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Miles Platting And Newton Heath Ward	Application Number 084335/FO/2007/N1	Date of Appln 10th Sep 2007	Committee Date 20th Dec 2007
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Proposal Construction of a new Mechanical Biological Treatment Facility involving erection of two anaerobic digester tanks 17m high, maturation building 10m high, buffer storage tanks, 4 x 20m high stacks, effluent treatment plant, gas holder, 8m high back up flare, new vehicle enclosure to Dano plant and extension/refurbishment of existing household waste recycling centre

Location Waste Treatment Ltd, Reliance Street, Newton Heath, Manchester, M40 3EZ

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

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

Description

This application concerns an existing site comprising an area of 3.1 ha used for waste management purposes and comprises a Dano Drum Plant and a Household Recycling centre situated at the north end of Reliance Street in Newton Heath. Directly opposite the site entrance lie a number of industrial units, a large nursing home, with houses on High Peak Street. To the south of the site lies a railway line in a cutting, and beyond this are 40 houses and an industrial trading estate. To the east the site is bounded by a scrap yard that is located in Oldham Metropolitan Borough Council. To the north there is an earth mound and a belt of trees before the land falls steeply to form a ravine with the Moston Brook and 100metres or so beyond this lies Broadhurst Primary School and playing fields and houses on Gullane Close and Fern Bank and other houses that overlook the existing plant.

The existing DANO facility on site does not meet modern requirements for the treatment of waste. In order to reduce the amount of waste being transported to landfill it is proposed to build a Mechanical Biological Treatment Plant (MBT) that 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 north of the current waste reception hall, which would be retained. The final building would have the capacity to process upto130,000 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 17m 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."

The new equipment would be sited to the north of the existing Dano building and involves extending the site beyond its existing boundary towards the Moston Brook escarpment and involves removal of an earth mound and a belt

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of trees. Modifications to the existing Dano Plant are also proposed so that the refuse vehicles unload within an enclosed environment. Alterations to the household waste recycling centre are also proposed and will utilise the existing site infrastructure but provide more containers for various materials to be accepted at the site. It will incorporate a split -level bunker and containers to provide a safer and more secure environment for householders to deliver household waste for disposal with the aim to improve waste reception and recycle recovery at the site. A one way working system will be introduced to allow safer access and parking and to reduce the likelihood of vehicles queuing off site. It will be open to the public from 8.00am to 6.00pm Monday to Sundays and stay open until 8.00pm in the summer.

The Mechanical Biological Treatment 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.

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. There will be a reduction of 5 jobs on the site but they will be redeployed elsewhere.

A similar proposal has been put forward at Longley lane Depot in Sharston application ref 083953/fo/2007/S2 which is reported elsewhere on the agenda.

Consultations

1700 residents, businesses and other third parties in the area were consulted/notified on the application within the area bounded by Beechdale Close to the north, Poplar Street to the east in Oldham, Gaskell Street to the south and Mitchell St/Leyton Avenue 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.

Local Residents A petition signed by 83 residents ,18 letters and four verbal objections have been received opposing this development.

Many of the residents who have signed the petition live around Beechdale Close and Dresden Street area some 350 metres away from Reliance Street. They are concerned that the facility would be built in an area of increasing residential development, with houses, schools , two residential care homes and a sports ground nearby. It is consider that this would have a detrimental impact on the regeneration of Newton Heath and will deter property developers. They have concerns about the environment, particularly air quality and that increased traffic will have an effect on air quality due to increase in C02 emissions. Safety is another concern as gas storage tanks for powering the plant will be installed close to private dwellings.

