

Issue 5

Statement

British Waterways

British Waterways

Statement

Issue 5 – Specific Allocations



**British
Waterways**

Issue 5: ISSUE 5: SPECIFIC SITES

Whether the specific sites allocated in policy WCS4 will deliver the required waste management capacity and whether other sites proposed are required to be allocated for the CS to be sound.

Question 5: Land at Sharpness Dock

5.17 Would the CS be unsound without the inclusion of the site put forward by New Earth Solutions?

5.18 Has this site been subject to Sustainability Appraisal and consultation carried out either by the promoter or the Council?

In respect of Question 5.17

1. British Waterways, as owner of the land put forward by New Earth Solutions, asserts that the CS would be unsound if the land is allocated as a strategic waste site as it does not comply with other policies in the CS or PPS10 and PPS12. We have already explained why WCS8 is unsound and made two suggestions to overcome this in Topic Paper on Issue 3. To not only safeguard an existing non-conforming use but to increase it to a strategic allocation would be detrimental to the area as a whole.
2. In brief our concerns include:
 - i. The site does not meet the definition of a strategic site either in size or throughput.
 - ii. The site is not deliverable due to ownership constraints (Para.18 of PPS10).
 - iii. the site is not in an appropriate location as defined in Para 16 of PPS10 due to environmental constraints and the proximity of the site to sensitive receptors
 - iv. The site does not conform to Para 21(i) of PPS10 which requires decisions on the identification of sites and areas to be informed by assessments of their suitability against a range of criteria, including those in Annex E
 - v. Cumulative impact of other waste uses.
3. Issue 2 of the Hearing has examined the robustness of the statistical evidence relating to waste arisings/management and earlier sessions on issue 5 have considered the suitability of four other strategic site allocations to deliver the required waste management capacity. British Waterways will not comment on either of these matters.
4. We advocate that if additional capacity is required, for whatever reason, it would be more appropriate to review the other sites which were taken forward by the County Council at the 2009 site options stage than consider a new site at Sharpness. These sites have already been through a rigorous Sustainability Appraisal (SA) and consultation exercise. To start the process afresh with a new site, particular one that is not deliverable due to lack of landowner support, would introduce unnecessary delays into the adoption of the plan process and would not be in accordance with PPS12.

5. Para.2.46 of CD1.1 suggests that there is currently capacity for 113,000 tonnes of material to be composted at four sites in Gloucestershire and that there is spare capacity. Para.4.37 indicates a modest additional requirement of 19,000 tonnes up to 2027. The existing facility at Sharpness has a capacity of 48,000 tonnes but the plant is unlikely to return to more than 50 % capacity following its technological difficulties and resultant odour problems.
6. Para.4.39 advocates a criterion based approach to determining suitable sites as set out in WCS2. The Sharpness site does not meet the first criteria as there are sensitive receptors much less than 250m away as demonstrated in the constraints map in Appendix 3 of Statement3.
7. Using this approach, it is likely that many other sites both at a strategic and local scale could come forward during the plan period to provide additional capacity for composting and therefore there is no need to extend an un-conforming use or indeed safeguard it. Industrial sites or more remote farm based sites with no sensitive receptors are both recognised as suitable locations. While we acknowledge that the plan is technology neutral, it should be remembered that the terms of the lease prevent a change to any other waste use without specific agreement from British Waterways and therefore at this point in time the site can only be used for In Vessel composting.
8. WCS4 suggests that other than the four allocated sites, strategic sized sites will only be allocated if it is demonstrated that the strategic sites are unavailable. By implication another site should not be allocated to replace/augment these if it too is deemed unavailable, in this case by the landowner withholding agreement.
9. Smaller scale sites could come forward based on the criteria. WCS4 fails to mention the 250 m buffer needed around sensitive receptors for certain types of process but we are confident that this would be a material consideration should an application come forward.
10. WCS7 looks at the cumulative impact of waste sites particularly any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential when locating new or considering expansion of existing sites.
11. British Waterways contends that the cumulative impact of more waste related development in Sharpness would be likely to be detrimental to those that live and work in Sharpness, the environmental quality of the area, and would severely damage the economic potential of the Sharpness Estate, which now has the opportunity to flourish as a visitor destination and mixed-use community.
12. In order that there is a better understanding of our opposition not only to a possible Strategic Waste site but also to WCS8, we feel it important to update the Inspector and Council of the current situation with regard to the Sharpness Estate and our aspirations for it.

13. In 2012, British Waterways' will become a new waterways charity, The Canal & River Trust in line with the Governments' aim to create a civil society. The move is welcomed by British Waterways and will attract new investment, secure jobs and give the public a greater say in the running of their local canal or river.
14. The new Trust will ensure canals and rivers are recognised as an important part of the fabric of our nation and are cherished by local communities, help more people discover the magic of our canals and rivers, ensuring accessibility for all and are protected for future generations. We aim to build enduring partnerships which increase our resources and help us deliver our promises to make a difference to the canals and rivers, and the communities we serve while being innovative in our approach to revitalising our canals and rivers. British Waterways views this time as a period of change for the waterways nationally and locally for the Sharpness Estate in particular.
15. Although Sharpness has been allocated as an employment site in the Stroud District Local Plan 2005 for a number of years, take up of available development land has been slow with very little inward investment. In recognition of this, the Stroud Employment Land Review (ELR) – concludes that the sites within the Estate allocated by the adopted Local Plan should be removed from the District's supply of land for B2 (industrial) and B8 (warehousing) development (See Appendix 2 of our response to Topic Paper 3).
16. The ELR states that the Docks have policy value for 'specialist' uses; It also suggests that the demand even for these activities will be limited. Nonetheless the ELR recommends that policy be developed for the Docks alone. The Employment Land Review has suggested that the employment protection is no longer necessary and British Waterways is actively working with the District Council to pursue a new LDF Policy designation for the Sharpness estate which would distinguish the northern part of the estate from the southern part, with a tourism-led mixed use designation for the north and a designation for the south which strengthens the dock and related employment uses.
17. British Waterways has prepared a heritage assessment of the whole area and commissioned a Planning and Commercial assessment recently by Roger Tym & Partners. These reports, which are included in Appendix 1 find undervalued visitor and heritage interest that the development vision seeks to capitalise upon.
18. British Waterways has created a high level master plan for the Sharpness Estate as a whole which is underpinned by the three strategic principles of growth, connectivity and sustainability. The emerging development vision, which includes: water-based leisure activities, boutique camping, holiday let accommodation and centre, residential development, and a wind turbine in a parkland setting including a sports field will bring transformational change to the area. Further details are included at Appendix 2.
19. At a meeting of Stroud District Council on 24 November, the Full Council considered a report on the Core Strategy – Next Steps and the Discussion Paper: Towards a "Preferred Strategy" Potential Locations for Strategic Growth. The Council resolved to undertake public consultation on the range and distribution for future employment and housing land including Sharpness as housing and employment led allocation for 200-250 houses and up to 600 jobs. Further public consultation will take place in early 2012. The minutes of the meeting are included in Appendix 2.

20. On- going discussions are taking place with the District Council and the proposal has initial support from the Parish Council too (See Appendix 2. The allocation of a strategic waste site at Sharpness at this time would be premature to its proper consideration through the District Council's Core Strategy as a housing/employment site and could ultimately prove prejudicial to the much needed re-development of the area. Stroud District Council also object to the allocation.
21. Further discussions will take place with the Parish Council to share our vision and explain our rationale for, and benefits of, our emerging vision and the wind turbine project. The Parish Council have written to support our initial aims and to oppose the allocation of land at Sharpness as a Strategic Waste site.
22. Other Waste DPD's recognise that are situations when allocation or safeguarding of a waste site can have an adverse impact on the much needed regeneration of an area. In such cases proof is normally required that capacity can be provided elsewhere.
23. There are many similarities to a recent situation in Salford, Greater Manchester where a suggested site allocation in the Greater Manchester Joint Waste Development Plan Document was opposed by the Joint Councils and ultimately excluded from the Waste DPD by the Inspector in his binding report. In this case the need to regenerate this particular area of the Bridgewater Canal led the Inspector to conclude that the document was sound without allocation of the site. Details are provided at Appendix 3 and British Waterways asks that a similar approach is taken here to allow all parties to work together towards the much needed rejuvenation of the Sharpness Estate.

