

Item D.2 **06/00177/CTY** **Object to LCC Reg 3/4 application**

Case Officer **Mr David Stirzaker**

Ward **Chorley East**

Proposal **Development of a materials reclamation facility to include the importation, storage, sorting and processing of construction and demolition waste materials and the subsequent screening and sale of recycled aggregate and soils.**

Location **Crosse Hall Mill Crosse Hall Street Chorley Lancashire**

Applicant **Stuart Perigo**

Proposal This report relates to an application submitted to Lancashire County Council (LCC) upon which Chorley Borough Council is given the opportunity to make comments that will be taken into consideration by LCC when the application is determined.

The application relates to a roughly triangular area of land at the northern end of Crosse Hall Street, which is located towards the eastern boundary of the main Chorley settlement adjacent, the canal. The proposal involves the operation of a materials reclamation facility, which includes the importation, storage, sorting and processing of construction and demolition waste materials and the subsequent screening and sale of recycled aggregate soils.

The site plan contained within the supporting statement shows the position of processing plant, a weighbridge, the area where recycled products will be stored and the area where imported material will be stockpiled. The crushing and screening of material will be undertaken utilising conventional mobile crushing and screening plant and machinery. Access to the site would be via the existing mill access onto Crosse Hall Street.

The applicants supporting documentation indicates that the application site extends to 0.76 hectares and has been used for several decades for the storage of plant/machinery and the dismantling and refurbishment of commercial vehicles. The site also has a current waste disposal licence (Ref No. 527), which applies to the application site and the remainder of the Crosse Hall Mill site, which also houses other businesses including a vehicle breakers and a timber merchant.

Planning Policy GN1 - General Settlement Areas
GN5 - Building Design
EM8.2 - Redevelopment of identified employment sites
TR4 - Highway Development Control Criteria
TR8 - Parking Provision Levels (superseded by Policy 7 of the JLSP 2001 – 2016)
EP20 - Noise
EP21 - Air Pollution

Planning History The land, which forms the application site does not have any planning history and the most recent application relating to the mill adjoining the application site (89/482) was for the erection of a

replacement workshop for the repair of commercial vehicles, contractor's plant and industrial equipment.

Representations

A letter of objection sent to LCC has been copied to the Council, one of and was accompanied by a letter from Lindsey Hoyle MP asking that the constituent's comments be taken into account. A further three letters have been sent directly to the Council from the Company Secretary of Limbrick Moorings Ltd on behalf of the 19n homeowners at Bridge Mill Court, The Council for the Protection of Rural England (CPRE) and PAICE (Positive Action in Chorley East). The contents of these letters of objection can be summarised as follows: -

- The location of the site renders it unsuitable for the type of operation being proposed, as it will affect the amenity of the area in terms of noise, nuisance, disturbance, environment and traffic.
- There is existing housing in close proximity to the site to the south of at Cowling Brow and Canal Wharf, to the west (overlooking the site) and immediately north over the canal at Crosse Hall Fold and presently under construction immediately north of Crosse Hall Lane.
- All residential properties in the vicinity would be affected by noise, dust, visual intrusion and transport impact of 375 tonnes of materials per day from 7am to 6pm during the week and 7am to 1pm on Saturdays.
- The site was originally a mill which is located geared up for access via the canal, not the small and over crowded roads soon to be more overcrowded by an increase of 500 cars from the new housing to the north of Crosse Hall Lane.
- Hillcrest recycling Ltd (applicant) are involved in quarrying, restoration and recycling materials on land alongside the Manchester ship canal which has less impact on local dwellings and communities than such as Chorley East ward.
- Why were the occupiers of Bridge Mill Court not consulted?
- It appears that the process is already in operation hence why has enforcement action not been taken?

Consultations

CBC Highways have not raised any objections to the proposal subject to the provision of facilities to prevent debris, mud etc is not brought back onto the public highway.

The Head of Environmental Services has objected to the application citing the impact of the proposed activity on residents of the three domestic dwellings and existing businesses on Crosse Hall Street from noise and dust from the activities on the site and the high number of vehicular movements to and from the site.

Assessment

The site is allocated under Policy EM8.2 as being suitable for employment redevelopment (Use Classes B2/B8) provided there would be no detriment to the amenity of the area in terms of noise, nuisance, disturbance, environment, traffic and car parking. The proposed use is *Sui Generis* in that it does not fall within either the B2 or B8 use classes although the applicant has stated the proposal would lead to the creation of 5 jobs.

The application site benefits from fairly well defined boundaries and given the context of it being located north of the existing mill site and adjacent other industrial units and uses, it is not

considered that the proposal will impact upon the visual character and appearance of the locality if stockpiles and machinery are kept under reasonable heights.

The application site is bounded to the west by Crosse Hall Street, which approximately two thirds along comprises of three terraced properties in residential use. The frontages of these properties are sited approximately 7m from the site boundary. The part of the site, which is opposite to these properties, is where the materials brought onto the site will be stocked prior to processing. Inevitably, the deposit of the materials and subsequent movement to the processing areas will lead to noise disturbance and has the potential to create problems of dust, which will be difficult to control and monitor. This coupled with the hours of operation being sought raises serious concerns as to the resultant impact the proposed activities will have on not only the occupiers of these properties, but those employed in the other businesses along Crosse Hall Street.

In terms of the impact of the proposal from a highways and traffic perspective, the Council's Head of Public Space Services (Highways) has considered the application and has not raised any objections subject to a facility to ensure debris and mud from the site is not brought back out on to the public highway. It should be noted that in determining the application, LCC liaise with their own highways engineers on the matter.

Conclusion

Whilst the principle of employment development on this land is acceptable due to its Policy allocation, the proposal is considered to be contrary to Policy No. EM8.2 in that it would result in harm to the amenities of the area. On this basis, it is recommended that the Council raise an objection to the proposal.

Recommendation: Object to LCC Reg 3/4 application

Reasons

1. The proposal would be likely to result in harm to the amenity of the occupiers of the adjacent residential properties and businesses and the area in general as a result of the noise and dust generated from the activities on the site, the high vehicular movements to and from the site and the proposed hours of operation. Accordingly, the proposal is considered to be contrary to Policy Nos. GN1, EM8.2, EP20 and EP21 of the Adopted Chorley Borough Local Plan Review.