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Many residents have raised the problem of odours experienced with operation of the existing plant especially in summer and fear this will get worse. Noise from operational activities, vehicles reversing and from the tannoy system are also raised by many residents. The likely increase in traffic is also an issue raised by many residents with heavy flows along Oldham Road and problems experienced with traffic backing up on Reliance Street as well as bringing in waste from other authorities. The visual impact of the new plant is raised by several residents particularly the stacks and digesters because of their height will make them obtrusive, it is suggested that they are repositioned to make them less visible as tree planting will not provide an effective screen and they could be made less noticeable if painted green or brown. Other points raised by residents include the high level of lighting of the site at night, vibration caused by moving containers that sometimes causes sleep disturbance and damage to foundations. Fumes from the gas burners, exhaust emissions and possible toxins from the stacks and firing of the gas from the flare stack are raised. Concerns about reduction in property prices, and whether there are any other similar plants elsewhere in the country, the loss of mature trees and scrub and problems with dust are raised.

It is suggested that noise and odour monitoring is carried out. Questions have been raised about what measures will be in place in the event of a leak or accidents. The disturbance to residents during the 18 month construction period is mentioned and general neglect of Newton Heath over the years and this development will make it a less attractive place to invest.

The Headteacher of a nearby school is concerned about the general health of schoolchildren particularly due to odours and polluted air given that there are several schools in the area and about dangers of articulated lorries. They have Eco-schools as part of the healthy schools agenda and it is felt that bringing in additional waste has the potential to have a negative impact on childrens lives. An asthma sufferer considers that the air is already badly polluted and it should be located in a more isolated part of the country. A local resident also has health concerns for children due to air pollution and wishes to have assurances that an incinerator will not be added at a later date. One resident feels that this sort of facility should not be located in an urban area since the surrounding area is being developed for housing and it will be a nuisance to all.

Graham Stringer M.P. wishes to object on grounds of improper consultation with local residents and may wish to extend his grounds objections following further consideration of the details of the application.

New East Manchester Ltd. recognise the importance of a sustainable waste management policy, and therefore welcomes the improvement to the existing facility at Reliance Street and is supportive of the application as it seeks to upgrade the operation and management of the handling of recyclable waste goods. The facility will result in a reduction of HGV and Refuse vehicle traffic and the reduced transport level is welcomed. It is understood that there will be larger HGV vehicles possibly with trailers carrying waste to the site and this may have an impact on the junction of Reliance Street/ Oldham Road. Vehicles should not be allowed to queue outside the facility on Reliance Street creating congestion and potential problems at Oldham Road junction and wish to see a travel plan.

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Feedback from local residents and members have highlighted unacceptable odour from the existing facility. They have been advised that new operations and practices will eliminate such odour escape. NEM would like assurances that odour prevention will be managed aggressively and that it will extend to commercial vehicles using the plant. Commercial vehicles entering and leaving the plant should be covered. Similar aggressive management of the site is important to eradicate any vermin and insect infestation that may cause a nuisance for surrounding residential properties. It is noted that the facility will be open on Sundays and have questioned whether it is necessary for HGV commercial refuse vehicles to use the site on Sundays.

Assurances have been given on noise levels of vehicles entering and existing the facility. Rail traffic is likely to increase and an assessment of noise levels at the railhead is requested. As the facility contains gas storage assurances should be received confirming satisfaction of legislation concerning hazard zones and their proximity to other properties and residential areas.

Successful management is the key to operating within a populated environment and to that effect would like to see protocols considered that will ensure that the facility operates in accordance with planning permission granted and these will be subject to regular monitoring and inspection.

Oldham Metropolitan Borough have no objection but if it is minded to approve the application it is requested that the following conditions are included:-

A maximum boundary noise level or maximum noise level shall be fixed at the nearest noise sensitive premises such that a calculated level of 45 DBA (15) minutes shall not be exceeded at facade of Sandfield House Morton Street. No discernable odour shall be present within Oldham MBC arising from activities on the application site. No wind blown litter shall be allowed to escape beyond the boundaries of the application site. There shall be no transportation of food waste in open wagons through the Oldham boundary.

