

3 July 2019

Application Reference Number: LCC/2019/0028
Objection by Stop Parbold Hill Landfill

Action requested

- We are submitting this objection in accordance with the consultee deadline of 3 July, but reserve the right to submit a more detailed objection at a later date.
- We strongly object to the application and, for the reasons outlined below, request that the application is refused.
- We are also concerned by the limited timeframe in which to raise awareness for this proposal with the wider public – see points below on process - and as such, request that a decision on the application is deferred to a later committee date.

Reasons

1. Certificate B procedures have not been followed and, as such, we believe the application as it stands is invalid

There are discrepancies between the registered title plan (No. LAN153096) and the proposed development plan submitted by the applicant/agent. The curtilage shown on the proposed plan includes land owned by three separate neighbours. It is noted that the applicant/agent has used Certificate A in their form and with those neighbours not having received a notice under certificate B procedures, we believe this application as it stands is invalid. We request that the applicant should withdraw the plan, rectify all errors and submit new proposals (if that is their intention) before any decision can be taken.

2. There is no proven need for waste at the site

The *Lancashire Minerals & Waste Local Plan*, having just been through draft, indicates sufficient landfill capacity within Lancashire for the life of the emerging plan. The *Greater Manchester Minerals & Waste Local Plan* also shows lack of need and no reason to export waste while Merseyside has sufficient capacity in the medium term. Under the proximity principle, one would not expect waste to travel great distances. We therefore perceive this application to be a windfall development without adequate justification.

3. Green belt / insufficient evidence for “very special circumstances”

The proposal is inappropriate to the openness of the green belt in accordance with the National Planning Policy Framework (NPPF). This is acknowledged by the applicant/agent from the outset, and as such the submission attempts to demonstrate the “very special circumstances” needed for an exception to be made in this case. Our view is that the application fails to demonstrate this. The submission lacks key pieces of technical evidence; for example, there are no reports on hydrology or geology, which would be expected when the applicant is outlining a problem with water/leachate. The limited data evidence supplied on leachate pumping is superficial and unconvincing, and the trends shown since October 2018 require more rigorous and sustained interrogation. Data supplied directly to us by the Environment Agency shows normal patterns of leachate and gas monitoring since 2012. Moreover, no testing has been carried out by the applicant to show the degree to which the ‘leachate’ is still contaminated - if indeed at all. The applicant has also failed to explore any alternative solution to the perceived problem. As such, if there is truly an issue at this site, we would submit that putting half a million tonnes (or more) of waste on top of a problem is not the solution, and makes matters worse for future generations.

4. Green belt / potential for additional harm

We are concerned that the proposed solution put forward in the application to address depressions in the existing site will cause additional harm within the green belt. The topological survey submitted in the application shows an indication of current site levels. However a more detailed survey is required to assess the current state of engineering for the original landfill, and how this engineering would relate to and cope with any new deposit of waste.

The previous planning permission granted in 1980 permitted dry domestic waste be landfilled, but it was in fact wet, putrefied waste that was deposited. This waste was also mulched because it was perceived to help with stabilisation, and yet the depressions evident at the existing site indicate this may not have had the desired effect. It is essential therefore that evidence of bore-hole testing is submitted to understand the internal structure of the existing landfill, in order to engineer the interface between the old and new waste. Without such detailed analysis, the proposed infilling of inert waste on top of existing saturated material might cause an increased risk of slippage.

There is also an existing network of pipes for leachate and methane gathering. Evidence has not been provided to show any investigation to determine the condition of these existing pipes that may well have been affected/fractured due to subsidence.

Additionally, if landfilling was to be agreed, the resulting dome would cause surface water to run off all sides of the regraded site. The application shows no ring drain to manage any run off of water, or to collect the leachate for pumping. The impact on local springs and seeps on the hillside to the south has not been considered. Moreover, if the materials proposed as restoration matter include high-permeability, granular materials then they will continue to create infiltration into the landfill and not solve the perceived leachate problem. The wastes to be imported include compost and sewage sludges with no detail of cell composition (i.e. where and what depths), and are likely to cause further methane gas generation which has not been engineered into the site.

