

# Public Document Pack



Minutes of a meeting of the Planning and Environmental Protection Committee held at the Town Hall, Peterborough on 24 November 2009

## **Members Present:**

Chairman - Councillor North

Councillors – Lowndes, C Burton, Todd, Kreling, Thacker, Winslade, Ash, Lane and Harrington

## **Officers Present:**

Nick Harding, Planning Delivery Manager  
Susan Marsh, Principal Planning Officer (Minerals & Waste)  
Julie Smith, Senior Engineer (Development)  
Carrie Denness, Principal Solicitor  
Gemma George, Senior Governance Officer

## **1. Apologies for Absence**

There were no apologies for absence received.

## **2. Declarations of Interest**

5.1 Councillor Todd stated that she was the Ward Councillor for the item but she had no personal or prejudicial interest. Councillor Todd declared that she had also been on a visit to the Stallingborough Integrated Waste Management Facility in Grimsby, but this would not affect her decision.

Councillor Ash declared that he had taken part in discussions on this item within the Waste Recycling Group and in the interest of probity and public perception he would leave the room for this item.

Councillor Thacker declared that she knew Mr Olive who was speaking in objection to the item.

Councillor Kreling declared that she was a member of the Waste and Recycling Group but this would in no way affect her decision.

Councillor Lane declared that he had also attended the visit to the Stallingborough Integrated Waste Management Facility in Grimsby, but this would in no way affect his decision. He also declared that he had received emails from Friends of the Earth and Proforum.

The Legal Officer requested confirmation from the Committee that the same information had been received by all Members. All Members agreed that they had received emails from both Friends of the Earth and Proforum.

Councillor C Burton declared that he was the Chair of the Environment Capital Scrutiny Committee but this would in no way affect his decision.

Councillor North declared that he sat on the Environment Capital Scrutiny Committee but this would in no way affect his decision.

### **3. Members' Declaration of intention to make representations as Ward Councillor**

There were no declarations from Members of the Committee to make representation as Ward Councillor on any item within the agenda.

### **4. Minutes of the Meeting held on 27 October 2009**

The minutes of the meeting held on 27 October 2009 were approved as a true and accurate record.

### **5. Development Control and Enforcement Matters**

The Committee agreed to vary the speaking scheme for item 5.1, Construction of Energy from Waste Facility. A request had been submitted from an objector, Mr Olive, to allow eight minutes for objectors and in order to ensure a fair hearing, an equal amount of time was agreed for the supporters.

Councillor North advised the Committee that item 5.3, 62 Francis Gardens, had been withdrawn from the agenda.

Councillor Ash left the meeting for the following item.

#### **5.1 09/00078/MMFUL - Grosvenor Resources Ltd, Fourth Drove, Fengate, Peterborough**

The proposed Energy from Waste facility (EfW) would be contained within a single building with a footprint of approximately 96m by 37m. Its height, excluding the stack, would be approximately 35m.

The main elements of the facility would be:

- Waste reception area,
- Bunker hall,
- Process hall,
- Turbine generator hall,
- A chimney stack (approx. 60m in height)
- Metal and ash recycling area,
- Bulky waste shredding area,
- 3 storey offices including staff welfare and mess facilities, offices for manager and admin staff and the control room, and
- A workshop

The EfW building would be a steel framed construction and metal clad. Translucent panels on the front and side elevations would allow natural illumination into the process hall and would enable the 'internal workings' to be visible to the outside especially when illuminated at night.

The plant would have a maximum throughput of 65,000 tonnes of waste per annum and the capacity to generate approximately 34,000 MWh/yr of electricity, of which 28,000 MWh/yr would be available for export to the national grid with the remainder being used within the plant itself. The plant would have the ability to produce approximately 127,000 MWh/yr of heat with 102,000 MWh/yr available for export.

The EfW would be accessed from the main entrance on Fourth Drove and egress would be on to Storeys Bar Road/Fengate. New weighbridges and associated offices would be provided at the entrance and exit to the site. There would be a one way traffic system for vehicles associated with the EfW and the IMRF proposed on the adjacent site.

The EfW process would operate continuously, 24 hours a day for 7 days a week with the exception of shutdown periods for essential maintenance.

