

<b>APPLICATION NO</b>	<b>PA/2017/176</b>
<b>APPLICANT</b>	Mr Robert Greenow, BioG UK Ltd
<b>DEVELOPMENT</b>	Application for minor material amendment WD/2015/1196 for addition of a gas dome to the digester, replace the 499kw CHP unit with 2 x 400kw units within the single container and add 2 x 199kw biogas boilers
<b>LOCATION</b>	CorrBoard UK Ltd, Waldo Way, Normanby Enterprise Park, Scunthorpe
<b>PARISH</b>	Flixborough
<b>WARD</b>	Burton upon Stather and Winterton
<b>CASE OFFICER</b>	Scott Jackson
<b>SUMMARY RECOMMENDATION</b>	<b>Grant a minor material amendment subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Flixborough Parish Council

## **POLICIES**

**National Planning Policy Framework:** Paragraph 14 sets out that there is a presumption in favour of sustainable development which lies at the heart of the NPPF.

Paragraph 19 states that significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 32 states that plans and decisions should take account of whether safe and suitable access to the site can be achieved for all people.

Paragraph 34 states that plans and decisions should ensure developments which generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Paragraph 56 states that good design is a key aspect of sustainable development, it is indivisible from good planning and should contribute positively to making places better for people.

Paragraph 93 states that planning plays a key role in supporting the delivery of renewable and low carbon energy and associated infrastructure.

Paragraph 120 states that planning policies and decisions should ensure that new development is appropriate for its location and that the effects of pollution on health, the natural environment, general amenity and the sensitivity of the area or development to adverse effects from pollution should be taken into account.

Paragraph 121 states that sites must be suitable for their new use taking account of ground conditions and land instability, and that after remediation, as a minimum, land should not be capable of being determined as contaminated land.

Paragraph 122 states that local planning authorities should focus on whether the development itself is acceptable use of the land, and the impact of the use, rather than the control of processes or emissions which are subject to approval under pollution control regimes.

### **National Planning Policy for Waste**

When determining waste planning applications, waste planning authorities should:

- only expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date local plan. In such cases, waste planning authorities should consider the extent to which the capacity of existing operational facilities would satisfy any identified need;
- recognise that proposals for waste management facilities such as incinerators that cut across up-to-date local plans reflecting the vision and aspiration of local communities can give rise to justifiable frustration, and expect applicants to demonstrate that waste disposal facilities not in line with the local plan will not undermine the objectives of the local plan through prejudicing movement up the waste hierarchy;
- consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B and the locational implications of any advice on health from the relevant health bodies. Waste planning authorities should avoid carrying out their own detailed assessment of epidemiological and other health studies;
- ensure that waste management facilities in themselves are well-designed, so that they contribute positively to the character and quality of the area in which they are located;
- concern themselves with implementing the planning strategy in the local plan and not with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced.

**North Lincolnshire Local Plan:** Policies DS1 (General Requirements), DS11 (Polluting Activities), DS21 (Renewable Energy), W1 (Applications for Waste Management Facilities), W2 (Groundwater Protection), W6 (Transportation of Waste), W9 (Handling of Waste), W17 (Anaerobic Digestion), T1 (Location of Development) and T2 (Access to Development) apply.

**North Lincolnshire Core Strategy:** Policies CS1 (Spatial Strategy for North Lincolnshire), CS2 (Delivering more Sustainable Development), CS5 (Delivering Quality Design in North Lincolnshire), CS11 (Provision and Distribution of Employment Land), CS19 (Flood Risk) and CS20 (Sustainable Waste Management) apply.

### **Supplementary Planning Document: Planning for Renewable Energy Development**

#### **CONSULTATIONS**

**Highways:** No objection.

**Environment Agency:** No objection. The proposed plant will require a relevant environmental permit, from us. The permit will require certain infrastructure including bunding of waste process and storage areas and abatement of reception buildings. All waste storage and process areas will need to be on impermeable pavement with sealed drainage. If the conditions of a standard rules permit cannot be met the applicant will have to apply for a bespoke permit. It is normally expected that a standby emergency flare is available for emergencies and maintenance down time. Adequate digestate storage capacity will need to be provided for times when digestate cannot be spread to land over the winter months.

