

List No. 4

Sharston Ward	Application Number	Date of Appln	Committee Date
	083953/FO/2007/S2	23 rd Jul 2007	20 th Dec 07

Proposal Erection of a mechanical biological treatment plant (floor area 6968 msq) and weigh bridge office (96msq) and associated yard and parking area with continued use of existing sidings

Location South Manchester Resource Recovery Centre, MBT, Longley Lane, Sharston

Applicant Viridor Waste Management, Great Western House, Station Approach, Taunton, TA1 1QW

Agent Wardell Armstrong 2 The Avenue, Leigh, WN7 1ES

Description

This application is one of two applications for the redevelopment of the current waste management facilities at South Manchester Resource Recovery Centre on Longley Lane in Sharston.

The application was reported to Wythenshawe Area Committee on the 25 October 2007, the resolution being to refer to the Planning and Highways Committee for consideration, as the application was of more than local significance. A request was made that the Planning and Highways Committee may wish to have a site visit as the Wythenshawe Area Committee had received reservations about the applications from a local resident. The application was deferred for site visit at Planning and Highways Committee on the 22nd November 2007.

The site lies at the convergence of the Northenden and Sharston wards to the east of Wythenshawe within the Manchester City Council boundaries. Access to the site is directly off Longley Lane at the junction with Leestone Road at the western end of the site.

This site abuts the boundary with Stockport Metropolitan Borough Council.

This application would see the redevelopment of the north of the site (measuring 3.3 hectares), replacing the current DANO drum facility on site, redeveloping it into a Mechanical Biological Treatment Plant (MBT).

The existing DANO facility on site does not meet modern requirements for the treatment of waste. The proposed Mechanical Biological Treatment Plan (MBT) comprises a mechanical sorting plant and an Anaerobic Digestion (AD) unit for

biological treatment of organic waste. It would measure c.17m in height to the eaves and would sit to the east of the current waste reception hall, which is c.16m in height and would be retained. The final building would have a footprint of 6,968m² and at capacity would process 125,000 tonnes of waste per annum.

The applicant explains the process as follows, "Waste will first be tumbled in a trommel screen so that much of it disintegrates under its own weight. Large plastic items tend to stay in one piece and are easily removed. The rest of the waste will then be separated mechanically. Grit and metals will be removed for recycling or use elsewhere and the larger particles will be converted into a refuse derived fuel. Fine organic particles will be passed to the AD unit to be treated biologically at temperatures of at least 57°C for up to 20 days in two 18m high digester units. The AD unit will process organic material in enclosed tanks to produce gases that can be harnessed for renewable power; and digestate, which can be used as refuse derived fuel for off-site thermal treatment and energy recovery."

This facility would be in operation from 7.00am - 6.00pm Monday to Sunday for waste reception and 24 hours Monday to Sunday for the mechanical waste treatment and AD unit.

Other works on site would see the introduction of a new weigh bridge office additional to the existing weigh bridge to create a weighing and out process for Heavy Good Vehicles and associated yard and parking / queuing area.

The development would take access from the existing entrance from Longley Lane, although new road systems within the site would then split commercial and domestic traffic and manage traffic flow throughout the whole of the site. The rail sidings will continue to be used for the transport of waste.

The development is part of the delivery of a wider Greater Manchester Waste Management Private Financial Initiative (PFI) contract to construct a network of waste management facilities to handle municipal waste over the next 25 years in order to boost recycling and materials recovery. 13 further jobs would be provided across the whole site.

Consultations

3900 residents, businesses and other third parties in the area were consulted / notified on the application within the area bounded by Bradgate Close to the North, Altrincham Road to the South, Sharston Industrial Estate to the East and Thornton Gate in Stockport to the West.

Additional to the consultations and notifications sent out by the local planning authority, the applicant held a range of stakeholder consultation and information

events prior to the submission of their planning application including stakeholder briefings, community consultations, public exhibitions and also media briefings.

Local Residents -

Objections were received from 21 local residents (one reporting the views of the Royle Green Tenants Association, one comment from Paul Carter, Councillor for Cheadle and Gatley - Stockport Metropolitan Borough Council) on the grounds that the existing site caused disamenity (waste not contained within the site, noise disturbance and smells).

Concerns in relation to the proposed development being highway safety and increase in traffic (specifically referring to Longley Lane and Royle Green Road), increase in traffic pollution / vibration, hours of operation, potential for further noise disturbance, increase in smell emission, increase in dust and windblown dirt, loss of trees and flora and fauna to the north of the site, fears over rumours of the introduction of an incinerator on site and decrease in value of property.

