

Construction and operation of Thermal Treatment Facility for the generation of electricity from non-hazardous, residual waste (post-recycling); including associated plant and infrastructure, vehicular access, car parking and landscaping.

Warboys Parish Council objects to the above application and recommends its refusal by the waste planning authority for the reasons set out below.

1. National Planning Policy for Waste

- 1.1 Paragraph 3 of the National Planning Policy for Waste (NPPW) requires waste planning authorities to prepare Local Plans to identify sufficient opportunities to meet the identified needs of their area for the management of waste. In particular, they should identify the tonnages and percentages of municipal, commercial and industrial waste requiring different types of management in their area.
- 1.2 Paragraph 4 requires waste planning authorities to plan for the disposal of waste and the recovery of mixed municipal waste in line with the proximity principle, recognising that new facilities will need to serve catchment areas large enough to secure the economic viability of the plant, i.e. that disposal facilities should be located near to where the municipal waste is being generated.
- 1.3 Paragraph 5 requires waste planning authorities to assess the suitability of sites against the capacity of the existing and potential transport infrastructure to support the sustainable movement of waste. Authorities should also assess the cumulative impact of existing and proposed waste disposal facilities on the well-being of the local community.
- 1.4 Paragraph 7 states that waste planning authorities should only expect applicants to demonstrate the quantitative or market need for new waste management facilities where proposals are not consistent with an up-to-date Local Plan. In such cases, waste planning authorities should consider the extent to which the capacity of existing operational facilities satisfy any identified need.
- 1.5 Appendix B of the NPPW lists the locational criteria to be taken into account by waste management authorities in determining applications. These include landscape and visual impacts, traffic and access, air emissions including dust, odours and noise, light and vibration

2. Cambridgeshire and Peterborough Minerals and Waste Local Plan 2036

- 2.1 The Local Plan was adopted in July 2021 so is clearly an up-to-date Plan.
- 2.2 Among the principal aims of the Local Plan are –
 - Safeguarding productive land by avoiding the loss of the best and most versatile agricultural land for waste development, prioritising the location of waste development on previously developed sites over greenfield land and minimising soil contamination and safeguarding soil quality and quantity.
 - Reducing the reliance on road freight movements of minerals and waste and seeking to increase the efficient use of other modes of movement.
 - Conserving and enhancing the quality and distinctiveness of the landscape by minimising any adverse impacts to local amenity and overall landscape character.
 - Protecting and enhancing the health and well-being of communities by avoiding adverse effects on human health.
 - Minimising noise, light and air pollution arising from activities related to waste management.

- 2.3 In the Plan, it is estimated that in 2017, waste arisings within the plan area totalled around 2.782 million tonnes per annum, the majority of which was recycled or otherwise recovered, with disposal to landfill (non-hazardous and inert) accounting for around a third. Of this, 500,000 tonnes were exported to other authorities for management but four times as much was imported from other areas. It is estimated that total arisings could increase to 3,163 million tonnes per annum by the end of the Plan period.
- 2.4 The Plan anticipates that cross-border movements should reduce in the future in accordance with national policy direction. Areas that historically and presently have a net import of waste (such as the Cambridgeshire and Peterborough plan area) should see such net imports significantly reduce. In providing for waste management facilities the intention, therefore, is for the Local Plan to determine the likely waste arisings that will occur, and set out the identified needs of the plan area as a whole in relation to waste management capacity in order to achieve net self-sufficiency, and at the same time drive waste up the waste hierarchy.
- 2.5 In terms of waste management capacity, the plan area benefits from an existing network of waste management facilities. This management capacity significantly contributes towards the identified future need. Overall, the plan area is relatively well placed in terms of moving towards achieving net self-sufficiency. Evidence indicates that there is the potential need for materials recycling, hazardous recycling (recovery) and hazardous disposal. The Plan does not identify a need for additional thermal treatment capacity.
- 2.6 No site specific allocations for new waste management facilities have been identified in this Local Plan given that -
- the indicative future waste management needs of the plan area (to achieve net self-sufficiency) are comparatively low;
 - the potential for the existing material recycling capacity to be greater than captured;
 - other recovery capacity associated with permitted but not operational sites considered likely to come forward in the near future; and
 - that hazardous wastes are generally produced in lower quantities and managed at a wider scale.
- 2.7 The Plan states that it is important to drive the development of a network of facilities with the aim of communities and businesses being more engaged with, and taking more responsibility for, their own waste. Government policy focuses the proximity principle more towards the disposal of waste and recovery of mixed municipal waste. For these, and other waste types, the intention is for the Plan to include the preference for waste development to support sustainable waste management principles, including the proximity principle. This also links through to supporting sustainable transport movements.
- 2.8 Policy 3 of the Plan sets out the present capacity gap between forecast arisings and existing and planned capacity to calculate a capacity gap showing either a deficit or surplus in provision. In terms of the treatment and energy recovery processes for mixed municipal waste, the capacity gap shows a surplus of capacity in existing provision until 2031 and further planned provision which creates a surplus throughout the remainder of the Plan period to 2036.
- 2.9 The Plan states that new waste management sites and facilities will be directed to the main settlements that exist in the plan area through the locational criteria of Policy 4. However, the Councils acknowledge that there may be instances where waste management sites or facilities that already exist outside of these main settlements may be appropriate for either temporary recycling opportunities or alternative or additional waste management facilities within the planning permission boundary of existing permanent waste sites. In such instances, when considering the locational criteria based