In respect of Question 5.18

24. The Council has not carried out a full Sustainability Appraisal (SA) of the site. This is not a failing on the part of the Council, simply a clear indication that they recognised at an early stage that the site is not deliverable. If the Council carry out a SA, in accordance with the SEA directive (Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001) and judge the site against Annex E of PPS10 it would be found unsuitable.
25. The Council carried out initial assessments in October 2009 (see CD10.106). This concluded that 'as the landowner had indicated that the land is not available there is no potential for further discussion within the WCS'. British Waterways has opposed the allocation of a strategic MSW at Sharpness since 2009.
26. This opposition is now strengthened as a changing planning environment means that with partnership working, there is a real chance of improving the Sharpness estate as a whole, bringing new investment, jobs and homes to the area.

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Appendix 1

Sharpness Heritage



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Waterways**

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- 1. Sharpness Docks Heritage assessment prepared by David Viner,
British Waterways 2010**
- 2. Heritage assessment, extract from Roger Tym & Partners-The Potential of the
Sharpness Docks Estate: Planning and Commercial Assessment**

1. Sharpness Docks Heritage Summary

David Viner, British Waterways Heritage Advisor Oct 2010

Summary description

At the Junction of the Gloucester & Sharpness Canal with the River Severn, opened 1827. The canal was the first to be able to carry sea going ships and enabled the rapid expansion of Gloucester as a significant inland port. Due to the exceptional tidal conditions in the Severn estuary, the sea gates on the entrance lock had to accommodate a difference in levels of up to 12m. After the tidal lock at Sharpness there is a single 16 mile pound to Gloucester. The canal now divides between the Old Arm leading to Sharpness Point and Sharpness New Docks created 1874 and connecting with the Severn 800m to the south of the Point. The original river connection was dammed in 1940 and the Old Arm is currently used as a marina. Although commercial freight to Gloucester ended in the 1980s, a large boatyard still functions in the city docks and the canal is used regularly for sea going traffic, notably tall sailing ships. Sharpness Docks is operated as a modern commercial port.

The historical interest dates from the opening of the canal and the existing structures and buildings are all from the industrial period. After 1874 there was a rapid expansion associated with the New Docks, including housing and facilities for dock workers and an extensive network of railway sidings for transhipment of freight. In 1879 the first rail bridge over the lower Severn was built half a mile north of the docks in order to transport coal directly from the Forest of Dean and South Wales. This railway was closed and the bridge demolished in 1960 after a barge struck one of the piers while attempting to enter the port.

Prior to the coming of the canal Sharpness Point had been laid out as an attractive plantation by the land owning Berkeley family with spectacular views down the river. This landscaped area was preserved by the canal company and became the Sharpness Pleasure Gardens, remaining a very popular destination for visitors for over a hundred years until a gradual decline set in in the 1930s.

From 1939 to 1966 a training ship, the *Vindicatrix*, was moored in Sharpness Old Arm to provide a sea school for the merchant navy, with a camp of huts built nearby for additional accommodation. Around 70,000 boys received basic training here.

Designations

Harbourmasters House, Old Arm – Grade II LB. In good condition and leased to Severn Area Rescue Association (SARA)

North Warehouse, Sharpness Docks – Grade II LB, Building at Risk. Massive 6 storey building designed for grain storage, one of four built in the 1870s but now the only remaining. Currently derelict, and without foreseeable use in dock operation. 2010 proposals for securing roof and bag houses postponed, alternative management plan currently under discussion with LA.

Sharpness Old Arm Conservation Area – includes the Old Arm and Canal as far as the old rail crossing but excludes some significant undesignated buildings. No local authority CA Appraisal or Statement. English Heritage has put forward proposals to extend the CA to include the canal as far as Purton and other areas around the docks.

Other significant buildings and structures

Sharpness New Docks tidal and inner basins and associated wharfs, 1874 sea lock and port facilities in stone with later concrete additions

North & South Piers, 1874 massive timber structures to facilitate entrance of boats to the New Docks, constructed in Douglas fir. The north pier extensively repaired with EKKI in 2010.

Mass concrete grain warehouses and other buildings in New Docks, mid-20th century

Meggitts Shed, early 20th C steel frame storage shed at north end of docks – due for demolition 2010/11. Archaeological recording undertaken.

High and Low swing bridges, 19th C former rail crossings over the canal at north end of the docks – still in use for road traffic

Remains of rail sidings, road bridges and associated structures – much of it already removed

Two large masonry piers in line with the former Severn bridge where a steam operated swing bridge carried the railway over the canal - swing bridge now absent

Remains of Rail Bridge over River Severn – 1879 pier bases visible at low tide

Dockers Club, late 19th C welfare building for dock workers

Detached, semi-detached and terraced housing in Dock Road, late 19th and early 20th C housing for dock employees

Sharpness Docks primary school, late 19th C characteristic pattern now converted to commercial use (not BW owned)

Sunnybrook Cottages, late 19th C former railway auction rooms

Old Arm entrance to River Severn, 1827 tidal lock and associated canal side fittings.

2 or more hulks sunk in the Old Arm tidal basin below water level – some archaeological recording has been undertaken.

Old Arm former stables – now converted to sanitary station

Remains of buildings associated with the Vinidicatrix training school, mid 20th C footings on land above the Old Arm.

Sea Wall, 19th C masonry capped wall extending 1 mile from Harbourmasters House past railway piers to Purton foreshore.

Sharpness Pleasure Grounds, 19th C grounds laid out in land between Old Arm and New Docks – now largely overgrown or converted.

2 .Extract from Roger Tym & Partners British Waterways The Potential of the Sharpness Docks Estate: Planning and Commercial Assessment

Historic Context and Heritage Interest

- 1.1 The history of the Docks is important for this study in order to understand what activities have historically taken place there and what parts remain. This will influence future constraints and opportunities.
- 1.2 Sharpness Docks developed after a new dock was built in the 1870s to accommodate the larger ships coming into service that were too big to pass up the canal. Prior to this, the old entrance to the canal had no provision for cargo handling, and all ships continued up the canal to discharge at Gloucester. Warehouses were built beside the New Dock, principally to accommodate imported grain, and new houses were built on the dock estate for key workers.
- 1.3 Railway lines along both sides of the New Dock were linked via the Low Level Bridge at the north end and were connected to the Midland Railway main line three miles to the south-east. This allowed imports to be distributed without first having to pass up the canal to Gloucester. Another line, linked to the Great Western Railway, brought coal from the Forest of Dean across the Severn Railway Bridge to provide an export cargo and fuel for steamers. The line continued across the High Level Bridge at the north end of the dock to serve the original coal tip overlooking the arm leading to the old entrance and a later coal tip built beside the New Dock. These lines have now closed, and all land transport to and from the docks is by road.
- 1.4 Sharpness Docks continues as a working port, but most of the old warehouses have been replaced by modern facilities.
- 1.5 From 1939 to 1966 a training ship, the *Vindicatrix*, was moored in Sharpness Old Arm to provide a sea school for the merchant navy, with a camp of huts built nearby for additional accommodation. Around 70,000 boys received basic training here. This is commemorated through a memorial statue on the site.