1 letter of support for the application was received.

Royal Green Tenants Association directly requested the provision of a pedestrian crossing of Longley Lane, near the junction of Royle Green Road and Sharston Road or traffic lights at the junction of Royle Green Road, Longley Lane and Sharston Road.

It must be stated that there are no proposals for an incinerator to be accommodated anywhere on this site. All other issues raised shall be addressed later in this report at Issues.

Two objections have been received on the grounds that the process of anaerobic digestion creates methane gas for the production of electricity for powering the site and exporting to the national grid. The objection being that methane is a hazardous substance and that this can be highly flammable and potentially explosive. This objector had an article in the South Manchester Reporter on Thursday the 18th October 2007.

The response from the applicant is that the use of natural byproducts of waste disposal for the production of on site energy is common practice and that there are no known incidents with regards to the production of methane. The procedure is overseen by the Environment Agency and a license governs the operation of the proposed mechanical biological treatment plant.

A further letter of objection was received from the same resident that stated:
"Following further research into the above-mentioned application, I have discovered that under the provisions of Article 10 of the General Development Procedure Viridor-Laing cannot be given planning permission without the consent

of the Health and Safety Executive. This is because the development involves 'the manufacture, processing, keeping or use of a hazardous substance (in this case Methane gas) likely to lead to a notifiable quantity of such substance.'

The creation of gas does fall under the jurisdiction of the Health and Safety Executive under the Control of Substances Hazardous to Health (COSHH) Regulations. However the level of Methane to be produced on site is not of such a level that it could have significant repercussions on major-accident hazards. There is no need to consult the HSE about this application, however, the applicant will however require a licence and is going through the process of applying for that.

Northenden Civic Society - We refer to the above applications and wish to object on the following grounds: -

1. Increased scale of operations
2. Loss of trees
3. Increase in traffic. Is it possible for traffic to be routed through the Industrial Estate or to the motorway

Councillor Richard Cowell also made representations supporting the stance of Northenden Civic Society in relation to concerns over trees, addressed later in this report.

Head of Engineering Services –

1. We are now satisfied that the addendum to the transport assessment satisfactorily represents all of the vehicle movements into and out of the site during the peak hours and therefore consider the traffic generation analysis to be a robust estimate. The additional traffic flows will not effect the operation of the signalised junction at the access/Leestone Road.

2. It is imperative that to reduce HGV impact on the northern section of Longley Lane, Royal Green Road and the District Centre, the applicant is to submit a comprehensive routing strategy and that this strategy be conditioned. An element of monitoring (to be funded by the applicant) must be considered as part of this condition.

3. A signing strategy (again to minimise impact on adjacent residential areas and the District Centre) needs to be submitted and agreed. The applicant is to fund any additional signing required which must be implemented in advance of any changes to the site operations.

4. The Ward Members have requested that a speed reduction/pedestrian safety/traffic management scheme be implemented by way of a s106 contribution. We would support such measures being introduced on Longley Lane as this will serve to make the District Centre a less attractive route for

HGV traffic, reduce vehicle speeds and provide enhanced pedestrian facilities where crossing Longley Lane is already difficult and where even small increases in traffic will exacerbate this problem. We would need to approve and implement any such measures.

Negotiations have been ongoing during the process of this application between the Head of Engineering and the applicant to discuss the terms of the Routing and Signage strategy and works required to Longley Lane.

A draft routing strategy from Boreham Consulting Engineers Ltd has been submitted to the local planning authority for consideration that states that Refuse Collection vehicles will be encouraged to access the waste facility from one of two routes:

- M60 – A5103 – A560 – Sharston Road – Leestone Road - Site
- M56 – Sharston Road – Leestone Road – Site

This would effectively create an exclusion zone, which would direct traffic away from of Church Road, Palatine Road, Royal Green Road and the northern section of Longley Lane.

The only exceptions to the above routing will be those vehicles, which collect waste from within the exclusion zone.

Similarly Heavy Goods Vehicles, under the direct control of the applicant would be advised to approach and leave the site using the M56 and M60 motorways via Leestone Road and Sharston Road.

Within the statement the applicant agrees to monitoring of traffic to and from the site. The applicant proposes that a traffic count will be undertaken once a year at a date to be agreed with the Highways Authority and Planning Authority. The survey to be carried out during the operational hours of the facility.

Furthermore the applicant states that in addition to the agreed annual monitoring, should there be reason to believe that the routing strategy is not being adhered to, targeted surveys may be carried out at the discretion of the site manager.

