Application No: 12/4866W

Location: DANES MOSS LANDFILL SITE, CONGLETON ROAD, GAWSWORTH, MACCLESFIELD, CHESHIRE, SK11 9QP

Proposal: To develop and operate a temporary waste transfer station; retention of the existing access road, car parking and weighbridge/weighbridge office; realignment of the internal haul road; hardstandings; earthworks; surface water management system; landscaping and other ancillary development for a period up until December 2027

Applicant: Mr Matthew Hayes

Expiry Date: 12-Feb-2013

SUMMARY RECOMMENDATION
Approve subject to conditions

MAIN ISSUES

- Green Belt
- Alternative Sites – Compliance with Policy 5 of CRWLP
- Impact on Water Quality
- Highways
- Noise
- Air Quality
- Windblown Litter
- Landscape, visual and aboricultural impacts
- Ecology

REASON FOR REPORT

The application has been referred to Strategic Planning Board as the proposal involves a major waste application.

DESCRIPTION OF SITE AND CONTEXT

The application site is a parcel of land of approximately 1.27ha located within the north western boundary of Danes Moss Landfill site. The site is situated approximately 2km south west of the centre of Macclesfield. It lies between the A536 on the west, and the railway between Stockport and Newcastle-under-Lyme to the east. To the north, a belt of undeveloped land and playing field lie between Danes Moss Landfill site and the edge of the Macclesfield urban area. To the south of the site is a mixture of agricultural land and open land/peat bog. Access to the site is off the A536 Congleton Road.

In the immediate vicinity of the landfill site, the landscape rises to the west and falls to the Bollin Valley in the east. On a larger scale, the area lies between the lower land of the Cheshire Plain to the west, and gently undulating higher ground of the western edge of the Pennies

The application site is situated on land currently used as hardstanding, vegetation planting/scrubland, and the existing access road serving the landfill site. Various built infrastructure associated with the landfill surrounds the site including the Household Waste Recycling Centre to the west, the nissen hut and waste to energy compound to the north, and leachate treatment lagoons to the south. On the northern boundary of the landfill is the proposed site of the leachate treatment plant, for which construction has not yet commenced.

Much of the Danes Moss landfill has now been completed and the area substantially restored. The northern slopes have been fully restored with native woodland planting. An area of acid grassland to the south east has also been restored. At present the current operation landfill cells are located in the final southern third of the site and the southernmost landfill cells have now been filled to levels, completed and restored.

The nearest dwellings are located on the western side of Congleton Road, to the north west of the application site, whilst a housing estate is located approximately 400m to the north east.

The application site lies 40m within the northern boundary of the Green Belt in the Macclesfield Borough Local Plan (MBLP). The application site is not allocated within the Cheshire Replacement Waste Local Plan (CRWLP) as a Preferred Site. As a result, it is considered to be a significant Departure from the Development Plan.

A small section of the application site (comprising a section of the access road) crosses part of the 'proposed road', a greenway and designated open space in MBLP. To the south of the landfill is the Danes Moss Site of Special Scientific Interest (SSSI), designated for its valuable peat bog habitat. The remainder of the Moss area is designated as a Grade A Site of Biological Importance.

RELEVANT HISTORY

The landfill has a long history of peat extraction and waste disposal since the early 20th Century. The current landfill permission expired on 31 December 2013 (09/0761W). Strategic Planning Board resolved to grant planning permission (12/3240W) in January 2013 for a further time extension to 31 December 2014 with restoration completed by 31 December 2015. This is subject to a deed of variation to the existing S106 legal agreement to secure the long term management of the site and adjacent SSSI. The planning permission has not yet been issued, pending completion of the legal agreement.

The landfill site has also had a range of other ancillary waste infrastructure consents. These include:

- 5/65397, 5/73660, and 5/96/1830P – leachate treatment facility
- 5/36254 and 5/38676 – Household Waste Recycling Centre (HWRC) and skip facilities;
- 5/82298 – Compost facility (no composting now occurs on site);

- 5/72375, 5/79115, 5/02/2190P, 5/07/0389P, 5/08/0638P waste to energy plant; and
- 12/1280W – Leachate Treatment Plant.

Most notably, planning permission was previously granted for a waste transfer station (WTS) in 2008 (ref: 5/08/0639P) for a temporary period until 2014, in order to provide a replacement for the landfill which was scheduled to close in 2012. The consent was subject to a s106 legal agreement to ensure that the WTS did not operate until landfilling ceased. However, as the landfill had a further time extension granted, the WTS was not required and the consent has since lapsed.

DETAILS OF PROPOSAL

This is an application on behalf of FCC Environmental for a Waste Transfer Station (WTS) at the Danes Moss Landfill site for a temporary period until 2027. The application is in effect a re-submission of the previously consented scheme (5/08/0639P), with the only significant difference being an extended timescale until 2027, and a lower overall throughput of waste.

It is proposed that the WTS would replace the Danes Moss Landfill following its closure in December 2014 (subject to the grant of consent (12/3240W)) and would bulk up locally derived municipal solid waste (MSW) and limited quantities of pre-sorted commercial and industrial wastes (C&I) for onward transportation to a suitable treatment facility.

The applicant has indicated future intensions of transporting bulked up waste from this facility to a new materials recycling facility on the Maw Green Landfill site and/or disposed of to landfill. This would be subject to a separate planning application and is not being considered as part of this scheme. If this option becomes unviable, waste would be transported to other sorting/disposal facilities.

The application proposes the following elements:

- Waste Transfer Station (WTS);
- Retention of existing main landfill access road, and weighbridge/weighbridge office;
- Realigned internal access road to the facility;
- Hardstandings;
- Earthworks;
- Lighting;
- Surface water management system;
- Landscaping and other ancillary works.

<u>Waste Transfer Station</u>
The WTS building comprises a steel portal framed building of 42 metres x 31 metres with a height of 12 metres, which provides an overall floor area of 1302m². The proposed building will be clad in holy green to match existing buildings on the site, with Aztec Yellow ventilation grilles.

Internally, the building comprises of a general waste reception area; a recyclables clamp to segregate pre-sorted C&I waste (i.e. paper and wood) for export; and an area of 2100 m² for the storage of waste with 4.5m push walls. A low loading bay is proposed for transferring general waste to HGVs by a wheeled loading shovel. Three 5.5m high roller shutter doors

are proposed, two on the eastern and one on the northern elevation, along with three personnel doors.

Pre-sorted residual Municipal Solid Waste (MSW) and Commercial and Industrial (C&I) waste derived from householders, Household Waste Recycling Centre's (HWRC's) and local trade would be delivered to the site and, after being weighed, would be deposited inside the building. Waste is then stored in the refuse storage area until sufficient quantities are available for loading (by loading shovel) into large bulk haulage articulated HGVS (20 tonne capacity) for onwards transportation to an appropriate facility. As the facility only proposes to bulk up waste, no mechanical or manual sorting/processing of waste would be undertaken. The only exception to this is on rare occasions where there may be a need to remove unsuitable items from the general waste stream that have been disposed of incorrectly (e.g. pieces of furniture). These would be picked out manually, or, with the aid of a front loader disposed of separately to an appropriate facility.

The maximum annual throughput proposed for the facility is 60,000 tonnes per annum (tpa). This comprises of 50,000tpa of residual MSW from households and HWRC's collected within the catchment of Macclesfield, Congleton, Wilmslow and Poynton; with the remaining 10,000tpa being C&I waste from private companies in the area. The maximum annual throughput proposed for this facility is less than was previously approved under consent 5/08/0639P which anticipated a throughput of 70,000tps. The facility has been designed to enable waste to be stored for up to five days although the applicant envisages that under normal circumstances all waste would be bulked up and removed by the end of each working day.

The scheme is likely to generate an average of 100 vehicle movements per day (49 in and 49 out); comprising 37 vehicles importing waste (maximum 7.5 tonne capacity) and 12 HGVs used for export (20 tonne capacity). One empty bulk haulage vehicle would be parked overnight on the internal access road outside the building.

The WTS would use the existing access off the A536 currently serving the landfill. Internally, a new side road and vehicle turning circle would connect to the existing haul road, creating a circulatory route for HGVs. To accommodate this, a section of the existing haul road would be removed and the area reinstated. The existing weighbridge and site office currently serving the landfill site will be retained to serve the WTS.

To reflect the specific needs of the HWRC's, and to protect residential amenity, negotiations with the applicant has resulted in revised operating hours as follows:

- 0800 – 1800 Monday to Friday; 0800 – 1700 Saturday, Sundays and Public/Bank holidays. However:
- On Saturdays after 1300 hours, and on Sundays, Public/Bank Holidays only waste from HWRC's would be accepted.
- Construction hours would be limited to 0800 -1800 Monday to Friday, 0900 – 1400 Saturdays with no works on Sundays and Public/Bank holidays.
- Any piling activities would be restricted to 0900 – 1730 Monday to Friday and 0900 – 1300 Saturdays only.

Lighting, in the form of high pressure sodium flat glass lanterns, would serve the development which would be in use during operational hours. The development also proposes earthworks, landscape planting for the duration of the development and upgraded surface water management system.

Upon cessation of the waste transfer station, all land would be fully restored in accordance with a landscaping scheme designed to complement the wider landfill restoration. The exception is the leachate management infrastructure, landfill gas infrastructure and access/haul roads which will be retained to enable environmental monitoring required under the Environmental Permit for the landfill.

