

## Part 3: Harm that the AWRP will cause

This appendix explains why the AWRP will cause harm, contrary to the applicant's claims, and includes the following sections:

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### Harm to sustainability

**3.1** The application should be refused because it fails against the requirements it sets out in its own Sustainability Assessment. The applicant opens by noting the primacy of Planning Policy Statement (PPS1) "Delivering Sustainable Development" and defines sustainable development in the words of the World Commission on Environment and Development (The Brundtland Commission) as:

*"development that meets the needs of the present without compromising the ability of future generations to meet their own needs."*

**3.2** The applicant then states (2.1.3):

*"To AmeyCespa and the Allerton Waste Recovery Park (AWRP) Project this means developing a facility that meets the current need for waste management within North Yorkshire and the City of York which ensures: effective protection of the environment; maintains high and stable levels of economic growth; ensures social cohesion and inclusion; and uses resources wisely and efficiently without compromising the ability of future generations to meet their needs".*

**3.3** This is false - AWRP will do the opposite:

- It far exceeds the current needs of NYCC and CYC because it is too big;
- It will NOT result in effective protection of the environment;
- It will NOT maintain high and stable levels of economic growth;
- It will contribute NOTHING to social cohesion and inclusion, and;
- It will NOT use resources wisely and efficiently AND,
- Its costs and length (25-30 years) will seriously compromise the ability of future generations to take responsibility for managing their waste.

**3.4** The applicant claims the facility is flexible. It is not, because future generations will be bound contractually and financially to the proposed solution. They will not be able to change to respond to changes in legislation, technology, recycling or cost in future. The incinerator dominates the facility in cost and treatment volumes and, once built, cannot be reduced in size.

**3.5** The applicant quotes from the Draft National Planning Policy Framework:

*"The Government is committed to ensuring that the planning system does everything it can to support long term, sustainable economic growth, and has made it clear that significant*

*weight should be placed on the need to support economic recovery through the planning system and related consent regimes... The presumption [in favour of sustainable development] is key to delivering these ambitions, by creating a positive, pro-development framework, but one underpinned by the wider economic, environmental and social provisions in the National Planning Policy Framework.”*

- 3.6** The most recent review by the House of Commons Community and Local Government Committee (15 December 2011) concluded that the “presumption in favour of development” has to be considered in the context of Local Development plans:

*“the NPPF’s introduction of a presumption in favour of sustainable development must be seen as a high-level principle rather than a challenge to the predominance of local decision-making. That is why we have recommended that it be expressed instead as a ‘presumption in favour of sustainable development consistent with the Local Plan’.”* (para. 160, our underline).

**Sustainable development must therefore be measured against the Local Plan, and this means that AWRP must be rejected because it is contrary to the Local Plan (Part 1).**

- 3.7** The applicant argues that the Regional Spatial Strategy has been subject to sustainability appraisal and that the intended replacement of the RSS by the Localism Bill has created a “plan policy vacuum” (2.1.13). Because of this, the applicant chooses his own method of assessing his proposal against sustainable development.

- 3.8** This assessment method is therefore inappropriate, inadequate and produces the self-serving claim that the proposal is “generally very positive or positive in meeting the sustainability objectives” (2.5.1).

**The sustainability assessment should therefore be rejected entirely, for two reasons: a lack of evidence and a lack of objectivity.**

First, much of the Sustainability Assessment contains **no evidence base** for the claims made.

Second, it is ridiculous that for a proposal to truck waste from every corner of North Yorkshire to a single site in the open countryside and then burn it for the next 25-30 years is given **not one single ‘Negative’ score** by the applicant – only one is ‘Neutral’ and all the rest are ‘Positive’ or ‘Very Positive’.

Below are detailed reasons to reject the claims in the Sustainability Assessment.

### **SP1 “To improve access to services, facilities, the countryside and open spaces for the community”.**

- 3.9** AWRP will do nothing to improve access to services, facilities, the countryside and open spaces for the community. It will be built in the open countryside on a site that is due for restoration. By preventing restoration, AWRP will **reduce** access to the countryside and open spaces for the community, not increase them as claimed.