North West Regional Assembly is satisfied that the proposal would appear to support the relevant policies of both the Adopted and Submitted Draft RSSs, in particular submitted Draft RSS policies EM10 and EM11 through the provision of additional capacity for recycle receptacles, delivering additional waste processing facilities and increasing energy recovery capacity to the region. The proposed development, therefore, would appear to help contribute towards meeting regional recovery value and renewable electricity targets. The development also supports Submitted Draft policy EM12 by adhering to the self sufficiency principle which argues that the region should rely on its own waste management capacity rather than export elsewhere, and the "proximity principle (now referred to by Government guidance as managing waste within your own community) which requires for the treatment and disposal of waste should be sited as close to the source of waste as possible.

However, the design and construction of the proposal makes no attempt to introduce sustainable design and construction policies EQ2 and Draft RSS policies DP1 and EM5 EM16 all emphasise the need for sustainable design and construction and options for energy conservation and reducing water usage and therefore further consideration should be given to the sustainable design and construction of the proposal.

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Natural England The visual impact assessment shows that the site lies in an area with high viewpoint sensitivity, however, the proposals for mitigation should not rely entirely on screening but on high standards of design to ensure the new development is as visually acceptable in its own rights as possible. The new native trees and shrub planting within the site is welcomed but requires high standard of ground preparation works and robust protection during operational period of works to ensure survival. As surrounding areas of semi-natural vegetation are under pressure it is recommended that the opportunity is taken to provide a protected "reserve" within the site which will benefit green infrastructure as a whole. The light colour proposed for the buildings will greatly increase their visibility and recessive colours are generally much more easily integrated into the surroundings. The redevelopment of the site provides opportunity to improve and enhance the appearance of the boundary treatment.

There are no nationally designated or any statutory area of nature conservation importance that would be significantly affected by this planning application. A walkover survey was carried out in relation to detecting presence of bats the Consultant ecologist confirmed that there was a lack of roosting habitat in either trees or buildings identified. However, if bats or any protected species are subsequently found on site the work should stop immediately. The Environmental Statement suggests that there may be foraging potential on site and Natural England agree that Moston Brook could be an important wildlife corridor. Natural England welcomes the planting of trees to secure future foraging and commuting habitat for bats and also recommends low impact lighting condition in the interests of bats. A method statement for control of Japanese Knotweed and Himalayan Balsam would be beneficial to show how they will be controlled and further spread prevented. Natural England welcomes the proposal to avoid site clearance during the bird breeding season.

Greater Manchester Ecology Unit The quality of the ecological information submitted in the EIA, particularly in relation to the north of the site appears to be poor. It is an area of dense scrub and plantation woodland and no reference is made to the fact that this lies within the Moston Brook Green Chain and the value of the site in this context has not been addressed. While some mitigation has been proposed for the loss of this habitat, that is tree planting in an area in the south west of the site, this area of planting is not connected to the Green Chain and therefore does not provide a like for like replacement for the loss of habitat and does not improve biodiversity surrounding the site. The survey was carried out in March which is rather early to record some grassland species and invertebrates. Overall the scheme has been poorly designed in relation to the adjacent wildlife corridor. If planning permission is granted it is recommended that the following conditions are attached. There should be no clearance of the site during the main bird breeding season (March to July). Prior to works commencing on site a lighting strategy should be submitted to the Council that demonstrates that there will be no light pollution into the adjacent habitats during both the construction and operational phases of the development. Prior to works commencing on the site a method statement for the control of invasive species on the site should be submitted to and agreed by the Council in writing.

Landscape Practice Group has raised concerns about the position and quality of the photomontages from three of the locations chosen, High Peak Street, Calverton Drive and footpath adjacent to Broadhurst Primary School and recommend that the applicant be required to submit photomontages for these

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three points, illustrating the proposed development and to illustrate the screen planting over a 10-15 year period. Given the importance of screening along the northern boundary it is considered prudent for a tree survey to be undertaken to establish the type and condition of tree species present. A tree protection plan and details of protective barriers and an arboricultural method statement should be submitted. The proposed woodland and shrub (edge) species is acceptable, although it is considered that pine should be added to the woodland mix to add an element of evergreen. A detailed schedule will be required indicating size and species should be submitted along with protection measures against rabbits to a scale of 1:500. More ornamental trees would be appropriate in the car parking areas. Details of girth and height of trees, tree staking method and growing medium proposed. Also a 5 year maintenance and management plan should be submitted indicating measures for successful establishment of planting proposals. A further management plan indicating operations from year 5 to 20 years should also be submitted to ensure planting matures appropriately and provides long term effective screening of the development.