assessment, the Councils will, in principle, support the use of an existing waste site for new waste management facilities. However, the consideration and support in principle to such uses should not be taken as support for permanent facilities, or for an intensification of a site where the benefits do not outweigh the harm when assessed against the wider policies of the Development Plan.

3. The Application

- 3.1 The Parish Council believes that this application is not consistent with the guidance contained in the NPPW, the existing and draft National Policy Statement (NPS) for Renewable Energy Infrastructure (EN-3) and the policies contained in the Local Plan.

4. Need

- 4.1 The applicants contend that there is no requirement to demonstrate ‘need’ for the proposed facility. This is clearly not the case. The Local Plan is up-to-date and anticipates that there is surplus capacity for the thermal treatment of municipal waste.
- 4.2 Moreover, both the existing and draft National Policy Statement (NPS) for Renewable Energy Infrastructure (EN-3) makes it clear that a proposed plant must not result in over-capacity of Energy from Waste (EfW) treatment at a national or local level (paragraph 2.10.5). The Local Plan indicates that there is already surplus capacity for the thermal treatment of municipal waste.
- 4.3 There is therefore a clear requirement on the part of the applicants to demonstrate need which the application has failed to do. Indeed, they have misinterpreted national policy and the Local Plan by stating that there is no requirement to demonstrate need. The application should be refused for this reason alone.
- 4.4 The Parish Council understands that the Rookery South Energy Recovery Facility near Bedford commenced operations in 2022 with a capacity to manage 545,000 tonnes of residual waste. The Local Plan includes the implementation of an EfW at Peterborough capable of managing 650,000 tonnes per annum which has yet to be implemented. An application has been submitted for a Development Consent Order for an EfW at Wisbech capable of processing 625,000 tonnes of waste per annum.
- 4.5 The applicants have used a figure of 87,000 tonnes per annum as the amount of waste that will be processed at the proposed plant. There is no mention as to whether this will be sufficient for the plant to work at maximum capacity or whether, if the application is approved, the plant can process additional waste. This is therefore a small-scale operation in comparison with other potential developments for EfW plants in Cambridgeshire and nearby. There is no justification why such a small-scale plant of this size should not be located near the point of origin of the municipal waste that it proposes to use as feedstock. Similarly, there is inadequate justification for the location of the plant in a rural location on the outskirts of Warboys, far removed from main centres of population where municipal waste is generated. The proposal is therefore contrary to the proximity principle.
- 4.6 The application describes the waste as being ‘regionally sourced’. The Local Plan provides for the disposal of waste from within the ‘area’ of Cambridgeshire and Peterborough not the region. There is no indication as to the source of the waste other than a reference to the applicants having worked with a waste supply partner to source refuse derived fuel (RDF) for the facility that would otherwise have been sent to 5 landfill sites in the local Cambridgeshire area. This is inconsistent with the waste being described as ‘regionally sourced’.

