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BEST ACHIEVING
COUNCIL OF THE YEAR



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Date: 20-12-2011

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PLANNING COMMITTEE ADDENDUM REPORT

Date: Thursday 22 December 2011
Time: 10.00 am
Venue: Council House, Armada Way, Plymouth

Members:

Councillor Lock, Chair

Councillor Mrs Bowyer, Vice Chair

Councillors Browne, Churchill, Delbridge, Mrs Foster, Mrs Nicholson, Stevens, Tuohy, Vincent, Wheeler and Williams.

Members are invited to attend the above meeting to consider the items of business overleaf.

Members and officers are requested to sign the attendance list at the meeting.

Please note that unless the chair of the meeting agrees, mobile phones should be switched off and speech, video and photographic equipment should not be used in meetings.

Barry Keel
Chief Executive

PLANNING COMMITTEE

5.1. LAND AT NORTH YARD, H. M. NAVAL BASE,
DEVONPORT, CLOSE TO WESTON MILL CREEK
AND VIADUCT PLYMOUTH. 11/00750/FUL

(Pages 1 - 14)

Applicant:	MVV Environment Devonport Limited
Ward:	St Budeaux and Devonport
Recommendation:	Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 31 March 2012.

PLANNING COMMITTEE 22nd December 2011

Energy from Waste Plant North Yard HMNB Devonport (plan ref 11/00750)

ADDENDUM REPORT

Drafting corrections:

- 1) Policies ENV3 and ENV5 are RSS Policies not RPG policies and the comments upon them should be in 9.3.2 (not 9.3.1) –(pages 80 and 81) and the marine employment site safeguarding policy is CS05 (not CS03) on pages 103 and 134 and CS05 should be included in the Core strategy policy list on page 159.
- 2) Delete the words ‘IS THAT FAIR’ in 10.6 (page 110) and include a last sentence of section 10.9 “As the feature lighting would only be on the eastern face of the building it is considered that unacceptable light pollution need not arise and subject to compliance with condition 53”.- (page 121)
- 3) ‘not’ should be ‘now’ in section 10.11 with reference to “a community fund mechanism is now an increasingly common means to address the wellbeing impacts.” (page 129)
- 4) The Section 106 Obligations is section 11 (not 9) on page 132 and the Conclusion section is 12 (not 10) on page 133

ENTRANCE SCULPTURE

(3) The Entrance sculpture shall be provided in the location shown on the approved Landscape Masterplan PA17R prior to the Energy from Waste plant becoming operational. It shall be provided in accordance with a 2 Stage ‘Expression of Interest’ Design Competition mechanism as suggested by the applicants in their submission of 8th December or in accordance with such other scheme as may be agreed in writing by the Local Planning Authority .

Reason: To ensure that the development respects the character, and context of the surrounding area in accordance with policies CS02, CS03 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

- 6) Condition 7 add the word ‘within’ “municipal waste” (page 138)
- 7) National Policies –add PPS 24‘Planning and Noise’ to the list (page 158)
- 8) Appendix 1 Schedule 5 to include a NH S PCT representative to Trust members (page 209)
- 9) Plans relating to condition 46 and 57 (pages 152 and 156) and Appendix 1 schedule 3 clauses (pages 184,186 and 191) are attached. The Landscape Masterplan is revision R (not P) on page 185.
- 10) The Role and Use of the Visitor Centre mentioned as Schedule 1 on page 214 is also attached.

APPENDIX 2 Analysis of Letters of representation

Update attached

‘Late’ LoRs (10)

Ten Late representations have been received but in most cases the points raised are ones that have been raised in past emails/letters and those in respect of planning

matters have been addressed in the Committee report. These late representations are available to read prior to the Committee meeting if members contact the case officer.