Greater Manchester Police can see no problem with the application

Environment Agency wish to object to the proposal as the Flood Risk Assessment submitted with the application has not addressed all the points made previously by the Environment Agency. In particular it fails to investigate the flood risk from the culverted watercourse flowing through the site with a survey to establish its line and condition. Calculations of existing and proposed surface drainage system and a revised FRA should be submitted to address the above issues.

Environmental Health Contaminated Land Section historical information relating to this site indicated possible presence of significant levels on contamination it is recommended that a condition is attached to include a desk study, site investigation, remediation strategy and verification report upon completion of works.

Head of Environmental Health have recommended that a number of conditions be attached to any approval. The Mechanical Biological Treatment plant should have the following operational times 07.00 to 18.00 Monday to Saturday and 08.00 to 18.00 hours Sunday and Bank Holidays in recognition of potential disturbance to residents, The Mechanical Treatment (Dano plant) 07.00 to 19.00 Monday to Sunday. Pulper/Sludge Area 06.00 to 22.00 Monday to Sunday, Anaerobic Digestion 24hour operation Monday to Sunday. The operational times for use of vehicles around the site to reflect waste reception times 07.00 to 18.00 Monday to Saturday and 08.00 to 18.00 Sundays and Bank Holidays, the deliveries, servicing and collections should also not take place outside the following hours 07.00 to 18.00 hours Monday to Saturday and 08.00 to 18.00 hours on Sunday and Bank Holidays. A condition to cover external lighting in order to control glare is recommended. A special condition requiring that there should be no perceptible odour arising from activities on the site, at the site boundary is recommended. The standard fume extraction condition is required. Good management practices at the tipping hall will be important and a written contingency plan should be in place for mechanical breakdown including equipment used to treat potential odours in the air. A condition requiring the buildings to be acoustically insulated to reduce noise emanating from the property. A condition not to allow use of amplified sound such as a tannoy system in external areas and acoustic insulation of external equipment to control all noise sources including plant, fork lift trucks and other

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vehicles. There should be a fully implemented written management system with respect to pest control and dust. A wheel wash condition during the construction period is necessary.

Further information on the maturation stage of the process especially with respect to odour release.

Head of Engineering to be reported

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 least preferred option to disposal to landfill. The Government's overall approach to planning waste is set out in Planning Policy Statement 10 "Planning for Sustainable Waste Management. PPS 10 provides advice on the range of issues to be considered in determining applications for waste related developments. Annex E provides locational criteria in order to test suitability of sites and a number of factors to be considered.

Regional Policies

Policy DP1 of both the Adopted and Submitted Draft RSS emphasis the sequential approach to development, in particular the reuse of existing building and brownfield land, before consideration is given to less sustainable sites. The proposal will be accommodated on an existing household waste recycling centre and therefore broadly supports this policy.

Further, both PPS10, Adopted RSS policy EQ6 and Submitted Draft RSS policy EM12 set out the key planning objective for waste, to be disposed of in one of the nearest appropriate installations and for communities to take more responsibility for their own waste.

The location of this site is in keeping with the management of waste within a community pursuant to PPS10, EQ6 and EM12. I agree with paragraph 6.51 of the Planning Supporting Statement that the development of an integrated network of facilities in the Greater Manchester area to manage Greater Manchester's municipal waste contributes to regional self-sufficiency.

The proximity of the site to rail connections, and the applicants intention to utilise the on site rail head is supported by Adopted RSS policy T2 & EQ6 and Submitted Draft RSS policy RT5.

Waste Hierarchy

Policy EM10 'Regional Approach' of the Submitted Draft RSS sets out the regional approach to waste management and policy EM11 'Waste Management Principles' of the Submitted Draft RSS refers to the waste hierarchy.

