

PLANNING PERMISSION

Name and address of Applicant

Sesona Hill House Ltd
Building 3
Chiswick Park
556 Chiswick, High Road
London
W4 5YA

Name and address of Agent (if any)

Axis
Camellia House
76 Water Lane
Wilmslow
SK9 5BB

Part I – Particulars of application

Date of application: **9 February 2023** Application No. **LCC/2023/0003**

Particulars and location of development:

**Proposed development of an Energy Recovery Centre and associated infrastructure
Land at Hillhouse Business Park, Bourne Road, Thornton- Cleveleys**

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 shall commence not later than three years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1)(a) of the Town and Country Planning Act 1990.

Working Programme

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:
 - a) The Planning Application and supporting statement received by the County Planning Authority on 27 January 2023.

b) Submitted Plans and documents:

Dwg. No. 1447 PL001 Site Location Plan
 Dwg. No. 1447 PL100 Existing Site Layout
 Dwg. No. 1447 PL101 Proposed Ground Floor Site Plan
 Dwg. No. 1447 PL102 Proposed Site Layout – Fencing
 Dwg. No. 1447 PL110 Proposed Roof Plan
 Dwg. No. 1447 PL120 Proposed Admin & Workshop Floor Plans - Ground Floor
 Dwg. No. 1447 PL121 Proposed Admin & Workshop Floor Plans - First Floor
 Dwg. No. 1447 PL200 Existing Site Sections
 Dwg. No. 1447 PL201 Proposed Site Sections
 Dwg. No. 1447 PL300 Proposed Elevations - East & West
 Dwg. No. 1447 PL301 Proposed Elevations - North & South
 Dwg. No. 1447 PL400 Proposed Gatehouse - Plans & Elevations
 Dwg. No. 1447 PL401 Proposed Substation - Plans & Elevations
 Dwg. No. 1447 PL402 Proposed Water Treatment Plant - Plans and Elevations
 Dwg. No. 1447 PL403 Proposed Cycle Shelter - Plans and Elevations
 Dwg. No. 1447 PL404 Proposed Fencing Details
 Dwg. No. 1447 PL500 Material Sample Sheet
 Dwg. No. 3110-01-01 Illustrative Landscape Proposals

c) All schemes and programmes approved in accordance with this permission.

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 conform with policy DM2 of the of the Lancashire Minerals and Waste Local Plan

3. No development shall commence until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the County Planning Authority. The CEMP shall include details of the following:

- a) Arrangements for the parking, turning, loading and unloading of vehicles during the period of construction.
- b) Control of noise from construction operations in relation to residential and ecological receptors, and neighbouring businesses.
- c) Control of vibration from the site.
- d) Control of dust from the site.
- e) Wheel cleaning for vehicles leaving the site.
- f) Drainage control measures including oil interceptors and bunds to minimise any water quality impacts to designated ecological sites during the construction phase .
- g) Artificial site illumination (including proposed hours of use and in relation to ecological receptors).
- h) Precautionary measures for the protection of wildlife that may be encountered on site, including avoidance of impacts on nesting birds and a Reasonable

- Avoidance Measures report to ensure the avoidance of impacts to amphibians and reptiles.
- i) Provision for site inductions and toolbox talks that emphasise the sensitivity of the water environment and the need to avoid contaminants entering the surface water drainage system.
 - j) Provision of a suitably qualified and experienced ecologist or Ecological Clerk of Works and schedule of measures to be undertaken.
 - k) A mechanism for the review and modification of the Construction Environmental Management Plan.

The Construction Environmental Management Plan shall be implemented in accordance with the approved details and applied throughout the construction phase of the development.

Reason: To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of local amenity, and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One

4. All vehicles transporting recovered materials and ash from the site shall be adequately sheeted, covered or contained to prevent the discharge of such materials during transport.

Reason: In the interests of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan

5. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with those specified on drawing no. 1447 PL500 Material Sample Sheet.

Reason: To ensure a satisfactory external appearance in accordance with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policies SP2 and CDMP3 of the Wyre Local Plan.

Ecology

6. Notwithstanding the details shown on the approved plans, no development shall commence until a scheme to provide a 2.4m high boarded screening fence along the eastern boundary of the proposal site has been submitted to and approved in writing by the County Planning Authority. The scheme shall provide details of the design and location of the fencing.

The approved fencing shall be retained at all times thereafter.