- Councillor Bowyer forwarded a 'late' letter from a Waverly Road St Budeaux resident who has commented upon aspects of the application on 5 previous occasions raising concerns about misleading photomontages and postcodes and safety information in respect of nearby residents. He is concerned about air quality impacts upon health and the environment caused by airborne oxides of nitrogen that require monitoring and from nanoparticles that are impossible to monitor/control. He suggests we have ignored the relevance the European Nitrogen Assessment 2011 for the determination of this application and that a S106 clause is warranted requiring the applicants to set up a 5 year continuous real-time monitoring programme for nitrogen oxides (NO₂) and PM₁₀, PM_{2.5} dust with monitoring stations at some of the local primary schools and monitoring facilities for phosphorous residues in case irresponsible waste providers feed organophosphates into the waste stream.
- The Chair of Devon Alliance for Incineration Alternatives (DAIA) points out that his past concerns have been registered as ones from a South Brent resident rather than as from DAIA. He raises concerns that their submission and evidence submitted in June, July and October have been ignored. They expressed views about how the development would violate a range of planning policies and the Waste Development Plan and the National Waste Strategy, and concerns about the overstated CHP benefits and unacceptable risk to health and local well-being, being sited too close to residents and too distant from the A38 with unacceptable threats SACs and SSSIs and Blackies Wood, and with flaws in the consultation process. They are concerned about the Buckastleigh plans for processing IBA, quote Devon Council planning policies in respect of local conservation designations and point out that there is currently no market for processed IBA and that there will be competition for C&I waste. They are concerned about the combination effects of pollutants and concerns about peak NO_x emissions and that the applicants were too dismissive of alternative technology particularly Plasma Arc technology in their response to the regulation 19 letter.
- Councillor Bragg forwarded a 'late' email from a local resident highlighting what she seems to regard as conflicting comments by the applicants in the submitted documentation.
- Another email has been received from one of the residents of Cardinal Avenue again expressing her concerns and objections and asking for a change of Committee date as she will be away.
- A 'late' email from a resident of Noss Mayo expresses concerns about visual impact, traffic congestion, too close to residential areas, the production of toxic by-products, unfiltered waste entering the plant, contrary to government waste hierarchy, waste of PFI resources.
- A resident of Stoke feels that the plant should not be located anywhere in the city because the prevailing wind would carry pollution across a wide area.
- A Woolwell resident objects to possible toxic emissions and increased vehicle pollution.
- A 'late' email from a Barne Barton resident refers to the Section 106 Agreement and proposes a comprehensive 5 year air and water monitoring programme, a

tree planting scheme and that 75% of S106 money should be spent in the local area.

- A 'late' letter of support has been received from Imerys Minerals Ltd and the Adams Family who are the joint owners of a site at Coypool, Marsh Mills that was identified as a possible location for a waste facility. They point out that their site is not available for such development but they support the proposal at HMNB as it provides an integrated scheme that whilst industrial in character is complementary to the general industrial character of the locality in being developed on naval shipyards and the scheme presents the opportunity to enhance the landscaping. They refer to the national requirement to enhance waste management facilities and state that the scheme offers the opportunity to secure energy, including heating, for use locally in the Naval shipyards as well as having the longer term potential to make a contribution to any future district energy scheme that the Local Authority may introduce and the potential to make a major contribution to the Government's stated aims of securing a more sustainable future for the country. This is achieved economically (creating skilled jobs, training facilities developed by local higher educational facilities, saving Plymouth residents the expense of transporting to landfill sites with the cost of transport and taxation levels, etc.), socially (global warming, community enhancement, embraces several sectors of the Waste Hierarchy as identified in the Plymouth City Council Waste Development Plan 2006 – 21 (2008) etc.) and environmentally (brown field site, controlled emissions, active benefit from residual waste products etc.). They state that Environmental Statement is comprehensive and professionally researched and that the proposal to establish a local liaison Committee is warmly applauded and which the Local Planning Authority should ensure is implemented.
- A 'late' letter of support has been received from the Plymouth Federation of Small Businesses on behalf of Plymouth and surrounding branches. It feels that the UK is desperately short of electricity generating capacity and the plant would produce green energy as a by-product of waste, increasing Plymouth's carbon footprint credentials as well as making a contribution to the UK's target. It states that a solution with local authorities working together and huge reduction in landfill tax offers the best solution for Council Tax payers over a wide area. The FSB Policy Advisor lives upstream of the proposed plant and expresses no concerns about emissions.

Response :

It is considered that the concerns have been addressed in sections 8-12 of the Committee report and in the conditions and clauses being recommended. The concerns about the Committee date are addressed in section 10.13 on page 131. The applicants and the EA state that they have considered the European Nitrogen Assessment.

