

Greater Manchester Joint Waste DPD

REPORT FOR INSPECTOR: Outcomes from Proposed Minor Changes Consultation July-Sept 2011

In total 27 representations have been received from 15 organisations/individuals. The following tables sets out a summary of the key points made by representees and the Minerals and Waste Planning Unit response to each one.

With the exception of two respondents, all organisations and individuals support the minor changes, and have confirmed that no additional changes to the Waste Plan are required. It is therefore proposed that the changes, as included within the Plan during the Proposed Minor Changes Consultation, be accepted as part of the final adopted DPD.

Two respondents submitted representations against the proposed changes to the Policy 5 Area Allocation RD6: Sparth Industrial Estate, Rochdale. One respondent submitted a representation against the changes to the Policy 5 Area Allocations SL2: Clifton Industrial Estate. These representations are highlighted on pages 8-12 of this report.

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Network Rail	DPD	Yes	Network Rail will seek to protect their interests/infrastructure from the potential impacts of mineral extraction and waste management operations, so we do not put forward sites for consideration due to the potential high risk impact of mining, minerals extraction and waste on the railway land and infrastructure. Network Rail is prepared to meet with applicants to discuss significant proposals prior to the submission of planning applications. It is requested that Network Rail is consulted on all planning applications for minerals and waste management proposals within 200 metres and 250 metres respectively of railway property.	None	The matters raised by Network Rail are relevant at the Planning Application stage therefore no changes are necessary to the Waste Plan.
Lancashire County Council	DPD	Yes	Thank you for your letter consulting on the proposed minor changes to the Waste Plan. We have no comments to make on this document.	None	No changes are necessary to the Waste Plan.
Civil Aviation Authority	DPD	Yes	No comments to make	None	No changes are necessary to the Waste Plan.
Highways Agency	DPD	Yes	No comments to make	None	No changes are necessary to the Waste Plan.
Natural England	DPD	Yes	Firstly, we note the guidance issued by the Planning Inspectorate on the weight to be given to the draft document. Specifically, "	None	No changes are necessary to the Waste Plan.

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			<p>Whilst it is a consultation document and, therefore, subject to potential amendment, nevertheless it gives a clear indication of the Government's 'direction of travel' in planning policy. Therefore, the draft National Planning Policy Framework is capable of being a material consideration, although the weight to be given to it will be a matter for the decision maker's planning judgment in each particular case. The current Planning Policy Statements, Guidance notes and Circulars remain in place until cancelled. " Therefore the statements in existing Planning Policy Statements and Guidance Notes relating to the protection and enhancement of the landscape and natural environment should be given appropriate weight. Although there are changes of emphasis, many of the principles of existing Planning Policy Statements and guidance relating to the protection and enhancement of the natural environment have been retained in the draft NPPF. In the light of this, we do not wish to review our own representations on this plan.</p>		
United	DPD	Yes	No specific comments to make regarding	None	No changes are necessary to

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Utilities			the soundness of the Waste Plan		the Waste Plan.
National Trust	DPD	Yes	It is noted that the National Planning Policy Framework (NPPF) is currently a draft document and is subject to wide consultation. As set out in the advice to Inspectors (Planning Inspectorate, August 2011) whilst the document is a material consideration care needs to be given to the weight that can be attached to it at present, for the time being (including the period post-examination) existing Planning Policy Statements and Guidance remain in place. The Greater Manchester Waste Plan has been prepared in accordance with the requirements of Statute, in particular the overarching requirement of the 2004 Act of "the objective of contributing to the achievement of sustainable development" (Section 39.2). In relation to the safeguarding and enhancement of environmental assets such as the historic environment, landscapes and the natural environment the draft NPPF confirms the continuing importance to be attached to these assets (e.g. at paragraphs 23 and 147, and in the Sections on 'Natural Environment' and 'Historic Environment'). In	None	No changes are necessary to the Waste Plan.

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			respect of the historic environment it is noted that the only substantive difference between the draft NPPF and existing advice in PPS5 is the absence of any particular advice on monitoring (Policy HE5). Consequently whilst it is recognised that consideration needs to be given to the intentions of Government as currently known, it is not considered that there are specific implications that in themselves require amendments to be made to Greater Manchester Waste Plan.		
Natural England	4.25	Yes	We welcome this paragraph which clearly states: 'Any proposals for waste management facilities on unallocated sites will be subject to the same HRA Screening as Waste Plan site/area allocations ...'	None	No changes are necessary to the Waste Plan.
National Trust	Aim and Objectives	Yes	The addition to Objective 7 (the words "and where possible enhance") is entirely appropriate having regard to the aim of the Plan and national (and current Regional) planning policy. The change is supported.	None	No changes are necessary to the Waste Plan.
Natural England	Para 1.3	Yes	We strongly welcome the proposed modification to this objective which now states 'to protect and where possible enhance the sub-region's natural environment, biodiversity, geodiversity,	None	No additional changes are necessary to the Waste Plan.

