

APPLICATION NO	WD/2008/0044
APPLICANT	Singleton Birch Limited
DEVELOPMENT	Planning permission to erect an energy generation facility, associated infrastructure, car/vehicle parking and highway access
LOCATION	Singleton Birch, Brigg Road, Melton Ross, Croxton
PARISH	CROXTON
WARD	Ferry
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Statutory consultee representations (English Heritage)
BACKGROUND	<p>The proposed energy generation facility would use waste and/or biomass as its fuel and would accept up to 80,000 tonnes per annum of waste or biomass which will be brought to the site in HGVs or refuse collection vehicles. The energy generation facility would have the capacity to treat a significant proportion of the residual municipal, commercial and industrial waste arising within North Lincolnshire.</p> <p>The facility, in terms of external appearance, would be of profiled coloured cladding in a colour advised following consultation with English Heritage – these are shades of brown and green.</p> <p>The application is on a site located within the existing lime works at the Singleton Birch facility, Melton Ross. The site is about 2.3 hectares in size and is situated within an unrestored area of ground from which chalk has been extracted. Access to the site via a new purpose-built access road is from the B1211.</p> <p>A full Environmental Impact Assessment has been submitted with the application and this includes a non-technical summary.</p>
THE PROCESS	In summary, the process will be computer controlled with the exhaust gases sampled continuously and monitored for pollutants. The emission limits for the plant are set by the Waste Incineration Directive and have pre-determined limits. The gasification process produces emissions which

are typically less than half that of the directive's pre-determined limits.

Inert ash produced by the gasification process will either be used off-site as a secondary aggregate or be used at the company's own landfill site for road construction. Dust from the process will be collected in fabric filters and disposed of at a suitably permitted site.

The attendant power generation facility would produce approximately 5.75 megawatts of electrical energy, a significant proportion of which would be regarded as renewable under the Government's renewables obligation. The electricity would be used on the Melton Ross limeworks site with any surplus being exported off site via the national grid.

As a by-product heat would also be generated by the process which would be available for either use on site or off-site. Discussions are ongoing with Humberside International Airport who are very interested in the possibility of heat being available for space heating.

POLICIES

STRATEGIC BACKGROUND

Emerging National Energy Strategy: Meeting the Energy Challenge, a White Paper on energy was published by the Department of Trade and Industry in May 2007. A section of the White Paper is concerned with renewable energy.

The development of sources of renewable energy is an integral part of the Government's strategy for reducing fossil fuel related carbon dioxide emissions by 60% by 2050.

The White Paper recognises that generating energy from residual waste has both energy and waste policy benefit, particularly in terms of security of supply. In addition, the biodegradable fraction of waste is a renewable resource from which energy can be recovered using gasification, pyrolysis and anaerobic digestion waste treatment techniques.

National Waste Strategy: The national waste strategy for England was published in May 2007. The strategy continues to base the preference for waste management options on the waste hierarchy with landfill disposal to be used as the last resort.

The Government's key objectives are to:

- de-couple waste growth from economic growth and put more emphasis on waste prevention and re-use;
- meet and exceed the landfill directive targets for diversion of biodegradable municipal waste from landfill in 2010, 13 and 20;
- increase diversion from landfill and non-municipal waste and secure better integration of treatment for municipal and non-municipal waste;
- secure the investment of infrastructure needed to divert waste from landfill; and
- get the most environmental benefit from investment through increased recycling of resources and recovery of energy from residual waste using a mix of technologies.

The national waste strategy sets targets for:

- recycling and composting of household waste
- recovery of municipal waste.

The strategy states that the Government also intends to set a new national target for the reduction of commercial and industrial waste going into landfill such that the amount of commercial and industrial waste that is landfill is expected to fall by at least 20% by 2010 compared with 2004 figures.

(The proposed energy facility at Melton Ross would accord with the national waste strategy and would assist North Lincolnshire to meet the targets it is set in the strategy in its capacity as the local waste disposal authority.)

Regional Waste Management Strategy: The Yorkshire and Humber Regional Waste Management Strategy (RWMS) was published in 2003 and contains four principal objectives:

- Objective 1: gain community support for the delivery of the strategy
- Objective 2: reduce waste production and increase re-use, recycling and composting

- Objective 3: manage residual waste in the most sustainable way
- Objective 4: provide technical support and advice

Draft Municipal Waste Management Strategy for North Lincolnshire: North Lincolnshire Council Cabinet in 2007 gave consideration to a preliminary draft of a municipal waste management strategy for North Lincolnshire.

