY CONSULTATIONS

All consultations have been undertaken by Lancashire County Council.

Environmental Health Service - No objections in principle. Advice notes to be attached to the decision letter informing the applicant to contact the Environment Agency with regards to obtaining a Waste Management Licence and Lancaster City Council with regards to necessary permits to operate under the Pollution, Prevention and Control Regulations 2000.

OTHER OBSERVATIONS RECEIVED

None

REPORT

This is a County application seeking the District Council's views for the retrospective change of use of land to inert recycling facility, erection of a new building and ancillary parking in association with the transfer station.

Ellel Quarry lies within the designated Countryside Area equidistant between the village of Dolphinholme due east and Galgate due west. The application site is well contained within the curtilage of the quarry and is surrounded by dense mature trees. As such, the existing works and buildings on site are not visible from the adjacent highway or neighbouring land. The access to the site already exists and is accessed off Bay Horse Lane.



The application proposes the provision of a large building measuring 30 x 24 metres giving a total floor area of 720 square metres. The height to the eaves measures 7.2m with a ridge height of 10.4m. The purpose for such a large building on site is to allow vehicles to enter the building and tip waste to ensure the prevention of dust emissions and dirty water run off. The use of the site shall not be open for public use and shall be used by the applicants, Eurowaste, or other associated waste transfer stations within Lancaster, such as Supaskips. The hours of operation are intended to be between 06:00 and 18:30 seven days a week.

The purpose of the development is to provide an undercover area to provide a facility to recycle mixed commercial, industrial and domestic waste. The waste will be physically sorted and then separated into either land fill waste or recyclable waste. A Trommell Screener will be situated within the building to prevent dust emissions.

The average numbers of vehicular movements at the site per day, as indicated by the application, are 20 HGVs and 12 Light vehicles/private cars. Lancashire County Council has indicated that the extant permission for landfilling allows for approximately 60 HGVs to leave the site in any one day. They have informed the local planning authority that in order for the application to be supported they would be recommending a Section 106 to allow for no more than 60 combined to leave the site so the local highway network would not be any more affected than at present.

Conclusion

Given that the large building proposed by the application is unlikely to adversely affect the character and appearance of the landscape and that the number of vehicular movements shall be controlled by a potential Section 106 Agreement, Members are advised that the development should be supported.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

The local planning authority has **NO OBJECTIONS**, subject to the following condition and advice notes:

Condition:

1. Prior to the commencement of the development, details of all materials to be used on the external elevations of the building shall be submitted to, and approved in writing, by the local planning authority.

Advice Notes:

1. The applicant is advised to contact the Environment Agency to discuss obtaining a Waste Management Licence, or amending an existing one.
2. The crusher, and any associated screeners, cannot operate without the relevant permit issued to the operator under the provisions of the Pollution, Prevention and Control Regulations 2000. The applicant should contact Lancaster City Council's Environmental Health Pollution Control for more information.