

Application Number:	23/00347/FUL
Proposal:	Retrospective application for a change of use from commercial vehicle breaker, repairs and sales to waste transfer station, including the erection of washing plant, waste operations shed, extension to existing building, erection of weighbridges and office and improvements to Groby Road North.
Site:	4 Groby Road North, Audenshaw, M34 5HG
Applicant:	Kenny Waste Management Limited
Recommendation:	Grant planning permission, subject to conditions.
Reason for Report:	A Speakers Panel decision is required because the application constitutes a major development.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The site subject of this planning application relates to land located to the north east of Groby Road North in Audenshaw.
- 1.2 Groby Road North extends by 140 metres north west of Audenshaw Road, it is effectively a cul-de-sac which is distinctly industrial in character. It supports a number of established employment uses which includes businesses involved with plant hire, haulage and offices. Typically these uses are trading from steel framed warehouse buildings set within large yards which also support open storage.
- 1.3 Kenny Waste Ltd are operating a waste transfer station at the site which was previously used as a car breakers yard. It should be noted that the current use does not have planning permission and is operating in breach of planning control.
- 1.4 The site borders the Ashton Canal to the north, industrial uses to the east, gardens of Holt Street properties to the south and Groby Road North to the west. Beyond the Ashton canal to the north is a railway line and the M60 motorway, noise from which travels across the site. Levels within the site are flat, the applicant has constructed several buildings and associated yard and drainage infrastructure within the site. Buildings within the site include a waste operations shed, weighbridge and site office. Material is brought to site by skip waggons with material sorted by a grabber and arranged into several bays, skips which are used for collection are stored openly within the yard.
- 1.5 Groby Road North is not adopted, it joins Audenshaw Road to the south where it crosses a railway line. The access comprises a heavily potholed carriageway which is not drained or lit to a recognised standard. The carriageway is not solid bound and is in deteriorating condition, vehicles using the road tend to create noise and dust.

2. PROPOSAL

- 2.1 This full application seeks retrospective planning permission for a change of use of the site from commercial vehicle breaker to a waste transfer station (sui generis) use, including the erection of washing plant, waste operations shed, extension to existing site building, erection

of weighbridges and office, in addition to this it is also proposed to undertake improvements to Groby Road North access road.

- 2.2 The planning statement identifies that the application proposals are for a recycling centre which allows for the reception, storage and sorting of construction and demolition (C&D), commercial and industrial (C&I) and domestic wastes to permit recycling and recovery. Most of the waste comes from large construction sites within Manchester city centre, but the facility does also serve similar sites within Tameside and surrounding areas on the east side of Manchester.
- 2.3 Construction waste is brought to site within skips, the materials from which is emptied and sorted at the site. This process is currently being undertaken outside but the proposals would see this take place within a dedicated waste management building. Waste which is processed at the site includes; wood, metal, aggregate, soils, cardboard, plastics, green waste, and plasterboard. Once these are sorted they are sent for re-cycling avoiding landfill operation. Materials that cannot be segregated on the site are bulked up and sent by road to the applicant's other site on Lester Road, Salford.
- 2.4 The application confirms that the site operates under an Environmental Permit issued by the Environment Agency.
- 2.5 The applicant, Kenny Waste Management Limited (KWM) has been operating for over 35 years and is a regional specialist in recovering, reusing, and recycling waste, dealing mainly with construction and demolition, commercial and industrial, and domestic skip wastes, which mainly arise within the Greater Manchester area. They typically deal with 200,000 tonnes of waste a year through their main site on Lester Road, Salford, where the wastes are sorted and processed. The Groby Road sites site has been identified by the applicant to reduce transport costs and allow the sorting and washing of waste closer to source from that collected within east Manchester and the city centre.
- 2.6 Built development included within the application would comprise of the installation of two weighbridges and offices, an extension to the existing workshop to facilitate maintenance and fabrication of equipment and skips, and a building within which incoming skip waste can be unloaded and sorted,
- 2.7 The waste building is the largest of the structures would be the waster building, this would be an 'L' shaped building with a footprint of 45m x 37.5m and an eaves height of 12.2m. The building would steel framed with a composite external cladding system, the roof would have a slight camber.
- 2.8 The workshop extension would be a wraparound front and side extension to the existing workshop building located north of the sites entrance. The footprint would measures 20.8m x 21.4m and have an eaves height of 4.5 with the ridge of the pitched roof measuring 6.8m. This would be a steel framed building/clad.
- 2.9 The weighbridge office building is located at the site entrance. This is a brick built flat roofed building that measures 9.4m x 6.5m x 3.1m.
- 2.10 The applicant anticipates processing up to 100,000 tonnes of waste per annum, transported by skip wagons with capacity for 8 tonne loads, with the proposed wash plant processing up to 150,000 tonnes per annum transported by wagons with capacity for 20 tonne loads. In addition to this, the applicant has confirmed that an average of 5 no. 16.5m artic HGVs (10 two-way) will be required to transport waste off site each day.
- 2.11 The application has been supported by the following reports:
 - Air Quality Assessment

- Biodiversity Survey
- Design and access Statement
- Noise Impact Assessment
- Phase I Geo-Environmental Assessment
- Planning Statement
- Transport Assessment

3. PLANNING HISTORY

- 3.1 06/00906/OUT – Residential and commercial (Class B1) development – OUTLINE – Application Withdrawn
- 3.2 21/00071/FUL – Change of use from commercial vehicle breaker and sales to waste transfer station, including the erection of waste operations shed, extension to existing building, erection of weighbridge and office – withdrawn.