**Environmental Health:** No objection.

**Historic Environment Record:** No objection.

## **FLIXBOROUGH PARISH COUNCIL**

Objects on the grounds that no assurance was given that the odour from raw sewage would be mitigated.

## **PUBLICITY**

Neighbouring land users have been notified and a site notice displayed. No comments have been received.

## **ASSESSMENT**

The application site consists of a flat area of ground to the rear (south) of the Corrboard factory, located on the Normanby Enterprise Park. The site contains an area of hardstanding to its western edge and is predominantly laid to grass. The ground level is significantly lower than that of the public highway to the west and south, a difference of approximately 5 metres. Buildings in the vicinity of the site include factories, offices and distribution centres. The site is located 3.15 kilometres to the north of Scunthorpe town centre, within the settlement boundary and approximately 1.16 kilometres to the south-east of Flixborough village.

This application is seeking a minor material amendment to the approved scheme (WD/2015/1196) to consider the following revisions:

- increase the output of the Combined Heat and Power (CHP) plant from 499KW to 800KW
- addition of a gas dome onto the digester and decrease to 28 metres
- addition of a container to be sited alongside the Combined Heat and Power container (CHP) to house 2 x 199KW biogas boilers.

**The main issues in the determination of this planning application are the principle of development, and impact on the character and appearance of the area, and residential and local amenity.**

## **Principle**

The principle of development for an Anaerobic Digestion (AD) facility at this existing factory has already been established through the granting of planning permission for application WD/2015/1196. This application seeks alterations to the approved scheme; there will be no increase in the level or type of traffic movements at the site and the increase in the output of the AD plant will be regulated through an environmental permit by the Environment Agency.

## **Character and appearance**

The impact of the proposal upon the character and appearance of the area was fully assessed in the committee report for planning application WD/2015/1196. Therefore there is a requirement to only consider the amendments being sought in this case. The plans submitted in support of this application clearly show that the boiler container and the additional dome to one of the digesters are the only visual alterations proposed at the site. The additional dome will be of the same scale, height and colour finish as the approved dome; this ensures visual assimilation with the prevailing sky colour and the dome approved to the storage tower. In addition this dome will be viewed against the built backdrop of the large, bulky factory building directly to the north. The proposed gas boilers will be housed within a storage container which is of similar scale and height to the CHP unit located directly to the east. This structure will be screened to the rear of the larger, taller and bulkier digester and end storage tower located to the south and west. In addition the biogas boiler storage container will be finished in a forest green colour to ensure visual assimilation with the factory building to the north. This additional structures and dome will not be highly visible in the surrounding landscape and will not result in an alien or discordant feature on the industrial estate.

## **Residential amenity**

The nearest residential property is located more than 1 kilometre to the south-east of the site and 1.16 kilometres to the north (Lodge Lane in Flixborough). These separation distances are considered sufficient to negate any potential for loss of residential amenity arising from odour or noise. The Environment Agency has commented that this proposal will be regulated through an environmental permit and no major concerns have been identified about issuing a permit for this development in its amended form. However, the output of the CHP plant is increasing from 499KW to 800KW. Whilst it is acknowledged there is an increase in the output (energy generation) from the facility the local planning authority remains satisfied that issues relating to odour, noise and emissions (the issues raised by Flixborough Parish Council) can be mitigated through the environmental permit issued by the Environment Agency. In addition this facility will continue to be regulated through the Environmental Permit issued by the Environment Agency.

## **RECOMMENDATION      Grant a minor material amendment subject to the following conditions:**

1. The development hereby permitted must be begun before 27 April 2019.

### **Reason**

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: PA/2017/176/01 and PA/2017/176/02.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

No development shall take place until a construction phase traffic management plan showing details of all associated traffic movements, including delivery vehicles and staff/construction movements, any abnormal load movements, contractor parking and welfare facilities, storage of materials and traffic management requirements on the adjacent highway, has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary throughout the construction period.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

4.

