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Your Ref:
Date: 16 December 2013

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Dear Mr Atkinson

Morton on the Hill: Land at Atlas Works, Norwich Road, Lenwade: Request for Screening Opinion for proposed waste recovery and refuse derived fuel production use on land at Atlas Works, Norwich Road, Lenwade: Generation Green Ltd

I refer to your correspondence of 25 November 2013 requesting a Screening Opinion in accordance with Regulation 5 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 ('the EIA Regulations') for the above development.

The proposed development seeks to provide a waste recovery and refuse derived fuel (RDF) production facility on land at the existing Atlas Works Site in Lenwade, an existing employment area. The development would comprise a new building creating 10,000 metres² of floor space (with the demolition of the existing one) which would accommodate bespoke plant and machinery to dry and sort household and commercial waste streams. Recyclable material would be recovered during the process with the non-recyclable residue processed into a high quality RDF which would then be used off site to create power. It is proposed that the development, which would occupy some 2.16 hectares of land would have the capacity to treat 200,000 tonnes of waste per annum. Access to the site would be from the A1067 Norwich Road. The building proposed would largely be 10 metres height although a section of it would be 15 metres high in order to accommodate the plant required.

The site forms part of WAS 78 that is an allocation within the County Council's adopted Waste Site Specific Allocations Development Plan Document (DPD) adopted earlier this year. The scheme and therefore this Screening Opinion does not relate to the 'Gasification building site' that is also identified on drawing reference S4R55087 (Appendix D).

The site is not the subject of any statutory designations. It is however 215 metres away from the River Wensum Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI). Alderford Common SSSI is also just over 1.3 kilometres to the north east.

The development does not fall within Schedule 1 of the EIA Regulations.

The development proposed would fall into Schedule 2 of the EIA Regulations, namely paragraph 11(b): *Installations for the disposal of waste*. Whilst paragraph 1.2.2 of your Screening Report has been noted, the term 'disposal', as referred to in paragraph 11(b), has to be interpreted to include recovery too as confirmed by the European Court of Justice in case C-486/04, *Commission v Italy*. Because the site would be some 2.16 hectares in size, it would exceed the 0.5 hectare threshold referred to Column 2 (the applicable thresholds and criteria).

Schedule 2 development requires EIA to be undertaken if the scheme is likely to have 'significant environmental effects' because of factors such as its nature, size or location. In accordance with regulation 4(6) of the EIA Regulations, I have taken account of Schedule 3 in determining whether the proposal would require an EIA. Under Schedule 3, the matters to be considered are the characteristics of the development, the location of the development, and the characteristics of the potential impacts.

In terms of the characteristics of the development, whilst the proposed building would be sizeable, it would not be considered significant given the surrounding industrial and commercial land uses, and buildings/structures, which it would be in keeping with.

It is not anticipated that there would be an unacceptable risk of pollution and nuisances occurring providing the site is operated to the standards required by the relevant pollution control authority, and also given that the operation would be conducted within a bespoke building which would be kept under negative pressure in order to prevent uncontrolled odour emissions. Furthermore, it is not considered that there would be a high risk of accidents when considering both the waste streams and recycling/recovery process proposed.

With regard to the location of the scheme, this nature development would be consistent with the rest of immediate surrounding land use which is industrial in its nature, and there would not be a 'significant' impact on the surrounding landscape given the height of the building proposed. The site is not within a sensitive area in respect of any of the other areas or land uses listed under paragraph 2 of Schedule 3 of the EIA Regulations, and is not within a densely populated area. Whilst the site is in close proximity of the River Wensum SAC, as outlined above, the assessment of the site conducted through the adoption process of the Waste Site Allocations DPD concluded that subject to a number of measures, including the operations being conducted within a building (as proposed), then there should be no adverse effects on the integrity of the SAC.

In terms of the characteristics of the potential impacts e.g. noise, odour, any that may occur when vehicles are depositing or removing waste (the recycling/recovery operation itself would take place within the building proposed), would be local in their nature and would be restricted to the neighbouring land which is itself largely used for industrial purposes. Any impacts would not have a high level of magnitude or complexity thus they are not considered 'significant' in the context of the regulations.

In conclusion, the development is not one that which is considered to have significant effects on the environment in the context of the Town and County Planning (Environmental Impact Assessment) Regulations 2011, and therefore the proposed development will not require an Environmental Impact Assessment to be undertaken.

In coming to this decision I have given regard I have had regard to paragraph A.36 of Annex A to Circular 02/99: 'Environmental Impact Assessment'. This provides further guidance on screening planning applications for installations for the disposal of non-hazardous waste, and it advises that EIA is more likely to be required where new capacity is created to hold more than 50,000 tonnes of waste per year, or to hold waste on a site of 10 hectares or more. Clearly the proposal would considerably exceed the first of these criteria however this is, as stated above, guidance only. Furthermore, I have also given regard to the Secretary of State's decision of 17 December 2009 which was that a development in the vicinity of this site for an extension to an existing waste metal recycling and recovery facility with a total proposed throughput of circa 163,500 tonnes, would not be likely to have significant effects on the environment by virtue of factors such as its nature, size or location, hence no EIA was deemed necessary for that development.

Notwithstanding the above, it is expected that an application should contain sufficient information to allow it to be fully assessed, including information requirements detailed in the County Council's adopted Local List, with particular regard to those issues highlighted in the Waste Site Allocations DPD including the impact on the highway network, local landscape and amenity.

If you have any queries please do not hesitate to contact me.

Yours sincerely

R. Cox

Ralph Cox MRTPI
Principal Planner (Development Management)