- 3.10** Subclause “[AWRP] will ensure that the management of waste is driven up the waste hierarchy, maximising recycling and recovery of energy from waste and ensuring diversion from landfill”.

The vast majority (>85%) of the waste received by AWRP will be incinerated and no heat will be recovered. This method is the lowest rung of the waste hierarchy above landfill and

**unacceptable.** There are other treatment methods closer to the top of the hierarchy that could be used – indeed are already being used commonly elsewhere in the UK and Europe.

- 3.11** AWRP will **not** maximise recycling and recovery of energy from waste because it will burn material that could be recycled (all of the HWRC and Commercial and Industrial Waste) and, without CHP, it will **not** maximise energy efficiency.
- 3.12** The proposal is out of step with recycling policy. The Governments of Scotland and Wales have already adopted a legal target of 70% recycling by 2025. The applicant cannot assume that England's 50% target for recycling will remain fixed until 2039 – it will not. This means that a) AWRP is going against the tide by **reducing incentives** to improve recycling and re-use and b) if England's recycling target rises, **less waste will need to be disposed of** by incineration.
- 3.13** Government remains neutral on the waste technologies, leaving it to Local Authorities to decide. In this instance, the award of the contract was completed without regard to the technology or the location of the planned site. Thus, at the Council Meeting of December 15<sup>th</sup> 2010, which determined to award the contract to AmeyCespa, County Councillor Clare Wood (Cabinet Member with responsibility for waste and sponsor of this proposal) stated quite clearly at the outset of the deliberations:

*“Whether it is the right technology in the right location is a planning matter and one that needs to be put to the back of our minds today”.*

The AWRP application **MUST** be considered as a stand-alone application against planning policies. The award of the contract is entirely separate from any planning decision which must comply with planning law.

- 3.14** Subclause: *“There is potential for some positive effect to the economy and thereby indirect effects on nearby communities”* from AWRP.

The only positive effect in economic terms will be to the coffers of AmeyCespa. Rather, there will be **negative** financial impacts on local communities through unnecessary cost, planning blight and adverse impacts on tourism to the region.

- 3.15** Subclause: *“Educational facilities would be provided”*

It makes no sense to provide education facilities designed to promote recycling at a facility that will burn at least 85% of the waste it receives. Education should raise awareness of processes higher up the waste hierarchy to encourage technological development and behavioural change. Nor is it sensible to provide such “education” in a rural location which lacks any form of public transport access and is a considerable distance from the urban areas that are the key generators of waste.

- 3.16** Subclause: *“A conference facility would be available for use by the local community”*

The provision of a conference facility for use by local communities is unnecessary. It will cause harm to the sustainability of local village halls, which presently meet these needs very adequately and by linking to public transport routes for access, unlike AWRP.

- 3.17** Subclause: *“The facility provides for employment.”*

New employment here is not required. The site is not identified for development in the Local Plan. PPS7 recognises the importance of considering employment alongside matters such as protection of the environment. But although AWRP may provide “approximately” 70 jobs, the AWRP impact on the countryside would be substantial and jobs could be lost elsewhere. The applicant has stated publically that the construction phase will provide 400 jobs. There is no evidence about the type of jobs and from where the people will be

sourced. The planning application includes no information on accommodation during construction or parking for these workers.

**3.18** Subclause: *“A commitment has been made to the implementation of a Landscape and Cultural Heritage Fund”*

This Fund is unspecified and is **inadequate** as mitigation. The Heritage Fund payment will only benefit the landowner at Allerton Park, and not the wider community. In effect, payment for both will come from the public purse and therefore the rate-payers of NYCC and CYC.

**3.19** For these reasons, AWRP should have a “Very negative” score for compliance with SP1.

## SP2 “provide for community participation in decision making”

**3.20** Subclause: *“Educational facilities would be provided”*

See comment above.