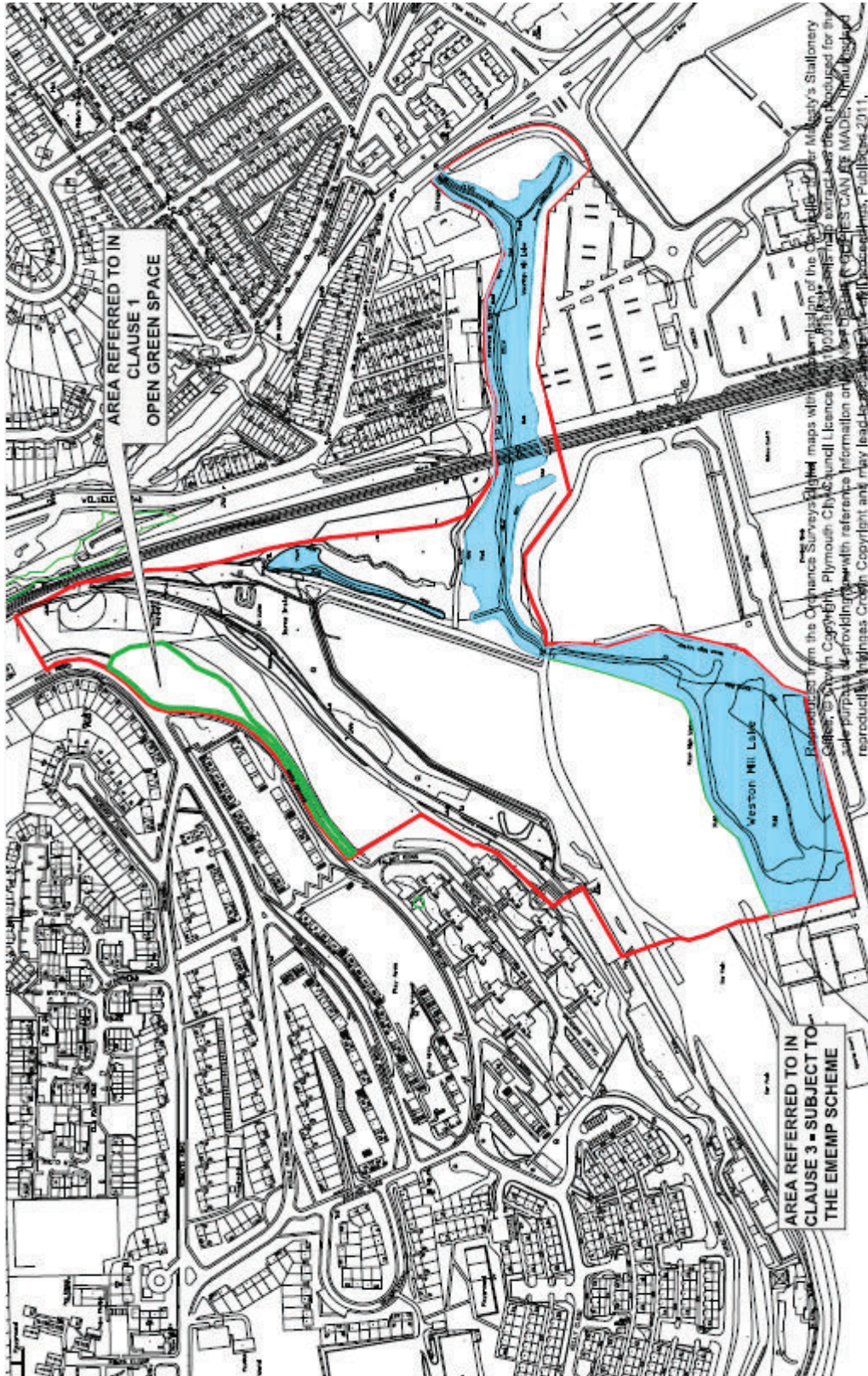
The applicants have considered the impact of the proposal on protected species and the Camels Head road junction and the NO_x impact will NOT exceed the European Union limit values.

The EA point out that the scope of the ENA document is much broader than the impact of NO_x emissions to air. However in so far as it refers to NO_x emissions, it

does not say anything new or different to that which the EA already know in terms of the environmental and health effects of nitrogen, and which has informed the consideration of this application. With reference to comments about peak NO_x, monitoring stations, such monitoring would say very little if anything at all about the impact of emissions from the incinerator. The small modelled process contributions relative to the background levels and the impact of traffic pollution sources would make such measurements unreliable for this purpose. This is why the EA approach is based on monitoring of emissions at source and computer modelling of their dispersion.