Conservation Area and Heritage

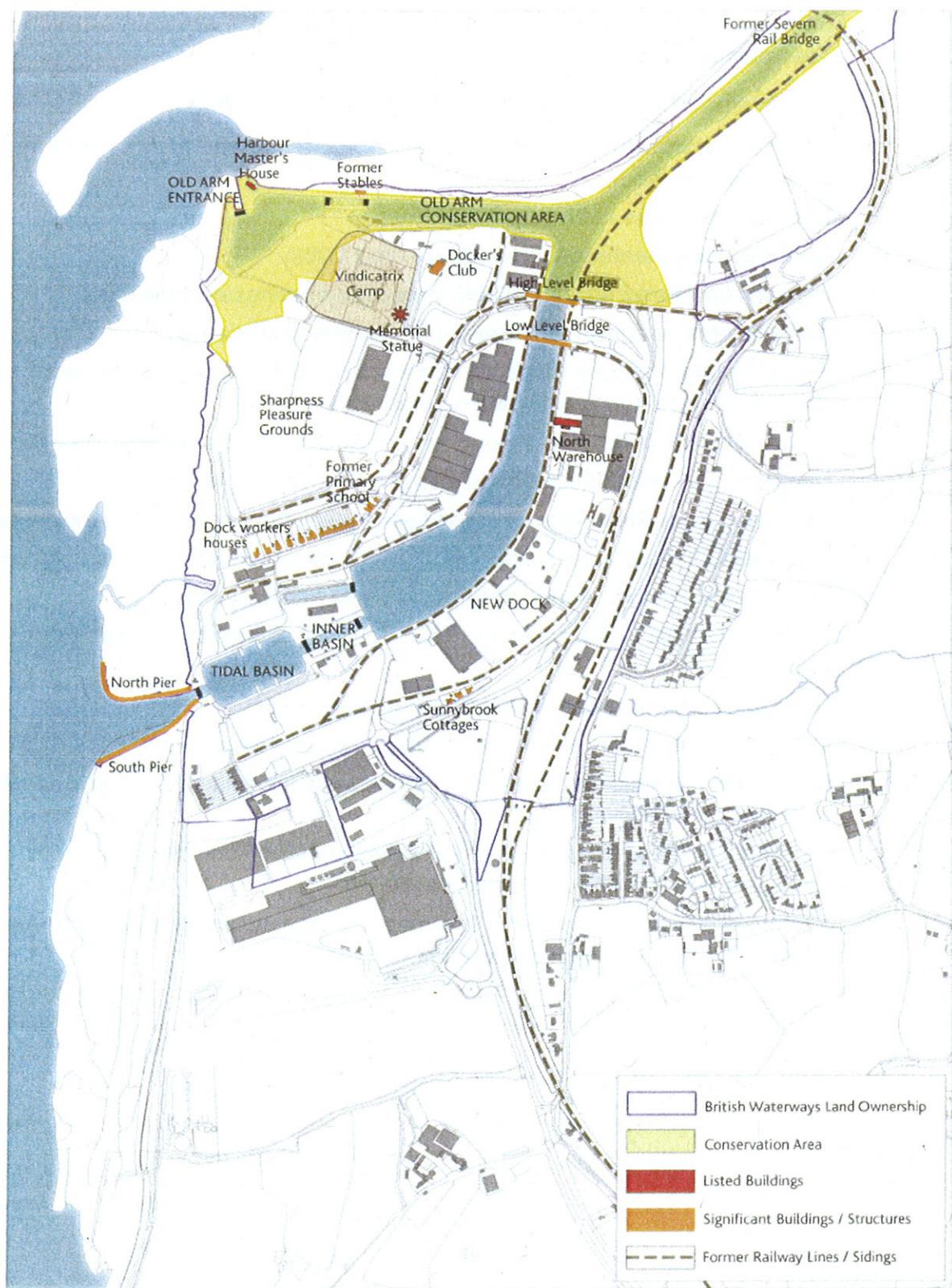
- 1.6 The Old Arm of the Canal is designated as a Conservation Area and incorporates the Basin, the Old Arm Marina and the canal as far as the old rail crossing. It currently excludes some significant undesignated buildings. As such, English Heritage have put forward proposals to extend the Sharpness Old Arm Conservation Area to include the canal as far as Purton and other areas around the docks.
- 1.7 There are two listed buildings in the area:
 - i. North Warehouse - Grade II Listed former granary, now vacant and on the Building at Risk register.
 - ii. Former Harbourmaster's House - Grade II Listed. Early C19 detached house, possibly designed by Robert Mylne, first principal engineer to the Gloucester and

Berkeley Canal Company. In good condition and leased to Severn Area Rescue Association (SARA).

1.8 In heritage terms, other significant buildings and structures include:

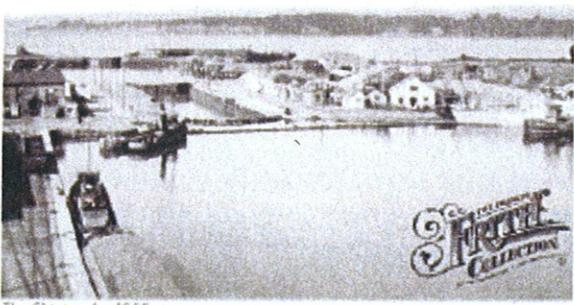
- Sharpness New Docks tidal and inner basins and associated wharfs - 1874, sea lock and port facilities.
- North & South Piers - 1874, timber structures.
- Concrete grain warehouses, New Docks - mid C20th.
- High and Low swing bridges - C19th former rail crossings over the canal.
- Remains of rail sidings, road bridges and associated structures.
- Two large masonry piers in line with the former Severn bridge where a steam operated Swing Bridge carried the railway over the canal.
- Remains of Rail Bridge over River Severn – 1879, pier bases visible at low tide.
- Dockers Club - late C19th welfare building for the dock workers.
- Housing in Dock Road - late C19th and early C20th housing for dock employees.
- Sharpness Docks primary school - late C19th, now converted to commercial use.
- Sunnybrook Cottages - late C19th, former railway auction rooms.
- Old Arm entrance to River Severn - 1827, tidal lock and associated canal side fittings.
- Hulks sunk in the Old Arm tidal basin below water level.
- Old Arm former stables – now converted to a sanitary station.
- Remains of buildings associated with the Vinidicatrix training school - mid C20th footings on land above the Old Arm.
- Sea Wall - C19th masonry capped wall extending 1 mile from Harbourmaster's House past railway piers to Purton foreshore.
- Sharpness Pleasure Grounds - C19th grounds laid out in land between Old Arm and New Docks, now largely overgrown or converted.

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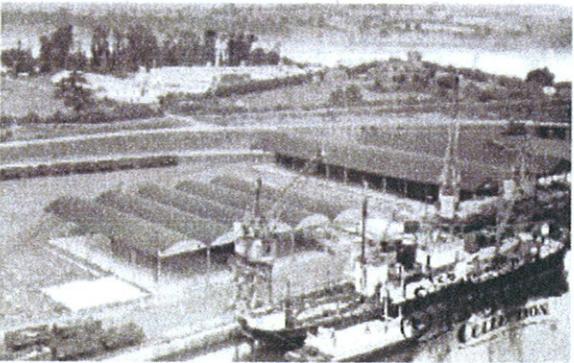




The Docks And Severn Bridge c1955



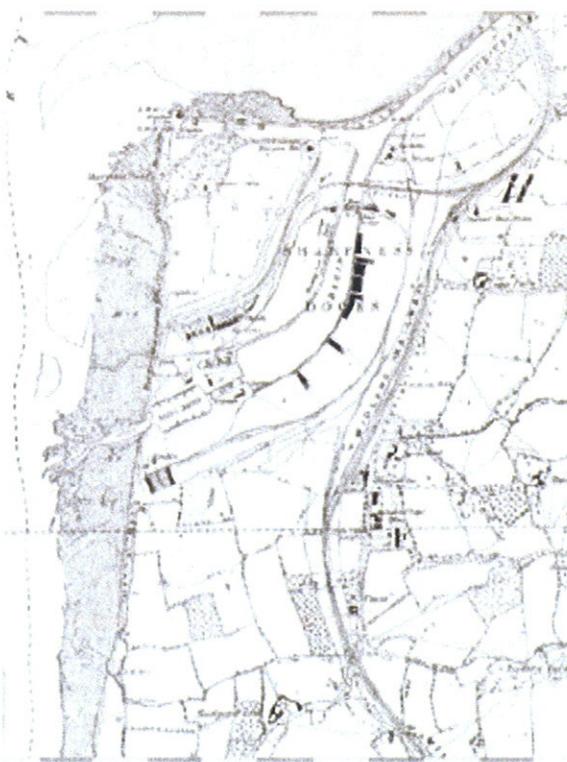
The Shipyards c1955



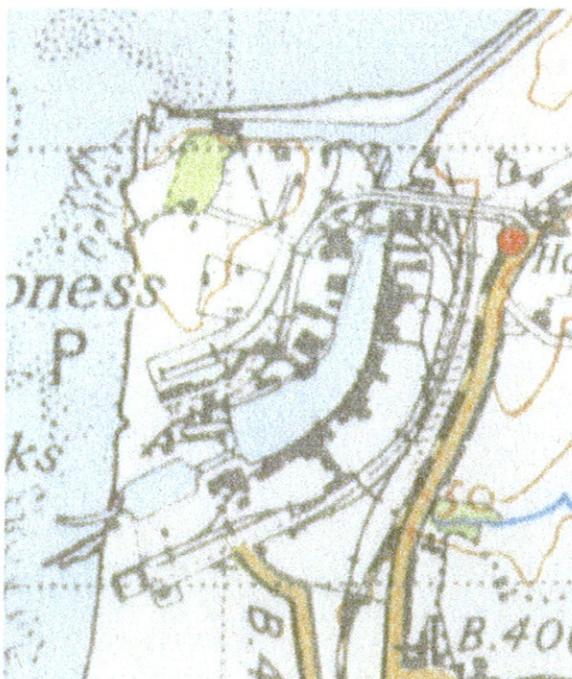
Vindictive Camp at the top of the photo viewed from the air c1955