The executive summary of the preliminary draft strategy sets out how North Lincolnshire will deal with its waste and meet the challenges of new legislation as follows:

- limitation of the growth of municipal waste through the use of waste reduction and minimisation programmes;
- increasing the level of recycling and composting of household waste to a minimum of 45% by 2010 and meeting any future statutory targets set by the Government;
- treating the remaining residual municipal waste to exceed annual Government targets to 2020; and
- provision of suitable future landfill capacity for any municipal waste which is unsuitable for recycling or which cannot be treated to recover value from it.

An Environmental Options Assessment was undertaken with a range of potential options and an analysis of these options indicated that the pyrolysis/gasification option produced the highest overall score.

NATIONAL PLANNING POLICIES

Planning Policy Statement 22 - Renewable Energy: PPS22 covers all forms of renewable energy including biomass which includes the biodegradable fraction of municipal, industrial and commercial waste. The key principles underpinning the planning policies include the following:

- the wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations that should be given sufficient weight in determining whether proposals should be granted planning permission;

- small-scale projects can provide a limited but valuable contribution to overall outputs of renewable energy and to meeting energy needs locally and nationally; and
- development projects should demonstrate any environmental, economic and social benefits as well as how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures.

PPS22 sets out a number of locational considerations that are relevant to renewable energy projects. The statement also advises that the potential effects of such schemes in terms of landscape and visual amenity, increased traffic and noise, and odour should be fully assessed and that renewable energy facilities should not be located on sites where these effects cannot be properly controlled and minimised.

The planning application and environmental assessment for this proposed development address the various locational considerations set out in PPS22 and demonstrate that the potential impacts will be controlled and minimised so as to avoid adverse effects.

Planning Policy Statement 10 - Planning for Sustainable Waste Management: PPS10 sets out the Government's national policies for sustainable waste management. The key objectives are incumbent upon regional and local planning authorities and are aimed at the delivery of waste management policies that:

- help deliver sustainable development by driving waste management up the waste hierarchy, addressing waste as a resource and looking to disposal as the last option;
- provide a framework in which communities can take more responsibility for their own waste and enable sufficient and timely provision of waste management facilities to meet the needs of communities;
- help implement the national waste strategy and supporting targets;
- help secure the recovery or disposal of waste without endangering human health or harming the environment;

- reflect the concerns of the local communities and needs of waste collection and disposal authorities;
- protect greenbelts; and
- ensure the design of new developments support sustainable waste management.

In Annexe E of PPS10 local authorities should assess a site's suitability for development against a series of physical and environmental constraints as follows:

- (i) protection of water resources
- (ii) land instability
- (iii) visual intrusion
- (iv) nature conservation
- (v) historic and built environment
- (vi) traffic and access
- (vii) air emissions, including dust
- (viii) odours, vermin and birds, litter
- (ix) noise and vibration
- (x) potential land use conflict

Local authorities are further advised that, in determining waste planning applications, if the proposal is consistent with the local development plan, the applicant should not be required to demonstrate need. However, as the Local Development Framework and accordingly development plan documents are in the course of preparation, a case for the need for this development has to be made. This is dealt with in chapter 5 of the Environmental Impact Assessment.

Planning Policy Statement 23 - Planning and Pollution Control: PPS23 sets out advice for both regional planning bodies and local planning authorities in the preparation of regional spatial strategies and local development plans respectively. That advice is integral to the planning decision-making process as well, particularly when determining planning applications for developments which have the potential to cause pollution to air, water or land and impact on the environment and human health.

PPS23 states that the planning system should 'promote a sustainable pattern of land use that will contribute to meeting the country's economic, social and environmental needs, whilst recognising the precautionary principle'.

REGIONAL PLANNING GUIDANCE

Regional planning guidance is contained within the Regional Spatial Strategy, The Yorkshire and Humber Plan.

Policy ENV5 – Energy: States that all development strategies, plans and decisions will 'maximise improvement to energy efficiency and increases in renewable energy capacity. Plans, strategies, investment decisions and programmes should:

(a) reduce greenhouse gas emissions, improve energy efficiency and maximise the efficient use of power sources by:

- maximising the use of combined heat and power, particularly for development with energy demands over 2 megawatts and using renewable sources or energy where possible;
- ensuring that development takes advantage of community heating opportunities wherever they arise in the region;
- providing new efficient energy generation and transmission infrastructure in keeping with local amenity and areas of demand;

(b) maximise renewable energy capacity by delivering at least the following regional and sub-regional targets for installed grid connected renewable energy capacity:

Humber by 2010 – 124 megawatts and by 2021 350 megawatts forming part of a total for the Yorkshire and Humber region of 708 megawatts by 2010 and 1862 megawatts by 2021;

(c) monitoring annually planning permissions and development against the indicative local authority targets for 2010 and 2021 set out in table 15.12 and taking action accordingly to ensure that regional and sub-regional targets are exceeded;

- (d) promoting and securing greater use of local renewable energy in new development, including through development plan documents setting ambitious but viable proportions of the energy supply for new developments to be required to come from local renewable sources.

