

Warboys Parish Geuneil

Clerk: R. Reeves, M.A., D.M.S.

Tel: Ramsey (01487) 823562

E-mail:    a00)0)(
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2 Blenheim Close,
Warboys,
Huntingdon,
Cambs., PE28 2XF.

Ms H Wass,
County Planning Minerals and Waste,
Cambridgeshire County Council,
Box No. SH 1315
Shire Hall,
Castle Hill,
Cambridge. CB3 0AP.

Cambs County Council
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09 FEB 2018

County Planning
Minerals & Waste

My ref:

our ref:

8th February 2018

Dear Helen,

Planning Application H/5002/18/CW for construction of a heat and power plant comprising biomass energy from waste (bed combustion) facility and treatment of waste water by evaporation treatment plant and associated infrastructure comprising tank farm, combuster with 25 metre high chimney, process building, store building, office building, walking floor canopy, car park, fuel storage bays, fire water tank, conveyor, pipe gantry, diesel tank, control room, auxiliary plant skid, high voltage transformers.

Warboys Parish Council objects to the above application and recommends its refusal by Cambridgeshire County Council on the grounds set out below.

1. Relevant Policies

- 1.1 The following policies of the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy Development Plan Document 2011 are relevant.
- 1.2 Policy CS2 sets out the strategic vision and objectives for sustainable waste management development and lists a number of strategic objectives that support this vision. The following apply in the case of this application and its location in Warboys –
- to encourage waste management practices which do not incur unacceptable adverse impact on the local and global environment or endanger human health in Cambridgeshire and Peterborough
 - to ensure high quality of design and operation of waste management facilities in Cambridgeshire and Peterborough, guided by the preparation of Supplementary Planning Documents (the Location and Design of Waste Management Facilities, and the RECAP Waste Management Design Guide)
 - to protect the ground and surface water resources of Cambridgeshire and Peterborough
 - to safeguard and enhance the distinct landscapes of Cambridgeshire and Peterborough including the wet fens, river valleys, chalk and limestone uplands

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- 1.3 Paragraph 7.39 in relation to waste water treatment plants states 'Offensive odours from waste water treatment works can adversely impact on residential amenity potentially at some distance beyond the site boundary. In order to protect local amenity a stand-off of normally 400 metres from properties normally occupied by people will be required. Consideration will also need to be given to other potential impacts including lighting and noise.'
- 1.4 Policy CS32 states that 'Minerals and waste development will only be permitted where:
- b. access and the highway network serving the site are suitable or could be made suitable and able to accommodate any increase in traffic and/or the nature of the traffic associated with the development;
 - c. any associated increase in traffic or highway improvements would not cause unacceptable harm to the environment, road safety or residential amenity.
- 1.5 Policy CS33 headed Protection of Landscape Character states that 'Mineral and waste management development will only be permitted where it can be demonstrated that it can be assimilated into its surroundings and local landscape character area in accordance with the Cambridgeshire Landscape Guidelines, local Landscape Character Assessments and related supplementary planning documents.'
- 1.6 Policy CS34 headed Protecting Surrounding Uses states that 'Mineral and waste management development will only be permitted where it can be demonstrated that there would be no significant harm to the environment, human health or safety, existing or proposed neighbouring land uses, visual intrusion or loss to residential or other amenities. Mitigation measures will be required, including where appropriate a buffer zone, between the proposed development and neighbouring existing or proposed sensitive land uses.'
- 1.7 Paragraph 11.31 goes on to state that 'Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Sites, have a fundamental role to play in meeting overall national biodiversity targets, contributing to the quality of life and the well-being of the community and in supporting research and education.'

2. Accuracy of the Application and Supporting Documents

- 2.1 There are several discrepancies and anomalies in the information contained in the documents accompanying the application.
- 2.2 For example, the Supporting Planning Statement and Air Quality Management Plans state that the nearest properties are Wingate (240 metres), Old Railway Tavern (230 metres) and Woodview (170 metres). The Odour Management Plan and Dust Management Plan

distances more accurately at 140, 130 and 85 metres respectively. This places them well within the 400 metre stand-off zone specified in paragraph 7.39 of the Minerals and Waste Plan and without any ability to create a buffer zone required by Policy CS34.