4. PLANNING POLICY

National Planning Policy Framework

- 4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.
- 4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

4.4 Development Plan

The adopted development plan is the Tameside Unitary Development Plan (2004) and the Greater Manchester Joint Waste Development Plan Document (2012).

Allocation: Development Opportunity Area (E2)

Tameside Unitary Development Plan (2004)

4.5 Part 1 Policies

- 1.1: Capturing Quality Jobs for Tameside People;
- 1.3: Creating a Cleaner and Greener Environment;
- 1.5: Following the Principles of Sustainable Development;
- 1.6: Securing Urban Regeneration;

- 1.9: Maintaining Local Access to Employment and Services;
- 1.10: Protecting and Enhancing the Natural Environment;
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

4.6 **Part 2 Policies**

- C1: Townscape and Urban Form
- E2: Development Opportunity Area (3) Audenshaw Road/Moss Way
- E3: Established Employment Areas
- E6: Detailed Design of Employment Developments
- MW11: Contaminated Land
- MW12: Control of Pollution
- N3: Nature Conservation Factors
- N4: Trees and Woodland
- N5: Trees within Development Sites
- N6: Protection and Enhancement of Waterside Areas
- N7: Protected Species
- OL10: Landscape Quality and Character
- OL15: Openness and Appearance of River Valleys
- T1: Highway Improvement and Traffic Management
- T7: Cycling
- T8: Walking
- T10: Parking
- T11: Travel Plans
- U3: Water Services for Developments
- U4: Flood Prevention
- U5: Energy Efficiency

Greater Manchester Joint Waste Development Plan

- Policy 10 Unallocated sites

Places for Everyone

- 4.7 The Places for Everyone Joint Development Plan Document was published in August 2021. It was submitted to the Secretary of State in February 2022 and inspectors are appointed to carry out an independent examination. It is a joint plan covering nine of the ten Greater Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs.
- 4.8 Paragraph 48 in the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).
- 4.9 Places for Everyone has been published and submitted, where examination is on-going. The inspectors have recently issued examination document IN36, which is a 'part one' post hearing note. IN36 states that subject to a number of action points contained therein, the inspectors are satisfied at this stage of the examination that a schedule of proposed main modifications are necessary to make the plan sound and would be effective in that regard. In addition, the inspectors have indicated their position on the proposed allocations and Green Belt additions. Other than consideration of final issues on five specific allocations, or a significant change in national policy, no further action points are likely to be issued before the main modifications are consulted on.

- 4.10 The plan is a material consideration and to date, very limited weight has been given to the policies within it, primarily due to the number of outstanding objections received as a result of previous consultations. However, following the above, it is now reasonable to give a greater degree of weight to the plan, being reasonable within the context of national planning policy.
- 4.11 Places for Everyone cannot be given full weight in planning decisions, as it does not form part of the adopted plan for Tameside. However, given the stage reached, it is reasonable to give elements of the plan substantial weight, subject to the inspector's caveat that this is without prejudice to their conclusions following consideration of responses to consultation on the main modifications later in the examination.
- 4.12 To clarify, IN36 gives a clear steer as to the wording required to make the plan sound. Substantial weight should therefore be applied to the text of the plan as amended by the schedule of main modifications, and not the published version of Places for Everyone.

Other Considerations

- 4.13 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.
- 4.14 The application has been considered in accordance with the Tameside One Equality Scheme (2018-22), which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

5. PUBLICITY CARRIED OUT

- 5.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement the application has been advertised as a major development by neighbour notification letters, display of site notice; and advertisement in the local press.

6. SUMMARY OF THIRD PARTY RESPONSES

- 6.1 Sixty-four letters of representation have been received summarised as follows:
- Lack of respect by the applicant by applying retrospectively for planning permission.
 - Adverse impact of the development associated with many vehicle movements.
 - Neighbours are disturbed six days a week by noise and dust.
 - Should not be able to trade off the resurfacing of Groby Road North with granting planning permission.
 - Development is too big and the site is not suitable for such a large operation.
 - Development is out of character.
 - Concerns about traffic.
 - Mud being deposited upon local roads is a safety concern,
 - Abhorrent that planning was not in place before the applicant began their operations.
 - Derby terrace is now surrounded by industrial units, residents no longer live in a residential area.
 - Kenny Waste set up operations without any thought to access to the site and the local environment.