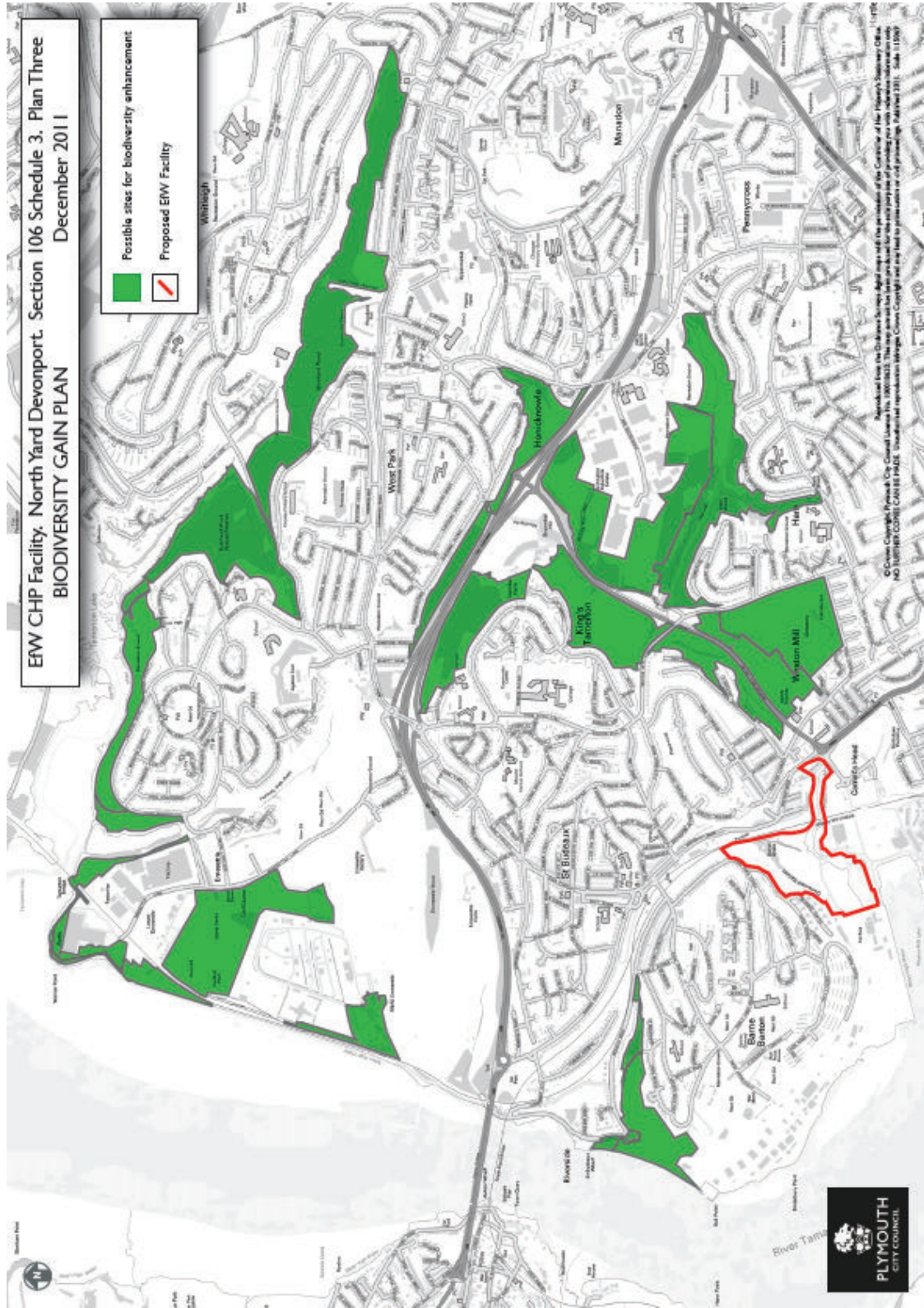
The European Nitrogen Assessment's key findings have not led to any change as yet in Government policy but an EfW facility would appear to perform well against those of the seven key recommendations which are relevant to it in that (a) it is likely to reduce road transport emissions and (b) is energy efficient. Furthermore, the plant will be controlled to the highest possible standards thus limiting emissions.

As the EA point out, NO_x in combination effects are implausible. As to the extent of monitoring, it is considered that this a matter that would be adequately addressed by the Air Quality Management Plan required in the S106 Appendix 1 schedule 4 page 201.



December 2011
SCALE 1:2500

EFW CHP Facility, NORTH YARD DEVONPORT 11/000750, Section 106
Schedule 3, - Plan One



Schedule 1
ROLE AND USE OF
THE VISITOR CENTRE

The applicant will adhere to the **scheme of interpretation** set out below in providing access to the proposed plant for visitors and enhancing the visitor experience. This scheme sets out the role of the Visitor Centre, access to the Visitor Centre, and how the developer intends to make available to the public information in respect of the EfW CHP facility's Primary Function, which is to divert residual waste from landfill and efficiently generate heat and power. Information on the site's landscape, biodiversity, marine interests and historic assets within the site and adjacent Dockyard may also be made available provided that this does not conflict with or take over the Primary Function.

