BOROUGH OF KETTERING

Committee	**Full Planning Committee - 17/07/2012**	**Item No: 5.5**
Report Originator	**Michael Boniface Development Officer**	**Application No: KET/2012/0400**
Wards Affected	**Desborough Loatland**	
Location	**Eagle Avenue (land off), Desborough**	
Proposal	**County Matter Application: Full application for the erection and installation of energy centre with the capacity to produce combined heat and power (CHP) through energy from waste technology (EfW) at Magnetic Park, Desborough including associated buildings, plant and machinery, formation of access and associated works. Energy output is anticipated to be 32MW for 100% heat delivery (no electricity production) and 8mw for electricity generation (no heat delivery) (NCC Ref 12/00043/WASFUL)**	
Applicant	**Mr A Buxton Origin Renewable Energy Ltd**	

1. PURPOSE OF REPORT

For members to note the contents of the report and agree the recommendation below.

2. RECOMMENDATION

That the Council raise no objection to the proposed development subject to the following comments:

- S106 must require all HGV's to utilise the B576 and A6 to access the site and prohibit the use of local roads within the town.
- A high quality landscaping scheme should be sought to reduce the visual impacts of the development. This should include mature specimens that will provide some instant screening, particularly on views from the north west of Desborough where significant visual impacts are expected.
- Outdoor storage of waste arriving at the site or spoil arising from the processing must be prohibited by condition to avoid visual and odour impacts.
- All noise mitigation measures proposed within the Environmental Statement (ES) should be secured by condition. The County Council should ensure that the ES is scrutinised by a qualified Environmental Health Officer/Acoustic expert.
- Air quality and odour mitigation measures identified in the ES must be secured by condition.
- Details relating to the design of all proposed boundary fencing should be secured for approval via condition to ensure an appropriate appearance. Palisade style fencing is visually obtrusive and should not be allowed. A welded mesh style fence matching that used on adjacent plots would be more appropriate.

- All mitigation measures proposed in relation to ground conditions, hydrogeology, hydrology, drainage and flood risk should be secured by condition.
- The Ecological section of the ES should be assessed by a qualified ecologist and the Council suggests that details are referred to both The Wildlife Trust and Natural England for advice.
- The Cultural Heritage section of the ES should be assessed by a qualified conservation expert and should be referred to English Heritage for advice. Some concern regarding the height of the proposed chimney stack is raised, particularly due to potential views alongside heritage assets such as the spire of the Grade I listed Church in Desborough.

Officers Report

3.0 Information

Relevant Planning History
KET/2008/0332 – Extension to existing internal service road – APPROVED 17/06/2008

KET/2006/1136 – 3m landscaping bund to the east of The Grange industrial estate – APPROVED 04/04/2007

KET/2006/0735 – Road improvements to Harborough Road and Stoke Albany Road – APPROVED 29/12/2006

KET/2006/0734 – Reserved Matters: Phase 1 of business park – APPROVED 29/12/2006

KET/2004/0760 – Outline: Business Park – APPROVED 29/11/2005

Site Description
Officer's site inspection was carried out on 26th June 2012.

The site extends to an area of 1.68Ha within an established industrial estate, Magnetic Park which comprises a number of existing large industrial buildings. Magnetic Park lies to the north of Desborough with a modern residential development directly to the south. Arable fields otherwise surround the industrial estate.

Proposed Development
Energy centre with the capacity to produce combined heat and power (CHP) through energy from waste technology (EfW) including associated buildings, plant and machinery, formation of access and associated works. Energy output is anticipated to be 32MW for 100% heat delivery (no electricity production) or 8MW for electricity generation (no heat delivery).

The buildings would be of significant scale, the principal structure measuring 99m x 50m and up to 30m in height. In addition a chimney stack would stand at 53m. Smaller ancillary buildings comprising the condenser farm, boilers, turbine hall, substation and visitor centre would stand alongside.

Any Constraints Affecting The Site
None within the site.

4.0 Consultation and Customer Impact

Northamptonshire Country Council (NCC) is the Local Planning Authority for waste matters and is the determining authority in this instance. Kettering Borough Council (KBC) is a consultee only and is invited to comment on the application given its location within the administrative boundary of Kettering Borough. The consultation process will be managed and conducted in its

entirety by NCC and no further consultations are necessary by KBC.