**3.21** Subclause *“A commitment has been made for on-going liaison with the local community, through a format yet to be determined. Local community involvement will be key to refining operational and development changes and opportunities”*

Local community liaison through the Community Liaison Group (CLG) has already broken down because the applicant failed to convince residents of their commitment to listening and learning from local people. A letter to AmeyCespa by most of the CLG stated that they felt “misled, misrepresented and ignored”. The text of that letter is worth repeating here:

*“We were asked to participate in the group in good faith on the basis that balanced discussions would take place and that Amey Cespa would respond to those discussions with mutual understanding and that the outcome would result in some positive actions by The Company towards alleviating the concerns of local residents.*

*We were therefore extremely disappointed that, having given of our time freely and having raised our expectations of some concessions from Amey Cespa that the only outcome appears to have been a minor reduction in the height of the proposed chimney and the relocation within the site of the bottom ash processing plant.*

*The process of completion of the Photomontages appears to have been a sham, with many of the photographs taken from positions of low visibility behind trees and other features. The absence of any views from the Temple of Victory in the Registered Parkland of Allerton Park is a major omission. In addition the traffic analysis has done nothing to help mitigate the road safety concerns which were raised at the initial meeting in September.*

*We therefore wish to be disassociated from any favourable comments or submissions relating to the Community Liaison Group which Amey Cespa may use in support of their impending Planning Application.”*

**3.22** The applicant’s response has been to dismiss this letter out of hand, with Bill Jarvis saying *“It is unfortunate that those opposed to our proposals make totally untrue statements in support of their cause”* (Yorkshire Post, 13 May 2011). This thinly disguised contempt for local communities makes a mockery of community liaison.

**3.23** Subclause: *“The local community has been afforded opportunity to contribute to the design development through consultation events held during the pre-application process. The design has been developed considering comments made and resulting in significant design iterations.”*

This is **not** the case. There have been **no** substantial changes to the design due to views expressed by the local communities, including Parish Councils and the CLC. The applicant claims that the stack height has been reduced to placate local concerns, but a) this reduction is by a paltry amount and b) the height has yet to be decided by the Environment Agency (EA), as the permitting authority, as the applicant knows.

**3.24** Subclause *“The facility supports the attainment of a sustainable lifestyle by communities within the waste catchment, albeit indirectly through the sustainable management of waste”*

This is incorrect: the facility does **not** treat waste as high up the waste hierarchy as is possible, because it encourages incineration rather than more sustainable forms of waste management.

**3.25** For these reasons, AWRP should have a “Negative” score for compliance with SP2.

**SP3 “To improve the health and sense of well-being of people.”**

**3.26** There is widespread public opposition to incineration nationally and across North Yorkshire, evidenced by over 10,000 objections on a petition, because of the negative impacts of AWRP on the sense of well-being and potential health of people. **In no way** can AWRP be seen to “improve” either the health or the sense of well-being of people.

We understand that a detailed assessment of the risk to health has been submitted by NYWAG and individuals and therefore we have not replicated this.

**3.27** The AWRP should therefore have a “Negative” score for compliance with SP3.

**SP4 “To provide for sub-regional self-sufficiency and for communities to take more responsibility for their own waste (Local needs met locally).”**

**3.28** It is **wrong** to evaluate this as ‘Very Positive’ because it is a non-local solution for most of the waste that will travel unnecessary distances across the county.

**3.29** Subclause: *“A site search....concluded that the chosen site location offers the best option for delivery of the most sustainable solution”*

This is incorrect. The applicant’s “Site Search” lacks a firm evidence base and is highly subjective. It omitted all of the York area from its analysis, despite the fact that the York area is the largest producer of waste in the County and has potential sites for CHP use. The decision to select a single site over several sites is not sound. A multi-site approach offers significant benefits when considered against PSS1. It also has the advantage of being directly aligned with the aims of the JMWMS which clearly favours more than one site (see our separate critique of the “Site search” in Part 4 of this objection).

PPS10 (Paragraph 21) notes: *“In deciding which sites and areas to identify for waste management facilities, waste planning authorities should... (ii) give priority to the re-use of previously-developed land, and redundant agricultural and forestry buildings and their curtilages”*. AWRP does **not** follow this guidance in the re-use of previously developed land. The site is located in the open countryside and due for restoration.