Conditions have been suggested and have been agreed by the applicant to ensure that signing and routing strategies are put into place and are monitored.

Environmental Health - It is recommended that the following conditions be attached to any approval:

The Mechanical Biological Treatment Plant

HOURS

The MBT facility shall have the following operational times:

- Waste reception (including Bulky Waste Compactor): 0700 to 1800 hours Monday to Sunday.
- Mechanical Treatment: 0600 to 2200 hours Monday to Sunday
- Anaerobic Digestion: 24 hour operation Monday to Sunday.

Wording of Condition 9 altered accordingly.

HOURS 3

Loading and unloading of trains shall be restricted to the period of 0700 to 1800 hours Monday to Sunday.

Reason – In the interests of residential amenity.

DEL

Deliveries, servicing and collections, shall not take place outside the following hours, not including rail collections:

0700 to 1800 Monday to Sunday.

Reason – To safeguard the amenities of the occupiers of nearby residential accommodation.

There are no conditions restricting trains currently operate from the site.

FUME

Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences; any works approved shall be implemented before the use commences.

Reason – In the interests of the amenities of occupiers of nearby properties.

The information provided in the application is sufficient to discharge this condition with the following comments:

- Section 4: 'Proposed Mitigation' of the Air Quality Assessment submitted in Volume 2 of the application will be implemented.
- Part 4.6.3. of 'Summary of Effectiveness of Mitigation', in Section 4 proposes 'proactive site management and general housekeeping maintenance measures.' I would recommend that these measures include regular targeted monitoring of odour / bioaerosol emissions both on-site and off-site at the nearest residential properties, and action plans for when problem emissions are witnessed.
- Contingency plans should be in place for any mechanical breakdown of equipment used to transport or treat potentially odorous air, the Bio-Filter Towers for example.

- It is understood that the proposals could be subject to alterations at the stage of installation. If any alteration has the potential to result in a lower effectiveness of the mitigation measures, then details should be submitted to Environmental Health.

Condition would be unnecessary as information has been submitted to accompany planning application as acknowledged by Environmental Health. Were there to be any amendments to alterations to the installation the applicant would need to vary planning consent and Environmental Health would have powers under separate legislation to monitor emissions in the event that problem emissions were witnessed.

NSE6

Before the development commences, the building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction the in level of noise emanating from the site / property.

Externally mounted ancillary plant, equipment and servicing shall be acoustically treated in accordance with a scheme designed so as to achieve a noise level of 5dB below the existing background (La90) in each octave band at the nearest noise sensitive location.

Reason – To safeguard the amenities of the occupiers of nearby residential accommodation.

The information provided in the application is sufficient to discharge this condition with the following comments:

- The noise survey results and predicted noise levels are provided as Laeq values and not La90 as would usually be required. On assessment the information is acceptable.
- Some operations of the MBT facility will be active 24 hours a day. Special attention should be paid to any machinery operating these hours, with particular regard to maximum noise levels, i.e. L_{max} values at nearby residential properties, because although the predicted Laeq values have been found to be acceptable dis-amenity could arise from very short-term but noisy events.
- Section 5: 'Mitigation Measures' of the Noise Impact Assessment submitted in Volume 2 of the application will be implemented.
- All tipping of inbound refuse to the MBT is to take place within the boundaries of the Waste Reception Area building, no tipping to take place in external areas.
- The doors of the MBT facility will remain closed outside the hours of Waste Reception.

- It is understood that the proposals could be subject to alterations at the stage of installation. If any alteration has the potential to result in a lower effectiveness of the mitigation measures, then details should be submitted to Environmental Health.

Again the Condition proposed would be onerous as information has been submitted to accompany planning application as acknowledged by Environmental Health. Were there to be any amendments to alterations to the installation the applicant would need to vary planning consent and Environmental Health would have powers under separate legislation to monitor noise issues were they to arise on occasion.

NSE2

The consent shall not allow for the use of amplified sound, such as a tannoy system, in the external areas at any time.

Reason – To safeguard the amenities of the occupiers of nearby properties.

Reverse Alarms

Reverse alarms will not be used outside the hours of 0700 to 1800, and vehicle movement outside these hours will be kept to a minimum.

The applicant has stated that it will be phasing out vehicles that use reversing alarms and has committed to reducing noise levels on site.

Landscape Practice Group - We recommend that the applicant is required to undertake further work in relation to viewpoint no. 4 (Appendix 6.1) and viewpoint no. 7 as these are likely to be the receptors that are most likely to be affected by the proposed development.