Policy ENV12 – Regional Waste Management

Objectives: States that plans, strategies, investment decisions and programmes should aim to reduce, re-use, recycle and recover as much of its waste as possible. Sub-section C of the policy states that:

‘local authorities should support the urgent provision of a combination of facilities and other waste management initiatives which best meet environmental, social and economic needs for their areas based on the following principles:

- moving the management of waste streams up the waste hierarchy;
- achieving all statutory waste management performance targets during the plan period (2016);
- managing the waste at the nearest appropriate location, where necessary seeking agreement with neighbouring authorities.’

Policy ENV 13 – Provision of Waste Management and Treatment Facilities:

This policy states ‘waste planning authorities should ensure that adequate sites and facilities are available to manage the quantities of municipal, commercial and industrial, construction and demolition, agricultural and hazardous waste... specifically waste planning authorities should:

(a) take into account:

- capacity of treatment and recovery facilities (including recycling and energy from waste) to deal with municipal, commercial and industrial waste will need to double by 2020 in all sub-regions to provide the additional capacity identified.

(b) take into account:

- the need to meet nationally set targets for recycling and recovery, including those derived from the landfill allowances trading scheme.’

Policy ENV 14 – Strategic Locational Criteria for Waste Management Facilities: This policy sets out the principles that should be considered in designating specific sites or areas where criteria based approaches will apply. It includes the following provisions ‘waste should be managed on the site where it arises or if not possible at the nearest appropriate location.

In all areas identification of sites for facilities should also take account of the following priority order:

- established and proposed industrial sites which have potential for the location of waste management facilities and the co-location of complimentary facilities such as resource recovery and sustainable growth part;
- previously developed land, including mineral extraction and landfill sites during their period of operation, for the location of related waste treatment activities in sustainable locations.’

LOCAL PLANNING POLICY

North Lincolnshire Local Plan: Policy ST1 (Sustainable Development) applies to all proposed development and is set out in the following terms.

The council will apply the principles of sustainable development through its planning policies and will have particular regard to:

- ensuring social progress and equality of opportunity;
- protecting the natural and built environment and the prudent use of natural resources, both locally and globally;
- maintaining economic growth and employment.

Policy ST3 (Development Limits) states that development outside development boundaries will be considered as development in the open countryside and will only be permitted if it is essential for the purposes of agriculture, forestry or to meet a special need associated with the countryside.

Policy RD2 (Development in the Open Countryside) is the most relevant of the rural development policies to this application. It states that development in the open countryside will be strictly controlled and gives a range of

development for which planning permission will be granted subject to certain conditions and criteria.

Policy LC7 (Landscape Protection) sets out the following: Where development is permitted within rural settlements or within the open countryside, special attention will be given to the protection of the scenic quality and distinctive local character of the landscape. Development which does not respect the character of local landscape will not be permitted.

Policy W1 (Applications for Waste Management Facilities) states that proposals for waste management facilities will only be permitted where it can be demonstrated that:

- (i) the proposed site has adequate access and the local road network can accommodate the anticipated traffic;
- (ii) the proposed siting, design and landscaping are of a high standard and appropriate to the location of the proposal;
- (iii) the engineering design is feasible and accords with current best practice;
- (iv) the development includes measures to ensure there would be no unacceptable visual or other amenity impacts, or impacts on ecological and archaeological interests;
- (v) the development includes adequate measures to ensure there would be no risk of pollution, danger to public health or safety, including effects on water and air quality;
- (vi) no adverse cumulative environmental effects having regard to other similar developments in the area.

Policy W6 (Transportation of Waste) relates to the transportation of waste and calls for the use of alternative modes of transport (rail and river) in preference if these are available.

Policy W7 (Waste Management Facilities and Humberside International Airport) states that proposals for waste management facilities will not be permitted in areas likely to pose a threat to the safety of flights using Humberside Airport.

Policy W8 (Protection Zones and Waste Management Facilities) calls for an adequate protection zone between the waste development and neighbouring sensitive uses such as housing, schools, hospitals and the food of industry.

Policy W9 (Handling of Waste) states that proposals for the erection of plant and buildings for the treatment of waste will be permitted provided that they are located near the waste source; within an existing industrial site or area, or an area disturbed by permanent development; and will not give rise to unacceptable impact on local communities or the environment.

Policy W12 (Household Waste and Recycling Facilities) largely repeats the locational criteria included in policy W9 and the importance of not giving rise to unacceptable impact on local communities and the environment.