- Groby Road North has been treated with unsuitable materials which is causing dust.
- Development sets an unacceptable precedent.
- The site is an established residential area.
- Increase in vermin within the area.
- Smells/odours
- Inappropriate location should be sited away from homes and schools.
- Increase in air pollution.
- There are terrible levels of dust emitting from the site especially during dry periods.
- The development is having an adverse impact upon health of local residents.
- Reduction in property values.
- Development attracts dangerous parking on local roads.
- Health concerns associated with material being processed at the site.

7. RESPONSES FROM CONSULTEES

- 7.1 Local Highway Authority – No objections subject to conditions. Comment that Groby Road North is subject to frequent HGV movements, as well as other large delivery/service vehicles.

The site is proposed to operate 6 days per week, 50 weeks per year, processing up to 2,000 tonnes of waste per week, or 333 tonnes per day, and the proposed wash plant will process up to 3,000 tonnes per week, or 500 tonnes per day.

The current condition of Groby Road is considered to be unsatisfactory by the LHA to accommodate the existing and proposed vehicular traffic and requires upgrading to an adoptable standard on approval. (To be conditioned).

After reviewing the supplied TA information, the LHA are satisfied that the predicted vehicle trips, (taken from the average trip rates from the industry standard TRICS Database), generated by the proposed development of the 2 site are expected to result in 84 two-way 8-tonne capacity skip wagon movements (42 arrivals and 42 departures) per day and 50 two-way 20-tonne capacity wagon movements (25 arrivals and 25 departures) per day. In addition to this, the applicant had confirmed that an average of 5 no. 16.5m artic HGVs (10 two-way) will be required to transport waste off site each day.

Recommend conditions which address the following: improvements to Groby Road North are undertaken within any 6mths of an approval, that parking facilities indicated on the plan are secured, submission of CEMP, provision of cycle parking, provision of suitable.

- 7.2 Lead Local Flood Authority – No objections, subject to a condition requiring a surface water drainage scheme.
- 7.3 United Utilities – No objections, subject to a condition requiring a surface water and foul drainage scheme.
- 7.4 Environmental Health – No objections, subject to restrictions on construction working hours, site operation hours and acoustic treatment/design of all fixed plant and machinery at the site.
- 7.5 Contaminated Land – No objections, have reviewed the Phase 1 Desk Study report which is generally acceptable. In recognition of the historic land use there is known contamination on site, remediation is required to address this and ground gas. Recommend a conditional approval.
- 7.6 Tree Officer – Confirms that there are no significant trees or vegetation on site that would be considered a constraint to the proposals. The submitted landscape plan is appropriate to the

site providing high value screening along the northern canal boundary. Recommendation Proposals are acceptable from an Arboricultural perspective

- 7.7 TfGM – Confirm that on the basis of the information contained within the TS, the number of trips does not trigger the threshold for a junction impact assessment and as such no further highway impact assessment work is required from TfGM's perspective. Promote conditions relevant to a cycle parking and the introduction of a Staff Travel Plan.
- 7.8 Canal & River Trust – Updated comments Oct 23 confirming no objections to the proposals. Recommend conditions are imposed on any recommendation for approval, these conditions are aimed at protecting and enhancing biodiversity to the neighbouring Ashton canal corridor and measures to reduce pollution of the canal.
- 7.9 GMEU – Confirm that an updated ecological report has been provided. Issues relating to bats, nesting birds, invasive species, proximity to the Ashton Canal SBI and biodiversity enhancement measures can be resolved via condition.
- 7.10 Environment Agency – No objection raised, identify that the site would be subject to a permit under the Environmental Permitting (England and Wales) Regulations 2016.
- 7.11 Minerals & Waste Team – No objections comment that the application should be assessed against the policies of the joint waste plan.
- 7.12 Coal Authority – No objections site does not fall within a development high risk area.
- 7.13 GMAAS – No objections. Confirm that they are satisfied that the proposed development does not threaten the known or suspected archaeological heritage. On this basis there is no reason to seek to impose any archaeological requirements upon the applicant.

8. ANALYSIS

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.2 The current position is that the Development Plan consists of the policies and proposals maps of the Unitary Development Plan and the Greater Manchester Joint Waste Plan Development Document.
- 8.3 The National Planning Policy Framework (NPPF) is also an important consideration. The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For planning application decision making this means:-
- approving development proposals that accord with the development plan without delay; and
 - where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:-
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
 - specific policies in the Framework indicate development should be restricted.

9. PRINCIPLE OF DEVELOPMENT

- 9.1 The application seeks to provide a facility for the recycling and transfer of waste collected from construction sites. The site is operational but does not have planning permission. It is subject to a permit issued from the Environment Agency.