The woodland and shrub (edge) species is acceptable.. a detailed schedule will be required indicating the size and number of species to be planted. Details of planting in species groups should be submitted, along with protection measures against rabbits. We also require further details in regards to the planting proposals in close vicinity of the car parking.

Finally a 5 year maintenance and management plan should be submitted, indicating measures to ensure the successful establishment of the planting proposals. A further management plan indicating operations from year 5 to year 20 should also be submitted, to ensure the planting matures appropriately.

In summary, we support this application, subject to our requirements and recommendations.

Environmental Health Contaminated Land Section - Should application be approved this section would not recommend discharge of any condition attached until the following information is submitted:

- i) Desk study
- ii) Additional site investigation information

- iii) Detailed risk assessment
- iv) Remediation strategy, if required
- v) A completion report, if required

North West Regional Assembly - I note from the appendix of the application supporting information that our comments have been recorded and taken into consideration in preparation of the application.

As you are aware, the Adopted and Submitted Draft RSS's have a broad range of policies concerning waste issues. In particular, Adopted RSS policy EQ4 and EM12 concerning the proximity principle, offer support to the proposal which will receive approximately 38% of its input from Manchester and the remainder from the Greater Manchester Districts.

Adopted RSS policy EQ5 and EM11 also offer support to the waste hierarchy approach (recovery, recycling, disposal) taken in the proposal and the wide range of modern technology and process used to achieve this.

Submitted Draft RSS policy EM13 also offers support for the provision of subregionally significant waste management facilities.

Finally, Adopted RSS policy UR2 and Submitted Draft RSS policy L1 both offer broad support for the inclusion of a visitor and information centre as part of the proposals. This should assist in bringing about the required change of the public's attitude towards recycling and disposal of waste, an approach which is supported by Adopted RSS policy EQ5 and Submitted Draft RSS policy EM11.

Government Office North West - I should point out that we would not normally expect to be formally consulted at this stage. This is because any views we might express now might prejudice the Secretary of State's consideration of the application should you be required to consult her under the terms of the Direction under the Town and Country Planning (General Development Procedure) Order 1995.

Environment Agency - The Environment Agency has no objection in principle, further works will be required at the site to address contamination issues.

Therefore we recommend that any planning permission granted should include appropriate conditions.

Natural England - Natural England is not aware of any statutory sites of nature conservation importance that would be significantly affected by the proposed planning application. It may, however, affect bats which are a statutory protected species. Such protected species are a material consideration in planning terms under PPS9.

The report at paragraph 7.90 of the Environmental Statement for the Development of South Manchester Resource Recovery Centre - MBT indicates that the DANO Drum Waste Treatment Facility building is known to have a bat roost. The report continues to recommend a further bat survey to assess presence / absence of bats. Natural England recommends that this survey is carried out prior to determination of the application.

In the Development of the South Manchester Resource Recovery Centre Household Waste Recycling Centre Environment Statement paragraph 6.74 to compensate for the loss of woodland with further tree planting of native species. The loss of ground flora and on going management of these existing and new woodland areas has not really been addressed, and Natural England suggest that Manchester City Council ask the applicant if they could clarify how they anticipate introducing ground flora to the new woodland areas and if they have considered any ongoing management.

Should the Council be minded to grant permission, we recommend that appropriate and enforceable planning conditions be attached to ensure full adherence to the mitigation and restoration proposals contained within the above report.

Greater Manchester Ecology Unit - The applicant must provide 1. further bat survey information confirming the type and extent of bat roost that is involved here 2. a method statement giving details of how any possible disturbance to bats is to be mitigated during the course of the development. Once approved this method statement must be implemented in full.

It is unclear from the plans how much woodland is to be lost to the development. It is important to retain as much of the existing woodland as is possible in order to retain this important local nature conservation feature. Any new landscaping proposed should take into account the likely use of this site by bats (eg flight lines, plant species supporting invertebrates etc).

In the interests of protecting nesting birds no clearance of vegetation should take place in the optimum period for bird nesting (March to July inclusive) unless nesting birds have been shown to be absent.

Greater Manchester Geological Unit - Land instability, protection of water resources, air emissions, traffic and access and visual intrusion have been assessed within the Environmental Statement and provided they are acceptable then the facility should be welcomed as it would reduce the amount of waste being disposed to landfill...

