

## 2.2 Development Management

### Policy DM2 - Development Management

Development for minerals or waste management operations will be supported where it can be demonstrated to the satisfaction of the mineral and waste planning authority, by the provision of appropriate information, 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 will be taken of the proposal's setting, baseline environmental conditions and neighbouring land uses, together with the extent to which its impacts can be controlled in accordance with current best practice and recognised standards.

In accordance with Policy CS5 and CS9 of the Core Strategy developments will be supported for minerals or waste developments where it can be demonstrated to the satisfaction of the mineral and waste planning authority, by the provision of appropriate information, that the proposals will, where appropriate, make a positive contribution to the:

- Local and wider economy
- Historic environment
- Biodiversity, geodiversity and landscape character
- Residential amenity of those living nearby
- Reduction of carbon emissions
- Reduction in the length and number of journeys made

This will be achieved through for example:

- The quality of design, layout, form, scale and appearance of buildings
- The control of emissions from the proposal including dust, noise, light and water.
- Restoration within agreed time limits, to a beneficial afteruse and the management of landscaping and tree planting.
- The control of the numbers, frequency, timing and routing of transport related to the development

### Justification

**2.2.1** Minerals and waste developments are vital to the economy of Lancashire, either by supplying raw materials to manufacturing processes or by treating the wastes produced as a byproduct of manufacturing or other business or commercial activity; they also provide jobs for a wide range of skill sets, from manual handling to process engineering. They are essential for the nation's prosperity, infrastructure and quality of life. However, they have the potential to cause disruption to local communities and the environment due to the nature of their operations, in common with other heavy industries. These impacts can often be addressed through the sensitive design and operation of the facility. Planning conditions will be imposed, where appropriate, to ensure this.

**2.2.2** Such conditions may indeed enable development to take place where it would otherwise be necessary to refuse planning permission. Conditions will be attached to planning permission to control how development takes place, to minimise disturbance to the environment, and to ensure the satisfactory working and reclamation of the site. To ensure certainty, transparency and to

speed up negotiations the Minerals and Waste Planning Authority has produced model planning conditions. In certain situations the Minerals and Waste Planning Authority may choose to impose conditions on planning permissions restricting permitted development rights or imposing stand off distances for certain high impact operations or sensitive locations.

**2.2.3** A balance needs to be struck between the social, economic and environmental impacts of, and the need for, the development. Thus, if the adverse impacts of operations cannot be reduced to acceptable levels through careful working practices, planning conditions or legal agreements, then the operation will not be permitted.

**2.2.4** The impact of a development can be positive or negative; short, medium or long term; reversible or irreversible; permanent or temporary. In assessing the acceptability of an impact the following criteria will be relevant:

- Sensitivity of receptor: different receptors (residents; designated areas of historic, landscape or biodiversity value; plants and animals; businesses) respond to environmental changes or disturbances in different ways. Certain locations or land users have an enhanced sensitivity to certain impacts, for example locations that can be viewed from a designated heritage asset will need to be dealt with more sensitively when considering visual or landscape impacts, as they may affect elements of the asset's setting.
- Magnitude of impact: this is the severity of an impact and could be measured subjectively or in relation to statutory threshold values. It is influenced by the following:
  - Proximity to receptor: the effects of many impacts tend to reduce with distance, though this distance is dependent on the nature and scale of the impacts, for example large dust particles will largely deposit within 100m of their source.
  - Frequency of impact: impacts can arise persistently, or erratically and unpredictably. The frequency of an impact, relative to the ability of the receptor to tolerate or recover from the impact, is important when considering the impact's magnitude.
  - Duration of impact: impacts associated with the construction phase of a proposal have a much shorter duration relative to the impacts associated with the operation of a proposal.

**2.2.5** The significance of an impact is predicted through an evaluation of the above, allowing the Minerals and Waste Planning Authority to determine whether any demonstrable harm will be caused. For example noises associated with the frequent movement of skips could be severe in a suburban neighbourhood, but on an industrial estate it would not necessarily be out of character for the area. Further guidance on the sensitivity of receptors can be found in national policy.

**2.2.6** In order to minimise the social, economic and environmental impact of minerals and waste sites it is essential that high standards of management are maintained throughout the operational life. The Minerals and Waste Planning Authority will seek to ensure that sites are developed in the least intrusive way to minimise disturbance. To achieve this current best practice in all aspects of site operation should be used. The following paragraphs outline those points which the Minerals and Waste Planning Authority would expect operations to address in order to satisfy this policy, and gives some idea as to what evidence should be submitted in support of a planning application. Further information on supporting information can be found on the Minerals and Waste Planning Authority's Validation Checklist.

### Visual

**2.2.7** The visual impact of a site can result from prominent rock faces, soil, overburden and stockpile mounds, plant and machinery, litter or fences, hardstandings and buildings. In addition, the height of such developments can have safety implications for airports. The degree of visual impact depends on a number of factors such as the topography of the area, the scale of the development and its proximity to residents and other sensitive land uses.