No development shall take place until a biodiversity management plan has been submitted to and approved in writing by the local planning authority. The plan shall include:

- (a) details of measures to avoid harm to nesting birds and habitat features identified in the submitted ecological appraisal during site clearance and construction works;
- (b) prescriptions for enhanced management of retained grassland to benefit plant and invertebrate diversity; and
- (c) monitoring procedures and remedial measures triggered by monitoring.

Reason

To protect features of recognised nature conservation importance in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

5.

The waste throughput of the Waste to Energy facility shall not exceed 25,000 tonnes per annum unless otherwise agreed in writing by the local planning authority.

Reason

The proposed development has been assessed on the maximum level of waste processing and any exceedance will require further justification.

### **Informative 1**

The proposed plant will require a relevant environmental permit under the Environmental Permitting Regulations 2010. The permit will require certain infrastructure, including bunding of waste process and storage areas and abatement of reception buildings. All waste storage and process areas will need to be on impermeable pavement with sealed drainage. If the conditions of a standard rules permit cannot be met, the applicant will have to apply for a bespoke permit.

**Informative 2**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

**PA/2017/176 – Site Location**



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# PA/2017/176 Block Plan Not To Scale



Key	
Owned Land Boundary	— (Blue line)
Site Application Boundary	— (Red line)
Corrboard Factory	A
Reception Building	B
Site Office	C
Digester	D
End Storage Tower	E
Liquid Reception	F
CHP Unit	G
Turning Area	H
Gas Flare	I
Boiler Container	J

DEVELOPMENT CONTROL SECTION  
 06 FEB 2017  
 DATE RECEIVED  
 Referred to



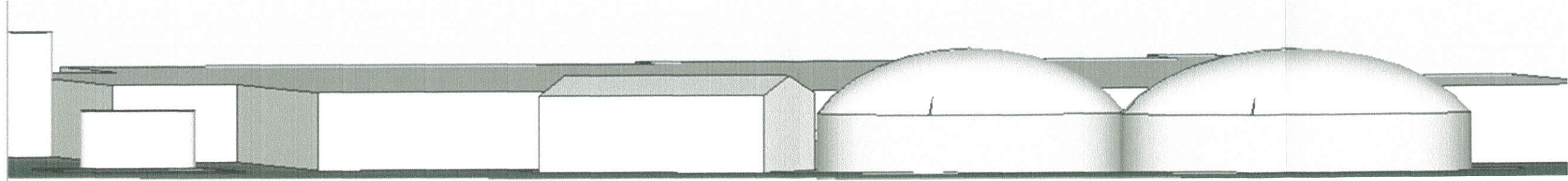
 BioG UK Limited Inglenook High Offley Staffordshire ST20 ONE UK	Scale:1:1250
	Block Plan v2
	Date:02/02/2017
	A4