Paragraph 22 of PPS10 emphasises that waste companies should not have to demonstrate the need for a waste facility as long as the proposal is consistent with an up-to-date waste development plan. The applicants have set forward their proposal within the context of the Municipal Waste Management Strategy and how this particular proposal is a component of a wider and necessary infrastructure to meet the requirements of Greater Manchester's Municipal Waste Management Strategy.

As part of the delivery of the Greater Manchester Waste Management PFI contract there is a requirement to construct a network of waste management facilities to handle municipal waste over the next 25 years in order to boost recycling and materials recovery. This site is considered to be a component part of that system whilst also helping meet the requirements of Greater Manchester's Municipal Waste Management Strategy in reducing waste being disposed of to landfill...

It is proposed that vehicles will enter the site using traffic light controlled junction from Longley Lane. It is anticipated that the proposed development will help to remediate the existing congestion on Longley Lane by improving traffic flow through the site, segregating traffic for the various facilities and providing queuing capacity on site. It is predicted that there will be an increase of vehicle movements to and from the site due to the potential growth in recycling. It is advised that you liaise with your colleagues in your Highways Department and Environmental Health to determine whether this is an acceptable level of vehicle movements.

Greater Manchester Police - I can see no problem with the proposals and my only comment is that recycled waste can have high value once treated and as such could be the target of thieves. The site must be well fenced and gated so that it can be secure when not manned.

Stockport Metropolitan Borough Council - No comments received.

Issues

Principle

The Government's policy on waste management is set out in National Waste Strategy 2000 (with a review of the strategy published in May 2007 "Waste Strategy for England 2007") which seeks to move waste up the waste hierarchy and away from the least preferred option of disposal to land fill. The Government's overall approach to planning and waste management is set out in Planning Policy Statement 10 "Planning for Sustainable Waste Management."

PPS10 provides advice on the range of issues to be considered in determining planning applications for waste related development. Annex E provides locational criteria in order to test the suitability of sites and a number of factors to be considered.

Manchester City Council have consulted widely so as to thoroughly examine the information submitted by Viridor Waste Management, specifically the Environmental Statement, that accompanied this application to make sure that this locational criteria has been satisfied.

It is the view of the Greater Manchester Geological Unit that if such information is satisfactory that the facility should be welcomed as it would reduce the amount of waste being disposed to landfill.

Within the UDP, the following specific policies set out the approach of Manchester City Council in relation to Waste Management.

Policy E1.2 states that in providing for waste disposal the Council will adopt the following principles:-

- "a) it will provide household waste recycling facilities in District and local centres consistent with the need to protect residential amenity;
- b) it will provide convenient facilities for people to dispose of uncollected household/garden waste. These will be of an appropriate standard of design and will not have an unacceptable impact on residential amenity;
- c) it will carefully control the siting and design of new incinerators, landfill sites and waste treatment and storage facilities (including such operations as waste transfer stations, scrap yards etc) in order to prevent any unacceptable impact on local communities and the quality of the physical and visual environment;
- d) it will ensure whenever possible that waste treatment and storage facilities are located where they can be served by rail."

Policy DC27.1 states that "In determining planning applications for development involving the incineration, disposal or recycling of waste materials and reclamation activities, the Council will have regard to:

- a. the general location of the proposed development;
- b. the effect on the amenities of neighbouring occupiers, including the effect of traffic movements and the generation of noise, dust, fumes and litter;
- c. the adequacy of the local traffic circulation system;
- d. the need for safe and convenient arrangements for access, internal circulation, and egress;
- e. the appearance of any structures; and
- f. the quality of the boundary treatment such as fences and screening."

Policy DC27.2 provides that developments of this kind will only be permitted in locations

- "a. where development would not adversely affect occupiers of nearby properties, or passers-by in the general vicinity;
- b. which are of no ecological, environmental or recreational value; and
- c. which are unobtrusive."

Policy DC27.3 further provides that development of this kind will not be permitted unless:

- "a. it is within the general locations mentioned above, and which, for the avoidance of doubt, does not include any of the main radial routes;
- b. the Council is satisfied that there will be no hazard to public health or safety;
- c. the road network in the vicinity of the site is appropriate to the type and number of delivery vehicles associated with the proposed development; and
- d. the Council is satisfied that the proposal would not inhibit the opportunity for permanent redevelopment, or desirable environmental improvements."