- 2.3 Similarly the Design and Access Statement states that the site is 1.5 km to the north of Warboys while the Supporting Planning Statement states that it lies 700 metres north of the village. The latter is the accurate measurement.
- 2.4 The Supporting Planning Statement (paragraph 3.0.3) that the plant will generate 1.5 MW of electricity of which 1.2 MW will be exported to the National Grid with 0.3 MW being required to power the site operations. Elsewhere the estimate of amount generated is lower.
- 2.5 The discrepancies in the documents suggest a lack of accuracy in the application submission which raises doubts over the authenticity and the veracity of the claims made by the

3. Visual Impact

- 3.1 The Landscape and Visual Impact Assessment accompanying the application concludes that the landscape impacts are predicted to be slightly adverse with the possibility to create a negligible beneficial effect in time through landscape mitigation and management.
- 3.2 The artistic impression of the plants proposed presents a bleak industrial appearance wholly out of character with the local area. Although it is proposed that the external walls will be painted green, this will fail to detract from the plant's overall impact in such a rural setting.
- 3.3 While the contours of the land will effectively shield the site from views from the south where the village of Warboys is located, the plant buildings will be clearly visible from the north. They will project above the ridge line when viewed from Puddock Road and the surrounding fens. Although set against the background of the rise in land, it will create an unsightly and wholly obtrusive and prominent aspect visible for considerable distances.
- 3.4 The report suggests that the site will be screened by planting but accepts that existing planting on the bund has died or is dying. There is no guarantee that new planting will survive and if it does, it will take many years to grow to maturity.
- 3.5 The Landscape and Visual Impact Assessment concentrates solely on the impact of the plant buildings themselves. It fails to assess the impact of any plumes of steam that may arise from the processes involved. It is not unreasonable to assume that in certain climatic conditions (and perhaps continuously) vapour emissions will be seen emerging from the plant chimney and flues which will be visible at great distances. This would be a totally alien feature in the fen landscape.

3.6 The Environment Agency's Guidance on the Treatment of Landfill Leachate (pages 118 - 119) states

- Emphasis should be placed on the prevention of the production and displacement of pollutants. Abatement can be readily overloaded and become ineffective.
- Although unlikely to be a significant issue at the majority of leachate treatment plants, the operator should consider the need to minimise water vapour. In order to address local visual amenity issues which in severe cases can include loss of light, fogging, icing of roads etc. and which can also adversely affect plume dispersion. Ideally, therefore, the exhaust should be discharged at conditions of temperature and moisture content that avoid saturation under a wide range of meteorological conditions.
- The use of prime energy to reduce a plume simply because it is visible should be avoided.
However, it may be appropriate to use waste heat. For example heat could be used from the utilisation or destruction of landfill gas. Nevertheless, the use of energy for re-heat
- Generally, the volume of air involved determines the degree of difficulty in dealing with air emissions. The volume of air has implications not only for the final size of abatement plant but also for the associated equipment such as fans, ducting, pressure losses, etc. Optimum containment of odorous or polluted air is therefore important in either eliminating the need to treat the air or minimising the amount (and consequently cost) of the abatement technology.
- Enclosure of specific units identified as being a source of pollution should be implemented to reduce air volumes requiring abatement.

3.7 There is little evidence in the studies accompanying the application that the above issues have been addressed.

3.8 The development will therefore present a visually intrusive feature in the local landscape which is totally out of character with the unique nature of the fen environment. It therefore fails to meet Policy C33 of the Minerals and Waste Plan.

4. **Proximity of Receptors**

4.1 As mentioned above there are three dwellings within a radius of 140 metres from the proposed development, the closest of which (Woodview) is only 85 metres distant.

4.2 The application and accompanying documents also fail to identify the fact that land opposite Wingate has the benefit of planning permission for a touring caravan site. The site has recently changed ownership and is the subject of a current application, yet to be

year. This places a substantial number of additional people within the 400 metre radius of a waste water treatment plant referred to in paragraph 7.39 of the Minerals and Waste Plan.

4.3

The development is located too close to sites of human habitation and would effectively sterilise land with the benefit of planning permission for caravan development. It is therefore contrary to Policies CS2 and CS34 of the Minerals and Waste Plan.

5.

Impact on Locality

5.1

The documents accompanying the application fail to recognise the proximity of adjoining farmland and its use for food production.

5.2

The site is surrounded by land used for the growing of food crops or for the grazing of livestock. Any escape of emissions or long term accumulation of condensation from potentially contaminated vapour emissions on the land have not been identified or quantified. If it is found by subsequent research that such emissions have an adverse impact in contaminating crops and entering the food chain, it will be too late to reverse any adverse impact on the health of consumers. It would also sterilise the land and lead to the ruin of commercial farm businesses.

5.3

Warboys and Wistow Wood SSSI is located within 800 metres of the site and Pingle Wood and Cutting Local Nature Reserve within 250 metres (although the Supporting Planning Statement incorrectly quotes the distance as 50 metres).

