



## ***Knowsley Council***

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Your Ref:  
Our Ref:

LCC/2022/0003  
22/00056/NEI

20 September 2022

Sent via email to: [REDACTED]

Dear Angie

### **Planning Application for a Medical Waste Incinerator, Simonswood Industrial Estate**

As you know, I wrote to you on 31 August 2022 to set out this Council's concerns in relation to the above site. You responded helpfully on 1 September 2022 to advise that your officers would carry out a site visit and respond in due course. Thank you for that response - we will await the findings of your team.

In the interim, Knowsley Council Elected Members and officers spoke at the meeting of your Development Control Committee on 7 September 2022 to make the Committee aware of our concerns about the planning application for a medical waste incinerator at Simonswood Industrial Estate.

During the debate, we were pleased to hear a number of the Committee Members registering their disgust and astonishment at the terrible condition of the Industrial Estate. I wanted to ensure that their views were brought to your attention, as they seem to me to provide supporting evidence in terms of the concerns which Knowsley Council has expressed.

Having said that, and given Knowsley Council's strong grounds of objection to the application, I was disappointed to hear that the Development Control Committee deferred any decision until their 19 October 2022 meeting in order to allow your officers to provide further information to the Committee.

The Knowsley Council officers who observed and/or participated in the meeting have told me that, towards the end of the meeting, the Chairman of the Committee stated that members of the public may not be able to speak for or against the application at the 19 October 2022 meeting.

Given the amount of public interest in this particular application, and the need to ensure public confidence in the planning process, Knowsley Council believes that it is important that all interested parties are given the opportunity to present their views to the Committee on any further information which is presented at that meeting. This is particularly important because the Atkins report (upon which your officers were relying when

responding to objections about air quality and health) was not in the public domain at the time of the recent meeting.

Knowsley Council would also wish to take the opportunity to respond as appropriate on the anticipated additional information report from your officers, and to address the Committee about our concerns that:-

- The report before the Development Control Committee referenced the relevant Local Plan policies (WM2 and WM3) as being *"based on data for the period up until 2020. Accordingly, it is considered that these policies are no longer up to date and less weight should now be attached to these particular policies"*.

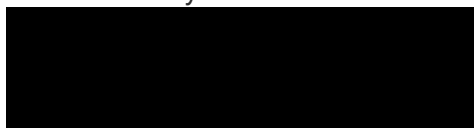
National Planning Policy states that, when relevant policies are out of date, regard should be had to "need". During the meeting, this point was raised both by our Executive Director (Regeneration and Economic Development) and also by a Member of the Committee. Your officers responded by advising that, whilst the policies were out of date, they remained relevant and would in all likelihood not be changed when your Local Plan is updated, so there is no need to consider "need" as required in National Planning Policy. This advice was contradictory with the Committee report, which clearly states that *"and less weight should now be attached to these particular policies"*. We feel that this issue must be revisited if a sound decision is to be reached; and,

- Weight can be given to the existing non-compliance with permitting and planning regimes on the Industrial Estate. At the recent meeting, some Members of the Committee were mistakenly of the opinion that such matters could not be taken into account. Unfortunately, no robust advice to the contrary was forthcoming from your officers, albeit your Head of Planning and Environment did acknowledge that evidence would have to be forthcoming if such matters were to be taken into consideration. As I have said above, there is already clear evidence of the poor practices at the site, and these issues have indeed been confirmed by some Members of your Development Control Committee during their own site visit. We fully anticipate that your officers will find similar issues when they carry out the site visit which you referenced in your reply to me on 1 September 2022.

As I hope you will appreciate from my correspondence, this is a significant issue for the residents who are impacted by the site. Those residents live in Knowsley, and I recognise that the County Council may therefore not be wholly aware of their concerns.

In order to ensure that Knowsley residents are properly represented when this matter is considered, I would be grateful if you could confirm that there will be an opportunity for public speaking on this item when it is further considered by your Development Control Committee in October 2022.

Yours Sincerely



MIKE HARDEN  
Chief Executive