The Docks c1955



Historic map 1879-82



Ordnance Survey Map 1946

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Appendix 2

The Future of Sharpness



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1. British Waterways aspirations for Sharpness
2. Extract from Stroud District Council Full Council Meeting
24 November 2011
3. Letter From Stroud District Council

1. British Waterways aspirations for Sharpness

Copy of Email sent to Barry Wyatt, Strategic Head of Development Services, Stroud District Council from Heather Clarke Strategic Head of Planning, British Waterways. 24.11.2011

I thought it might be helpful if I provided you with an update since we met on 4th November 2011, prior to the Full Council Meeting being held this evening at which I understand you will be presenting the report on the Core Strategy – Next Steps and the Discussion Paper: Towards a “Preferred Strategy” Potential Locations for Strategic Growth. I can confirm that British Waterways is very keen to work with Stroud DC in pursuing a new LDF policy designation option for its Sharpness Estate, which would involve a change of policy which distinguishes the northern and southern parts of the Estate, with a tourism-led mixed use (including potential for circa 200 residential units) designation for the North and a designation for the South which strengthens the dock and related employment uses.

As you are aware British Waterways has granted an option to a third party for the development of wind energy at Sharpness Docks. We have been working with Partnerships for Renewables to integrate and exploit the potential synergy between the proposal for a single wind turbine (application due for submission in mid-December) and the wider development vision, in sustainability, economic development and community benefit terms. I should stress that the proposed wind turbine and our vision for the wider docks area are not mutually dependent - if consented the turbine can be constructed irrespective of our progress on the regeneration of the docks. Notwithstanding this, our design work for the area has assumed that the turbine will be integrated into the scheme and as such the turbine will not affect the viability of any elements of our master plan.

Our emerging high level masterplan for the Sharpness Estate as a whole is underpinned by the three strategic principles of growth, connectivity and sustainability. We believe that the emerging development vision for the Sharpness Estate will deliver transformational change by:

- strengthening the employment offer by improving the environmental quality of the southern part of Estate including the operational dock, creating segregated access arrangements, improving the estate management regime and site marketing as well as by creating new employment opportunities through unlocking the tourism potential of the northern part of the Estate;
- improving the environmental quality of the Estate as a whole as a place to work, live and spend leisure time;
- contributing to the local visitor economy by exploiting the canal, Severn Way, heritage and environmental assets;
- enabling Stroud District to contribute to regional and national targets for renewable energy generation - the turbine is expected to generate sufficient electricity for around 700 houses and as such would easily generate the electricity used by the proposed residential units;
- improving the housing offer by providing circa 200 new residential units;
- deliver community benefits including provision of parkland, a sports field, opening up access to the canal to the local community and new visitors.

The emerging masterplan includes: water-based leisure activities; boutique camping; holiday let accommodation and centre; residential development; and wind turbine in a parkland setting including a sports field. A single wind turbine could attract significant new visitors to the area and different visitor attractor options will be considered. For example, the Ecotech Centre in Swaffham, Norfolk, opened in 1999, attracts 35,000 visitors per annum. It has an education and conference centre and a 1.5mw turbine which has a viewing platform for the public to visit. The centre and turbine are on the Northern edge of the town and have been popular with residents as well as visitors to the area. We are currently investigating how renewable energy generated by the proposed wind turbine could be utilised by the proposed new housing at Sharpness, which would improve the sustainability of the overall scheme being promoted.

With regards to next steps, we would like to arrange a further meeting with you and Peter and then to arrange a session with the Parish Council to share our vision and explain our rationale for, and benefits of, our emerging vision and the wind turbine project. We are also attending the Gloucestershire Waste Core Strategy EIP, to make representation against the designation of Sharpness as a strategic site being promoted by New Earths Solutions.

2. Extract from SDC Full Council minutes 24 November 2011



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4

COUNCIL

24 November 2011

7.00 pm – 11.11 pm
Council Chamber, Ebley Mill, Stroud

Minutes

Membership:

John Hudson **	P	Chas Fellows	P	Roger Sanders	P
Ray Apperley*	A	Joe Forbes	P	Norman Smith	P
Dennis Andrewartha	P	Paul Hemming	P	Paul Smith	P
Philip Bevan	P	John Jones	A	John Stanton	P
Dorcas Binns	P	Daniel Le Fleming	P	Alex Stennett	P
Rowland Blackwell	P	Graham Littleton	P	Ken Stephens	P
Philip Booth	P	John Marjoram	P	Nigel Studdert-Kennedy	P
Chris Brine	P	Brian Marsh	P	Barbara Tait	P
Paul Carter	P	Alan O'Connor	A	Brian Tipper	P
Molly Cato	P	Keith Pearson	P	Len Tomlins	A
Nigel Cooper	P	Elizabeth Peters	P	Graham Travé	A

June Cordwell	P	Simon Pickering	P	Geoff Wheeler	P
Gordon Craig	P	Gary Powell	P	Martin Whiteside	A
Karon Cross	P	Nigel Prenter	P	Rhiannon Wigzell	P
Paul Denney	P	Andy Read	P	Tom Williams	P
David Drew	P	Mark Rees	P	Penny Wride	P
Catherine Farrell	P	Frances Roden	P	Debbie Young	P

** = Chair of Council * = Vice Chair of Council P = Present A = Absent

Officers Present

Chief Executive	Principal Policy Officer
Head of Planning	Principal Marketing Officer
Head of Finance	Trainee HR Officer
Legal Services Manager	Elections Officer
Head of Corporate Resources	Principal Democratic Services Officer
Head of Communications	Business Support Assistant

CL.037 APOLOGIES

Apologies for absence were received from Councillors Ray Apperley, John Jones, Alan O'Connor, Len Tomlins, Graham Travé and Martin Whiteside.

AGAINST:

Councillors					
(17)	Philip Booth	Catherine Farrell	Mark Rees		
	Chris Brine	John Marjoram	Roger Sanders		
	Molly Cato	Simon Pickering	Ken Stephens		
	Karon Cross	Gary Powell	Geoff Wheeler		
	Paul Denney	Nigel Prenter	Tom Williams		
	David Drew	Andy Read			

RESOLVED

a) That the focus of development to satisfy the agreed housing numbers and employment targets shall be distributed between some or all of the following locations:

1. Stroud Valleys (various sites): 300 - 800 homes

Up to 1,600 jobs

1. **North East of Cam: 200 - 500 homes**
Up to 1,500 jobs
2. **West of Stonehouse: 1,000 - 1,500 homes**
Up to 3,000 jobs
3. **Hunts Grove extension: 500 - 750 homes**
4. **Aston Down: 100 - 200 homes**
Intensification of employment
5. **Sharpness: 200 - 250 homes**
Intensification of employment
6. **Other Towns and Parishes who have suggested that they are prepared to take housing will be asked to identify sites and numbers.**

b) That further public consultation be undertaken prior to the formulation of the Publication Version of the Core Strategy/Local Plan on:

1. **The housing delivery target of 9,350 homes by 2026 as agreed at Council on 22nd September 2011.**
2. **The sites agreed in a).**
3. **A new policy approach to support the development of sites outside the locations identified in a) if they come forward as part of a formally adopted Neighbourhood Plan, (subject to relevant provisions in the Localism Act 2011) and are consistent with both national and Local Plan policies.**

CL.043 AUDIT COMMITTEE RECOMMENDATIONS TO COUNCIL

(a) Half Year Update on Treasury Management Activity and Revised Treasury Management Strategy 2011/12

The Cabinet Member for Finance presented the report providing an update on treasury management activity during the first half of the financial year 2011/12 and revised Treasury Management Strategy and Investment Strategy to accommodate the Housing Revenue Account (HRA) self-financing.