- 9.2 In response to concerns about the retrospective nature of the proposals, it is not illegal or an offence to carry out development without planning permission, it is a breach of planning control. However, to operate in this way is at the risk of the developer. However, a retrospective application must be considered in the same manner as any other application, the main difference being that refusal would warrant enforcement action being taken, this could include returning the development the site to its previous 'permitted' state.
- 9.3 The operations require waste being transported to the site by skip waggons where it is then separated and sorted for recycling on site, at present this undertaken outside with sorted material stored within arranged bays. Waste products include wood, metal, aggregates, soils, cardboard, plastics, green waste and plasterboard. Material's which can't be sorted are sent off-site to other premises operated by the applicant. In total the applicant states there would be up to 100,000 tonnes of waste processed (sorted) and up 150,000 tonnes of waste processed through the wash plant at the site each year, this being controlled under the sites Environmental Permit.
- 9.4 Whilst the application is retrospective the proposals seek to alter the site's current operations so that waste is sorted within an internal building. The site yard would also be extended to improve vehicle movements and the general flow of traffic within and around the site.
- 9.5 The site is allocated as a Development Opportunity Area within the UDP whereby policy E2(3) applies. The policy permits redevelopment and refurbishment schemes which includes uses which are likely to create higher levels or quality of employment or bring about significant improvements in overall appearance. As an application which involves waste development, policy 10 of the Greater Manchester Joint Waste Plan is of most relevance, this states;

Applications for waste management facilities on unallocated sites will be permitted where the applicant can demonstrate that:

- i. The proposal fits within the spatial strategy set out in the Waste Plan and contributes to the Waste Plan aim and objectives; and*
- ii. The proposal meets the same assessment criteria as allocated sites.*

With regard to the assessment criteria of allocated sites this is covered by policy 4 of the plan which requires that; 'the development will result in the highest practicable level of recycling and recovery of materials, in line with the principle of the waste hierarchy.

- 9.6 The immediate locality does have an established waste management use, the previous use having been as a vehicle breakers / scrap yard. These uses are referenced within the supporting text of UDP Policy E2. The former use of the site as a breakers yard adds weight to the suitability as a location recognising the similarity of the proposals and impacts, although, in comparison to the previous use, it is noted that that there have been considerable improvement to the site management/environment as a result of investment by the applicant at the site. Observations taken from repeated site visits confirm that the site operations are consistent with the prevailing character of the established industrial and employment uses which neighbour the site, the proposal would be compatible with these uses.
- 9.7 The treatment and recycling of waste to reduce landfill operations is highly sustainable. Across major conurbations such as Greater Manchester there will be a sustained need for additional facilities as landfill becomes more prohibitive. The location of new facilities on previously developed sites which are accessible and within an established employment area is more than desirable than such developments occurring on greenfield sites.
- 9.8 National strategy is consistent with that of the Joint Waste strategy which promotes waste being dealt with as close to their source as possible. Given that the site is operational, it is apparent that there is a proven need for the facility. The location within the urban area of

Tameside in close proximity of Manchester city centre and the strategic highway and motorway networks is also favourable to ensuring that waste is being treated close to its source which primarily helps to reduce transportation and associated environmental impacts.

- 9.9 Paragraph 188 of the National Planning Policy Framework states that the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions themselves (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. The existing waste management operations at this site are already subject to an Environmental Permit, which specifies acceptable waste types and sets standards for the control of noise and air emissions etc. There is no reason to conclude that the permit should not provide the necessary standard of pollution controls for the waste management facilities subject of this application, in response to the consultation the Environment Agency raises no objection.
- 9.10 It is concluded that the proposals are consistent with the previous use of the site. The site is within an established employment area and the proposals appear compatible with the established employment character of Groby Road North, and overall the site is appropriate for the use. The development help to facilitate the treatment of waste by addressing the current need for facilities to elevate waste up the waste hierarchy, reduce landfill, and also reduce the transport of material with the consequential environmental benefits. Accordingly the proposals are in sufficient compliance with UDP policy E2 and Policy 10 of the Joint Waste plan.

10. DESIGN & LAYOUT

- 10.1 Policy E6 'Detailed Design of Employment Developments' sets out a number of design based criteria to be applied in the consideration of new employment development. Policy C1 promotes that new development responds positively to and with understanding of its local context.
- 10.2 A sizeable building is required to accommodate the waste processing activities which is reliant upon the operation of a mechanical 'grabber'. The building would be located centrally within the site to allow vehicles to access/unload and then exit in a clockwise manner around the building. The building would be positioned approximately 73.5m away from the front elevation of residential properties on Derby Terrace / Hope Street, vegetation to the site boundary providing a degree of screening. Other buildings and processes including relevant plant and machinery would be largely absorbed within the site and not form dominant features. When viewed in the context of the prevailing industrial character the location of the building is not viewed as being contentious being largely screened from public views and the scale and form being an accepting feature within the local environment.
- 10.3 The applicant's investment within the current site has resulted in local environmental improvements. The commitment to resurface Groby Road would be a significant benefit not just in terms of mitigating the applicants operations but also improving the appearance and setting of Groby Road itself which at present is of a poor environmental quality.
- 10.4 Overall, the design is considered acceptable meeting the criteria of policy E6. The elevations exhibit an element of interest with the coloured openings providing welcomed breaks within the façade and additional texture to the buildings appearance. The design and appearance of the building would frame the service yard in a successful manner. The modern construction would provide local amenity benefits to the character and setting of the employment estate.

