



Appeal Decision

Site visit made on 12 June 2008

by **Geoffrey Hill** BSc DipTP MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:
2 July 2008

Appeal Ref: APP/Z4310/A/08/2066377

Wheathills Industrial Estate, Holt Lane, Netherley, Liverpool L27 2YB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Merseyside Waste Disposal Authority against the decision of Liverpool City Council.
- The application Ref 07F/1436, dated 8 May 2007, was refused by notice dated 24 October 2007.
- The development proposed is a new Household Waste Recycling Centre (HWRC).

Decision

1. I dismiss the appeal.

Main issue

2. The main issues in this appeal are:
 - i) the effect on the living conditions of those in Netherley, with particular regard to smells, noise, visual impact and safety;
 - ii) whether the development would unreasonably interfere with the efficient operation of the other industrial users on Wheathills Industrial Estate.

Reasons

3. Policies EP6 and EP7 of the adopted Liverpool Unitary Development Plan (UDP) supports the creation of waste reception and recycling centres across the city, but subject to environmental and transport considerations. Policy EP5 states that waste related uses should not have a detrimental effect on the amenity of residential areas and that they should have sufficient off-street space for all deliveries etc., and associated parking, and that it should not discourage new investment in the area generally.

Living conditions of local residents

4. The site is on Holt Lane, a road giving access to a small industrial estate. The industrial estate is separated from the nearby residential areas by Caldwell Drive, a local distributor road. To the south-east, between the site and the nearest housing are Holt Lane itself, industrial or commercial premises on the south-east side of Holt Lane, and Caldwell Drive. The closest housing being that backing on to Caldwell Drive and at the ends of

Clematis Road and Lydieth Lea. These houses are about 100m away from the site. Along Caldwell Drive other houses may have a limited views of the site, up to about 220m away at the junction of Lodge Grove. To the south-west the closest houses are about 230 metres away, again with other industrial and commercial premises, Holt Lane, an area of open land and Caldwell Drive in between.

5. There has been a considerable volume of opposition from local residents, expressed either in individual letters or as signatories to at least two petitions. The concerns raised relate to – amongst other matters - noise, smell, vermin, visual impact, and safety of pedestrians and other road users. To some degree such concerns are either misplaced or exaggerated. What is being proposed is a household waste reception and recycling site. In my experience, such sites are, in general terms, well-regulated and well-maintained and which form an essential link in the strategy to reduce, reuse and recycle waste arising in society. Such sites are planned to have properly surfaced circulation areas, a range of skips or receptacles for sorted waste types, and are regulated by a waste management regime administered by both the local planning authority and the Environment Agency to minimise or prevent smell, spillages, wind-blown litter, and other environmental nuisances.
6. I have no reason to believe that the facility proposed here would be managed or regulated any differently. There is no evidence from consultees such as the Council's Environmental Health Officer to indicate that the proposed scheme would unacceptably impact upon the health of local residents by reason of noise, smell, vermin or other potential harm. The amount of noise is unlikely to be any greater than for another industrial use on the site, and specific sounds attributable to the waste recycling operations are unlikely to be discernable in the houses at these distances in the wider area. Similarly, increased traffic is unlikely to raise noise levels in nearby houses to an unacceptable degree. This is view supported by the Noise Impact Assessment carried out in support of the application.
7. The installed receptacles, ancillary buildings and circulation areas would not be visually prominent, and would be largely, if not entirely, screened from view from residential properties by the industrial and commercial buildings on the surrounding sites. In view of the separation both in terms of distance and the other built development which stands between the site and the houses, I do not consider that the proposed development would have any significant impact upon the living conditions of those living in the residential areas on the opposite side of Caldwell Drive.
8. Local residents have also expressed concern about increased traffic representing a danger to local residents, especially children on their way to and from school. The proposed development is, as noted above, separated from housing areas by Caldwell Drive, a significant local distributor road. Vehicles, either cars or larger vehicles hauling bulk containers, would travel along Caldwell Drive to access the site via Holt Lane.
9. From my tour around the surrounding area and a study of local street maps, I note that there are very few facilities on this "outer" side of Caldwell Drive to which there would be a regular pedestrian traffic. There is a Social

Services day centre, a public house and a golf centre; none of which, in my view, would attract much pedestrian traffic across Caldway Drive. Schools and other local services are, for the most part, contained within the circuit of Caldway Drive / Chidwall Valley Road and journeys to and from these would not involve crossing Caldway Drive. That is, any increased risk to pedestrians is likely to be negligible.