Accommodation

Provision will be made for a modern, first class Visitor Centre within the EfW CHP facility administration block. This will be used for making presentations to visitor groups on the facility, including those from schools and colleges, as well as other local community groups. An entrance area will be provided where visitors will be received and registered and from where access to other areas can be controlled. The entrance area may also be used for smaller exhibitions and receptions;

The main room will have the capacity to host parties of around 60 visitors at any one time; and will be equipped with modern audio-visual aids and IT equipment, including a projector and screen, computer systems, a public address system and induction loops. Chairs will usually be arranged to accommodate theatre style presentations but the arrangement can also be adjusted for exhibitions or seminars.

Scheme of Interpretation

Purpose and use of the Visitor Centre

The Visitor Centre will be managed by the Community Liaison Manager so as to:

- Promote good community relations;
- Inform visitors and the community of the Primary Function;
- Inform the Partnerships staff and Councillors of the purpose and value of the Facility
- Show how the Facility fits into a sustainable waste management framework;
- Support the Partnerships Waste Management Officers with their wider community education role, and
- Provided it does not conflict with the above Primary Function, provide information on the site's landscape, biodiversity and marine interests and historic assets within the site and adjacent Dockyard.

The Visitor Centre will be provided to suit the different needs of a range of visitor groups, including the Partnership's staff and Councillors and those from schools, universities, colleges, and other organisations as well as other interested community groups.

MVV will ensure that Energy from Waste is placed in the context of the Partnership's waste policies, in particular focusing on how the Facility will contribute to the

objective of recovering energy from residual Municipal Solid Waste. MVV's staff will arrange site visits and ensure that trained personnel are available to meet and escort visitors around the Facility and explain the site's operations.

Exhibitions and meetings conducted by the Partnership can also be held in the Visitor Centre. MVV will support the Partnership with regards to the content and the organisation of such exhibitions.

The Visitor Centre will also be made available to host meetings of the Incinerator Liaison Committee and the North Yard Community Trust. MVV will discuss additional uses for the Visitor Centre, for example as a meeting venue for other local groups with the Partnership.

Availability and Access of the Visitor Centre

The Visitor Centre will be available subject to prior appointment as a minimum five days a week to include where required Saturdays, Sundays and Bank Holidays but excluding Christmas Day, Boxing Day, New Years Day and Easter Sunday. Regular opening hours will be between 9 a. m. and 5 p.m. during which times the general public will have supervised access. Where required and reasonable, MVV will make arrangements to enable community groups and organisations to meet outside the opening hours. The access to the Visitor Centre, the Site and visits to the plant will be provided free of charge. MVV will ensure that any use of the Visitor Centre does not conflict with the Partnership's use of the Visitor Centre.

Promotion of the Visitor Centre

The role, activities, and use of the Visitor Centre will be promoted locally via a variety of communications channels such as the ILC, the North Yard Community Trust, regular local newsletters, posters, MVV's local office, press releases for specific events, engagement with local educational establishments and MVV's website.

Content of Information

MVV will provide information throughout the contract period in a variety of formats.

Facility website - MVV will provide a dedicated facility website with public access. Emission monitoring data and general performance data from the Facility will be posted on the website. This will include monthly statements on emissions following appropriate analysis and averaging. News about the waste industry, and also about the Facility's general performance will be published on the Facility's dedicated website.

The website will also give details of relevant activities and how to arrange visits, this information will also be made available via MVV's regular newsletter and through the local press as appropriate.

Hard copy - Brochures and information leaflets on specific subjects relevant to the Facility; and waste management in general; will be provided. Such leaflets and information will complement the educational material to be provided by MVV and will support on-going waste awareness and minimisation initiatives being undertaken by the Partnership and other bodies. MVV will also provide leaflets and brochures informing the public about other items of local interest such as site's landscape,

biodiversity and marine interests and historic assets within the site and adjacent Dockyard. These will be published and made available in hard copy on request and for visitors to the Facility. They will also be made available on the Facility's dedicated website for free downloading.

Public information display boards – Information boards will be provided at relevant positions around the Facility. These will give information about different elements of the Facility and will supplement the information provided during tours of the plant. Boards will also be provided at strategic locations to give information about the wider site, including the site's landscape and biodiversity aspects.

Educational material - MVV will create educational material that is tailored to the age of the audience and supports the objectives of the National Curriculum where relevant. It is anticipated that education material will be developed together with the University and the City College

Newsletter - A regular newsletter for local residents will be produced and circulated quarterly and also made available online.

Open days - Open days will be held annually at the Facility, in conjunction with and supported by the Partnership, to which the local community and other stakeholders will be invited. The aim of the open days will be to help to provide an insight into the operation and purpose of the Facility to the authorities and the general public

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