- 4.7 Irrespective of the actual point of origin of the waste, it is certain that insufficient waste will have been generated in the local area to warrant a thermal treatment plant in Warboys which again is contrary to the proximity principle that waste will be processed as near as possible to the point of generation and not transported across the County from urban to rural locations.
- 4.8 The applicants go on to suggest that ‘within the region of’ 20% of the required RDF feed will be supplied by Woodford Recycling who operate a Materials Recycling Facility (MRF) on the adjoining site. However, this will require the material to be shredded to an appropriate size and specification for thermal treatment. This would amount to 17,400 tonnes or thereabouts of waste being shredded on site to supply fuel for the treatment plant. There is no indication in the application as to whether Woodford Recycling have the necessary planning permission to process waste in this way or what cumulative impact this would have in terms of noise on the occupants of nearby dwellings.

5. Location

- 5.1 It is interesting that the application describes the location as the ‘old brickworks’. The brickworks closed 40 years ago and it is known by that description locally now by few people. Planning permission was granted 30 years ago for the filling of the clay pit on site used for the manufacture of bricks and the site has been known as Warboys Landfill Site since that time. Tipping ended some years ago and restoration of the landfill site is nearing completion, after several years of delay.
- 5.2 The applicants suggest that the co-location of the proposed plant with a materials recycling facility at the landfill site is a primary consideration. The site may be shown as a Waste Management Area on the Policies Map that forms part of the Local Plan but it is an isolated rural location and only identified as such because of its use for landfill and the MRF plant. The predominant land use in this area is agriculture with the site bordered to the north by grade 1 agricultural land. One of the principal aims of the Local Plan is to safeguard productive land by avoiding the loss of the best and most versatile agricultural land for waste development, to prioritise the location of waste development on previously developed sites over greenfield land and minimise soil contamination by safeguarding soil quality and quantity. While the plant itself would be located on a brownfield site, any contamination or pollution either by water or air would affect farm land of the highest quality.
- 5.3 Moreover, the location of the proposed plant in such a rural location is contrary to the proximity principle of locating such plants where the waste is generated. It is the Parish Council’s contention that the support in principle in the Local Plan for facilities to be located within the planning permission boundary of existing permanent waste sites if waste is moved up the waste hierarchy does not apply in the case of this application. The site is not included within the planning permission boundary of the MRF and restoration of the landfill site should have been completed by the end of 2019 which would have meant that this was no longer an active site. (It is worth reinforcing the fact that the original permission for the landfill site was for 5 years and tipping commenced on site in 1996.)
- 5.4 The critical qualification in the Local Plan is that the consideration and support in principle for such uses should not be taken as support for permanent facilities, or for an intensification of a site where the benefits do not outweigh the harm when assessed against the wider policies of the Development Plan. In this case the harm far outweighs any potential benefits.

6. Landscape and Visual Amenity

- 6.1 The site lies on the edge of the fen where the ground rises to meet the claylands of Warboys. Despite the rise in height, the plant would be conspicuous against the backdrop of the rising land and the stack height of 44 metres would be an alien intrusion into the open landscape.
- 6.2 Restoration of the landfill site which forms the backdrop to the proposed location will create a natural contour of vegetation against which the proposed Thermal Treatment Plant would be a visual intrusion. The MRF plant which is clearly visible when viewed from the north would be dwarfed by the proposed plant and stack which together would detract from the quality and distinctiveness of the landscape.
- 6.3 It is interesting to note that in none of the many photographs contained in the Landscape and Visual Impact Assessment accompanying the application which shows the site when viewed from every angle do the views attempt to superimpose an image of the plant and stack which would have given a much clearer impression of the scale of the impact on the landscape.
- 6.4 There is no doubt that this would be an alien and prominent intrusion into a rural landscape.