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This facility lies within the waste management hierarchy by ensuring that maximum value will be recovered from source segregated recyclable materials and will provide a means for Greater Manchester to divert from landfill disposal.

Regional Waste Targets

Policy statement S5 of the 2004 Regional Waste Strategy for the North West, sets out the region's targets in respect of recovering value from municipal waste. The target is to recover value from 40% of municipal solid waste (MSW) by 2005 (including recycling/composting), 45% by 2010 and 67% by 2015. In the 3rd Waste Management Monitoring Report (August 2007), the Regional Technical Advisory Board reports that the region falls significantly short of its 2005 target with the current value recovered from MSW at 27.6% in 2005/2006. This figure is the sum of recycled 25.1% and energy recovery 2.5%. These figures are to be implemented in the region through Submitted Draft RSS policies EM10, EM11 and Em13.

The facility will help contribute towards achieving the regional 2010 and 2020 recovery targets through the generation of electricity from gases and the production of a compost like material as by-products of anaerobic digestion. The development will move the management of the waste up the waste hierarchy by allowing the recovery of value.

Regional Renewable Electricity Targets

Policy EM17 'Renewable Energy' of Draft RSS states that "*in line with the North West Sustainable Energy Strategy, by 2010 at least 10% (rising to at least 15% by 2015 and at least 20% by 2020) of the electricity supplied in the North West should be provided from renewable energy sources.*"

In addition, chapter 5.3.44 of the Energy White Paper (EWP) 2007 states 'Generating energy from that portion of waste that cannot be prevented, reused or recycled has both energy and waste policy benefits. Energy generated either directly from waste or through the use of a refuse derived fuel has benefits for security of supply. In addition, the biodegradable fraction of waste is a renewable resource.'

'Anaerobic digestion is an emerging technology which is currently under-developed in the UK. It offers the potential to generate renewable energy – not only electricity, but also heat and fuel – from manures and slurries and certain organic wastes such as food waste, whilst at the same time mitigating methane emissions from agriculture and landfill'

The electricity generated from the biogas produced from anaerobic digestion will be used to power the plant and any excess electricity exported to the national grid. As such, the use of biogas to generate electricity which may help contribute towards the regional renewable electricity targets and is in keeping with Submitted Draft policy EM17.

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,

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

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
- . the appropriate restoration and aftercare of the site."

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

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Planning Policy Guidance 24 Planning and Noise (PPG24) – guides local authorities in England on the use of their planning powers to minimise the adverse impact of noise. It outlines the considerations to be taken into account in determining planning applications both for noise –sensitive developments and those activities, which generate noise. It explains the concept of noise exposure categories for residential development and recommends appropriate levels for exposure to different sources of noise.

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 Regs).

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.

Odours This is one of the main issues of concern to local residents. As part of the proposals, the existing waste reception building will be extended to the south side next to the waste reception pits providing an enclosed deposit area. The new entrance will be equipped with high speed opening doors that will only operate during arrival and departure of vehicles. Changes to regime for emptying the pits are also proposed. The waste reception building will be kept at a negative pressure ensuring that when the doors are open air moves into the building rather than out which will reduce the release of odours to the external environment.

The applicant states that a new In Vessel Composting facilities in Greater Manchester are proposed as part of the PFI contract and green waste, kitchen food waste will be collected and delivered to these facilities and will no longer be delivered to Reliance Street and will greatly reduce the potential of generation of odour from the residual waste delivered to the site. The air drawn out of the tipping building to create a negative pressure will be treated using a multi stage filtration system to remove dust and odours before it is released to the atmosphere via the proposed stacks. The height of the stacks has been calculated based on an assessment carried out and designed to release air at a height greater than the plant buildings so as to ensure good mixing with the atmosphere. An odour assessment has also been carried out using dispersion modelling software and have been compared to relevant Environment Agency guidance and this shows that the residual odour is controlled so as to prevent any occurrence of nuisance. The engines of the generation plant will release exhaust gases will be released to the atmosphere via stacks to ensure that they are within acceptable limits. The results confirm that potential concentrations at all potential sensitive receptors in the vicinity are well below the statutory levels set as Air Quality Objectives. This ensures that there will be no impact on health. Should planning permission be granted a Pollution Prevention and Control (PPC) permit will be required in order to operate this site. A further review of air and odour emissions will be carried out by the Environment Agency during the determination of the PPC permit application. In addition air quality and odour will be controlled under the performance framework between the GNWDA and the PFI contractor.

