THE SITE

Oldham Wastewater Treatment Works is situated on The Causeway off Broadway Business Park in Chadderton. To the west of the site is the Rochdale Canal, to the west and south are commercial/industrial premises, to the north is Albert Taylor Recreational Ground and Foxdenton Hall Park and to the east is Kingfisher School and residential properties on Foxdenton Lane. These residential properties are separated from the main operational areas of the site by an area of open space within the works boundary.

THE PROPOSAL

Planning permission is sought for the following elements: 3 no. Control Kiosks, 4 No. Transformer Compounds, Washwater Kiosk, Aeration Control/Blower House Building, HV Switchgear Building & Landscaping associated with Permitted Development works to improve the existing wastewater treatment process and enable regulatory compliance in river water quality. The proposed structures are of varying size and design, and external materials used are to include glass reinforced plastic, colour coated metal cladding, and aluminium standing seam.

Screening mounds will be formed along the north eastern boundary of the WwTW site. These mounds will be planted with mixed broad-leaved woodland to form a plantation belt. Once established the woodland will screen the majority of the WwTW from adjacent residential property and amenity space.

Other works will also be undertaken on the site, which benefit from permitted development rights. They include various types of pumping stations, transfer pipeline valve chamber, activated sludge plant, final settlement tanks, disc filters, outfall, retaining walls, access roads and hardstanding. A number of existing structures to the north and centre of the site will be demolished as part of the proposed works as shown on the submitted drawings.

A Screening Opinion was issued in connection with the previous planning application (see relevant history below), which was for a very similar scheme to the current scheme, in which it was determined that an Environmental Impact Assessment was not required for this development.
RELEVANT HISTORY OF THE SITE:

PA/335594/14 - Erection of 6 no. control kiosks, Blower House Building, Polymer and Sludge Thickener Unit Building, landscaping, and associated works - Granted 19.08.2014.

SITE SPECIFIC LDF POLICIES

EEA Business Employment Areas
CDA Critical Drainage Area
SFH Surface Flooding - High Susceptibility Surface Flooding - High Susceptibility
SFL Surface Flooding - Low Susceptibility Surface Flooding - Low Susceptibility
SFM Surface Flooding - Medium Susceptibility Surface Flooding - Medium Susceptibility
CAS Coal Authority Standing Advice

CONSULTATIONS

Traffic Section
No objection.

Pollution Control
No comments.

LLFA / Drainage
The information submitted with the application is acceptable.

Environment Agency
No objection in principle. Recommend Informative note.

Greater Manchester Ecological Unit
No objection subject to conditions requiring (1) implementation of the recommendations of the ecological survey, and (2) a full badger survey prior to any works commencing on site.

REPRESENTATIONS

The application has been advertised by means of press notice, site notice and neighbour notification letters. No representatives have been received to the proposed development.

It should also be noted that a number of community consultation exhibitions were held prior to submission of this planning application. Members of the local community were invited to provide feedback on any matters concerning them. The scheme has been designed to address the concerns/comments that were raised.

PLANNING CONSIDERATIONS

The main issues to consider are:

1. Principle of the proposed development
2. Residential amenity;
3. Design;
4. Highway safety;
5. Flood Risk;

1. Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 11 within the National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 expands
on this and states that the NPPF does not change the statutory status of the development plan as a starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless material considerations indicate otherwise. The guidance in the NPPF is taken as a material planning consideration and of the twelve core planning principles listed under Paragraph 17 includes that planning should be genuinely plan led.

In this case the ‘development plan’ is the Joint Development Plan Document which forms part of the Local Development Framework for Oldham. It contains the Core Strategies and Development Management policies used to assess and determine planning applications. The following policies are considered relevant:

Core Strategies

Policy 1 - Climate change and sustainable development;

Development Management

Policy 9 - Local environment;
Policy 19 - Water and Flooding;
Policy 20 - Design;
Policy 21 - Protecting Natural Environmental Assets;
Policy 22 - Protecting Open Land.

Saved UDP Policy D1.5 ‘Protection of Trees on Development Sites’ is also relevant.

The application site is partly within a Business and Employment Area and the north east part of the site is within Other Protected Open Land (OPOL) and Green Corridor and Link, as shown on the LDF Proposals Map. Although the site is situated within a Business and Employment Area, the proposed development relates to works to an existing operational Wastewater Treatment Works. The proposed works are necessary in order to upgrade the wastewater treatment process and improve river water quality.