Waste would be delivered to the facility between 6.00 and 20.00 Monday to Saturday inclusive and 8.00 and 16.00 on Sundays and Bank Holidays. However, the facility itself would operate 24hours/day.

Approximately 30 staff would be employed at the site. This would include 16 shift operators, an Operations Team Leader, a Plant Manager, a Maintenance Manager, a Systems and Quality Manager, 4 Maintenance fitters, a Process Engineering Apprentice, 2 admin staff, a site manager, a plant cleaner and a vehicle and plant driver operative.

The EfW would accept residual waste collected by the Council and also some residual waste from Cambridgeshire and other adjoining local authorities. All waste would be non hazardous (mixed municipal waste or waste with similar characteristics), hazardous waste would not be accepted.

Part of the waste stream would come from the household waste recycling facility at Dogsthorpe and some of this waste would be oversized. A dedicated waste crushing facility would be located in the north eastern section of the main building and would deal with this. Over sized waste would be delivered by 'roll on roll off' skip lorries and would deposit the over sized waste into a dedicated bay. The operative would sort through the waste for non combustible and recyclable materials. Then a grab crane would pick up the remaining bulky waste and deposit it into the crusher/shredder and, once crushed, it would be conveyed to the waste bunker by a series of conveyors.

### **EfW Process**

Waste would be brought to the site by refuse collection vehicles and bulk transport vehicles. A representative sample of vehicles loads would be inspected at the weighbridge (or in the reception hall) to confirm the nature of the incoming waste. After weighing in the vehicles would continue to the reception hall where they would be directed through roller shutter doors prior to discharging their load into the waste storage bunker. The refuse bunker would have a capacity for 1,275 tonnes of waste. Grabs would be used to mix and feed the refuse into furnace feed chutes and operatives would also check for the presence of unacceptable waste at this stage (which would be removed to a licensed facility) and keeping tipping bays clear for deliveries.

Following loading on to the feeding chutes the waste drops to the bottom where it forms a plug which is introduced to the kiln via a feed ram. The waste would then pass slowly through the furnace, which is subject to a rocking motion to maximise homogeneity of the waste, maximise turbulence and eliminate temperature inconsistency. The waste surface is constantly refreshed and the size fraction reduced, maximising burn efficiency. Combustion air channels between the kiln skins preheat the waste feed, increasing energy efficiency.

Hot gases from the combustion process would pass through the post combustion chamber and into a boiler which takes heat from the combustion process and creates steam and heats water. Steam would be passed to a turbine to generate electricity. The turbine hall would be located adjacent to the processing hall with an air-cooled condenser to the south of this.

The exhaust gases would pass through a flue treatment system to control emissions of dust, nitrogen oxides and other acid gases, dioxins/furans and heavy metals and to ensure that stack emissions comply with Waste Incineration Directive (WID) (which applies to the burning of waste in a thermal treatment facility – which includes pyrolysis, gasification or plasma processes where substances produced are then incinerated). The precise configuration would be detailed at the Environmental Permitting stage. However, there would be silos in the process hall for the storage of hydrated lime and activated carbon which is used to neutralise acid components. Following treatment the exhaust gases would be passed through filter bags to collect any excess reagent, powders or dusts. This would then be knocked from the bags and taken by enclosed conveyor to a residue storage silo. Cleaned gases are drawn through into the stack.

Approximately 13,000t of bottom ash is expected to be generated each year. This would be removed from the site by HGV to either a non hazardous landfill site or for use as a secondary aggregate in recycled products following treatment off site.

Ferrous metals (metals containing iron) would be removed from the bottom ash by magnetic separator and stored in a separate bunker. Approximately 2000 tonnes of ferrous metal is expected to be recovered each year and sold to recycling companies.

Approximately 3000 tonnes of flue gas treatment residues are expected to be produced each year. These would be classified as hazardous waste and would be removed from the site in an enclosed tanker and disposed of at a hazardous landfill site or sent for use in chemical neutralisation applications before going to landfill.

