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## Appeal Decision

Hearing held on 23 June 2026 and 15 July 2026

Site visit made on 22 June 2026

**by N Teasdale BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 August 2026

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**Appeal Ref: APP/R0660/W/25/3377066**

**Station Yard, Wrenbury Road, Wrenbury, Cheshire CW5 8HA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant full planning permission.
  - The appeal is made by Mr Paul Hanson (Graham Heath Group Limited) against the decision of Cheshire East Council.
  - The application Ref is 24/5174/FUL.
  - The development proposed is part retrospective application for a concrete batch plant at Station Yard and change of use from mixed storage and retail to B2.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The concrete batch plant has been installed on the site but is not operational. The Council confirmed at the Hearing that this is reflected in the description of development i.e. the part retrospective element. I have determined the appeal accordingly.
3. As part of this appeal, the appellant has submitted an updated Noise Impact Assessment (NIA) dated February 2026. This does not alter the scheme as submitted and the Council and interested parties have also had the opportunity to comment on this. My acceptance of this document is not therefore considered to be prejudicial to interested parties, and I have taken it into account in reaching my decision.
4. Shortly prior to the Hearing, the appellant submitted a rebuttal to the TNEI NIA Review. This comprised a three-page document with its contents covering what would otherwise be discussed at the Hearing. My acceptance of this information is not therefore considered to be prejudicial to interested parties. At the Hearing, a copy was circulated, and time was given to allow everyone the opportunity to review the information prior to discussing the matter of noise.
5. At the same time as the rebuttal, the appellant also submitted a supplementary note on highway movements with appended swept path analysis. This appeared to be more detailed than the noise rebuttal and the Council has objected to this information on the basis that the Council has not considered this information nor have interested parties. I consider that such detail should and could have been provided earlier in the process and the contents would require further consultation. On this basis, I have not accepted this additional information.

6. During the appeal process, a Planning Obligation by way of a Unilateral Undertaking made under Section 106 of the Town and Country Planning Act 1990 (as amended) has been submitted. This covers matters relating to traffic management, decommissioning of the existing batch plant, buffer zone, weighbridge and hours of operation. We discussed matters relating to the Unilateral Undertaking at the Hearing and I return to this matter below.
7. A screening direction was issued under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). In exercise of the powers conferred by Regulation 14 (1) and 7 (5) of the EIA Regulations, the Secretary of State directed that the development is not EIA development.

## **Main Issue**

8. The main issue of the appeal is the effect of the proposed development on residential amenity with particular regard to noise.

## **Reasons**

### *Site and planning history*

9. The appeal site relates to land located to the northeast of Station Road to the southeast of Wrenbury. It is located in an area of established commercial and business uses and has previously been used for storage and retail uses. To this end, I understand that the site has permission<sup>1</sup> for the use of the land for storage and retail of reclaimed timber and materials.
10. Wrenbury railway line is located close to the north and industrial uses surround the site to the east, south and west. There are a number of residential properties located close to the appeal site with Station House and No 1-4 Station Cottages located to the southwest. These properties front onto Station Road and back onto the appeal site in close proximity including their amenity areas. Salamanca House is located to the northwest on the far side of Wrenbury Station. This property also fronts Station Road and has a large rear garden area in close proximity of the appeal site, extending the full width of the northbound station platform.
11. A cluster of residential retirement properties are located immediately beyond Salamanca House and Bank House is located to the west immediately after crossing the railway tracks, opposite Salamanca House. A further property known as Holly House, lies to the southeast of the appeal site.
12. There is an existing batch plant facility located to the northeast of the appeal site which was granted consent on appeal in 2012<sup>2</sup>. This related to the provision of 21m x 70m portal framed shed for casting concrete products and provision of 2m diameter x 10m high mobile cement silo and three bay bin 8.5 x 2.5m. This development has been implemented and is operating from the site albeit located outside of the red line boundary but falling within the appellant's ownership and thus blue line boundary.
13. The appeal site subject to this appeal and that within the red line boundary has been surfaced in concrete and concrete walls have been installed on the

