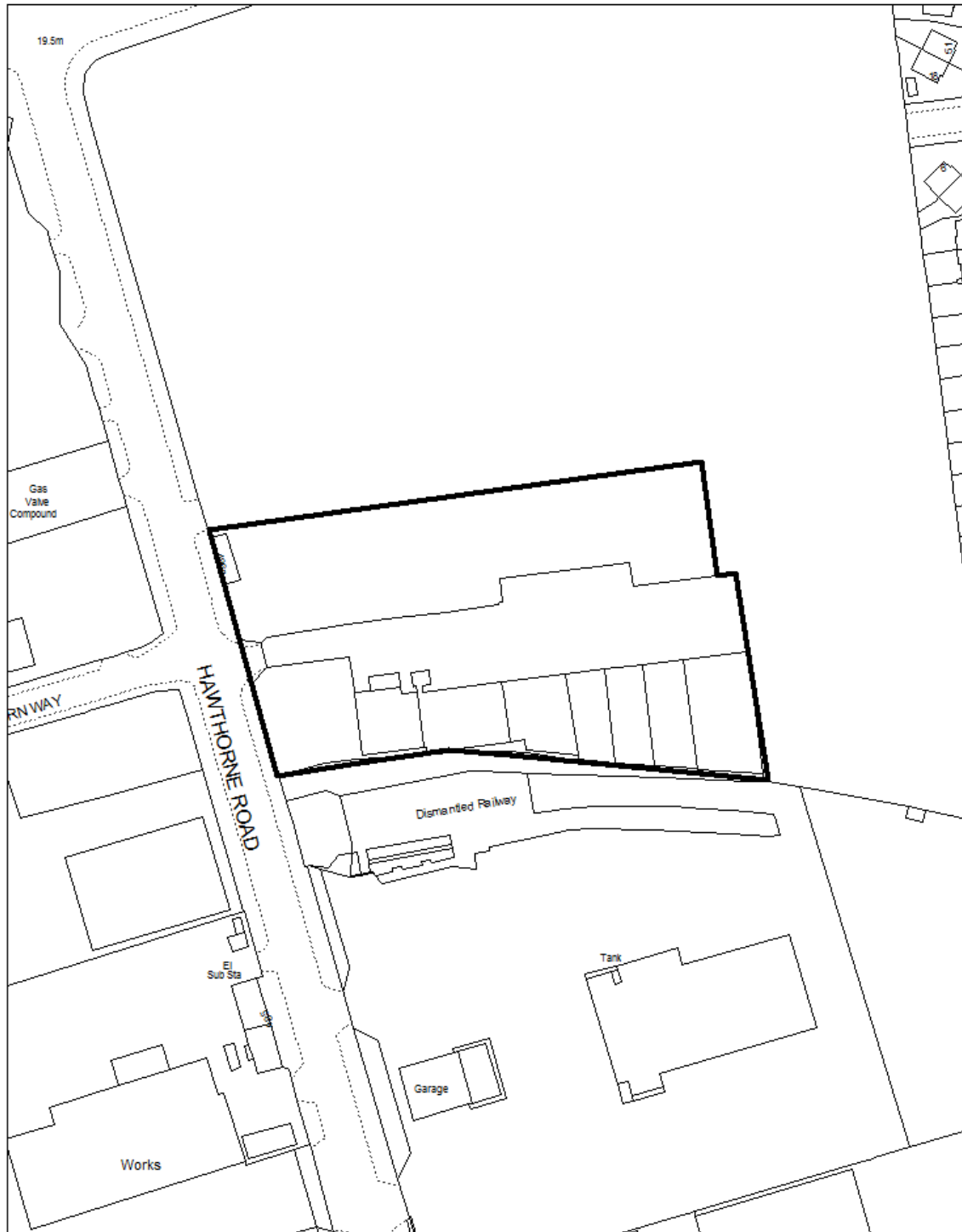


Site Location Plan



The Site

The application site comprises a Council owned area of land on the eastern side of Hawthorne Road. The site is surrounded by industrial/commercial uses with the nearest residential properties 56m to the east at Vaux Place/Vaux Crescent.