5.4

The application is therefore contrary to Policies CS2 and CS34 of the Minerals and Waste Plan.

6.

Sourcing of Materials

6.1

The application claims that wood and waste water will be sourced within a 30 mile radius but there is no justification in the documentation to support this proposition. If this proves to be unachievable, the materials required to ensure the viability of the plants will no doubt be sourced from further afield adding the additional journey times and resultant effects on the highway network and vehicular pollution.

6.2

Warboys already has experience of similar claims when the adjoining landfill site was in operation. Once the site was operational, waste was sourced from throughout the south east and east midlands without any ability to restrict the distances travelled.

6.3

There is also nothing in the supporting documentation to indicate when the landfill site at Warboys will cease the production of leachate or whether this will decrease over time. If either occurs, this will result in the importation of additional quantities of waste water to ensure that the treatment plant remains economic.

6.4

The applicants have therefore failed to demonstrate a need for a facility of this nature and scale. The application therefore is contrary to Policies CS2 and CS34 of the Minerals and Waste Plan.

7. Potential Future Development

- 7.1 It is acknowledged that this is untested technology. If the process proves successful, there is a risk that the plant will be expanded to accommodate additional waste which will be more difficult for the local planning authority to refuse.
- 7.2 There is always a danger of incremental growth with development of any nature once an initial permission has been granted, thereby creating a precedent for further expansion.
- 7.3 A clear example is the adjoining landfill site. Planning permission initially was granted for 5 years for the acceptance of inert waste with the applicants issuing publicity for consultation purposes showing the site returned to grazing and a natural wildlife habitat with public access at the end of that period. Nothing could be further from reality. Extensions of time resulted in the landfill site taking 20 years to fill with the deposit of hazardous waste for a without planning permission. The failure to obtain retrospective planning permission for hazardous waste tipping has meant that the site contains unauthorised waste which it is unsafe to remove. This has been followed by the current materials recycling facility and now a proposed combined heat and power plant and waste water treatment plant.
- 7.4 The County Council is asked to recognise the impact that this particular site has had on Warboys and its residents. The deposit of waste commenced in 1996 with an expected end date of 2001. Throughout the period when tipping took place, there has been concern over the impact on the health of the local populace, culminating in the tipping of hazardous waste for which retrospective planning permission was refused. If permission were to be granted with an expected lifespan of the plant of 25 years, it would mean that Warboys would endure disturbance from this site for 50 years as opposed to the originally anticipated 5.
- 7.5 When retrospective planning permission for the deposit of hazardous waste was refused, the County Council decided that it would be unsafe to remove the waste that had been tipped without the benefit of permission and that it would be more hazardous to transport it off site for disposal elsewhere. The current application seeks to treat and evaporate into the atmosphere leachate from waste which the County Council itself acknowledges is unsafe to remove from site.
- 7.6 The County Council is asked not to underestimate the concern that that has arisen in Warboys over this proposal and the fears that it will impact on the health of the local community and result on ongoing unacceptably high levels of disturbance.

8. Air Quality

- 8.1 The Air Quality Impact Assessments are based on the sensitive receptors for the purposes of human health being Woodview (223 metres), Fenside Road (254 metres and presumably the Old Railway Tavern) and Puddock Hill (271 metres and presumably Wingate). The

distances are 85, 130 and 140 metres respectively. The study also fails to recognise an extant planning permission for a caravan site opposite Wingate at about 170 metres distance from the site.

8.2 There are other dwellings within 400 metres of the site listed in the Odour and Dust

8.3 Management Plans.

8.4 The study states that the site lies 800 metres north of the residential properties in Warboys. Other reports show the distance as 700 metres but there are several isolated properties including a row of terraced houses between the site and the village.

8.5 The analysis of the results from the testing undertaken by the consultants are therefore flawed and should be treated with great caution.

THE ANALYSIS OF THE IMPACTS OF THE PROPOSED DEVELOPMENT ON THE LOCAL ENVIRONMENT

- Hexavalent Chromium (Cr6) and Arsenic are predicted to exceed the EAL, based on the
- The most significant metal is Arsenic, where the predicted environmental concentration is 23% of the EAL. The predicted environmental concentration of Nickel is 11 % of the EAL. Based on the assessment criteria in Table 2.3, these predicted process contributions are
- The most significant impacts from deposition are from Mercury (22% of EAL) and Cadmium (10% of EAL). These are of minor/moderate adverse significance in terms of the

8.6 It is not clear what the long term exposure to such chemicals may be both to human health and contamination of the local environment.

