RELIANCE STREET

Supporting Planning Statement

To accompany a

Section 73 application to amend the operational hours under Condition 11 of planning permission 121841.FO.2018

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April 2021

Project quality assurance information sheet

Reliance Street Waste Management Site, Reliance Street, Manchester, M40 3EZ

Section 73 application to amend the operational hours under Condition 11 of planning permission 121841.FO.2018

Report status	FINAL
Report date	April 2021

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Drawings

RIs-LOC-0215-01– ‘Site Location Plan’

1. Introduction

1.1. This Planning Statement has been prepared by SUEZ Recycling and Recovery UK Ltd (SUEZ) and accompanies a planning application, submitted under Section 73 of the Town and Country Planning Act 1990. Section 73 applies to applications for planning permission for the development of land without complying to conditions to which a previous planning permission was granted.

1.2. The planning permission in this instance is 121841/FO/2018 (attached at Appendix A) at Reliance Street Waste Management Site, Reliance Street, Manchester, M40 3EZ.

1.3. Permission 121841/FO/2018 includes planning condition 11 which permits operating hours at the site from between 07:00 and 18:00, seven days a week.

1.4. This Section 73 application seeks to amend condition 11 to allow the site to operate **external** to the building between the hours of 07:00 and 19:00, seven days a week and operations **internal** to the building between the hours of 07:00 and 22:00 hours, seven days a week. The site operated under the proposed operating hours (in excess of 10 years under planning permission ref: 084335/FO/2007/N1) until December 2019 when planning permission (ref: 121841/FO/2018) began construction on site. The site is currently operating as a waste transfer station, removing waste from site via road, rather than rail during construction phase.

1.5. The following provides a description of the site and its surroundings, a description of the proposal, and assessment of the proposals against National and Local planning policy and an assessment of the key environment considerations that need to be considered when determining the application.

1.6. In accordance with the provisions of Article 9 of *The Town and County Planning (Development Management Procedure (England) (Amendment) Order 2015*, no Design and Access Statement has been provided.

2. The Applicant

2.1. This application has been prepared and submitted by SUEZ recycling and recovery UK, subsidiary of the SUEZ Group. SUEZ recycling and recovery UK is a recycling and resource management company, which serves over 12 million people and handles over 9.9 million tonnes of domestic, commercial and industrial waste each year. SUEZ recycling and recovery UK provides services for over 30,000 public and private sector customers and operates a network of facilities including: recycling, composting, refuse derived fuel production, solid recovered fuel production, wood processing, energy-from-waste and landfill.

2.2. The SUEZ group is at the dawn of the resource revolution. In a world facing rapid demographic growth, urbanisation and a shortage of natural resources, securing, optimising and renewing resources is essential to our future. SUEZ supplies drinking water to 92 million people, provides wastewater treatment services to 65 million, collects waste produced by almost 50 million, recovers 14 million tonnes of waste each year and produces 5.138 GWh of sustainable energy. With 80,990 employees and a presence on all five continents, SUEZ is a key player in the circular economy and the sustainable management of resources.

3. Site Description

3.1. The Reliance Street Waste Management Site lies wholly within the Manchester City Council area. The site is an existing site used for waste management purposes and is located at the end of Reliance Street, in Newton Heath, approximately 5 km north east of Manchester city centre. The site is located at National Grid Reference SD881009 and is shown on drawing reference RIs-LOC-0215-01.

3.2. The site is approximately 3.5 hectares in size and comprises a Household Waste Recycling Centre (HWRC), a Mechanical Biological Treatment (MBT) with anaerobic digestion (AD) plant, and a waste reception building. The site is rail linked via a dedicated siding of the Manchester to Oldham railway line.

3.3. The site is located in a largely industrial setting close to Junction 22 of the M60 and is accessed from the A62 Oldham Road. The site is bounded to the west by Reliance Street, beyond this lie a number of industrial units and residential properties on High Peak Street. To the south of the site lies a railway line, residential properties (Lilmore Avenue) and an industrial estate. To the east, the site is bounded by a scrap yard. To the north a large group of mature trees known as Moston Brook, approximately 100 metres further lie a primary school, playing fields and residential houses.

