<table>
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<tr>
<th>APPLICATION NO:</th>
<th>P/2013/0738</th>
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<tr>
<td>LOCATION:</td>
<td>LAND ADJACENT UNIT 1 SANKEY VALLEY INDUSTRIAL ESTATE ANGLEZARKE ROAD NEWTON LE WILLOWS ST HELENS</td>
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<td>PROPOSAL:</td>
<td>Installation of a 4.8MW combined heat and power plant together with the extension of an industrial building and the erection of external plant and machinery including the erection of a 27m exhaust stack</td>
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<td>WARD:</td>
<td>Earlestown</td>
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<td>CASE OFFICER:</td>
<td>Johndaniel Jaques</td>
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<td>AGENT(S) / APPLICANT(S):</td>
<td>OAKTREE ENVIRONMENTAL LTD MR JOHN WILLIAMS UNIT 5 OASIS PARK WINSFORD INDUSTRIAL ESTATE</td>
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<td>DEVELOPMENT PLAN ALLOCATION:</td>
<td>National Planning Policy</td>
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<td>National Planning Policy Framework</td>
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<td>PPS 10 ‘Planning for Sustainable Waste Management’</td>
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<td>St Helens Core Strategy (2012)</td>
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<td>CP 1 Ensuring Quality Development in St Helens</td>
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<td>CE 1 A Strong and Sustainable Economy</td>
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<td>34 letters of objection</td>
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<td>RECOMMENDATION:</td>
<td>Grant permission subject to conditions</td>
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1.0 Application Site

1.1 The application relates to a site that is partly allocated as an Economic Development Site with planning permission in the St Helens Unitary Development Plan.

1.2 The site currently contains an industrial unit with ancillary office space. Access for staff/visitors is from Junction Lane, and there is an access for larger vehicles on Anglezarke Road. The south eastern end of the site is only used for some storage and partly laid to hard standing.

1.3 The site is surrounded by industrial units apart from to the south east and east which includes vacant land, former playing fields (allocated as Public Open Space - UDP Policy ENV 1) and Red Brow Wood (allocated as a Site of Community Wildlife Interest - UDP Policy ENV 5 and Greenway - UDP Policy ENV 3) beyond this.

2.0 The Application

2.1 The application a full application for the installation of a 4.8MW combined heat and power plant together with the extension of the existing industrial building and the erection of external plant and machinery including the erection of a 27m high exhaust stack.

2.2 The plant would be contained partly within the existing building but also in an extension to the existing building, and an area within the existing yard area. The extension would be a total of 65.047m long by a maximum of 42.521m wide, by a maximum of 9.579m high. The exhaust stack would be 27.0m high by 1.5m wide. External to the extension would be an ash storage container (which would be 6m long by 2.45m wide by 2.6m high) and a compound area with an electrical transformer and an 11KV switch room. The compound area would be constructed from breeze block 16.1m long by 6.1m wide by 1.8m high. The transformer would be 4.3m long by 4.3m wide by 3.0m high and the switch room would be 9.6m long by 3.0m wide by 2.6m high.

2.3 The extension would be constructed from a mix of metal cladded screen (including louvres) on a brickwork base. The main part of the extension would also have a metal cladded roof.

2.4 The process carried out would involve the combustion of waste wood to generate electricity, heat and hot water. The plant would receive 45,000 tonnes of waste wood per annum which would be sourced from a local waste wood processing plant approximately 13km east of the application site in Astley. The feedstock will arrive ready-processed and will require no further processing on site. The aim is to utilize Grade B & C Waste wood, which includes building and demolition materials; domestic and flat pack furniture; plywood and fibreboard. It would not accept Grade D wood which is classed as Hazardous Waste given this requires disposal at specialist facilities.

2.5 The facility would generate electricity over a continuous 24 hour period. However, fuel for the process and pollution abatement materials would only be delivered between the hours of 0700hrs-1900hrs from Monday to Saturday. The removal of ash would also take place during these hours. There would be no deliveries of fuel and other materials or removal of ash on Sundays.
The Process

2.6 The fuel would be combusted in the biomass boiler to generate steam which, in turn, is passed through a steam turbine to generate electricity. The electricity would then be fed through a grid connection to the National Grid.

2.7 In simple terms, the plant consists of the following key elements:

• Fuel reception area
• Grate and boiler
• Turbine
• Cooling system
• Flue stack

Fuel reception area

2.8 The reception area contains the automated floor onto which the low grade wood is placed. As the boiler requires more fuel, the automated floor moves the waste wood onto a conveyor that delivers the fuel to the boiler. The reception area is designed to enclose the floor and incorporates dust removal technology as well as suppressing noise. There is sufficient capacity to store two days worth of fuel within the building.

Grate and boiler

2.9 The combustion of the fuel takes place on the grate and the boiler is the area where the hot flue gasses interact with the water to create clean steam. The wood is heated to 1100 degrees Centigrade and remains within the grate section for a minimum of 2 seconds thus ensuring compliance with Article 50 of the Industrial Emissions Directive (Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control)). The hot flue gases created in the grate are then passed through several stages of the boiler and create the steam required to drive the high efficiency turbine.

Turbine

2.10 The steam is passed through the rotating high efficiency turbine blades, passing its ever decreasing energy to the rotating shaft, which in turn turns a generator that creates the electricity. At the exit of the turbine, all available energy for electrical power and usable heat has been extracted from the steam. However, the low grade energy left in the steam is not wasted, as it returns back into the system to be re-heated and passed through the turbine again to keep the system efficiencies high.

Cooling System

2.11 In order to be able to ensure the low grade energy in the output steam is not wasted, it must be cooled down before it re-enters the process again. This requires a cooler. The cooler is designed to ensure it can cope with the load throughout all seasons and is sized accordingly. It would also be fitted with variable speed motors to ensure that valuable energy is not wasted.