History

S/2006/1127: Change of use to a construction materials recycling plant, including the demolition of some existing buildings. Approved 22nd January 2007.

S/2012/0067: Variation of Conditions 2 (compliance with approved scheme) for changes to the site layout and boundary wall height, 3 (aggregate storage height) to increase the pre – processed material stack height to 5m, 4 (site operations) to extend Saturday operating hours to 08:00 to 13:00, 6 (delivery hours) to extend Saturday deliveries to 08:00 to 13:00 and 10 (Permitted use period) to extend the permitted use period pursuant to Planning Approval S/2006/1127. Approved 7th June 2012.

Consultations

Merseyside Environmental Advisory Service

The proposal complies with Policies WM7, WM11 and WM12 of the Merseyside and Halton Joint Waste Local Plan and is acceptable.

Community Fire Protection Department, Highways Development Design, National Grid, Flooding and Drainage.

No objections

Environmental Health & Air Quality

The Environmental Health Manager has reviewed the updated noise assessment dated 9th February 2017 and comments as follows.

The noise consultant has undertaken a BS4142 assessment and predicted rating levels at the boundary of the nearest residential premises. The results of this predictive exercise indicate that the noise from the operation of the site in a worst case scenario situation will rate as 7 dB(A) above the background noise level in the area .

According to this predictive exercise this would indicate that the noise would have an adverse impact.

However the noise consultant has undertaken actual noise measurements at the boundary of the residential premises which show the source noise from the site to be 51dB(A) and the background level to be between 49-50dB(A), showing the difference between the source noise from the site and the background noise level to be between 1-2 dB(A). This indicates that the actual noise impact much is less than predicted.

Additionally noise monitoring took place in front of the residents 2.5 m solid boundary wall and actual noise levels within residents' gardens and living rooms would be reduced further.

In reviewing the noise report and readings undertaken I would consider that the noise impact on nearby residents due to the operation of the process would be low as opposed to adverse.

Notwithstanding the above and to ensure that all reasonable measures are being implemented because of the additional barrier effect of the boundary wall to reduce noise from the operation of the site, the applicant has submitted proposals to upgrade the existing wall to the site with a double sided fence infilled with rock wool, which has been reviewed and is acceptable.

The upgraded barrier would provide additional sound reduction and ensure that noise from the operation of the site is at or around the back ground noise level.

It is recommended that implementation and maintenance of the upgraded wall is secured by condition.

Additional comment from Environmental Health Manager

Following a review of all historical complaints made to Environmental Health over the last 5 years during the sites recent temporary permission I can confirm no complaints have been received regarding noise or dust from the site. Should noise complaints or dust complaints be received at any point in the future the Council has additional powers under the Environmental Protection Act 1990 and Pollution Prevention and Control Act 1999 to investigate and take appropriate formal action where complaints are substantiated.

Contaminated Land

No objections subject to a condition for no intrusive ground works.

Neighbour Representations

A petition of 65 residents supported by Cllr Dave Robinson has been received objecting to the *proposed* use of the land as a construction materials recycling plant. There are no reasons on the petition but the organisers of the petition gave advanced notice and the grounds for the petition objecting to the use are: health, noise and disruption to the

neighbourhood, value of houses will go down, children and adults already suffer with asthma and breathing problems.

Two individual letters of objection from residents, who also signed the petition, on the grounds of noise, dust, it's like living on an industrial estate, unsightly view from bedroom windows, air pollution, property values, already feels vibration in house from existing plant.

Policy Context

The application site is situated in an area designated as a Housing Opportunity Site on the Council's Adopted Unitary Development Plan and as an Employment Area on the Emerging Local Plan.

The policies in the Emerging Local Plan (June 2016) were subject to discussion at the recent Local Plan Examination and where appropriate have been given weight in coming to a recommendation on this application.

Those policies to which there was no objection or to which no modifications have been proposed may be regarded to carry significant weight. They will be referred to where appropriate in the assessment of this proposal.

