

Application No: 14/2991W

Location: ANT SKIP HIRE, TURF LANE, MACCLESFIELD

Proposal: Change of use to allow the transfer of waste from the applicants skip hire business.

Applicant: Mr Ant Henshaw, ANT Skip Hire

Expiry Date: 21-Oct-2014

SUMMARY RECOMMENDATION: Refuse

MAIN ISSUES:

- Principle of the Development
- Highways
- Residential Amenity
- Visual Amenity
- Design

REASON FOR REFERRAL

This application has been referred to the Strategic Planning Board, as the scheme involves major waste application.

DESCRIPTION AND SITE CONTEXT

The application site comprises an area of land 0.17 hectares in size and is situated at the southern end of Turf Lane, Macclesfield. It currently operates as a car breakers yard and skip hire business. The surrounding area is a mix of industrial premises including two neighbouring waste and scrap metal businesses. The access road from Moss Lane is a narrow track in a poor state of repair.

The site is designated as being within the settlement boundary of Macclesfield and land identified for the South Macclesfield Development Area in both the adopted local plan and the emerging local plan strategy. The site is also within preferred site WM13 – Lyme Green, Macclesfield in the Cheshire Replacement Waste Local Plan.

DETAILS OF PROPOSAL

The application seeks full planning permission for a waste transfer station. The proposal would comprise the sorting of skip waste by hand and machine into various recyclable

materials, namely cardboard, timber, plastics hardcore, soils and metals. The materials would then be sent off site to facilities that re-process them into raw materials.

The amount of waste anticipated to be received at the site is 5,000 tonnes per annum with vehicle movements of 50 per day (25 in 25 out).

Concrete bays would be constructed within the site for the sorting and short term storage of the waste and a new perimeter fence would be erected.

RELEVANT HISTORY

80036P 1995 Certificate of lawful existing use as car breakers yard

POLICIES

Local Plan Policy

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 4: Preferred Sites for Waste Management Facilities
- Policy 5: Other Sites for Waste Management Facilities
- Policy 12: Impact of Development Proposals
- Policy 14: Landscape
- Policy 17: Natural Environment
- Policy 18: Water Resource Protection and Flood Risk
- 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)(MBLP)

- BE1: Design Guidance
- T6 and T10: Highway Improvement and Traffic Management
- DC1: New Build
- DC3: Amenity
- DC6: Circulation and Access
- DC13 and DC14: Noise
- DC16: Provision of Facilities

DC17, DC19, DC20: Water Resources
E6: New Employment Land Allocations

National Planning Policy and Guidance

National Planning Policy Framework (2012) (NPPF)
PPS 10: Planning for Sustainable Waste Management (PPS10)

Other Material Considerations

The revised EU Waste Framework Directive 2008 (rWFD)
Government Review of Waste Policy in England 2011 (WPR)
Waste Management Plan for England 2013 (WMP)
Cheshire Consolidated Joint Waste Management Strategy 2007 to 2020
Cheshire East and Cheshire West and Chester Councils Waste Needs Assessment Report ('Needs Assessment')
Consultation on updated Planning Policy Statement 10

Cheshire East Local Plan Strategy – Submission Version (CELPS)

Paragraph 216 of the National Planning Policy Framework (NPPF) states that, unless other material considerations indicate otherwise, decision-takers may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In view of the level of consultation already afforded to the plan-making process, together with the degree of consistency with national planning guidance, it is appropriate to attach enhanced weight to the Cheshire East Local Plan Strategy - Submission Version in the decision-making process.

The relevant policies of the ***Cheshire East Local Plan Strategy – Submission Version*** are:

SD 1 Sustainable Development in Cheshire East
SD 2 Sustainable Development Principles
SE 1 Design
SE 2 Efficient Use of Land
SE 11 Sustainable Management of Waste
SE 12 Pollution, Land Contamination and Land Instability
PG 1 Overall Development Strategy
EG 1 Economic Prosperity
EG 3 Existing and Allocated Employment Sites

OBSERVATIONS OF CONSULTEES

Environmental Health:

No objection subject to conditions relating to hours of construction, hours of operation and details of external lighting.

Environment Agency:

No objections but advise that the applicant will need to apply to them for a new permit.

Highways:

Recommends refusal of the application on the grounds of lack of information and severe highway impact.

VIEWS OF SUTTON PARISH COUNCIL

Do not support this application.

OTHER REPRESENTATIONS

At the time of report writing approximately 6 representations have been received including ones from Cllr Druce and the Civic Society. These express concerns about the following issues:

- Pollution
- Noise
- Odour
- Litter
- Dust
- Highway safety
- Vibration from heavy vehicles using the access road
- The area is already blighted by a glut of recycling and waste management facilities
- Unsuitable access road
- Dangerous access to Moss Lane

Engine of the North:

Object to the application on the grounds of substandard access, impact on residential amenity and conflict with the emerging proposals in the South Macclesfield Development Area.

OFFICER APPRAISAL

Principle of the Development

The proposal is for alterations at the site and for its operation as a waste transfer station. In terms of local plan policy, the site is within preferred site WM13 – Lyme Green in the Cheshire Replacement Waste Local Plan (CWRLP), where waste transfer stations are identified as potential uses and therefore the proposal would be in compliance with Policy 4 of the CRWLP.