3. Letter from Stroud District Council



STROUD DISTRICT COUNCIL

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Mrs J Hennell
Area Planner, South
British Waterways
The Dock Office
Commercial Road
Gloucester
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22 December 2011

Dear Jane

IVC facility at Sharpness

Further to your email and our subsequent telephone conversation of 16 December 2011 regarding the New Earth Solutions proposals for inclusion of their site at Sharpness in the Waste Core Strategy, I set out the Council's position below.

My understanding is that New Earth Solutions (NES) are seeking to have their 1.6ha site at Sharpness Docks together with 0.8ha of adjacent land available to them from British Waterways (totalling 2.4ha) allocated as a Strategic Waste Site under policy WCS4 of the Gloucestershire Waste Core Strategy (GWCS). British Waterways (BW) object to this due to its likely prejudicial nature on their proposals to develop land for residential and tourism/leisure uses to the north of the NES site.

Furthermore, BW object to policy WCS8 of the GWCS as it gives precedence to the existing NES In-Vessel Composting (IVC) waste facility over all subsequent land uses and, again, could prejudice the proposed development of the dock estate and in particular the land to the north of the NES facility.

BW's concerns emanate from the recent serious problems created for tenants of the BW Sharpness Docks estate and nearby residents at Newtown and Sharpness by the operation of the IVC facility. The activity has created unpleasant odour emissions and attendant flies, though this latter point is questioned by NES. This has resulted in negotiations between NES, the Environment Agency, Glos CC (as Waste Planning Authority), Stroud District Council Environmental Health team, local residents and businesses that has led to the voluntary closure of the IVC operation while measures are undertaken by NES to resolve the problems. To this date, the IVC facility has not operated since May 2011 and the EA have yet to confirm their satisfaction with the odour control measures implemented.

The IVC facility lies within 110 metres of existing sensitive receptors. The original grant of planning permission (S.06/2403/CM) was conditional (among other things) on a scheme and programme of measures for the control of odour being submitted and approved, and daily monitoring and any necessary remedial action being undertaken. An extension to the facility was granted planning permission (S.07/1417/LA) and further conditioned to prevent odour problems. A further planning application (10/0115/STMAJW) to increase the height of the existing biofilter ventilation stack by 10m to achieve a release height of 28 metres has also been given permission as the company



Chief Executive: David Hagg





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believed this would help reduce the odour problems emanating from the site. Copies of the relevant notices of decision are attached for information.

It is evident by the voluntary closure of the IVC facility that the terms of these planning consents have not been complied with fully and this Council shares the concerns of local businesses and residents about the operation of the site to the required standards. However, it is the Environment Agency and the County Council (as Waste Planning Authority) that have the powers to enforce compliance to prevent further problems occurring through the environmental permitting regime.

In so far as the current level of operation of the IVC facility causes problems for the local community and these concerns remain unresolved at the present time, the Council would be further concerned about the prejudicial impact of this facility on any new residential/tourism/leisure that may come about as a result of the current BW proposals that now form part of the consultation process for the emerging Stroud District Core Strategy/Local Plan.

I can confirm that following meetings between BW officers and Council officers and as a result of the Council decision of 24 November 2011, proposals for potential development of up to 250 homes at Sharpness will form part of the public consultation exercise on the Preferred Strategy from 6 Feb 2012 to 19 March 2012. Whilst this proposal is also dependant upon BW providing evidence that the residential element is necessary to help support new tourism and employment opportunities, I share the concern that the operation of the IVC facility could prejudice such development against the wider planning interests of the area. Sharpness Docks have not attracted the investment necessary to help regenerate the employment offer over a number of years. It is evident that a new approach is necessary to attract new investment and to help regenerate the area. The new approach put forward by BW will be tested through the consultation on the Preferred Strategy. Quite clearly the addition to, or the continuation of, the type of operation currently in place would be prejudicial to the implementation of the long term vision of BW.

With regard to the NES proposal to allocate their site as a Strategic Waste Site, I do not believe the district council has had the opportunity to comment on this proposal since it has come forward in response to the consultation on the publication version of the Waste Core Strategy. As I understand it, this is not supported by the County Council as they consider the site too small to qualify as a strategic allocation. In addition to that, I note that whilst the site lies within 'Zone C' – the favoured zone for strategic waste facilities – it lies at its southern periphery and is relatively remote from the main sources of waste arisings. NES suggest that the site could benefit from the potential for sustainable modes of transport – water or rail related. However, there is no evidence that these modes are practical, deliverable or could be reasonably conditioned as part of any further planning permissions. Without such, the site as a strategic resource would encourage further heavy traffic to travel longer distances than the better located strategic sites that are currently allocated. On that basis, this Council would object to such allocation.

I trust this explains our position satisfactorily. However, if I have misunderstood the position or if you have further queries about this, please do not hesitate to contact me again.

Yours sincerely

Peter Gilbert
Planning Strategy Manager



Chief Executive: David Hagg



Issue 5

British Waterways
Appendix 3

Issue 5

British Waterways

Appendix 3

Examples of alternative policies and solutions



Issue 5 Appendix 3

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1. Extract from Inspectors Binding report, Greater Manchester Joint Waste Core Strategy

51. Representations sought the addition of land on Green Lane, Salford as a Site allocation under Policy 4. (This land is popularly known as the former Mitchell Shackleton site and coded SL11 in the preparation of the Plan.) The Joint Councils accept that the area was identified in the preparation stages of the Plan as being suitable for waste development. The Sustainability Appraisal supported this finding and the site was graded as Band B.
52. The Joint Councils claim that allocation of this site for waste management development would be premature due to the potential of the land to contribute to the need for general employment in the Nasmyth area and also future residential development. Although an appeal against a refusal of planning permission for residential development was dismissed in 2007, nevertheless the allocation would impose a constraint on the Council in objectively determining where the most appropriate location would be for these uses in the city. In addition, the recently published Bridgewater Canal Masterplan sets out a strategy which aims to establish the nearby canal as a regional tourist attraction and the regeneration of surrounding areas.
53. The Salford SHLAA prepared by Salford City Council considers that this land is currently not developable or deliverable for housing and it appears that some form of employment creator is the most likely use in the foreseeable future. Should the site be allocated for waste development which would be an employer, it would be safeguarded from other forms of development by the implementation of Policy 11, even if it offered greater potential for

employment of larger numbers of people. Therefore, I agree with the Joint Councils that, on the basis of the current circumstances of the site, its relationship to the Bridgewater Canal, the Bridgewater Canal Masterplan and the emerging Eccles West Study, it would not be appropriate to allocate the land for waste development in the Plan and that the Plan is sound without the allocation which has been suggested.

2. Appeal Decision – Green Lane, Eccles



Appeal Decision

Hearing held on 5 October 2011
Site visit made on 5 October 2011

by Susan Holland MA DipTP MRTPI

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

Decision date: 17 November 2011

Appeal Ref: APP/U4230/A/11/2156244

F3-F5 Nasmyth Business Centre, Green Lane, Eccles, M30 0RP

- 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 Anthony O'Connor & Sons Ltd against the decision of Salford City Council.
- The application Ref 10/59552/FUL, dated 4 November 2010, was refused by notice dated 19 May 2011.
- The development proposed is the change of use to a waste transfer centre, part-demolition and alterations to existing warehouse to form new workshop and office facility, with space for the crushing and stockpiling of crushed and un-crushed materials together with ancillary car parking and installation of electrically-operated gates (resubmission of 10/58493 FUL).

Decision

1. I dismiss the appeal.

Main Issues

2. The main issues are (a) the effect of the appeal proposal upon the character and appearance of the surrounding area, in the light of the aims of the Bridgewater Canal Corridor Masterplan and of statutory development plan policies promoting tourism and recreation provision; and (b) the extent to which the proposed development is justified by the need for sustainable waste management facilities.

