

Planning Reference No:	10/1327C
Application Address:	Land adjacent to Midpoint 18 Industrial Estate, Holmes Chapel Road, Middlewich.
Proposal:	Erection of steel fence approximately 2.5 metres high above existing brick boundary wall.
Applicant:	TW Frizell (Haulage & Plant Hire) Ltd, 344 Crewe Road, Shavington Cum Gresty, Crewe, CW2 5AD.
Application Type:	Full Planning Permission
Ward:	Middlewich
Registration Date:	12th April 2010
Earliest Determination Date:	17 th May 2010
Expiry Date:	7 th June 2010
Date report Prepared	6 th May 2010
Constraints:	Employment Commitment

SUMMARY RECOMMENDATION: APPROVE WITH CONDITIONS

MAIN ISSUES: The amenity of the neighbouring dwelling, access on to the A54 and the impact on the character and appearance of the area.

1. REASON FOR REFERRAL

Called in by Councilor P Edwards because of the effect on the character and amenity of the area and the relationship to the existing building.

2. DESCRIPTION AND SITE CONTEXT

The site is an access track and an area of land to the rear of 'Penmaen', which is a residential property that is currently vacant and awaiting redevelopment into three dwellings (ref. 08/1297/FUL). To the rear and west of the site are large industrial units on the Midpoint 18 Industrial estate and to the west is a petrol filling station.

3. DETAILS OF PROPOSAL

The proposal seeks retrospective approval for the temporary storage of road planings pending future re-use. The proposal states that the use would be for a temporary period of 12 months and at the end of this period the site would be restored to its original condition.

4. RELEVANT HISTORY

32747/3 2001 Approval for access road

20943/1 1989 Approval for Phase 3 of industrial estate (Use classes A2 and B1-B8)

5. POLICIES

National Guidance

PPS10 – Planning for Sustainable Waste Management

Regional Spatial Strategy

EM9 – Secondary and Recycled Aggregates

Congleton Local Plan 2005

The site is not allocated in the Local Plan but the following policies apply:

PS4 – Towns

GR1 – New Development

GR2 – Design

GR6 – Amenity and Health

GR9 – Parking and Access

6. CONSIDERATIONS (External to Planning)

Environmental Health:

Hours of operation should be restricted to those specified in the application form i.e. 8am-6pm Monday to Friday with no working on Saturdays, Sundays and Bank Holidays to safeguard the amenity of local residents.

The control measures described in section 4.0 Environmental Control and section 2.0 Application Proposals, in the Design and Access Statement dated the 7th April 2010, should be undertaken by the applicant to prevent noise, dust, odour, mud and litter causing a nuisance to local residents.

7. VIEWS OF TOWN/PARISH COUNCIL

None received at the time of report writing.

8. OTHER REPRESENTATIONS

None received at the time of report preparation.

9. APPLICANT'S SUPPORTING INFORMATION

Planning and Design and Access Statement

10. OFFICER APPRAISAL

The main issues to be considered in relation to this application are the principle of the development, the impact on the amenities of the neighbouring properties and the impact on the character and appearance of the area.

Principle of the Development

The site is being used to store road planings, which are being removed from the motorway and are to be re-used in the future. Policy EM8 of the Regional Spatial Strategy relates to secondary and recycled aggregates and seeks to maximise their role in the construction

industry. This proposal would enable the material to be stored in close proximity to the motorway ready for their re-use in the road improvement programme, which is considered to be in compliance with this policy and acceptable in principle.

Amenity

The site is to the side and rear of one residential property which is currently unoccupied and in need of restoration. It is an isolated dwelling with industrial units to the south and west and a petrol filling station to the east and faces onto the A54. The property has a conifer hedge screening it from the planings that is a minimum of 5 metres in height, which ensures that the planings are not visible from the dwelling.

The application states that operation of the site would only be undertaken between the hours of 8am and 6pm, Monday to Friday with no work being undertaken on any other days and it is considered that should the dwelling be occupied at some point during the period of temporary use, conditions requiring these working hours to be adhered to would protect the amenities of any potential residents. In addition it is recommended that a condition be imposed requiring the provision of a bowser when the site is operational in order to control any potential dust.

Character and Appearance of the Area

Although immediately adjacent to a residential property, the site is allocated for employment use in the local plan and has previously been granted consent for industrial use and a new access road. In addition it is bounded on two sides by the existing industrial estate and on one by a busy petrol station. It is proposed that the planings are stored to a maximum height of 2.5 metres and this could be controlled by condition. Whilst it is accepted that the stockpiles are partially visible from the road, it is not considered that in their context, they are out of keeping with the character and appearance of area. It is recommended that a condition be imposed requiring the erection of a gate in order to prevent the planings from spilling out from the site. This is considered to be reasonable by virtue of the advice given in PPS10 Para 32.

Impact on the Highway

The site is accessed directly off the A54. Given that the site will be accessed by HGV's, comments have been requested from the SHM and their advice will be reported in an update to the report prior to the committee meeting on 19th May 2010.

Other Matters

Due to their position, the road planings place a load on the root system of the conifers surrounding the adjacent property, Penmaen. It is considered that this load on the root system would undermine the health of these trees and as such it is recommended that a condition be imposed requiring the removal of planings within 1 metre of the base of the trunks of these trees within 28 days of consent being granted, should Committee deem that the development is acceptable.

11. CONCLUSIONS AND REASONS FOR THE DECISION

In conclusion, it is considered that the proposal meets the requirements of the national and regional policies and the development plan in terms of the issues addressed above and therefore approval of this application is recommended subject to the following conditions.

12.RECOMMENDATION: Approve subject to the following conditions:

- 1. Time limit of 12 months and restoration of the land following cessation of storage use**
- 2. Erection of a gate to the satisfaction of the Local Planning Authority**
- 3. Maximum height of stockpiles of 2.5 metres**
- 4. Provision of water bowser on site when operational to control dust**
- 5. Hours of operation limited to 0800 to 1800 Monday to Friday with no working on Saturdays, Sundays or Bank Holidays**
- 6. Removal of planings within 1 metre of the base of the trunks of the conifer hedge**

Location Plan



