

Application Number	Date of Appln	Committee Date	Ward
131719/FO/2021	21 Sep 2021	18 Nov 2021	Chorlton

Proposal Erection of a composting toilet building

Location Ivygreen Allotments, Off Halstead Avenue, Manchester, M21 9FT

Applicant Ms Salle Dare, Ivygreen Allotment Society, 33 Brundrettes Road, Manchester, M21 9DA,

Agent Ms Salle Dare, 33 Brundrettes Road, Manchester, M21 9DA

Executive Summary

The applicant is applying to erect a building within the allotments to provide a compostable toilet.

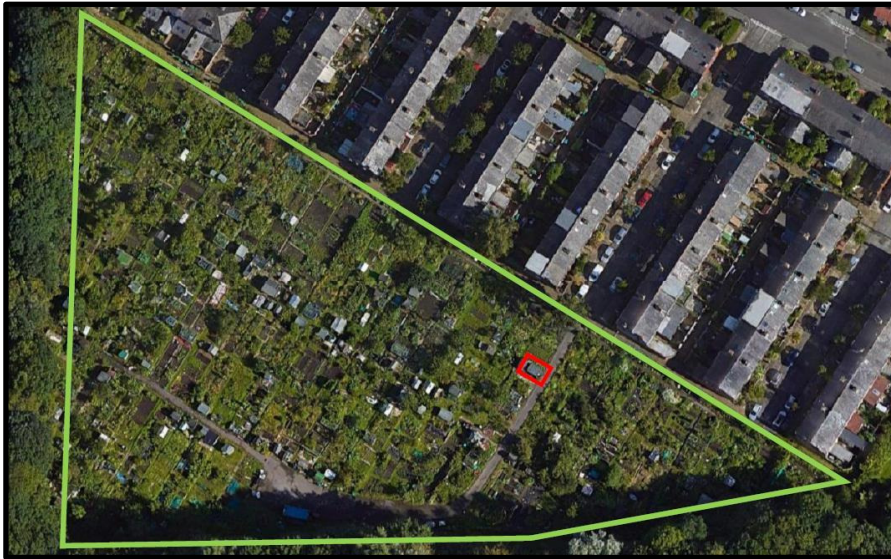
Eight letters of support and 23 letters of objection have been received from local residents. The letters of support outline that the proposal is needed for the plot holders, especially by the elderly, the mobility impaired and those with children. They have also demonstrated that if run correctly the toilet would not produce smell or odours. Objections have been raised in respect of the impact on residential amenity, particularly the impact from smells and odours and the risk of vermin being attracted to the site.

Description

Ivygreen Allotments is a large selection of allotment gardens situated to the south of Halstead Avenue, Royal Avenue, Attercliffe Road, Edward Avenue and Swinfield Avenue. It totals 1.3 hectares in size and is home to 101 allotments varying in size between 167m² and 334m² that are cared for by 144 members. Ivygreen Allotments are located within the Green Belt and part of it is within Flood Zone 2. The allotments are shown edged in green on the photograph below.

The applicant is proposing to erect a small building to the west of the allotment access road, on the site of an existing summer house and shed, to house a compostable toilet for use by the allotment holders and their guests. The building would measure 2.46 metres by 1.9 metres and be a maximum of 2.33 metres in height, sloping down to 2.13 metres with its monopitch roof. It would be constructed from box profile sheet cladding and a vent pipe would project from the top of the building. A trellis screen would be erected in front of the proposed building to screen it from Halstead Avenue.

Underneath the proposed building two vaults would be created to hold the solid waste while urine would be separated and sent to a soakaway in the ground. The soakaway would be located to the rear of the proposed building and beyond that another trellis screen would be installed. The proposed building would be located approximately 14 metres away from the access gates located adjacent to Halstead Avenue. The proposed location is shown edged in red below.



Consultations

Local Residents – Eight letters of support and 23 letters of objection have been received, the comments are summarised below:

Support:

- Many people, for years, have had to use buckets in their sheds. For people without sheds, al fresco toileting. There are women plot holders having to squat anywhere that offers a modicum of cover. Not pleasant or hygienic and adds yet another obstacle for menstruating women. An onsite toilet will facilitate events, encourage families to garden and enable people of all ages to spend longer on their plots. The provision of such a basic facility is a fundamental requirement of a civilised community.
- The proposal will have a positive impact on the landscape as the size of the installation is comparable/smaller than the existing structures that are nearing the end of their useful life.
- The proposal would replace two semi-derelict unsightly sheds and would have trellis screening for climbing plants along its sides to screen it.
- There should be no impact on air quality, odour or ground contamination if the unit is professionally installed.
- The installation will enhance sustainability of the site, improving equity of access to plots, enabling greater use of the amenity by women, children, older people and others in need of a WC.
- Living a twenty minute walk away from the allotments it is no easy matter to 'pop to the toilet'.
- Having this NatSol toilet would also mean that wheelchair users could come to our events without having to leave early for a toilet. At present, one plot holder uses an area where children played and which floods. This is hardly hygienic. Others, if not using their own sheds, go behind shrubs or trees.