Reasons

Issue (a): Character and Appearance

Uses and Policy Background

3. The appeal site lies within an Established Employment Area as categorised by statutory (saved) Policy E5 of the Salford Unitary Development Plan (the UDP). Policy E5 protects such areas from non-employment uses. (The appeal proposal would not breach Policy E5). The employment area is not designated in the UDP or in any emerging development plan for any specific individual employment use or range of uses; nor is it designated for waste management purposes. Having originated as an area of heavy industry dominated by extensive mills on either side of the Bridgewater Canal and by the Royal Ordnance factory of the Nasmyth Works and heavy engineering at Mitchell & Shackleton, the surroundings have evolved with time. The area now contains a

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variety of warehousing, manufacturing and business uses, including those classed as B2 (General Industrial), as B8 (Distribution) and as B1 (Business) under the Town and Country Planning (Use Classes) Order. The evidence to the Hearing was that the appeal site itself had undergone a previous change of use, with permission, away from Class B2 general industry to Class B8 distribution: so that planning permission was now required for the proposed use, which includes a substantial element of general industry.

4. With the redevelopment of the former GUS site to the west of the Bridgewater Canal, the area is about to diversify further into mixed use including some residential development focused upon the Canal. (Some of the proposed development on the GUS site, in the form of 3-storey blocks of flats, will face eastwards across the Canal towards the appeal site). Policy E5 supports such diversification where *the development would not compromise the operating conditions of other remaining employment uses; where there is a strong environmental case for rationalising land uses or creating open space; and where the development would contribute to the implementation of an approved regeneration strategy or plan for the area*. The GUS redevelopment would meet the requirements of both UDP Policy E5 and the Bridgewater Canal Corridor Masterplan.
5. The Bridgewater Canal Corridor Masterplan (Final Report dated August 2010), though not itself a Development Plan Document (DPD) under the new Local Development Framework, has been adopted by the Council following extensive public consultation, exhibition, and participation by stakeholders including the owners of the Canal. It is likely that the Masterplan will be incorporated into the provisions of the forthcoming Core Strategy DPD.
6. The emphasis of the Bridgewater Canal Corridor Masterplan is upon the improvement of the canal environment in order to *turn the Canal into an attraction used by a broad range of people, from local dog-walkers to international visitors exploiting its history and fame*. The Canal itself is designated under statutory (saved) UDP Policy EN8 as a Site of Biological Importance. Statutory (saved) UDP Policy ST4: Key Tourism Areas specifically identifies the Bridgewater Canal Corridor (together with Worsley Village and the Barton Swing Aqueduct) among the areas which *will be protected and enhanced as tourism destinations*, and states that *tourism development will be focused primarily within them*.
7. The Masterplan identifies no specific projects for the appeal site, which lies to the east of the Canal and fronts the east side of Green Lane. However, the land immediately opposite the appeal site, between the west frontage to Green Lane and the east bank of the Canal, is identified in the Masterplan document as intended for *refurbishment and development of the former Nasmyths site*. This area currently contains the Salford Business and Technology Centre, which occupies a series of brick buildings substantial in size but unprepossessing and fairly rundown. The Masterplan estimates the overall cost of the planned redevelopment and refurbishment as £29 million.
8. Over time, therefore, and with the support of development plan policy, the character of the area has shifted and will continue to shift away from a simple and pervading emphasis upon heavy industry, and towards a mix of employment uses and residential development some of which will be built in close proximity to, and within sight and sound of, the appeal site. The explicit emphasis is also now upon the potential for tourism within the Canal Corridor.

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It follows that, in order for the appeal proposal to be acceptable, it should be compatible not only with existing employment uses but also with the neighbouring future residential development and with the tourism and public open space potential of the adjacent Canal Corridor.

Noise

9. It is proposed that brick and hardcore would be delivered to the appeal site in heavy goods vehicles (HGV) and that the material would be tipped and stockpiled before being processed by mechanical crusher. Material would be loaded into the crusher by a 360° excavator. The crushed material would then be stored in a further stockpile, before being loaded onto HGVs for delivery elsewhere. A maximum of 200,000 tonnes of construction, demolition and excavation waste would be processed per year, and a maximum of 40,000 tonnes of materials would be stored on site at any one time.
10. All the processing and storage activities would take place in the open. The excavator would be over 3m in height and would stand in an elevated position on the top of the stockpile which itself would reach a height of about 4m. Much of the material would be stockpiled at the western (forward) end of the site, immediately adjacent to the frontage and north side boundary walls. The crusher itself would measure about 2.8m in height and would stand at ground level. However, whilst the side wall could be extended to meet the frontage wall, and the frontage wall (currently 2.4m in height) possibly raised to the approximate intended height of the stockpiles, the superimposed excavator would be visible to its full height, during the working day. Proposed working hours would be 07:30 – 17:00 on Monday to Friday, and 07:30-13:00 on Saturdays, with the waste processing starting at 08:00.
11. As initially submitted, the Appellant's noise evidence concentrated upon the noise levels to be experienced at the nearest existing dwellings. These are separated from the site by 228m and the embankment of the M602 motorway (Nansen Avenue) and by 242m and the intervening buildings of the Salford Business and Technology Centre (Lulworth Road). The Council and the Appellant (who commissioned an additional noise statement at appeal stage) now disagree whether the 5dB addition for 'bangs and clanks' should be made before or after allowing for ground, and barrier, attenuation.
12. However, the Council did not refuse the application for reasons of noise either at existing residential properties or at those residential properties which will overlook the canal on the GUS site. The development of the GUS site will interpose several residential blocks, in depth, between the appeal site and the houses in Lulworth Road. The existing buildings of the Business Centre are interposed between the appeal site and the residential edge to be formed by the redevelopment of the GUS site beyond the Canal. Rather, the Council's reason for refusal in respect of noise relates to the environment of the Canal corridor itself.
13. An open section of the Bridgewater Canal, not shielded from the appeal site by any intervening buildings, lies approximately 60m from the frontage wall of the appeal site. The Appellant calculates that, at the open section of the Canal, the source noise (that is, the noise from the proposed crusher operation), would be 64dB(A) allowing for a +5dB(A) adjustment for 'bangs and clanks'. The existing background noise level at the Canal is $L_{a90(60min)}$ 61dB(A) so that it is evident that the source noise level, at 64dB(A) at the canal bank, would be only 3dB(A) above background level, and so of 'less than marginal significance'

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In terms of BS4142. The existing ambient noise level at the Canal is stated to be $L_{\text{aeq}(60\text{ min})}$ 69dB(A), which is 14dB(A) above the World Health Organisation (WHO) acceptable level of 55dB(A) for gardens and open spaces.

14. Whilst these findings show that the existing canalside environment is already noisy during the working day, they do not demonstrate that existing or proposed noise levels represent a noise environment compatible with the policy aspirations and intentions of the Bridgewater Canal Masterplan for the future environment of the Canal. The strong implications of the Masterplan document and of UDP Policy ST4 are that the intention, as a matter of emerging policy backed by existing statutory planning policy, is over time to achieve a distinct improvement in the environment of the Canal Corridor, including the noise environment: and not to perpetuate the existing noise environment.
15. Moreover, it seems that the noise level predicted by the Appellant incorporates a prior adjustment of 10dB(A) for 'wall barrier attenuation'. Though the site boundary walls would contribute some degree of barrier attenuation, this particular level of adjustment appears to depend largely upon the maintenance, within the site, of an additional barrier as suggested at appeal Hearing stage. This additional barrier would be formed by stockpiled material around the crusher. Whether the proposed adjustment to noise level also depends in part upon the suggested raising in height of the frontage wall is not clear – and the practicability of such a rise in height of the wall has not been demonstrated.

Dust

16. The proposed use for the crushing of material would necessarily involve the emission of dust. In addition, the carriage of material to and from the site would generate dust emissions from HGV. Modern crushing equipment incorporates built-in dust suppression systems. Modern practices include the spraying of water to suppress dust within the stockpiles. Lorries carry dust covers to reduce emissions in transit. It is evident that measures could be implemented, both on and off the site, for the suppression of dust, and that such measures could be imposed via condition on any planning permission.
17. However, it is not certain that the controls available for the proposed use under Environmental legislation could ensure that the use would operate in accordance with standards appropriate to this area of increasing sensitivity, and not only through mere regulation of 'nuisance'. The acceptability of the proposed use in relation to dust emissions would be heavily dependent upon the continued and vigilant maintenance of such suppression systems as are available. In the surroundings of the appeal site, which have largely moved away from heavy industry and towards an environment of mixed modern employment and residential uses and open space with recreational and tourism functions, any incidents of fugitive dust would be perceived both swiftly and negatively by sensitive receptors.
18. The spraying of water in various forms in order to suppress dust would generate the need to prevent the resulting silt from entering the drains. Interceptor systems could be installed for silt entrapment, but the success of these would depend upon their continued use, monitoring and maintenance. On a site with no sensitive nearby receptors, reliance could well be placed upon such systems. However, in this case the consequences of failure would be for silt material to enter the Bridgewater Canal, with damage to the aquatic environment of the Site of Biological Importance and to the character of the Canal Corridor.