**3.30** Subclause: *“The solution has been designed to ensure compliance with the fundamental principles of the Waste Framework Directive to deliver a facility at the nearest appropriate installation and PPS10 by providing a facility of the right type, in the right place and at the right time allowing communities to take responsibility for their waste”*.

No, it has not. Article 6 of the EU Waste Incineration Directive states that opportunities to maximise the potential for improving heat recovery through the provision of district heating or process steam should be carefully considered and designed for this opportunity in future. Defra Guidance Note on Article 6 states (paragraph 4.39) that *“This should be considered at the early planning stage, when sites are being identified for such facilities, to ensure that maximising energy recovery through the use of CHP is included as a factor in the decision”*. These are *“the views of the Secretary of State for the Environment, Food and Rural Affairs (Defra) and the Welsh Assembly Government (WAG) on how the Waste Incineration Directive should be applied and how particular terms should be interpreted”*.

**3.31** AWRP will not recover heat that could be used and thus **fails** to comply with the WFD.

**3.32** AWRP also does not allow communities to take responsibility for their waste. Rather, it would disincentivise recycling across the county because of the need to supply waste to the incinerator. It also does not give communities further away (e.g. Scarborough, Whitby, Richmond, Skipton) the opportunity to take responsibility for managing their waste. Proposing a single site is directly contrary to the “proximity principle” that demands waste be treated as close as possible to the location where it is created. Allerton Park is **not** suitable for all of communities of North Yorkshire.

**3.33** Subclause: *“The facility has been designed such that it is flexible to the changing needs of the waste arisings catchment community”*

This is incorrect. The facility comprises a Mechanical Sort plant, an AD and an incinerator. The incinerator dominates the scheme and massively reduces future flexibility, e.g. for increased recycling, as paper and plastics are needed to feed the incinerator.

The incinerator cannot be made smaller once it is built, and it has to be fed waste at continually high levels for the next 25-30 years. This is harmful to future generations because there would be no economical exit route, preventing any switch to alternatives, as technology and recycling targets evolve. The proposed solution is therefore **unsustainable** because it lacks flexibility.

**3.34** For these reasons, AWRP should be given a “Very negative” score for compliance with SP4.

## **SP5 “To minimise greenhouse gas emissions and provide a managed response to the effects of climate change”**

**3.35** It is widely acknowledged that a combined heat and power (CHP) facility is more energy efficient and less polluting (due to the energy offset it makes) than one which generates electricity alone. The application suggests the potential to supply heat to businesses, but there are no signed contracts and nothing to suggest that such demand will actually arise. AWRP does **not** therefore minimise greenhouse gas (GHG) emissions.

**3.36** Reduced GHG emissions can be achieved by treatments that are higher up the waste hierarchy and thus minimise harm. Mechanical biological treatment (MBT) processes perform better compared to electricity-only incineration. However, the WRATE analysis in the application (see below) and consideration of alternative technologies **fail** to properly assess the negative impacts of the technology chosen for AWRP relative to others.

**3.37** AWRP will therefore **not** secure the highest resource and energy efficiency, **nor** the greatest reduction in carbon emissions.

**3.38** Subclause: *“The facility maximises the opportunity for recycling from both waste arisings at both the front-end (MT)...”*

No it will not. The MT is guaranteed to recover only a further 5% of waste, despite its size. Large volumes of waste that could be recovered and recycled will be incinerated. This **cannot** be considered an optimum solution.

**3.39** Subclause: *“The facility has been subject of WRATE modelling (see Appendix 2A of the Planning Statement) which concluded that AmeyCespa's solution would have a climate change saving of circa 130,200 tonnes of CO<sub>2</sub>e, compared to the current baseline scenario of landfilling waste.”*

It is inappropriate to claim ‘saving’ against landfill (the status quo) when landfill will not be allowed as much in future – the baseline is **invalid**. Instead, the applicant should evaluate AWRP (by its separate elements and combined) against an appropriate range of methods other than the status quo.

