HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Regulatory Committee
Date:	18 May 2016
Title:	Application for change of use to energy recovery centre ERC comprising the use of Advanced Conversion Technology (ACT) (gasification) to convert non-hazardous waste into electricity and heat together with erection of 2 no. flue stacks to existing building and provision of 2 no. dry air cooling towers at Plot 37, Central Way, Walworth Industrial Estate, Andover, SP10 5AN. (Application No. 16/00058/CMAN) (Site Ref: TV256)
Reference:	7504
Report From:	Head of Strategic Planning

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1. Executive Summary

1.1. Planning permission is sought for the change of use of an existing building and ancillary land to an Advanced Conversion Technology (ACT) (gasification) waste management facility to convert non-hazardous wood waste into electricity (up to 10 mega watts of electricity (MWe)) and heat.

1.2. Concerns have been raised regarding the potential impact on human health and ecology as a result of emissions to air. Additional concerns have also been raised in relation to the potential for increased traffic, potential impacts on landscape and visual impact and noise impacts associated with the proposal.

1.3. The development would create additional capacity for the recovery of non-hazardous wood waste, seeking to manage the waste at the most reasonable level within the waste hierarchy. The proposal would encourage the diversion of waste from landfill, recovery of energy through the generation of electricity and will be located on previously developed land benefiting from permission for general industry/storage within an existing industrial estate along a strategic road corridor. The development will not have an unacceptable impact on air quality, landscape and visual amenity and will be acceptable in terms of highway safety and capacity and impact on ecology.

1.4. It is considered that the proposal is in accordance with the policies of the adopted Hampshire Minerals & Waste Plan (2013) and the Test Valley Borough Revised Local Plan (2016). Therefore, it is recommended that planning permission should be granted for the above reasons, subject to the conditions listed in integral Appendix B.

2. Site

2.1. The application site lies approximately two kilometres to the east of Andover town centre (as shown on the accompanying Location Plan) and encompasses an area of 1.1 hectares of brownfield land within the Walworth Industrial Estate.

2.2. The site is located in close proximity to the A3093 Ring Road which lies to the southwest. The main Andover railway line runs east to west approximately 270 metres to the north of Walworth Industrial Estate with Finkley Down Farm Activity Centre adjoining the northern edge of the railway. The site is surrounded by existing commercial and industrial land uses the buildings of which vary in size, age and appearance. There are currently two accesses onto the site; one from Walworth Road and one from Central Way.

2.3. The nearest existing residential properties lie approximately 400 metres to the east of the site on the edge of the village of Picket Piece and to the north at Finkley Down Farm. The planned residential development at East Anton Major Development Area (MDA) lies approximately 330 metres to the north of the proposed site.

2.4. There are no ecological, landscape or heritage designations within the vicinity of the site. The land is not identified as being at risk from flooding.

3. The Proposal

3.1. Planning permission is sought for the change of use of an existing building and ancillary land to an ACT (gasification) waste management facility to convert non-hazardous wood waste into electricity (up to 10MWe) and heat.

3.2. Planning permission for re-development of the site for light industry, general industrial and storage and distribution uses was granted by Test Valley Borough Council in December 2014 and the building permitted under this permission is currently under construction.

3.3. Gasification is a type of Advanced Thermal Treatment (ATT) process that involves the application of heat to organic (carbonaceous) matter in low levels of oxygen. Heat energy is generated by the resultant chemical reactions and also by the combustion of gases that are emitted from the matter as it is broken down.

3.4. The location of an ACT facility requires the following external additions to the site:

- two external dry-air cooling towers which shall measure 12 metres by 24 metres and 16 metres in height;
- two flue stacks located on the southern side of the main building measuring 25 metres in height;
- an electrical sub-station adjacent to the south-western corner of the site measuring 8 metres by 8 metres and 3 metres in height;
- district heat connection; and
- weigh-bridge.

3.5. The building permitted by the existing permission and under construction at the site measures 15 metres in height to the ridge.

3.6. Internally, the application would entail the installation of two close-coupled gasifier boiler units, one multi-stage fully condensing steam turbine/generator and two feedstock handling units.

3.7. The applicant proposes the importation of up to 84,000 tonnes of commercial and domestic grade A, B & C wood waste per annum which would generate 22 HCV trips per day, including the removal of ash residue. Access to the site will be from Walworth Way.

3.8. Delivery vehicles would enter the site and be directed to an available loading bay. Heavy Commercial Vehicles (HCV) with walking floor beds will reverse into the bay and deposit waste. The two waste reception bays would be accessed by two electrically operated externally mounted heavy duty insulated metal roller shutter doors. Once unloaded the roller shutter doors will be closed. The internal waste reception bays and loading system would comprise the following:

- Two fully automated profiling waste scrapers;
- Two 7 metre high concrete clamp areas, 58 metres in length; and
- Automatic conveyors will transport the biomass to the two gasifier boiler intakes as and when the boiler calls for material.

3.9. The first stage of the waste treatment process comprises wood waste fuel entering the fuel metering bin via the fuel feed system. The metering bin then conveys the biomass fuel to a reciprocating-grate stoker in the gasifier zone. The biomass fuel is then subjected to indirect thermal heat and subsequent chemical heat in the substoichiometric (partially oxygenated) area of the gasifier which causes carbon and volatiles to be separated from the feedstock. The controlled low levels of oxygen inside the gasifier prevent the

direct combustion of the material which differentiates the process from conventional 'incineration'. The gaseous mixture of volatiles which results from further subsequent chemical reactions is known as Syngas, which is a mixture of carbon monoxide, hydrogen, carbon dioxide and methane. The Syngas is combusted within the gasifier which releases additional heat used to produce super heated steam for use in a multi-stage steam turbine in order to generate electricity for export to the National Grid. Condensate from the turbine exhaust is then fully condensed before returning to the boilers through the use of air-cooled condensers located externally on the site.