22 objections have been received from third parties raising the following concerns:

- Visual Impact.
- Odour.
- Impact on house prices.
- Will deter people form locating in Desborough, could attract the wrong type of people and increase crime.
- Air quality and health impacts.
- Noise and disturbance.
- Proximity to housing and amenity issues.

5.0 Planning Policy

National Planning Policy Framework
Part 1 – Building a strong, competitive economy
Part 4 – Promoting sustainable transport
Part 7 – Requiring good design
Part 10 – Meeting the challenge of climate change, flooding and coastal change
Part 11 – Conserving and enhancing the natural environment
Part 12 – Conserving and enhancing the historic environment

Planning Policy Statement 10 – Planning for Sustainable Waste Management

Development Plan Policies

East Midlands Regional Plan (2009)
2 – Promoting Better Design
26 – Protecting and Enhancing the Region's Natural and Cultural Heritage
27 – Regional Priorities for the Historic Environment
38 – Regional Priorities for Waste Management
40 – Regional Priorities for Low Carbon Energy Generation

East Midlands Regional Waste Strategy (2008)
Northamptonshire Minerals and Waste Development Framework Core Strategy DPD (May 2010)
Northamptonshire Minerals and Waste Development Framework, Location for Waste Development DPD (2011)

North Northamptonshire Core Spatial Strategy (2008)
1 – Strengthening the Network of Settlements
8 – Delivering Economic Prosperity
9 – Distribution and Location of Development
13 – General Sustainable Development Principles
14 – Energy Efficiency and Sustainable Construction

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Purpose of this Report;
2. Principle of Development;
3. Ground Conditions and Hydrogeology;
4. Hydrology, Drainage and Flood Risk;
5. Biodiversity;
6. Cultural Heritage;
7. Landscape;
8. Design;
9. Visual;
10. Noise;
11. Air Quality;
12. Transportation and Highways;
13. Socio-economics;
14. Cumulative Effects;

1. Purpose of this Report

The purpose of this report is to consider the information submitted in support of a full planning application and to provide comments to Northamptonshire County Council as the determining authority. Members are asked to consider the details below and agree the comments.

2. Principle of Development

The application proposes a Combined Heat and Power (CHP) plant that will provide an Energy Centre using renewable technologies within the industrial area of Magnetic Park. The plant will use an Energy from Waste (EFW) process known as 'gasification' to convert household and business waste into heat and power with potential for use by nearby houses and businesses as well as supplying electricity to the National Grid. The plant will have potential to produce 8MW of electricity or 32MW of heat or a combination of heat, steam and electricity.

The proposed Energy Centre will utilise several renewable technologies including solar panels and small roof wind turbines incorporated into its design. It will also create a new venue available for the community in the form of a visitors centre, offering educational, meeting and conferencing facilities.

The development would have climate change benefits by providing an alternative to fossil fuels as well as offering a decentralised energy source close to centres of population and industry. It would also reduce the amount of waste currently disposed of by landfill.

PPS10 details the overall objective of Government policy on waste, as set out in the strategy for sustainable development, to protect human health and the

environment by producing less waste and by using it as a resource wherever possible. By more sustainable waste management, moving the management of waste up the 'waste hierarchy' of prevention, preparing for reuse, recycling, other recovery, and disposing only as a last resort, the Government aims to break the link between economic growth and the environmental impact of waste. This means a step-change in the way waste is handled and significant new investment in waste management facilities. It does however stress that new waste management proposals should be considered alongside other spatial planning concerns, such as transport, housing, economic growth, natural resources and regeneration, recognising the positive contribution that waste management can make to the development of sustainable communities.

The submission suggests that the facility would be brought forward alongside a residential led mixed use development on land to the north of Desborough and that the energy generated could be used to power the large number of news homes and businesses expected to locate in the town. Whilst this is an admirable aim, planning permission is yet to be granted for this development by the Borough Council and the scheme is not linked to this development in planning terms. There could be no guarantee therefore that the electricity generated by the facility would be used for this purpose. Nonetheless, the scheme has potential to generate a significant amount of renewable energy in line with the aims of government policy as set out above.