Flue Stack

2.12 The flue gases, having passed through the boiler is sent up a flue stack to atmosphere. The flue stack is a critical part of the design.
2.13 As well as producing 4.8MW of electricity, heat is generated by the process. At least 2MW per hour of usable heat can be recovered and will be made available to neighbouring premises on the Sankey Valley Industrial Estate. The applicant says that significant interest has been shown in this by adjoining landowners and has provided letters of interest from two companies.

2.14 The by-products that would result from the process are condensate and ash. The condensate will be disposed to sewer whilst bottom ash/char and fly ash are both capable of being used as a recycled aggregate in the production of concrete blocks. Approximately 4kg of ash is produced for every tonne of wood fuel used. Based on an annual throughput of 45,000 tonnes this would equate to 180 tonnes of ash.

**Highways/Access**

2.15 The applicant says that approximately 20 daily vehicle movements (of larger vehicles such as vans and lorries) are associated with the existing Anglezarke Road access, and 70 daily car movements are associated with the existing Junction Lane access.

2.16 Given the site’s location, all fuel would have to be delivered to the site by road. Assuming that all vehicles transporting fuel to the site would have a payload of 23 tonnes, the applicant submits the likely number of daily traffic movements arising from the importation of fuel is between 12 and 14. Given a 12 hour working day, the applicant reasons that this can be averaged at one per hour for the larger vehicles and between 2 and 4 movements for the smaller vehicles.

2.17 In addition to the above there would be an additional 2 vehicle movements every four days to remove ash from the proposed facility.

2.18 Parking provision for up to 60 cars exists on adjoining land within the applicants’s ownership which would be used to provide parking spaces for employees based at the proposed facility. The car park is able to accommodate the maximum increased number of staff vehicles associated with the proposal. However, this is not to say that the maximum number of spaces would be required as there would inevitably be an element of car-sharing and alternative means of transport utilised by staff, but that capacity exists if required.

**Fuel Reception/Handling**

2.19 The applicant says that all vehicle deliveries would be pre-booked and drivers would report to the person responsible for site supervision upon arrival at the site. The load would be visually inspected before and during discharge. Any loads found to be unsuitable would be returned to its source.

2.20 As outlined already, the fuel would already have been processed on the local wood recycling facility (in Astley), there would be no further requirement for any processing activities on the application site. In the unlikely event that waste wood cannot be sourced from the Astley site, fuel would be sourced from other local providers.
2.21 Fuel would be discharged directly into the building. The site would be staffed, whenever it is open, to effectively supervise the reception and handling of fuel and removal of waste.

2.22 As outlined previously, fuel deliveries, deliveries of pollution abatement materials and the removal of ash will be restricted to the hours of 0700-1900hrs, Monday to Saturday.

2.23 In terms of contingency, should there be a requirement for an unscheduled plant shutdown for instance, there is sufficient capacity within the proposed building to stockpile two days' worth of fuel. However, given the close proximity of the source of the fuel the applicant does not anticipate that such capacity would be utilised to its maximum as the relatively short distance involved would enable HGVs to return loads to the source without undue inconvenience.

**Benefits**

2.24 The applicant outlines that the proposal would create a minimum of 15 operational new jobs and local employment would be committed to as far as possible. Over the construction and operation the applicant estimates that as well as safeguarding existing jobs at the business there would be new job opportunities for 60 plus people in a variety of roles as well as numerous indirect jobs. The plant would be used for the provision of a centre of excellence for local students. They say that the proposal would bring approximately £100m of investment, with a further three sites planned in the North West in the next 2 years with the potential for further significant investment to follow.

2.25 The applicant has indicated that there is an over-supply of waste wood for recycled wood products, meaning that a large amount of wood ends up being landfilled with estimates being that 39% ends up in landfill, amounting to 2.2 million tones a year. Although there is a waste wood reprocessing sector these mainly deal with grade A and B wood with no customers for grade C wood. Loads of Grade B waste wood contaminated with Grade C waste wood also get rejected and end up in landfill by default. The recent restriction on the use of treated wood in animal bedding, composting and other applications further adds to the potential for waste wood to be disposed of to landfill unless there is a credible alternative. Therefore the applicant submits that there is a clear need for additional biomass energy recovery facilities, such as that proposed, in order to move biomass waste up the waste hierarchy away from landfill in accordance with the aims of PPS 10.

2.26 The waste wood plant in Astley currently sends its processed wood to Lockerbie in south west Scotland where it is used to fuel a similar plant. The proposed development therefore would be a more sustainable proposition in terms of its proximity to the source of the waste. The potential for decreasing carbon emissions from reduced transportation requirements alone, therefore, is significant. The applicant has submitted a letter from the Astley waste wood plant confirming that this business will supply all of the waste wood for the proposal from its Astley site. It also confirms all waste wood is to be prepared and screened to meet the applicant's specification prior to leaving their Astley site.
2.27 The applicant submits that useable heat can be made available to neighbouring premises on the Sankey Valley Industrial Estate.

2.28 The applicant also submits that the proposal would contribute to reducing the level of fossil fuel combustion required for energy generation and result in reducing Carbon Dioxide emissions.

3.0 Policy Context

3.1 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

3.2 This application has been considered in relation to Section 17 of The Crime and Disorder Act. The Police Crime Prevention Officer has been afforded the opportunity to comment on this scheme, but no comments have been received.

3.3 The application has been considered in accordance with the St Helens Council’s Comprehensive Equality Policy, which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

3.4 The following policies are relevant in the determination of the application:

3.5 National Planning Policy Framework (NPPF)

The purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- Economic role: Contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right place and at the right time to support growth and innovation

- Social role: Supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of presents and future generations

- Environmental role: Contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, minimize waste and pollution.

To achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. There is a presumption in favour of sustainable development and developments which are sustainable and accord with the development plan should be approved without delay.

3.6 Paragraph 3 sets out the Key Planning Objectives which indicate that Local Authorities should prepare and deliver planning strategies that, amongst other requirements:

PPS10 'Planning for Sustainable Waste Management'
- Help deliver sustainable development through driving waste management up the waste hierarchy, addressing waste as a resource and looking to disposal as the last option, but one which must be adequately catered for;
- Provide a framework in which communities take more responsibility for their own waste, and enable sufficient and timely provision of waste management facilities to meet the needs of their communities;
- Help secure the recovery or disposal of waste without endangering human health and without harming the environment, and enable waste to be disposed of in one of the nearest appropriate installations;
- Reflect the concerns and interests of communities, the needs of waste collection authorities, waste disposal authorities and business, and encourage competitiveness.

The Council have now adopted the Joint Waste Local Plan (2013), which sets out how it will deliver these planning objectives.

St Helens Core Strategy

3.7 CP 1 Ensuring Quality Development in St. Helens
CP 2 Creating and Accessible St. Helens
CR 2 Waste

3.8 Waste Development Plan (2013)
WM 1 Guide to Site Prioritisation
WM 2 Sub-regional Site Allocations
WM 3 Allocations for District level Sites
WM 5 Areas of Search for Additional Small Scale Waste Management Operations and Re-processing sites
WM 7 Protecting Existing Waste Management Capacity for Built Facilities and Landfill
WM 10 High Quality Design and Operation of Waste Management Facilities
WM 11 Sustainable Waste Transport
WM 12 ‘Criteria for Waste Management Development’
WM 13 ‘Planning Applications for New Waste Management Facilities on Unallocated Sites’
WM 14 Energy from Waste

3.9 St Helens UDP (1998)
ECON 1 Economic Development Land Allocation

4.0 Consultations

4.1 Highways Advisor: No objections subject to conditions relating to parking and servicing areas, a scheme for cycle parking and whell wash facilities to be provided during construction

4.2 Environmental Health: Contaminated Land: No objections subject to a condition.

4.3 Environmental Health: Pollution: No objections subject to conditions.

The level of traffic would equate to a 0.1μg/m³ increase in daily nitrogen dioxide at local receptors on Market Street, which equates to an imperceptible magnitude of change and a negligible impact on air quality, using guidance.

A dust management plan should be provided.

P/2013/0738
The methodology and scope of the Dispersion Modelling Assessment is acceptable. The acceptable stack height is calculated to be 27m and raising the stack height would not achieve any further significant air quality assessments. The Environment Agency would be responsible for ensuring the emissions do not exceed the levels specified on an Environmental Permit (if granted).

4.4 **Environmental Health: Noise**: No objections subject to conditions.

The site is located within an existing industrial area with the nearest residential properties located approximately 270m from the proposed plant. The submitted Noise Assessment determines that the plant and vehicle movements would be the main sources of noise. A noise management plan is recommended to deal with any noise from on site vehicle operations, and a condition is recommended to ensure appropriate acoustically treated louvered panels are used in the relevant parts of the extension.

4.5 **Environment Agency**: No objection subject to conditions.

The proposal would require an Environmental Permit.

Insufficient information has been submitted regarding potential contamination to demonstrate that the risks to controlled waters are acceptable, and conditions are recommended in this regard.

4.6 **Merseyside Environmental Advisory Service (MEAS)**: No objections subject to conditions.

The submitted habitat survey report is acceptable. The conclusion reached in the submitted Dispersal Modelling Assessment that deposition of oxides of Nitrogen and Sulphur on nearby designated sites (Red Brow Wood and Mucky Mountains) would be insignificant is acceptable.

Biodiversity enhancements should be incorporated into the proposals which can be conditioned.

Sufficient information has been provided to show that the proposal would comply with relevant Waste Local Plan Policies.

4.7 **Trees and Woodlands Officer**: There are no impacts on trees and no opportunities for landscaping in relation to this particular project. Therefore no objections are raised.

4.8 **Countryside Development Officer**: No objections.

4.9 **Public Rights of Way Officer**: No objections.

4.10 **Liverpool John Lennon Airport**: No objections.

5.0 **Representations**

5.1 The application was publicised by individual neighbour notification letters, site notices and a notice in the local press. 34 letters of objection have been
received in response to the publicity given to the application. The letters raised the following issues:

- Object to an incinerator and emissions which will cause health problems;
- The development will not accord with the Core Strategy or Waste Local Plan;
- This is not a sustainable development which accords with planning policy – the adverse effects of granting permission would outweigh the benefits.
- Many medical organisations including ones based in America do not support biomass combustion for electricity production;
- Close to a town centre with housing estates, shops, open air markets, schools, a hospital, nursing and residential homes and the Sankey Valley Park;
- Burning wood increases carbon dioxide emissions, it does not reduce them;
- This will increase global warming;
- The Design and Access Statement and the Dispersion Modelling Assessment give different figures for the tonnage of wood and the amount of electricity produced;
- There are no guarantees that the sourced wood is going to be free from toxins;
- How are non-wood contents going to be removed prior to incineration?
- How is ash which can be contaminated going to be stored, handled and transported?
- HGV traffic would be made worse. HGV traffic already causes a lot of noise, vibration, fumes, air quality, dust, loss of sleep and danger to children from dangerous and speeding driving. This would exacerbate the problems and reduce quality of life. Don’t spoil the town even more;
- HGVs should not be allowed to drive around this built up area;
- Vehicles travelling to the local landfill use a designated route avoiding use of local roads and residential areas;
- The route of vehicles would not accord with the Council’s preferred HGV route. It would pass thousands of houses and several schools. Routing should be secured via a S106 Agreement.
- Is there a weight restriction on Market Street and if so how is it enforced?
- Are vehicles using Market Street monitored compared to the numbers of those that should use it from the companies on the industrial estate?
- A proper survey of the area and the traffic using it should be done before the application is determined;
- There is no guarantee that the size of vehicles described would be used. If smaller vehicles are used it would mean that vehicle numbers would exceed the numbers that an Inspector found would have material harm to residents of Market Street and Sankey Street when dealing with the former Sankey Sugar Works site.
- The Design and Access Statement says that traffic to local landfill sites will reduce but this will simply be replaced by vehicle movements to this site;
- It is impossible to mitigate the effects of the proposed HGV movements on local amenity contrary to planning policy;
- If the proposal is approved then further work should be done to divert increased HGV traffic away from residential areas of Earlestown, including opening a southern access route from the industrial estate;
- The publicity regarding the application has been inadequate;
- Some jobs would be created but there are no guarantees these will be for local people;
- No evidence of need has been provided. Any application for Energy from Waste needs to consider local need and consented facilities, such as those at Barton and Ince Marshes, which are in the area from where the wood would be sourced.
- A letter of intent from the waste wood source facility would have been helpful;
- The only party quoted as being interested in obtaining heat from this plant is Shawton Engineering, which is in administration;
- Dispersion Modelling Assessment is purely theoretical with no evidence from other plants. How would the applicant monitor and control emissions?
- The Dispersion Modelling Assessment shows the proposal would increase nitrogen dioxide levels in an area where these already exceed Air Quality Management limit levels.
- The 27m high stack is no use if you are on the down wind side of it.
- Newton/Earlestown has put up with enough problems with the Lyme Pit landfill. Give Earlestown something positive.
- Noise from the proposal is unknown.
- The photomontages are not accurate and do not indicate the impact of the proposed chimney, and it would have an unacceptable impact on amenity;
- The applicant fails to provide details of the BREEAM rating of the existing and proposed buildings to be used for the proposal;
- The date for comments on the application should be extended to allow the public to study and respond to new documents;
- Reduction in value of properties.

5.2 Some objectors have indicated that they feel the publicity given to the application was inadequate. The publicity undertaken by the Council has been carried out in accordance with statutory legislation and the Council’s own guidance.

5.3 Prior to the submission of the planning application, the applicant undertook a public consultation exercise. It sent out 562 letters and placed a press advert regarding a consultation event which was held on 7th August 2013. Newton Le Willows and Earlestown councillors, the chair of planning committee and the planning portfolio holder were also invited. In addition a meeting with other businesses in the area were invited to a meeting on 12th August 2013. A summary of this event was submitted with the application, which identified that 21 people attended and the proposal was broadly supported by attendees, the main concern raised was over traffic impacts.

6.0 Planning History


P/1998/0154 - Retention of existing rear extensions, proposed mezzanine level comprising office and ancillary accommodation including WC and stores, recladding of existing units and provision of associated car parking and landscaping areas. Granted 2nd April 1998.

P/2006/0994 – Extension to existing industrial unit to provide first floor office accommodation and additional vehicular parking at ground level. Granted 2nd October 2006.


7.0 **Assessment**

**Local Economy**

7.1 At the heart of the NPPF is a presumption in favour of sustainable development. To achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

7.2 Together with the NPPF, PPS10 'Planning for Sustainable Waste Management', the Joint Merseyside Waste Local Plan, St. Helens Core Strategy and Saved UDP Policies are relevant to the determination of the application and should be taken into consideration.

7.3 NPPF paragraph 19 emphasises the need to support economic growth, and significant weight is given to sustainable growth. Accordingly, when considering all of the material considerations, significant weight should be placed on the need to support economic growth. The applicant has stated that this development would contribute to economic growth by safeguarding existing jobs at the business, creating jobs a minimum of 15 operational new jobs, with new job opportunities for 60 plus people in the construction and operational phases. Officer consider that this is a fair assessment of the direct economic benefits which can be afforded weight. The applicant also suggests that the proposal would bring indirect economic benefits such as approximately £100m of investment, with a further three sites planned in the North West in the next 2 years, with the potential for further significant investment to follow. In addition the plant would be used for the provision of a centre of excellence for local students. Officers consider that the indirect benefits are less clear cut and only limited weight should be given to these.

7.4 In addition to the electricity produced, the additional 2MW per hour of useable heat would provide a possible additional choice of heat for nearby industrial uses (although this is not certain and not possible to secure via condition or legal agreement, the application is supported by letters from other businesses who state that they would be keen to utilise this) providing energy security important for them and reduce fuel bills, thereby boosting the local economy.

7.5 The site is allocated as employment land with planning permission in the UDP and although this permission has now lapsed, the allocation means the site is still classed as employment land. The proposed energy use is a *sui generis* use and technically would result in a loss of employment land. Policy CE1 is therefore relevant.

7.6 Policy CE1(3) states that where it is demonstrated that land or premises for B1, B2 or B8 purposes is no longer suitable or economically viable for B1, B2 or B8 use then the site's suitability for other employment generating uses must be considered before non employment generating uses. However, as this development is the expansion of an existing business which is already operating on the site and would lead to the creation of at least 15 operational
jobs, Officers consider that the proposal is an appropriate form of development on the site and would not be contrary to Policy CE1.

**Waste Policy**

7.7 The development is a waste use and must therefore be considered in accordance with national and local waste policies. As the proposal involves an energy from waste use, the starting point is WM14 'Energy From Waste' in the Waste Local Plan.

7.8 Policy WM 14 deals with both small scale and large scale proposals, for the purposes of WM14 this proposal would be considered small scale as it would generate less than 10MW of heat and power and consume less than 90,000 tonnes per annum.