POLICIES

The Development Plan comprises the Cheshire Replacement Waste Local Plan 2007 (CRWLP) and The Borough of Macclesfield Adopted Local Plan 2004 (MBLP).

The relevant development policies are;

Cheshire Replacement Waste Local Plan (CRWLP)

Policy 1: Sustainable Waste Management
Policy 2: The Need for Waste Management Facilities
Policy 5: Other Sites for Waste Management Facilities
Policy 12: Impact of Development Proposals
Policy 14: Landscape
Policy 15: Green Belt
Policy 17: Natural Environment
Policy 18: Water Resource Protection and Flood Risk
Policy 22: Aircraft Safety
Policy 23: Noise
Policy 24: Air Pollution; Air Emissions Including Dust
Policy 25: Litter
Policy 26: Odour
Policy 27: Sustainable Transportation of waste
Policy 28: Highways
Policy 29: Hours of Operation
Policy 32: Reclamation
Policy 36: Design

Macclesfield Borough Council Local Plan (2004)

NE11: Nature Conservation
NE12: SSSI's, SBI's and Nature Reserves
GC2: Green Belt – 'Other operations and Change of Use'
GC3: Visual Amenity of Green Belt
DC3: Amenity
DC8: Design and Amenity – Landscaping
DC13: Noise

Other Material Considerations

The revised EU Waste Framework Directive 2008 (rWFD)
Government Review of Waste Policy in England 2011 (WPR)

Government Waste Strategy 2007 (WS2007)
Cheshire Consolidated Joint Waste Management Strategy 2007 to 2020
Cheshire East and Cheshire West and Chester Councils Waste Needs Assessment Report ('Needs Assessment')

National Planning Policy and Guidance

National Planning Policy Framework (2012)
PPS 10: Planning for Sustainable Waste Management

CONSULTATIONS (External to Planning)

The Strategic Highways and Transport Manager

With regard to the likely traffic generated by the WTS, the applicant has stated that this facility will replace the current landfill operation and have looked at a net change between the existing movements and the new WTS. The closure of the landfill site and the replacement WTS would result in an overall net decrease in trips to and from the site. This assumes that the landfill facility will close in 2014.

It is predicted that the HGV movements associated with the WTS per day is 49 in and 49 out, some 100 movements per day. Landfill restoration traffic is estimated at 100 HGV per day (200 two way); this is considered to be the worse case. In addition, a very small amount of traffic will be associated with the Leachate Treatment Plant up to 10 HGV movements per day. The current planning permission for the landfill has a condition that limits the HGV's entering and leaving the site in a working day to 400 vehicles (200 in and 200 out), and this application would not exceed this limit in terms of HGV movements.

The site access junction has been assessed for capacity using a Picady model and the results indicate it would operate within capacity up to 2017 with the current proposals in place. The junction with the A536 is of a good standard and provides more than adequate visibility.

Although there may be a net reduction in traffic as a result of this development it is requested that a condition is imposed limiting vehicle movements to a maximum of 400 vehicles per day to the site.

The Council's Environmental Protection Officer:

The planning application would introduce new potential impacts from noise, dust, odour and lighting.

<u>Construction Impacts</u>

Some activities such as earth movement and piling can cause high noise levels. Given the distance involved and the likely timescale these impacts can be minimised by the use of good practices. However, the hours of construction should be conditioned so as to minimise these impacts. We would also expect details on piling activities to be provided prior to any such works commencing. Good practice and the distance to the nearest properties should be sufficient to minimise dust impacts from construction activities.

Operational Impacts

Noise impacts

A noise report has been produced to assess the potential impacts from noise. It considers the impacts of heavy vehicles leaving and entering the site, the depositing, sorting and removal of waste. The initial assessment provided an assessment of predicted noise impacts compared against monitored data. Further monitoring at the most sensitive of times, i.e. on Sunday mornings shows background noise levels to be lower at this time of the week. The impacts are most likely to be greatest on Sundays when background noise levels would be lowest and sensitivity to such impacts may be considered as highest. Saturday afternoon, Sundays and Public Holidays are not in the normal hours of use for such facilities.

The noise assessment and its conclusions are based upon recommended mitigation measures being implemented and maintained. Given this and the proposed hours of operation, it is therefore highly important that such measures are conditioned should such planning permission be granted. This would ensure that the predicted reductions are implemented so as to protect residential amenity and that noise mitigation is optimised at the most sensitive of times in line with guidance given in the Waste Local Plan. The applicant has also stated that a limit on the number of waste vehicles accessing the site before 1000 hours on Sundays could be conditioned. In addition, noise levels from the site should be set and noise monitoring carried out by the operator to ensure that the stated noise estimates are not exceeded.

Lighting

The plans indicate that lighting will be required as part of this proposed development. The detailed design of such lighting, requirement to avoid any light glare or spillage outside of the site boundary and use during operational hours only should be conditioned.

Odours

The initial assessment gave little detail on the impact and control of odours. Whilst this is something that would be controlled and regulated through the waste permit, it would be remiss of us not to consider the proposed design of the facility and the likelihood of odour impact on amenity given the potential for fugitive odour emissions. The applicant has since provided a statement on this which demonstrates that the control of odours has been considered in the design of the facility and that good practice and odour control procedures will form part of the Environmental Permit. Despite this and the location of the waste transfer building in relation to sensitive receptors, we do have concerns about the potential of fugitive emissions and impact from odours need to managed. We would expect that the Environmental Permit would require detailed assessment of these issues and controls to ensure that there are no odour issues.

Dust

The depositing and moving of waste has the potential to generate dust emissions. To control of dust can be significantly controlled by the use of good practices. As such we would

recommend that suitable controls will be a condition of any planning permission to ensure that residential amenity is protected.

It is therefore recommended that planning permission is granted for this proposal subject to the following conditions being applied.

Demolition and construction phase of development

House of operation

Whilst other legislation exists to restrict the noise impact from construction / demolition activities, this is not adequate to control all construction noise, which may have a detrimental impact on residential amenity in the area. Therefore it is considered appropriate to control this impact at the planning application stage, and the following condition should be applied;

All noise generative* demolition / construction works (and associated deliveries to the site) authorised by this permission shall be restricted to the following time periods:

Monday – Friday	08:00 to 18:00 hrs
Saturday	09:00 to 14:00 hrs

There shall be no noise generative* demolition/construction works on Sundays and Public/Bank Holidays.

**For information "Noise Generative" is defined as any works of a construction / demolition nature (including ancillary works such as deliveries) which are likely to generate noise beyond the boundary of the site.*

Reason: In the interests of residential amenity

Pile Foundations

All Piling operations authorised by this permission shall be undertaken using best practicable means to reduce the impact of noise and vibration on neighbouring sensitive properties. All piling operations shall be restricted to the following time periods:

Monday – Friday	09:00 – 17:30 hrs
Saturday	09:00 – 13:00 hrs

There shall be no piling operations undertaken on Sundays and Public/Bank Holidays.

Reason: In the interests of residential amenity

Lighting

Prior to its installation details of the location, height, design, and luminance of any proposed lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall ensure the lighting is designed to minimise the potential loss of amenity caused by light spillage onto adjoining properties. The lighting shall thereafter be installed and operated in accordance with the approved details.

Reason: To minimise the nuisance and disturbances to neighbours (and the surrounding area)

No lighting shall be permitted to be used outside of the normal hours of operation

Reason: To minimise the nuisance and disturbances to neighbours (and the surrounding area)

Hours of operation

Due to the potential for noise disturbance to local residents, the development should be subject to the following hours of operation restrictions;

Waste operations authorised by this permission including waste reception, storage, bulking and transfer , and the movement of Heavy Good Vehicles to and from the site shall be restricted to the following time periods:-

a. For all waste operations aside from those specifically for the receipt of waste from Household Waste Recycling Centres;

   0800 – 1800 hours Monday – Friday
   0800 – 1300 hours Saturday
   No waste operations on Sundays or Public/Bank Holidays

b. For those waste operations including reception, storage, sorting and transfer of waste, and the movement of Heavy Good Vehicles arising directly from Household Waste Recycling Centres;

   0800 – 1800 hours Monday – Friday
   0800 – 1700 hours Saturday, Sunday and Bank/public holidays

   There shall be no waste operations on Christmas Day and New Years Day

Reason: For the avoidance of doubt and in the interest of amenity and in order to minimise the environmental impacts of the development.

Between the hours of 0800 and 1000 hours on Sundays the number of Heavy Goods Vehicles entering and leaving the site shall be restricted to 6 movements (3 in and 3 out).

Noise and vibration
Noise mitigation scheme

Prior to any development taking place a noise mitigation scheme shall be submitted to and approved by the Local Planning Authority. These shall include for the provision of details in respect of:

i) Acoustic design for the reception building;
ii) properties of roller shutters including speed and acoustic attenuation;

iii) the maintenance of all on-site mobile plant and fitting of silencers and white-noise reverse alarms;
iv) use of mobile plant to avoid unnecessary banging and scraping of loading buckets;
v) compliance with noise limits specified in the relevant planning condition.

The scheme shall then be implemented in full during the lifetime of the development.

Reason: In the interests of residential amenity

Noise levels

Except in the case of emergency or with the written prior consent of the Waste Planning Authority, the operational free field noise rating level, from all plant associated with the operations from the waste transfer station shall not exceed the following LAeq1 hour levels :

Location	Time	LAeq 1 hour
Northgate	Sunday 0800-1000 hours	43 dB
35 Surrey Road	Sunday 0800-1000 hours	45 dB
Northgate	All other times	48 dB
35 Surrey Road	All other times	50 dB

Reason: For the protection of residential amenity.

