

PLANNING PERMISSION

Name and address of Applicant

MR GRAHAME CRANK
CLAYTON HALL LANDFILL
SITE DAWSON LANE
WHITTLE-LE-WOODS
LANCASHIRE
PR6 7DT

Name and address of Agent (if any)

DR CLAIRE GETTINBY
49-51 ST THOMAS
CHORLEY
LANCASHIRE
PR7 1JE

Part I – Particulars of application

Date of application: **15 June 2023** Application No. **LCC/2023/0019**

Particulars and location of development:

Retention of the Waste Transfer Station, Leachate Plant, Gas Plant and Related Infrastructure at Clayton Hall Landfill Site, Dawson Lane, Whittle-Le-Woods

Part II – Particulars of Decision

The **Lancashire County Council** hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been granted for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:

Time Limits

1. The development authorised by this permission shall be removed from the site by 31 December 2035 and the land restored by 31 December 2036 in accordance with the conditions to this permission.

Reason: To provide for the completion and progressive restoration of the site within the approved timescale in the interest of local amenities, the visual amenity of the area and to secure the proper restoration of the site and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Working Programme

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:

Submitted plans and documents:

Drawing no. 08469/162 - Location Plan.

Drawing no. 08469/163 - Site Layout, Existing and Proposed Layout, Elevation 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 comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

3. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the site-specific flood risk assessment and Drainage Statement (15348-FRA & Drainage Statement-04, 07/06/2023, Waterco).

Reason: To safeguard water resources and minimise flood risk and comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

4. No waste management operations, at the site subject of this permission, shall take place outside the hours of:

0800 to 2200 hours, Mondays to Saturday (except Public Holidays) for waste sorting and treatment.

0600 to 2200 hours, Mondays to Saturday (except Public Holidays) for cleaning and maintenance.

No waste or recycled materials shall be delivered to or removed from the building between 18.30 and 22.00 hours Mondays to Saturday (except Public Holidays).

All vehicular access points to the buildings shall be closed between 18.30 and 22.00 hours Mondays to Saturday (except Public Holidays) other than to be used in the event of an emergency.

No waste or recycled materials shall be delivered to or removed from the building and 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 comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

5. No waste management operations involving the handling, sorting, treatment or storage of waste or other materials shall be carried out other than within the buildings hereby permitted for that purpose. Baled, wrapped or otherwise contained waste or recycled materials may be stored within the buildings hereby permitted, within the designated storage area shown on drawing number 11.17103C approved under permission 09/12/0868NM1, within a purpose designed enclosed container, or within the active area of the landfill site.

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

Restoration

6. Restoration shall be carried out in accordance with the details set out on drawing no. T239.211 - Interim Restoration Proposals, drawing no. T239-210 Rev 2, Final Landscaping Proposals, and the documents entitled 'Landscape Statement – Five Year Management Plan and Ten Year Management Plan, dated June 2020 and 'Restoration of Clayton Hall Quarry – Landscape Specification, dated 3 June 2020 approved under permission LCC/2015/0069/1. The planting and seeding specified shall be implemented in the first available planting season (the period between 1 October in any one year and 31 March in the following year) following the cessation of waste management activities and shall thereafter be managed for a period of 10 years.

Reason: To secure the proper restoration of the site 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.

Heloise MacAndrew

Date: 8 September 2023

**Heloise MacAndrew
LANCASHIRE COUNTY COUNCIL
DIRECTOR OF LAW AND
GOVERNANCE**

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

NOTE:

1. Appeals to the Secretary of State

- You can appeal a planning decision if any of the following apply
 - You were refused planning permission
 - You were granted planning permission but subject to conditions that you object to

Details of the planning appeals service can be found at the following address

<https://www.gov.uk/appeal-planning-decision>

- If you want to appeal, then you must do so within 6 months of the date of this notice, using a form which you can get from the Planning Inspectorate, Registry/Scanning Room, 3/01B Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

2. Purchase Notices

- If either the local planning authority or the Secretary of State for Communities and Local Government and the Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the District/Borough Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

- 3.** In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State for Communities, Local Government and the Regions on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.