### **Site Clearance and Construction**

Once all the operations at the existing Materials Recycling Facility (MRF) have been transferred to the adjacent Ray Smith building ground clearance would be undertaken to remove any residues and the building would be demolished. Where feasible the fabric of the building would be removed to optimise the amount of recycling of construction and demolition wastes. Concrete foundations would be crushed and screened.

Because of the value of the project a waste audit would be required and a condition would also be applied requiring a construction management plan to be submitted and approved.

Construction activities would take place between 7.00am and 7.00pm though there may occasionally be some activities outside these hours.

The Planning Officer addressed the Committee and gave an overview of the main issues surrounding the proposal, namely the location, the volume and sourcing of waste, the landscape and visual impact, archaeology, biodiversity, highways issues, amenity issues, health issues and flooding issues.

Members' attention was drawn to additional information contained within the update report. Clarification of what would be required within a legal agreement, which was included within the recommendations in the committee report, was highlighted. Members were also informed of a proposed condition rewording and a related proposed requirement within the legal agreement to require a scheme of hydrological monitoring to be submitted.

An update on comments received from the Environment Agency was also highlighted to the Committee. Members were advised that there had been an outstanding objection from the

Environment Agency which had subsequently been withdrawn subject to this Authority applying the Sequential Test and attaching the condition included in the update report to any approval of planning permission.

Local Highway Authority updated comments were also set out in the update sheet and contained a condition to be added if permission was granted.

Additional comments had also been received from a local resident and were highlighted in the update sheet but, in essence, did not relate to specific planning matters.

Mr Richard Olive, an objector and Member of Friends of the Earth, addressed the Committee and responded to questions from Members. In summary the concerns highlighted to the Committee included:

- The frustration which had been experienced by Friends of the Earth over the application
- The fact that the Council had not officially identified the type of energy from waste treatment facility to be considered. There were at least eight or nine different options which could have been looked at
- The extensive research undertaken by Friends of the Earth and the dismay at the lack of comments from this research being included in the Committee report
- The refusal by the Council to identify in the Committee report the type of incinerator it intended to use
- The fact that Friends of the Earth had not been permitted to comment on the type of incinerator, the technology, any of the alternative waste treatment types, the extent of the types of emissions, the waste to be disposed of, the health aspects of the proposal or the costs. This was due to the comments all relating to the principles of the type of waste facility selected by the Council as Waste Management Authority and not the planning application
- The proposed size of the building was too large at 65,000 tonnes. Assuming that Peterborough achieved its 65% plus of recycling, even with an increased population combined with waste reduction, it would only need a maximum capacity of 36,000 tonnes
- The Friends of the Earth believed that the Council was incorrect in preventing discussions on incinerator principles because it did not endorse an incinerator at its full Council meeting, it agreed to proceed with “residual treatment with emphasis on energy resource recovery (energy from waste)”
- Friends of the Earth did not believe that the incinerator proposal accorded with the sustainable community strategy
- It was not in line with policy WLP1, Sustainable Waste Management
- It was not in line with the Waste Strategy of England, policy WSE2007
- It was not best the best practical environmental option for dealing with Peterborough’s waste
- It did not assist the waste hierarchy
- It did not accord with the Climate Change Strategy of Peterborough 2007
- It did not accord with the proximity principles
- The proposals conflicted with Planning Policy Statement 10, “planning for sustainable waste management”
- The proposal would add to the cumulative effect of pollution fall out on Eye and Thorney and it failed to take into account the total emission effects alongside the PREL development
- The numerous concerns which had been highlighted by residents of Peterborough in the local press
- The number of other technologies that could be classed as “energy from waste”, other than incineration

- The amount of plastic waste that would be burnt ultimately increasing the global warming problems. This would go against Peterborough aiming to become the environment capital UK
- Could the Council remove all plastic up front, as had been proposed with the PREL application?
- The proposal should be decided by public inquiry
- The application was not the best sustainable way of treating Peterborough's waste
- Peterborough was aiming to become the environment capital of the UK and needed a greener way of disposing of its waste

Mr Richard Pearn, the Waste Programme Manager for Peterborough City Council, addressed the Committee on behalf of the applicant, Mace Ltd, and responded to questions from Members. In summary the issues highlighted to the Committee included:

- The broad aspirations of the Council with regard to waste and recycling, which were captured in the Council's 65% plus campaign
- The tough targets set by Europe regarding the amount of waste going to landfill
- The high aspirations set by Peterborough City Council in excess of the 65 % recycling and composting, part of these aspirations were to divert up to 100% of waste away from landfill and to move towards a zero waste strategy
- The Energy from Waste Facility was primarily to manage the residual waste left over after intensive kerbside recycling and composting operations
- The facility would recover more value from waste in terms of heat and energy
- The East of England regional plan (Regional Spatial Strategy) had set challenging targets for recycling and recovery of municipal and commercial waste, and it indicated that by 2021 there would be a need for up to 14 million tonnes of treatment capacity and recycling capacity for the East of England Region
- The Regional Assembly had confirmed that the proposed application would contribute towards targets
- Landfill treatment was in extremely short supply and the Dogsthorpe site was due to close in 2013
- The facility would help produce energy in the form of electricity and heat which could be supplied to the national grid and to local businesses
- The application complied with the statutory development plan and other relevant planning policies, strategies and guidance
- None of the relevant consultees had indicated that the development would give rise to environmental or other issues and controls could be added onto the Environmental Permit if it was successful in gaining planning permission
- There was an overriding need for the facility in order to support the future waste management of the city
- The facility would contribute to the City's Environment Capital aspirations
- The facility would be in a suitable location
- The proposals would not give rise to any significant environmental or amenity impacts
- The proposals had been considered by the PCT and the Health Protection Agency and they had confirmed that the facility would not give rise to significant affects on health

The Planning Officer addressed the Committee and responded to several of the points that were highlighted by Mr Richard Olive in objection to the application.

The Highways Officer stated that the site had been assessed for traffic impact and it was advised that the amount of traffic travelling to the site would not substantially increase the traffic flow in the area.

After debate, a motion was put forward and seconded to approve the application. The motion was carried unanimously.

**RESOLVED:** (unanimously) that the Head of Planning Services be authorised to grant planning permission (with conditions) subject to:

1. There being no call in of the application by GoEast
2. A legal agreement (Unilateral Undertaking) being entered into in respect of a hydrological monitoring, scheme (relating to the preservation of buried archaeological remains) as set out in the update report and the payment of contributions in respect to Padholme Catchment Flood Protection Strategy, Strategic Highway contribution and monitoring of Travel Plan/Sustainable Transport contribution.
3. The conditions numbered C1 to C28 as detailed in the committee report
4. Compliance with the various notes relating to the decision as detailed in the committee report
5. The proposed rewording to condition number 27 as detailed in the update report
6. The inclusion of the additional condition requested by the Environment Agency as detailed in the update report and this Authority applying the Sequential Test to address the Agency's concerns
7. The inclusion of the additional condition requested by the Local Highway Authority as detailed in the update report

#### **Reasons for the decision:**

Subject to the imposition of the conditions, the proposal was acceptable.

The Dogsthorpe landfill site, where the City's municipal waste was currently taken for landfill was due to close in 2013. This, together with a number of national and EU drivers, required the Council to consider other means of dealing with its residual waste (following the removal of recyclable materials) in the longer term. The Council, as Waste Management Authority, had decided that Energy from Waste facility was the most appropriate way forward.

The site selected for the proposed facility was already in waste management use and was within an industrial area. It was, therefore considered to be acceptable in locational terms, subject to relevant environmental and site specific considerations being met.

It was considered that all environmental concerns such as the potential impact on biodiversity and archaeology had been met and that any outstanding issues could be addressed by condition. The exception to this, at the time of writing the report, was the Environment Agency's outstanding objection to the Flood Risk Assessment which required the submission of additional information and which, it was anticipated could be addressed.

In respect to such matters as air quality, odour, litter management and storage of waste on site there would be additional controls through an Environmental Permit which the Environment Agency would be required to issue before the facility could become operational.

It was considered that there would be no significant health risks or amenity issues associated with the facility and that sufficient controls could be put in place through the planning permission and the Environmental Permit to manage potential issues.

The building was designed as a 'landmark building' which sought to address its location at the edge of an industrial area and close to its rural environs. It would be distinctive in the local area. There was limited opportunity for landscaping, apart from a small area at the front of the building, but in any event it was a large building that would be difficult to screen.