3.10. Primary treatment of flue gas will involve the use of a multi-cyclone system to remove the majority of fly ash and fine particulate. This is followed by an electrostatic precipitator to further clean the flue gas of fine particulates.

3.11. All emissions from the plant will be monitored using continuous emissions monitors (CEMS) located on the exhaust stack which will operate on a 24-hour basis. The facility would be required to comply with the Industrial Emissions Directive (IED) and emissions would be further regulated by the Environment Agency under an Environmental Permit.

3.12. As a result of the gasification process, inert wood ash would be generated, approximately 2-4% of the input (3,360 tonnes), this would be collected in an ash skip for transport off site and recycling into road base or concrete manufacture.

3.13. Process water for the development would be supplied through the use of an on-site borehole and where necessary supplemented through the existing mains connection on site. In order to protect and control demand on the aquifer, an Abstraction License would be required to be granted by the Environment Agency should the operator require a quantity exceeding the standard daily abstraction limits set by the EA.

3.14. The proposed development would need to operate 24 hours per day, 365 days per year and will sustain 16 to 18 full time jobs once operational.

3.15. The weighbridge would be provided on the main yard space close to the entrance of the site to the north of the main building for vehicles entering and leaving the site.

3.16. The outer cladding to the dry-air cooling towers will be silver-grey to match the colour of the permitted building with the cooling fins in galvanised coated steel and top fan cowling painted silver grey also. The flue stacks would be painted to match the roof (RAL 7038) and the top section of the stacks painted matt black (RAL 7016).The proposal is an EIA Development under the Environmental Impact Assessment Regulations 2011 and an Environmental Statement has been submitted.

4. Planning History

4.1. The following table provides a summary of the planning history for the site.

Application No.	Description	Status
14/02170/FULLN	Erection of building with associated access, parking, servicing and landscape provision for use classes light industry (B1c), general.	Granted
14/01399/FULLN	Retain hoardings around demolished industrial premises (Retrospective).	Temporary permission
12/00072/DEMN	Demolition of 3 structures and removal of foundations and hardstanding.	Prior Approval not required
07/03454/FULLN	Erection of warehouse with ancillary offices, parking and fencing.	Granted
07/00863/FULLN	Erection of warehouse unit with ancillary office space on site of existing structures together with associated works.	Withdrawn

5. Development Plan

5.1. The following policies of the Hampshire Minerals & Waste Plan (2013) are applicable:

- Policy 1: Sustainable minerals and waste development;
- Policy 3: Protection of habitats and species;
- Policy 10: Protecting public health, safety and amenity;
- Policy 12: Managing traffic;
- Policy 13: High-quality design of minerals and waste development;
- Policy 25: Sustainable waste management;
- Policy 27: Capacity for waste management development;
- Policy 28: Energy recovery development; and
- Policy 29: Locations and sites for waste management.

5.2. In addition the following policies of the Test Valley Borough Revised Local Plan (2016) (RLP) apply:

- Policy COM2: Settlement Hierarchy; and
- Policy LE10: Retention of employment land and strategic employment sites.

5.3. The following paragraphs of the National Planning Policy for Waste (2014) (NPPW) are relevant:

- Paragraph 4 (Identifying suitable sites and areas); and
- Paragraph 7 (Determining planning applications).

5.4. The following paragraphs of the National Planning Policy Framework (2012) (NPPF) are relevant:

- Paragraph 93 (Meeting the challenge of climate change, flooding and coastal change);
- Paragraph 97 (Meeting the challenge of climate change, flooding and coastal change); and
- Paragraph 98 (Meeting the challenge of climate change, flooding and coastal change).

5.5. The following additional guidance is relevant:

- National Planning Practice Guidance (NPPG): Paragraph: 012 Reference ID: 27-012-20140306 (What is the relationship between planning and other regulatory regimes?);
- Department for Environment, Food and Rural Affairs (DEFRA) document: Advanced Thermal Treatment of Municipal Solid Waste (February 2013);
- Public Health England document: The Impact on Health of Emissions to Air from Municipal Waste Incinerators (September 2009); and
- Environment Agency: Consultations on bespoke Environmental Permit applications

6. Consultations

6.1. **Test Valley Borough Council:** Objects on the grounds that the proposal is not in accordance with Test Valley Borough Revised Local Plan (RLP) policy LE10 (Retention of Employment Land and Strategic Employment Sites) as it would result in the loss of allocated employment site and its replacement with an alternative use.

6.2. **Environment Agency:** No objection. The site will require an Environmental Permit from the Environment Agency.

6.3. **Environmental Health Test Valley:** No objection subject to a condition that the flue stack height of 25 metres is implemented.

The role of the planning process is not to duplicate specific emissions regulation that will subsequently be required but to check that the site is not inherently unsuitable for the intended use, check that the height of process stacks to be approved appear to be appropriate (given that this cannot easily be rectified) and, in the absence of good baseline data, take a precautionary approach with respect to the avoidance of unacceptable cumulative impacts (i.e. when process emissions are added to other likely sources of pollution in the area, existing and future).

The air quality assessment report accompanying the application has assessed several different pollutants and considered various different scenarios. This includes the projected emissions from the plant and process envisaged as well as a theoretical situation in which the current Industrial Emissions Directive (IED) limits are only just met.

The maximum projected level of nitrogen dioxide, expressed as an annual mean concentration, at the worst-affected point within Walworth Business Park, is expected to be 24.6 µg/m3 with a stack height of 25 metres. This is 9.4 µg/m3 above the assumed background level. The current air quality objective level for nitrogen dioxide (annual mean) is 40 µg/m3, though this is strictly only applicable in residential areas, not parts of the industrial estate.

The fitting of further abatement measures could be reserved as a decision for the Environment Agency (as regulator of process emissions) at a later date in the event that process emissions were to be higher than projected and at the upper end of what is theoretically permitted under the IED.

Noise from the facility would not be likely to be audible at the nearest dwellings. The site will in any case require an Environmental Permit from the Environment Agency to operate, and so in the event that noise levels were to be substantially higher than predicted, added noise would be controllable by means of the Permit.