No development shall take place until a scheme, for predicting and monitoring noise levels arising from the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for:

i) Predicted noise levels at sensitive receptors and comparison with proposed noise limits;
ii) Frequency and location of monitoring
iii) Details of equipment proposed to be used for monitoring.
iv) Monitoring during typical working hours with the main items of plant and machinery in operation;
v) Comparison against noise limits
vi) Monitoring results to be forwarded to the Waste Planning Authority within 14 days of measurement"

The scheme shall be implemented in full for the lifetime of the development.

Reason: For the protection of residential amenity.

Odour control

Prior to occupation of the development hereby permitted, an Odour Mitigation Scheme shall be submitted to and approved in writing by the Waste Planning Authority. The scheme shall then be implemented in full during the lifetime of the development.

Reason: For the protection of residential amenity.

Dust control

Prior to commencement of waste operations hereby approved, a scheme shall be submitted for the written approval of the waste planning authority detailing the best practicable measures to be employed for the control and suppression of dust during the period of operation of the development. The measures approved in the scheme shall be implemented for the duration of the development.

Reason: To minimise dust risk and to protect residential amenity.

Nature Conservation Officer:

Designated sites
The proposed development is located over 500m from Danes Moss Site of Special Scientific Interest (SSSI) and Danes Moss Local Wildlife Site is located within 200m of the site boundary. There does not appear to be any direct impacts resulting from the proposed developments on these two designated sites. It is noted that a new ditch is proposed as part of the proposed development to presumable handle surface water from the site, however Natural England have confirmed that they do not anticipate any impacts on the SSSI.

General Habitat Value of the proposed development site
The habitats present on site have some nature conservation value in the local context. The habitats are however highly artificial, disturbed and are of recent origin. The proposed development will not lead to a significant loss of biodiversity. Planning condition is recommended requiring the submission of proposals for the erection of protective fencing to safeguard the retained areas of habitat during the construction phase.

Proposed Restoration
The submitted restoration plan indicates the restoration of the site to rough grassland and native species plantation woodland. The broad principal of the proposed restoration are acceptable however detailed landscape/habitat restoration plan should be submitted. In accordance with the recommendations of the submitted ecological assessment it is also recommended that the restoration proposals include details of a new wildlife pond. Ponds are a local and national priority habitat and so the creation of this additional habitat on site would deliver a significant gain for nature conservation in accordance with the NPPF.

Breeding Birds and bat boxes
Planning conditions are recommended to safeguard breeding birds and ensure additional provision is made for nesting birds and roosting bat boxes.

Badgers
Badgers are active near to this site. There is a possibility that a new sett could become active on site between the grant of permission and the commencement of development. As such a planning condition is recommended to require provision of a badger survey prior to the commencement of development, with the results of the survey and any mitigation required to be submitted for approval prior to commencement of works.

Common toad

Common toad, a UK BAP species and hence a material consideration, has been recorded on site in considerable numbers. However, considering the scale of the proposed development the adverse impact on this species is unlikely to be significant other than at the very local scale. The provision of a pond as part of the restoration proposals for the site would however be of significant benefit for this species.

Overall no objections raised subject to conditions and a final restoration scheme.

The Council's Landscape Officer:
The proposed development will be no different to that previously consented (5/08/0639), other than a change in the duration of the development. The previous application was for a three to five year period subsequent to the landfill closure. This application would be for a period of twelve years after the closure of the landfill.

In view of the fact that this is no different to the previously consented application, no objections are raised on landscape or visual grounds.

The Council's Forestry Officer
The proposed development footprint and associated revised circulatory route requires the removal of a number of trees mainly Alder which form a small copse located east of the existing civic amenity waste disposal centre.

The group as a whole are not clearly visible from Congleton Road, but form part of the landscape within the internal aspect of the Danes Moss Landfill Site. The quality and amenity value of the trees relates to their collective presence rather than each individual specimen which have established in an etiolated form as a result of the absence of maintenance in the form of thinning. The copse cannot be considered an important or significant component of the landscape with the specified removal at best only having a moderate impact on the amenity of the area. The loss of the trees as part of landscape enrichment should be adequately compensated for as part of a specimen landscape scheme. Once approved compensatory planting should be seen as a net gain compared to those trees schedule for removal as part of this application.

The retained tree aspect associated with the rest of the site is located a significant distance from the proposed working area. Tree protection will not be required as a condition.

The Environment Agency:
The Environment Agency issued an Environmental permit on 27 August 2008 to 3C Waste Ltd to operate a transfer station at Danes Moss following planning permission being granted for this activity, your reference 5/08/0639P. Therefore we have no objections to the proposed temporary waste transfer station.

Natural England:
This application is in close proximity to Danes Moss Site of Special Scientific Interest (SSSI). However, given the nature and scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on this site as a result of the proposed development being carried out in strict accordance with the details of the application as submitted.

We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(I) of the *Wildlife and Countryside Act 1981* (as amended), requiring your authority to re-consult Natural England.

Conditions
We would expect the developer to follow best practice guidance during the construction work to ensure appropriate measures are in place to mitigate any potential impacts on the natural environment. An effective Construction Environmental Management Plan (CEMP) will help provide reassurance that construction activities will be well managed.

Planning conditions are required in respect of:

- Submission and approval of a detailed Construction Environmental Management Plan, before any work commences;
- Submission and approval of a detailed scheme for the management of foul and surface water drainage on the site;
- The implementation of mitigation proposals as detailed in Section 5 of the Ecological Survey and Assessment report; and the following sections in the Planning statement: section 3.9 - lighting; 10.8 - dust

These conditions are required to ensure that the development, as submitted, will not impact upon the features of special interest for which Danes Moss SSSI is notified.

<u>European Protected species</u>

It is noted that a survey for European Protected Species has been undertaken in support of this proposal. Natural England does not object to the proposed development. On the basis of the information available to us, our advice is that the proposed development would be unlikely to affect a European Protected Species.

Health and Safety Executive:

The development does not appear to be within the Consultation Distance (CD) of any major hazard site or any major accident hazard pipeline, thus there is no requirement to consult HSE on this application.

The Minerals and Waste Policy Unit:

No specific comments or observations to make.

Waste and Recycling Department:

Under the provisions of the Environmental Protection Act 1990, the Council has a statutory duty to provide household waste collection and disposal services within Cheshire East.

Currently, household residual waste that is collected from Cheshire East households is taken directly to the disposal points which are Danes Moss landfill in Macclesfield and Maw Green landfill in Crewe. Other materials collected at the kerbside are taken either to a bulking station for onward transport to a processing facility or taken direct to the processing facility.

Our current landfill facility in the North of the borough (Danes Moss) is nearing full capacity. Once full, this facility will no longer be available as a Landfill site. Therefore, the proposal to establish a waste transfer facility on the same site is a welcome one and will give greater resilience, not only to the future needs of the Council but also to other organisations within the area that require the use of waste disposal facilities.

The Council is currently reviewing its waste collection and disposal service. The success of running an efficient waste collection service and the Council's fulfilling its statutory duties as a waste collection and disposal authority depends on immediate and available access to waste transfer facilities for its current route structures. However, in the north of the Borough, the current facility is expected to reach its capacity from April 2014 onwards. At present, the only local waste transfer facility licensed to handle residual waste within this area is the one sited at Henshaws Envirocare Ltd, Moss Lane, Macclesfield. This facility's licensed operating period does not align with the needs of the service. This results in the waste becoming mobile and requires the Council to procure the best value treatment and disposal solution for the residents of Cheshire East, regardless of its location.

The proposed waste transfer facility on the Danes Moss landfill site will increase waste transfer provision in the local area and offer greater resilience to the waste service. This proposed facility in the North of the borough is ideally located on the site of the current landfill disposal facilities and is close to the centre of the waste collection operation within the North.

If approved, the facility will be a welcome addition to the current facilities available on the Danes Moss site.

If unsuccessful, and the ability to tip locally within the North is no longer available, this will result in the Council's having to consider alternative means of disposal. This will be challenging and will impact upon the current service standards and the wider environment with refuse freighters having to travel greater distances during disposal activities.

In summary, the proposed waste transfer station at Danes moss is considered to be essential in providing future service resilience and is strategically significant for the council to meet its statutory responsibility from April 2014.

United Utilities:

Do not object subject to the foul and surface waters flows generated from the new development not communicating with the public system via direct or indirect means.

VIEWS OF THE PARISH / TOWN COUNCIL

Sutton Parish Council:

Sutton Parish Council, make the following observations, in the capacity of an adjoining Parish to the Danes Moss Landfill Development Site, on the basis that such development should only be permitted if there is a proven business need that such a facility will provide and meet the Waste Management needs of the Northern sector of Cheshire East, along with existing

available facilities, thereby eliminating the need for further such facilities in the short to medium term.