- It is a much needed facility for older members, members with mobility issues, for members who don't live in the immediate vicinity and for those with young children.
- It is a much-needed facility for the allotment society to ensure enjoyment for all enabling extended allotment sessions, more hygienic toileting and a positive impact on inclusion.
- The compostable toilet selected operates sealed chambers which will mean there will not be any issues with air quality, odours or ground contamination. The toilet will be sited on high ground, away from flooding. The toilet door will be facing away from the street and into the site and the back of the toilet cubicle will be screened with plants so there will be no impact on the landscape.
- Given the current climate crisis we are experiencing, this model of toilet is excellent because of the savings of water and sewage services. It is imperative that as a society we get used to environmental options such as this and we come to understand their benefits.
- It is understandable that local residents may be concerned about new environmental technology that they don't understand and is different to what they are used to, but this project will help to take people on this journey.

Objections:

- The toilet will not be maintained and in the hot summer months it will lead to air pollution which will impact the nearby neighbours. In summer months the stench of human excrement can be overwhelming to anyone nearby.
- The toilet will lead to an increase in pests and insects.
- Any community initiative on the allotments has failed to secure the necessary support for its upkeep. The communal shed is falling down, the bee friendly garden was abandoned as it became weed infested due to neglect, the shop is seldom staffed by volunteers. There is a fear that anything that requires the members to contribute to stop it becoming a smelly, rat infested waste of money may be equally doomed to failure.
- Improperly or poorly maintained systems can lead to odours, insects, and health hazards. These toilets usually require some type of power source, and the end product must also be removed. In addition, too much liquid can lead to slower decomposition.
- Last January saw extremely bad flooding, flooding will continue to get worse and it's a matter of time before the flooding creeps up towards where the proposed locations of the toilet is.
- The community on Attercliffe Rd and Halstead Ave have spent much time and hard work in the past year rejuvenating the allotment perimeter that now has become a focal point/visitor attraction for locals to enjoy all the lovely planting, to put a toilet (albeit composting) near the perimeter fence is simply not acceptable.
- If the composting toilet can only hold a month's worth of human excrement (2-3 months if non-public), that is not long enough to benefit from the potential compost/ fertiliser use of it, and it will therefore constantly be in a cycle of unsafe pathogen levels.

- The idea of a human excrement composting toilet near edible food is outrageous. Any toilet that requires a "soak away" area should not, again, be allowed near edible plants and produce.
- It's astounding that people who own allotments here live so far that they can't nip home to use the loo. Yet, many of those who live in Halstead and the surrounding Avenues cannot get allotments.
- If people are not near enough their own homes to be using the toilet, should they be entitled to an ivy green allotment any longer?
- Where will the urine 'run off' to? Will this eventually contaminate local gardens.
- If a toilet had not been needed for 30 years then why now?
- The wind often blows in the direction of the houses, off the allotments and the surrounding meadows. It is enough that the residents of Halstead, Royal, Edward and Attercliffe are already subject to the smells of regular compost and now a permanent compost structure is wanting to be added. This affects our laundry that is outside, and the smells gets through the open windows of the houses. Also, there are many small children living and playing in close proximity to the allotments and there is concern about the effect this toilet will have on their health.
- Can the toilet not be moved further away from the gates?
- As neighbours we have a bench, flower beds and playhouse close to the allotment gates/proposed site and many communities get together right nearby which will be impacted by the sight and smell of the toilet.

Environmental Health – Environmental Health have suggested the imposition of a contaminated land condition as the site is located in the vicinity of a former landfill site. In addition, they have stated that with proper management it should function as a normal toilet and not smell.

Policies

The National Planning Policy Framework July 2021 (NPPF) – The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development, which for decision-taking means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Section 13 of the NPPF, *Protecting Green Belt land*, states in paragraph 137 that the Government attaches great importance to Green Belts, that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence.

It states that the Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

In paragraph 145 it states that local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

The NPPF states under paragraph 147 that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It continues in paragraph 148 stating that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. "Very special circumstances" will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

In paragraph 149, the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Core Strategy Development Plan Document – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long-term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy DM1, *Development Management* – This policy states that all development should have regard to a number of issues, in this instance the most relevant are considered as follows:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Flood risk and drainage.