7.9 In the case of small scale proposals Policy WM14 states that applications which can be demonstrated to serve an identified local need such as providing an existing business with a significant energy requirements or a district heating scheme to provide affordable warmth, will be considered subject to compliance with Policies WM 12 and WM 13.

7.10 Although electricity would be fed into the National Grid, the applicant has provided letters from two local companies indicating that useable heat can be recovered and made available to neighboring premises on the Sankey Valley Industrial Estate, thereby serving a local need in accordance with the requirements of Policy WM14 of the Waste Local Plan. An objector raises that one of these companies has gone into administration, however, it does not appear that this is the case. Furthermore, the location of the facility alongside an engineering company so it may be used as a demonstrator facility must be afforded some weight. On the basis of this, Officers consider that the proposal accords with the first part of Policy WM14.

7.11 Although not necessary for small scale energy from waste proposals that meet a local need, the applicant has submitted that the proposed development would meet a local waste disposal need. They argue that the proposal would utilize waste wood that would otherwise end up in landfill. As such they consider that there is a clear need for additional biomass energy recovery facilities, such as that proposed, in order to move biomass waste up the waste hierarchy away from landfill in accordance with the aims of PPS 10.

7.12 The Joint Waste Local Plan states that there is sufficient consented energy from waste generation capacity across the Merseyside sub region. However, the applicant argues that this mainly caters for mixed waste, which does not generate as much energy as wood when burnt alone. They submit that waste wood is too valuable a fuel to be used in a mixed waste facility and that there are no appropriate local energy from waste plants. This is leading to waste wood from a timber reclamation yard in Astley being sent to Lockerbie to be used as a fuel. If this development were to be granted planning permission, the Astley site would send its waste wood to Sankey Valley.

7.13 The applicant’s argument has been considered by MEAS and they have advised that the case provides a rationale for the development and that the proposal is compliant with the first part of WM14. It therefore falls to see whether the proposal complies with Policies WM12 and WM13.
7.14 Policy WM 12 ‘Criteria for Waste Management Development’ states that all proposals for new waste management development facilities will be expected to submit a report covering the general details of the proposed development and a written assessment and mitigation of the short, medium, long terms and cumulative impacts on its neighbours and the surrounding environment in terms of the: (1) Social, economic and environmental impact on the area, (2) Amenity impacts, (3) Traffic & transport impacts, (4) Heritage & nature conservation impacts, (5) Overall sustainability of the proposals (including carbon and energy management performance), (6) Hydrogeological/hydrological/geological impacts (for landfill and open windrow composting only).

7.15 Only criteria (1), (2), (3) and (5) are relevant to the determination of this application and they are dealt with in more detail in other parts of this report. In summary officers and MEAS consider that the proposal adequately addressed Policy WM12. The applicant has not provided the European Waste Codes of the fuel proposed to be used, but this would not be a reason to refuse planning permission.

7.16 As the site is not allocated for a waste use, Policy WM13 ‘Planning Applications for New Waste Management Facilities on Unallocated Sites’ states that planning permission will only be granted for additional waste management facilities on unallocated sites where the application has provided written evidence to demonstrate: (1) That a suitable allocated site is not available or suitable for their proposed use, (2) That the proposed site has been assessed against the criteria for built facilities used in the site selection process for allocated sites shown in Table 5.1, (3) The site will be sustainable in terms of its social, economic and environmental impacts and this has been demonstrated through Sustainability Appraisal and Habitats Regulations Assessment at the project level, (4) The proposal complies with the vision and spatial strategy for the Waste Local Plan and satisfies criteria in Policy WM 1 and WM 12.

7.17 Policy WM1 states that developers should develop sites allocated in the Waste Local Plan in the first instance and should only consider alternative sites if allocated sites have been developed out, are not available for the waste use proposed or can be demonstrated not to be suitable for the waste management operation proposed. Policy WM2 allocates sub-regional sites, WM3 allocates District level Sites and WM 5 identifies areas of search for additional small-scale waste management operations and re-processing sites.

7.18 The applicant says that the allocated sites in the Plan are unsuitable as they are not allocated for an energy from waste use. They have also argued that sites within the areas of search should be considered but these apply only to small-scale facilities such as waste transfer and recycling facilities and not energy from waste. MEAS accept that this is the case. In accordance with Policy WM13, the applicant has provided a justification to show the suitability of proposal site by scoring it in accordance with Table 5.1 in the Waste Local Plan compared to the allocated sites and land within areas of search. The site scores favourably compared with allocated sites and although MEAS consider that the applicant’s score of +8 is slightly higher than it should be, MEAS agree that the overall score places the site in the same general range as the sites which have been allocated. Therefore it is considered that the proposal complies with Policy WM 1 and WM13 of the Waste Local Plan.
In summary the proposal is considered to comply with Policies WM 1, WM 12, WM 13, and WM 14. The site is considered suitable in principle for an energy from waste use.

**Renewable Energy**

The applicant has stated that the proposal would be classed as renewable energy as it would be a form of biomass energy. The NPPF includes biomass in the definition of “Renewable and Low Carbon Energy” and therefore it is reasonable to accept this is a renewable technology.

Paragraph 98 of the NPPF states that when determining applications for renewable energy proposals, Local Planning Authorities should not require applicants for energy development to demonstrate the overall need for renewable energy and recognise that even small scale projects provide a valuable contribution to cutting greenhouse gas emissions.

The proposal would result in the generation of 4.8MW of electricity to be exported to the National Grid. It also would produce at least 2MW of usable heat that can be recovered and made available to nearby businesses. This should be afforded weight in determining this application.

**Effects On Amenity and Cumulative Impacts**

The application site is located on previously developed land, in an area that can generally be considered to be of an industrial nature, although there are residential properties within approximately 270m of the proposal.