Having closely examined the detail of the comprehensive planning application Sutton Parish Council consider that the development of a Waste Transfer Station Facility on this existing Waste Management Site is in the best interests of the Northern sector of Cheshire East Council, as a whole, having regard to the following existing favourable features:

a) The development, according to the application detail, is some 200 m. away from the nearest residential properties.

b) All possible sources of pollution (Noise, Light, Odour, Dust), according to the application detail, can be adequately and effectively controlled well within the above 200 m. distance.

c) Protection for wildlife and trees has been addressed within the application in addition to the screening of the proposed building to restrict the visual impact upon residential properties and users of Public Rights of Way, Highway and the Playing Fields.

d) There is already in existence a well established entrance to the site off Congleton Road which provides mainly decongested access from most locations within the Northern sector of Cheshire East and is suitable to facilitate safe access and egress by the apparent reduced HGV usage.

e) The site has already been subject to planning approval for a Waste Transfer Station to 2014 under planning application 08/0639P and the present application basically replicates this approved application for a further temporary period to 2027.

f) The existing land fill site, in accordance with the planning conditions, has a requirement to be monitored and maintained for a period of 18 years from the date such land fill activity ceases. The provision of a Waste Transfer Station on the site is likely to be beneficial to ensuring that such condition is adequately monitored and maintained.

OTHER REPRESENTATIONS

To date, 4 letters objecting to the proposal and 10 letters of support have been received.

A summary of the comments received objecting to the proposal are as follows:

- Highway and traffic issues – specifically the increase in traffic, dangers to pedestrians seeking to cross the A536, and noise / vibrations caused by HGV vehicles
- The impact upon residential amenity including noise from operations,
- Question the need of the WTS as an existing one is located as Henshaws on Moss Lane.
- Site is scheduled to close in 2015 – this would extend the operational life of the site

Comments were also received regarding the loss of leisure land as the assumption is made that when the site is restored that it would be given to local residents to use. The site is in private ownership, and as such there would be no loss of recreational space / leisure land irrespective of the outcome of the application.

A summary of the comments received supporting the application are as follows:

- Established waste site – supported in the Regional Spatial Strategy
- The development would have limited visual and landscape impacts
- The principle has been previously accepted
- Good access and transport links of the A536
- Would provide greater sustainable waste management within Cheshire East

Comments were also received from the Macclesfield Civic Society who provided the following observations;

''The Macclesfield Civic Society have considered the application documents and note the planning and waste management background to the proposal. The scheme represents an interim solution to waste management up to 2027, which would allow for longer term arrangements to be secured across Cheshire East as a whole.

The decision on the proposal appears to hinge upon local environmental/amenity impacts and traffic matters. From the information submitted these issues do not appear to weigh against the proposal.

No doubt a decision will be reached after due consideration of these potential impacts.

Provision for restoration after decommissioning of the site is incorporated into the proposal".

OFFICER APPRAISAL

Principle of Development
The site has a long established use for waste activities, most notably as a landfill, and more recently household waste recycling. The principle of developing a temporary WTS of the same scale, design and location as proposed in this application has previously been established by virtue of consent 5/08/0639P.

Green Belt
The management of waste in the Green Belt is inappropriate unless it maintains the openness of the Green Belt and does not conflict with the purposes of including land in the Green Belt (CRWLP Policy 15). However the locational needs of some types of waste facilities, and the wider environmental and economic benefits of sustainable waste management are material considerations that should be significant weight (PPS10). It is necessary to consider whether any such material considerations amount to the very special circumstances necessary to overcome the policy presumption against inappropriate development in the Green Belt and any harm caused. Fundamental to this issue is the previous planning history, which approved a WTS of the same scale, design and location as is being proposed in this application.

In terms of the purposes of including land in the Green Belt, the application site lies 40m within the Green Belt on its northern boundary with Macclesfield. The Green Belt in this location has an important role in preventing the unrestricted sprawl of Macclesfield urban area. The landfill shares its northern boundary with the Green Belt and is clearly defined by a line of mature trees which also provides an element of visual screening. The application site

lies entirely within the landfill boundary, on land made up of the internal access road and an area of vegetation/scrubland. The WTS building would be situated within a cluster of other built development/infrastructure. Importantly, the footprint and location of the WTS building remains the same as was consented under 5/08/0639P. On this basis, and given that the only difference between the two schemes relates to its operational life, it is not considered that this would present any greater impact in terms of the purposes of including land in the Green Belt than was generated by the previous scheme.

Impact on openness

Regard must be given to the degree to which the visual amenity of the Green Belt is harmed by the proposal, by reason of its siting, material or design. Whilst the principle of a WTS of this scale, design and location has already been accepted, the extended duration of a building on the site required due consideration.

The Green Belt in this location, whilst not being particularly significant in terms of visual or landscape quality, has an important role in maintaining openness given the close proximity of Macclesfield urban area.

The degree of openness on the northern Green Belt boundary has already been compromised by existing built development including the Highways Depot, settlement of Lyme Green, road infrastructure; and within the landfill itself, the waste to energy plant, nissen hut, household waste recycling centre and leachate management system. These built features have changed the intensity and visual appearance of the site, introducing a degree of urbanisation. Views of the WTS would be seen against this backdrop. The scheme would not result in a substantial increase in the developed portion of the landfill site and it is noted that the built development would be a temporary feature, after which the site would be restored in accordance with the landfill restoration scheme.

Despite this, it is considered that the WTS would introduce a new building which is likely to project beyond the mature trees on the northern boundary of the landfill. The building would be present for a period of 14 years which is considered a fairly significant timescale. Whilst only being for a temporary period, it would nonetheless still present a visible and recognisable feature in the Green Belt, especially from views to the north. Its scale and location would present a degree of detrimental impact on the openness and visual amenity of the Green Belt. As such, it is necessary to consider whether there are any material considerations present which outweigh the harm to the Green Belt in this instance.

Sustainable waste management

In respect of any impacts on the Green Belt, PPS10 (paragraph 3) advises:

'the locational needs of some waste management facilities, and any sustainable waste management benefits derived from them should be given significant weight'

In the grant of planning permission 5/08/0639P, the particular benefits arising from a WTS on the Danes Moss site were considered significant enough to outweigh any harm to the Green Belt and this is material to the consideration of this application. This scheme is in essence a re-submission of the previous application, with the only difference being the extended operational life until 2027, and a moderate reduction in the annual throughput. These matters

are considered further below, with particular regard given to any benefits arising from the extended operational life.

PPS10 provides a number of overarching planning objectives for sustainable waste management, which includes establishing a network of facilities to enable waste to be driven up the waste hierarchy and used as a resource; with waste arisings being managed as close to source as possible. The importance of '*providing sufficient opportunities for new waste management facilities of the right type, in the right place and at the right time'* is emphasised (paragraph 2), along with ensuring that the recovery or disposal of waste is secured without endangering human health or harming the environment. These objectives are reiterated in CRWLP in terms of encouraging sustainable management of waste, in accordance with the waste hierarchy, and are being adopted in the emerging Cheshire East Local Plan Policy Principles and Development Strategy, which emphasise the need to make sufficient opportunities for the provision of waste management facilities in appropriate locations to meet communities needs.

The European/UK waste legislative and policy targets are also material considerations, such as the need to recycle 50% of household waste by 2020, and reduce the amount of biodegradable municipal waste (BMW) landfilled to 35% of that landfilled in 1995 by 2020 (Landfill Directive). The most recent landfill allowance targets restrict the maximum amount of biodegradable municipal waste sent to landfill to 14,515,000 in 2013 reducing to 10,161,000 by 2020 (Landfill (Maximum Landfill Amount) Regulations 2011). Equally, the principles of the 'waste hierarchy' are now enshrined in UK legislation and the Government is aiming to move towards a 'zero waste economy' by 2020 by viewing waste as a resource (Government Review of Waste Policy 2011).

The Waste Needs Assessment 2011 estimates that, by 2030, over half of all MSW waste arisings will be recycled (130645 tonnes); whilst the majority of C&I waste arisings will be recycled (278,687 tonnes). Across both waste streams, it identifies a capacity gap of 300,000 - 400,000 tonnes per annum; and an indicative requirement by 2030 for 10 facilities for MSW recycling and 8 facilities for C&I. Whilst these figures are based on a modelled future waste management scenario which is unlikely to be achieved, it nonetheless provides a broad picture of potential future demand. In terms of actual performance, the Annual Monitoring Report identifies that 178,348 tonnes of household waste was produced in Cheshire East in 2011/12, and recycling/composting rates have increased by 4.18% since 2010/11. Similar increases in recycling rates were experienced for C&I waste, which increased twofold between 2006 and 2009 up to 56.7%.

In order to enable communities to take responsibility for their own waste, a sustainable network of waste management facilities is required. In the north of the authority the vast majority of municipal and commercial waste is generated within the areas of highest population, centred around Macclesfield urban area. There is currently an imbalance of waste management facilities in the north of the authority. Danes Moss landfill, which serves the population of Macclesfield, Congleton, Knutsford, Wilmslow and Poynton is scheduled to close in 2014, after which time there will be a shortage of facilities for managing local MSW and C&I waste arisings within this immediate catchment. There is currently only one other local facility licensed to handle residual waste, and this facility has operating restrictions. In the event this facility is not available, waste would then need to be transported over significant

distance, which creates difficulties in facilitating an efficient and sustainable network of waste management facilities to meet local needs.