11. RESIDENTIAL AMENITY

- 11.1 The application site is not bounded immediately by any residential properties and is located within an almost exclusive employment area. The nearest properties are those located on Derby Terrace which are located to the south of the site and have always bordered industrial activity. The proximity of the site to the M60 motorway dictates that background noise levels are dominated by associated highway traffic.
- 11.2 Principle concerns raised within the representations include issues relevant to noise/disturbance, dust/air quality and general pollution land use concerns. These issues have been raised in relation to both operational and transport aspects of the proposals. The retrospective nature of the proposals means that the current impacts can be truly appreciated, observations in this regard confirm that the main nuisance factors associated with the development relate to the transportation of waste in and out of the site along Groby Road. In its present poorly maintained condition, additional noise and dust is generated as vehicles navigate the largely potholed surface, the unbound nature of which generates excess dust and is caused not only by the applicant's site traffic but also that of vehicles accessing other businesses.
- 11.3 The application seeks to mitigate all associated environmental and amenity concerns, the two most significant elements to this include the resurfacing of Groby Road North to an adoptable standard and the construction of the sorting warehouse within which waste would be separated. These elements of the proposals would have immediate benefits of reducing/containing noise and dust thereby reducing potential sources of disturbance. In the interests of amenity and to expedite their implementation it is recommended that the road and warehouse are completed within 12 months of a planning approval. This could be secured by an appropriately worded condition.
- 11.4 As stated, the site operates under an Environmental Permit which is monitored, reviewed and enforced by the Environment Agency. Consultation with Environmental Health has been positive and it is not envisaged that any disturbance should occur from the site, which would be harmful to levels of residential amenity, including any associated activity from vehicle movements from employees, visitors and deliveries.
- 11.5 Collectively having regard to the above, it is considered that the relationship to nearby residential properties would be acceptable with their amenity not being unduly prejudiced.

12. HIGHWAY SAFETY & ACCESSIBILITY

- 12.1. The Local Highway Authority (LHA) is mindful of the site's previous use and also the poor condition of Groby Road North. They note that collectively existing employment uses result in frequent HGV movements along Groby Road North and on the local highway network.
- 12.2 The site is at present accessed from a single point of entrance located at the end of Groby Road North. Upon entering the site skip vehicles present themselves to the weighbridge before then moving to the sorting area. The ability for vehicles to manoeuvre is somewhat constrained by the internal elongated nature / arrangement of the site. The proposal would introduce an additional access to Groby Road allowing vehicles to access and exit in a circulatory movement.
- 12.3 The LHA and TfGM have reviewed the Transport Assessment and are satisfied with the predicted vehicle (commercial) trips which are expected to be 84 two-way 8-tonne capacity skip wagon movements (42 arrivals and 42 departures) per day and 50 two-way 20-tonne capacity wagon movements (25 arrivals and 25 departures) per day. In addition to this, the applicant had confirmed that an average of five no. 16.5m artic HGVs (10 two-way) will be required to transport waste off site each day. In addition, the development is likely to generate a total of 12 two-way vehicle movements. The overall level of traffic movements

does not require a junction impact assessment and both the LHA and TfGM comment that the additional traffic generated by the proposed development would be accommodated on the local highway network without any significant detrimental impact.

- 12.4 Accident data taken within the vicinity of the development over a five year period suggests that the site does not have any recurring highway safety problems that could be affected by the development proposals and that Groby Road North and the B6390 Audenshaw Road / Groby Road North junction safely accommodate the existing HGV movements associated with the surrounding employment uses.
- 12.5 In its present condition, Groby North Road is considered unsatisfactory to accommodate the existing and proposed vehicular traffic, proposals to upgrade the highway to an adoptable standard which includes new surfacing, drainage, lighting, pedestrian footways, signage along with relevant maintenance is a significant benefit. The measures not only directly mitigated the associated impacts of the proposed operations but also secure significant benefits to all highway users of Groby Road North. The provision of these improvements would be controlled by a condition.
- 12.6 The development proposes 52 no. off Street vehicle parking spaces, these would be largely used for the parking of skip waggons at the end of the working day. The parking levels are accepted by the LHA . Cycle storage are indicated as part of the proposals, these along with Electric Vehicle Charging points are required to promote sustainable modes of transport for employees.
- 12.7 Having full consideration to the merits of the proposals it is considered that the development provides a safe, secure and convenient access for all road users in accordance with UDP policy T1.

13. DRAINAGE AND FLOOD RISK

- 13.1 The site is located in Flood Zone 1 and is therefore considered to be at the lowest risk of flooding. The site is presently laid entirely to hard surfacing and there would be no material increase to the size of this area. The applicant has introduced dedicated drainage interceptors across the site frontage to prevent any run-off from the site onto Groby Road North.
- 13.2 Proposals to drain surface water into the Ashton Canal have been discounted owing to complexities associated with levels and third part ownership. The proposals are there to introduce additional drainage attenuation within the site and then drain via a proposed surface water drain within Groby Road North which has been reviewed as acceptable by the LLFA.
- 13.3 Following the above assessment, it is considered that the proposals would not result in a detrimental impact on flood risk or drainage capacity.