6.4. **Andover Town Council:** Raise a series of concerns and issues in relation to the application including what safety precautions are in place for the proposed operation, the location of the site in a built up area; emissions and the impacts on both local residents and local nature reserves; potential for water extraction from the local aquifer and the need for strict monitoring of the site in adherence with Health and Safety regulations to monitor dioxin levels and ensure no contamination will take place.

6.5. **Highway Authority:** No objection subject to condition.

6.6. **Lead Local Flood Authority:** No objection.

6.7. **County Ecologist:** No objection.

6.8. **County Landscape:** No objection, though the flue stacks will have an impact, which can never be fully mitigated against. The proposed RAL colours for the chimney stacks match the building and the grey/charcoal colours will alleviate the impact of the chimneys against the sky line. The location of the development is considered the most appropriate in the vicinity given the existing character of the Walworth Industrial Estate.

6.9. **Councillor Rolt:** Was consulted and is a member of the Regulatory Committee.

7. Representations

7.1. At the time of writing, a total of 90 representations to the proposal have been received by the Waste Planning Authority. All of these object to the proposal. The main areas of concern raised in the objections relate to the following:

- Smell/odour from the operation;
- Impact on local air quality from emissions;
- Impact on public health from emissions;
- Impact on Local Nature Reserve from emissions;
- Inappropriate development in a highly populated residential area and close to a future school development;
- Increased traffic related to the development;
- Health & safety concerns e.g. fire hazard / safe technology;
- Noise; and
- Questionable economic benefits of proposal and perceived negative impacts on the industrial estate to attract tenants;

7.2. Additional representations and considerations received between publication of the Decision Report and the Regulatory Committee meeting will be reported in an Update Paper at Regulatory Committee.

7.3. The above issues will be discussed and addressed within the following commentary, except where identified as not being relevant to the decision. In respect to this:

- The economic benefits of the proposal in respect of the applicant's business model and the perceived negative impacts on the ability of the industrial estate to attract tenants as a result of the proposal do not constitute material considerations.

8. Commentary

<u>Principle of the Development</u>

8.1. Policy 1 (Sustainable minerals and waste development) of the HMWP (2013) states that the Hampshire Authorities will take a positive approach to minerals and waste development that reflects the presumption in favour of sustainable development contained in the NPPF.

8.2. Policy 25 (Sustainable waste management) of the Hampshire Minerals & Waste Plan (HMWP) (2013) aims to achieve net self-sufficiency in waste movements and to divert 100% of waste from landfill. The policy sets out the need for and principles of waste management within Hampshire. It also states that waste development should encourage waste to be managed at the highest achievable level within the waste hierarchy. Grade 'A' and 'C' wood

waste is typically used as biomass fuel. Grade 'B' wood waste can be used as an industrial feedstock for recycling into alternative products. At present insufficient sorting and segregation of wood waste streams means that it is not possible to source pre-segregated material and as such mixed grades of 'A', 'B' and 'C' wood waste will be imported to the facility. The proposal would therefore manage this waste at the highest reasonably achievable level within the waste hierarchy and would contribute to diverting this waste from landfill. The development would therefore be in accordance with Policy 25 of the HMWP (2013).

8.3. Policy 27 (Capacity for waste management development) supports proposals for waste management development where they provide additional capacity for non-hazardous recycling and recovery through the development of new sites. The policy sets out the need for and principles of waste management within Hampshire. The policy identifies that the minimum additional requirement for waste recovery capacity within the adopted Plan period is 390,000 tonnes. Since adoption of the HMWP (2013), waste management facilities in the form of anaerobic digestion, energy from waste, combined heat and power (biomass) and pyrolysis have been permitted to provide around 175,000 tonnes of additional capacity for disposal through recovery. The proposal would therefore contribute to achieving this capacity and would be in accordance with Policy 27.

8.4. Policy 28 (Energy recovery development) states that energy recovery development should only be used where other waste management options further up the hierarchy have been discounted; and as a minimum, recover energy through electricity production. As outlined above, the proposal would meet this requirement through managing the waste at the most reasonably achievable level and furthermore would include arrangements for the production of electricity by way of a fully-condensing multi-stage steam turbine. Sustainable management arrangements are also proposed for waste treatment of residues arising from the facility. The development would therefore be in accordance with Policy 28 of the HMWP (2013).

8.5. The location of new waste management development is guided by Policy 29 (Locations and sites for waste management). Policy 29 supports waste management development on suitable sites in areas along the strategic road corridors identified within the HMWPs Key Diagram (See Integral Appendix C). Within these areas any site will be considered suitable and supported where it is part of a suitable industrial estate, has permission or is allocated for general industry/storage or is sited on previously developed land. The application site meets each of these requirements separately and therefore the proposal is considered to be in accordance with Policy 29 of the HMWP (2013).

8.6. Test Valley Borough Council's (TVBC) objection is noted. Walworth Business Park is identified as an existing employment site under Policy LE10 of the TVBC RLP. The term 'employment use' used within the TVBC RLP is however not defined. The applicant states that the proposed use will generate up to 16-18 jobs once operational, with the total number of

employees on site at any one time anticipated to be 10 during the daytime and 6 at all other times. The proposed use will therefore result in the creation of new jobs and it is concluded could not by definition be considered to lead to the loss of an employment site. The DEFRA publication on Advanced Thermal Treatment of Municipal Solid Waste (2013) states that uses such as the proposal can be similar in appearance and characteristics to various process industries and that it would often be suitable to locate facilities on land previously used for general industrial activities or land allocated in development plans for such (B2) uses. Furthermore paragraph 4 (Identifying suitable sites and areas) of the NPPW states that priority should be given to sites identified for employment uses.

8.7. Paragraph 93 of the NPPF states that the delivery of renewable energy is central to the economic, social and environmental dimensions of sustainable development. Paragraph 97 advises that to help increase the supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable sources. In addition, paragraph 98 (Meeting the challenge of climate change, flooding and coastal change) states that local planning authorities should 'not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy….and approve the application if its impacts are (or can be made) acceptable'. The proposal includes provision for the generation of renewable energy associated with the facility and therefore is supported by the NPPF.