The provision of a WTS in Macclesfield to meet current and future waste arisings from this major centre of population has already been accepted as it was a specified requirement in the Needs Assessment produced to inform the preparation of the CRWLP. Equally, the benefits derived from siting a WTS on Danes Moss landfill have been considered sufficient to justify any impact on the Green Belt. Specifically, the applicant identifies these to include:

- Meeting an unmet need for a centralised WTS in the north of the authority to bulk up waste for future processing;
- The site selection exercise demonstrates that there are no other available or more suitable sites that are sequentially preferable within the drive time of the Macclesfield catchment.
- There would be no cumulative impacts with the landfill, as it will act as a replacement facility and will utilise its existing infrastructure and access arrangements;
- The continued use of this site is more preferable than the development of a new site elsewhere.
- The WTS will help to maximise the recycling and recovery of waste by bulking up waste for treatment at a MRF, where further processing can recover recyclates and value from the waste;
- It will ensure MSW and C&I waste can be managed locally without giving rise to significant vehicle miles; and ensure refuse collection vehicles have a much shorter turn around time;
- It would reduce vehicle emissions and the carbon footprint associated with managing waste at an alternative facility outside of the Macclesfield area;
- The facility enables Cheshire East to be self sufficient in managing their own waste and meeting the requirements of Waste (England and Wales) Regulations 2011 and will contribute to a sustainable network of facilities;
- It would assist the waste collection authorities in meeting their contractual requirements.
- The facility would handle approximately 60,000 tonnes of waste per year which is broadly in line with throughout of the landfill in recent years and is approximately 20,000 tonnes per annum lower than the previously approved WTS.

In respect of the extended timescale proposed, the applicant considers this justified on the basis that this is necessary to make the development economically viable when considering the investment expenditure required against the period of time necessary to recoup those costs. They also consider it unlikely that any other alternative site more suitable site will become available before that timescale, in view of the lengthy timescales involved with finding an alternative site. The timescales proposed allow sufficient time for the applicant to bid for the residual contract for managing Cheshire East waste, and would thus perform an integral role in the medium / long term sustainable waste management solution for Cheshire East.

Whilst it is noted that the Inspectors report into the CRWLP discounted the landfill as a potential WTS location (on the basis there were no very special circumstances to outweigh the harm to the openness of the Green Belt), the Inspector did not have the benefit of the extensive site search undertaken by the applicant which demonstrates that the sequentially preferable sites are not available or deliverable at this time. Furthermore, the Inspector's

comments related to the whole of the Danes Moss Landfill site, rather than the small application site proposed. However, fundamental to this issue is the fact that these very special circumstances have already been deemed acceptable and any additional timescale proposed will only assist in supporting a flexible and efficient network of sustainable waste management facilities to serve the needs of the local community, in line with the approach outlined in PPS10.

Whilst there is a need to carefully balance the waste planning policy/legislative requirements against the policy presumption against inappropriate development in the Green Belt, in this instance there is a clear overriding need for a WTS in the north of the authority to serve this large urban catchment following the closure of Danes Moss Landfill. The applicant has provided sufficient evidence to demonstrate that there are no other sequentially preferable sites that are available, suitable or deliverable at this time. Equally, given that this is a temporary proposal, the building would be removed upon closure and land restored to mirror the wider landfill restoration.

Given these benefits, it is considered that this amounts to the very special circumstances necessary to overcome the policy presumption against inappropriate development in the Green Belt and any harm caused. Should planning permission be granted, it is recommended that a condition be imposed to ensure operations cease by 2027 and to secure the full restoration of the site. On this basis, the scheme does not conflict with Policy 15 of CRWLP, Policy GC1 of MBLP, along with the approach of the NPPF and PPS10.

Alternative sites – Compliance with Policy 5
For development not located on preferred sites in CRWLP, the applicant must demonstrate that:

I. the preferred sites are either no longer available or are less suitable than the site proposed; or
II. would meet a requirement not provided for by the preferred sites; and
III. the proposed site is located sequentially to meet the development needs within the Regional Spatial Strategy.

A detailed site search exercise has been undertaken by the applicant to assess in land use planning terms, all potentially suitable sites within a 20 minute drive time of Macclesfield, including those urban areas just beyond the catchment (i.e. Congleton, Prestbury and Bollington). The 20 minute drive time used in the assessment is considered reasonable given the need to ensure a sustainable and efficient waste collection service.

A list of 33 potential sites were identified from a range of sources including:

- preferred sites of the CRWLP;
- sites identified to inform the preparation of the CRWLP (Entec 'Search for Potential Waste Management Sites' Report); and
- B1, B2 and B8 employment allocations in the Congleton and Macclesfield Borough Local Plans.

After discounting those already fully developed or subject to alternative allocations or uses, the remaining 28 sites were assessed against a range of locational criteria as defined in PPS10 including individual site/environmental characteristics, neighbouring land uses and

access constraints and unsuitable sites discounted. The 5 remaining after this process were investigated further and were subsequently discounted on the basis of:

- CRWLP preferred site WM10 (Hurdsfield Industrial Estate) – units were either being used for office development or were considered too small to accommodate the operational requirements of the WTS;

- MBLP allocation E3/E4 (Lyme Green Employment and Business Park) – presence of high end flagship stores makes WTS inappropriate due to proximity to sensitive receptors;

- MBLP allocation E4 (Fence Avenue, Macclesfield) – limited number of available units and constrained by scale/design; presence of high profile retail uses made the proposed land use inappropriate; access to the site is constrained and internal access arrangement unsuitable.

- MBLP allocation E5/E6 (Land south and west of Moss Lane, Macclesfield) – unsuitable access off Moss Lane; undeliverable until new distributor road is constructed; considered too close to sensitive receptors; potential cumulative impacts with the Henshaws waste management facility.

- CRWLP preferred site WM17/WM18 (Radnor Park Congleton) – no available plots capable of accommodating a WTS.

In terms of Policy 5, the Danes Moss site lies within the Green Belt and is not defined as previously developed land (as per the NPPF definition). Thus sites in CRWLP, MBLP or other previously developed land in the urban area would be sequentially preferable. However, the applicant has demonstrated that all other sequentially preferable sites within the catchment have been considered and ruled out as they were:

- Either not suitable for a WTS of this scale and nature,
- Not available at the time, or
- Not deliverable for this use at this time.

The use of this site enables a co-location of complimentary land uses which is supported by PPS10. It would:

- generate similar operational impacts on local amenity
- result in a reduced traffic levels
- offer efficiencies in service provision and more sustainable resource use.

The site also has good access to the A classified road network which will be required for the onward transportation of bulked up waste from this site.

In respect of unallocated sites for new waste management facilities, PPS10 says these should be considered favourably when consistent with the policies of PPS10 (paragraph 21) and the waste planning authorities core strategy. Particular considerations include:

- physical and environmental constraints, such as any potential land use conflict,

- the capacity of transport infrastructure to support the sustainable movement of waste, nature conservation and protection of water resources, and
- the cumulative effects of waste facilities on the amenity of the local community and on the environment.

In respect of specific site/environmental benefits of Danes Moss landfill, the applicant identifies the following:

- Close proximity to major centre of waste generation;
- Remote location from sensitive receptors, the closest being approximately 200m to the north west;
- Existing vegetative screening around the site boundary;
- Direct synergies to the HWRC also located on the landfill;
- Similar land use impacts to the existing landfill;
- Ability to operate the WTS within the environmental controls already established for the landfill;
- The facility can operate without giving rise to unacceptable environmental impacts;

Whilst the CRWLP still remains the Development Plan, it is acknowledged that due to the age of the CRWLP (2007), many of the preferred sites have been built out and are no longer available. Equally, it is also noted that the emerging Cheshire East Local Plan Development Strategy identifies as a strategic site for new development, two of the CRWLP preferred sites at WM13 (forming part of the South Macclesfield Development Area) and WM10 (forming part of Macclesfield Town Centre) which propose a range of uses including residential, retail, and employment land along with the provision of a relief road.

On the basis of the findings of the alternative site assessment, and significant sustainable waste management benefits arising from the use of Danes Moss, including the benefits of co-location of similar land uses, it is considered that the applicant has demonstrated there are no other more suitable or sequentially preferable sites at this time for the provision of a WTS within a sustainable drive time catchment of Macclesfield. As such, the scheme meets the requirements of CRWLP Policy 5 and the approach of PPS10.

Impact on water quality

The scheme proposes to manage surface and foul water on site in line with current operations. Clean surface water will be managed through the existing on-site landfill drainage system via trapped gullies, oil interceptor and new surface water drain. The limited amount of foul water arising from the scheme would be managed via a sealed tank and removed to a waste water treatment facility.

PPS10 makes clear that it should be assumed the relevant pollution control regime is properly applied and enforced. The scheme will require an Environmental Permit which will be regulated by the Environment Agency (EA). This will consider any potential pollution to water resources. Given that no objections are raised by the EA and the scheme proposes to utilise existing landfill drainage arrangements, it is considered that there would be no adverse impact on ground/surface water quality or resources. As such, the scheme accords with policy 18 of CRWLP and policies DC19 and DC20 of MBLP, along with the approach of PPS10 and NPPF.

Highways
A Transport Statement (TS) has been submitted to assess the predicted future traffic demands arising from the facility including the cumulative impacts until 2015 with the landfill, WTS, HWRC and leachate plant all in operation.

The TS highlights that there will be no increase in traffic arising from the delivery of waste to the facility as it will effectively replace the landfill, so existing waste deliveries will be redirected into the WTS. However, new additional movements would arise from the export of bulked up waste. Equally, whilst there would be a cessation of vehicle movements associated with landfill engineering works upon closure of the landfill in 2014, a number of vehicle movements would remain until 2015 for the landfill restoration works.