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These measures represent a significant improvement compared with the existing operations where the tipping takes place outside the building. It is considered that the conditions on this issue recommended by Head of Environmental Health will provide additional safeguards.

Residential Amenity Noise is clearly a significant issue in this location particularly due to movements of vehicles. The applicant have stated that traditional reversing alarms can cause nuisance and Viridor's fleet will be equipped with either a broad or strobe type alarm which are less intrusive, but effective in alerting operatives to dangers. The proposed enclosure of the tipping hall will mean that these vehicles within a building, where the emission of noise will be contained, rather than in the service yard as they do currently. Also the tannoy system currently in use at the site will be decommissioned under the redevelopment proposals. The site will continue to have one train leaving the site each day and there are no proposals to increase this. Loading of trains will be restricted to the hours of 07.00 to 19.00 hours and movement of trains restricted to 07.00 to 22.00 hours as at present.

The applicants have said that the actual number of vehicles delivering waste to the MBT facility on a Sunday are predicted to be very small but the WDSA have requested that deliveries of waste be allowed to take place between 07.00am to 18.00pm Monday to Sunday rather than the 8.00am start on Sunday recommended by Environmental Health. The Head of Environmental Health considers that with increased residential nature of the immediate area and disamenity from vehicle noise from use of the road and movements on site, that it is not unreasonable to ask for a delay of one hour to the starting on Sundays and Bank holidays.

The applicants have said that the changes to working practices inside the tipping hall are intended to deal with issue of vermin. This will also be subject to the requirements of performance framework between the GMWDA and Viridor which can be enforced through a system of fines under the PFI contract.

The Head of Environmental Health has commented that quite extensive working hours for the construction of the site are proposed which exceeds times the authority normally ask contractors to work. This matter merits further discussion in order to safeguard resident's amenity during the more sensitive site such as early morning in relation to matters as noisy working. In view of these concerns it is recommended that a condition to restrict working hours during the construction period is attached.

It is considered that the conditions recommended by Environmental Health in relation to hours of operation, acoustic insulation and no external sound system should provide adequate protection in this case. Other standard conditions to cover control of pests, dust, and external lighting will provide additional protection.

Little weight can be given to loss of property value in determination of the application

Design. The nature and scale of the process being carried out requires large tall functional structures to be erected. The existing Dano Building is a tall metal clad building and will provide an effective screen to the new structures from

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views to the south. New tree planting is proposed to the perimeter to the east and along the northern boundary and next to Reliance Street and will help to provide some screening when the trees have become established. The careful choice of materials can also help to reduce the visual impact of the structures and this can be made subject to a condition requiring materials to be agreed. However, given the character of the area it is considered that the structures will not have an unduly detrimental impact on the visual amenities of the area.

Traffic There will be a small reduction in the number of Heavy Goods Vehicles to the site, though it will involve larger vehicles, the transport movements calculations show that overall future traffic flows are likely to be around 10 % less than present flows. The views of the Head of Engineering are awaited and this aspect will be reported further to Committee.

Impact on Moston Brook The expansion of the waste treatment plant to the north will involve the removal of an earth embankment and loss of an area of open space that is made up primarily of scrubby birch, oak with alder and willow but has not been subject to any maintenance over the years. Visually it forms part of the valley top of Moston Brook green corridor. Due to the large level differences across the site this is the only practical direction where the expansion of the site can take place. The applicant has confirmed that this expansion has been minimised as far as possible and a buffer zone has been maintained at the crest of the slope and efforts have been made to retain more trees that lie to the north of the proposed expansion area adjacent to Moston Brook. The loss of this land is regretted but is outweighed by the wider benefits that the Mechanical Biological Treatment Plant will bring in terms of reducing the amount of material exported to landfill sites. The applicant intends to carry out extensive planting within the site to help offset this loss and will assist in creating a new habitat and add to the overall biodiversity of the area. More detailed plans are needed and this can be covered by condition and particular attention will need to be paid to the treatment along the northern fringe. Additional conditions to protect other ecological concerns raised will be imposed.