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<sup>1</sup> 7/02492 & 7/06115

<sup>2</sup> APP/R0660/A/12/2175066

boundaries. A concrete batch plant has been installed on the site but is not operational. It is in closer proximity to the residential properties fronting Station Road and their amenity areas to that of the existing plant. The proposed development seeks full planning permission for part retrospective application for a concrete batch plant and change of use from mixed storage and retail to B2. It is the appellant's intention to remove the existing batch plant located to the northeast from the site once the newly erected plant receives planning permission and is fully operational.

14. Taking into account the nature of the proposals, its location and relationship with nearby residential properties, noise generated by the proposed development must be carefully considered. To this end, there is the potential for adverse noise impacts in relation to both the operation of fixed plant, and from the movement of mobile plant and vehicles. This includes both delivery vehicles accessing the site and mobile noise sources operating within the site for example, telehandlers and the movement of materials. Any noise assessment would need to address both fixed and mobile sources of noise.
15. In 2024, a similar scheme to the one before me was dismissed on appeal<sup>3</sup>. That proposal was considered to be harmful to the living conditions of the occupants of neighbouring dwellings with particular regard to noise. The Inspector in that scheme was specifically concerned about the effect of the B2 activity and its cumulative impact across the entire red line boundary on the living conditions of the occupiers of neighbouring dwellings. The current appeal seeks to address the concerns raised by the previous Inspector.
16. As part of this appeal, the appellant has altered the red line boundary from that of the previous appeal, but the nature of the scheme and plant location etc remain broadly the same. The red line is now drawn tightly around the batch plant itself, including some land surrounding it to enable the B2 activity as well as including the access route from Station Road. This route is around an existing portal frame building located to the east of the batch plant which is understood to be used for fabricating steel beams. The red line does not include the wider area i.e. where the existing batch plant is located but is reliant on these areas for operational purposes such as the use of the concrete batch shed and outside storage area.

#### *Baseline noise conditions*

17. As set out, the appellant has submitted an updated NIA. The assessment method used in the NIA compares predicted noise rating levels to the existing background sound level to provide an initial indication of the impact. This can then be modified through consideration of the context of the development. British Standards 4142 (BS 4142) provides a methodology for rating and assessing sound associated with both industrial and commercial premises. The standard is based around the premise that the significance of the noise impact of an industrial/commercial facility can be derived from the numerical subtraction of the background noise level from the measured/calculated rating level of the specific sound under consideration. This comparison will enable the impact of the specific sound to be concluded based upon the premise that typically the greater this difference, the greater the magnitude of the impact. This difference is then considered as follows: a difference of around +10 dB or more is likely to be an indication of a significant adverse

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<sup>3</sup> APP/R0660/W/24/3337871

impact, depending on the context. A difference of around +5 dB is likely to be an indication of an adverse impact, depending upon context; and, the lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact. BS 4142 further explains that where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact. The NIA concludes that the sound rating levels are equal or below (by -4 dB) the measured background noise levels.

