

Report of the Director of Planning and Regeneration Service

ITEM NO.    SUBJECT

1            RB2012/1595

Application to allow an additional 15,000 tonnes of waste per year (bringing the total to 65,000 tonnes annually) to be collected from outside the Sheffield Waste Disposal Authority Area, and to widen the catchment area for that waste to include Doncaster, Bolsover, Bassetlaw, Newark and Sherwood, Amber Valley, Derbyshire Dales, High Peak, Ashfield and Mansfield (Application under section 73 to vary condition 3 (waste catchment area and tonnage) of planning permission 01/01035/FUL (Replacement energy recovery facility (incinerator), office building, staff and refuse collection, parking and landscaping) as amended by 10/03861/FUL) at Incinerator, Bernard Road Service Centre, Bernard Road, Sheffield

<b>Application Number</b>	<b>RB2012/1595</b>
<b>Proposal and Location</b>	Application to allow an additional 15,000 tonnes of waste per year (bringing the total to 65,000 tonnes annually) to be collected from outside the Sheffield Waste Disposal Authority Area, and to widen the catchment area for that waste to include Doncaster, Bolsover, Bassetlaw, Newark and Sherwood, Amber Valley, Derbyshire Dales, High Peak, Ashfield and Mansfield (Application under section 73 to vary condition 3 (waste catchment area and tonnage) of planning permission 01/01035/FUL (Replacement energy recovery facility (incinerator), office building, staff and refuse collection, parking and landscaping) as amended by 10/03861/FUL) at Incinerator, Bernard Road Service Centre, Bernard Road, Sheffield
<b>Recommendation</b>	No Objections

### Site Description & Location

The Bernard Road ERF plant lies approximately 1.5 km east of Sheffield Centre and approximately 5km from Rotherham MBC boundary to the north east. The plant lies on Bernard Road, 200 metres north of the A630 Parkway a principal route which connects Sheffield City Centre and the M1 corridor. The site has a long established history for treating waste.

### Background

Rotherham MBC has been consulted on the above planning application submitted to Sheffield City Council. This is a 'courtesy' consultation as required due to the nature of the application site which is across the boundary in Sheffield. Also Rotherham Council along with partner authorities in the South Yorkshire region have joint contracts when dealing with waste management and disposal.

Full planning permission was granted by SCC in March 2002 (ref: 01/10135/FUL) for a new Energy Recovery Facility to replace the old Incinerator at Bernard Road, Sheffield.

In 2011 an application to amend conditions was approved under 01/10135/FUL to permit Sheffield Energy Recovery Facility to receive up to 50,000 tonnes of waste from outside of the Sheffield Waste Disposal Area, including Rotherham, NE Derbyshire, along with Barnsley, Doncaster, Chesterfield, Bassetlaw, Bolsover, High Peak and Derbyshire Dales. The application was for a temporary period.

## Proposal

The application is seeking permission to vary the amended condition 3 of planning approval (ref: 01/10135/FUL) which was approved by SCC in 2011.

The amended wording of the condition states the following:

*Unless otherwise agreed by the Local Planning Authority:*

- (a) waste received at the facility shall be restricted to MSW and C&I waste collected within the Waste Disposal Authority area of Sheffield, Rotherham, and North East Derbyshire; and,*
- (b) for a temporary term of 6 years, MSW and C&I waste from other Waste Disposal Authority's area wholly or partly within 15 miles of the site principally including Barnsley, Doncaster, Bassetlaw and Chesterfield.*
- (c) For a temporary period of 6 years, no more than 50 000 tonnes of the waste received at the facility shall be collected from outside the Sheffield Waste Disposal Authority Area.*

Due to an increasing supply of trade wastes, Veolia want to change the condition to broaden the waste stream in order to allow both Municipal Solid Waste and C&I Waste to be treated as well as allowing up to 50 000 tonnes to be collected from other Waste Disposal Authority Areas or up to 15 miles from the site (including Bassetlaw, Doncaster and Barnsley) for a temporary period of 6 years.

There is no alteration in the current operational capacity of the plant which will be 225 000 tonnes per annum.

The revised condition proposed is as follows:

*Unless otherwise agreed with the LPA:*

- Waste received at the facility shall be restricted to MSW and C&I waste collected within the following Waste Disposal Authority areas: Sheffield, Rotherham, Barnsley, Doncaster, Chesterfield, North East Derbyshire, Bolsover, Bassetlaw, Newark and Sherwood, Amber Valley, Derbyshire Dales, High Peak, Ashfield and Mansfield.*
- Waste received at the facility from outside Sheffield Waste Disposal Authority area shall be limited to 65,000 tonnes per annum”*

## Development Plan Allocation and Policy

### 01 UDP Policies

#### ENV3.1 'Development and the Environment'

### Other Material Considerations

National Planning Policy Framework: The NPPF came into effect on March 27<sup>th</sup> 2012 and replaced all previous Government Planning Policy Guidance (PPGs) and most of the Planning Policy Statements (PPSs) that existed. It states that “Development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision.