Policy DS21 (Renewable Energy) states that the generation of energy from renewable sources will be permitted provided that any detrimental effect on features and interests of acknowledged importance, including local character and amenity, is outweighed by environmental benefits, and proposals include details of associated developments including access roads and other ancillary buildings and their likely impact upon the environment.

CONSULTATIONS

Health and Safety Executive: No objections.

Network Rail: No objections but register the fact that the chimney will be close to the railway embankment and note that it is far enough away as to not impact upon the embankment should it ever topple.

Environment Agency: Register no objections to the proposal but as the site lies close to a sensitive groundwater area all appropriate measures must be taken to prevent the discharge of polluting matter into the ground, therefore appropriate conditions are recommended.

Natural England: Have considered all relevant information contained within the Environmental Impact Assessment and the proximity of designated sites, together with other sites of special scientific interest and protected species and register no objections.

Humberside International Airport: Following negotiations with regard to the height of the chimney proposed for this development, the airport confirm they

have no objections providing that a condition is attached to any approval limiting the maximum height of the chimney stack to 67.5 metres above ordnance datum (AOD).

Highways: No objection providing that the plant is not brought into use until the new vehicular access as shown on the submitted documentation has been completed.

Yorkshire Forward: Welcome this proposal in broad terms as it will help to contribute towards the region's target of reducing greenhouse gas emissions to 25% by 2016.

English Heritage: When originally consulted English Heritage were critical of the cultural heritage chapter in the environmental statement and in a lengthy response required a significant amount of additional work to be carried out by the applicants. This work was carried out by the applicants with the passage of time and submitted to English Heritage and that has resulted in English Heritage withdrawing their previous concerns and recommending that, subject to the colour of the building being changed to shades of brown and green and the creation of an embankment on the south and south-eastern boundaries of the application site which will be planted with native trees and shrubs, they are satisfied that the impact on the region's cultural heritage can be satisfactorily mitigated. Furthermore, they have requested that a time limited permission be granted to the development linked to the working life of the chalk and lime processing activity on the site.

Anglian Water: No reply received.

Countryside Agency: No reply received.

DeFRA: No reply received.

Humberside Fire Service: No reply received.

Primary Care Trust: No reply received.

North Lincs & Goole NHS Trust: No reply received.

Yorkshire & Humber Assembly: Supports the application in principle on the basis that it will assist in the implementation of both current and draft Regional Spatial Strategies, including waste policy and renewable energy generation. There should be an emphasis on ensuring multi-modal freight access to the site and the Transport

Assessment needs to be taken into account. Landscaping Assessment needs to be taken into account.

**MELTON ROSS
PARISH COUNCIL**

Have no objections 'per se' provided the volume of traffic through Melton Ross and pollution are strictly monitored. Also have concerns about industrial waste that may be used in the gasification plant - what type of waste is involved?

**KIRMINGTON AND
CROXTON PARISH
COUNCIL**

Members will recall that this application was deferred at the last planning committee because of the late representation of Kirmington and Croxton Parish Council.

This requires a brief explanation.

When the planning department carried out consultations on this application Kirmington and Croxton Parish Council did not exist – it had no members.

Things changed in late June of this year and on 25 June new members to the Kirmington and Croxton Parish Council were elected unopposed. On 2 September their first meeting took place and the parish council once again became a functioning body.

Subsequent to this, dated 1 October and received by the council on 8 October, the following representations were received in respect of the Energy from Waste application.

In summary, the parish council considers that not enough publicity has been given to this application, particularly in the villages of Kirmington and Croxton, and they believe that they have had a raw deal in being advised of the presence of this application and the proposal's details. They go on to say that their concern relates to waste products created from the plant and they feel that to refer to this product as dust is a claim to hide its presence.

They also question whether or not the gases passing to the atmosphere via the proposed chimney are clean and say that the emissions contain a range of hazardous substances which have controls set by European legislation. They go on to say that their concern is in detail in respect of health issues, particularly for the residents of Kirmington and Croxton as they are situated downwind of the prevailing winds in relation to the site.

They ask what emergency arrangements are made should an unplanned event occur and they go on to ask whether any agreements have been made with North Lincolnshire Council by Singleton Birch, the applicant

company, to receive domestic and other appropriate waste from the council to fuel the plant.

They ask further what controls are put in place to ensure that the waste feeding the plant will be controlled and not include hazardous waste and they question whether or not this proposed plant is in line with government policy.

In conclusion, the parish council's observation says, 'The villages of Kirmington and Croxton have suffered in recent years from an increase in noise and air pollution which has had an adverse impact on the quality of life in the villages. No consideration has ever been given to the residents by planning bodies or operators of premises. We are badly served by these operators who are our neighbours and the way this application has been presented highlights the fact. We have been given insufficient time to properly evaluate this proposal and if this is not rectified before a decision is made, then the only recourse may be to press for a judicial review.'

