MANCHESTER CITY COUNCIL

IMPORTANT

Planning Permission and Notices of Consent

Compliance with Conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures required to protect trees.
- Some conditions will require action before you start the development and it is imperative that you seek to have these discharged before any work commences.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee of £85 is payable for each request to discharge conditions.
- For advice on any of these matters, please contact the Planning Service, Manchester City Council, PO Box 463, Manchester M60 3NY or email planning@manchester.gov.uk

Town and Country Planning Act 1990

PLANNING PERMISSION

MANCHESTER CITY COUNCIL

Name and Address of Applicant	Name and Address of Agent
Greater Manchester Waste Disposal Authority Medtia Chambers 5 Barn Street Oldham OL1 1LP	ENTEC UK Ltd Canon Court Abbey Lawn Abbey Foregate Shrewsbury Shropshire SY2 5DE

Part I – Particulars of Application

Date of Application	Application ref. no.
25 November 2008	086743/FO/2008/N2

Particulars and location of development:

Construction of a methane stripping plant with associated 4 metre high lighting columns

Former Landfill Site
Cringle Road
Off Broom Avenue
Levenshulme
Manchester

Part II – Particulars of Decision

The Manchester City Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 of the following decision

Decision Approved
It is considered that the proposal will generally accord with the policies contained within the Development Plan, specifically the Unitary Development Plan Policies E1.2, E1.3, E2.4, E3.5, H2.2, GO1, DC26.1 and DC27 and the principles set out in Planning Policy Statement 10, and the Regional Spatial Strategy. The development is necessary to prevent any affects, of untreated leachate, on human health and the environment and there would not be any significant impacts on the residential amenities of adjoining occupiers and generally the proposal would facilitate an essential within the area to the benefit of the wider surrounding community.
Date of Decision 15 January 2009

for the carrying out of development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:

Part III – Conditions and Reasons

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

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

2) The development hereby approved shall be carried out in accordance with the drawing numbered 17776-S157.dwg wardk, stamped as received by the City Council, as Local Planning Authority, on 21st November 2008 and drawings numbered 17776-S158.dwg hoffs and 17776-S159.dwg hoffs, received by email by the City Council, as Local Planning Authority, on 25th November 2008 unless otherwise agreed in writing by the City Council as Local Planning Authority.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to Policies E1.2, E1.3, E2.4, E3.5, H2.2, LL3, DC26.1 and DC27 of the Unitary development Plan for the City of Manchester and the principles set out in the Guide to Development in Manchester Supplementary Planning Document and Guidance.

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

4) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment 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).

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 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 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 policy H2.2 of the Unitary Development Plan for the City of Manchester.

5) The details of an emergency telephone contact number for the site operator 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.

6) Notwithstanding the details shown on the submitted plans 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 into 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 agree in writing by the City Council as local planning authority.

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

7) 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.

8) 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.

9) Prior to the commencement of development or phase of development on site (including site clearance), a method statement for the control of Japanese Knotweed shall be submitted to, and approved in writing by, the City Council as local planning authority. The development or phase of development shall be implemented in accordance with the approved details.

Reason - To prevent the spread of Japanese Knotweed and in order to safeguard important wildlfe habitats in the area, pursuant to policies E2.3 and E2.4 of the Unitary Development Plan for Manchester (adopted 1995)

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

07.30 to 20.00 hours Monday to Saturday

No deliveries/servicing/waste collection shall take place on 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.

11) Prior to development commencing on site, full details of the proposed external lighting within the site including information on potential glare and overspill, 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 - To safeguard the amenities of the occupiers of nearby residential accommodation once the development is completed, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester.

12) When the plant is operational, odour levels should not exceed the levels identified in the submitted report by Entec UK Limited, dated 17th June 2008, unless otherwise agreed in writing with the City Council, as Local Planning Authority

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

13) Before the development hereby approved first becomes operational it 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 development.

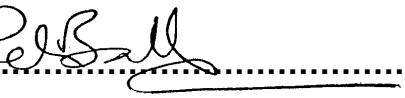
Reason - To safeguard the amenities of the occupiers of nearby accommodation, pursuant to policy H2.2 of the Manchester Unitary Development Plan.

14) No development approved by this permission shall be commenced until a scheme for the provision and implementation, of surface water regulation system has been approved by the Local Planning Authority in consultation with the Environment Agency. The scheme shall be completed in accordance with the approved plans

Reason In order to protect the quality of the City's watercourse pursuant of policy E1.3 of the Unitary Development Plan for the City of Manchester.

15) Notwithstanding the details shown on the approved plans, no development shall take place until there has been submitted to and approved in writing by the City Council, as local planning authority, a plan indicating the positions, design, materials type and colour of boundary treatment to be erected. The boundary treatment shall be completed before the site 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, pursuant to Policies H2.2, and E3.5, of the Unitary Development Plan for the City of Manchester.

Signed**.....**

Peter Babb, Head of Planning

on behalf of the Council
Town Hall,
Manchester M60 3NY

NOTES

1. Leaflets attached:

2. This permission refers only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation**.**

3. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the First Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the Appeals area of the Planning Portal – www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

4. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

5. If either the local planning authority of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

6. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to

conditions by the First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.