In determining whether a site is suitable for a waste use, PPS10 and Policy WM12 (2) requires waste planning authorities to consider the likely impact on the local environment and amenity, including the cumulative effect of previous waste disposal facilities.

The process would require a permit from the Environment Agency which would cover the main environmental effects of the proposal such as emissions, noise, dust, odours and pests. The NPPF states that where developments are subject to a pollution control regime, such as an Environmental Permit, Local Planning Authorities should focus on whether the development is an acceptable use of land and the impact of the use rather than the control of processes.

The site is approximately 270m from the nearest residential property and therefore on the basis of consultation responses received, officers do not consider that the proposals would affect the amenity of their occupants through noise and disturbance or dust. As the fuel use is wood, there would be little potential for odours.

In terms of more local environmental impacts, Environmental Health have reviewed the proposals and they have advised that a noise management plan for on site vehicle operations and acoustic louvers for appropriate parts of the building is secured via condition to ensure noise generated is reduced to reasonable levels. No wood is to be processed on site and the wood fuel would be stored in an enclosed area which should be sufficient to control dust. Environmental Health have requested a condition requiring a management plan to ensure that dust does not affect the local environment.
7.28 Officers therefore consider that the proposal would not have a detrimental impact on amenity and that it complies with WM12 (2) and CP1.

7.29 Some objections have referred to Newton and Earlestown suffering from the impacts of the landfill site at Vista Road. Whilst there have been issues resulting from the operation of that site, it is considered that it would be difficult to refuse this application on the basis of cumulative impacts given that this is a different type of waste use and given that there is approximately 1.5km between the two sites.

**Design of the facility**

7.30 The National Planning Policy Framework states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It states that permission should be refused for the development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

7.31 PPS10 states that facilities should be well designed so that they contribute positively to the character and quality of the area in which they are located. Poor design is in itself undesirable, undermines community acceptance of waste facilities and should be rejected.

7.32 Policy WM 10 of the Waste Local Plan also deals with ensuring that the design and performance of waste management facilities does not adversely impact on the locality and achieve the best possible performance by achieving a very good BREEAM rating. MEAS are content that the applicant has shown a clear intention to do this and the information supplied suggests that the proposal would be compliant with Policy WM 10 of the Waste Local Plan.

7.33 In terms of its design it is considered that the proposal would fit in with the existing industrial character of the site and its surroundings. The extension to the building would utilise similar materials to the existing building and therefore would not appear out of character. Therefore it is considered that the proposal would provide a good quality of design appropriate to its character, and therefore is compliant with the NPPF, PPS10, Policy CP1 and Policy WM 10.

**Emissions Stack**

7.34 Concerns have been raised that the emissions from the plant would be detrimental to health. The proposed activity would require a permit from the Environment Agency that would regulate emissions to air from the site to safe levels. The Environment Agency raises no objections. As stated at 7.25 above the NPPF and PPS10 are clear when they state that if an activity is permitted the LPA should focus on whether the development itself is an acceptable use of land, and the impact of the use, rather than control the emissions themselves. Concerns have been raised that metals and plastics could be fed into the process alongside the waste wood. A small amount of these substances might be present in the wood being burnt, but this would be covered by the Environmental Permit, which is responsible for ensuring that emissions from the stack are at safe levels.

7.35 Notwithstanding this, the applicant has submitted a Dispersion Modelling Assessment to demonstrate that the proposed stack height is fit for purpose.
A stack height assessment was undertaken in the document to determine the minimum stack height required to ensure that residual emissions from the stack are at an acceptable concentration by the time they reach ground level at sensitive receptor locations (including residential properties). The applicant has proposed a 27m high stack and although this could lead to a very small increase in NO2 levels (0.1μg/m3) at Market Street, an area which already has an exceedence of Air Quality Limit Values for nitrogen dioxide, it is considered that this would have a very imperceptible magnitude of change and a negligible impact on air quality.

7.36 Overall negligible impacts have been predicted at all surrounding ground level locations for annual mean nitrogen dioxide and particulates in accordance with relevant guidance, and no significant impacts are predicted at ecological receptors. Environmental Health consider that a 27m high stack could ensure that the proposal would not lead to harmful emissions. They also advise that increasing the stack height from 27m would not achieve any further significant air quality benefits.

7.37 Officers consider that the proposal would comply with Core Strategy Policies CP 1 and CR 2 as it is considered that the proposal would ensure that the waste management facility is developed whilst minimising the impacts on the environment and communities of the Borough.

Highways

7.38 The waste wood to be utilised would be transported to site by road as this is the only means available. The principle vehicle movements associated with the energy plant will include HGVs used for the importation of waste wood. Other vehicle movements would involve HGVs for the removal of ash and smaller vehicles including staff.

7.39 On the basis of the importation of 45,000 tonnes of waste wood per annum, utilising lorries with a payload of 23 tonnes, this would equate to 12-15 movements per day depending on the exact number of weeks and days that the fuel would be delivered over. On the basis of a 12 hour working day this would equate to approximately 1 HGV movement per hour for fuel deliveries. In addition to this, in addition there would be an additional 2 HGV vehicle movements every four days to deal with recovery of ash from the facility. Smaller vehicle movements would average between 2 and 4 movements per day. The Senior Transport Engineer raises no objections to this level of vehicle movements.

7.40 Some objectors have referred to an appeal decision regarding the former Sankey Sugar Works site which indicated that relatively low levels of vehicle movements would be likely to have a detrimental impact on the amenities of people living on Market Street and Sankey Street. It is considered that the proposal will generate a similar number of HGV movements to that potentially generated by an industrial/storage & distribution centre, of similar size, located elsewhere in this long established industrial area. Traffic generation would not differ significantly from such uses, typically found on such Industrial Estates, and given the numbers anticipated, it is not considered that there would be a material impact upon the local highway network. Therefore it is considered that it would not be reasonable to refuse permission for the proposal as a result of its potential impact on amenities of people living on Market Street and Sankey Street. An objector has asked if Market Street is
subject to a weight limit – it is not, as it forms part of the designated freight route.