On the basis of the proposed 60,000tpa throughput, this equates to an average weekday HGV demand for 74 HGVs vehicle movements (37 in and 37 out) for waste deliveries; and a further 24 HGV movements (12 in and 12 out) for export of bulked up waste; resulting in a total requirement for 100 HGV movements (49 in and 49 out). Peak rush hour demands are predicted to be limited, representing only 5.5% of the daily flow. When compared against current landfill operational traffic, the TS identifies that the predicted future vehicle movements arising from the WTS would result in an overall net decrease in operational trip movements to/from the site. As such, it is unlikely to result in material highway operational issues. The TS also notes that the predicted daily movements are well below the existing 400 HGV movements (200 in, 200 out) permitted for landfill; and this maximum HGV operating limit was re-confirmed as being appropriate by the Local Highways Authority in the grant of the landfill extension of life in 2009.

In relation to the cumulative impacts arising in the 12 month period up to 2015, when the WTS will be operated alongside the HWRC, leachate plant and the landfill restoration, the TS identifies that the main site access junction will operate efficiently with some element of spare capacity. As such, it concludes that the WTS would not result in a material change in the operational capacity conditions over the local highway network.

Whilst the TS predicts that the scheme will generate an average weekday HGV demand for 100 movements (49 in, 49 out), the applicant has requested that an element of flexibility be built into the restriction on daily vehicle movements to cater for fluctuations in demand and unexpected disruption to collections (e.g. caused by adverse weather conditions). A 50% daily buffer is proposed to provide for such scenarios which would enable up to 150 (74 in, 74 out) daily HGV movements. It is considered that a planning condition could be imposed to provide for this flexibility whilst ensuring that the cumulative vehicle movements on site (including those generated by the landfill restoration) would remain within the 400 movements limit provided by the landfill consent. In order to prevent the facility from being able to operate beyond their proposed annual capacity, the applicant is happy to accept a planning condition restricting the overall tonnage limit of the facility to 60,000tpa. A planning condition is also recommended to ensure that the WTS will not be operational until such time as landfilling activities (aside from landfill restoration) have ceased. On the basis that, cumulatively, the scheme will not result in any exceedance of the current permitted HGV movements for the landfill (at 400 movements (200 in, 200 out) the Highways Officer raises no objection to this provision.

Material to the consideration of any highways issues is the previous grant of permission for the WTS, which considered the impact on the local highways network to be acceptable, and which proposed a larger throughput of waste than is proposed by this scheme. Importantly, the subsequent consent for the WTS (5/08/0639P) permitted a maximum of 400 HGV movements (200 in, 200 out), which was granted in addition to the same vehicle allowance provide for on the landfill consent (09/0761W). This is substantially more than is being proposed by this scheme.

In respect of site access, the TS identifies that no off-site highway improvements would be required to facilitate the scheme as the traffic demands can be accommodated by the existing site junction layout which currently serves the landfill and other associated facilities on site. The Highways Officer also considers that the junction with the A536 is of a good standard which provides more than adequate visibility. Internally, the scheme will require a realignment of the existing access road to serve the WTS and weighbridge. The details of the access realignment can be secured by planning condition.

In view of the above, it is considered that the level of traffic would not exceed the capacity of the local road network and there are adequate access arrangements for the nature and volume of traffic proposed. Subject to the imposition of the above planning conditions, the scheme accords with Policies 11 and 28 of CRWLP; and Policies DC3 and DC6 MBLP; along with the provisions of PPS10 and NPPF.

Noise

Local residents have raised noise impacts arising from the facility as a particular concern. A noise impact assessment has been submitted to assess the likely impacts arising from the construction and operation of the scheme. Background noise measurements were undertaken at the nearest sensitive receptors during a typical weekday period and on a Sunday to establish the worst case scenario for baseline noise levels. Measurements at over ten similar WTS facilities over the past 5 years were used to determine the noise levels likely generated by this facility.

Construction noise impacts

The assessment identifies that construction noise impacts are likely to vary depending on the phase of construction and time of day. The greatest impact associated with the construction of the building and soil movements. However, this is not expected to exceed unreasonable levels (according to relevant guidance) and, given the distance to sensitive receptors and timescales involved, the Environmental Health Officer considers that the impacts can be minimised through implementation of good practice measures. Planning conditions are also recommended in respect of hours of operation and details of piling activities.

Operational noise impacts

The main operational noise impacts are likely to arise from fixed and mobile plant and road traffic noise. Noise impacts are likely to be greatest on Sundays when background noise levels are lowest.

The most relevant noise guidance for this type of facility recommends that the noise level should not exceed background noise levels by more than 5dB(A) to avoid likelihood of complaint. During this time, the assessment identifies that the predicted noise levels at the nearest residential boundary, with the implementation of noise mitigation, would range from

41dB(A) to 43dB(A) Leq. This is lower than existing ambient noise levels and between -0.1dB(A) to -12dB(A) below existing background noise levels. These results are below reasonable noise limits set in relevant guidance (i.e. below the limit where complaint is likely). The assessment also considers the cumulative effects arising from on-site vehicle movements and operation of fixed plant and identifies this as being neutral to negligible.

The noise assessment includes a worst case scenario for road traffic noise up until 2015 arising from the combined operation of the WTS, HWRC, Leachate plant and landfill restoration. During this period, noise levels would increase by up to 2.7 dB(A), after which this drops to 1.3 dB(A) reflecting the completion of the landfill activities. In accordance with relevant DMRB guidance, any noise increase up to 3dB(A) is considered as negligible impact in the short and long term and is therefore not considered a significant impact.

The conclusions of the assessment are that noise levels from the proposed development are unlikely to cause complaint at the nearest residential receptors and will fall well within relevant noise standards. This is based on the assumption that recommended mitigation measures are implemented and maintained.

In terms of mitigating specific construction impacts, a detailed construction management plan would be to be developed, which includes provision for:

- Restriction on construction hours to non-sensitive times of the day;
- Careful positioning of plant to minimise noise radiating towards sensitive receptors
- All plant fitted with appropriate silencers, acoustic hoods
- Adoption of best practical means
- Use of best practical means to control construction noise on site (e.g. maintenance of equipment, use of low noise plant, limited use of reverse alarms etc)

For the operational noise impacts, the Environmental Health Officer recommends a number of planning conditions. These include provision of a noise mitigation scheme to require:

- the approval of the detailed acoustic design for the reception building and fast shutting roller shutter doors;
- maintenance of all on-site mobile plant and fitting of silencers and white-noise reverse alarms.
- use of mobile plant to avoid unnecessary banging and scraping of loading buckets;
- compliance with noise limits specified in the relevant planning condition.

Further planning conditions are also recommended to:

- secure a scheme of noise monitoring;
- limit waste movements after 1300 hours on Saturday to HWRC waste only;
- limit a maximum of 3 vehicles before 10am on Sundays.

The Environmental Health Officer considers that these measures will protect residential amenity and ensure that noise mitigation is optimised at the most sensitive times of day.

It is also important to note that the noise impacts arising from a WTS of the same design and location were previously considered acceptable in the grant of consent 5/08/0639P. This

scheme would have greater restrictions imposed by planning condition in respect of limited vehicle movements on Sundays and more stringent noise controls.

On the basis that the noise mitigation is secured by planning condition, and taking into account the operational times and distance to sensitive receptors, it is considered that the impact on residential amenity arising from noise generated by the scheme would not be significant and would not give rise to any unacceptable levels of noise pollution or significantly injure the amenity of nearby sensitive receptors. The scheme therefore accords with Policy 23 of CRWLP and Policy DC3 of MBLP, along with the approach of PPS10 and NPPF.

Air Quality

Odour

The impact of odour emissions on local amenity is a particular concern of local residents. PPS10 makes it very clear that the planning and pollution control regimes are separate but complimentary and the planning system should not concern itself with the control of pollution arising from daily operations on the site. Instead this falls to the Environment Agency to regulate through the Environmental Permit. The potential for odour to impact on local amenity is still a material planning consideration. In this regard, the applicant has submitted an odour mitigation statement which outlines the proposed building design features and good site management practices which could limit fugitive odour emissions arising from the scheme.

In terms of the scheme design, the building is positioned to the east of the HWRC which allows maximum separation distance from sensitive receptors (approximately 200m to the west). All waste would be unloaded and stored within the confines of the WTS building. The roller shutter doors have been positioned to face away from sensitive receptors, and placed on adjacent walls to prevent through-flow of air. The doors would remain closed aside from allowing for movement of waste vehicles, whilst the personnel doors would be equipped with self closing devises. The internal arrangement of the building enables waste to be kept away from the door openings. Aside from the doors, no other windows or large permanent openings are proposed to avoid direct sunlight into the building and thus maintain a low internal temperature. In addition all vehicles involved in the transportation of waste will be fully sheeted. These matters could be secured by planning condition.

Waste being received would be part of a known contract and the applicant states that they could therefore control the quantity of waste being stored to limit the time from deposit to removal. Although the temporary WTS building has a capacity to store waste for up to five days, the applicant states that every effort would be made to remove waste by the end of each working day, with only limited quantities stored overnight. This should ensure that odour is kept to a minimum.

The applicant has highlighted a number of good site management practices which will also assist in minimising odour:

- Malodorous waste being removed from site as a priority;
- No unnecessary handling of residual waste;
- Residual waste removed from site in bulk within sheeted or fully enclosed waste transport vehicles

- Regular cleaning of internal machinery, wheel loaders and operational areas of the WTS building
- Development of a site management schedule (required as part of the Environmental Permit) including provisions for site maintenance, monitoring of odours and weather conditions, use of mobile odour suppressant unit and complaints procedure to ensure efficient remedial action.