The policies in the Merseyside and Halton Joint Waste Local Plan have also been given weight in the assessment of this application.

Background

The application site was a Housing Opportunity Site in the adopted Sefton Unitary Development Plan so only temporary consents were approved in 2007 and 2012.

The day to day operation of the site is that aggregate construction materials, primarily generated through highway repair and improvement works in Sefton e.g. kerb stones, paving stones bricks, are brought to site and stockpiled. The crushing and screening plant is then used to process the materials, to produce a range of recycled aggregates for use as construction materials.

The majority of the aggregate products are re-used within Sefton, mainly in highway works.

Assessment of the Proposal

The application site is an area of industrial land that has been operating as a recycling facility for the Council's Highway Contractors since 2007. This application is to extend the planning approval to continue using the site as a recycling centre.

The site has various buildings and open areas being used by a variety of businesses including a coach operator, vehicle repairs, haulage storage. There are some empty units with the open area to the west of the site used as the recycling centre.

Planning Approval S/2006/1127 granted a temporary consent until January 2012 with the renewal application S/2012/0067 granting another temporary consent until February 2017.

At the time of the 2006 and 2012 applications the site was allocated as a Housing Opportunity Site in the Adopted Unitary Development Plan but in the Emerging Local Plan the site is allocated as an Employment Area so this application is being assessed as a full permanent Planning Approval.

The issues to consider are the principle of development, the impact on the neighbouring residential properties in terms of air quality, noise, dust and appearance, and the guidance in the Merseyside and Halton Joint Waste Local Plan in relation to recycling.

Principle of Development

The application site was located in a housing opportunity site in the adopted Sefton Unitary Development Plan and is in an Employment Area in the Emerging Local Plan, temporary consents were approved in 2007 and 2012 but it is now considered that the site is located in an appropriate Employment Area so the principle of development is established. The proposal complies with Sefton UDP Policies CS3, EDT18, EMW1 and Emerging Local Plan Policies SD2 and ED3 so the principle of a permanent permission for this use is acceptable.

Impact on nearby residential properties in relation to air quality, noise, dust and appearance

The nearest residential properties are 56m to the east of the site at Vaux Place and Vaux Crescent. A petition signed by 65 residents objects to the use of the site on the grounds of health, noise and disruption to the neighbourhood, value of houses will go down, children and adults already suffer with asthma and breathing problems.

The Manager of the Air Quality team has made no objections so the continued use of the site as a construction recycling centre is acceptable from this point of view and complies with Sefton UDP Policies EP1 and EP2 and Emerging Local Plan Policy EQ5.

Planning Approval S/2012/0067 granted consent for various mounds to be between 2m and 5m in height and to screen the mounds additional fencing was added to a brick wall which brought the overall height of the wall/fencing to 6m to help screen the stockpiled materials. A sprinkler system was introduced to help with dust from the stockpiles.

There have been no complaints over the ten years the site has been operating as a recycling centre in relation to noise or dust. However, due to the number of signatories on the petition and concerns from the residents the applicant has provided an updated noise

report. A revised plan has been submitted to upgrade the wall and fencing to the site. The Environmental Health Manager believes this upgraded barrier would provide additional sound reduction and ensure that noise from the operation of the site is at or around the background noise level.

This is considered to be acceptable and complies with Sefton UDP Policies CS3 and EP6 and Emerging Local Plan Policies SD2 and EQ4.

Merseyside and Halton Joint Waste Local Plan

Merseyside Environmental Advisory Service has assessed the application against the Policies within the Joint Waste Local Plan and advised that the proposal complies with Policies WM7, WM11 and WM12 of the Merseyside and Halton Joint Waste Local Plan.

Conclusions

This site is identified as an employment site in the emerging Local Plan so the principle of this recycling plant is acceptable. The scheme includes reinforced wall and fencing along the boundary with residential properties which will both screen the use from these properties and reduce the impact of noise to around the background noise level.

It is not considered that there are outstanding problems relating to either dust or air quality as a result of this use. The continued use of this site and buildings for a construction materials recycling plant also satisfies the policies in the Waste Local Plan.