7. Noise

- 7.1 The waste planning authority will be aware from the evidence provided by neighbours when the Planning Committee considered the application for a combined heat and power plant and waste water treatment plant on the site in 2018 that neighbours are already disturbed by noise from the existing MRF facility on the adjoining site.
- 7.2 The Noise Impact Assessment submitted in support of the application attempts to make a cumulative assessment of the impact of noise from the proposed plant and the adjoining MRF on neighbours. It concludes that the impact will be less than the adverse impact level of +5 dB above the ambient noise level during the daytime. However, there is an outstanding application by the owners of the adjoining MRF to crush materials on site and it is understood that the waste planning authority has not accepted the noise impact assessment submitted by the applicants in support of that application. There is also no mention in the Noise Impact Assessment submitted in support of the current application of the noise that would be generated by the processing of the proposed 17,400 tonnes of feedstock from the MRF to fuel the thermal treatment facility which would involve the crushing of waste.
- 7.3 The Assessment suggests that the cumulative noise generated on site would be +4 dB above the ambient level which is very close to having an adverse impact on the occupants of the neighbouring properties.
- 7.4 The Parish Council does not accept that the Noise Impact Assessment has had regard to all of the noise that would be generated on site cumulatively by the proposal in conjunction with the MRF. The Parish Council believes that cumulatively, the impact of noise on neighbouring residents will be adverse and the application should therefore be rejected as being contrary to the health and well-being of those residents.

8. Transport

- 8.1 The concerns of local residents about the use of Fenside Road by HCVs since 1996 for the landfill operations and the subsequent skip operations of the MRF are well documented. This is a single-track road with intermittent passing places and a dangerous junction with the fast-flowing A141. The weight of the vehicles using the road have caused subsidence making its use by an unwary motorist highly dangerous. Despite major repair works by the highways authority, the carriageway surface soon deteriorates

due to the nature of the underlying soil. The dry summer of 2022 has had a particularly severe impact on Fenside Road and other fen roads in the vicinity with subsidence and cracking making them dangerous to use. In an era of increasing financial austerity for local government, the ability of the highways authority to maintain the road to an acceptable condition is doubtful.

- 8.2 The increase of 30 HCV movements per day along Fenside Road would produce an unacceptably additional strain on the condition of the highway which is already heavily rutted from the passage of skip vehicles to and from the MRF. The proposed limit on vehicle movements between 7.00 a.m. and 7.00 p.m. on weekdays and 7.00 a.m. and 1.00 p.m. on Saturdays also exceeds the limits set on vehicle movements to the MRF. Notwithstanding the contention in the Transport Assessment that vehicle movements would be evenly spaced throughout the day, local experience from the operation of the landfill site is that drivers arrive as early as possible to avoid waiting times on site which results in queuing at the entrance gate or parking in laybys on nearby roads waiting for the site to open.
- 8.3 Moreover, the development of the proposed facility in Warboys would result in the transportation of RDF across the County and potentially beyond if sufficient feedstock is not available within Cambridgeshire. This is contrary to the waste planning authority's aim of promoting sustainability and addressing climate change which are principal aims of the Local Plan.
- 8.4 The proposed development would have a significant impact on the highway network and particularly Fenside Road. The Parish Council therefore contends that the application is contrary to the policies contained in the NPPW and the Local Plan.

9. Air Quality, Dust and Pollution

- 9.1 Other than describing the feedstock for the treatment plant as mixed municipal waste, there is no attempt in the copious supporting documentation accompanying the application to define its precise composition. If there is no indication of the constituent fuel to be used, it is difficult to envisage how an accurate assessment can be made of the nature and volume of gases and odour that will emerge from the flues.
- 9.2 Similarly, there is no mention of the constituent composition of the ash which will be a by-product of the process or how it will be processed on site, other than a reference to it being transported elsewhere for treatment. There is no indication of the volume of ash that will be generated or where it will be transported to. Paragraph 2.18.7 of the emerging draft NPS requires the Environmental Statement accompanying the application to include information about the production and disposal of residues and to describe any proposals for the recovery of ash and mitigation measures. Paragraph 2.18.8 goes on to require applicants to set out what consideration they have given to the existence of accessible capacity in waste management sites for dealing with residues for the planned life of the power station. There is no evidence that the applicants have addressed this requirement.