Policy DC27.4 then goes on to state that where, having regard to the preceding policies, the Council considers the proposed development to be acceptable in principle, conditions may be imposed in order to protect the amenity of nearby occupiers. These conditions may cover, amongst other things:

- "a. limited period planning permission;
- b. restrictions on the nature, scale and location of vehicular movements to and within the site;
- c. the disposition of uses about the site, including the location of structures, storage and sorting areas, and hard surface parking;
- d. the appearance of all structures, especially the nature of fencing and screening;
- e. hours of operation of the development as a whole or in part;
- f. controls over burning of waste materials;
- g. details of dust and litter suppression measures including sheeting of vehicles and wheel washing facilities where appropriate;
- h. limitations about the type of materials involved, and the height to which they can be stored; and
- i. the appropriate restoration and aftercare of the site."

If the above criterion are satisfied there is therefore a presumption in favour of development.

Environmental Impact Assessment

The applicants have submitted an Environmental Impact Assessment in accordance with the Town and Country Planning Act (EIA) England and Wales 1990 and Circular 2/99 (The Regulations).

During the process the applicant has considered an extensive range of potential environmental effects and the issues that could give rise to impact are smell, noise and traffic.

It is concluded that the Environmental Statement has provided the local planning authority with sufficient information to understand the wider environmental effects of the process and any required mitigation.

Design

Concerns have been raised by residents in relation to the industrial appearance of the building proposed, concerns shared by the Greater Manchester Geological Unit.

It is not considered that the building proposed would adversely impact upon the visual amenity of the area or upon the visual amenities of any specific property.

The development would be read in the context of the existing site which is bordered to the north by the railway and the south by the M56. Furthermore there is significant screening offered by both existing and proposed trees to be controlled by condition.

Traffic

The greatest amount of objection in relation to this scheme has arisen from concerns in relation to the impacts of the increase in traffic to and from the site. Indeed a verbal request was received from Councillor Richard Cowell, Northenden Ward Member to secure Section 106 monies to alleviate any impact that the increase in traffic may have upon the wider area.

Following discussions with highways they have recommended conditions for the application to secure a routing strategy to be monitored that would to reduce HGV impact on the northern section of Longley Lane, Royal Green Road and the District Centre and a signing strategy, again to minimise impact on adjacent residential areas and the District Centre.

The Highways Engineers have agreed that a Section 106 agreement should be requested to secure speed reduction/pedestrian safety/traffic management scheme.

However, since the City Council are the landowner and will remain so we cannot request a Section 106 agreement on our own land. However a suitably worded Grampian condition can secure the measures requested.

The opportunity therefore exists to improve highway safety in the vicinity, routing heavy goods vehicles away from residential properties as requested by Northenden Civic Society.

As this development fits hand in glove with the application for the south of the site for the household waste recycling centre, materials recovery facility, green waste processing facility, relocated vehicle depot offices and education centre, it is also pertinent to note that traffic management within the site as outlined in the Viridor submission will provide for an internal queuing system that will keep domestic traffic within the household waste recycling centre and heavy good vehicles near the Mechanical Biological Treatment Plant and prevent traffic from spilling out of the site onto Longley Lane, improving highway safety as noted above by the Greater Manchester Geological Unit.

Trees and Landscaping

Concerns have been raised by the Environment and Operations Tree Section and Natural England in relation to the loss of trees and management of new tree planting and shrub planting indicated on the proposed plans.

The Landscape Practice hold similar concerns although they suggest that a condition can be imposed on any approval asking that a 5 year maintenance and management plan should be submitted, indicating measures to ensure the successful establishment of the planting proposals and that further to that

management plan indicating operations from year 5 to year 20 should also be submitted, to ensure the planting matures appropriately. The comments of all three sections have been forwarded to the applicant.

It is thought relevant given the concerns expressed that notwithstanding the details indicated on the landscape masterplan submitted, conditions should be placed on this permission that require a further landscape strategy to be drawn up. Further conditions will then require the retention of trees shown to be retained and a landscape strategy to be drawn up for maintenance as suggested by consultees.

Ecology

It has been brought to the attention of the applicant that the Greater Manchester Ecology Unit and Natural England as consultees have requested further information in relation to the presence of a protected species on site. The applicant has undertaken a number of bat surveys which are ongoing, further surveys can be conditioned as part of any approval with a recommendation for the provision of alternative habitats if bats were found. A condition can also be placed on any approval in relation to the protection of nesting birds, an issue identified by Environment and Operations Tree Section.

Residential Amenity

The supporting documentation that accompanies this application goes into some detail as to how the facilities operate so as to mitigate any harmful impact upon the residential amenities of neighbouring uses.