It was concluded that there was a clear need for the facility to manage the waste generated within the City Council area and that the facility proposed was acceptable in locational, environmental and amenity terms.

The meeting was adjourned for ten minutes.

Councillor Ash re-joined the meeting.

## 5.2 **09/00970/FUL - Rise and Shine Day Nursery, 108 Ledbury Road, Netherton, Peterborough**

The building had an 'L' shaped footprint and the proposal sought to square off the footprint by infilling the existing open area to the North West corner. The overall increase in the floor area would equate to approximately 52sq.m, with a proposed width of 6.7m and a depth of 7.8m.

The extension was to have a flat roof that would match the height of an existing flat roof of the building. The proposed brick north elevation would replace an existing single skin brick wall that formed a part of the northern boundary of the site. The western elevation of the proposed extension was to project 1.3m closer to flank boundary with number 110 Ledbury Road such that the separation distance was to be 2.6m to the common fenced boundary. This would provide a simple pedestrian access from the extension towards the rear outside play area. The western elevation was to contain two adjacent 0.9m wide full length windows with narrow top openings. The northern elevation of the extension was to include two similarly designed windows but would be 1.1m clear of ground level. The elevations were to be rendered.

The extension was to improve the general accommodation standards for the nursery, for example the areas for quiet and the one to two's activity areas.

The applicant had confirmed that the additional floor space would also help in accommodating children with disabilities for which the existing configuration of the rooms could not readily accommodate.

The nursery accommodated a fluctuation of between 20-25 children although there was no restriction imposed on the number of children when planning permission was originally granted for the use in 2002. At the time the nursery catered for 6 children between 3 months – 2 years, 8 children each within the ages of 2 – 3 years and 3 – 5 years respectively i.e. 22 children. The nursery benefited from a parking provision for a total of 11 cars, 8 spaces of which were located within the parking area to the front of the Jack Hunt School.

The Planning Officer addressed the Committee and highlighted the main issues surrounding the proposal, namely the impact on the amenities of the adjacent property and the car parking provisions due to the proposed increase in staff.

Members' attention was drawn to additional information contained within the update report. The Committee was advised that additional comments had been received from the Highways Development Control Team stating that they were satisfied with the proposed car parking provisions.

Mr Tim Laws, Childcare Market Facilitation Manager for Peterborough City Council, addressed the Committee on behalf of the Deputy Manager of the nursery and responded to questions from Members. In summary the issues highlighted to the Committee included:

- The benefits that the extension would bring to the nursery
- The footprint would cover part of the existing outdoor play space. This would mean that ultimately, noise outside would be reduced



- The increase in the number of children at the nursery would not necessarily mean an increase in the noise levels. The children would take turns in the play area in the garden
- The parking would not be a problem as the nursery held a key for the secondary school car park and this could be utilised during peak times
- Any litter generated would more than likely come from the secondary school and not the nursery children
- The Local Authority had a statutory responsibility to provide nursery school spaces for children and there were increasing pressures on the nursery's in the Peterborough area to meet demand

The Planning Officer stated that the impact of the traffic generated by the nursery would be negligible.

After debate, a motion was put forward and seconded to approve the application. The motion was carried by 8 votes with 2 voting against.

**RESOLVED:** (8 for, 2 against) that the application be approved subject to:

- The conditions numbered C1 to C7 as detailed in the committee report

**Reasons for the decision:**

Subject to the imposition of the conditions, the proposal was acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- The extension would be compatible with the design of the existing building and its siting and use would not be detrimental to the amenities of the occupiers of the adjacent residential property nor would it give rise to conditions that would prejudicial to highway safety in accordance with policies DA1, DA2, T1 and T10 of the Peterborough Local Plan (First Replacement)

**5.3 09/01084/FUL - 62 Francis Gardens, Dogsthorpe, Peterborough**

The Committee was advised that the application had been withdrawn by the applicant.

Members agreed that a letter should be sent to all Councillors highlighting the importance of attending the committee meetings in order to support any referrals they made as Ward Councillors.

Chairman  
13.30 – 15.21

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