PUBLICITY

Receipt of the application, and the Environmental Impact Statement and supplementary environmental information that was submitted pursuant to English Heritage's concern, have been advertised in the press and site notices posted, and local properties have been notified by post where relevant. This has resulted in the receipt of three letters objecting to the plant on the following grounds:

- (i) The plant cannot be considered as a renewable energy source.
- (ii) The plant is not an efficient source of energy production.
- (iii) The process will leave residues that will have to be disposed of at landfill.
- (iv) The recycling targets for the region are not high enough compared with some other European and local communities.
- (v) The safety of the proposed access to the site has not been looked at comprehensively.
- (vi) The increase in traffic as a result of this facility through Melton Ross is unacceptable.

- (vii) The site is not the most suitable; it should be located closer to a major urban centre. Roads in the area are not suitable to take more traffic.
- (viii) The scheme, as proposed, will devalue nearby residential property.

ASSESSMENT

In-house consultations have been carried out as well as those external ones that have been reported elsewhere in this report. The council's Environmental Protection Officer has no comments to make in respect of the proposal and the council's Sites and Monuments Records Officer has no comments to make in respect of archaeology but shares the same concerns as English Heritage in terms of heritage matters and supports the imposition of appropriate conditions.

The Environmental Impact Assessment and accompanying documentation submitted with this application have successfully and thoroughly addressed all the issues as suggested in Annex 10 of PPS10 and those similarly quoted in the Environmental Impact Assessment Regulations (1999).

Where necessary, appropriate mitigation has been built into the scheme details and from a technical standpoint no substantive objections can be made to this proposal.

In terms of the response from the parish councils, the waste, which will consist of post-recycling waste or biomass, would be loaded directly into the waste bunker inside the waste reception building. It will be shredded before being fed into one of the primary chambers by means of a grab crane. In this chamber the waste will be treated to approximately 900 degrees centigrade in the absence of air to give an inert bottom ash residue. The volatile gases will be passed to the secondary chamber where they will be combusted at high temperature. The exhaust gases will be passed through a gas cleaning stage where lime and activated carbon will be injected to neutralise pollutants. The gases will then be passed through fabric filters to trap any fine particular matter and thereby also to reduce heavy metals that would be absorbed into the particular matter. The clean gases would pass to the atmosphere via the 44 metre high chimney.

With regard to publicity, upon receipt the application was advertised both in the press and on site, and the nearest neighbouring properties were notified by post. At that time the council had no information in respect of the

reformation or proposed reformation of the Kirmington and Croxton Parish Council.

The council is satisfied that the application was given appropriate and relevant publicity.

In respect of the waste serving the plant to provide the fuel, an appropriate condition has been attached to the recommendation.

No formal arrangements or agreements have been reached with regard to the provision of waste to provide fuel for this plant between the applicants and North Lincolnshire Council.

Kirmington and Croxton Parish Council have made a general comment in relation to the way that their village has been treated in previous years with regard to applications from businesses in the locality. No comment is able to be made on this accusation as no details of relevant cases have been quoted by the parish council.

Advice from the applicants confirms that emergency procedures will be detailed in the application to the Environment Agency for the necessary environmental permit to operate the plant.

In policy guidance it was explained that the need for the development must be clearly made because the site is not one designated in the development plan. The proposed development would assist in meeting the waste management needs of North Lincolnshire to enable it to meet its landfill diversion targets as set out in the European Landfill Directive. The tonnage of residual municipal waste arising in North Lincolnshire has been calculated on an annual basis up to 2021. Using the Government's waste strategy recycling targets up to 50%, the future residual municipal waste arisings in North Lincolnshire are expected to range from 61 to 65,000 tonnes per year. It is also estimated that between 34,600 and 44,000 tonnes per year of residual commercial and industrial wastes suitable for thermal treatment would also be available from North Lincolnshire. This gives a total of between 95,600 and 109,000 tonnes of residual waste per year arising in North Lincolnshire that would be suitable for thermal treatment to generate energy. This proposed plant at Melton Ross could treat about 80% of these predicted arisings and would not therefore in itself crowd out any further recycling initiatives for such waste. The facility would provide North Lincolnshire with significant capacity in waste treatment to ensure that the

amount of waste being landfilled is reduced significantly and to make the county substantially net self sufficient in waste management capacity.

The development would meet all of the applicants' existing projected future demands for electrical energy as well as providing significant amounts of heat energy for on-site and possibly off-site uses. In meeting these needs the development would be a contributor in the context of meeting the targets for generation of renewable energy that have been set for North Lincolnshire.