7.41 Furthermore, in terms of the level of industrial activity locally, it is worth noting that the Deacon Trading Estate is operating at a much reduced level of activity to historic levels, and whilst an industrial use may well continue here, this is considered unlikely, with a residential/retail use considered much more likely, given the extant permission here.

7.42 To summarise, whilst it is considered that the proposal would not generate a significant volume of additional HGV traffic movements, the level of industrial activity locally, is considered to be reduced from historic levels of activity in any case.

7.43 With reference to the objections regarding monitoring/surveying numbers of vehicles in the area, the Senior Transport Engineer considers that the application does not need to be accompanied by a full Transport Assessment given the scale of the development and numbers of vehicles involved.

7.44 With reference to objections regarding vehicle routing, planning guidance suggests that S106 agreements should not be used to specify HGV routing plans as this should be controlled through Traffic Regulation Orders (Highway Powers). The Vista Road agreement referred to the use of a specific haul route, constructed to provide access to Lyme and Wood Pit Landfill.

7.45 Notwithstanding this, it is not considered that a routing agreement is necessary as there is only one way in/out of the area from the A572 Crow Lane West, via Market Street and Sankey Street, and this is signed accordingly.

7.46 With 15 operational jobs being created as a result of the proposal, staff vehicle movements would not be significant especially as car-sharing and use of other means of transport such as public transport, cycling and walking could occur.

7.47 Overall, it is considered that the proposals are acceptable in highway terms and there are no objections, subject to appropriate conditions and informative notes being attached to any approval subsequently granted.

7.48 The proposal would comply with Core Stratgy policy CP 2 which state that all proposals for development within St.Helens will be expected to meet principles, except where specific locational requirements restrict the opportunity for ensuring a choice of travel.

Visual impact

7.49 As the proposal would require a 27m high x 1.5m diameter stack, it has the potential to impact upon landscape character and visual amenities. The application is accompanied by Photomontages, as well as a Photomontage Methodology and a Technical Assessment that assess the proposals impact on the landscape character and visual amenities of its surroundings.

7.50 St Helens have adopted a Landscape Character Assessment (LCA), which breaks the Borough into a number of landscape character types that describe the features of the landscape area, identifies whether these are positive or negative and recommends how the area can accommodate development.
7.51 The application site lies in area 12SS1 ‘Newton Le Willows’ Landscape Character Area, which is a large Character Area encompassing the whole of Newton Le Willows as a Separate Settlement.

7.52 Overall, the landscape strategy is Conserve & Restore. The Landscape Character Assessment notes the large industrial area visually encroaches into the high value Sankey Valley.

7.53 The application site is located in an industrial estate dominated by large fairly uniform industrial and business units with a number of telecommunication masts (one of which is 25m high) giving points of height above the average building line. There are also tall Poplar trees offering a natural counterpart to the masts. Because of this setting and these features, officers consider that the proposals will have a neutral effect on landscape character, which would be acceptable.

7.54 A number of photomontages have been submitted which provide sample views from locations around the site. The locations were identified by officers as sensitive locations during pre application discussions and they include; a view from Sankey Valley, a view from Earlistown Station, a view from the Deacon Trading Estate and a view from the bridge on Sankey Street. Officers consider that the photomontages have been adequately prepared to allow an assessment of the visual impact of the proposals. The submitted assessment of the photomontages suggests.

7.55 The photomontages are included in Section 10 of this report and they show that the proposed stack would have a very minor adverse visual impact. Officers therefore consider that the proposed development would not affect visual amenities or landscape character and is compliant with Policies CP1 and WM12 as it is considered that the design and appearance of the proposal takes account of its proposed location and its likely visual impact on its setting.

Other issues
7.56 Objectors have raised the impact of the proposal on property values. This is not a material planning consideration.

7.57 Although MEAS consider that a condition is required to secure biodiversity improvements, the Trees and Woodlands Officer does not consider that there are opportunities for landscaping in relation to this particular project. Given the nature of the site being mainly hardstanding and the industrial character of the area, as well as the of the Trees and Woodlands Officer, it is not considered that additional landscaping on the site is necessary.

8.0 Conclusions
8.1 The proposal is considered to be in an acceptable location and in accordance with the NPPF would constitute sustainable development. There are no objections from statutory consultees regarding amenity, pollution or highway safety and the proposal would bring forward a number of benefits including safeguarding existing jobs, creating new jobs and bringing significant investment into the Borough.
9.0 Recommendation

9.1 Grant permission subject to conditions:

**TIME LIMIT**

1. TLFP The development must be begun within three years of the date of this decision notice.

**DEVELOPMENT PARAMETERS**

2. DPPA The development shall be carried out in accordance with the following application drawings:
   - Drawing No. 2671/953/02 'Site Location Plan'
   - Drawing No. BEL4.8Mwe-007 SHEET 1 of 4 Revision B ‘Existing Elevations’
   - Drawing No. BEL4.8Mwe-007 SHEET 2 of 4 Revision B ‘Proposed Elevations’
   - Drawing No. BEL4.8Mwe-007 SHEET 3 of 4 Revision B ‘Proposed Elevations’
   - Drawing No. BEL4.8Mwe-007 SHEET 4 of 4 Revision B ‘Proposed Elevations’
   - Drawing No. BEL4.8Mwe-008 SHEET 1 of 2 Revision B ‘Planning Layout’
   - Drawing No. BEL4.8Mwe-008 SHEET 2 of 2 Revision B ‘Planning Layout’

3. STD No development shall take place until precise details of the external facing materials and finishes to be used have been submitted to and approved in writing by the Council as Local Planning Authority. The development shall be constructed in accordance with the agreed details and retained as such thereafter.