Impact on Public Health, Safety and Amenity

8.8. The comments made by Andover Town Council and members of the public regarding potential impacts on air quality and health as a result of emissions from the plant are recognised and understood. In respect of this, it is acknowledged that the proposal will, if permission is granted, present a source of emissions to atmosphere in the area.

8.9. As stated by the Environmental Health Officer (EHO) and set out in paragraph 012 of the NPPG, Local Planning Authorities are required to assume that other regulatory regimes will operate effectively rather than seek to control any processes, health and safety issues or emissions themselves where these are subject to approval under other regimes. With respect to this proposal, on-site activities and processes including any emissions to the environment would be controlled under an Environmental Permit granted by the Environment Agency. It is important to highlight that the grant of planning permission does not indicate that an Environmental Permit will also be granted.

8.10. The role of the planning process in relation to this application is therefore not to duplicate specific emissions regulation that will subsequently be required but to check that the site is not inherently unsuitable for the intended use, check that the height of process stacks to be approved appear to be appropriate and in the absence of good baseline data, take a precautionary approach with respect to the avoidance of unacceptable cumulative impacts

(i.e. when process emissions are added to other likely sources of pollution in the area, existing and future).

8.11. The EHO has reviewed the Air Quality Assessment accompanying the planning application and has no objection to the proposal subject to a condition that the flue stack height of 25 metres is implemented. A condition reflecting this request is included in integral Appendix B. The EHO is satisfied that the Environmental Permit which accompanies the plant would regulate emissions to the atmosphere and control any dust and odours associated with the facility. A condition is recommended to be attached to any permission granted to require that the flue stacks shall be 25 metres in height.

8.12. The application was accompanied by a noise and vibration assessment. The EHO is also satisfied that noise from the facility will not be likely to be audible at the nearest dwellings. The assessment determines that the total cumulative rating noise level will, at night time, be 20dB(A) below the background noise level. For reference, a level 10dB(A) or more below the background noise level gives a positive indication that complaints are unlikely. In order to ensure the implementation of noise abatement measures detailed in table 9.15 of the Environmental Statement a condition is recommended to be attached. In the event that noise levels were to be substantially higher than predicted, added noise will be controllable by means of the Environmental Permit.

8.13. In light of the above, the proposal is considered to be in accordance with Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013).

Design, Landscape & Visual Impact

8.14. Objections on grounds of visual and landscape character impact are noted.

8.15. The design of the industrial unit in which the proposal is located has already been agreed through the TVBC planning permission for re-development of the site for light industry, general industry and storage and distribution in 2014.

8.16. The proposed physical additions to the existing site are set out in paragraph 2.9 of this report.

8.17. The site is located in the Hampshire Townscape Character Area 7B Walworth Industrial Estate. A hierarchy of roads gives the industrial estate a grid plan. Key characteristics of this area include: some small- but mostly medium- to large-scale industrial buildings, a landform which falls steadily from south to north and very good tree cover and soft landscaping to principal routes through the estate.

8.18. The proposed materials are considered appropriate and the scale, height, massing and appearance of the additions to the site, including the flue stacks, are considered appropriate given the commercial character of the area within

which the site is located. The flue stacks would not be of a scale that they would have a significant landscape impact in the context of the area. However, it is noted that they would be visible from some viewpoints. A vapour plume from the stacks will at times be visible during the colder months.

8.19. Planning conditions will require the development to be carried out in accordance with the approved plans and particulars and shall also control the colour of the proposed flue stacks.

8.20. As such the proposal is not considered to cause an unacceptable adverse visual impact in accordance with Policy 13 (High-quality design of minerals and waste development) of the HMWP (2013).

Highways

8.21. Concerns regarding HCV movements associated with the development are noted.

8.22. The facility will receive approximately 240 tonnes of wood waste per day with each lorry load providing approximately 24 tonnes of material. One lorry load of ash would also be required to be removed from the site each day. The facility would therefore generate approximately 22 HCV movements per day (11 to the site and 11 from the site).

8.23. The recently permitted B1, B2 and B8 uses on the site do not have any restrictions in relation to HCV movements, neither any controls regarding lorry routing. These uses were assessed on the basis of a significantly greater number of anticipated HCV movements than that associated with the current proposal.

8.24. As such the principle of HCV movements to and from the site has been recently accepted, furthermore the current proposal will result in a significant reduction in HCV movements versus those associated with the existing permitted uses. The applicant states that deliveries of feedstock to the site will take place during normal working hours and as such a planning condition is attached to reflect this.

8.25. The Highway Authority has no objection to the application subject to conditions requiring the submission of details of the new access to be formed, and is satisfied that the application will not have a significant impact on the highway. In light of the above, with the inclusion of the required condition the application is considered to be acceptable in terms of highway safety and is in accordance with Policy 12 (Managing Traffic) of the HMWP (2013).

Ecology

8.26. Concerns regarding impact on local ecology and ecological designations are noted. The County Ecologist has reviewed the application and is satisfied

that the impacts anticipated as a result of the proposal are insignificant. It is considered therefore that the proposal will not have a significant adverse effect on habitats or species and would be in accordance with Policy 3 (Protection of habitats and species) of the HMWP (2013).

9. Summary

9.1. It is considered that the proposal is in accordance with the policies of the Hampshire Minerals & Waste Plan (2013) and the Test Valley Borough Revised Local Plan (2016). The development would create additional capacity for the recovery of non-hazardous wood waste and would seek to manage the waste at the most reasonable level within the waste hierarchy. The development would encourage the diversion of waste from landfill, recover energy through the generation of electricity and be located on previously developed land benefiting from permission for general industry/storage within an existing industrial estate along a strategic road corridor. The development will not have an unacceptable impact on air quality or landscape and visual amenity and will be acceptable in terms of highway safety and capacity and impact on ecology.