Reason: To minimise noise and visual disturbance impacts on qualifying bird species utilising the surrounding area and in accordance with policy DM2 of the Joint Lancashire

*Minerals and Waste Local Plan – Site Allocation and Development Management Policies
– Part One and Policy CDMP4 of the Wyre Local Plan.*

7. No development shall commence until a scheme for the emergency procedures for avoidance of surface water contamination has been submitted to and approved in writing by the County Planning Authority.
- a) Ensure sufficient over capacity of containment systems
 - b) Measures for transporting contaminated water for off-site disposal.

The development shall thereafter operate in accordance with the approved details at all times.

Reason: In the interests of ecology and in accordance with Policy No CDMP4 of the Wyre Local Plan

8. Prior to the commencement of development, a scheme and programme of ecological mitigation works shall be submitted to and approved in writing by the County Planning Authority. The scheme and programme shall include details of how the mitigation measures set out in Chapter 6 of the Environmental Statement shall be implemented.

Reason: To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of local amenity, and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy CDMP4 of the Wyre Local Plan.

9. No lighting columns or lights shall be erected or fitted on site until details of such lighting have been submitted to and approved in writing by the County Planning Authority. The details shall include the following:
- a) Location, type and intensity of lights
 - b) Types of masking or baffle at head
 - c) Type, height and colour of lighting columns
 - d) Number and size of lighting units per column
 - e) Light levels at the site and at nearby properties.
 - f) Control of the times of illumination of the lighting.
 - g) Assessment of light levels in relation to appropriate guidance to demonstrate that there would be no unacceptable impact upon qualifying bird species utilising the surrounding area

The lighting at the site shall only be provided and operated in accordance with the approved details throughout the duration of the development.

Reason: In the interests of ecology and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy CDMP4 of the Wyre Local Plan

Landscaping

10. Within 12 months of the commencement of development, a landscaping and habitat establishment and management plan for the site, in general accordance with drawing no. 3110-01-01, shall be submitted to the County Planning Authority for approval in writing.

The submitted details shall include:

- a) The nature and depth of any soil making materials in landscaping areas.
- b) Native tree/shrub planting and seed specification.
- c) Detail of habitat establishment (including seasonal timing), management, monitoring, and review and reporting methods.
- d) On-going maintenance and management of the landscaping and habitats at the site while the energy recovery facility remains operational.

Thereafter, the approved landscaping works shall be implemented within the first available planting season (the period between 31 October in any one year and 31 March in the following year) following the commencement of the full operation of the facility.

Any tree and shrub planting shall be maintained for a period of five years including replacement of failed plants, weed control and maintenance of protection measures.

The approved provisions for habitat management shall be carried out throughout the duration of the development.

Reason: To ensure satisfactory landscaping of the site, to provide biodiversity interests and mitigation, and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and policies SP2, CDMP3 , CDMP4 and SA4 of the Wyre Local Plan.

Highway Matters

11. No development shall take place, including any works of demolition or site clearance, until a Construction Traffic Management Plan (CTMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan/statement shall provide details of the following:
- a) 24 Hour emergency contact number.
 - b) Details of the parking of vehicles of site operatives and visitors.
 - c) Details of loading and unloading of plant and materials.
 - d) Arrangements for turning of vehicles within the site.
 - e) Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures.
 - f) Measures to protect vulnerable road users (pedestrians and cyclists).
 - g) Wheel washing facilities.
 - h) Measures to control the emission of dust and dirt during construction.
 - i) Details of a scheme for recycling/disposing of waste resulting from demolition and construction works.

- j) Construction vehicle routing.
- k) Delivery, demolition and construction working hours.

The approved Construction Traffic Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: In the interests of the safe operation of the adopted highway during the demolition and construction phases and in accordance with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy CDMP6 of the Wyre Local Plan.

12. Upon the northern access to the Hillhouse Enterprise Zone as shown on drawing with the Masterplan being opened to traffic, all traffic from the development shall be routed via that road. No such traffic shall use Bourne Road.

Reason: In the interests of local amenity and to conform with Policy CDMP1 of the Wyre Local Plan.

13. The development shall not be brought into use until an heavy goods vehicle (HGV) traffic management plan for the operation of the development has been submitted to and approved in writing by the County Planning Authority. The traffic management plan shall contain details of the following:
 - a) details for informing all hauliers of the approved access routes to the site. The details shall specify that all heavy goods vehicles (HGVs) shall access the site using Bourne Way or Fleetwood Road North. No such vehicles shall access the site along Fleetwood Road South through Thornton.
 - b) the measures to be taken should hauliers be observed to not use the above approved routes.

The provisions with the approved traffic management plan shall be implemented at all times during the operation of the development.

Reason: In the interests of highway safety and local amenity and to conform with Policies CDMP1 and CDMP6 of the Wyre Local Plan.