The Manchester Green and Blue Infrastructure Strategy (G&BIS) – The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development. Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is:

By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

Four objectives have been established to enable the vision to be achieved:

1. Improve the quality and function of existing green and blue infrastructure, to maximise the benefits it delivers
2. Use appropriate green and blue infrastructure as a key component of new developments to help create successful neighbourhoods and support the city's growth
3. Improve connectivity and accessibility to green and blue infrastructure within the city and beyond
4. Improve and promote a wider understanding and awareness of the benefits that green and blue infrastructure provides to residents, the economy and the local environment.

Issues

Principle of the Proposal – The principle of erecting a shed-like structure on the allotments to provide toilet facilities is considered acceptable. There is clearly a need for a toilet facility on the allotments with people often spending long periods of time there without such a facility. Notwithstanding this, given the concerns raised by local residents, the impact upon existing levels of residential amenity must be assessed. In addition, as the allotments are located within the Green Belt, the potential impact upon the openness of the Green Belt must also be analysed.

Impact on the Green Belt – NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in *very special circumstances* and that *very special circumstances* will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations. It goes on to state that local planning authorities should regard the construction of new buildings as inappropriate in Green Belt, though it does outline a number of exceptions:

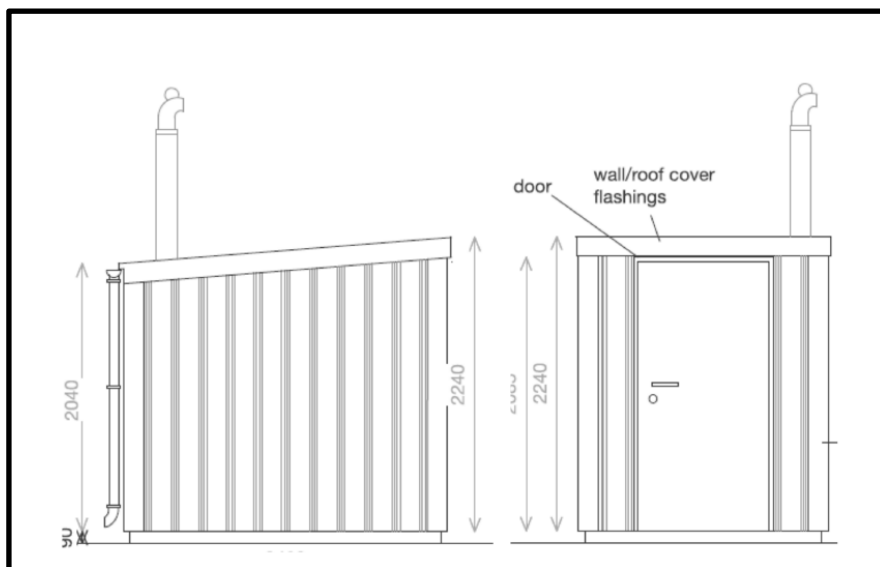
- a) buildings for agriculture and forestry;

- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

Given the size, scale and siting of the proposed building within allotments, it is considered that it would pass test b) outlined above. As the proposed building would be used in association with the allotments it would also pass test d).

It is considered that *very special circumstances* exist for the erection of the building, i.e. the provision of improved facilities for users of the allotments. Given this and the prevalence of similar sized buildings throughout the allotments, it is not considered that the proposal would have a detrimental impact upon the openness of the Green Belt and it would not compromise the key purposes of Green Belt, namely retention of openness and the prevention of neighbouring towns merging into one another.

Design – The proposed building would be a modest structure occupying a footprint of only 4.7m². It would be constructed of box profile sheet cladding and have a maximum height of 2.33 metres. A vent pipe would project from the top of the building. The front and one of the side elevations is shown below:



Given the appearance of the proposal and the fact it is similar in size to other domestic garden buildings located throughout the allotments, the design of the proposal is considered acceptable. Notwithstanding this, a condition is suggested which would require the applicant to submit details of the colour of the cladding to be used in the construction of the building.

Disabled Access – Given the size of the proposed building and the provision of an access ramp, it is recognised that the W.C. would be fully accessible.

Siting – The proposed building would be located on the site of the two buildings in the centre of the photograph below. These would be removed to facilitate the proposal. It would be located approximately 14 metres away from the allotment access gates and not, as some local residents believe, adjacent to the perimeter fencing. In light of this, the siting of the proposed building is considered acceptable when seen within the context of a long established allotments complex.