**HIGHWAYS**

4. STD Prior to commencement of development hereby approved details of the areas indicated on the submitted plans identified for parking and servicing shall be submitted to and approved in writing by the Council as Local Planning Authority. The areas identified shall be, surfaced, drained, permanently marked out/demarcated and implemented prior to first use, and retained for parking/servicing purposes thereafter.

5. STD No development shall take place until a scheme for the provision of cycle parking, in accordance with the Council’s current standards, has been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented as approved before any part of the development is brought into use and shall be retained as such thereafter. Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) no Building works, which reduce this provision, shall take place except following the express grant of planning permission by the Council.

6. STD No development shall take place until details of wheel wash facilities for all vehicles visiting the site during construction, have been submitted to and approved in writing by the Council as Local Planning Authority. Such details shall include plan(s) showing the location(s) of the facilities, hours of
operation and technical specifications of plant and equipment. Thereafter the wheel wash facilities shall be installed and operated in accordance with the approved details unless otherwise approved by the Council as Local Planning Authority.

ENVIRONMENT AGENCY

7. **STD** No development approved by this application shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
   - all previous uses
   - potential contaminants associated with those uses
   - a conceptual model of the site indicating sources, pathways and receptors
   - potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

8. **STD** Prior to the first use of the buildings/extension hereby a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

9. **STD** 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 a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
10. **NON STD** Prior to the commencement of development a dust management plan shall be submitted to and approved in writing by the local planning authority. The dust management plan shall be implemented as approved.

11. **STD** Unloading of wood, storage of wood, and loading and storage of ash shall not take place anywhere on the site except within the buildings.

12. **NON STD** Before the first use of the turbine and cooling tower system the noise mitigation measures outlined in Section 6 of noise assessment report (ref 8465-NIA-02-RevA dated 5/9/2013) carried out by Clement Acoustics shall be installed at the site. All works which form part of the noise mitigation scheme shall be retained at all times thereafter.

13. **NON STD** Details of a noise management plan shall be submitted to and approved in writing by the local planning authority before the use hereby permitted commences.

**RESTRICTIONS**

14. **NON STD** Only virgin wood or waste wood shall be used as fuel in the process hereby granted permission.

15. **STD** No development shall take place until existing and proposed site levels have been submitted to and approved in writing by the Council as Local Planning Authority. The development shall be carried out in accordance with the agreed levels.

16. **NON STD** The maximum throughput of waste wood shall not exceed 45,000 tonnes/annum. A log book of deliveries which keeps a running total of the amount of waste wood delivered to the site per annum shall be kept and made available for inspection by the Council upon request.

17. **STD** There shall be no deliveries of waste wood outside the following hours:

   Mondays to Saturdays 07:00 to 19:00.

   With no deliveries at all on Sundays and Bank Holidays

**REASONS:**

1. Section 91 (as amended) of the Town and Country Planning Act 1990.

2. For the avoidance of doubt.

3. To ensure that the development has a satisfactory appearance, in accordance with policy CP1 of the adopted St Helens Core Strategy (2012).

4. To ensure that adequate on-site provision is made for traffic generated by the use of the premises, including allowance for the safe circulation, manoeuvring, loading and unloading of vehicles, as well as parking, and that hard-surfaced areas are satisfactory in appearance in accordance with the
provisions of Policies CP 1, CP 2 and CIN 1 of the adopted St Helens Core Strategy (2012).

5. To ensure that adequate provision is made for parking cycles on the site; and to establish measures to encourage non-car modes of transport, natural surveillance and security; in accordance with the provisions of Policies CP 1 and CP 2 of the adopted St Helens Core Strategy (2012).

6. In the interests of road safety, to ensure that the highway network is kept free of detritus including mud, debris and loose material that would otherwise create a hazard for road users; in accordance with the provisions of Policies CP 1 and CP 2 of the adopted St Helens Core Strategy (2012).

7. To ensure that risks to the principle aquifer and surface water course are adequately assessed and mitigated and any contamination is treated to the satisfaction of the Local Planning Authority in accordance with national planning Policy Framework which states that as a minimum, after carrying out the development and the commencement of its use, the land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. Also in accordance with policy ENV26 of the St Helens Unitary Development Plan (1998) and CP1 of the adopted St Helens Core Strategy (2012).

8. To ensure a safe form of development which poses no unacceptable risk of pollution in accordance with policy ENV26 of the St Helens Unitary Development Plan (1998) and CP1 of the adopted St Helens Core Strategy (2012).

9. To ensure a safe form of development which poses no unacceptable risk of pollution in accordance with policy ENV26 of the St Helens Unitary Development Plan (1998) and CP1 of the adopted St Helens Core Strategy (2012).

10-13. To ensure that the development does not have a detrimental impact on amenity in accordance with policy CP1 of the adopted St Helens Core Strategy (2012).

14. To ensure that the development is carried out in accordance with the development approved.

15. In accordance with policy CP1 of the adopted St Helens Core Strategy (2012).

16. To ensure that the development is carried out in accordance with the development approved.

17. To ensure that the development is carried out in accordance with the development approved.

INFORMATIVES

1. The applicant is reminded that it is an offence to allow material to be carried from the site and deposited on or cause damage to the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek
to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and will prosecute persistent offenders under Sections 131, 148 & 149 of the Highways Act 1980.

2. Waste on site

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to our:
- Position statement on the Definition of Waste: Development Industry Code of Practice and;
- website at www.environment-agency.gov.uk for further guidance

3. Waste to be taken off site

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standards BS EN 14899:2005 ‘Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan’ and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to our website at www.environment-agency.gov.uk for more information.