3.4. There are no national or international statutory designations in the immediate vicinity of the site. The Rochdale Canal (SAC/SSSI) is located approximately 1km to the east of the site, beyond the A62. The Clayton Vale and Boggart Hole Clough (LNR's) are located approximately 1.5km to the south and north-west, respectively.

4. Planning History

4.1. The planning history for the site is shown below.

4.2. Planning permission 084335/FO/2007/N1 was granted in 2008 for the construction of a new MBT facility involving the erection of two AD tanks, maturation building, buffer storage tanks, emission stacks, effluent treatment plant, gas holder, back up flare, new vehicle enclosure to DANO plant, and extension/refurbishment of existing HWRC. This application had extended operating hours that we are currently trying to resurrect as part of this s73 application.

4.3. Planning permission 091798/FO/2009/N1 was granted in 2010 for the replacement of original air clean up system with a Regenerative Thermal Oxidiser previously approved under 084335/FO/2007/N1 and amendments to approved infrastructure including changes to dimensions of plant and their position plus new infrastructure comprising sprinkler tank 9.5m high, two substations, gas meter building and sprinkler pump house.

4.4. Planning permission 099222/WST/2012/N1 was granted in 2012 for the erection of a first floor extension above existing single storey office.

4.5. Planning permission 100324/FO/2012/N1 was granted in 2012 for the Installation of a visual screening fence, for a length of 38.00m, and to a height of 9.00m, along the northern boundary.

4.6. Planning permission 101621/FO/2013/N1 was granted in 2013 for replacement of recently erected screen fence with a new visual screening fence for a length of 28m and to a height of 9m along the northern boundary.

4.7. Planning permission 106931/WST/2014/N1 was granted in 2015 for the erection of a new permanent ferric dosing kiosk in association with existing site operations; and part retrospective application for retention of 8 no. cabins and 2 no. site stores for a temporary period 3 years.

4.8. Planning permission 108211/JO/2015/N1 was granted in 2015 for the variation of condition 2 of part B of 106931/ST/2014/N1 to permit hours of use of site cabins 6am to 10pm (Monday to Friday), 6am to 4pm (Saturday) and 7am to 4pm (Sunday).

4.9. Planning permission 105653/WST/2015/N1 was granted in 2015 for part retrospective application for the installation of 6 cabins.

4.10. Planning permission 109665/WST/2015/N1 was granted in 2015 for Retrospective application for the installation of iso-container, waste oil tank, waste storage bays and waste storage containers.

4.11. Planning permission 121841/FO/2018 was granted in 2018 for Replacement of existing waste reception building with modern purpose built Mechanical Treatment and Reception (MTR) building and associated welfare facilities. This s73 application is currently trying to vary the operating hours on this planning permission.

4.12. Planning permission 123844/NMC/2019 was granted in 2019 for a non-material amendment to planning permission 121841/FO/2018 to allow elevational alterations and alterations to the roof.

5. Proposed Development

5.1. The proposed development comprises a Section 73 application to amend the operational hours under conditions 11 attached to planning permission 121841/FO/2018 to allow the site to operate an additional hour on the evening.

5.2. **Condition 11** currently states:

The development shall operate in accordance with the following operating hours:

07:00 to 18:00 seven days a week

5.3. SUEZ are seeking to amend the hours in **condition 11** to the following:

The development shall operate in accordance with the following operating hours:

- **external** to the building between the hours of 07:00 and 19:00, seven days a week; and
- **internal** to the building between the hours of 07:00 and 22:00 hours, seven days a week.

5.4 Originally, when the MBT was constructed and the HWRC was refurbished in 2008, as part of planning permission 084335/FO/2007/N1, the MBT was permitted to operate between the hours of 07:00 to 22:00 (Condition 8) and the use of vehicles across the wider site was allowed to operate between 07:00 and 19:00 hours (Condition 16). The full conditions read as follows:

> *<u>Condition 8</u> The mechanical biological treatment facility shall not operate outside the following hours, unless otherwise agreed in writing by the City Council as local planning authority:-*
>
> *Waste reception (including Bulky Waste Compactor):*
> *0700 to 1800 hours Monday to Saturday*
> *08.00 to 18.00 hour Sunday and Bank Holidays*
>
> *Mechanical Treatment (DANO Plant)*
> *07.00 to 2200 hours Monday to Sunday*
>
> *Pulper /Sludge Area*

06.00 to 22.00 Monday to Sunday

Anaerobic Digestion: 24 hour operation Monday to Sunday.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with Policies H2.2 and DC26 and the Unitary Development Plan for the City of Manchester.