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			cultural and historic heritage'		
Environment Agency	Para 2.22	Yes	Although not strictly part of the proposed changes, Wigan's planned use of the Orchid MBT plant at Huyton needs review as this facility closed down in July 2011. However, this paragraph also mentions that the contract is under final negotiation and that some waste will still go to an existing facility. This along with the facts that they are interim measures and relatively low waste levels may be sufficient to stop the DPD being classified as unsound. Wigan's waste strategy on their website refers to the use waste treatment technology (MBT or energy from waste facilities) to help divert waste from landfill but does not specifically mention a site.	None	No additional changes are necessary to the Waste Plan.
Director Lynx	Para 2.48	Yes	We are in receipt of the modifications re Inert and are pleased to see the references. This does help us with planning and we thank you for listening.	None	No additional changes are necessary to the Waste Plan.
Environment Agency	Para 2.48	Yes	An appropriate description of the content of CDEW is now being used in this paragraph.	None	No additional changes are necessary to the Waste Plan.
Environment Agency	Para 2.49	Yes	The definition of non inert CDEW now being used in this paragraph now matches that outlined in the relevant regulations. The inclusion of this non inert fraction with the	None	No additional changes are necessary to the Waste Plan.

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			C&I waste arisings is appropriate as it is likely that the segregated non inert fraction of the CDEW would be accounted for as it is received at another waste facility.		
National Trust	Para 4.25	Yes	New paragraph 4.25 (page 72) provides useful clarification and advice. Its inclusion is supported.	None	No additional changes are necessary to the Waste Plan.
National Trust	Para 4.29	Yes	There appear to be text missing from the end of the new paragraph 4.29 (page 73). At present it reads as follows: 4.29 With regards to sites required or allocated for all other uses, there will be no waste consultation area. This is because potential impacts can be contained within the site boundary and so no waste consultation area.	It would appear that the words "...needs to be defined" or similar should be added at the end of the second sentence.	Minor change accepted, suggested wording will be included in final Waste DPD.
National Trust	Para 4.6	Yes	The additional paragraph 4.6 (page 68) provides sensible and helpful advice. Its inclusion is supported	None	No additional changes are necessary to the Waste Plan.
Natural England	Para 4.6	Yes	We welcome the inclusion of this paragraph which reminds developers that Environmental, heritage and other designations change over time and developers are recommended to contact the relevant body to ensure they have the most recent information regarding designations.'	None	No additional changes are necessary to the Waste Plan.

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Brimrod, Marland and Sudden Area Forum	Policy 5	Yes	Support the amended wording in the Area Profile accompanying the map. Residents give support to this amendment to RD6 on the understanding that any proceeds arising from the sale or transfer of land or income raised under section 106 agreements with developers are used to make environmental improvements and remediation of pollution within the shaded area and the remaining areas of Mandale Park. The amendment to allocation RD6 is necessary to protect Mandale Park form development. Attendees of the Brimrod, Marland and Sudden Area Forum do not want to see an access road from Manchester Road to Norman Road, as this would destroy the Park.	None	Forum is supportive of the No additional changes are necessary to the Waste Plan.
Cllr Ian Duckworth (Rochdale Council)	Policy 5	No	I do not want any part of Mandale Park to be used because the area in the proposal is full of fauna and flora and part of the Roch Valley, which is green corridor, not yet fully exploited.	Remove all areas of Mandale Park from the Waste Plan.	As set out within Hearing Statement 4.6, all required assessments have been carried out on this allocation including Sustainability Appraisal and Habitats Regulations Assessment- which supported inclusion of the allocation. The ecological value of the small area of park

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					remaining within the allocation is limited by contaminated water. Development could fund drainage improvements and the relocation of features e.g. the pond. Therefore, no further changes are required.
Mr Daniel Hall (Member of Brimrod Tenants and Residents Association)	Policy 5	No	The removal of the road is welcomed but in the earlier version of the Plan you stated the road was need for traffic to the site now you have removed it does not make it a suitable site this was your own words in the old plan you submitted and all my other items I submitted on the last plan still stand. My other items are the land you what to use at the bottom end of the Park is a flood plan and contains waste from the old waste dump which is not acceptable at this time and building on that land will make a dam and make the flooding back up in to the park as we cannot make water do what we what it to do it will do what it what's to do	Remove the full part of Mandale park from plan and use just the units at Sparth.	At earlier stages of the Plan, when the larger area of Mandale Park was included for allocation, it may have been necessary to include a new access road off the A56. This would have enabled a large number of vehicles to enter any new large waste developments bought forward on Mandale Park. The proposed minor changes consultation includes a much reduced allocation, where small new developments can rely on access through the existing industrial estate. As set out within Hearing Statement 4.4 all necessary