8.7 Yet this analysis is based on the nearest human receptor being a distance of 223 metres distant as opposed to the more accurate distance of 85 metres. It also fails to recognise the impact on the employees working at the plant and the adjoining Woodford Recycling business.

8.8 Any results that predict emissions that 'exceed the EAL' or are of 'minor/moderate adverse significance' are grounds for refusal of the application rather than its approval.

8.9 The application should be refused on the basis of the risk posed to human health, wildlife, food production and the environment contrary to Policies CS2 and CS34 of the Minerals and Waste Plan.

9. Noise

- 9.1 The noise impact assessment predicts that various of the processes proposed will generate noise levels of up to 105 dB(A). These will occur throughout the day and night. It is difficult to envisage how this noise will dissipate to an acceptable level within 100 metres of the nearest dwelling in such a rural environment with low ambient noise levels. Moreover it is proposed that the plants will be operational on a 24 hour basis. On calm nights or when the prevailing wind is blowing towards the nearest properties, it is unrealistic to suppose that the residents will not be disturbed by the noise from site.
- 9.2 The accompanying reports state that the imported wood waste will be pre-shredded but does not explain how the waste wood from the Woodford MRF will be shredded. There is no indication where or how this will take place or the noise that will be generated.
- 9.3 The development is likely therefore to have an unacceptably adverse impact on nearby residents from the noise that will be generated by the processes proposed. It is therefore contrary to Policy CS34 of the Minerals and Waste Plan.

10. Odour

- 10.1 The Odour Management Plan identifies various activities at the site capable of producing odour. It fails to predict the type of odours that might arise from the leachate itself. However as the application states that compost run-off will be treated, it is inevitable that some of the liquids will be highly pungent. If planning permission were to be granted, there would be nothing to prevent other types of waste liquid from being accepted which similarly could be odorous.
- 10.2 While the plant may be designed to prevent any emission of fugitive odours, there is always the risk that these will be ineffective or may fail for whatever reason. In such circumstances, there is every possibility that people living locally will be affected by offensive odours from time to time.
- 10.3 Similar assurances were given when the landfill site was operational but many occasions were experienced in Warboys when people living in the village were affected by noxious smells from the operations on site.
- 10.4 The development is therefore likely to have an unacceptably adverse impact on nearby residents as a result of offensive odours and is contrary to Policy CS34 of the Minerals and Waste Plan.

5.

Dust

- 5.1 The Dust Management Plan accompanying the application recognises that dust can arise from various stages of the processes on site and that 'fugitive dust could result in visible dust being observed crossing the site boundary and nuisance can be caused by dust deposition on

- 5.2 While control measures are proposed, there is no guarantee that these will be rigidly adhered to or will prevent dust from the site affecting nearby dwellings. The application is therefore contrary to Policy

6. Traffic

- 6.1 Although traffic volumes are expected to be lower than when the landfill site was operational, the use of Fenside Road by HGVs as the access route to the site badly affected the integrity of the road surface which was liable to subsidence and potholes. It has had to be repaired on several occasions by the highway authority in recent years and the County Council should have data on the frequency of such occurrences. A return to an increased use of Fenside Road by HGVs is likely to lead to a continuing deterioration of the road surface. In an era of increasing financial austerity for local government, the ability of the County Council to maintain the road in an acceptable condition is doubtful.
- 6.2 When the landfill site was in operation, it was a common occurrence for HGVs to park in nearby laybys waiting for the site to open in a morning or to queue at the site entrance. While it is planned that deliveries will not be accepted on site before 7.00 a.m., the vehicles may have an impact elsewhere as they wait to arrive on site at the designated opening time.
- 6.3 Materials previously carried to the landfill site were in solid form and while any spillages from vehicles in the event of an accident could be cleared, the current application proposes the use of 27 tonne tankers containing liquids. Any leakages or spillages as a result of a traffic incident could have damaging consequences for the land affected.
- 6.4 The development is therefore likely to have an unacceptable impact on local roads and Fenside Road in particular. The application therefore is contrary to Policy CS32 of the Minerals and Waste Plan.

7.