18. The NIA explains that existing batch plant activity was in operation during the baseline monitoring, although interested parties have objected to this methodology. This is on the basis that the inclusion of the existing batch plant activity in any survey, would artificially increase the measured background sound levels, leading to background creep.
19. At the Hearing, we discussed whether the baseline survey should have been made with or without the existing industrial processes operational. The Council has not objected to the methodology used nor has Environmental Health. Based on the evidence before me, I have no compelling evidence to firmly conclude that the methodology used is incorrect or not valid. The BS 4142 assessment addresses the impact of new noise source(s) by comparing them to an existing noise climate which indeed already includes that of the existing batch plant. That said, I did hear how the wider site has evolved over the years with uses connected to the existing batch plant spreading out beyond the areas permitted by the red line boundary. The Council confirmed that there are unlawful uses operating at the site and raised concern in this regard. Representations have also been made regarding noncompliance with the conditions imposed on the 2012 consent, such as condition 9. That condition requires the doors of the portal frame shed for casting concrete products to remain closed during the manufacturing process, other than when in use for access to the building.
20. At my site visit, it was clear that the operations associated with the existing batch plant extends into many other areas of the wider site. This includes areas to the southwest of the appeal site, closer to the properties fronting onto Station Road and to the northeast. Such areas are used for the storage of concrete panels, vehicles, use of weighbridge etc and images provided via interested parties confirm this to be the case including movements around the site. I am unaware of any planning history/evidence which would allow for such activities related to the existing batch plant to take place outside of those areas permitted by the 2012 consent. At the Hearing, I heard that nearby residents would repeatedly complain to the Council about noise at this site and already experience noise as intrusive despite the measured background levels.
21. Given that the existing batch plant activity was in operation during the baseline survey, the use of such other areas during this monitoring or non-compliance with previous conditions, could have led to an increased sound level which would otherwise not be permitted. I am also mindful that the baseline noise of the existing plant is higher than that used in the 2012 assessment to justify approval of that plant. On this basis, I cannot be confident that the baseline results reflect a true reading of the background noise and those that would arise from lawful activities on the site.

### *Residential receptors*

22. The baseline noise survey was undertaken at two locations being that of Station Road (west of the site) and Station Road (east of the site). No monitoring was undertaken at a location representative of Salamanca House to the opposite side of the railway. An earlier report prepared by Hepworth Acoustics dated March 2023, explains at paragraph 2.7 that the nearest dwelling to the new batch plant is the detached property on Station Road located to the northwest on the far side of Wrenbury Station. The dwelling has a large rear garden which extends the full length of the northbound station platform. The Environmental Health Officer at that time confirmed that the dwelling adjacent to the northbound station platform should be the focus of the NIA. Despite these findings, the 2026 NIA does not include monitoring for this location.
23. The appellant explained that a survey location within the amenity area of Salamanca House would be an unreasonable expectation given access logistics. However, a monitoring location on the northbound platform of Wrenbury Station representative of the rear garden of Salamanca House was possible in the 2023 assessment. I am not therefore convinced that such monitoring could not be reasonably undertaken. The 2023 assessment included monitoring which was undertaken in 2021 and cannot therefore be relied upon for the purposes of this assessment given the time that has elapsed.
24. The appellant argues that given the location of the amenity space at Salamanca House being adjacent to the railway and borders the existing site (subject to noise from existing industrial operations), that there is a good basis to consider that the background noise levels measured at Station Road (west of the site) would be quieter than in the outdoor amenity space of Salamanca House. This is claimed to have established a more onerous assessment criteria but without appropriate testing, then this cannot be assumed. The Noise Contour Plots presented at Appendix B of the 2026 NIA does indicate a greater impact to the rear garden of the property on the opposite side of the railway. This property would therefore be most exposed to the noise source. In the absence of representative monitoring, I cannot be satisfied that the most affected receptor has been properly assessed having regard to the standard used to determine the noise impact for this particular proposal.

### *Noise modelling and assumptions*

25. The NIA explains that noise levels from the proposed equipment have been used to inform a noise modelling assessment, demonstrate noise propagation across the site and to provide an indication of likely outdoor amenity space and façade noise levels at the worst affected noise sensitive receptors. The noise model has been constructed using the proprietary noise modelling software package CadnaA.
26. The new equipment and associated infrastructure include 3 no. aggregate bays (with associated aggregate delivery – heavy goods vehicle (HGV) traffic), 3 no. loading hoppers, conveyor (with water tank and cement silo), batching mixer head, and concrete collection (mixer truck). Noise source data has been collected from Enzygo's measurements, Hepworth Acoustics' measurements and/or BS5228.
27. The noise source information is set out at table 5-1 of the NIA. This identifies the following noise sources: HGV movement (aggregate deliveries); HGV unload/tipping (aggregate deliveries); telehandler pickup (aggregate transport);

telehandler movement (aggregate transport); telehandler hopper drop (aggregate transport); mixer operation (plant compound); mixer loading (truck idling); mixer movement. These are modelled in the assessment with operational time assumptions which are set out at table 5-3 of the NIA.