As noted above, the north east part of the site is designated as OPOL and Green Corridor and Link. In view of the proposals for these parts of the site, which comprise landscaping mounds and woodland plantations, it is considered that the OPOL and Green Corridor and Link would not be compromised by the proposed works. Indeed, the proposed plantations would potentially enhance habitat diversity. As such, the development complies with Policy 21 ‘Protecting Natural Environmental Assets’ and Policy 22 ‘Protecting Open Land’.

Given the above, there is no objection, in principle, to the proposed development.

2. Residential amenity

Policy 9 aims to protect the users or occupiers of adjoining land or property from the impacts likely to be associated with development proposals. In this case, whilst a number of the proposed structures are sizeable, they are a significant distance away from neighbouring properties and are well screened by existing trees (as well as proposed mounds) and therefore it is considered that the proposals would not have any significant impact on the occupiers of neighbouring properties. The nearest residential properties are located adjacent to an area of open space to the north and northeast of the site along Foxdenton Lane. Existing mature trees on the area of the open space north and northeast of the site will partially act as an acoustic barrier to these properties. Pre-construction baseline noise and odour surveys will be undertaken to determine existing ambient decibel and odour levels respectively at any boundaries of the site shared with residential properties. Sufficient mitigation has been built into the design to ensure that during operation there will no increase in noise or odour at the boundary of the site as a result of the development.

3. Design

In relation to design and visual impact, clearly the proposed structures are of utilitarian
design, materials and appearance. However, the overall impact on visual amenity would not be significantly detrimental. The site is not imposing on the majority of adjacent areas due to the open space, consisting of fields, plantations and scrub, which surround the main operational areas of the site. The WwTW is situated on a number of levels, with some structures shielded by adjacent landforms. Many of the proposed structures are relatively low, either partly buried or one storey high. The majority of the higher structures are located to the south of the site, adjacent to old mill buildings. Although the proposed development is of substantial footprint, the size and scale of proposed structures are similar to those found on the existing site. In addition the development will cover existing operational areas and will replace some existing structures. The proposed plantations will improve the visual outlook from a number of areas along Foxdenton Lane and Foxdenton Park. The open areas of land to the north east are designated as Other Protected Open Land. The intended re-use of arising soils during construction will have a temporary adverse impact on the distinctiveness of the area and views from Foxdenton Lane and Foxdenton Park, however, the forming of landscape mounds and plantations will outwardly enhance the visual amenity in the longer term. Once established the plantations will visually screen the WwTW as well as softening and screening the visually dominating Broadway Business Park units beyond the WwTW.

I am therefore satisfied that the proposed development complies with Policies 9 and 20.

4. Highway safety

The Highway Engineer has been consulted on the proposed development and wishes to raise no objection. Due to the improved processes at Oldham WwTW it is anticipated that the proposed development will result in a slight reduction in the number of operational vehicle movements. Access to the site will be taken from the existing access off The Causeway and improved access roads on the site which form part of the permitted development works.

5. Flood risk

A Flood Risk Assessment has been submitted with the application and the Environment Agency has been consulted but not raised any objection. The submitted Flood Risk Assessment concludes that the site is an appropriate location for an increased capacity WwTW. It is in Flood Zone 1 and is at low risk of flooding from fluvial sources. Other local sources of flooding can be managed appropriately on site. The impact on flood risk elsewhere is generally positive, with increased storage and attenuation of flows.

The Council's Drainage Team has assessed the application and raises no concerns.

6. Ecology and Trees

An Extended Phase 1 Habitat survey confirmed the presence of widespread common plant and tree species considered to be of low ecological value. These habitats are however recognised to be of potential value as a wildlife corridor to the wider landscape. No designated sites will be directly affected by the proposals. Whilst tree and scrub removal will be minimised as much as possible, the proposals will result in the loss of some of this habitat. A landscaping scheme is therefore proposed to mitigate for this habitat loss. No potential bat roosting features were identified (although areas of foraging habitat were noted), no badger sets were found, and no evidence of great crested newts was identified. A small/medium sized population of common smooth newts and small population of palmate newts were found; vegetation clearance will be undertaken sensitively in order to minimise impact upon any amphibians present. An amphibian exclusion fence will also be installed adjacent to the working area and aquatic habitat to further safeguard common amphibians. The loss of bird nesting habitat will be mitigated through the implementation of the proposed landscaping scheme. Any necessary vegetation clearance will be undertaken outside of the nesting bird season but where this is not possible, a pre-site clearance survey check for any nesting birds will be required prior to any de-vegetation works.

Within the site boundary, invasive species such as Himalayan balsam and Japanese Knotweed have been identified. The contractor will be required to produce a management
strategy in accordance with the Environment Agency 'Japanese Knotweed Code of Practise' to control and wherever practicable eradicate any infestations affected.