Condition 16 The operational time for use of vehicles around the site , including deliveries, servicing and collections shall not take place outside the following hours

- *07.00 to 19.00 hours Monday to Saturday*
- *08.00 to 19.00 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.

5.5 This proposal therefore seeks only to 'revert back' to the original operating hours of the site externally until 1900 hours (similar to original condition 16) and allow operation of the MTR building internally until 2200 hours (similar to 'mechanical treatment' in condition 8). The previously approved site operating hours have operated successfully on site for over 10 years.

5.6 It should be noted that the site currently operates as a waste transfer station (located within the maturation hall), which uses road vehicles to remove waste from the site rather than a train. This is a temporary arrangement whilst the existing planning permission is being constructed. The trains for the site stopped operating in December 2019 and will not reoperate until the building is fully operational (during testing phase) later in 2021.

Why do SUEZ require the additional hours of operation?

Proposed operations of the MTR and rear yard area

5.7 The new facility will operate throughout the day producing compacted boxes full of Refuse Derived Fuel (RDF), these containers are stacked and stored on the yard within the site throughout the day and are removed from the site on a train via a railhead situated on the south west boundary of the site. The train arrives on site at approximately 16.00 hours and empty containers are removed from the train and exchanged for full containers (previously stored within the yard area). This unloading and loading process is conducted via a forklift truck (FLT) or container handling unit (CHU). The activity takes around

2 hours to complete and due to commuter rail services that run throughout the day along the adjacent rail line to the site, dispatch of the out train is limited to a specific time slot of 18.30hrs. Continued FLT and CHU movements are required on site following the trains departure (for approximately 30 minutes) to prepare the site for works the following day.

5.8 Previous planning permission allowed for this external vehicular movement within the yard and this planning submission seeks to rectify the discrepancy within the hours of external operation of the site. It is envisaged that the site will not be able to operate within the current hours of operation specified within Condition 11 due to the aforementioned train schedule which has operated on the site for over 10 years.

5.9 It should also be noted that, the arrival and departure of the train is not within SUEZ's control and is dictated by the commuter train timetable, Network Rail and the end destination of the train. SUEZ operate other facilities within Greater Manchester that provide trains into Runcorn Energy from Waste facility (operated by a 3rd party waste contractor). The other sites are Cobden Street (which shares a train with Reliance Street),Longley Lane Sharston and Bredbury Stockport. The trains entering Runcorn are timetabled due to the size of the site as well as other services operating within the Network Rail network.

5.10 Passenger services take a precedent over freight services and therefore changes to the arrival and departure of the train is not within SUEZ control. Taking all of the above into consideration the operations on site must accommodate and work with the specified times of the train.

Proposed additional hours within the MTR building

5.11 It is envisaged that the facility will cease all operations on site at 19.00hours (planning permitting) and there will be no external vehicle and fleet movements outside of these hours. However, working inside the building until 22.00 hours would allow SUEZ to maximise production in-case of a breakdown or to conduct maintenance and cleaning tasks without the need of production loss.

5.12 Previous planning permission (condition 8) allowed for the mechanical treatment facility to operate until 22.00 hours which allowed these operations to take place if required. As specified above, it would not be the intention of SUEZ to use these additional hours as staff generally operate a shift pattern until 19.00 hours and would be leaving the site shortly after their shift finishes. However, these additional

hours would allow for some further flexibility of internal operating hours, if required, due to one of the above reasons.

6. Planning Policy Considerations

6.1 The following section reviews the appropriate planning policy guidance at national and local levels and considers the degree to which the proposal complies with guidance and policy.