14. GROUND CONDITIONS

- 14.1 The site falls outside of the Coal Authority's defined Development High Risk Area. As such, a Coal Mining Risk Assessment is not required. The Coal Authority have however advised that their standing advice should be followed, in the interests of public health and safety. An informative is recommended advising the applicant of this.
- 14.2 The Environmental Protection Unit (EPU) has identified that there is on site contamination as a result of historic industrial processes. A condition is recommended further assessment and potential investigation into ground conditions. There are implications associated with this

given that development has commenced offices and the service yard constructed. The discharge of the condition may require elements of works to be removed but this is yet to be determined.

- 14.3 The conditions recommended by the EPU are considered reasonable and necessary to ensure that future users of the proposed development would not be exposed to potential risks caused by contamination at the site, and subject to its imposition the application is thereby considered acceptable in this regard.

15. LANDSCAPING & ECOLOGY

- 15.1 The operation yard is void of any vegetation and as such has low biodiversity value. The site occupies an elevated position above the Ashton Canal Site of Biological Importance (SBI), there is a risk of overland flow entering the canal during periods of heavy rainfall. The proposed development includes new surface water drainage that will reduce the risk of such impacts and it is unlikely during construction that risks will be elevated given the existing hardstanding is unlikely to significantly be disturbed. There may however be some risk from dust and debris during the construction phase and this would be controlled by a construction environment management plan.
- 15.2 Section 11 of the NPPF advocates biodiversity enhancement. There is little to no scope to introduce new soft landscaping within the yard itself and this environment would remain unchanged. The proposals do include the provision of new tree and wildflowers planting across the northern boundary to the Ashton Canal, this will provide direct biodiversity benefits as well as enhance the setting of the canal corridor. These enhancements along with the provision of bird and bat boxes on buildings within the site can be addressed by planning conditions.

16. OTHER MATTERS

- 16.1 Public Rights of Way (PRoW) – The definitive PRoW map shows that AUD/10/10 passes through the site and adjoining employment premises. The footpath is no longer passable being completely obstructed, it requires either diverting or closure. This matter can be addressed outside of the application process.
- 16.2 Ashton Canal – Clarification has been provided by the applicant of the impacts of the works upon the Ashton canal and associated embankment. The Canal River trust have confirmed that there are no concerns raised relevant to land stability potentially impacting the waterway.

17. CONCLUSION

- 17.1 The proposal is considered to comply with local and national planning policy in that it would support economic development on an established employment site. Whilst not specifically allocated as a waste site the location is suitable to accommodate a waste transfer station, recognising that the use is compatible with the established employment use and has favourable access to the strategic highway network. The proposals provide waste processing capacity allowing treatment close to source, this elevates waste up the waste hierarchy in accordance with the aspirations of the Greater Manchester Joint Waste Plan.
- 17.2 The application has adequately demonstrated that the site is of an appropriate size to accommodate the scale of the Waste Transfer Station as proposed. Its location within an established employment area with good access to links to strategic highway and the motorway network means that it is ideally located to serve the identified catchment area of Manchester city centre and east Manchester.

- 17.3 Improvements to Gronby Road North would secure a positive lasting legacy. The upgrading of the carriageway surface with dedicated future maintenance is a significant benefit of the proposal. These measures will improve the access and highway safety arrangements of existing business in addition to environmental benefits in terms of appearance, noise and dust.
- 17.4 The design and scale of the associated buildings and plant is deemed to be appropriate and befitting of the locality within which they would be seen. The design and siting of the buildings would also ensure that minimum disturbance would occur to residential properties, the reality being, that once implemented it would be hard to distinguish the sites operations beyond that of the existing employment uses in the area.
- 17.5 There are no objections to the proposals from the statutory consultees in relation to the proposals, which is considered to be an appropriate use of an established employment site.
- 17.6 The proposal therefore complies with relevant development plan policies as well as those contained within the NPPF and is considered acceptable when taking into account other material planning considerations.

RECOMMENDATION

Grant planning permission subject to the following conditions:

- 1) The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission.