Duration of Operation

- 7.1 The application proposes that the plant will be operational on a 24/7 basis through the year except for a two week close down for maintenance. That is a totally alien concept in such a rural location.
- 7.2 In the event of disturbance from noise, odours, dust etc., there will be no respite for local residents at any time of the day or night.
- 7.3 The Environment Agency's guidance quoted to in paragraph 3.6 above refers to emissions to air being regulated by prevailing climatic conditions but it is proposed that this plant will be

8. Regulation

- 8.1 If permission were to be granted, there is potential for a lack of effective enforcement from the statutory agencies with potentially damaging consequences for the local population and environment.
- 8.2 Warboys has experience of a reluctance by statutory agencies to take enforcement action for breach of conditions for the operation of the landfill site. Similarly the liquidation of another materials recycling operation in Warboys at the Airfield Industrial Estate led to an accumulation of waste outdoors in contravention of their planning permission for several years.
- 8.3 In the event of operational issues resulting from contravention of any planning permission or waste management licence issued by the Environment Agency or the failure of the companies operating the plants, there is a danger that enforcement action would either not be taken or would be ineffective or a possibility that the site could be abandoned with long term environmental consequences.

9. Lack of Testing and Experience

- 9.1 It is understood that the waste water treatment plant involves a process that is untested in this country. As such there is no practical experience or evidence of the effectiveness or otherwise of the processes and controls proposed. If these prove to be ineffective, there is no evidence as to what remedial measures could be taken effectively to rectify problems. It is unlikely that the companies involved would wish to cease operations given the level of their investment or that the statutory agencies would issue enforcement or stop notices. In such circumstances, the local community and environment might endure risks from emissions that exceed required levels for many years.
- 9.2 Similarly the fact that both the operating companies are newly formed suggests that they have limited experience in such activities or in ensuring that they are operated at safe levels. The fact that there are two separate plants managed by two separate companies suggests that there may be difficulty in attributing responsibility in the event of future problems.
- 9.3 This is an experimental process which should not be undertaken in such a sensitive location close to dwellings, productive farmland and wildlife sites.

10. Conclusion

- 10.1 The Parish Council therefore urges the County Council to refuse this application on the following grounds:-
 - (i) that the proposed development will present a visually intrusive feature on the local landscape which is totally out of character with the neighbouring fen environment;

- (ii) that the proposed development would be located in close proximity to dwellings with a consequential risk of harm to health from emissions from the processes proposed;
- (iii) that any emissions from the development proposed could contaminate surrounding land which is farmed extensively for the growing of crops and as pasture for livestock with the consequential risk of hazardous chemicals entering the food chain and contaminating land for the future;
- (iv) that the applicants have failed to demonstrate a need for development of the scale proposed or that the materials required could be sourced adequately from the proposed 30 mile radius prompting concerns that waste will be imported from a far greater radius;
- (v) that the applicants have failed to demonstrate the long term adequacy of supply from Warboys Landfill Site and Materials Recycling Facility with the consequent potential for the sourcing of greater quantities of waste wood and waste water from elsewhere which would result in additional traffic generation and a further
- (vi) that the proposal will constitute an unacceptable further continuation of industrial development at Warboys Landfill Site far in excess of the initial permission granted for 5 years for the tipping of waste at the adjoining landfill site;
- (vii) that the proposed development represents a dangerous precedent for potential expansion of the processes proposed which it would be more difficult to refuse;
- (viii) that the proposed development would pose unacceptable risks to human health and wildlife from emissions to air of hazardous chemicals;
- (ix) that the proposed development is likely to lead to noise pollution to the detriment of
- (x) that the proposed development is likely to lead to odour pollution to the detriment of
- (xi) that the proposed development is likely to lead to the escape of dust from the site which will affect the quality of life of nearby residents and contaminate the local environment;
- (xii) that the proposed access route to the site via Fenside Road is unsuitable for the additional traffic proposed;
- (xiii) that there is a likelihood of heavy goods vehicles and tankers queueing to enter the site before it opens in a morning either on local roads or laybys to the detriment of highway safety;

- (xix) that there is a potential risk of contamination to the local environment from tankers carrying waste water to the site, either in the event of an accident or from spillages which could contaminate surrounding land;
- (xx) that the proposed operation of the site on a continuous basis throughout the year with the exception of a two week close down for maintenance will represent an intolerable intrusion into the quality of life of local residents from emissions, noise, odours and dust emanating from the site;
- (xxi) that insufficiently robust testing has been undertaken of the proposed waste water treatment process to assess its suitability and safety so close to dwellings and farmland;
- (xxii) that the companies established to manage the processes involved are newly established
- (xxiii) that the operation of the two treatment plants by separate companies will result in a blurring of responsibility in the event of future complaints and enforcement action by the regulatory authorities.

10.2 Given the strength of concern in Warboys about this application, the Parish Council also requests that every opportunity be given to people to express their concern to the Development Control Committee when this application is considered rather than the 20 minutes of time normally allocated for the public to speak.

Yours sincerely,

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R. Reeve J. ' '
Clerk