Turning now to transport issues, a Transport Assessment was submitted as part of the documentation to accompany the Environmental Impact Assessment and this has been rigorously reviewed by the council's transport engineers. It has been concluded that the access roads serving the site from around North Lincolnshire do have sufficient capacity and are in such a condition that will cater for the need of this development. The alternatives of rail and river transport have been considered but logistical difficulties (particularly with the rail network), although it is proximal to the site, have meant they have had to be discounted. No option for river-borne transport to the site exists. In considering the Environmental Impact Assessment in detail, its conclusions and findings, the consultation responses and all other relevant material, there are no technical reasons why this development should not receive planning permission.

An issue that has required further consideration, however, is the request of English Heritage that the permission for this facility be time limited. Their justification for this request is the fact that the quarrying activity is transient, albeit one that can last for several decades, and the need for the electric power generation is primarily to meet the requirement of this quarrying and related activity. This justification is only part of the story.

As members will see from the description of this process, the electricity generated by the plant is to be used in the lime kilns and other needs for electric power around the site but this is not its sole end. Any surplus power energy generation will be fed into the national grid through a connection and appropriate sub-station facility. Therefore, should the quarrying and kiln activity diminish over time, a large percentage of the generated power will be fed into the national grid and as it has been pointed out in the policy section, such power generation qualifies as renewable and goes some way, albeit only in a small

way, to North Lincolnshire meeting its targets set by the Regional Spatial Strategy.

If it is English Heritage's contention that the landscape should be returned to what it was centuries or decades ago then the whole of the industrial paraphernalia that is connected with the quarrying operation – the kilns, the buildings, and the offices – should all be removed from the site in order to achieve that objective and this, of course, is not a requirement of the existing consent to Singleton Birch.

It is considered unreasonable to ask Singleton Birch to invest money in this plant for a finite period not knowing when its useful life or the end of the quarrying activity in this location may cease.

The fact remains that society will continue to produce waste and the Government is likely to set targets for the management of this waste for the foreseeable future. This plant will continue to fulfil a role in the management of waste arising from North Lincolnshire and continue to make appropriate contribution to those targets. If English Heritage are saying that this development is acceptable it should not be limited to a certain number of years or dependent upon other criteria that are not controlled by time limiting planning permissions. It is accepted that in the supplementary statement that was submitted to English Heritage, the applicants, through their agents, made a statement that said 'when the energy recovery facility has become redundant its demolition would reverse the visual impact that is anticipated'. The applicants' agents have been asked about this statement and are confident it was made in error and have explained that situation in a written response.

If the permission were made a time limited condition, either by specifying a maximum number of years or by linking to other more operational related limits, then funding for this facility may be adversely affected. Furthermore, such a condition may not meet the six tests set for a condition to be imposed under Circular 1/95.

It remains the fact that this facility will be of strategic value to North Lincolnshire and its premature removal following any highly unlikely cessation of lime making at Melton Ross could have significant and far-reaching consequences for the area. Taking into account the mitigation measures that English Heritage have requested, the request for a time limited permission is not one that can be supported by the planning authority.

The landscape of North Lincolnshire is part of its heritage, that is accepted, but an element of that heritage is an industrial landscape. Just because there are monuments on the horizon or close to the site that are more aged than the lime kilns, its attendant warehouses, and indeed the energy from the waste plant, is not in itself a good enough reason to require the removal of the plant should the chalk extraction cease.

RECOMMENDATION

Grant permission subject to the following conditions:

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The proposed new development shall not be brought into use until the new vehicular access serving it has been completed in accordance with the approved details. Once completed the vehicular access and associated visibility splays shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

3.

No soakaways shall be constructed in contaminated ground.

Reason

To prevent pollution of groundwater.

4.

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason

To protect the sensitive groundwater resource in this area.

5.

The chimney stack, located at grid reference E508953, N411627 shall not exceed 67.50 metres AOD in height (44 metres above ground level).

Reason

So as to avoid infringement of Humberside Airport's Inner Horizontal Surface of airport obstacle limitation surfaces.

6.

No development shall take place until proposals for landscaping have been submitted to and approved by the Local Planning Authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development. The proposals shall be based on drawing no. MREFW/2 received by the Local Planning Authority on 2 June 2008 within the Supplementary Statement to Environmental Statement for Energy Recovery Facility.

Reason

To enhance the appearance of the development in the interests of amenity.

7.

All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by the Local Planning Authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the Local Planning Authority agrees in writing to any variation.

Reason

To ensure the implementation and maintenance of the submitted scheme of landscaping for the proposed development.

8.

The building shall be constructed using cladding coloured 'Van Dyke Brown' (BS08B29) for the lower section and 'Khaki Green' (BS12B21) for the upper section - RPS elevation SK005 refers.