10. Recommendation

10.1. That planning permission shall be GRANTED subject to the conditions listed in integral Appendix B.

Appendices:
Integral Appendix A – Corporate or Legal Information
Integral Appendix B – Conditions
Integral Appendix C – Annexe to Reasons for Conditions/Refusal
Appendix D - Location Plan
Appendix E – Plans & Particulars

Other documents relating to this application:
http://www3.hants.gov.uk/mineralsandwaste/application-details.htm?id=16998

RefRpt/7504/RS

CORPORATE OR LEGAL INFORMATION:

Links to the Corporate Strategy

Hampshire safer and more secure for all:	No
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	No
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	No
Corporate Improvement plan link number (if appropriate):	

OR

This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because:

The proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because the proposal is an application for planning permission and requires determination by the County Council in its statutory role as the minerals and waste planning authority.

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document	Location
Change of use to energy recovery centre ERC comprising the use of Advanced Conversion Technology (ACT) (gasification) to convert non-hazardous waste into electricity and heat together with erection of 2 no. flue stacks to existing building and provision of 2 no. dry air cooling towers	Strategic Planning Hampshire County Council Elizabeth II Court Sussex Street Winchester SO23 8UD

CONDITIONS

Commencement

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

   Reason: To comply with Section 91(as amended) of the Town and Country Planning Act 1990.

Tonnage

2. There shall be no more than 84,000 tonnes of waste delivered to the site per calendar year. A written record of tonnage entering the site associated with the permission hereby granted shall be kept onsite and shall be made available to the Waste Planning Authority for inspection upon request.

   Reason: In the interest of the amenity in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

3. No heavy commercial vehicles shall enter or leave the site except between the following hours: 0730-1800 Monday to Friday and 0730-1400 Saturday. There shall be no working on Sundays or recognised public holidays.

   Reason: In the interests of local amenity in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

4. Only non-hazardous wood waste shall be imported to the site.

   Reason: In the interests of public health, safety and amenity in accordance with Policy 10 (Public health, safety and amenity) of the HMWP (2013).

Highways

5. The proposals for the new access shown on drawing number 1095 PL 101 Rev D shall be approved by the Waste Planning Authority in writing before the development commences and delivered to the satisfaction of the Local Planning Authority prior to commencement of use.

   Reason: In the interests of highway safety and to ensure the development is in accordance with Policy 12 of the Hampshire Minerals & Waste Plan (2013).

6. The existing access(es) to the site shall be stopped up and abandoned and footway and verge crossing(s) shall be reinstated to the requirements of the Waste Planning Authority, immediately after completion of the new access and prior to commencement of the use.

Reason: In the interests of highway safety and to ensure the development is in accordance with Policy 12 of the Hampshire Minerals & Waste Plan (2013).

Protection of Public Health, Safety and Amenity

7. The development hereby permitted shall be implemented in accordance with the noise abatement measures identified in table 9.15 of the Environmental Statement.

Reason: In the interests of the protection of amenity and to ensure the development is in accordance with Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013).

8. The chimney stacks shown on drawing no. 1095 PL 103 Rev E shall measure 25 metres in height.

Reason: In the interests of air quality and to ensure the development is in accordance with Policy 10 (Public health, safety and amenity) of the HMWP (2013).

Landscape

9. The lower section of the chimney stacks shown on drawing no. 1095 PL 103 Rev E shall be coloured RAL 7038 and the upper section RAL 7016.

Reason: In the interests of landscape character and visual amenity and to ensure the development is in accordance with Policy 13 (High-quality minerals and waste development) of the HMWP (2013).

Protection of Water Environment

10. Surface water drainage on site shall be in accordance with the Site Specific Flood Risk Assessment submitted with the application.

Reason: To ensure adequate drainage of the site in accordance with Policy 11 (Flood risk and prevention) of the Hampshire Minerals & Waste Plan (2013).

Storage

11. There shall be no external deposition or outside storage of waste.

Reason: To protect the amenities of the area in accordance with Policy 10 (Protecting public health, safety and amenity) and Policy 13 (High-quality design of minerals and waste development) of the Hampshire Minerals & Waste Plan (2013).

Plans

12. The development hereby permitted shall be carried out in accordance with the following approved plans: 1095 PL 100, 1095 PL 101RevD, 1095 PL 102RevE, 1095 PL 103RevE, 1095 PL 104RevD, 1095 PL 106RevA, 1095 PL 107RevA

Reason: For the avoidance of doubt and in the interests of proper planning.

Note to Applicants

1. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, orders or Regulations made under such acts.

2. In determining this planning application, the Waste Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Annexe to Reasons for Conditions (as required by Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010)

Hampshire Minerals And Waste Plan (2013)

Policy 1: (Sustainable minerals and waste development)

The Hampshire Authorities will take a positive approach to minerals and waste development that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). Minerals and waste development that accords with policies in this Plan will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the proposal or the relevant policies are out of date at the time of making the decision, the Hampshire Authorities will grant permission unless material considerations indicate otherwise, taking into account whether:

- Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a while; or
- Specific policies in that Framework indicate that development should be restricted.

Policy 3: Protection of habitats and species

Minerals and waste development should not have a significant adverse effect on, and where possible, should enhance, restore or create designated or important habitats and species. The following sites, habitats and species will be protected in accordance with the level of their relative importance:

a) internationally designated sites including Special Protection Areas, Special Areas of Conservation, Ramsar sites, any sites identified to counteract adverse effects on internationally designated sites, and European Protected Species;
b) nationally designated sites including Sites of Special Scientific Interest and National Nature Reserves, nationally protected species and Ancient Woodland;
c) local interest sites including Sites of Importance for Nature Conservation, and Local Nature Reserves;
d) habitats and species of principal importance in England;
e) habitats and species identified in the UK Biodiversity Action Plan or Hampshire Authorities' Biodiversity Action Plans.