Flood Risk/ Surface Water Drainage Discussions are taking place with regard to the objections raised by the Environment Agency and is expected to be resolved soon and this will be reported further to Committee.

Applicants Response to various issues raised by residents and other interested parties.

The applicants have confirmed that there are no proposals to locate an incinerator at the site.

Concerns about increased residential development in the area are noted, however, Reliance Street is an existing facility and national policy guidance indicates that existing locations should be preserved.

As far as the storage of gas on site and concerns expressed about safety risk, it is explained that the generation of gas is a continuous process, with gas produced in the AD tanks and fed to the electricity plant via a small gasholder which acts as a buffer. The gas is not held under pressure on the site. There are a number of backups, including boilers and a flare, to utilise the gas should the electricity plant not be available due to maintenance. The facility is subject

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to inspection on completion by GM Fire and Rescue Service to ensure compliance with statutory fire and safety requirements.

As far as sustainable design for the building is concerned there is a commitment to the sourcing of construction material locally wherever possible. The use of rail transport is proposed for the transportation of refuse derived fuel from the site and the use of rail will be used for other materials where practicable. It envisages the reuse of secondary aggregate materials wherever possible. Water in the digestion process is recovered by filter for re-use and will review the potential for use of roof collected rainwater.

The applicant is currently preparing additional photomontages and will look at choice of colours as part of this work.

The request for a condition for transportation of food waste across the Oldham boundary is not practical as the control lies with Waste Collection Authority rather than the applicant.

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)/objector(s)/resident(s) 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 the 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 **MINDE TO APPROVE** subject to resolution of objections raised by the Environment Agency

The 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

List No 10

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: LE03809/EIA4.4, LE03809/EIA3, a, b,c,d,e,f,g,h,i,j.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy DC27 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 the new plant becomes operational. 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) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment the Desk Study) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

List No 10

The Desk Study shall be prepared by a suitably qualified person whose competence to carry out the Desk Study has been approved in writing by the City Council as local planning authority (an "Expert").

In the event of the Preliminary Risk Assessment Desk Study identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal Scheme) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal Scheme shall be carried out, by an Expert before development commences and the Expert shall prepare a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy Site Investigation Report and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, an Expert has prepared a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy Site Investigation Report) which shall be submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy Site Investigation Report, which shall take precedence over any Remediation Strategy Site Investigation Report or earlier Revised Remediation Strategy Investigation Report.

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, pursuant to H2.2 of the Unitary Development Plan for the City of Manchester.

7) The details of an emergency telephone contact number for the building 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) 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:-

List No 10

Waste reception (including Bulky Waste Compactor): 07.00 to 18.00
hours Monday to Saturday

08.00 to 18.00 hour

Sunday and Bank Holidays

Mechanical Treatment (Dano Plant)
hours Monday to Sunday

07.00 to 22.00

Pulper /Sludge Area

06.00 to 22.00

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.

9) 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 brought in use. 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 agreed 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.

10) 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.

11) 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.

12) 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.

List No 10

(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 5387 (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.

13) The wheels of contractors 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.

14) Before the development hereby approved commences a method statement for the eradication and disposal of knotweed and any contaminated soil from the site shall be submitted to and approved in writing by the City Council as Local Planning Authority and shall be disposed of in a licensed landfill site.

Reason - In the interests of amenity and public health, pursuant to policy H2.2 of the adopted UDP.

15) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 - Recommendations for Tree Work but no work shall be undertaken in the bird breeding season March to July.