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Traffic

19. The proposed use includes the operation of the appeal site as a base for the Appellant's fleet of 16 lorries, generating an estimated 42 lorry loads of material and 84 lorry movements each day. The neighbouring B8 distribution use to the south generates vehicles in a range of sizes, from small delivery vans to large articulated lorries. The Council is concerned that the size, type and volume of lorries generated by the proposed use would have an adverse impact upon the residential amenity of houses fronting Green Lane to the north and to the south of the site.
20. The routes from the site to the M60 motorway, either north-westwards via Parrin Lane/Worsley Road or south-westwards via Liverpool Road, pass through largely residential areas, or areas with a high concentration of houses and flats among mixed commercial uses, such that an increase in HGV traffic would be likely to have an adverse impact on residential amenity in those areas through noise, vibration and dust. The current appeal scheme is opposed by local residents who view the prospect of site-related HGV movements with alarm. Objectors point to the noise and vibration caused by HGV both laden and empty. The mini-roundabout at the junction of Green Lane with Parrin Lane/Monton Road has been damaged by over-running of the stone setts at its centre – apparently by a heavy vehicle of limited manoeuvrability. Objectors foresee an increase in such incidents if the appeal proposal is allowed.
21. However, without traffic survey evidence of HGV and other vehicle numbers on Green Lane and connected roads, it is not possible to establish the relative proportion of overall HGV movements to be represented by the vehicles associated with the proposed use. Moreover, the evidence to the Hearing was that the previous B8 warehousing use of the appeal site included no limit on vehicle numbers and no tonnage limit on vehicles: so that any replacement B8 use of the appeal site would be uncontrolled in its traffic volume. In these circumstances, little weight can be attributed in this case to traffic matters.

Appearance

22. The proposed elevation of the site boundary walls, and particularly that of the frontage boundary wall, would result in the imposition of an even more imposing blank frontage than exists at present. Together with the high brick walls of the existing buildings opposite, this element of the proposal would result in a gloomy 'canyon' effect. Even the proposed elevation of the site boundary walls, however, would not prevent a view of the excavator in operation on top of the stockpile: and failure to raise the boundary wall would result in a substantial view of the rubble stockpiles themselves, with working equipment superimposed. The sight of the excavator and piles of rubble would contribute to an overall perception of the use as an open heavy industrial use, noisy and dusty in its essential nature, at odds with the overall character of the employment area as it has evolved through recent time, and incompatible with local aspirations, backed by both statutory and emerging planning policy, for a move towards tourism attraction based upon the Bridgewater Canal Corridor.

Conclusion on Issue (a)

23. Though certain aspects of the proposed use – noise and dust and appearance – would be open to control through the imposition of planning conditions, none of the mechanisms available would be wholly effective or sufficient, either alone or in combination, to overcome the loss of general public amenity which would

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run counter to the clear trends in, and local Council-backed aspirations for, the improved environmental character of the area. The appeal proposal, and in particular that element of the proposal which involves the crushing and stockpiling of demolition, construction and excavation material to be recycled, would therefore be likely to have a materially harmful effect upon the character and appearance of the surrounding area, in conflict with the aims of the Bridgewater Canal Corridor Masterplan and of statutory development plan policies promoting tourism and recreation in the surrounding area.

Issue (b): Need

24. The appeal site is not allocated in the UDP, or in the emerging Greater Manchester Waste Development Plan Document (the Waste DPD) for waste management purposes. Though the Greater Manchester Geological Unit (GMGU) withdrew its objection to the proposal, made on the grounds of lack of need for additional Construction/Demolition/Excavation (CDE) waste recycling capacity, it appears that the withdrawal was prompted by the understanding that the proposal represented the expansion of an existing business rather than the establishment of entirely new recycling capacity. Nevertheless, the proposal would not replace the Appellant firm's existing facility at Miles Platting to the east of Manchester, but instead would add substantially to its overall recycling capacity by establishing a new outlet to the West of Manchester. The proposal would relocate to the appeal site the Appellant firm's office headquarters at Trafford Park, but would increase its recycling capacity overall.
25. Whilst the GMGU objection on grounds of need was withdrawn, it remains the case that the Waste DPD identifies no shortfall in CDE waste recycling capacity at any time during the life of the emerging DPD. On large demolition and redevelopment sites, such as the GUS site to the west, it is possible for crushing and recycling of material to take place on site. Though it is recognised that on-site recycling may not be possible where sites are small, it follows, in conclusion, that no weight in favour of the appeal proposal can be attributed on grounds of need for the proposed facility.

Other Matters

26. A planning application by Sky Properties for a composite waste management use of the adjoining site to the north, entailing a Materials Recovery Facility (MRF), an Anaerobic Digestion plant, and a gasification plant, was recently refused by the Council. The proposal included the recycling of commercial waste, but this did not include CDE waste. The Sky proposal thus differs essentially from the current appeal proposal.

Overall Conclusion

27. In the face of the harm to general public amenity, as identified above, the operational convenience and commercial preferences of the Appellant company are of insufficient weight, on their own, to justify planning permission for the appeal proposal. My overall conclusion is, therefore, on balance, that the appeal should be dismissed.

S Holland

INSPECTOR

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APPEARANCES

FOR THE APPELLANT:

Mr Nicholas Howell	Planning Consultant, of Higham & Co
Mr Ty Price	Noise Consultant, of Cheshire Environmental
Mr John O'Connor	Associates
	of Anthony O'Connor and Sons, Appellant

FOR THE LOCAL PLANNING AUTHORITY:

Mr Jonathan Pannick	Planning Consultant, of Urban Vision
Mr Stephen Maslavec	Noise Consultant
Mr Paul Gill	Project Manager, Sustainable Regeneration,
	Salford City Council

INTERESTED PERSONS:

Mr Kevin Lee	Assistant to Hazel Blears, MP for Salford & Eccles
Cllr Lisa Stone	Ward Councillor
Ms Maxine Coyle	Secretary, Monton Community Association

DOCUMENTS

- 1 Officer Report on the Appeal Application 09/57392/COU
- 2 UDP Policies Employment Policies E5 (Development Within Established Employment Areas) and E6(Tourism Development)
- 3 Supplementary Noise Statement by Cheshire Environmental Services, for the Appellant
- 4 Statement by Hazel Blears MP
- 5 Extract from Bridgewater Canal Corridor Masterplan p67 (Patricroft)

PLANS

- A Application Plans
- B Illustrative Masterplan for GUS site redevelopment

3. Council response to Inspector's Main Matters and Issues, Greater Manchester Waste DPD Examination

Greater Manchester Waste DPD - Examination
Response to Inspector's Main Matters and Issues
Specific Locations Policy 4
Green Lane, Salford(Alternative Site)
GMGU

Specific Locations Policy 4 – Green Lane, Salford (Alternative Site)

Context

1. During the process of developing the Waste Plan, the Nasmyth Employment Area, in which the Green Lane site (also known as the former Mitchell Shackleton site) is located, was considered as an area allocation (see Issues and Options Built Facilities consultation 2008 CDC006). Following this consultation, the landowners, Sky Properties, put forward a reduced area, the Green Lane site, for consideration as a potential site allocation. This was then taken forward as part of the consultation on the Preferred Approach (CDC019).
2. Following the Preferred Approach stage of consultation, two planning applications for waste and related developments were submitted on the Green Lane site by Sky Properties. These proposals included the development of a gasification plant with operators Energos on board. These applications were refused by Salford City Council on 2 June 2011.

i) Performance in sustainability appraisal

3. The Green Lane site was initially appraised in May 2009 and graded as Band B. Salford City Council, in responding to the Preferred Option consultation, requested that the site be reappraised to take account of the following issues:
 - Restrictions to vehicular access due to a limited bridge height on Green Lane;
 - Proximity to a likely future housing development on the former Great Universal Stores (GUS) site; and
 - Proximity to the Bridgewater Canal, which is an identified site of Biological Interest.
4. The site was subsequently reappraised and again awarded a 'Band B' in April 2010. The revised Sustainability Appraisal (SA) found the site to be potentially suitable for the following enclosed waste uses: Materials Recycling Facility, Mechanical Heat Treatment, Mechanical Biological

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Treatment, Anaerobic Digestion and In-Vessel Composting. Conventional Thermal Treatment (CTT) and Advanced Thermal Treatment (ATT) were also listed as potentially being suitable, although the SA recognises that such uses would only be suitable if appropriate mitigation were to be employed. The SA also indicates that should the GUS site be redeveloped for housing the proximity to housing "*could lead to potential conflicts if the site is used for a waste management facility*". Salford City Council subsequently granted outline planning consent for residential development on the GUS site in March 2011.