The Mechanical Biological Treatment procedure occurs in an entirely enclosed building powered by gas produced through the Anerobic Digestion process, the energy produced through this process also powers a system that produces a negative pressure within the enclosed building. Air is therefore drawn into the building and then passed through a treatment system preventing the escape of any smell emissions. Therefore there would be no escape of waste, and diminished escape of noise and dust, addressing a number of concerns raised by local residents in representations received.

Human Rights Act 1998 considerations - This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Unitary

Development Plan, the Head of Planning has concluded that some rights conferred by these Articles on the applicant(s)/objectors/residents and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. He believes that any restriction on these rights posed by approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation APPROVE

The request of the Wythenshawe Area Committee was that Planning and Highways Committee may wish to have a site visit as the Wythenshawe Area Committee had received reservations about the applications from a local resident. The application was deferred for site visit.

The Head of Planning's recommendation is to APPROVE - subject to the imposition of appropriate conditions. The Council has taken the environmental information (as defined in the Environmental Impact Assessment regulations) into consideration and the application is approved on the basis that the proposal will generally accord with the policies contained within the Development Plan, specifically the Unitary Development Plan Policies (Policies E1.2, DC27.1, DC27.2, DC27.3 and DC27.4). The proposal would provide a high quality facility within the area with sufficient mitigation measures proposed and secured by condition and there are no material considerations of sufficient weight to indicate otherwise.

Conditions and/or Reasons

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority: LEO3838/001, 002/01, 002/02, 003, 004, 005, 013, 024.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2 of the Manchester Unitary Development Plan.

3) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policy H2.2 of the Unitary Development Plan for the City of Manchester.

4) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with Policies H2.2 and T2.6 of the Unitary Development Plan for the City of Manchester.

5) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before development is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with Policies H2.2, E3.3 and E3.5 of the Unitary Development Plan for the City of Manchester.

6) The development hereby permitted shall not begin until a scheme to deal with contamination of land and/or groundwater has been submitted and approved by the LPA and until the measures approved in that scheme have been fully implemented. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

1. A desk study carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. The requirements of the LPA shall be fully established before the desktop study is commenced and it shall conform to any such requirements.

2. A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any land and/or groundwater

contamination and its implications. The site investigation shall not be commenced until:

- (i) a desk-top study has been completed satisfying the requirements of paragraph (1) above;
- (ii) The requirements of the LPA for site investigations have been fully established; and
- (iii) The extent and methodology have been agreed in writing with the LPA.

3. A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the LPA prior to commencement and all requirements shall be implemented and completed to the satisfaction of the LPA by a competent person. No deviation shall be made from this scheme without the express written agreement of the LPA.

4. If during the works contamination is encountered which has not previously been identified then work shall cease in that area, the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.

5. Upon completion of the works, this condition shall not be discharged until a verification report has been submitted to, and approved by, the LPA.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety. The development is located on or adjacent to land that has had a previous industrial or potentially contaminative use and lies within 250 metres of a registered landfill site.

7) The details of an emergency telephone contact number for the site contractor shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To prevent detrimental impact on the amenity of nearby residents and in the interests of local amenity in order to comply with Policy H2.2 of the Unitary Development Plan for the City of Manchester.

8) No part of the development hereby granted permission shall be commenced unless and until a survey of the site in a form and carried out by a person previously approved in writing by the local planning authority has been carried out and demonstrates to the local planning authorities written satisfaction that no protected species inhabit the site. Should the survey reveal the presence of any protected species, a scheme for the protection of their habitat or the provision of alternative habitat, shall be submitted to and agreed in writing by the City Council

as local planning authority before the development commences, and implemented in full in accordance with the approved details and to a timetable agreed in writing by the local planning authority. Details are also to be provided for the protection of nesting birds.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with Policies E2.2, E2.3 and E2.4 of the adopted Manchester Unitary Development Plan.

9) The mechanical biological treatment facility shall not operate outside the following hours, unless otherwise agreed in writing by the City Council as local planning authority:-

Waste reception (including Bulky Waste Compactor): 0700 to 1800 hours Monday to Sunday.

Mechanical Treatment: 0600 to 2200 hours Monday to Sunday

Anaerobic Digestion: 24 hour operation Monday to Sunday.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with Policies H2.2 and DC26 and the Unitary Development Plan for the City of Manchester.

10) Notwithstanding the details shown on the landscape masterplan submitted no development shall commence until a hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless otherwise agree in writing by the City Council as local planning authority.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policy E2.6 of the Unitary Development Plan for the City of Manchester.

11) No development shall take place until a schedule of landscape maintenance for a minimum period of twenty years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Landscape maintenance shall be carried out in accordance with the approved schedule.