Reason

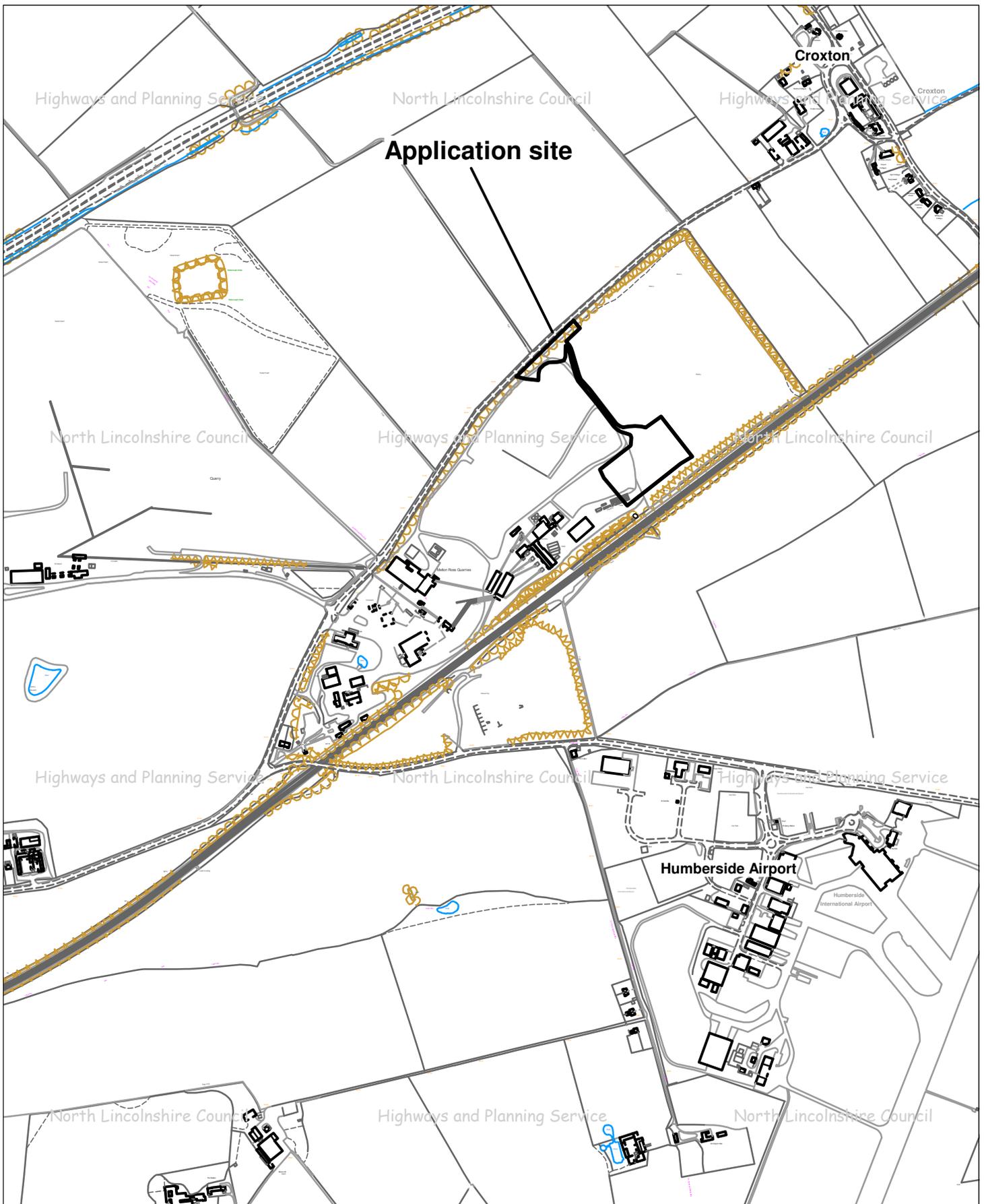
In the interests of the amenity of the locality.

9.

The proposed energy from waste plant facility shall use as its fuel only domestic waste, biofuels, or commercial and industrial waste that is not defined as hazardous in the Hazardous Waste Regulations (England and Wales) 2005.

Reason

To enable the local planning authority to exercise an element of control over the fuelling of this plant.