5. Full details of the site performance can be found in the Sustainability (Re)Appraisal Proforma, which is attached as Appendix 1 to this statement.

ii) Preference for alternative uses of the site

6. CDE010 – Summary of Publication Representations and GMGU Responses sets out the detailed response from the councils to the representations made at Publication Stage (Regulation 27 and 28). In relation to the Green Lane site, pages 21 -26 of this document provide a summary of the representation made by Sky Properties and 59 – 65 the councils' response to this.
7. The following section sets out the current position with regards to the Green Lane site and potential future uses for it.

Bridgewater Canal Masterplan

8. The Bridgewater Canal Masterplan was approved by Salford City Council in March 2011. The document was approved by the city council's Lead Member for Planning as a regeneration strategy for the canal corridor and as a material consideration in the determination of planning applications¹.
9. The purpose of the study is to set out a Vision and Masterplan to establish the canal as a regional tourist attraction and to support the regeneration of

¹ Salford City Council, *Report to Lead Member for Planning – Approval of Bridgewater Canal Masterplan* (8 March 2011).
http://services.salford.gov.uk/solar/showmeeting.asp?ID=4896&MGP_ID=115

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the surrounding areas². The strategy for the canal as outlined in the Masterplan is based on encouraging specific improvements and gradually developing its tourism potential with the eventual aim of creating a major visitor attraction.

10. The stretch of the canal that runs between Monton and Patricroft lies immediately to the west of Green Lane, and lies within 8m (at its nearest point) of the Green Lane site itself. The Masterplan recognises that this stretch of the canal has limited public access due to its former and remaining employment uses³. The Masterplan identifies that opportunities should be taken to promote forms of development which permit and encourage public access to the canal, with development facing on to the canal in order to animate and overlook the space.
11. The desire to develop the tourism role of the canal has been established for some time. Policy ST4 of Salford's Adopted Unitary Development Plan (initially adopted in June 2006 and saved in 2009) identifies the canal (together with the associated Worsley Village and Barton Swing Aqueduct) as one of three key tourism destinations within Salford where tourism development is to be focussed. Policy HE3 of Salford's Draft Core Strategy, published in November 2009, also promotes the development of the canal's tourism role and seeks major improvements to pedestrian and cycling facilities along its length. Salford City Council is undertaking consultation on some Pre-Publication changes to the Core Strategy, commencing on 20 June 2011, but the consultation document does not suggest any change in overall approach to the canal and its key tourism role.
12. The Masterplan does recognise that most of the employment sites to the east of the canal (i.e. within the Nasmyth employment area in which the Green Lane site is located) are operating efficiently and, given neighbour amenity constraints, it anticipates that any redevelopment opportunities will be for continued employment use. Notwithstanding this, it is critical that the redevelopment of these sites should support the Masterplan objectives in terms of enhancing the canal setting, creating positive overlooking and where possible enabling public access to and along the canal.

² Salford City Council, *Bridgewater Canal: Vision and masterplan for a regional tourist attraction* (March 2011).

³ Salford City Council, *Bridgewater Canal: Vision and masterplan for a regional tourist attraction* (March 2011), p43.

Eccles West Study

13. The Eccles West Study is being undertaken by Salford City Council in order to set out recommendations in relation to the future use of a range of existing employment sites within the Eccles area. The Green Lane site and the wider Nasmyth employment area lie within the specific scope of the study and it will therefore set out recommendations in terms of whether the site and surrounding area should remain in employment use in the short to medium term, or whether it may be appropriate to allow or encourage alternative uses to be brought forward.
14. The Eccles West Study remains to be finalised and whilst early work on the study would suggest that the wider Nasmyth area is seen as an important source of local employment worthy of protection, the Study will require political approval before it is published.

Recent Planning Activity

15. Salford City Council has cited conflict with the Bridgewater Canal Masterplan as a reason for refusal in relation to four recent planning applications (3 of which were for waste development) on or within the immediate vicinity of the Green Lane site (see Appendix 2 for details).
16. The 3 waste applications were considered against existing policies in the UDP and PPS10. All three applications were refused contrary to officer recommendations.
17. It should be noted that in refusing the applications the Panel accorded particular weight to the Bridgewater Canal Masterplan and the aspirations to develop the canal's tourism potential. Waste development was considered to be inconsistent with the canal's tourism development both in terms of its potential impact on the amenity of visitors to and users of the canal, and with regards to its conflict with the overall vision for the canal to create a major tourism and recreation attraction, as set out in the Masterplan. It is understood that the decisions on the Green Lane site are likely to be appealed by the applicant.

Summary

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18. Having regard to the information above, there are clearly a number of concerns regarding the allocation of the Green Lane site within the Waste Plan as a site for waste development. These may be broadly summarized as follows:

- There are clearly major concerns at Member level within Salford regarding the potential impact waste uses could have on the city council's aspirations to promote the Bridgewater Canal as a major tourism destination;
- Bearing in mind the Bridgewater Canal Masterplan and the emerging Eccles West Study, a debate is still to be had on what is the most appropriate use for the site and surrounding Nasmyth employment area; and
- The city's Planning and Transportation Regulatory Panel has refused planning permission for waste uses on the Green Lane site, albeit against officer recommendations, citing conflicts with the Bridgewater Canal Masterplan as a reason for refusal.

These decisions are likely to be appealed by the applicant and the outcome of those appeals remains to be known.

19. Against this background a formal allocation of the Green Lane site within the Waste DPD is considered to be inappropriate as it would prevent consideration being given to a broader range of land uses that might be more acceptable and appropriate in the context of the Bridgewater Canal and the wider needs of the city. In particular a specific waste allocation has the potential to prevent any other form of development, such as general employment provision that might be more in keeping with the Bridgewater Canal, from coming forward by virtue of the fact that waste allocations must be safeguarded against non-waste uses for the lifetime of the Waste Plan.

20. The Councils' preference would therefore be not to allocate the site for waste uses but rather for it to remain unallocated so that a broader range of uses can come forward, once the way forward for this particular part of Salford has been agreed at a political level and the outcome of any appeal against refusal of planning permission is known. Notwithstanding this preference, should the Inspector consider that there is merit in allocating the site for waste development then it is recommended that any such allocation be carefully worded so as to require that any such development

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have regard to the proximity of the Bridgewater Canal, to be of an appropriate design quality and to both complement and, were appropriate, assist in the canal's development as a key tourism destination.

iii) Would inclusion of the additional site make the DPD unsound

21. The plan has already made provision over and above the specific capacity requirements for built waste management facilities as identified by the Needs Assessment (TD009 & TD010) through policies 4 and 5 of the Waste Plan. This provision is to allow for the following:

- the emergence of new technologies to come forward;
- flexibility in provision of facilities across the conurbation to meet local needs; and
- a choice of locations to potential developers in order to meet their requirements.

22. Chapter 2 of the Submitted Waste Plan identifies the waste capacity requirements in Greater Manchester over the plan period. In terms of built facilities which could come forward at Green Lane, the plan has an identified capacity gap for energy recovery and this is set out under Policy 1, page 37.

23. Policy 4 Site Allocations and Policy 5 Area Allocations identify locations across Greater Manchester where such facilities could come forward over the plan period, this includes locations close by within Trafford Park where talks with landowners have been held to bring forward similar technologies as those proposed in the current planning application on the Green Lane site. The locations within Trafford Park are less constrained by access and more compatible with surrounding uses than the Green Lane site and could therefore be considered as more appropriate locations for such development, as well as being closer to the waste producers. Furthermore, Policy 5 identifies areas where waste development may be suitable (4 of which are within Salford), therefore this is considered sufficient to meet the needs of Greater Manchester and the local area of Salford over the plan period without the need to allocate additional sites within the plan.