

Strategic Planning Board

Updates

Date: Wednesday, 18th January, 2012

Time: 10.30 am

Venue: Meeting Room, Macclesfield Library, Jordangate, Macclesfield

The information on the following pages was received following publication of the committee agenda.

Updates (Pages 1 - 4)

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STRETEGIC PLANNING BOARD – 18th January 2012

UPDATE TO AGENDA

APPLICATION NUMBER: 11/4242W

LOCATION: Cheshire East Depot, London Road, Lyme Green SK11 0JX

SUMMARY RECOMMENDATION: Approve with conditions

MAIN ISSUES:

- Principle of the Development
- Green Belt
- Environmental Protection
- Impacts on Local Amenity
- Heritage
- Impacts on Highway Network
- Landscape and Visual Amenity
- Ecology

1. Alternative site assessment

An updated alternative site assessment has been submitted which seeks to provide further justification for the choice of proposed site for the Waste Transfer Facility (WTF).

The methodology undertaken identifies a catchment area that the facility will serve and identifies the resident population within a 20-30 minute drive of each of the four CRWLP preferred sites within this catchment. This identified the highest concentrations of resident population in Macclesfield urban area: specifically in Lyme Green, reaffirming that Lyme Green is the best location for the WTF.

A number of locational and site selection criteria to be used in the assessment are identified by the applicant based on the operational requirements of the facility and those identified in Appendix 2 of CRWLP. The assessment also considers the requirements of PPS10 in terms of co-locating complimentary facilities on suitable sites.

All CRWLP preferred sites which fall within the catchment area identified were included in the assessment, namely WM1 (Adlington Industrial Estate); WM10 (Hurdsfield Industrial Estate); WM13 Lyme Green; WM15 (Parkgate Industrial Estate) and WM23 (Chelford Depot).

In order to satisfy criterion III of Policy 5 of CRWLP and demonstrate there are no sequentially preferable sites:

- all employment / industrial allocations in Macclesfield urban area in MBLP were included (a total of 12 sites),
- as well as mixed use areas in Macclesfield identified in Policy E11 of MBLP (5 sites).

In addition, the assessment considers all available, deliverable and suitable land and buildings which have been actively marketed between January 2011 and January 2012 (38 sites).

Following recommendations of local residents, the assessment also considers the Danes Moss Landfill site and Henshaw's Site on Moss Lane, Macclesfield.

The CRWLP preferred sites were discounted for a range of reasons, largely due to lack of land to accommodate the WTF, lack of availability, access constraints, close proximity of residential properties and being too far from waste arisings.

The alternative site assessment acknowledges that the WM13 allocation (Lyme Green) is the best location for the WTF. However, the alternative site assessment considers that this preferred site is unsuitable as:

- the availability and suitability of the site is subject to a new distributor road;
- concerns are raised over the existing access which is considered inadequate;
- the site is not currently considered to be available.

The committee report details that the distributor road is not identified as a future scheme in the LTP which remains the case. The Inspectors Report into CRWLP does acknowledge the need for the distributor road, but does not stipulate this as a reason for not including it as a Waste Local Plan allocation, and as such this reason for discounting the site is not accepted. However, the remainder of reasons cited in the assessment are considered acceptable to discount this WM13.

The assessment has adequately demonstrated that there are no sequentially preferable sites that are available, suitable or deliverable and are capable of accommodating the WTF and its required infrastructure. It is considered that the assessment adequately meets the policy tests as required in Policy 5 of CRWLP and adequately demonstrates that Lyme Green is the only suitable site to meet the identified demand for a WTF in the immediate future.

2. Additional Comments

Sutton Parish Council comments on revised plans submitted

Sutton Parish Council has provided additional comments regarding the revised plans. They strongly object to the scheme and urge the committee to refuse the application.

They raise concerns over access arrangements and its adequacy/safety in meeting regulatory standards; and whether the required visibility splays are within the site boundary. They consider this would pose a safety risk to users in the vicinity of the site and consider the visibility turning splays to be a danger to users of the site and London Road.

They also raise concerns over the poor acoustic properties of the building which they consider to be inappropriate for purpose. The noise impact of extractor fans are raised as a concern given they are sited above the acoustic fence.

Concerns over visual impact of the scheme, particularly in the Green Belt location are raised.

They also reiterate previous concerns over the impact on the Green Belt and do not consider that very special circumstances have been demonstrated in this instance.

They also raise concerns over the general adequacy of the scope of information submitted in the application.

Comments for the Conservation Officer

The Conservation Officer considers that, as the proposed building would be visible from the adjacent Conservation Area, it would have an unacceptable impact on the character and appearance of the Macclesfield Canal Conservation Area, being contrary to Policies BE1, BE3 and BE6. As such, it should be resisted. In particular, the Conservation Officer considers that the development does not respect the setting of the Conservation Area, and fails to enhance its appearance.

Whilst it is acknowledged that the building would be visible from the Conservation Area, it would be viewed against the backdrop of other industrial buildings on the site and it is also acknowledged that the building reflects the building style of other developments on the site. Consequently, the nature of impact reflects that provided by other built development on the site.

Comments from Natural England

Natural England acknowledge that the application is in close proximity to Danes Moss Site of Special Scientific Interest (SSSI). However, given the nature and scale of this proposal, they raise no objection to the proposal being carried out according to the terms and conditions of the application and submitted plans on account of the impact on designated sites. Standard advice is provided in respect of any potential impact on protected species and local wildlife sites.

Comments from Environmental Health Officer

Further comments have been received in respect of recommended planning conditions to control and monitor the need for Saturday and evening use.

Should planning permission be granted it is recommended that the Council are provided for approval (within 30 days of the commencement of operations), a scheme detailing the circumstances that would require the use of additional operational hours at the site e.g. severe weather causing missed rounds. This should stipulate the likely extra operations which may be required. A log of causes, actions, and times should be kept by the applicant and, in addition, any proposed Saturday working should require an advanced notification to the authority of the expected cause and actions required.

Other Representations

At the time of the preparation of the update report, in excess of 60 objections from local residents and business have been received which raise issues, as previously detailed in the committee report.

3. Procedural Concerns have been raised in respect of the following issues

Although none of these points are material planning considerations in the determination of this application, the below is provided for information.

Undertaking work without planning permission

Whilst the Council do not support the carrying out of development without planning permission, planning legislation enables applicants to apply for planning permission retrospectively and each application should be considered based on the planning merits of each case. The fact that development has already commenced on site is not a material planning consideration.

Timescales for determination

Whilst there is a statutory 13-week maximum period for determining major planning applications, the government encourages planning authorities to determine applications as soon as practicable.

Lack of pre-application consultation

The Council encourage pre-application consultation with the local community in its current Statement of Community Involvement and have recently introduced its new pre-application advice service that reinforces this point. However, to date, there is no statutory requirement to undertake consultation prior to the submission of an application. Consequently, whilst the lack of consultation is very unfortunate, it will not sustain a reason for refusal on planning grounds that could be reasonably defended at any appeal.

4. Suitability of the submitted site plan

The site plan adequately identifies the site and provides sufficient detail to meet the validation requirements.