5. Ecology

As part of the pre-application enquiry to LCC in the autumn of 2018, the applicant was advised to provide an ecological appraisal of the existing habitats that may be impacted by the proposed regrading works. We have been advised by an independent expert that ordinarily a field-based ecology report would take at least 2 years to prepare in order to understand how wildlife and plant habitats coexist. The ecology report submitted by the applicant/agent appears to have been based on information gathered from a single site visit. We consider this to be inappropriate in an area that WLBC recognises as a wildlife corridor and would expect a more extensive field-based study carried out over a longer period of time, with multiple site visits throughout the year. We are also concerned that in January 2019 the site was 'bladed' to within six inches of the ground (and sometimes less) destroying shrubs, small trees and other vegetation.

Furthermore, the woodland to the south of the existing landfill has been determined to have "bat roost suitability" (as stated in the applicant's survey). While Phase 1 of the application does not include development of this woodland, LCC has been asked to consider the broader masterplan in their decision for approval of this landfill, and so we would expect a further survey effort with regard to the impact on roosting bats.

6. Traffic congestion and safety issues re the proposed site access

We are extremely concerned about the potential for accidents caused by the proposed access to the landfill site. The new access is in close proximity to the existing entrance to the Miller & Carter car park, creating a dangerous staggered crossroads where traffic movements will be unpredictable and a high volume of customers (i.e. 2,000 per week to the restaurant) will come into contact with an additional 50,000+ lorry movements. Amendments to the road layout designed to mitigate this risk are actually more likely to put pedestrians at serious risk; ramblers frequently

cross this busy junction to and from an important footpath that leads to the Rigby Arms and Harrock Hill from the Leeds Liverpool canal.

We are also concerned by the increased risk caused from an HGV driver attempting to turn right out of the landfill site onto the A5209. In our view, the illustration produced by TerraConsult is flawed because it assumes a driver's eye level of 1.05m - well below that of a HGV driver. When turning right at this junction the driver's view from inside the cab of a HGV is significantly restricted due to the height of the passenger side door, which when combined with the steep uphill approach of on-coming traffic from the left, could easily conceal a car travelling at speed leading to increased risk of accidents. Add to that the further possibility that a car or another HGV may be waiting in the feeder lane to turn right into the landfill. This blocks the view of any vehicle attempting to turn right out of the landfill site and they risk colliding with fast-moving traffic, or otherwise blocking traffic in the near side lane until the east-bound carriageway clears.

Congestion along the A5209 is another major concern due to an anticipated 50,000+ extra lorry movements. The A5209 links the M6 to Burscough and the A59 onto Southport. It is already well used by HGVs taking shortcuts from the A59 to Junction 27. The closure of the bridge in Ormskirk on the A570 diverts yet more heavy traffic exacerbating the problem. Junction 27 is recognised as dangerous by Highways England due to heavy congestion partly resolved by traffic lights. If approved, this application is likely to increase congestion at that junction, putting more people at risk from an increased volume of heavy tipper trucks.

Wrightington Hospital is also located on the A5209 part way between Junction 27 and the landfill site. If Wigan infirmary were to move their orthopaedic department to Wrightington, the extra 50,000+ lorry movements generated by the landfill would have a serious impact on patients and ambulances trying to meet their appointments.

Finally we do not consider there to be enough off-road manoeuvrability space on the landfill access road to cope with the anticipated volume of waste trucks. The possibility that trucks will queue out of the landfill site onto the A5209 will lead to traffic congestion, frustration and potential accidents. The recently amended masterplan (issued on 20 June) shows a reduced turning area for vehicles reversing into the 5 tipping bays. This does not match the plan drawn in the current sweep path analysis and, as such, appears to make it impossible for tipper trucks to access 2 of the 5 bays. There is also no weighbridge - or space for a weighbridge - which begs the question how do they intend to monitor the amount of waste to be tipped? The applicant has proposed an off-site self-certified procedure for regulating waste, following which a ticket is provided to access the tipping area. No facility has been afforded for the collection and inspection of tickets, which we consider to be a complete lack of regulation. There is also no quarantine bay - or space to provide one - for the purposes of inspection. Without one a quarantine area and with inadequate access to the tipping bays, queues of waste lorries are likely to form on the access road preventing the free movement of HGVs and cars onto and off of the A5209.