10. There is a community theatre and a seemingly currently derelict sports centre on the south-west side of Chidwall Valley Road and pedestrian trips to and from these would involve crossing the road. However, vehicles visiting the appeal site are unlikely to pass along this section of Chidwall Valley Road; traffic from the east (from Netherley Road) would probably turn to the right and approach Holt Lane from the north-east, and traffic from the west and south would approach via Naylor's Road.
11. There is mention of a possibility of junior sports pitches being developed along Caldway Drive, near to the junction with Naylor's Road. I do not have details of this proposal and hence I am not able to fully assess the implications – assuming that the proposed pitches are developed. For example, there is no mention of whether a controlled pedestrian crossing might be installed as part of the scheme. I accept that this may be something which would attract children to cross the road, but Caldway Drive and Naylor's Road are already fairly well used roads where particular care has to be exercised when crossing at present. I do not consider that the amount of additional traffic generated by the waste recycling centre would be so disproportionately great as to render use of the proposed playing fields unsafe and unviable.
12. Many comments have also been made about the potential harm to the "image" of Netherley and the effect on property values and discouraging future inward investment. None of the objectors produce evidence to support this contention, such as 'before and after' studies conducted at other locations. Given that the site would be properly designed to modern standards, it would be visually and environmentally contained, and it would be subject to a strict regulatory regime, I do not consider that it would have a significant or seriously harmful effect on the general perception of the area, and certainly not to the point where it would discourage further inward investment in the housing areas.
13. Drawing all of these points together, I conclude that the proposed scheme would not have an unacceptably harmful impact on those living in Netherley.

Other industrial users

14. Access to the site would be off Caldway Drive via Holt Lane. Whilst Caldway Drive and its junction with Holt Lane have the capacity to carry the predicted additional traffic, Holt Lane is narrower than Caldway Drive. The road is about 6.0m wide. I saw that vehicles from other industrial and commercial users are parked at the roadside, including the neighbouring vehicle repair workshop and the scaffolding business. With heavy goods vehicles being some 2.4m wide, this leaves little room for other vehicles to pass along the road unless, as I observed, some park partially on the footway. With the present level of traffic along the road this is seemingly not a problem and

there is probably a degree of 'live and let live' between the businesses along the road.

15. However, the proposed recycling site would introduce a considerably greater volume of traffic, and most of it as occasional and irregular visits by vehicles from across a wide area of the city, whose drivers would be unfamiliar with local conditions and perhaps less tolerant of occasional obstructions. The Design and Access Statement supporting the application notes that, for the most part, traffic arriving at the site could be accommodated entirely within the site whilst vehicles queue for an opportunity to unload materials. However, this would be a fairly regular two-way flow along this relatively narrow road with cars or light vans looking to pass each other as well as any parked vehicles. That is, the flow might not be entirely unobstructed. With lorries parked on only one side of the road, (and there no parking controls in operation to require this), there would be just about enough room for two streams of light vehicles to pass.
16. It is suggested that some of the on-street parking could be alleviated, in part, by ceding a strip of land to the neighbouring vehicle repair workshop. This might help ease the situation to some degree, but there is no indication that this would be acceptable to the operators of the vehicle repair workshop, nor how many vehicles this might remove from the roadside. Neither would this deal with vehicles either calling at, or parked in association with, other premises along the road.
17. The Design and Access Statement acknowledges that at the busiest periods the site would not be able to accommodate all vehicles wishing to enter at any one time, and queuing on Holt Lane would be necessary. Such a situation would conflict with Policy EP5 of the UDP. As noted above, passing of traffic during periods of even relatively free-flow would have its difficulties. Queued vehicles on Holt Lane would probably lead to greater congestion, with vehicles obstructing free access to the entrances to other businesses along the road, and larger waste transfer vehicles probably being unable to pass readily where other lorries are parked on the roadside. From the information on my file, none of the present businesses have restricted operating hours, and even if the busiest periods at the waste site might coincide with the quieter periods at the other industrial premises at present, there is nothing to ensure this would be so into the future. I consider the problems arising from the associated traffic in Holt Lane would be a considerable inconvenience and may represent a discouragement for future investment or expansion of the present businesses.
18. I note the concerns about the potential harm to the pork processing factory over a possible increased nuisance from birds and vermin, but the Environmental Health Officer does not support these concerns. It is my experience of such recycling sites that they are well-run and the one proposed here would be unlikely to represent an unacceptable threat to the continued good practices and high standards at the factory.
19. Although I do not consider the proposed scheme would specifically harm the interests of the pork processing factory, I consider that the inadequate width of Holt Lane and the associated queuing of traffic would unreasonably

interfere with the efficient operation of the other industrial users on
Wheathills Industrial Estate.

Conclusion

20. For the reasons given above I conclude that the appeal should be dismissed.

Geoffrey Hill

INSPECTOR