Policy 40 of the East Midlands Regional Plan (2009) sets out a requirement to promote Combined Heat and Power (CHP) and district heating infrastructure in order to achieve the regional target of 1120 MWe by 2020. No CHP facilities have been delivered in North Northamptonshire since adoption of the plan and significant under delivery is noted in the East Midlands Region as a whole. The proposed development would contribute up to 8MW of electricity, 0.71% of the target.

The East Midlands Regional Waste Strategy sets out principles for reducing the amount of waste land filled and encouraging a flexible approach to other forms of waste recovery. Northamptonshire County Council's Core Strategy DPD sets out the need for sustainable waste management facilities and identifies a Central Spine across the county which will form an "area of focus for waste development, particularly integrated and advanced treatment facilities".

Overall, there is support in planning policy for the form of development proposed and the Council should not therefore raise an objection to the proposal in principle. The County Council must consider the proposals in the context of this policy support but ensure that all other material planning considerations are considered. Detailed submissions are made in the Environmental Statement accompanying the application and are considered below.

3. Ground Conditions and Hydrogeology

The proposed development is underlain by natural ground comprising layers of Boulder Clay, Northampton Sand and Upper Lias Clay. An ironstone quarry

was historically located to the south east of the site but did not extend into the application site. The submitted information does not identify any potential issues in terms of ground water drainage and whilst some degree of contamination was noted in the surrounding ground (the infillled quarry), this is not expected to extend into the site itself. Subject to standard mitigation measures, no significant impacts to ground conditions or hydrogeology will result.

4. Hydrology, Drainage and Flood Risk

There are no hydrological features on the site. Surface water run-off from the site drains to the River Jordan, a tributary of the River Welland, with the confluence of the two approximately 6.5km northwest of the application site in Marker Harborough. The site does not lie within an area of potential risk of river flooding identified by the Environment Agency. The development would involve buildings and hard surfacing which have the potential to increase surface water run-off and water quality. The development would therefore be linked into the existing drainage system at Magnetic Park, including a balancing lagoon adjacent to the B576 roundabout. The on-site drainage system will also incorporate measures to trap and treat surface water before discharge into the wider sewage network. The measures will ensure runoff from the site is maintained at existing rates, does not increase flood risk or impact on water quality.

5. Biodiversity

An extended Phase 1 Habitat Survey of the site was carried out in support of the application. The site comprises a linear shaped area of previously cleared land adjoining recent industrial development. Due to its disturbed nature, habitat diversity is restricted to small areas of scrub, a single hedgerow and some tall herbs and early colonising vegetation, and the site is largely isolated from other semi-natural habitats. Busy roads surround the site perimeter. No evidence indicating the presence or use of the site by protected species was recorded during the survey and the limited habitat reduces the likelihood of any such use.

Three Local Wildlife sites are identified in the vicinity of the site, the closest being approximately 500m from the site. A SSSI (Stoke and Bowd Lane Woods) is also identified approximately 1.5km to the north. The submitted Environmental Statement does not anticipate any detriment to these areas.

Whilst no significant ecological impacts have been identified, it is considered that the scheme is significant in scale and its nature is such that far reaching impacts could result. The Council should raise this as a concern with the County Council and advise that The Wildlife Trust and Natural England be consulted.

6. Cultural Heritage

There are no known archaeological remains within the site. There are no scheduled ancient monuments, historic parks and gardens or battlefield sites within 2.5km of the proposed development. Within 1.5km of the site there are a total of 43 non-designated sites and finds recorded in the Historic

Environment Record (HER) for Northamptonshire. There are no designated historic buildings either within the site or within 1km of the site. Desborough Conservation Area lies approximately 750m to the south of the development. There are 8 listed buildings identified within Desborough itself, including the Grade I listed Church of St. Giles all of which are over 1km south of the site.

The submitted Environmental Statement concludes that no adverse impact would result to cultural heritage. The site was assessed for archaeological significance in 2007 and no finds were discovered. The historic buildings and conservation area identified within the town are considered to be sufficiently removed as to avoid any impacts on their setting.