National Policy

6.2 Section 38 of The Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. In the case of this proposal, however, it is difficult to directly apply planning policy and guidance as most policies relate to the development or operation of a waste management facility and the impacts associated with that long-term use.

National Planning Policy Framework

6.3 The National Planning Policy Framework (NPPF) was published in February 2019 and focuses on encouraging sustainable development. The framework documents states that "…decision-takers at every level should seek to approve applications for sustainable development where possible." The NPPF sets out the governments planning policies for England and how these should be applied. While the Framework does not contain specific waste policies, it does provide the overall framework for planning policy in England and is a material consideration in the determination of planning applications.

6.4 NPPF paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document outlines three dimensions to sustainable development which the planning system seeks to perform; an economic role, a social role and an environmental role.

6.5 Whilst the NPPF contains most planning policy guidance at a National Level it does not contain waste policies. The National Planning Policy for Waste (NPPW) was published on 16 October 2014 by the Department for Communities and Local Government (DCLG), superseding Planning for Sustainable Waste Management (PPS10). NPPW sets out the key planning objectives, decision making principles and advice on determining applications.

6.6 The NPPW recognises that positive planning has a pivotal role to play in delivering England's waste ambitions and sets out in paragraph 7 six points which waste planning authorities should consider in determination of waste planning applications. The first two bullet points relate to proposals which are not consistent with an up-to-date Local Plan, requiring demonstration in that case of 'need' and that proposals would not undermine the Local Plan objectives. The third bullet point requires consideration of likely

impacts on the local environment and on amenity against criteria listed in Appendix B and the locational implications of any advice on health from the relevant health bodies. The fourth bullet point of paragraph 7 of the NPPW seeks to ensure good design such that facilities can contribute positively to the character and quality of the area. The fifth bullet point states that waste planning authorities should 'concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced'. The sixth and final bullet point listed in paragraph 7 of the NPPW relates only to landfill/land raise sites.

6.7 In December 2013 DEFRA published the 'Waste Management Plan for England', which sits alongside the NPPF and NPPW. This document superseded The Waste Strategy 2007 and gives an analysis of the current waste management situation in England, setting out the Government's work towards a zero-waste economy as part of the transition to a sustainable economy. Driving waste management up the hierarchy underpins both this plan and Waste Strategy 2007; the proposed development strongly supports this objective by increasing the flexibility of the existing operations.

6.8 On 6th March 2014 the web-based Planning Practice Guidance (PPG) resource was launched, replacing guidance previously only published in separate documents. The PPG is actively managed and reviewed by the DCLG and updated when necessary. On 16 October 2014 the guidance on waste was updated, linking to the publication of the NPPW and giving further guidance on local planning authorities' obligations with regard to self-sufficiency, proximity principle and waste hierarchy.

6.9 Section 8 of the PPG on waste provides guidance on determining of planning applications and section 9 gives guidance on other regulatory regimes, reiterating that 'the focus of the planning system should be on whether the development itself is an acceptable use of the land and the impacts of those uses, rather than any control processes, health and safety issues or emissions themselves where these are subject to approval under other regimes. The proposals are in accordance with the current Planning Practice Guidance.

Local Policy

6.10 The site falls within the administrative area of Manchester City Council. Relevant local policy comprises of:

- Manchester Core Strategy
- Extant Unitary Development Plan policies

- Greater Manchester Joint Waste Development Plan

Manchester Core Strategy (2012)

6.11 The Core Strategy sets out the policies for Manchester's future development up to 2027 and the planning policies that will be used to make it a reality. It was adopted on 11 July 2012 and is the key document in Manchester's Local Development Framework.

6.12 **Policy DM1 'Development Management'** states that all development should have regard to the 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. It is not anticipated the proposal will result in any unacceptable nuisance and complies with the above policy.

6.13 **Policy EN19 'Waste'** aims to keep the principles of the waste hierarchy, giving priority to waste minimization, and re-use of recycling of waste materials. The proposals comply with the above policy as they will assist in ensuring waste gets moved up the waste hierarchy at the Reliance Street Waste Management Site.