**2.2.8** Careful consideration of the siting of the development, the method of working and the layout and design of the site will be required to mitigate any visual impact. The visual impact of operations can be minimised in a number of ways: a site location which respects existing topography and features of importance; a method, phasing and direction of working which takes account of views into the site and is chosen as the least intrusive; phased working and progressive restoration to minimise the amount of land being worked at any one time; careful siting and design of buildings and plant, location and height of stockpiles, and siting of internal haul roads and conveyors. All plant and buildings should: where practicable be grouped to prevent the creation of an unsightly sprawl of development and to facilitate screening; be kept as low as practicable to minimise visual intrusion; be of an appropriate colour, cladding or suitable treatment to reduce visual impact; be satisfactorily maintained to preserve their external appearance, exercise a restrained use of lighting to minimise light spill onto neighbouring properties, and glare. It is important that those engaged with the development of waste facilities embrace all aspects of good design practice. Applicants are directed to the Defra publication "Designing Waste Facilities - a guide to modern design in waste" for guidance on improved standards of design in the delivery of waste management facilities.

**2.2.9** Effective screening can improve the appearance of mineral and waste sites by hiding visually intrusive elements of the operation and softening the hard, unnatural lines of plant and buildings, especially on the skyline. Screening can be achieved by high quality landscape treatment such as planting trees and shrubs, constructing earth bunds or utilising the natural ground contours of the site. As much use as possible should be made of suitable existing trees and hedgerows since growth is slow and new trees are unlikely to be adequate for screening purposes for many years. Advance planting can help overcome this problem and should be undertaken wherever possible. This is particularly relevant for long term, phased sites.

### Noise

**2.2.10** Noise pollution has a number of sources such as lorry traffic, plant and machinery, blasting and soil stripping operations. The degree of noise impact depends on distance from noise sensitive land uses, the nature and lay of the land and the times at which operations are carried out.

**2.2.11** The effects of noise can be reduced if its reduction is planned at the outset and is taken into account in the layout and nature and sequence of working. Examples include: the maintenance of acceptable distances between the operation and noise sensitive land uses; the avoidance of severe gradients on haul roads; use of alternatives to reversing beepers; the use of conveyors rather than trucks; the use of acoustic fencing or baffle mounds. Other methods include the fitting of silencers, the housing and cladding of fixed plant and machinery, the use of rubber liners on certain sections of plant and the maintenance of such measures. Hours of operation can also be imposed on planning permissions as a means of minimising disturbance to neighbours.

## Odour

**2.2.12** Unpleasant odours can arise from the tipping, storage, sorting, treatment or transportation of wastes, either from the decomposition of biodegradable wastes or off-gassing from chemical wastes, or from the treatment process.

**2.2.13** Odour emissions can be reduced and properly controlled by careful planning and management. For example the production of odours can be minimised by ensuring correct storage of wastes, odour emissions can be reduced by containing malodorous operations in buildings or appropriate vessels, operating buildings at negative pressure, and including odour scrubbers on air extraction systems. Correct operation of the waste management processes should reduce or prevent most odour production, and at the design stage the benefits of locating features with odour creation potential away from and downwind of residential properties and other sensitive land uses should be explored. Odour is also addressed by other legislation, implemented by the District Councils and Unitary Authorities or Environment Agency. Hours of operation can also be imposed on planning permissions as a means of minimising disturbance to neighbours.

## Dust

**2.2.14** Problems of dust and consequent air pollution can arise from soil stripping, blasting, crushing and screening operations, stockpiling and the movement of materials. The severity of the problem will vary according to the time of year, moisture in the soil, temperature, humidity and wind direction.

**2.2.15** Dust emissions can be reduced and properly controlled by careful planning and management. Examples include: locating features with dust creation potential (such as stockpiles) away from and downwind of residential properties and other sensitive land uses; the use of conveyors rather than haul roads; constructing stockpiles with gentle slopes; tar sealing internal haul roads; and enclosing dust generating plant and activities. Additional measures can be used to control the escape of dust and minimise pick up in the wind once the site is operating, including appropriate wheel cleaning facilities, vehicle speed restrictions, dampening haul roads and stockpiles, the use of fine water sprays, and sheeting of lorries. Hours of operation can also be imposed on planning permissions as a means of minimising disturbance to neighbours.

## Transport

**2.2.16** Heavy lorries can have adverse impacts on residents and other sensitive land uses; they can also cause damage to roads and verges, especially at the point of access; they can contribute to noise and they can impact on road safety, if unsuitable roads are used. An unsustainable distribution of facilities can also result in wasteful consumption of fuel and excessive greenhouse gas emissions.