It is considered that significant adverse impacts are unlikely given the industrial context of the site, the large industrial building (Great Bear) intervening between the site and the town and the separation distance involved. While this is so, the proposed chimney will stand with some prominence on elevated ground relative to the town. Its maximum height would be 53m and potential therefore exists for views alongside the steeple of the Grade I Listed Church. Some viewpoint analysis has been carried out however it is considered important that expert advice be obtained from a qualified conservation expert to establish any adverse impacts. It is therefore proposed that the Council's comments include such advice and suggest consultation with English Heritage.

7. Landscape

The submitted assessment looks at the character of the surrounding landscape, landscape designations and landscape elements within the site. The assessment notes the location of the site within an industrial area and that very little change to the character of the area would result following the proposed development despite the scale and height of the building and chimney stack. It is suggested that intervening built form and vegetation would limit any wide views of the site and that any potential views would be limited and sporadic in their nature, mainly being of the tall chimney stack. The assessment considers potential views from Rushton Hall and its registered parks and gardens as well as the registered park and garden at Harrington (Scheduled Monument). No significant adverse impacts are anticipated and some landscape benefits are noted from proposed landscaping. The findings of the assessment are largely accepted subject to the comments set out above in relation to views affecting heritage assets.

8. Design

The building is functional in its appearance but incorporates a contemporary form that reflects the innovative design of the adjacent warehouse. Its scale and is generally proportionate to other large buildings within the industrial area although the tall chimney stack will be prominent. The drawings provided suggest the use of palisade style fencing around the perimeter. This type of fencing if highly industrial in appearance and creates a oppressive and undesirable appearance from the public realm in contrast to the more light weight wire mesh style fencing used on adjacent industrial plots. The type of fence should therefore be altered.

9. Visual

A detailed visual appraisal has been undertaken including photographic viewpoints from 34 locations surrounding the site. The assessment again notes that the site is well located in an established industrial area which contains large industrial buildings. Locally the Great Bear warehouse is likely to screen much of the proposed development however it is noted that significant adverse views are likely to be experienced by receptors at the north west edge of Desborough. Landscaping would be used to screen the structure as far as possible and would provide limited mitigation increasing with time as trees matured but could never screen the structure in its entirety. In all other areas, visibility would be more limited due to intervening built form and vegetation and generally restricted to taller elements of the structure such as the stack. Some adverse visual impacts are inevitable with a scheme of this nature and scale however the development would be seen in the context of the existing industrial estate and the adverse impacts identified are not considered to be so detrimental as to warrant an objection from the Borough Council.

10. Noise

The noise sensitive receptors which have the potential to experience significant noise are primarily residential dwellings on the north edge of the town as well as Dobb Hall Farm which is located approximately 300m to the north of the site. Noise monitoring has been carried out at various locations to establish the existing noise characteristics and this includes data from both daytime and night time. Ambient noise levels are heavily influenced by distant road traffic, primarily from the A6, the Rigid Containers Factory and HGV movements and reversing alarms associated with the Great Bear warehouse. Potential impacts have been assessed against established criteria (BS5228 Noise and vibration control on construction and open site and BS4142 Method for rating Industrial Noise in Mixed Residential and Industrial Area) and a range of noise mitigation measures are proposed. Proposed mitigation includes the use of silencers and insulation, SMART reversing alarms and imposition of noise limits as part of a package of measures. Subject to these mitigation measures, the applicant does not anticipate any significance adverse impacts in terms of noise.

Northamptonshire County Council should ensure that the submitted noise data is scrutinised by a qualified Environment Health Officer/Acoustic consultant in order that the submitted data is independently verified. All proposed mitigation should be secured by way of condition.

11. Air Quality

During its operation, the energy from waste plant will thermally treat waste and burn the resulting gas to generate electricity. The plant will include technology which cleans the emission gas before it is released into the air. Air quality pollutants emitted by the processes are mitigated by the detailed design of the processes and comprehensive exhaust gas clean up systems. Stack height assessments concluded that a stack height of 53m is likely to result in sufficient dispersion of pollutants to ensure a negligible effect upon air quality.

The applicant has used computer modelling to predict how the emissions from the processes may affect air quality in the local area and how they might affect

local residents and wildlife. The results of the modelling are compared against the quality target values set by Government to protect human health and wildlife. Whilst some amount of air pollution is likely to result from a development of this nature, the submitted information indicates that no significant impacts would result to human health of wildlife and air quality would be maintained within recognised limits. The operation of the plant will require an Environmental Permit to be issued by the Environment Agency and this will provide an addition level of scrutiny and control in this regard.