Site location Plan

00.22455-ACE-00-XX-DR-C-0750 P2 - Highway Cross Section

00.22455-ACE-00-XX-DR-C-SK001 Rev P* - New Highway Layout

00.22455-ACE-00-ZZ-DR-C-1000-P1- Drainage Plan

6491.01 Landscape

20004 - 500 Location Plan Combined Site revA

20004 - 1000 Proposed Site Plan - 1_500 (Planning) revB

20004 - 1001 Proposed Site Plan - 1_1250 (Planning) revB

20004 - 2000 Proposed Weighbridge Office

20004 - 2001 Proposed Waste Building

20004 - 2002 Proposed Workshop Extension

20004 - 2003 Proposed Site Cross Section revA

20004 - 2004 Proposed Exit Weighbridge Office

20004 - 2005 Typical Open-air Waste Bays

20004 - 2006 Weighbridge Details

20004 - 2007 Northern Boundary Fence Details

Wash plant Indicative layout - B02_20221727_00_01_2-General view

REPORTS

BSL - 11595 Rev A Phase I Geo-Environmental Assessment June 2023

Ironside Farrar Flood Risk Assessment - 30586 Complete FRA 230416

Miller Goodall Air Quality Assessment - 102449-1 - Groby Road North AQA

Miller Goodall Noise Assessment - 102449-1 NA Groby Rd North

SKY Design & Consulting Limited - Design and Access Statement

ERAP Ltd 2022-337 Groby Rd North Ecology Report 30.11.22

Sedgwick Associates Planning Statement - sa 5033 Statement 03 fv

Sedgwick Associates Planning Statement – sa 5033 Waste supplement 01 fv

SCP - 230194_ Transport Statement April 2023

Reason: In the interests of the visual amenities of the locality and in accordance with policies of the adopted TMBC UDP.

- 2) The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.

Reason: In the interests of highway safety in accordance with policy T1 Highway Improvement.

- 3) Highway improvements shall be undertaken to Groby Road North as detailed on Dwg No's 00.22455-ACE-00-XX-DR-C-0750-P2 and 00.22455-ACE-00-XX-DR-C-SK001 Rev P*. The improvements works shall be undertaken within 6mths of the planning decision and the Local Planning Authority shall be notified upon completion through the submission of a validation report. With the exception of any soft landscaping works no further development as identified within the application shall be undertaken until the highway works have been completed to the full satisfaction of the Local Planning Authority.

Reason: In the interest of highway safety and the local environment to reduce disturbance in accordance with UDP PolicyT1: Highway Improvement and Traffic Management and E6 Detailed Design of Employment Developments.

- 4) The applicant shall be responsible for the future maintenance of the approved highway as shown on Dwg No's 00.22455-ACE-00-XX-DR-C-0750-P2 and 00.22455-ACE-00-XX-DR-C-SK001 Rev P*. Full details of the future maintenance arrangements for all carriageways, footways, drainage and lighting shall be submitted for approval in wording by the Local Planning Authority. The highway shall thereafter be maintained in accordance with approved details.

Reason: In the interest of highway safety in accordance with UDP PolicyT1: Highway Improvement and Traffic Management and E6 Detailed Design of Employment Developments.

- 5) No development (including demolition or site clearance) shall commence until a construction and environmental management plan (CEMP) has been submitted to and approved by the local planning authority. The CEMP must cover the following issues and any other matters the local planning authority reasonably requires:
 - Hours of construction work and deliveries;
 - Phasing of the development;
 - Location of site compound/offices which shall be located to minimise disturbance to the amenity of existing residents outside of the site;
 - Construction traffic management measures including details of access arrangements, turning and manoeuvring facilities, material deliveries, vehicle routing to and from the site, traffic management, signage, hoardings, scaffolding, where materials will be loaded, unloaded and stored, contractor parking arrangements and measures to prevent the discharge of detritus from the site during construction works,
 - Wheel washing facilities
 - Measures to control the emission of dust and dirt during construction
 - Measures to control noise levels during construction
 - Details of any public relations measures e.g. Considerate Constructors Scheme
 - Measures to protect water quality and embankment to the Ashton Canal

Development of the site shall not proceed except in accordance with the approved method statement which shall be adhered to at all times.

Reason: In the interests of highway safety and residential amenity in accordance with UDP Policy T1 Highway Improvement.

- 6) The development shall not commence until details of a lighting scheme to provide street lighting (to an adoptable standard), to the private carriageways/driveways off the adopted highway have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how the lighting will be funded for both electricity supply and future maintenance. The approved works shall be completed to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development.

Reason: In the interests of highways safety in accordance with UDP policy T1.

- 7) No development, other than site clearance and site compound set up, shall commence until a remediation strategy, detailing the works and measures required to address any unacceptable risks posed by contamination at the site to human health, buildings and the environment has been submitted to, and approved in writing by, the Local Planning Authority (LPA). The scheme shall be implemented and verified as approved and shall include all of the following components unless the LPA dispenses with any such requirement specifically in writing:
 1. A site investigation strategy, based on Brownfield Solutions Limited Phase 1 Geo-Environmental Assessment Report dated July 2023 (Ref: MB/C5239/11595 Rev A) detailing all investigations including sampling, analysis and monitoring that will be undertaken at the site in order to enable the nature and extent of any contamination to be determined and a detailed assessment of the risks posed to be carried out. The strategy shall be approved in writing by the LPA prior to any investigation works commencing at the site.
 2. The findings of the site investigation and detailed risk assessments referred to in point (1) including all relevant soil / water analysis and ground gas / groundwater monitoring data.
 3. Based on the site investigation and detailed risk assessment referred to in point (2) an options appraisal and remediation strategy setting out full details of the remediation works and measures required to address any unacceptable risks posed by contamination and how they are to be implemented.
 4. A verification plan detailing the information that will be obtained in order to demonstrate the works and measures set out in the remediation strategy in (3) have been fully implemented including any requirements for long term monitoring and maintenance.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 183 of the NPPF.