It is acknowledged that the site lies within the South Macclesfield Development Area (SMDA), which promotes a range of uses including residential, open space, leisure and retail. However this is an existing industrial site and it is considered that allowing its use as a waste transfer station, would not jeopardise the future of the SMDA as it does not involve any increase in the size of the site.

Highways

This application does not offer a Transport Statement and the comments in the Design and Access statement regarding access issues are very limited and vague in detail. It is stated that up to 25 trips will visit the site for 5.5 days per week however trips are usually stated as an even number representing one in and one out per vehicle.

There is doubt therefore that this means 'trips' and probably means vehicles which would double the number of trips. This would elevate the number of visiting vehicles to approximately 140 per week and with no designation on the vehicles it must be taken that they will be heavy commercial given the proposed facility.

The junction of the unadopted track called Turf Lane with Moss Lane does not meet any recognised standard and turning movements are severely restricted. In addition the junction cannot support opposed turning movements of any two vehicles and this will impact on the safe use of Moss Lane if opposed HGV's are reversing and manoeuvring within Moss Lane to negotiate this sub-standard junction mouth.

Due to this lack of information and poor access the Strategic Highways Manager has stated that he cannot support this application. Given the apparent impact and lack of a Transport Statement it is considered that this proposal will be likely to have a severe impact on Moss Lane, both in volume and turning movements, which will be detrimental to highway safety.

The Strategic Highways Manager has therefore recommended refusal of this development due to severe highway impact contrary to Policy B1 (7) of the Macclesfield Borough Local Plan.

Residential Amenity

The site is an existing car breaking and skip hire business not immediately adjacent to residential properties. However, the access road does pass in close proximity to dwellings adjacent to the junction with Moss Lane.

The proposed development is for increased waste handling operations at the site. The nearest sensitive receptor to the site is at the northern end of Turf Lane which is located approximately 240 metres from the site. This residential property, however, is approximately 7 metres from the site access road.

A noise assessment has been submitted with the planning application. It considers the existing noise levels and estimates the potential impacts from the proposed operations and associated vehicle movements. The noise from waste operations on the site are not predicted to have a noticeable impact at the nearest sensitive receptor due to the distance involved although the predictions take into account the sound attenuation due to an effective acoustic barrier at the site. The report refers to the deteriorated state of repair of the existing site fence and refers to the likelihood of an improved fence. It is recommended that the design, installation and maintenance of an effective site barrier is required as a planning condition should planning permission be granted.

The report states that there is a proposed increase in the number of vehicles accessing the site of ten skip vehicle movements and two 32 tonne HGV movements. It is assumed here that a 'movement' means one vehicle in and out. Therefore there would be a total of 50 additional vehicles passing the most sensitive receptor. This additional traffic is unlikely to have a noticeable increase on long term noise statistics nor the maximum noise level (Lmax) for any vehicle pass on existing levels. However, the Lmax for each vehicle movement is relatively high and the number of high noise episodes would increase accordingly. It is considered that this would cause an increase in disturbance at the residential property on Turf Lane. Site observations are that the noise from passing vehicles is exacerbated by the poor state of the road surface on Turf Lane. This causes impact noises and the re-suspension of dust particles and this could be considered as intrusive to residents. An increase in heavy vehicles on this road is also likely to decrease the quality of the road surface. Consideration should also be given to the residential areas near to Moss Lane which is already used by HGVs serving existing industrial sites.

Given the concerns relating to traffic impacts it is considered that planning conditions are attached to any planning permission should consent be granted. These should relate to the repair and maintenance of the road surface on Turf Lane, the number of vehicles accessing the site and the hours of operation/hours of vehicle access.

Visual Amenity

The actual site of the facility is in an existing industrial area and it is considered that the use as a waste transfer station and the sorting bays would not have any significant additional adverse impact on the visual amenity in the area. The development is therefore considered to be in compliance with Policy NR3 of the Macclesfield Borough Local Plan.

Design

The alterations at the site comprise the provision of concrete waste bays and concrete and steel panels on the boundaries. The waste bays would be 3m in height and the replacement fencing 2.5m in height. It is considered that these would appear appropriate in their context and the replacement fencing would represent an improvement to the appearance of the site. The proposal is therefore considered to be acceptable in design terms and in compliance with Policy BE1 of the Macclesfield Borough Local Plan.

CONCLUSIONS

In conclusion, the proposal is acceptable in design and visual amenity terms. Impacts on residential amenity could be controlled and mitigated by the imposition of conditions.

The development would however, result in severe harm to highway safety due to the increase of vehicle movements on a sub-standard access road and sub-standard junction with Moss Lane.

Therefore, the application is recommended for refusal.

RECOMMENDATION

Refuse for the following reason:

- 1. The proposed development would be contrary to the interests of highway safety since it would result in an intensification of the use of Turf Lane and the junction of Turf Lane and Moss Lane which are both sub-standard, contrary to the requirements of Policy DC3 (7) of the Macclesfield Borough Local Plan and Policy SE 12 of the Cheshire East Local Plan Strategy - Submission Version..**

Application for Full Planning

RECOMMENDATION:

1. R12HW - Use of sub-standard access
2. L
Plan

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