Development which is likely to have a significant adverse impact upon such sites, habitats and species will only be permitted where it is judged, in proportion to their

relative importance, that the merits of the development outweigh any likely environmental damage.

Appropriate mitigation and compensation measures will be required where development would cause harm to biodiversity interests.

Policy 10: Protecting public health, safety and amenity

Minerals and waste development should not cause adverse public health and safety impacts, and unacceptable adverse amenity impacts.

Minerals and waste development should not:

a) release emissions to the atmosphere, land or water (above appropriate standards);
b) have an unacceptable impact on human health;
c) cause unacceptable noise, dust, lighting, vibration or odour;
d) have an unacceptable visual impact;
e) potentially endanger aircraft from bird strike and structures;
f) cause an unacceptable impact on public safety safeguarding zones;
g) cause an unacceptable impact on:
    i. tip and quarry slope stability; or
    ii. differential settlement of quarry backfill and landfill; or
    iii. subsidence and migration of contaminants;
h) cause an unacceptable impact on coastal, surface or groundwaters;
i) cause an unacceptable impact on public strategic infrastructure;
j) cause an unacceptable cumulative impact arising from the interactions between minerals and waste developments, and between mineral, waste and other forms of development.

The potential cumulative impacts of minerals and waste development and the way they relate to existing developments must be addressed to an acceptable standard.

Policy 12: Managing traffic

Minerals and waste development should have a safe and suitable access to the highway network and where possible minimise the impact of its generated traffic through the use of alternative methods of transportation such as sea, rail, inland waterways, conveyors, pipelines and the use of reverse logistics. Furthermore, highway improvements will be required to mitigate any significant adverse effects on:

a) highway safety;
b) pedestrian safety;
c) highway capacity; and
d) environment and amenity

Policy 13: High-quality design of minerals and waste development

Minerals and waste development should not cause an unacceptable adverse visual impact and should maintain and enhance the distinctive character of the landscape and townscape.

The design of appropriate built facilities for minerals and waste development should be of a high-quality and contribute to achieving sustainable development.

Policy 25: Sustainable waste management

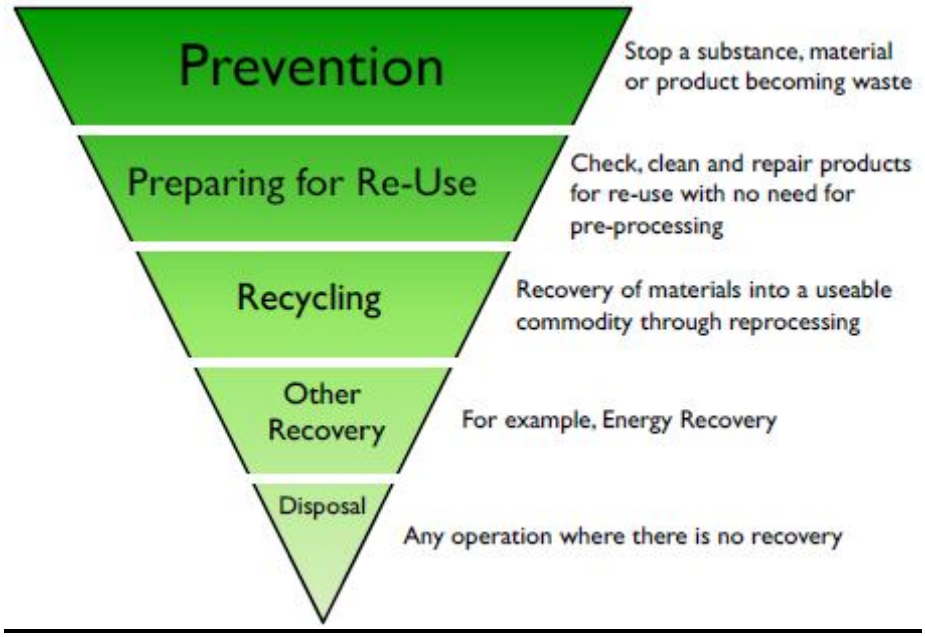
The long-term aim is to enable net self-sufficiency in waste movements and divert 100% of waste from landfill. All waste development should:

a) encourage waste to be managed at the highest achievable level within the waste hierarchy; and
b) reduce the amount of residual waste currently sent to landfill; and
c) be located near to the sources of waste, or markets for its use; and / or
d) maximise opportunities to share infrastructure at appropriate existing mineral or waste sites.

The co-location of activities with existing operations will be supported, where appropriate, if commensurate with the operational life of the site, and where it would not result in intensification of uses that would cause unacceptable harm to the environment or communities in a local area including access routes), or prolong any unacceptable impacts associated with the existing development.

Provision will be made for the management of non-hazardous waste arisings with an expectation of achieving by 2020 at least:

- 60% recycling; and
- 95% diversion from landfill.



Policy 27: Capacity for waste management development

In order to reach the objectives of the Plan and to deal with arisings by 2030 of:

- 2.62mtpa of non-hazardous waste;
- 2.49mtpa of inert waste;
- 0.16mtpa of hazardous waste.

The following minimum amounts of additional waste infrastructure capacity are estimated to be required:

- 0.29mtpa of non-hazardous recycling capacity; and
- 0.39mtpa of non-hazardous recovery capacity; and
- 1.4mt of non-hazardous landfill void.

Proposals will be supported where they maintain and provide additional capacity for non-hazardous recycling and recovery through:

a) the use of existing waste management sites; or
b) extensions to suitable sites:
    i. that are ancillary to the operation of the existing site and improve current operating standards, where applicable, or provide for the co-location of compatible waste activities; and
    ii. which do not result in inappropriate permanent development of a temporary facility and proposals for ancillary plant, buildings and additional developments that do not extend the timescale for completion of the development; or
c) extension of time to current temporary planning permissions where it would not result in inappropriate development; or
d) new sites to provide additional capacity (see Policy 29 - Locations and sites for waste management).