28. The model assumes that there would be 3 HGV movements (aggregate delivery) per day and that they would come into the site, tip and then leave immediately (all within 5 minutes). No allowance is made for time with engines idling etc outside of the 4-minute movement period and 1 minute unloading (tipping) time. It was explained at the Hearing that the measurement for HGV movement was taken from Station Road which is a long and tight road particularly given that cars park to one side which I was able to see at my site visit. This would make two-way movements difficult where waiting would be likely in an event where two HGVs were to enter and exit at the same time. Further, vehicles would need to manoeuvre around the existing building located to the direct east of the batch plant and I am not convinced that two-way movements around this area particularly within the red line boundary would be possible. This would again lead to waiting.
29. Based on the evidence before me and my own observations on site, I am not sufficiently satisfied that a 5-minute timeframe for HGV movement and HGV unload/tipping (aggregate delivery) would be enough time for such activities to take place. Modelling on this basis could therefore underestimate the impacts. At the Hearing, it was explained that there is no need to register vehicles in and out as information is already available on tickets which are provided. While this would save time, there is likely to be other events which occur on site which require engines idling outside of those 5-minute parameters, such as being held up waiting for access, preparing the vehicle for unload etc and overall, I find such activities would indeed be much longer in reality. The robustness of the assumptions is important particularly given that the predicted rating level is only just equal to the background level for the properties to the west of the site. This means that there is little scope for variations which could indeed alter the outcome based on the methods for rating and assessing industrial and commercial sound.
30. I heard at the Hearing, that there are no set times for aggregate deliveries although these usually take place on a morning and that there is no set amount throughout the day but usually this is around 3 loads of sand and stone. Reference was however later made regarding 5 aggregate deliveries so it would seem that this does indeed vary. I heard how cement is the only delivery that is stipulated as 3 per week as this is needed for the silo. On this basis, HGVs may not be spaced evenly throughout the day, and deliveries could indeed turn up at once which would elevate noise levels and could be more intrusive than the model suggests. This would include multiple reversing alarms, several tipping operations etc. Further, I am not satisfied that the number of aggregate deliveries and unload/tipping would be confined to 3, given that such deliveries appear to be flexible and could indeed be more particularly at busier periods. I also note that the time parameters are defined as typical operation within the period which indicates that this could change in certain events i.e. non typical operations such as busier periods, higher demand etc. The evidence does not demonstrate that the worst-case number of deliveries associated with the batch operations have been assessed.
31. The new plant includes a cement silo as part of the infrastructure, but the model does not specifically account for this source including noise from cement tanker

deliveries or transfer of cement into the silo. At the Hearing, the appellant explained that such activities take approximately 30-40 minutes, which is well above that 5-minute time period used for aggregate deliveries. I heard how the model would cover such sources given that it has accounted for a mixer loading (truck idling) for 4 hours. These operations are however different and take place at different locations of the site. It was also explained that such activities have been accounted for as part of the BS 5228 noise data, but I have very little information on this to be certain that such operations have been accounted for and modelled correctly. Given that other aggregate deliveries/tipping have been accounted for which have a less assumed operational time, it would be reasonable to expect reference to be made to HGV deliveries of cement and pumping cement powder into a silo. This is a distinct activity different to that of a normal aggregate delivery in terms of its time parameters/nature and is a fundamental component of the infrastructure.