**2.2.17** The Core Strategy seeks to encourage a move from road to rail transportation for the movements of waste and minerals. To this end separate policies in this document safeguard suitable railheads and prioritise waste management facilities at rail served industrial locations. Where rail movements are impractical or unsustainable, recognised methods of controlling transport impacts can include travel routing agreements and sheeting of loads. However, proposals should be located so as to minimise "minerals and waste road miles" - the distances travelled by wastes or minerals either to or from the proposal. This is relative though, and what is considered an acceptable distance will vary depending on the specialised nature of the process, and the availability of similar or alternative processes within or beyond the Plan area.

**2.2.18** Hours of operation can also be imposed on planning permissions as a means of minimising disturbance to neighbours. Even if site operations do not commence until the permitted hour, HGVs may arrive at the site entrance before this time, thus negating the benefits of controlling hours of operation. The control of these early morning HGV movements should be undertaken. There is also scope to restrict hours of working in order to control vehicle movements at peak times, and thus reduce the development's impact on the road network. In relevant circumstances applicants will be required to submit a transport assessment in support of their planning application.

### Blasting

**2.2.19** Blasting is often a major cause of concern to residents close to mineral workings. Disturbance is dependent on the quantity of explosive used, the distance to the receptor, the geology of the site and atmospheric conditions.

**2.2.20** Measures to reduce the impact of blasting at mineral extraction sites could include planning operations so that blasting does not take place during unsociable hours, notifying residents in advance, the use of correct stemming, avoiding the use of surface detonation cord where possible, avoiding secondary blasting and the use of screen nets.

### Water Protection

**2.2.21** With some operations there is the potential for impacts on the available water resource, either through pollution, abstraction for process water or impacts on water flows through dewatering operations. There are also opportunities through quarry restoration for enhancing the water environment through flood water storage schemes.

**2.2.22** Applicants may find it useful to discuss proposals for water protection with the Environment Agency prior to making a formal submission. Measures for water protection include storing fuels and oil in impervious bunds, requiring operation on impervious hardstandings, and allowing internal drainage to settle in settlement lagoons prior to discharge. Much of this is prescribed by other legislation.

### Nature Conservation

**2.2.23** Biodiversity can be affected either by habitat destruction or displacement through construction on previously undeveloped or vacant land; or through the disturbance of species on surrounding land, or impacts on neighbouring habitats, in much the same way as people (through dust, noise, pollution, light).

**2.2.24** Consideration should be given early in the site design stage of how any nature conservation interests likely to be affected by the operations will be protected and enhanced, with evidence submitted in support of a planning application. This may include; undertaking surveys, leaving a buffer zone between workings and sensitive habitats and wildlife issues, monitoring of the ecology of the site, and allowing for progressive restoration to minimise the risk of permanent change to the nature conservation interest. In addition to this there may be significant opportunities to benefit the local biodiversity, through proposals for habitat creation and long term management on the site. Developers should consult the relevant Biodiversity Action Plan, River Basin Management Plan, and the landscape character types identified in the Joint Lancashire Structure Plan 2001-2016 Landscape and Heritage Supplementary Planning Guidance (SPG), together with the findings of any site evaluation and biodiversity survey work carried out in support of the planning application.

## History and Geodiversity

**2.2.25** Historic, archaeological and geological features contain irreplaceable information about our past. These features can include buried or above ground historic remains, exposed rock faces, stand alone geological features or other features associated with historic mineral workings such as mine shafts or tram lines. Given the nature of proposals for minerals extraction in particular, their large size, extended duration of the development, and their utilisation of previously undeveloped land, they are more likely to have archaeological or geological impacts. Sufficient information should be made available to establish the site's archaeological or geological importance, which can include an archaeological assessment, and a field evaluation where necessary. This type of information and early discussion of an application site can assist in identifying opportunities for accommodating the development in ways which would not cause unacceptable losses, for example, by amending site boundaries to avoid the most sensitive areas. There may also be need for a watching brief as phased operations progress.

**2.2.26** Consideration of the future need for the mineral resource when considering restoration schemes or redevelopment proposals, particularly when considering inactive, dormant or historic quarries, must be taken into account to avoid sterilisation of a mineral resource that may be required to meet a particular demand for heritage stone required in building restorations or to implement design policies of the wider development plan.

## **Implementation**

**2.2.27** This policy should be read within the context of Policies CS5, CS9 and Appendix F. It will be implemented through pre-application discussions and the development management process, ultimately through the approval of planning applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory; these outcomes will be monitored and reported in the Annual Monitoring Report.

**2.2.28** Mitigation Plans should accompany planning applications coming forward at the sites identified within the Revised Habitat Regulations Screening Report. The plans should set out the mitigation measures required, how they will be implemented, managed and monitored<sup>(1)</sup>. It should be noted that the findings of the Revised Habitat Regulations Screening Report does not preclude the need for additional assessment under the Habitats Regulations should this be required by other regulatory processes identified at the application stage.

1 Further information on the relevant sites and the contents of the mitigation plans is provided in the Habitat Regulations Screening Report.