10. The Applicants

- 10.1 Whilst more relevant to the Environment Permit that would be required from the Environment Agency to operate the plant, the application in all its 1,100 pages of supporting documentation makes no reference to the capability of the applicants to construct and operate a plant of this nature. The applicants' website contains scant information about the company and generates little confidence in the accuracy and completeness of their submission.

11. Conclusion

11.1 The Parish Council therefore urges the waste planning authority to refuse this application on the following grounds:-

- (i) that the applicants have failed to demonstrate a need for the development which is contrary to the National Planning Policy for Waste, the draft National Policy Statement for Renewable Energy Infrastructure and the Minerals and Waste Local Plan;
- (ii) that the Local Plan projects surplus capacity for the thermal treatment of municipal waste over the Plan period to 2036, as a result of which there is no justification for the proposed development;
- (iii) that the location of a thermal treatment plant at the former brickworks in Warboys contravenes the proximity principle set out in the Local Plan which requires energy from waste plants to be sited in close proximity to the point of origin of the waste. The scale of the plant proposed means that it could be accommodated close to an urban area where waste is generated, thereby avoiding excessive road transport which is contrary to the Local Plan principles of sustainability and minimising any adverse impact on climate change;
- (iv) that the applicants have failed to identify the source of the municipal waste to be used as fuel for the proposed plant, creating a concern that this may result in the importation of waste to Cambridgeshire contrary to the principles contained in the Local Plan and generating additional traffic movements;
- (v) that the applicants have failed to demonstrate the capacity of the proposed plant, leading to fears both that more waste could be accommodated in the plant proposed or that it could be expanded in the future if permission is granted. In such circumstances, this would invalidate the results of the various assessments submitted in support of the application;
- (vi) that the applicants have failed to demonstrate how residual ash from the plant will be processed on site and where this will be transported to for subsequent treatment which is contrary to the draft National Policy Statement for Renewable Energy Infrastructure;
- (vii) that the proposal will represent an unacceptable further expansion 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. The cumulative harm to the locality from the further intensification of use will outweigh any potential benefit from the co-location with adjacent waste management facilities.
- (viii) that restoration of the landfill site should have been completed many years ago except for numerous applications for an extension of time to complete the works required. Had this occurred, this application would not have been within the boundary of a waste site with the benefit of planning permission. The application should therefore be dismissed as being located in a rural area without any justification contrary to the proximity principle contained in the Local Plan;
- (ix) that the proposed access route to the site via Fenside Road is wholly unsuitable for the volume and weight of the additional traffic proposed and the further

intensification of use would lead to a rapid deterioration of the road conditions which the highways authority has inadequate funding to maintain to an acceptable standard;

- (x) that the times proposed for access and egress from the site by HCVs exceed the times permitted for HCVs travelling to the materials recycling facility at the landfill site thereby extending the times at which heavy traffic will be using Fenside Road to the disturbance of local residents. There is also a likelihood of HCVs queueing to enter the site before it opens each day or parking on local roads and laybys to the detriment of highway safety;
- (xi) that the site is located in close proximity to grade 1 agricultural land farmed intensively for the cultivation of crops upon which the nation depends for its food security. Any pollution of the surrounding land by air or water would have far-reaching consequences for the livelihood of local farmers and the health of the public;
- (xii) 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;
- (xiii) that Noise Impact Assessment has failed to adequately take into account the impact of the noise that would be generated by an outstanding application for the crushing of waste at the adjoining Materials Recycling Facility or the processing of waste from the MRF which it is claimed could constitute 20% of the fuel feedstock for the proposed plant. The MRF already leads to complaints of unacceptable levels of noise emanating from the site so it is inconceivable that the further intensification of use would not result in an adverse impact on the quality of life of local residents;
- (xiv) that the proposed development would pose unacceptable risks to human health and wildlife from emissions to air of hazardous chemicals;
- (xv) 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;
- (xvi) that the plant and particularly the 44 metres high stack will represent a visually prominent and intrusive feature in the local landscape which is totally out of character with the neighbouring fen environment; and
- (xvii) that the applicants have failed to demonstrate any experience or expertise in developing or managing an industrial process of this nature.