14. Within 12 months of the commencement of development, details of the location, number and design of electric vehicle charging points, location, number and design of cycle storage facilities, showers and changing facilities shall be submitted to and the County Planning Authority for approval in writing. The location of the electric vehicle charging points and cycle storage shall be as shown on drawing number 1447_PL101 - 'Proposed Ground Floor Site Plan'.

The development shall be carried out in accordance with the approved details prior to the commencement of the operational phase of the development and thereafter maintain in accordance with those details at all times.

Reason: To promote alternative means of accessing the site and to comply with Policy CDMP6 of the Wyre Local Plan.

Safeguarding of Watercourses and Drainage

15. The development shall be carried out in accordance with the submitted Flood Risk Assessment and Surface Water Sustainable Drainage Strategy.

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 (November 2022, Weetwood Services Ltd).

The measures shall be fully implemented prior to the first use of the development and in accordance with the timing/phasing arrangements embodied within the scheme.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site and to accord with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy CDMP2 of the Wyre Local Plan.

16. No development shall commence until a detailed, final surface water sustainable drainage strategy and foul water drainage scheme for the site has been submitted to, and approved in writing by, the County Planning Authority.

The detailed surface water sustainable drainage strategy shall be based upon the site-specific flood risk assessment and indicative surface water sustainable drainage strategy submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning

Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

The details of the drainage strategy to be submitted for approval shall include, as a minimum;

- a) Sustainable drainage calculations for peak flow control and volume control for the:
 - i) 100% (1 in 1-year) annual exceedance probability event;
 - ii) 3.3% (1 in 30-year) annual exceedance probability event + 45% climate change allowance, with an allowance for urban creep;
 - iii) 1% (1 in 100-year) annual exceedance probability event + 50% climate change allowance, with an allowance for urban creep Calculations must be provided for the whole site, including all existing and proposed surface water drainage systems.
- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
 - i) Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;

- ii) Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels; to include all existing and proposed surface water drainage systems up to and including the final outfall;
 - iii) Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
 - iv) Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
 - v) Finished Floor Levels (FFL) in Above Ordnance Datum (AOD) with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;
 - vi) Details of proposals to collect and mitigate surface water runoff from the development boundary;
 - vii) Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;
- c) Evidence of an assessment of the existing on-site surface water drainage systems/culverted watercourse to be used, to confirm that these systems are in sufficient condition and have sufficient capacity to accept surface water runoff generated from the development.
- d) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.
- e) Foul and surface water shall drain into separate systems.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site and to accord with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy CDMP2 of the Wyre Local Plan.

17. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the County Planning Authority.

The details of the plan to be submitted for approval shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent runoff rate from the site prior to redevelopment.

- b) Measures taken to prevent siltation and pollutants from the site entering any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase and to accord with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy CDMP2 of the Wyre Local Plan.

18. The commencement of use of the development shall not be permitted until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the County Planning Authority.

The details of the manual to be submitted for approval shall include the following:

- a) a timetable for its implementation;
- b) Details of sustainable drainage systems (SuDS) components and connecting drainage structures, including watercourses and their ownership, and maintenance, operational and access requirement for each component;
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and
- g) Means of access for maintenance and easements.

Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained and to accord with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy CDMP2 of the Wyre Local Plan.

19. The development shall not be brought into use until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the County Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to accord with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy CDMP2 of the Wyre Local Plan.

Remediation Strategy

20. No development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development has been submitted to, and approved in writing by, the County Planning Authority. The strategy shall include the following components:

- a) An exploratory site investigation scheme, based on the following documents:
 - Preliminary Risk Assessment Report by Tier Environmental Limited (ref. TE1674-TE-00-XX-RP-GE-001-V01, Version 1.0, Final; dated 29 July 2022)
 - Ground Investigation Report by Tier Environmental Limited (ref. TE1674-TE-00-XX-RP-GE-002-V01, Version 1.0, Draft; dated 5 October 2022)

to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

- b) The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution and to accord with Policy CDMP2 of the Wyre Local Plan.

21. Details of the proposed scope and extent of the exploratory site investigation as required by Condition 20 shall be submitted to, and approved by, the County Planning Authority

prior to the commencement of any intrusive ground works. Any subsequent ground investigations shall take place in accordance with the approved scheme.

Reason: To ensure the proposed development does not increase the risk of pollution to controlled waters by the prior approval or scheme for site investigation works and to accord with Policy CDMP1 of the Wyre Local Plan.

22. Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the County Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete and to accord with Policy CDMP2 of the Wyre Local Plan

Hours of Working

23. No importation of waste shall take place outside the hours of:

08:00 to 18:00 hours Mondays to Fridays
08:00 to 13:00 hours on Saturdays

No deliveries shall take place at any time on Sundays, Christmas Day, Boxing Day and New Years Day.

This condition shall not, however, operate so as to prevent the carrying out, outside these hours, of essential repairs to plant and machinery used on site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies – Part One and Policy CDMP1 of the Wyre Local Plan.

24. Other than operations specifically assessed and agreed through the construction environmental management plan (CEMP) required by Condition 3, all construction working, importation of construction materials or removal of construction waste materials off-site shall only take place between 07.30 –18.00 Monday to Friday and 08.00 – 17.00 on Saturdays and not at any time on Sundays, public or bank holidays.

Reason: As a precautionary measure to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One

Recovery (R1) status

25. No development shall commence until details confirming verification that the Energy Recovery Facility has achieved Phase 1 R1 Status through Design Stage Certification from the Environment Agency, have been submitted to and approved in writing by the County Planning Authority.

The facility shall thereafter be configured and operated in accordance with these approved details.

Reason: To seek to ensure that the development contributes towards the movement of waste up the waste hierarchy as a recovery operation and to comply with Policy DM4 of the Lancashire Minerals and Waste Local Plan.

Electricity export

26. Except for during the commissioning and pre-operational testing of the Energy Recovery Facility, no waste shall be accepted at the site until written confirmation from the District Network or private purchase agreement (PPA) has been submitted to the County Planning Authority that the electricity produced at the site can be exported via an established connection to the District Network Operator's system or private connection.

Reason: To ensure that the development contributes towards the movement of waste up the waste hierarchy as a recovery operation and to comply with Policy DM4 of the Lancashire Minerals and Waste Local Plan.

Ash storage and loading

27. No construction of the ash storage and loading facilities shall commence until a scheme and programme detailing the design of the ash storage and loading facilities including the methods of containment to prevent dust nuisance has been submitted to and approved in writing by the County Planning Authority.

Thereafter ash shall only be stored and loaded via a facility which conforms with the approved details.

Reason: In the interests of local amenity and conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One

Site Operations

28. A copy of this permission and all the documents referred to in Condition 3 shall be available for inspection at the site office at all times throughout the operation of the development.

Reason: For the avoidance of doubt and to ensure the site operator is aware of the planning conditions and approved documents and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

29. No waste other than residual non-hazardous household, municipal, commercial and industrial waste, and refuse derived fuel shall be accepted at or brought onto the site.

No more than a total of 120,000 tonnes of such non-hazardous waste and refuse derived fuel shall be delivered to the energy recovery facility in any one calendar year.

The site operator shall maintain a record of the tonnage of waste delivered to site per day and the record shall be made available to the County Planning Authority upon written request. A report of the total tonnage of waste imported to the site in each calendar year shall be provided to the County Planning Authority by 1 February of the following year.

Reason: To ensure that the development is representative of that granted permission and because acceptance of materials outside these categories might raise environmental and amenity issues which would require consideration afresh; and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan

30. Prior to the commissioning of the development, a Heat Investigation Study/Combined Heat and Power (CHP) Feasibility Review assessing potential opportunities for the use of heat from the development shall be submitted to and approved in writing by the County Planning Authority. The Review shall provide for the ongoing monitoring and full exploration of potential opportunities to use heat from the development and shall provide for the subsequent reviews of such opportunities at three yearly intervals beginning from the date of submission of the initial review. Where viable opportunities for the use of heat in the initial or subsequent reviews are identified, a scheme for the provision of the necessary plant and pipework to the boundary of the site shall be submitted to the County Planning Authority and, subject to its approval in writing, implemented.

Reason: In order to maximise the recovery of energy in order to conform with the waste hierarchy and to conform with Policy DM4 of the Lancashire Minerals and Waste Local Plan

31. All waste materials to be used as fuel in the Energy Recovery Facility shall only be stored in the fuel reception facilities within the building.

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

32. Except for when access is required, all vehicular and pedestrian openings to the following areas of the Main Energy Recovery Facility building shown on Drawing Number 1337 PL 110 EC Ground Floor Plan, shall remain closed at all times to prevent the migration of noise from within the buildings:

- Ash storage;
- Waste Reception Hall;

- Boiler Hall;
- FGT;
- Turbine Hall

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and to conform with Policy DM2 of the 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.

Definitions

Planting Season: The period between 1 October in any one year and 31 March in the following year.

Heavy Goods Vehicle: A vehicle of more than 7.5 tonnes gross weight

Heloise MacAndrew

Date: 07 July 2026

**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.