7. High and medium overall risk for noise, dust, vibration and odour

The risks of odour, noise, vibration and dust are highest in the north-east corner of the site where receptors 2 and 3 are designated. In this crucial location, which is also the proposed site for a new public car park, the risk assessment carried out on behalf of the applicant identifies a medium overall risk for odour, which we consider to be inappropriate next to a popular restaurant. The risk assessment also states that there is a high overall risk of dust, noise and vibration in this location. We do not consider the applicant's risk management strategies sufficient to mitigate this risk, and as such believe that the risks will have a direct negative impact on the public's use and enjoyment of the proposed amenities as well as on the Miller & Carter restaurant. Moreover, dust and debris blown by the south-west prevailing wind will also affect the setting of a Grade 2 Listed building (Parbold Hall) to the east of the site.

8. Restoration & landscape

The division of Phases 1 and 2, such that Phase 2 is not included in this application, causes residents great concern. We could end up with a situation where landfilling has occurred, but the site is not restored, and no after-care plan is in place. Normally in situations like this a bond would be expected to protect the landscape and immediate residents should any later problems arise. Older residents will remember the smell and the impact on the enjoyment of the countryside at this location due to poor monitoring, lack of management and the previous owner not fulfilling their obligation.

9. Landscape character / WLBC local plan

The emerging WLBC Local Plan recognises the Douglas Valley as a landscape of regional importance. Policy G12, paragraph III on p.160 states “development which would prejudice the protection and improvement of facilities at the following countryside recreation sites will not be permitted” and “Parbold Hill, Parbold” is specifically listed. Paragraph 7.11 also states “the council will protect existing green spaces ... to enhance their quality and accessibility”. If this application were to be approved, it would cause harm to that policy.

The WLBC Local Plan also “aims to ensure that new development does not have a detrimental impact on the provision of the Green Infrastructure in the Borough” (Paragraph 7.5). It is stated that “Green Infrastructure contributes to the health and wellbeing of the population and enhances the natural environment, improving the places where people live and work. Green Infrastructure assets can also encourage visitors into the Borough, therefore improving the visitor economy” (Paragraph 7.3). This application contradicts and undermines all of that, with the possibility of creating job losses and reduced visitor amenity.

Policy G15 on p.173 states “where new development is proposed it will be required to take advantage of the surrounding landscape setting and historic landscapes ... approval will only be granted where the development is considered to make a positive contribution, or where the public benefit outweighs the harm to the landscape”. We believe the proposed regrading of landfill will harm the character of the landscape, which is recognised as being of regional importance, and will cause harm to the historical setting of a Grade 2 Listed building (Parbold Hall) adjacent to the site. The application contravenes Policy G15, paragraph i which indicates development will only be permitted where “the proposed development is to maintain or enhance the distinctive character, and visual quality of the Landscape Character Area”.

Process

Finally, we note that the application is expected to be decided by committee on 24 July 2019. This date has been published on the LCC website. We are concerned that insufficient time has been allowed between the date that this application was first ‘called in’ to the date of the July committee meeting in order to raise awareness for the proposal with the wider public. This location is one of West Lancashire’s most prestigious and panoramic viewing points. It is enjoyed by local residents and tourists to West Lancashire alike. It is essential therefore that members of public are made aware of the proposals to a greater extent than would ordinarily be the case, given the broad ranging appeal of Parbold Hill to residents and visitors outside of the immediate local area. **We request that the application is deferred to a later committee date.**