Residential Amenity – The concerns of local residents are recognised and understandable. However, the literature supplied by the applicant supports the assertion that if managed correctly, a compostable toilet would not generate smells and odours. Environmental Health have also confirmed the compostable toilet is unlikely to generate smells.

The key to running a compostable toilet successfully is the separation of urine from the solid waste, this is undertaken by using a special toilet with a built-in separator. The urine is then diverted to a soakaway constructed underground, while the solid waste is collected in one of two vaults located underneath the toilet building. The absence of urine in the solid waste allows for aerobic decomposition which provides a faster breakdown of the waste material and produces no foul smells. Mixing urine with the solid waste would result in anaerobic decomposition, which is much slower and produces foul smells such as methane and hydrogen sulphide, hence why urine separation is important. Ventilation is achieved passively by using a directional extraction cowl on top of the vent pipe.

The solid waste is stored in one of the two vaults located underneath the toilet building. Once the first vault is full, the toilet is unbolted and moved across to the second vault. The contents of the first vault then continues to compost. When the time comes, potentially in two or three years time but only the solid waste is fully broken down, the contents would be removed and then either buried or used around the hedges and trees on site. It is not suitable for use on the allotment plots. In terms of the urine, this would just soak away.

Given the decomposition processes involved with a compostable toilet it is believed that no smells would be produced so long as this process was managed correctly. To ensure that this is the case, a management condition (condition no. 3) is suggested in this instance.

In light of the above, it is not considered that the proposed building and associated compostable toilet would have an unduly detrimental impact upon the existing levels of residential amenity enjoyed within the vicinity of the allotments.

Compostable toilets are a common feature in many allotments throughout the country and in other similar settings where the infrastructure does not exist for the installation of a more traditional toilet.

Visual Amenity – As stated above, the proposed building would be sited approximately 14 metres away from the access gates adjoining Halstead Avenue and as such would not be readily visible unless viewed directly from these access gates. Given this, the design of the proposed building and the fact it would be screened by a 1.8 metre high trellis, it is not considered that the proposal would have a detrimental impact upon the existing levels of visual amenity enjoyed within the vicinity of the allotments.

The photograph below indicates the location of the proposed building when viewed from Halstead Avenue and it demonstrates that in the majority of cases, due to the proposed screening, existing landscaping and other allotment structures, it would not be highly visible.



Flood Risk – The proposed building would not be sited within Flood Zone 2 and as such it is not anticipated that it would be vulnerable to future flood events.

Contaminated Land – As the site is located in close proximity to the former Ivygreen landfill site Environmental Health believe it is prudent to attach a contaminated land condition to any approval granted. This is to ensure that during the construction of the proposed building, particularly the storage vaults underneath it, that no methane or other poisonous gases are realised and allowed to collect in the building and thus form a hazard.

Conclusion

A number of these toilets have been installed on other allotments throughout the City and they are recognised as a way of providing much needed facilities for plot holders and their guests, in many instances the elderly and children. Though the majority of plot holders live within half a mile of the allotments it would not be reasonable to expect them to return home to use their own facilities.

As this type of toilet, when maintained properly, would not cause any undue issues its provision is welcomed in this instance.

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 Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing 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. She 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 APPROVE

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner to resolve any matters arising in relation to dealing with the planning application.

Conditions to be attached to the decision

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 supporting documents stamped as received on 21 September 2021.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) Prior to the commencement of above ground works, a sample of all materials (including details of their colour) to be used on all external elevations of the development shall be submitted to and be approved by the City Council as local planning authority. The development shall be constructed and thereafter maintained using the approved materials.

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 policies SP1 and DM1 of the Manchester Core Strategy.

4) Prior to the use of the development hereby approved, the trellis screening shall be installed and thereafter retained at all times.

Reason - In the interests of residential and visual amenity, pursuant to Policy DM1 in the Manchester Core Strategy.

5) Before the building hereby approved is brought into use, a management plan detailing how and when the compostable toilet is to be serviced shall be submitted to and be approved by the City Council as local planning authority. The approved management plan shall then be implemented in perpetuity.

Reason – In the interests of residential amenity, pursuant to Policy DM1 in the Manchester Core Strategy.

6) In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development hereby approved becomes operational, then development shall cease and/or the development shall not be used until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), is 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 agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this.

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 Policy DM1 in the Manchester Core Strategy.

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: 131719/FO/2021 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.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

Environmental Health

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Environmental Health

Relevant Contact Officer :	David Lawless
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Email :	david.lawless@manchester.gov.uk