- 8) Upon completion of any approved remediation scheme(s), and prior to occupation, a verification / completion report demonstrating all remedial works and measures detailed in the scheme(s) have been fully implemented shall be submitted to, and approved in writing by, the LPA. The report shall also include full details of the arrangements for any long term monitoring and maintenance as identified in the approved verification plan. The long term monitoring and maintenance shall be undertaken as approved. If, during development, contamination not previously identified is encountered, then the Local Planning Authority (LPA) shall be informed and no further development (unless otherwise agreed in writing with the LPA, shall be undertaken at the site until a remediation strategy detailing how this contamination will be appropriately addressed and the remedial works verified has been submitted to, and approved in writing by the LPA. The remediation strategy shall be fully implemented and verified as approved. The discharge of this planning condition will be given in writing by the LPA on completion of the development and once all information specified within this condition and any other requested information has been provided to the satisfaction of the LPA and occupation of the development shall not commence until this time unless otherwise agreed in writing by the LPA.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 183 of the National Planning Policy Framework.

- 9) During demolition / construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.

Reason: To protect the amenities of occupants of nearby properties/dwelling houses in accordance with UDP policies 1.12 and E6.

- 10) With exception of any maintenance works the use hereby permitted shall not be operated on Sundays and Bank Holidays and outside the hours of 07:00 to 18:00 hours Monday to Saturday.

Reason: To protect the amenities of occupants of nearby properties/dwelling houses in accordance with UDP policies 1.12 and E6.

- 11) Prior to any further development being undertaken at the site as detailed in the application, full details of security lighting along with a timetable of implementation shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location, orientation, angle and luminance of the lighting. The approved details shall be implemented and retained as such thereafter.

Reason: To protect the amenities of occupants of nearby properties/dwelling houses in accordance with UDP policies 1.12 and E6.

- 12) Any floodlights shall not be illuminated other than during the approved operating hours of the site set out in condition 10. No lighting, other than that specified in the application and supporting documents, shall be used on the site without prior written approval of the Local Planning Authority.

Reason: To protect the amenities of occupants of nearby properties/dwelling houses in accordance with UDP policies 1.12 and E6.

- 13) No vehicular movements to and from the site shall be permitted on Sundays and Bank Holidays and outside the hours of 07:00 to 18:00 hours Monday to Saturday.

Reason: To protect the amenities of occupants of nearby properties/dwelling houses in accordance with UDP policies 1.12 and E6.

- 14) Details of all fixed plant and machinery together with any acoustic treatment / design, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Plant and machinery shall be installed in accordance with the agreed measures which shall be retained thereafter.

Reason: To safeguard the general amenity of the area in accordance with UDP policy 1.12

- 15) No more than 250,000 tonnes of waste shall be managed (processed & washed) at the site in any year. A record shall be kept on site of the tonnes of waste managed at the site each working day. The record shall remain on site and be made available for inspection upon request of the Local Planning Authority.

Reason: To protect the amenities of local residents by controlling the site's throughput in accordance with policy 1.12

- 16) No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Reason: In the interests of biodiversity in accordance with UDP policy N3: Nature Conservation Factors

- 17) Prior to any development control and/or avoidance measures for himalayan balsam, japanese knotweed, hollyberry cotoneaster and monbretia should be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.

Reason: In the interests of biodiversity in accordance with UDP policy N3: Nature Conservation Factors

- 18) No development, site clearance, shall take place or material or machinery brought on site until a method statement to protect the Ashton Canal from accidental spillages, dust and debris has been supplied to and agreed by the LPA. All measure will be implemented and maintained for the duration of the construction period in accordance with the approved details.

Reason: In the interests of biodiversity and nature conservation in accordance with UDP policies N3: Nature Conservation Factors and N6: Protection and Enhancement of Waterside Areas

- 19) All planting, seeding or turfing comprised in the approved details of landscaping show on Landscape Proposal drawing 6491.01 shall be carried out in the first planting and seeding seasons from the date of this permission; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of biodiversity in accordance with UDP policy N3: Nature Conservation Factors.

- 20) Prior to any further works being undertaken to buildings within the site full details of a scheme for the installation of bird and bat boxes within the site including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the approved timetable.

Reason: In the interests of biodiversity gains in accordance with policy N7: Protected Species.

- 21) Prior to any further works being undertaken to buildings within the site full details and specification of a;; security lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location, orientation, angle and luminance of the lighting. The approved lighting specification shall be implemented in accordance with the approved details.

Reason: To protect the amenity of existing and future occupiers from glare and/or nuisance light in accordance with Core Strategy Policy CSP 40.

- 22) The site shall be drained in accordance with drainage details shown on drawing 'Drainage Plan' ref: 00.22455-ACE-00-ZZ-DR-C-1000 P1. A timetable for the implementation of the

approved drainage scheme shall be submitted for approval in writing by the Local Planning Authority within 6mths of the date of the decision notice. The development shall thereafter be undertaken in accordance with approved details.

Reason: To ensure proper drainage of the area, in accordance with UDP policy U3 Water Services for Developments and Section 14 NPPF.