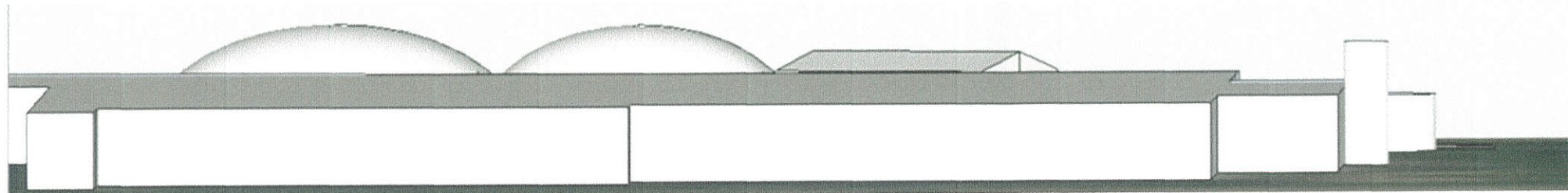
North

# PA/2017/176 Elevations Not To Scale

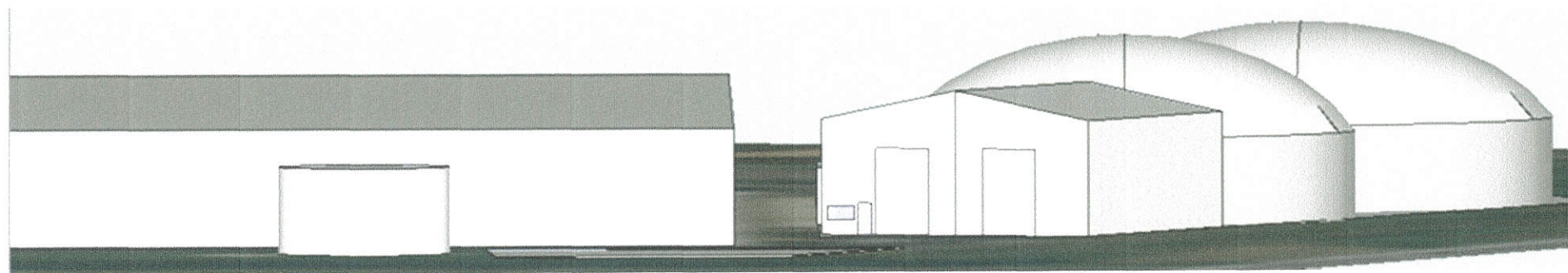
PA/2017/176/02



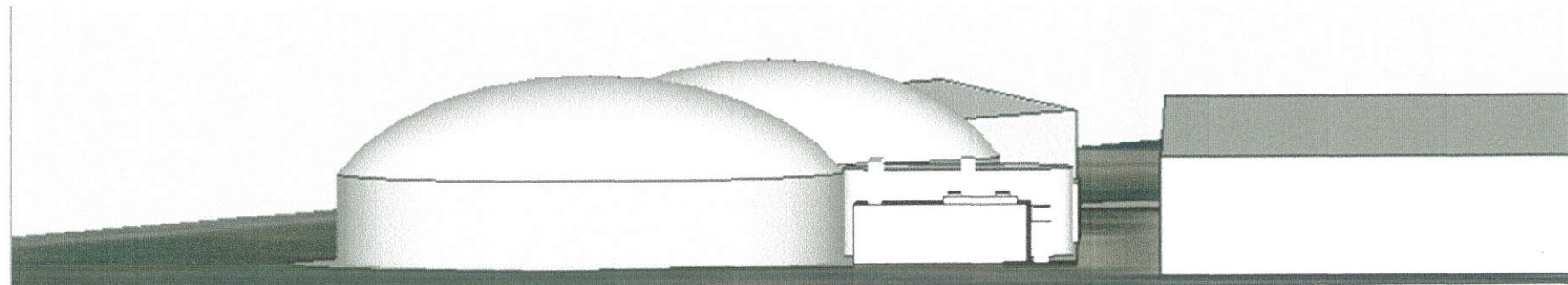
South



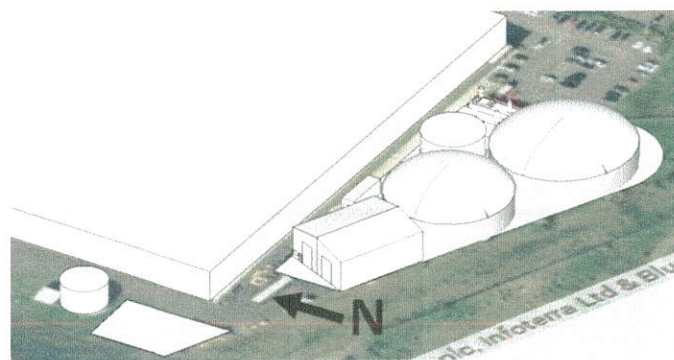
East



West



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BioG UK Limited  
 Inglenook  
 High Offley  
 Staffordshire  
 ST20 0NE  
 UK

Scale:1:500	
Elevation Drawings v2	
Date: 02/02/2017	
A3	