Policy 28: Energy recovery development

Energy recovery development should:

a) be used to divert waste from landfill and where other waste treatment options further up the waste hierarchy have been discounted; and
b) wherever practicable, provide combined heat and power. As a minimum requirement the scheme should recover energy through electricity production and the plant should be designed to have the capability to deliver heat in the future; and
c) provide sustainable management arrangements for waste treatment residues arising from the facility.

Policy 29: Locations and sites for waste management

1. Development to provide recycling, recovery and/ or treatment of waste will be supported on suitable sites in the following locations:
    a) Urban areas in north-east and south Hampshire;
    b) Areas along the strategic road corridors; and
    c) Areas of major new or planned development.

2. Any site in these locations will be considered suitable and supported where it:
    a) is part of a suitable industrial estate; or
    b) has permission or is allocated for general industry/ storage; or
    c) is previously-developed land or redundant agricultural and forestry buildings, their curtilages and hardstandings or is part of an active quarry or landfill operation; or
    d) is within or adjoins sewage treatment works and the development enables the co-treatment of sewage sludge with other wastes; and
    e) is of a scale compatible with the setting.

3. Development in other locations will be supported where it is demonstrated that:
    a) the site has good transport connections to sources of and/or markets for the type of waste being managed; and
    b) a special need for that location and the suitability of the site can be justified.

Test Valley Borough Revised Local Plan (2016) (RLP)

Policy COM2: Settlement Hierarchy

Within the boundaries of the settlements identified in the hierarchy (Table 7) and identified on inset maps 1 - 43 the principle of development and redevelopment will be permitted provided that it is appropriate to the other policies of the Revised Local Plan.

Development outside the boundaries of settlements in the hierarchy (as identified on map 1 - 43) will only be permitted if:
a) it is appropriate in the countryside as set out in Revised Local Plan policy COM8-COM14, LE10, LE16- LE18; or
b) it is essential for the proposal to be located in the countryside.

Policy LE10: Retention of Employment Land and Strategic Employment Sites

On existing employment sites, allocated employment sites, or sites with planning permission for employment use, which have not yet been fully implemented, development for an alternative use will be permitted provided that:
a) the land is no longer required to meet economic development needs of the area; or
b) the current activity is causing, or could cause significant harm to the character of the area or the amenities of residents; and
c) it would not have a significant detrimental impact on the operation of the remaining occupiers of the site.

On strategic employment sites identified in Annex E development for an alternative use will be permitted provided that:
d) it would not have a significant detrimental impact upon the continued primary use of the site for employment; and

e) criteria a), b) and c) have been satisfied.

National Planning Policy Framework (NPPF)

Paragraph 93 (Meeting the challenge of climate change, flooding and coastal change) states: 'planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development'.

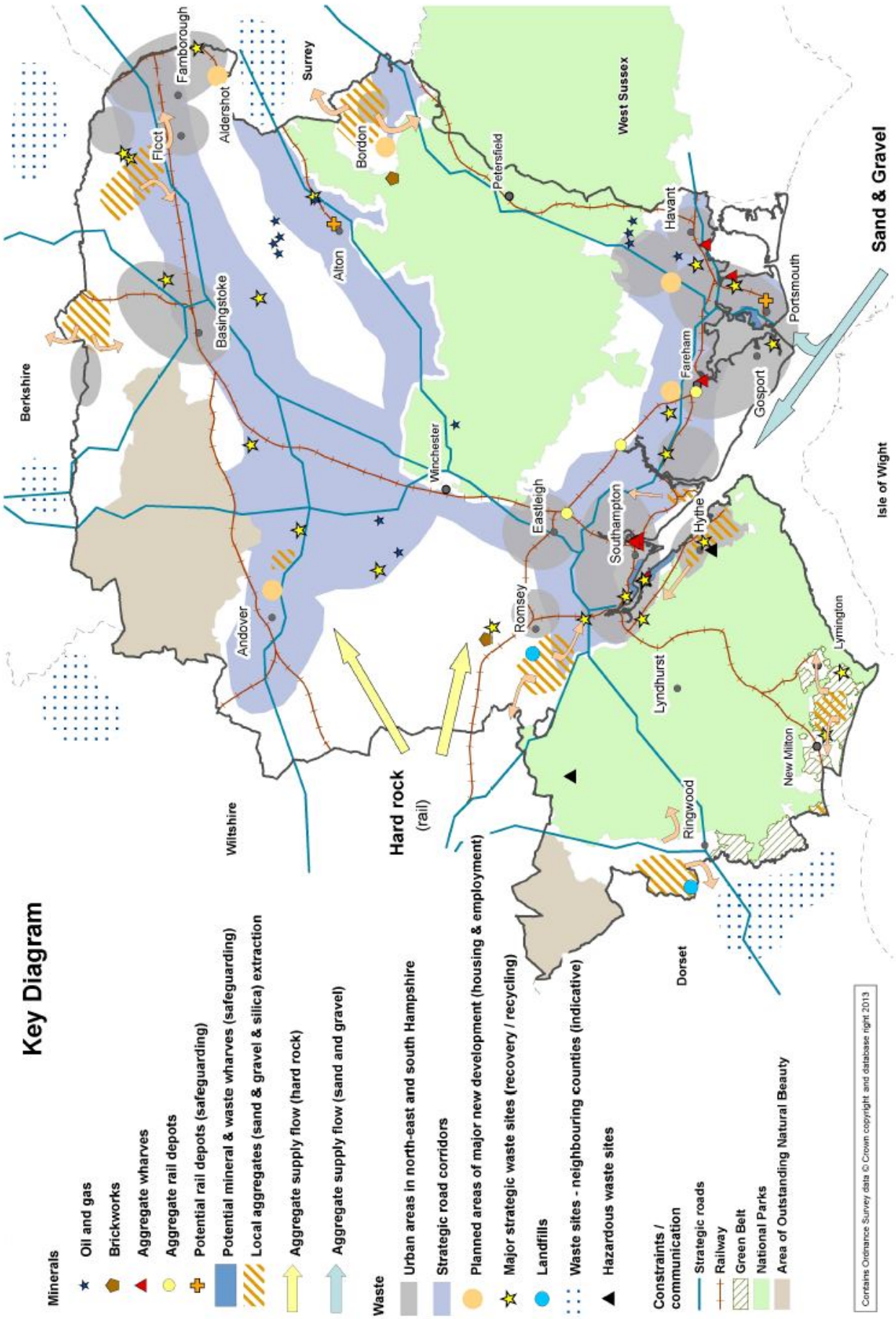
Paragraph 97 (Meeting the challenge of climate change, flooding and coastal change) states: 'to help increase the use and supply of renewable and low carbon energy, Local Planning Authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources'.