Unitary Development Pan policies

6.14 **Policy DC26 'Development and Noise'** states that the Council will consider both the effect of new development proposals which are likely to be generates or noise; and the implications of new development being exposed to existing noise sources. It is not anticipated that the proposed development will result in an adverse impact in regard to noise over the previous use of the site (subject to the 2007 planning permission, previously referenced). The site will continue to operate in line within the acoustic report (attached as Appendix B) under Condition 8 of planning permission 121841/FO/2018.

Greater Manchester Joint Waste Development Plan

6.15 The purpose of the Greater Manchester Joint Waste Development Plan is to set out a waste strategy to 2027 which enables the adequate provision of waste management facilities in appropriate locations for municipal, commercial and industrial, construction and demolition and hazardous wastes.

6.16 The site has been identified as key for delivering the Greater Manchester Waste Management Strategy and has been safeguarded under Policy 11. The proposed development will enable waste operations to exist within this location.

7. Environmental Considerations

This section addresses the key environmental considerations that could arise as part of the proposals.

Noise

7.1 It is not anticipated that there will be impact upon residential amenity as a result of the proposals. As previously outlined an acoustic report (attached as Appendix B) was submitted under Condition 8 of planning permission 121841/FO/2018. The report demonstrated that a *'low impact depending on the context'* is predicted during operational hours, it is not anticipated that this will change as a result of the proposal.

7.2 Further to this, the acoustic report submitted as part of the 2007 application states in paragraph 7.2.6 that *'the unloading and loading of rail containers already takes place at the site. The potential impact of the noise levels generated by the proposed development during this period of operation are therefore considered to be no greater than that currently experienced by the existing receptors at Lilmore Avenue.'* Paragraph 8.5 of the 2007 acoustic report also concludes *'that with the implementation of the mitigation measures as part of the side design, the noise levels likely to be generated by the proposed development will not have an adverse impact at the existing receptor locations adjacent to the site.'*

7.3 The site will continue to operate using the mitigation measures mentioned in the 2018 acoustic report such as using roller shutter doors, (assumed to be closed at all times apart from when a vehicle is entering/leaving), and a one-way traffic system.

7.4 The site has operated under the operating hours specified within the 2007 planning permission for over 10 years. It is not considered that the additional hours requested within this 'variation of condition' application will cause a detriment to residential neighbours over and above the previously approved hours of operation for the site.

Traffic and Highway

7.5 Planning permission 121841/FO/2018 does not restrict traffic movements in terms of vehicle numbers that arrive/leave the site. It is not anticipated that there will be an increase in vehicle movements, and it is not anticipated the proposals will cause any traffic movement issues outside of the facility.

Other Amenity Impacts

7.6 It is not considered that the proposals will have any other effects upon other amenity impacts including landscape and visual, dust, odour and litter blow, as the proposals purely relate to operational hours of the facility.

7.7 Further to this, SUEZ have management procedures in place for the existing operations on site in a Site Management Plan (SMP) which is regulated by the Environment Agency under the Environmental Permit. The SMP will be amended to incorporate the changes proposed within this application. The SMP will ensure appropriate control of odour, windblown litter, dust and noise on site and is subject to review and continual improvement under the Environmental Permitting system.

8. Conclusions

8.1 This document accompanies a planning application under Section 73 of the Town and Country Planning Act 1990. Section 73 applies to applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted**.**

8.2 SUEZ are seeking the approval from Manchester City Council to amend condition 11 of planning permission 121841/FO/2018 to allow the site to operate vehicles between the hours of 07:00 and 19:00, seven days a week, and operate the MTR building between the hours of 07:00 and 22:00 hours seven days a week.

8.3 As previously stated within this statement, the site has previously operated for over 10 years with additional operating hours and following the grant of planning permission in 2019 the hours of operation have been reduced. This application requests to restore those original hours approved in the 2007 application (granted in 2008).

8.4 Taking the above into account, it is considered that the proposed development is in compliance with polices at a national and local level and should be approved by Manchester City Council at the earliest opportunity.

Appendix A: Decision Notice 121841.FO.2018

Appendix B: Noise Impact Assessment submitted as part of planning application 121841.FO.2018

16/04/2021

DRAWINGS

16/04/2021