The NPPF notes that for 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework. The Rotherham Unitary Development Plan was adopted prior to this in June 1999. Under such circumstances the NPPF states that “due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”

The Unitary Development Plan policies referred to above are consistent with the NPPF and have been given due weight in the determination of this application.

The Joint Waste Plan was adopted in March 2012, which supersedes the waste policies of the UDP and the following aspects of the plan are relevant:

Aim C: Deal with waste locally within accessible urban locations and maximise movements via rail and water where possible, so as to save resources and minimise transport costs, whilst allowing waste to be imported or exported where it represents the most sustainable option

Aim H: Reduce greenhouse gas emissions (especially carbon dioxide and methane) through energy efficient waste technologies and innovative transport solutions.

Policy WCS1 sets out the overall strategy of the Joint Waste Plan and states that waste can be imported or exported where it represents the most sustainable option.

## **Consultations**

Waste Management – no objections

Streetpride (Transportation and Highways) – no objections

## **Appraisal**

Where an application is made to a local planning authority for planning permission.....In dealing with such an application the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations. - S. 70 (2) TCPA '90.

If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise - S.38 (6) PCPA 2004.

The main considerations of the application are as follows:

- Impact of the amended condition on Rotherham's Waste Management strategy and on the Joint Waste Plan.
- Impact on highway safety.

The variation of the condition provides an opportunity to allow waste which is currently land filled to be disposed at Bernard Road in Sheffield. This proposal will move the treatment of this waste up the waste hierarchy and will reduce the amount of waste being land filled.

South Yorkshire faces an imminent shortage of treatment and recovery capacity owing to the lack of suitable facilities to divert municipal, commercial and industrial waste from landfill. New waste plants are needed across Barnsley, Doncaster and Rotherham to plug the capacity shortfall over the plan period, as evidenced in chapter 2 of the adopted Joint Waste Plan. Current waste capacity within South Yorkshire must at least double by 2020.

Policy WCS3 of the adopted Joint Waste Plan identifies three sites for large-scale waste management facilities to deal with municipal, commercial and industrial waste capacity requirements over the plan period, including a site at Manvers, Bolton Road. This site lies close to the boundary of all three boroughs in a central location.

Rotherham Metropolitan Borough Council has granted full planning permission under RB2011/1539 to construct a mechanical biological treatment and anaerobic digestion plant on the site at Bolton Road. This facility will have the capacity to treat up to 265,000 tonnes of municipal waste per annum and is in the early phases of implementation.

Paragraph 2.27 of the Joint Waste Plan accepts that a proportion of waste will continue to be recycled and treated in Sheffield (e.g. Bernard Road) in the short and medium term. Paragraph 2.26 expects that cross boundary movements will decrease over time as new waste recycling and treatment facilities come forward within each constituent area.

However, the proposal will increase cross boundary movements of waste over the long term. It would also mean that waste will also have to be transported over longer distances to bring it to and from the site, leading to increased carbon dioxide emissions and traffic congestion from additional HGV movements.

In this instance however, Rotherham's Waste Management Team have not expressed any objection to the scheme. Whilst the Joint Waste Plan to allow the export of waste on a temporary basis, pending the implementation and construction of the municipal waste treatment facility at Manvers and the other proposed strategic waste facilities, especially where it represents a more sustainable option than landfill disposal.

In the light of the above, a permanent consent would reduce opportunities to achieve self sufficiency in waste disposal across the boroughs, which seeks to dispose of as much waste as possible within Barnsley, Doncaster and Rotherham under the Joint Waste Plan. However, bearing in mind that Bernard Road is relatively close to many sources of waste within Rotherham, and the majority of Rotherham borough lies within 25km of Bernard Road, it is not considered that there is any objection to the proposal from a policy perspective.

The Transportation Unit have not raised any objection on highway safety grounds. However, it is recommended that it would be beneficial to condition arrivals outside of peak hours since any additional trips on the Parkway at these times are likely to increase congestion and negate the mitigation works that are being carried out in support of the Waverley development.

## **Conclusion**

Having regard to the above and the proposal it is concluded that the impact of the development on Rotherham will not be significant. There are no objections to the variation of the condition along the lines proposed.

## **Conditions**

No Objections to the amendment. However, it is recommended that it would be beneficial to condition arrivals outside of peak hours since any additional trips on the Parkway at these times are likely to increase congestion and negate the mitigation works that are being carried out in support of the Waverley development.