During the construction and operation of the proposed development, dust may be generated that could affect the local area. Measures are therefore proposed to mitigate these impacts including damping down unsealed surfaces and stockpiles, wheel and body washing of mobile plant and sheeting of lorries.

The nature of the development is such that potential exists for odour impacts and measures are again proposed to reduce the likelihood of impacts in this regard. Process areas would be fitted with fast acting doors, the processing areas will be kept below atmospheric conditions to create a negative pressure draw and contain odours. Air extracted from the reception area will be used as combustion air for the process which will ensure that odorous compounds are destroyed by the high temperatures in the process. Again, it will be important that all of these proposed mitigation measures are secured by condition.

12. Transportation and Highways

The application is accompanied by a comprehensive Transport Assessment which models anticipated traffic flows. A Travel Plan is also provided which

details alternative modes on transport to and from the site and seeks to encourage sustainable transport.

It is considered important that heavy vehicles do not access the site through the town or residential areas and a routing agreement has therefore been provided requiring such vehicles to utilise the A6 and B576. This would need to be secured via S106 of the Town and Country Planning Act 1990.

The proposed development would generate around 50 HGV movements per day during the construction period which is anticipated to be 24 months. Once operational, 40 HGV movements per day are expected. A further 20 movements per peak hour will be generated by light vehicle trips such as commuting staff and visitors to the Visitor Centre.

The Transport Assessment demonstrates that the operational movements will represent a relatively small addition to total vehicle movements on the B576 and A6, a maximum increase of 0.5% and 0.4% respectively. The scheme would have very little impact on existing road conditions either in terms of journey times or accident rates.

13. Socio-economics

The applicant predicts that the development would create a minimum of 39 permanent jobs through a combination of direct and indirect employment,

together with induced employment by sustaining local economic activity. Furthermore, the development will provide a secure and sustainable source of heat and power for both local businesses and nearby residential uses.

It is considered unlikely that the development would dissuade any future development in the town particularly given the existing industrial nature of the surrounding land. The Visitors Centre can be used to educate local people about the development and its benefits.

14. Cumulative Effects

The Environmental Statement considers the potential for cumulative impacts arising from the development in combination with existing land uses including other waste disposal sites in the vicinity but concludes that no unacceptable cumulative impact would result.

Conclusion

Having considered the submitted information, the Council should raise no objection to the proposal subject to the following comments which should be considered and addressed by Northamptonshire County Council:

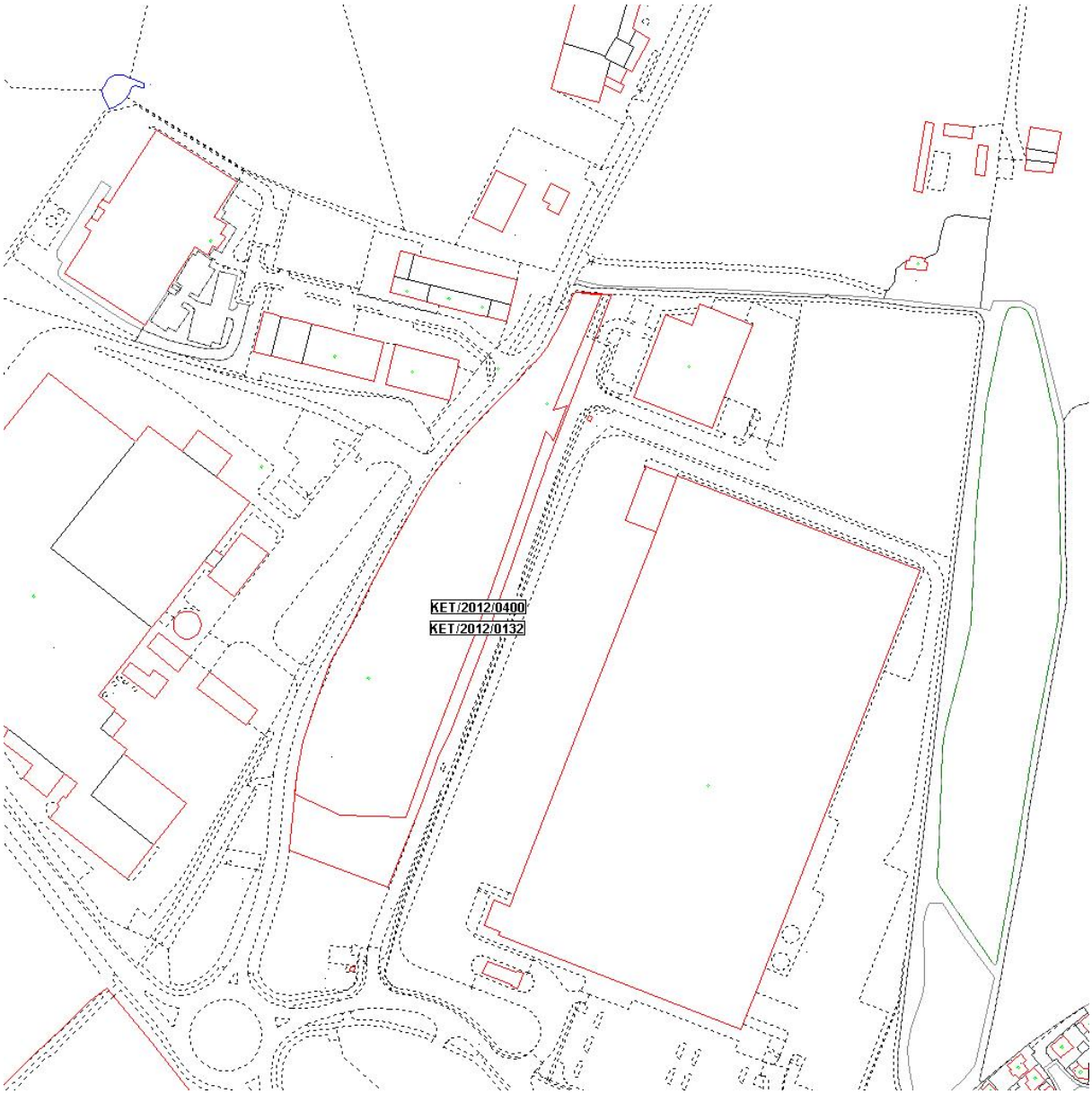
- S106 must require all HGV's to utilise the B576 and A6 to access the site and prohibit the use of local roads within the town.
- A high quality landscaping scheme should be sought to reduce the visual impacts of the development. This should include mature specimens that will provide some instant screening, particularly on views from the north west of Desborough where significant visual impacts are expected.
- Outdoor storage of waste arriving at the site or spoil arising from the processing must be prohibited by condition to avoid visual and odour impacts.
- All noise mitigation measures proposed within the Environmental Statement (ES) should be secured by condition. The County Council should ensure that the ES is scrutinised by a qualified Environmental Health Officer/Acoustic expert.
- Air quality and odour mitigation measures identified in the ES must be secured by condition.
- Details relating to the design of all proposed boundary fencing should be secured for approval via condition to ensure an appropriate appearance. Palisade style fencing is visually obtrusive and should not be allowed. A welded mesh style fence matching that used on adjacent plots would be more appropriate.
- All mitigation measures proposed in relation to ground conditions, hydrogeology, hydrology, drainage and flood risk should be secured by condition.
- The Ecological section of the ES should be assessed by a qualified ecologist and the Council suggests that details are referred to both The Wildlife Trust and Natural England for advice.
- The Cultural Heritage section of the ES should be assessed by a qualified conservation expert and should be referred to English Heritage

for advice. Some concern regarding the height of the proposed chimney stack is raised, particularly due to potential views alongside heritage assets such as the spire of the Grade I listed Church in Desborough.

Background Papers		**Previous Reports/Minutes**
Title of Document:		Ref:
Date:		Date:
Contact Officer:	Michael Boniface, Development Officer on 01536 534316	

SITE LOCATION PLAN

Eagle Avenue (land off), Desborough
Application No.: KET/2012/0400



N

LA078344

Date: 13/06/2012 Do not scale from this map. For illustrative purposes only.