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					assessments regarding flooding have been carried out in development of the Waste Plan, but have not revealed a need to remove this allocation from the Waste Plan. In addition, Rochdale Council would require any new development which comes forward on this allocation to ensure that appropriate drainage arrangements are incorporated. This is reflected in the amended wording and is covered in existing planning policies in the Councils submitted Core Strategy. Therefore no further changes are necessary.
AMEC on behalf of Sky Properties	Policy 5- Area Allocation SL2 Clifton Industrial Estate, Salford	No	Paragraph 3.8 of the Waste Plan states that “assessments have been undertaken on the potential facility types which may be suitable on each (...) area and apply across the entirety of each allocation”. Furthermore, it is acknowledged that the assessments had been based on the information available at the time of the	No changes suggested	As part of the hearing session on Matter 4: Specific Locations Policy 5 the minor change in relation to the suitability of SL2 for thermal treatment. The landowner submitted information to the effect that the allocation at SL2 had been

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			<p>assessment and a full assessment of the suitability of the area for a facility type would need to be undertaken by the developer prior to applying for planning permission.</p> <p>The justification for including thermal treatment technologies as a potential use at the Clifton Industrial Estate appears to be based on the conclusions of the Sustainability Appraisal (SA), last updated in June 2010. However, in terms of thermal treatment (both conventional and advanced), the SA concluded that while the site is large enough to potentially locate thermal treatment, its proximity to sensitive receptors means that such technologies are unlikely to be appropriate. As such the broad suitability of the site for thermal treatment is rated as 'X'. This assessment is in part caveated by the recognition that where a thermal treatment facility to be situated away from sensitive receptors and it could incorporate CHP and a district heating system, such a facility could become an appropriate technology on the site, with a high standard of environmental management. Nevertheless, this</p>		<p>treated less favourably than other similar allocations within the Plan. The Sustainability Appraisal for this allocation sets out that thermal treatment may be suitable in some locations across the allocation, but within the Published Waste Plan thermal treatment was excluded because it may not be suitable across the entire site. The evidence supports the change to list the allocation of SL2 as suitable for thermal treatment, with the inclusion of a caveat (prompted by the Sustainability Appraisal and desk based assessments) that such uses would only be suitable in certain locations across the allocation. This approach has brought the SL2 allocation into line with other similar allocations within the Plan and the representation submitted does</p>

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			<p>observation did not change the overall SA Band B rating of the site or the range of suitable waste facility types for the site. In their Hearing Statement in response to the Inspector's Matter 4 Specific Locations Policy 5 SL 2 Clifton Industrial Estate, GMGU acknowledge that those parts of the Clifton site which are remote from sensitive receptors and are able to accommodate mitigation measures as necessary may be appropriate for thermal treatment uses (paragraph 8, HS4.9). As such, GMGU state that there is scope to amend the 'Key Issues' section of the Area Profile to provide additional clarification on where thermal treatment is considered suitable within the area allocation. Nevertheless, GMGU clearly state "that the evidence does not support the allocation of thermal treatment as suitable across the whole area. No addition evidence has been submitted to trigger the reappraisal of the allocation" through the Sustainability Appraisal process" (paragraph 11, HS4.9). In contrast, the Proposed Minor Changes propose to amend the Area Profile for the Clifton site in terms of both the 'Potential</p>		<p>not offer any justification for removing the amendment.</p>

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			Uses as indicated by the Sustainable Appraisal' and the 'Key Issues' sections to include thermal treatment as a potential use at the site. Specifically the changes to the potential uses section are unjustified in light of the conclusions set out in the SA. It is unclear whether the SA is now considered to be incorrect or whether the banding itself would change if other uses were included within the site profile. Until this is clarified then the changes are unjustified thus making the proposed change and the Waste Plan potentially unsound.		
Mr Kenny Farrar, (Chair of Sparth Area Forum)	Policy 5	Yes	Sparth Area Forum agree to: <ul style="list-style-type: none"> • The proposed road through Mandale Park being withdrawn from the initial proposal. • The majority of Mandale park being excluded from the proposed area. • Using existing land already being used for business use being identified for any future waste development project. 	None	No additional changes are necessary to the Waste Plan.
National Trust	Table 24- Monitoring of Policy 10: Unallocated	Yes	The additional text in Table 24 (page 88) on HRA Screening is considered to be appropriate and necessary. Its inclusion is supported.	None	No additional changes are necessary to the Waste Plan.

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	Sites				
Natural England	Table 24- Monitoring of Policy 10: Unallocated Sites		We welcome the target and monitoring to ensure that HRA Screening is applied to applications for waste management facilities on unallocated sites and site based mitigation is implemented where appropriate... Planning applications without an HRA Screening report would be refused for inadequate evidence	None	No additional changes are necessary to the Waste Plan.
National Grid	Appendix 1c: Area Profiles	Yes	Many thanks for your recent correspondence regarding the consultation on Proposed Minor Changes to the Greater Manchester Waste Plan. I can confirm that National Grid support the proposed changes relating to ST4 and TR18c.	None	No additional changes are necessary to the Waste Plan.
National Trust	Appendix 2: Replaceme nt of Saved UDP Policies	Yes	The inclusion of the new Appendix 2 (pages 103 - 110) setting out the position in terms of Saved UDP Policies is a sensible addition and it is supported.	None	No additional changes are necessary to the Waste Plan.