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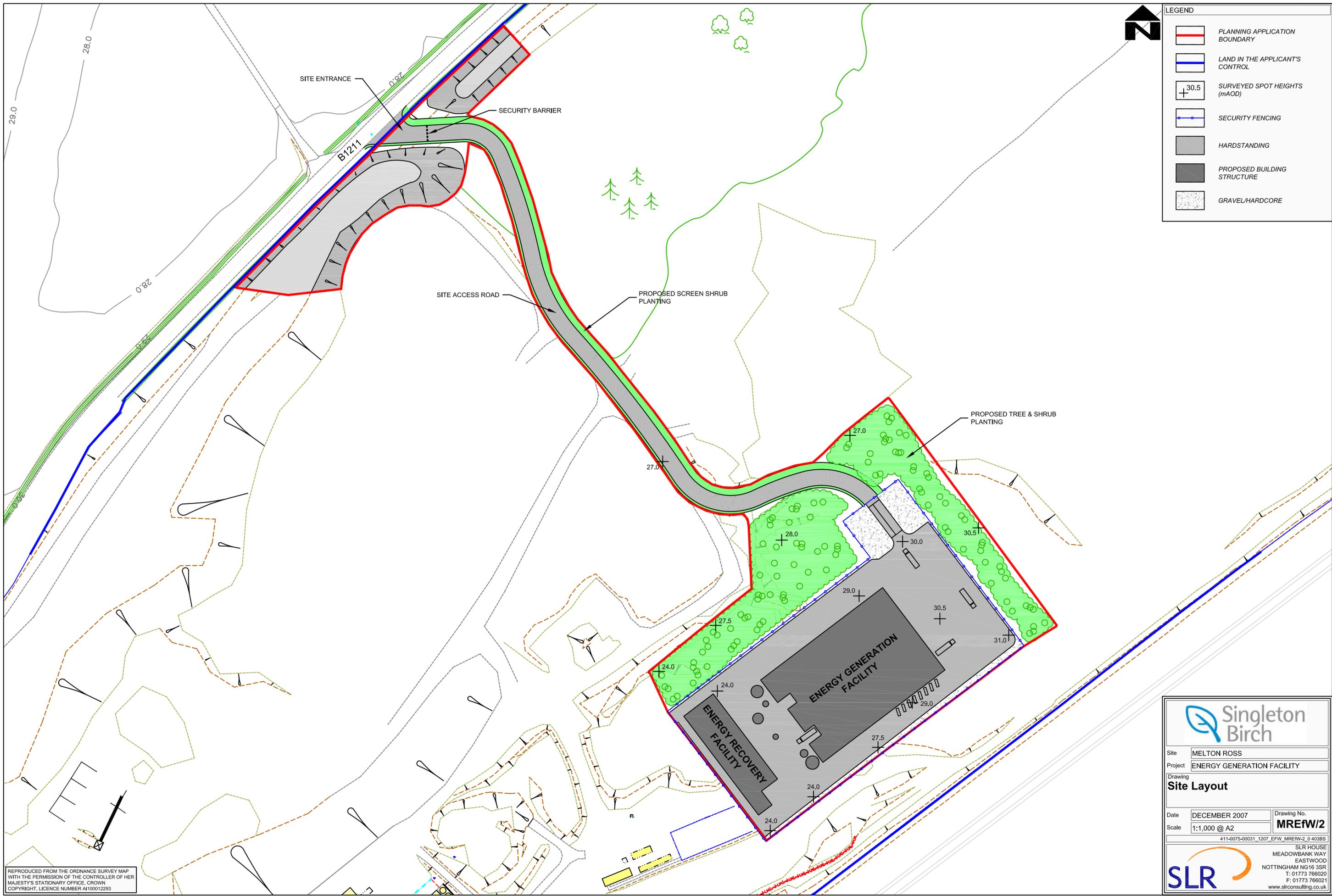
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Highways and Planning Service

Service Director,
G Popple

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LEGEND

- PLANNING APPLICATION BOUNDARY
- LAND IN THE APPLICANT'S CONTROL
- SURVEYED SPOT HEIGHTS (mAOD)
- SECURITY FENCING
- HARDSTANDING
- PROPOSED BUILDING STRUCTURE
- GRAVEL/HARDCORE



Site: MELTON ROSS
 Project: ENERGY GENERATION FACILITY
 Drawing: **Site Layout**

Date: DECEMBER 2007	Drawing No. MREFW/2
Scale: 1:1,000 @ A2	

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SLR HOUSE
 MEADOWBANK WAY
 EASTWOOD
 NOTTINGHAM NG16 3SR
 T: 01773 766020
 F: 01773 766021
www.slrconsulting.co.uk

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Energos EFW - Melton Ross
Perspective Illustration

15635 / SK007

Rev
17.12.07
Scale 1:NTS @ A3

RPS

T +44 (0) 1636 605 700
F +44 (0) 1636 610 696
E rpsnewark@rpsgroup.com
W www.rpsgroup.com

Sherwood House
Sherwood Avenue
Newark, Nottinghamshire
NG24 1QQ