The GM Ecology Unit has raised no objections to the proposed development, subject to conditions relating to the implementation of the ecological survey recommendations, and the requirement for a full badger survey prior to any works commencing on site.

The impact on trees is indicated on the Tree Constraints Plan. This plan is based on an Arboricultural Survey. It should be noted that since the survey vegetation and tree winter clearance work has been undertaken to minimise impact on nesting birds. The remaining trees and plantations will be incorporated into the proposed landscaping scheme. The introduction of mixed broad leaved woodland along the whole of the north eastern boundary, outside the main operational areas, will mitigate for tree loss and enhance long term habitat diversity.

7. Conclusion

In summary, the proposed development is considered compliant with the relevant policies of the LDF Joint DPD and the NPPF and is recommended accordingly.

RECOMMENDATION

Approve, subject to the following conditions:

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission.

   Reason - To comply with the provisions of the Town & Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be fully implemented in accordance with the approved plans and specifications, received on 16 July 2015, which are referenced as follows: Dwg Nos.
   - 80030122-01-BVL-OLA-97-DR-C-00001 Rev A
   - 80030122-01-BVL-OLA-97-DR-C-00002 Rev A
   - 80030122-01-BVL-OLA-97-DR-C-00003 Rev A
   - 80030122-01-BVL-OLA-97-DR-C-00004 Rev A
   - 80030122-01-BVL-OLA-97-DR-C-00005 Rev A
   - 80030122-01-BVL-OLA-97-DR-C-00006 Rev A
   - 80030122-01-BVL-OLA-97-DR-C-00007 Rev A
   - 80030122-01-BVL-OLA-97-DR-C-00008 Rev A
   - 80030122-01-BVL-OLA-97-DR-C-00009 Rev B
   - 80030122-01-BVL-OLA-97-DR-C-00010 Rev B
   - 80030122-01-BVL-OLA-97-DR-C-00011 Rev B
   - 80030122-01-BVL-OLA-97-DR-C-00012 Rev A
   - 80030122-01-BVL-OLA-97-DR-C-00013 Rev A
   - 80030122-01-BVL-OLA-97-DR-C-00014 Rev A
   - 80030122-01-BVL-OLA-97-DR-C-00015 Rev A
   - 80030122-01-BVL-OLA-97-DR-C-00016 Rev A
   - 80030122-01-BVL-OLA-97-DR-C-00017 Rev A
   - 80030122-01-BVL-OLA-97-DR-C-00018 Rev B,

   unless otherwise agreed in writing by the Local Planning Authority.

   Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.
3. Unless otherwise agreed, all hard and soft landscape works for the site shall be carried out in accordance with the approved details (ref: Dwg Nos. 80030122-01-BVL-OLA-97-DR-C-00019 Rev B and 7503/80030122/00/97/9401 Rev B). The works shall be carried out prior to the occupation of any part of the development or in accordance the programme agreed with the Local Planning Authority. Thereafter, any trees or shrubs which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development, shall be replaced in the next planting season with others of a similar size, number and species to comply with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure that the landscaping scheme is carried out and protected in the interests of visual amenity and to safeguard the future appearance of the area.

4. No development shall take place unless and until all trees, shrubs and hedges within the site and/or trees whose root structure may extend within the site, which are to be retained as shown on the approved plans (ref. Dwg Nos. 080030122-01-BVL-OLA-97-DR-C-00020 Rev B and 080030122-01-BVL-OLA-97-DR-C-00021 Rev B) have been fenced off in accordance with the submitted details. Thereafter no excavation or other building or engineering operations shall take place and no plant, machinery or materials (including excavated material) shall be placed, deposited, stored or stacked within any such fence and tree during the construction period.

Reason - In order to avoid damage to trees/shrubs within the site, which are of important amenity value to the area.

5. No works shall commence until a pre-development survey to establish the presence of badgers or badger setts on site, including any necessary protection, mitigation, and management measures, has been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with any agreed protection, mitigation and management measures.

Reason - In the interests of nature conservation.

6. The development shall be carried out strictly in accordance with the recommendations contained within the Extended Phase 1 Habitat Survey prepared by NLG Ecology Ltd, dated May 2014, unless otherwise agreed in writing with the Local Planning Authority.

Reason - In the interests of nature conservation.

7. Prior to the development hereby approved coming into operation, all buildings, plant and machinery which become redundant as a result of the development shall be demolished and finished ground levels reinstated to the satisfaction of the local planning authority.

Reason - In order to ensure that the site is cleared of redundant structures and to improve the local environment in accordance with Policy 9 of the Joint Development Plan Document of the LDF.