Reason

In order protect any nesting birds pursuant to policy E2.3 of the Unitary Development Plan for the City of Manchester.

16) The operational time for use of vehicles around the site, including deliveries, servicing and collections shall not take place outside the following hours

07.00 to 18.00 hours Monday to Saturday

List No 10

08.00 to 18.00 Sundays and Bank Holidays.

Reason

To safeguard the amenities of the occupiers on nearby residential property pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

17) The development hereby approved shall include a building lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn, or as may be otherwise agreed in writing by the City Council as local planning authority. Full details of such a scheme shall be submitted to and approved in writing by the local planning authority before the development commences. The approved scheme shall be implemented in full before the development is first occupied unless otherwise agreed in writing by the local planning authority and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of government guidance in Planning Policy Statement 1 and Policies H2.2, E3.3 and E3.5 of the Unitary Development Plan for the City of Manchester.

18) An integrated management and monitoring plan demonstrating best available techniques with respect to prevention of the emission of odour from the site operations such that odour is not perceptible beyond the perimeter of the premises, shall be submitted to and approved in writing by the City Council as Local Planning Authority before the site operations commence. Such details shall be implemented in full whilst the development is operational and shall be retained at all times thereafter. The plan should include contingency plans for any mechanical breakdown and remedial actions should odour be emitted.

Reason

In order to ensure that there are no perceptible odours arising from the activities at the site boundary in order to protect the amenities of nearby properties pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester

19) Before development commences a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with Policy H2.2 of the Unitary Development Plan for the City of Manchester.

20) A management plan for the tipping hall and a written contingency plan for any breakdown of equipment used at any stage in the MBT system including the breakdown of equipment used to treat potentially odorous air shall be submitted to and approved in writing by the City Council as local planning

List No 10

authority prior to the MBT Plant becoming operational and shall be implemented in accordance with the approved details thereafter.

Reason

In the interests of amenities of occupiers of nearby properties pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

21) Before the building hereby approved is first occupied it shall be 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 in the level of noise emanating from the property.

Reason - To safeguard the amenities of the occupiers of nearby accommodation, pursuant to policy H2.2 of the Manchester Unitary Development Plan.

22) Before first occupation of the development 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 in the level of noise emanating from the equipment.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy H2.2 of the Manchester Unitary Development Plan.

23) At all times when the development hereby consented is in operation no amplified sound, such as a tannoy, or, any music shall be permitted.

Reason

In the interests of amenity to safeguard the amenities of nearby properties pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

24) A management plan with respect to pest control shall be submitted to and approved in writing by the City Council as local planning authority and shall be implemented in accordance with the approved details thereafter.

Reason

In the interests of amenity to safeguard the occupiers of nearby residential properties pursuant to policy of H2.2 of the Unitary Development Plan for the City of Manchester.

25) A management plan with respect to dust control and air borne litter shall be submitted to and approved in writing by the City Council as local planning authority and shall be implemented in accordance with the approved details thereafter.

Reason

List No 10

In the interests of amenity to safeguard the amenities the occupiers of nearby residential properties pursuant to policy H2.2 of the Unitary Development plan for the City of Manchester.

26) Full details on the maturation stage of the process especially with respect to odour release from the maturation bed shall be submitted to and approved in writing by the City Council as local planning authority and shall be implemented in accordance with the approved details and shall be retained as such at all times thereafter.

Reason

In the interests of amenity to safeguard the amenities of nearby residential properties pursuant to policy H2.2 of the Unitary Development Plan for 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: 084335/FO/2007/N1 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 held by the Planning Division.

Representations were received from the following third parties:

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Mrs Valerie Baldwin, 37 Albert Street West, Failsworth, Manchester
G FILZ, 37 THE LINKS, NEW MOSTON
1 Fernbank
5 Hollybank
214 The Fairway
19 Carnoustie Close
6 Fernbank
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G Stringer M.P.

Chief Executive's Landscape Practice Group
Environmental Health
Contaminated Land Section
New East Manchester
Greater Manchester Police
|
North West Regional Assembly
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