32. Whilst paragraph 5.2.4 of the NIA states that all dominant noise-generating components associated with the batch plant have been accounted for, the assessment does not specifically identify cement powder tanker deliveries or transfer of cement into the silo as an assessed noise source. It does not set out the noise level, duration and frequency of such operations. It is not therefore clear from the evidence before me, whether silo-filling operations have been explicitly modelled or are assumed to be included within other assessed activities. Consequently, it is difficult to determine whether the assessment rating levels represent the complete operational scenario.
33. The model provided appears to include two aggregate bays to the southwest of the mixer head and the one immediately adjacent to the mixer head. It does not appear to account for the third aggregate bay to the southwest of the mixer head, but the swept path analysis provided at Appendix A of the Transport Technical Note does indeed take this into account. It is not therefore clear if this third bay was fully represented within the modelling inputs. The bay in question is indeed the closest bay to the residential properties and their amenity areas. Should this bay be used, then the predicted noise levels presented within the NIA could be under-predicting the impact.
34. It was explained at the Hearing, that the third bay is only used for the storage of recycled materials but there is nothing before me to prevent the use of any of the bays for aggregate or waste. It was also explained at the Hearing that the inclusion of this bay would unlikely alter the result of the NIA but without appropriate assessment, then it remains unclear. I cannot be confident that there would not be a greater level of noise/amenity harm caused by the appeal proposal, particularly as this bay is indeed located closer to the properties fronting onto Station Road including their amenity areas.
35. It is also difficult to see how vehicles could possibly manoeuvre within the red line boundary to access the concrete batch plant and aggregate bays. This is because the red line boundary is drawn too tightly. As mentioned, Appendix A of the Transport Technical Note includes swept path analysis, but movements to access the aggregate bays would encroach beyond the red line boundary and closer to the residential properties which front Station Road. Again, without appropriate assessment, then it remains unclear if this would alter the results of the assessment. These slow moving, high engine revving activities would be within 20 metres of surrounding residential garden areas. It was suggested at the Hearing

that the Unilateral Undertaking would restrict movements and the overall use from extending to the southwest of the site, and closer to the properties fronting Station Road. Based upon the red line boundary and swept path analysis, I do not consider that such a restriction is possible, as manoeuvring is highly likely to need to use this space to enter and exit the aggregate bays.

### *Character corrections*

36. Having regard to character corrections, no character correction is given for any tonal sources. I heard at the Hearing that there were no spikes in the monitoring to warrant for any tonal character correction, and that any tonal feature generated by the proposed development, would be masked by existing road, rail and industrial/commercial infrastructure. Rail noise would however be temporary in nature and may not occur during the operation of any tonal sound source. This is similar for road traffic noise which may not be constant. I note that the earlier 2023 report gave a 2dB penalty for tonality, explaining that there is potential for noise from reverse alarms to be perceptible and thus warranted a tonality penalty. A lack of acoustic correction for tonality may not therefore be representative, and the model could indeed be underestimating such features.
37. In terms of intermittency, I heard at the Hearing that when it occurs, batch noise will be continuous and so no penalty for intermittency is warranted. The evidence also suggests that any intermittent acoustic characteristics associated with noise sources during operation of the assessed equipment such as, white noise reversing alarms are not observed to be prominent within the existing noise climate at the noise sensitive receptor. Given that the existing batch plant would no longer operate, such noise sources would not be heard in this context, and I am not certain that no acoustic corrections for intermittency are representative.
38. The NIA applies a penalty of 3dB for impulsivity. Residents have already set out that they experience noise, which is impulsive in nature such as dropping aggregates, loading hoppers, telehandler shovel pickup, crashes and bangs etc. I also note that the 2023 assessment explains that the mixer head has the potential to be highly impulsive at the nearest dwelling. Even considering the mitigation, I am not sufficiently satisfied that impulsive noise would be only just perceptible at nearby receptors, particularly given the nature of some of the noise sources and proximity to residents whereby various complaints have already been made.
39. I am mindful that the existing background sounds could mask the true impact of the proposed development given that the existing plant is to be decommissioned and thus noise would be heard in the absence of this source. Even a small increase in character correction could materially alter the outcome given that the rating level to the west of the site equals the background level.