Reason: To ensure appropriate landscaping of the site having regard to Section 197 of the Town and Country Planning Act 1990.

12) The hours of construction of the development hereby approved shall be restricted to 7.00am to 7.30pm on Monday to Friday, 8.00am to 6.00pm on Saturday, with no work at any other time including Sundays and Public Holidays, unless otherwise agreed with the local planning authority.

Reason - In interests of residential amenity in order to reduce disturbance during construction in accordance with Policies H2.2 of the Unitary Development Plan for the City of Manchester.

13) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5837 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with Policies 2.4 and 2.6 of the Unitary Development Plan for the City of Manchester.

14) The wheels of construction contractor's vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily in accordance with a management scheme submitted to and approved in writing by the City Council as local planning authority prior to any works commencing on site.

Reason - In the interest of pedestrian and highway safety, as specified in policy H2.2 of the Unitary Development Plan for the City of Manchester.

15) Before the development hereby approved commences, the applicant shall submit a routing and signing strategy for vehicles using the site in accordance with the draft routing strategy submitted. No development shall commence until the submitted strategy has been approved in writing by the Council as LPA and until the scheme has been fully implemented in accordance with the approved strategy.

Reason - To provide improved conditions for pedestrians pursuant to policies H2.2 and T2.1 of the Unitary Development Plan of the City of Manchester.

16) A scheme for the monitoring and review of the routing and signing strategy shall be submitted before the development hereby consented commences and shall be approved in writing by the Council as LPA. The strategy for monitoring and review shall be adhered to at all times when the development hereby consented is in use.

Reason - To provide improved conditions for pedestrians pursuant to policies H2.2 and T2.1 of the Unitary Development Plan of the City of Manchester.

17) No development shall commence until a scheme has been submitted for approval by the City Council for speed reduction, pedestrian safety and traffic management on Longley Lane which includes full design details and a programme of implementation. The approved scheme shall be implemented in full prior to the use hereby approved commencing.

Reason - To provide improved conditions for pedestrians pursuant to policies H2.2 and T2.1 of the Unitary Development Plan of the City of Manchester.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 083199/FU/2007/S2 held by Planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are all held by the Planning Division.

3900 residents, businesses and other third parties in the area were consulted / notified on the application within the area bounded by Bradgate Close to the North, Altrincham Road to the South, Sharston Industrial Estate to the East and Thornton Gate in Stockport to the West.

Representations were received from the following third parties:

Chief Executive's Landscape Practice Group
Engineering Services
Contaminated Land Section
Environment Agency
Greater Manchester Police
Greater Manchester Ecology Unit
Northenden Civic Society
Government Office North West
North West Regional Assembly
Natural England
Greater Manchester Geological Unit
Mr David Devoy, 11 Bagnall Walk, Manchester, M22 4LN
Mrs A Garside, 11 Bronington Close, Manchester, M22 4ZQ
D Ripley, 35, Mitchell Close, Lorna Grove, Manchester, SK8 4EB
Ms S McMahon, 54 Bronington Close, Manchester, M22 4ZR
Mr P Cunliffe, 81 Altrincham Road, Manchester, SK8 4EG
Lance Crookes, 24 Orchard Rd East, Northenden, M22 4ER
Ms Jane Harper, 2 Bronington Close, Manchester
Dave Redfern, 16 Newby Drive, Gatley, Cheadle
Mr John Bodicoat, 11 Lorna Grove, Gatley, Cheadle, Cheshire
Dave Birchall, 33 Altrincham Road, Gatley, Cheadle
Mr George Tomlinson, 54 Windsor Avenue, Gatley
Mr M Brown, 9 Wilcott Road, Gatley, Cheshire
Michael Smith, 119 Royle Green Road, Northenden, Manchester
Mr Ken Holmes, 14 Clifton Drive, Gatley, Manchester, SK8 4EQ
Paul Carpenter, 30 West End Avenue, Gatley, Cheadle, Cheshire
Mr Keith Bradbury, 6 Park Rd, Gatley, Cheshire
Dr J A Hadfield, 12 Clifton Drive, Gatley, Cheshire, SK8 4EQ
Mr Paul Carter, 153a Grove Lane, Cheadle Hulme, Stockport, SK8 7NG
Martin Sinclair, 35 Altrincham Road, Gatley, Cheadle
Phil Mulrone, 58 Halstead Grove, Gatley
Penelope Bacon, 35 Lovett Walk, Northenden, M22 4LB

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