The odour statement concludes that the odour levels experienced outside the WTS building are likely to be no greater than that associated with the adjacent HWRC. Given the nature of proposed development, prevailing wind direction (south westerly and thus away from the majority of sensitive receptors) and implementation of good building design/site management practices, the statement considers the risk of odours to be negligible.

Whilst the Environmental Health Officer remains concerned over the potential for fugitive emissions arising from this facility, he does recognise that the detailed odour control measures would be assessed and secured through the Environmental Permit. In accordance with PPS10, the Council have to assume the necessary regulatory controls are properly imposed and enforced. The Environmental Permit will contain adequate provisions to ensure the scheme is operated without waste management activity is carried out without causing a nuisance through odours, and the Environment Agency have no objection to this scheme. The Environmental Health Officer recommends the imposition of a planning condition to secure an odour mitigation scheme in order to ensure the mitigation detailed above is secured to protect the amenity of local residents. It is also important to note that the impact of odour arising from this scheme was considered acceptable in the grant of the previous consent for this facility.

Dust

In terms of dust impacts, the applicant has stated that, given the nature of the proposed development, the distance to sensitive receptors and the implementation of mitigation, the impacts of dust will be negligible. Mitigation proposed includes:

- sheeting of all vehicles involved in the transportation of waste;
- manual sweeping of the site and use of wash down facilities;
- use of hardstanding for areas trafficked by HGVs.

The Environmental Health Officer notes that the deposit and movement of waste has the potential to generate dust emissions. As such, a planning condition is recommended to ensure the use of suitable good practice measures to limit dust generation on site.

Given that the Environmental Permit will control air pollution arising from the operational aspects on site, it is considered that any remaining harm to local amenity arising from air quality emissions can be adequately controlled through the imposition of planning conditions. As such, subject to the imposition of these controls, the scheme will not have an unacceptable impact on the amenity of sensitive receptors by reason of air quality impacts and accords with Policy 24 and Policy 25 of CRWLP, Policy DC3 of MBLP along with the approach of PPS10 and NPPF.

Windblown Litter

There is concern by local residents that the scheme could give rise to additional windblown litter. All handling of waste would be undertaken within the confines of the WTS building with the roller shutter closed apart from to allow vehicle access. Furthermore, any vehicles involved in the transportation of waste would be covered or securely sheeted. As such, the proposal would not give rise to significant impacts from windblown litter. Should planning permission be granted, these issued would be secured by condition. This would accord with Policy 25 of CRWLP, Policy DC3 of MBLP, as well as the approach of PPS10 and NPPF.

Landscape, Visual and Aboricultural Impacts

In view of the location of the site within the landfill and enclosed by the screen boundary planting and landform of the landfill, the landscape and visual assessment identifies the effects of the scheme would not be significant.

The development would be situated alongside waste management infrastructure including the HWRC, the leachate treatment plant and waste to energy compound. Moreover, the landscape and visual impact of a waste transfer building has already previously been accepted in the grant of the temporary WTS ref: 5/08/0639 which proposed the same scale and height of building as this scheme. The difference with this submission is the longer timescale proposed for the facility.

Overall, the landscape and visual assessment identifies that this extended timescale would lead to little or no appreciable difference in effect over that provided in the original scheme.

In view of the fact that this is no difference in landscape or visual impacts to that presented by the previously consented application, the Landscape Officer does not raise any objections on landscape or visual grounds. A landscape scheme has been submitted for both the interim landscaping proposals whilst the building is in operation, and following restoration of the site. The details provided are considered acceptable in principle and would complement the approved restoration proposals for the landfill. The final detailed landscaping and restoration scheme for the site can be secured by means of planning condition to ensure an overall net benefit to the local landscape.

Arboricultural Impacts

The proposed development requires the removal of a number of trees which form a small copse to the east of the HWRC. These are not visible from Congleton Road, but form part of the landscape within the internal aspect of the Danes Moss Landfill Site. Their value lies in their collective presence, and the Forestry Officer does not consider that they are an important or significant component of the landscape. As such, their removal would only have a moderate impact on the amenity of the local area. It is considered that this loss could be compensated by supplementary planting of native woodland to achieve an overall net gain of tree cover on the site as part of the detailed landscaping scheme to be secured by panning condition.

Subject to the provision of detailed landscaping scheme, the scheme is considered to comply with policy 11 and policy 14 of CRWLP as it would not have an unacceptable impact on the landscape or any trees on the site. It also complies with DC1, DC3 and DC9 of MBLP.

Ecology

Part of the application site is made up of existing vegetation planting and scrubland. The site is also located approximately 700m from the Danes Moss Site of Special Scientific Interest (SSSI) and Danes Moss Local Wildlife Site (LWS) is located within 200m of the site boundary. The ecological appraisal identifies that, due to the small size and nature of the proposal and distance from the SSSI, no indirect impacts are predicted. Equally, no indirect impacts are predicted on the Danes Moss LWS as the there are no watercourses on or near the site and it is unlikely that it is hydrologically linked to the peatland LWS.

Badgers
In terms of impact on badgers, the ecological appraisal identifies that the habitats present limited opportunity for sett building and provide poor quality foraging. A sett was previously recorded approximately 100m from the application site. However, no disturbance is envisaged by this scheme, subject to careful construction techniques. To ensure no new setts have been created prior to site construction, a brief check of all areas within 30m of the site is recommended. The ecological appraisal identifies a potential for obstruction of badger movement during the construction period and mitigation measures are recommended to protect the species. No additional risk to badgers traversing the internal access road is anticipated following its realignment as badger movement is limited during the daytime.

Bats
Two buildings approximately 25m from the site are considered to have limited bat roost potential. Appropriate measures are recommended to avoid disturbance to these buildings. A small number of bat boxes are proposed to enhance the potential roosting resource. The ecological appraisal identified that the site is unlikely to have more than limited potential value to foraging bats and not potential significant linear commuting features will be impacted. The appraisal provides a range of design mitigation and wildlife enhancement measures to be incorporated into landscape/restoration proposals.

Breeding Birds
Potential impact on breeding birds will be largely associated with species nesting in the surrounding vegetation or grassland, along with temporary disturbance during construction. The ecological appraisal recommends construction work to avoid bird breeding times and identifies suitable habitat creation/enhancement measures which include provision of six bird boxes to offset any short term loss of potential nesting habitat. It also recommends the establishment of an appropriate buffer around nesting areas to avoid potential disturbance of nesting birds during construction.

Habitats
The Nature Conservation Officer notes that the habitats present on site have some nature conservation value in the local context. However, the habitats are highly artificial, disturbed and are of recent origin. As such, the proposed development is not anticipated to lead to a significant loss of biodiversity. The proposed restoration of the site to rough grassland and native species plantation woodland is considered acceptable. The Nature Conservation Officer recommends the detailed design of the landscape/habitat restoration scheme to be secured by planning condition, with provision of a new wildlife pond to deliver a significant gain for nature conservation in accordance with the NPPF.

A number of planning conditions are also recommended in line with the ecological appraisal, to safeguard the retained areas of habitat during the construction phase, provide for a badger

survey prior to commencement of works, safeguard breeding birds and ensure additional provision is made for nesting birds and roosting bats.

Toad
Common toad, a UK BAP species, has been recorded on site in considerable numbers. However, considering the scale of the proposed development the adverse impact on this species is unlikely to be significant other than at the very local scale. The provision of a pond as part of the restoration proposals for the site would be of significant benefit for this species, a matter which can be secured by planning condition.

In view of the conclusions of the ecological appraisal and views of the Nature Conservation Officer, subject to the imposition of conditions as detailed, it is considered that the scheme would not have any unacceptable direct or indirect impact on any nature conservation assets or protected species. As such, it complies with policy 11 and 17 of CRWLP and policies NE11 and NE12 of MBLP, along with the approach of PPS10 and NPPF.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The application is for a temporary waste transfer station (WTS) at Danes Moss Landfill to bulk up residual municipal solid waste, and commercial and industrial waste until sufficient quantities are available for export to an appropriate facility. The WTS would replace Danes Moss Landfill which will close in 2014, and would operate until 2027. The application is a re-submission of an earlier scheme for a temporary waste transfer station which was approved in 2008 (Ref: 5/08/0639P) with the key differences being the longer operational timescale proposed, and a lower anticipated overall throughput of waste. The scheme retains the same design, scale and location as was previously approved.

The application site lies in the Green Belt, albeit 40m from its northern boundary with Macclesfield urban area. As such, very special circumstances should be demonstrated to justify any harm to the Green Belt by reason of its inappropriateness. The scheme, due to it size and location, is likely to present a degree of impact on the visual amenity and openness of the Green Belt.

PPS10 makes it clear that the locational needs of some types of waste facilities, together with the wider environmental and economic benefits of sustainable waste management are material considerations which should be significant weight in the assessment of an application. A key consideration in this respect is that this is a re-submission of an earlier scheme for a WTS of the same scale, design and location which was granted approval in 2008.

The scheme provides a temporary WTS to manage waste arisings in the north of the authority following the closure of the landfill. The emphasis of sustainable waste management is to provide an efficient network of facilities to help communities manage their own waste without it being transported over long distances. In this respect the scheme would provide an important facility to meet an identified gap in provision, which is identified as a requirement in the Cheshire wide Waste Needs Assessment 2011. Given the current imbalance of facilities in the north of the authority, once the landfill closes, waste would need to be transported over

significant distance, which is neither efficient, cost effective nor sustainable. The scheme will also help to drive waste up the waste hierarchy and contribute towards targets set in national and European waste policy/legislation.