### *Worst-case scenario and cumulative effects*

40. At the Hearing, I heard how the plant has the capacity to produce more material which is evident from its increased size to that already operating at the site. The assessment does not however account for the maximum capacity in terms of further production. Despite the appellant's arguments regarding the production being governed by the size of the casting building, it would be difficult to control instances where arrangements are made within the site and wider area for more production to take place, particularly given the ownership boundary. I also note that the Council has not ruled out the possibility of increased capacity for concrete

production. I therefore find that the evidence does not demonstrate the worst-case scenario.

41. In addition to the noise sources identified within the submitted NIA, there would be other noises associated with the use of the concrete batch plant and the B2 use. This would include irregular and unpredictable noise such as crashes and bangs, engines revving, motor power surges, storage and handling of materials, reversing alarms and raised voices/shouting on the site. These points have been raised within the representations which have been received as part of this appeal with genuine concern over noise.
42. The predicted sound levels assume that all equipment relating to the new batch plant would be operating simultaneously. While some of the above-mentioned activities may be secondary sources to the dominant noise-generating components associated with the batch plant, they would still generate noise which could indeed take place outside of when the dominant noise sources are operational, such as the assumed batch cycle and would likely be more noticeable. This could create a longer period of disturbance than the model applies and would be heard against a noise climate without the existing batch plant operational. There is a lack of detail over these elements and their specific sound level to be confident that such activities would not unacceptably harm residential amenity.
43. There would be movements and activities between the red and blue line areas. This would include additional mobile plant movements, storage and distribution activities, handling of materials, forklift truck movements, grinding of concrete panels, cleaning of concrete mixers (likely with jack hammers) and maintenance activities. Again, such activities could take place outside of the dominant noise-generating components associated with the batch plant and would be heard against a noise climate without the existing plant operational. Such activities would therefore be heard in a different acoustic environment than that assumed for the site. Based on the evidence before me, I am not sufficiently satisfied that the cumulative impact of the noise effects of the full range of activities that may be capable of occurring under the proposed planning use and wider site operations, has been adequately assessed particularly in the absence of the existing batch plant.

#### *Amenity judgement and policy harm*

44. I appreciate that the batch plant is more modern than that which exists and includes a wet mix method opposed to dry mix which is expected to be quieter. Even so, it comprises a larger facility sited closer to the properties fronting Station Road and their amenity areas with little screening. It would therefore have a greater impact upon residential amenity for these properties than that which currently exists.
45. The Environmental Health Officer has not raised any objection to the proposed development subject to the imposition of planning conditions. Even considering this, it is clear from the representations submitted by third parties who also voiced concern at the Hearing, that noise is a genuine issue at this site. Even where development does not result in statutory noise nuisance, development can still result in a detrimental amenity impact which needs to be carefully assessed. This is because the legal threshold for statutory noise nuisance is not designed to guarantee a high level of amenity, it sets a minimum baseline to prevent

substantial and unreasonable interference with a person's use of their property. Significant loss of amenity can often occur at lower levels of emission than what constitutes statutory nuisance. It is therefore important to consider loss of amenity in its wider context not just from the perspective of statutory nuisance. Taking into account the evidence provided and nearby residents' genuine concerns, I am sufficiently persuaded that the development in this location would unacceptably harm the living conditions of nearby residents.