It is therefore recommended that permission be granted subject to conditions.

Recommendation - Approve with Conditions

Approve with Conditions

Conditions

This application has been recommended for approval subject to the following conditions and associated reasons:

- 1) Within three months of the date of this permission Plan No HMRI/486/PCC2016/Sec 01 C shall be implemented on site and maintained in accordance with the details shown on the plan.

Reason: To safeguard the amenities of occupiers of adjoining properties and to comply with Policy CS3 of the Sefton Unitary Development Plan.

- 2) No crushing operations shall be carried out on the site outside the hours of Monday - Friday 10:00 - 16:00, Saturday 08:00 - 13:00 and at no time on a Sunday or Public Holiday.

Reason: To safeguard the amenities of occupiers of adjoining properties and to comply with Policy CS3 of the Sefton Unitary Development Plan.

- 3) No general site operations shall be carried out on the site outside the hours of Monday - Friday 08:00 - 18:00 Saturday 08:00 - 13:00 and at no time on Sundays or Public Holidays.

Reason: To safeguard the amenities of occupiers of adjoining properties and to comply with Policies CS 3 of the Seton Unitary Development Plan.

- 4) No deliveries shall be taken or dispatched from the site outside the hours of Monday - Friday 08:00 - 18:00 Saturday 08:00 - 13:00 and at no time on Sundays or Public Holidays.

Reason: To safeguard the amenities of occupiers of adjoining properties and to comply with Policies CS3 of the Seton Unitary Development Plan

- 5) Construction materials and aggregate shall not be stacked or deposited over the respective heights referred to on Plan No HMR/486/PCC2016/Lay 01 D. and shall not be stored or deposited outside those areas identified at any time.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy CS3 of the Sefton Unitary Development Plan.

- 6) No intrusive ground works shall be undertaken at any time unless details of such works are submitted to and agreed in writing with the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EP3 of the Sefton Unitary Development Plan.

- 7) The development hereby granted shall be carried out strictly in accordance with the following details and plans:- Site Plan Ref No ISH/K/486/PCC2016/loc 01 A, Dwg No HMR/486/PCC2016/lay 01 D, HMRI/486/PCC2016/Sec 01 B, HMRI/486/PCC2016/Sec 01C and Environmental Operational Plan, Air Quality and Dust Assessment and Revised Environmental Noise Report Ref No 9155E Rev 1.

Reason: To ensure a satisfactory development.

Petition Against the Proposed Planning Application
of Sefton MBC for use of Land & Buildings as a
Construction Materials Recycling Plant
on behalf of Residences of Vaux Place and Vaux Crescent

Planning Services

- 6 DEC 2016
9.17 AM
Received

Name	Address	Signature
J. Beckett	2 Vaux Place (Home Owner)	
J. Quinn	21 Vaux Crescent (Home Owner)	
Louis Collins-Spear	33 Vaux Crescent	
LIZ SONES	35 VAUX CRESCENT	
PAUL WOODER	37 VAUX CRESCENT	
Jane Wooder	37 VAUX crescent.	
CHRISTINE RIXON	17 VAUX crescent	
Liz H. Connolly	39 Vaux Cres	
Cathy Scurry	47 VAUX CRES	
Brahmanjee	47 VAUX CRES	
Kecie Swords	41 Vaux Cres	
* P.E. CLEMINSON	5 VAUX PLACE L20 0AX	
C.A. CLEMINSON	5 VAUX PLACE	
K. Swords	9 Spruce Ave	
C. Swords	9 Spruce Ave	
V. Swords	51 Vaux Crescent	
D. Swords	54 Vaux Crescent	
T. Newton	55 Vaux Crescent	
Two Left Mudge	49 Vaux Crescent	
Annette Watkins	22 Vaux Crescent	
PETER O'LOUGHER	59 VAUX CRESCENT	
Jaime Rimmer	61 Vaux Crescent	
KARL WILLIAMS	65 Vaux Crescent	
TRACY ROBY	69 VAUX CRESCENT	

