

Application Number:	2013/374 & 2013/376	Application Type:	Full
Proposal:	Bury MBC & LCC consultation for proposed Anaerobic Digestion Plant, inc main reception building, biogas holder, associated storage tanks, 2 combined heat & power engines, standby flare, service yard, weighbridge & offices, water management lagoon & landscaping	Location:	Fletcher Bank Quarry, Manchester Road, Ramsbottom
Report of:	Planning Unit Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	9 October 2013
Applicant:	Peel Environmental Ltd & Marshalls Mono Ltd	Determination Expiry Date:	Not applicable
Agent:	SLR Consulting Ltd		

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REASON FOR REPORTING	Tick Box
Outside Officer Scheme of Delegation	<input type="checkbox"/>
Member Call-In Name of Member: Reason for Call-In:	<input type="checkbox"/>
3 or more objections received	<input type="checkbox"/>
Other (please state):	Applications accompanied by Environmental Statement

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

1. RECOMMENDATION

That the two determining authorities be advised that this Council has no objection to the proposed Anaerobic Digester. However, Bury MBC be further advised of the two concerns set out below in Section 7 which it would wish addressed.

2. BACKGROUND

These applications relate to a site of approximately 4.9ha, access to which is from Manchester Road (A56), within Ramsbottom.

Marshalls Mono own the southern half of Fletcher Bank Quarry and the concrete works, whilst Peel own the northern half of the quarry (previously known as Bank Lane Quarry). As the application site straddles the boundary between Bury and Rossendale this Councils comments have been sought by Bury MBC and Lancashire County Council on applications for planning permission they have received.

There are 2 proposals. This report relates to a proposal for an Anaerobic Digester, whilst the following report relates to a proposal for a revised restoration scheme for the northern part of the quarry.

Appended is the Non-Technical Summary of the Environmental Statement submitted by the Applicant in respect of both proposals.

3. SITE

The Anaerobic Digester is proposed for that part of the site immediately north of the existing buildings and yards used for cutting and stocking of dimensioned-stone before dispatch.

Approximately nine-tenths of the land concerned lies within Bury, the remainder within Rossendale/Lancashire.

4. PROPOSAL

The submission states that:

“The AD plant consists of four main elements:

- the main reception building housing the waste bunker, odour controls system and treatment equipment;*
- the tank farm including the digester tanks, storage tanks and biogas tanks;*
- the combined heat and power (CHP) engines and standby flare; and*
- the service yard, weighbridges and offices.*

There would also be ancillary equipment and apparatus, including a substation and electrical cabling and pipework from process building to the tank farm and potentially heat and power connections to the adjacent concrete products manufacturing facility.

The AD reception building would have a maximum height of 13m and would be a metal framed structure clad in plastic coated profiled steel sheeting. The lower elevations of the building would be constructed of brick or concrete. The tanks would have a maximum height of 18.5m. The facility would handle 45,000 tonnes per annum of by products from the food industry and also agricultural wastes. All waste handling and storage would take place within the proposed building.

As a worst case estimate it is calculated that the facility would generate 41 HGV trips per day which is slightly less than the current planning permission for the composting and recycling. A more realistic case calculates that approximately 27 trips per day would be generated by the AD plant.”

The land within Rossendale will accommodate a water management lagoon, rather than the main elements referred to above.

5. ASSESSMENT

Existing activities and operations are regulated by Bury MBC and Lancashire CC and, as such, any complaints are more likely to be received by them than Rossendale BC.

Nevertheless, the Council’s Environmental Health Unit was asked whether existing activities and operations at Fletcher Bank Quarry are a source of complaint and whether the proposed Anaerobic Digester is likely to give rise to unacceptable impacts for Rossendale and its residents/businesses/visitors. It advises that existing activities and operations are not a source of complaint. With respect to the proposed Anaerobic Digester it has made the following points :

1. There is a commercial composting site 250m beyond the borough boundary with Calderdale - TEG Environmental Ltd, Sharneyford Works, Bacup Road, Todmorden. This uses the same material identified in the application i.e. animal by-products and waste food. This authority has had a significant number of complaints relating to the odour coming not from the site itself but from vehicles carrying material to and from the site. Vehicles engaged with transport of materials associated with the digester will be controlled via an Environment Agency Waste Transport permit and it will be the enforcing authority for them. Material for the proposed digester is most likely to be generated in Greater Manchester and, consequently, not pass through Rossendale. Nevertheless, I would suggest that the determining authorities be made aware that there is potential for significant complaints re odour if the raw materials are not handled correctly and they should endeavour to address this concern by ensuring deliveries to the site are in sealed vehicles (and they may also wish to consider the routeing of vehicles).
2. RBC, like Bury MBC, has a responsibility to monitor air quality. Where certain criteria are exceeded we are required to declare Air Quality Management Areas and take action to reduce the element which has been exceeded. Rossendale presently has 2 AQMA, one in Rawtenstall and one in Haslingden. With respect to this proposal, the levels in general are not high at the boundary of the site with the exception of the one sensitive point (R20). However, I would suggest that the determining authorities be made aware that the plant together with the increased vehicles in the area would contribute to increasing the levels of NOx in proximity of the borough and they should ensure this concern is adequately addressed.

LCC Highways has advised upon the highway safety/traffic issues raised by both proposals for Fletcher Bank Quarry as follows: *“From a highways point of view I do not foresee any real issues with the proposed works. The main access to the quarry is from an existing A road and it is likely that the majority of traffic coming to the site once works are completed will use A roads. These roads are designed to accommodate the types and numbers of vehicles that are proposed. It is also likely that the majority of vehicles coming to the site will be from Greater Manchester”*. Accordingly, I am satisfied that the proposal will not result in significant detriment to highway safety/traffic issues by reason of the change in volume &/or kind of vehicles passing along roads within Rossendale.

Likewise, I am satisfied that the proposal will not unduly affect the character and appearance of Rossendale, the quarry more obviously open to view from within Ramsbottom.

6. CONCLUSION

I do not consider there to be reason for this Council to object to this proposal. However, as all the main elements of it are within the administrative area of Bury, it is appropriate to make Bury MBC aware of the 2 concerns which it should seek to address.

7. RECOMMENDATION

That the two determining authorities be advised that this Council has no objection to the proposed Anaerobic Digester. However, Bury MBC be further advised that:

1. There is a commercial composting site 250m beyond the borough boundary with Calderdale - TEG Environmental Ltd, Sharneyford Works, Bacup Road, Todmorden. This uses the same material identified in the application i.e. animal by-products and waste food. This authority has had a significant number of complaints relating to the odour coming not from the site itself but from vehicles carrying material to and from the site. Whilst vehicles engaged with transport of materials associated with the digester will be controlled via an Environment Agency Waste Transport permit, this Council would wish to make you aware that there is potential for significant complaints re odour if the raw materials are not handled correctly and you should endeavour to address this concern by ensuring deliveries to the site are in sealed vehicles (and you may also wish to consider the routing of vehicles).
2. RBC, like Bury MBC, has a responsibility to monitor air quality. Where certain criteria are exceeded there is a requirement to declare Air Quality Management Areas and take action to reduce the element which has been exceeded. With respect to this proposal, the levels in general are not high at the boundary of the site with the exception of the one sensitive point (R20). This Council would wish to make you aware that the Anaerobic Digestion plant, together with the increased vehicles in the area, would contribute to increasing the levels of NOx in proximity to Rossendale and you should ensure this concern is adequately addressed.