The benefits deriving from the co-location of complimentary land uses on the landfill site are highlighted by the applicant, including potential to minimise infrastructure requirements, use of resources, ability to manage environmental impacts effectively, direct synergies to the HWRC and providing similar land use implications.

An extensive alternative site search has been undertaken which considered all preferred sites in the CRWLP, employment allocations in MBLP and other potentially sequentially preferable sites within the catchment area. After initially discounting any unavailable sites, a total of 28 were then assessed against a range of locational criteria as defined in PPS10 including individual site/environmental characteristics, neighbouring land uses and access constraints. From this 5 were taken forward for further investigation. Subsequent detailed analysis identified that these were unsuitable due to deliverability, availability, size or locational constraints such as being located in close proximity to sensitive receptors, unsuitable access arrangements or potential for cumulative impacts with other waste land uses. On the basis of the findings of this assessment, and the significant sustainable waste management benefits arising from the use of Danes Moss, it has been demonstrated that there are no other more suitable or sequentially preferable sites at this time to accommodate a WTS within a sustainable drive time of the Macclesfield catchment.

It is considered that the strategic function of the WTS in this location, importance of meeting European and national waste targets, and the demonstration that there is no other sequentially preferable site available for this facility presents the very special circumstances to justify the development in the Green Belt. Regard is also given to the previous grant of consent for a WTS which accepted these material considerations as being significant enough to justify any harm to the Green Belt.

Whilst the scheme is likely to generate some important environmental issues which would require careful mitigation, the imposition of suitable planning conditions can ensure any residual impacts are minimised effectively. With respect to impacts arising from environmental pollution such as odour, PPS10 makes it very clear that this falls to the Environment Agency to regulate through the Environmental Permit, and it is considered that any remaining impact on local amenity arising from the scheme can be adequately managed by suitable planning conditions and good site management practice.

With respect to impacts on the local highway network, the Transport Statement (TS) identifies that the future vehicle movements arising from the WTS would result in an overall net decrease in operational trip movements to/from the site when compared against current landfill operational traffic, and as such is unlikely to result in material highway operational issues. Taking into account cumulative impacts of all waste infrastructure being operated together (i.e. up to 2015) the TS identifies that the main site access junction will operate efficiently with some element of spare capacity. Overall it concludes that the WTS would not result in a material change in the operational capacity conditions over the local highway network. Some element of flexibility in restrictions on vehicle numbers is proposed by the applicant to take account of disruptions to collects (e.g. following poor weather). It is considered that this flexibility can be secured by planning condition whilst ensuring that

cumulative vehicles movements on the site remain within the existing limit imposed on the landfill. As such there would be no detrimental impacts on the local highway network as the level of traffic would not exceed the capacity of the local road network and there are adequate access arrangements for the nature and volume of traffic proposed.

Overall a careful balance needs to be achieved between the protection of the Green Belt, environmental considerations and the wider strategic waste management objectives established in European/national waste policy and legislation. In this instance it has been demonstrated that the benefits derived from this facility in contributing to a sustainable network of waste management facilities and in helping communities to manage their own waste without transporting it over long distances outweigh other policy considerations, especially given the current shortfall and imbalance of waste management facilities close to Macclesfield as a major centre of waste generation. As such the scheme meets the objectives of PPS10 and CRWLP and supports the provisions of National and European waste management policy. Therefore, the application is recommended for approval.

RECOMMENDED:

That the application be referred to the Secretary of State under The Town and Country Planning (Consultation) (England) Direction 2009 [as Green Belt Development] with a recommendation that the application be approved subject to the following:

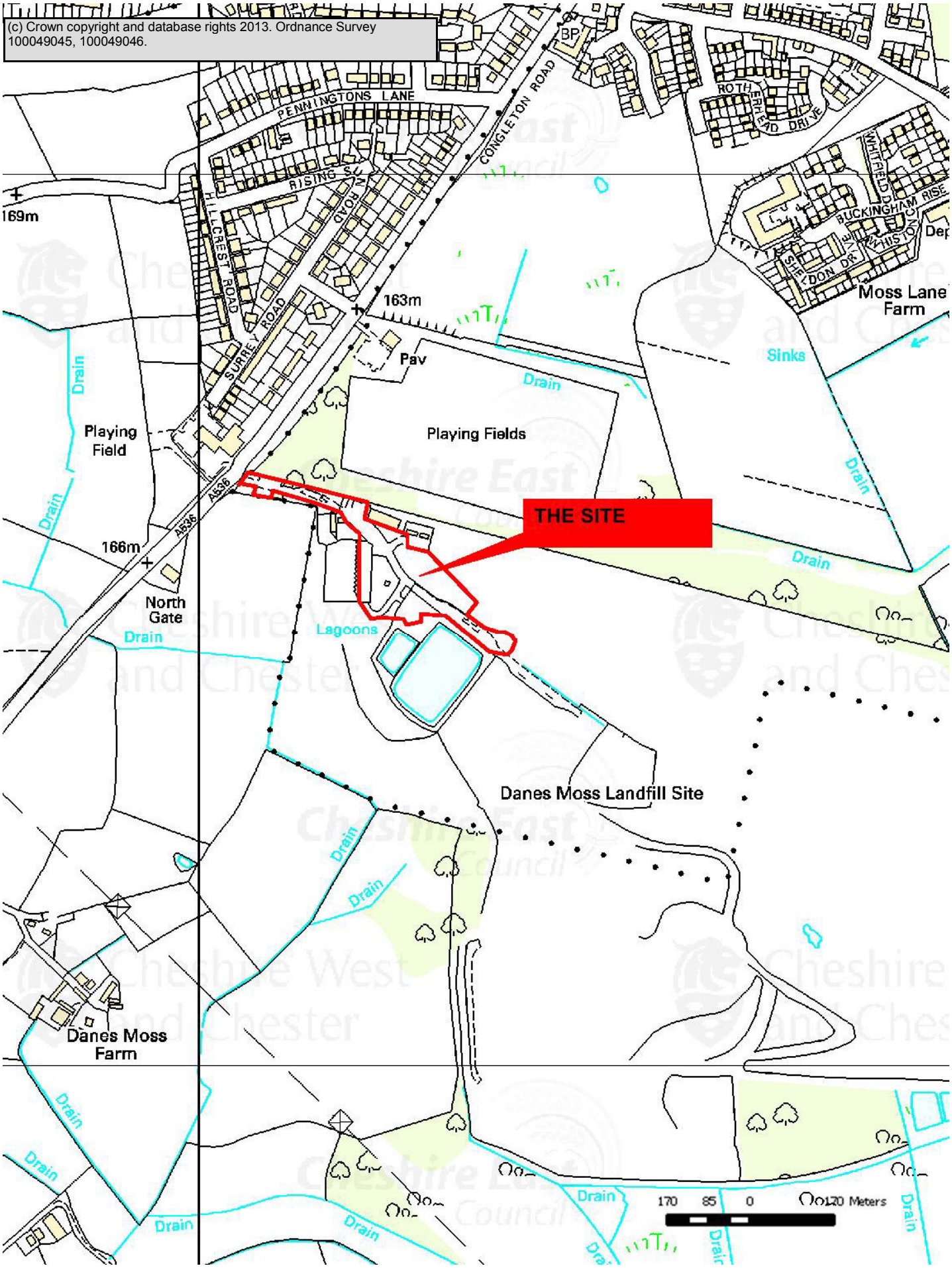
1. **Standard conditions**
2. **No operation of the WTS until all landfilling ceases (not including restoration activities)**
3. **Cessation of WTS by 31st December 2027**
4. **Restricted overall throughput of 60,000tpa**
5. **Restrictions on processing of waste**
6. **All waste unloading/handling to take place within the building**
7. **Roller shutter doors to remain closed, aside from when in use by vehicles**
8. **Hours of working**
9. **Scheme for the control on dust**
10. **Restrictions on highway movements, including no more than 3 vehicles before 10am on Sundays**
11. **Access arrangements**
12. **Sheeting of vehicles**
13. **Submission of details of building materials**
14. **Noise mitigation scheme**
15. **Details of piling activities**
16. **Set noise levels**
17. **Scheme of noise monitoring**
18. **Odour mitigation scheme**
19. **Scheme for foul/surface water disposal**
20. **Control of water pollution**
21. **Details of lighting and restrictions on its use**
22. **Badger survey**
23. **Breeding bird survey and bird/bat mitigation**
24. **Safeguarding of retained habitat during construction**
25. **Construction environmental management plan**
26. **Landscape scheme (whilst building in operation)**

27. **Final restoration scheme (once building is removed)**

Procedural Matters

The Town and Country Planning (Consultation) (England) Direction 2009 requires resolutions to grant permission for inappropriate development to be referred to the Secretary of State where it involves the provision of a building or buildings with a floorspace of 1000 square metres or development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt.

In view of the potential impacts of the scheme on the openness of the Green Belt, should planning permission be approved on this scheme, the application would be referred to the Secretary of State to provide them with an opportunity call the application in for their own determination.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PENNINGTONS LANE
CONGLETON ROAD
BP
ROTHERHAM DRIVE
WHITFIELD
BUCKINGHAM RISE
WHISTON
DON DR
RISING SUN ROAD
HILLCREST ROAD
SURREY ROAD
169m
163m
Pav
Moss Lane Farm
Sinks
Drain
Playing Field
Playing Fields
A536
166m
THE SITE
North Gate
Lagoons
Danes Moss Landfill Site
Danes Moss Farm
170
85
0
120 Meters