46. Some of the shortcomings identified individually may not necessarily be determinative but when considered collectively, the uncertainties as identified means that I cannot be satisfied that the assessment represents a cumulative assessment or robust worst-case scenario. Consequently, insufficient evidence has been provided to demonstrate that the development would not result in unacceptable harm to the living conditions of nearby residents.
47. As referred to earlier, the results of the BS 4142 assessment show that the daytime outdoor amenity space sound rating levels are equal or below (by -4dB) the measured background noise levels. The appellant explains that this would have a low impact and fall within the No Observed Effect Level when assessed in accordance with the Planning Practice Guidance (PPG) for noise<sup>4</sup>. Considering my findings above and the uncertainties regarding noise, I am not sufficiently persuaded that the impact would not be present and intrusive or present and disruptive. Such would sit within either the Lowest Observed Adverse Effect Level category of the PPG or the Significant Observed Adverse Effect Level category. I cannot therefore be satisfied that the development would remain within the No Observed Effect Level or not cause changes in behaviour, attitude or other physiological response for some nearby residents. The volume of complaint demonstrates a high degree of local concern regarding noise impacts and reinforces the need for a robust assessment.
48. British Standard 8233 (BS 8233) provides guidance on sound installation and noise reduction for buildings. It is applicable to the design of new buildings and those undergoing changes of use, focusing on controlling noise from outside and within the building. The standard sets criteria for acceptable internal and external noise levels, particularly for residential developments near noise sources. While not strictly applicable given that it does not provide guidance on acceptable noise levels from industrial noise, it can add context to the BS 4142 assessment.
49. The NIA assesses the batch plant against the 35dB LAeq daytime bedroom criterion and the 50dB LAeq outdoor amenity criterion. The report concludes that both receptors comply with the BS 8233 daytime bedroom guideline with windows partially open and the lower outdoor amenity guideline value. The differences range from -4 to -8dB. The assessment however relies on the noise levels generated by the modelling exercise. As I have identified shortcomings in the baseline data, receptor selection and modelling assumptions, I cannot be satisfied that the predicted noise levels used in the assessment are reliable.
50. For the above reasons, the proposed development is not supported by sufficient evidence to demonstrate that noise would not detrimentally affect amenity or cause harm. It would therefore be contrary with Policy SE12 of the Cheshire East Local Plan Strategy, 2010-2030, 2017, Policy HOU12 of the Site Allocations and

<sup>4</sup> Paragraph: 005 Reference ID: 30-005-20190722

Development Document, 2022 and Policy LEC1 of the Wrenbury Neighbourhood Plan 2010-2030. Such policies together, amongst other matters, seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon noise which would detrimentally affect amenity or cause harm. For the same reasons, the proposed development would also conflict with the guidance contained within the National Planning Policy Framework relating to achieving well-designed places and conserving and enhancing the natural environment.

### **Other Matters**

51. I have had due regard to the energy efficiency matters of replacing the existing concrete batch plant with a more modern one and economic benefits of doing so, including supporting the existing business and creation of jobs. I attach some weight to these benefits, but they would not be sufficient to outweigh the harm caused in relation to the main issue which I give significant weight to.
52. Other concerns have been raised by the Council and interested parties regarding the scheme, but as I am dismissing for other reasons, I do not find it necessary to consider those other matters further.

### **Conclusion**

53. The proposed development would conflict with the development plan when considered as a whole. There are no material considerations, either individually or in combination, that would outweigh the identified harm and conflict with the development plan. I conclude that the appeal should therefore be dismissed.

*N Teasdale*

INSPECTOR

## APPEARANCES

### FOR THE APPELLANT:

Peter Goatley KC – King’s Counsel - No5 Chambers – (advocate)  
Emily Williams – Addleshaw Goddard – (assisting the KC)  
Paul Hanson, Director - Graham Heath Group – (appellant)  
Doug Moulton *BSc MSc MRTPI* – Enzygo (planning)  
Charlotte Nash - Enzygo (planning)  
Tony Sheach *C Eng FICE FCILT FIHT* - Enzygo (transport)  
Aaron Andrews *MEng (Hons), MIOA* - Enzygo – (acoustics)  
Conal Kearney – Enzygo (air quality)

### FOR THE LOCAL PLANNING AUTHORITY:

Daniel Evans BA MCD MRTPI (planning team leader)  
Paul Griffiths (highways officer).

### INTERESTED PARTIES

Nigel Spicer - Communities Against Rural Industrial Expansion  
David Nutting - Wrenbury Parish Council  
Helen May – local resident  
Michael Fenton – local resident  
Judith Fenton – local resident  
Thomas Redfern – local resident  
Ian Wilkinson – local resident