Paragraph 98 (Meeting the challenge of climate change, flooding and coastal change) states: 'when determining planning applications, Local Planning Authorities should: not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and approve the application if its impacts are (or can be made) acceptable'.

National Planning Policy for Waste

7. When determining waste planning applications, waste planning authorities should:

- only expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date Local Plan. In such cases, waste planning authorities should consider the extent to which the capacity of existing operational facilities would satisfy any identified need;


Key Diagram
Minerals
Oil and gas
Brickworks
Aggregate wharves
Aggregate rail depots
Potential rail depots (safeguarding)
Potential mineral & waste wharves (safeguarding)
Local aggregates (sand & gravel & silica) extraction
Aggregate supply flow (hard rock)
Aggregate supply flow (sand and gravel)
Waste
Urban areas in north-east and south Hampshire
Strategic road corridors
Planned areas of major new development (housing & employment)
Major strategic waste sites (recovery / recycling)
Landfills
Waste sites - neighbouring counties (indicative)
Hazardous waste sites
Constraints / communication
Strategic roads
Railway
Green Belt
National Parks
Area of Outstanding Natural Beauty
Hard rock
(rail)
Sand & Gravel
Berkshire
Wiltshire
Surrey
West Sussex
Dorset
Isle of Wight
Farnborough
Aldershot
Fleet
Basingstoke
Alton
Bordon
Petersfield
Havant
Portsmouth
Fareham
Gosport
Winchester
Eastleigh
Southampton
Hythe
Andover
Romsey
Lymington
Lyndhurst
New Milton
Ringwood
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Relevant Information & Guidance

National Planning Practice Guidance (NPPG)

Paragraph: 012 Reference ID: 27-012-20140306 (What is the relationship between planning and other regulatory regimes?) states that Local Planning Authorities should assume that other regulatory regimes will operate effectively rather than seek to control any processes, health and safety issues or emissions themselves where these are subject to approval under other regimes.

Public Health England

The Impact on Health of Emissions to Air from Municipal Waste Incinerators (September 2009)

The Health Protection Agency has reviewed research undertaken to examine the suggested links between emissions from municipal waste incinerators and effects on health. While it is not possible to rule out adverse health effects from modern, well regulated municipal waste incinerators with complete certainty, any potential damage to the health of those living close-by is likely to be very small, if detectable. This view is based on detailed assessments of the effects of air pollutants on health and on the fact that modern and well managed municipal waste incinerators make only a very small contribution to local concentrations of air pollutants.

The Committee on Carcinogenicity of Chemicals in Food, Consumer Products and the Environment has reviewed recent data and has concluded that there is no need to change its previous advice, namely that any potential risk of cancer due to residency near to municipal waste incinerators is exceedingly low and probably not measurable by the most modern techniques. Since any possible health effects are likely to be very small, if detectable, studies of public health around modern, well managed municipal waste incinerators are not recommended.

The Agency's role is to provide expert advice on public health matters to Government, stakeholders and the public. The regulation of municipal waste incinerators is the responsibility of the Environment Agency.

Department for Envirionment, Food and Rural Affairs (DEFRA)

Wood waste: A short review of recent research (July 2012)

Wood Waste Grade	Typical Markets
Grade ‘A’ – Clean, recycled wood	Manufacture of products such as animal bedding, horticultural mulches and the panelboard sector. Fuel in non-WID installations, or manufacture of pellets/briquettes.

Grade 'B' – Industrial feedstock	A feedstock for industrial wood processing operations such as the manufacture of panel products, including chip board and medium density fibreboard.
Grade 'C' – Fuel grade	Biomass fuel for use in the generation of electricity and/or heat in WID compliant installations.

Advanced Thermal Treatment of Municipal Solid Waste (February 2013):

The following general criteria would also apply to the siting of new Advanced Thermal Treatment (ATT) plants:

- ATT processes can be similar in appearance and characteristics to various process industries. It would often be suitable to locate facilities on land previously used for general industrial activities or land allocated in development plans for such (B2) uses;
- Facilities are likely to require good transport infrastructure. Such sites should either be located close to the primary road network or alternatively have the potential to be accessed by rail or barge;
- The location of such plants together with facilities producing RDF (such as MBT and MHT facilities) could be advantageous. The potential for co-location of such facilities on resource recovery parks or similar is also highlighted in the Companion Guide; and
- The potential for export of energy to host users or the national grid should also be a key consideration in the siting of ATT facilities. The Renewables Obligation provides a price premium for electricity generated from renewable sources (the biomass fraction of waste) in gasification and pyrolysis plants consideration should always be given to utilising not only the electricity from the plant but also the waste heat in order to maximise energy and carbon benefits.

Environment Agency

Consultations on bespoke Environmental Permit applications

The Environment Agency will publish online a notice of your application and instructions for how other people can see and comment on it. Members of the public and anyone interested in the application have 20 working days to comment. The Environment Agency may also consult other public bodies, eg local authorities, Public Health England, water companies, and Natural England. If the Environment Agency considers your application to be of high public interest, it may:

- take longer to give you a decision
- carry out an extra consultation on the draft decision
- advertise the application more widely

The Environment Agency's public participation statement explains how and why it will consult on permit applications.
https://www.gov.uk/government/publications/environmental-permitting-public-participation-statement