The WRATE analysis is also flawed due to the incorrect application of the approach and the lack of appropriate comparators - for example, no comparison is made with CHP (see our separate comments on WRATE later in this report).

**3.40** Subclause: *“The location of the facility reduces the need for travel by road”*

This is **incorrect**. The choice of a single site for the entirety of North Yorkshire and York means that the need to travel by road **cannot** have been reduced. Rather, it will significantly increase the transport distances of waste required above that required by a multi-site solution. AWRP will **not** reduce the need for waste to travel, e.g. from Scarborough, Whitby, Richmond and Skipton, and will **increase** carbon emissions.

The applicant claims that there are already a lot of vehicles entering the site and that these will simply be replaced when AWRP opens. This is misleading: in planning law, AWRP has to be assessed against traffic volumes that **would exist** once Allerton Quarry has been restored and landfill ceased. Moreover, as admitted in the application, AWRP will very significantly increase road mileage.

**3.41** For these reasons, AWRP should receive a “Negative” score for compliance with SP5.

**EN1 “To protect and enhance biodiversity and the natural environment.”**

**3.42** The applicant scores AWRP “Very Positive” for EN1, because there is not a lot of biodiversity in the area there at present. This is **misleading** as it wrongly implies that AWRP will **add to** biodiversity and the natural environment. In fact, because the original permission for landfill was given on the basis that the site would be restored after use, AWRP will have a negative impact in at least delaying restoration (if it happens at all). A restored site would have enhanced biodiversity compared with a large industrial complex and associated buildings, traffic and hard-standing and is therefore the baseline for comparison.

**3.43** The site threatens local water courses that support otter populations. This has not been recognised by the applicant.

**3.44** For these reasons, AWRP should be scored as “Negative” for compliance with EN1.

## EN2 “To preserve, enhance and manage landscape quality and character for future generations.”

**3.45** AWRP **cannot** be rated as “Positive” for EN1. The application is **inappropriate** to say that “*the proposed AWRP facility has been designed to sit naturally in its landscape*” because it is a highly industrial building complex. The buildings and chimneys would appear as an isolated and prominent alien industrial feature in the wider rural landscape that intrude into the openness of the countryside. AWRP will **not** “preserve” or “enhance” the landscape quality and character for future generations.



**Modified AmeyCespa image of AWRP to show the large industrial complex in the open countryside with a simulated 300 m plume.**

**3.46** Subclause: “*The potential visual intrusion of the site and the landscape sensitivity of the surrounding area was a key suitability criteria... The site was considered preferable given existing quarry/landfill operations and the context of the A1M motorway.*”

The applicant rates this as “Positive”. This is ridiculous: the proposal seeks to develop an industrial facility in the open countryside – the site was not chosen on the grounds of sensitivity, but of convenience. Planning Inspectors have previously rejected two applications nearby (a motorway services area and an abattoir and meat processing plant) precisely because of the unacceptable impact they would have on the landscape. The report on the motorway services area application concluded that the impact “on this most attractive and tranquil rural landscape would be unacceptable and contrary to policies C2 and C11c of the Draft Local Plan”.

AWRP would therefore harm the integrity of the area. It would appear as an alien feature and intrude on the openness of the countryside and on a site due for restoration.

**3.47** For these reasons, AWRP should be rated as “Very negative” for compliance with EN2.

### **EN3 “To protect and enhance the historic environment.”**

**3.48** AWRP **cannot** be rated as “Neutral” when the applicant and English Heritage accept that there will be significant adverse impacts on the nearby registered park and garden and listed buildings at Allerton Park and require mitigation. Planned mitigation measures will **not** offset these impacts sufficiently: repairs to six small listed structures cannot mitigate adverse impacts to the “historic environment” of the wider landscape setting of the park.

**3.49** For this reason, AWRP should be scored as “Very Negative” for compliance with EN3.

### **EN4 “To improve the quality of the built environment”**

**3.50** AWRP **cannot** be rated as “Positive” when there is no building of this scale at this site already, and when the building has to be extensively screened (hidden by vegetation) because of its acknowledged large and negative visual impact. This is not a built environment, it is open countryside.

**3.51** AWRP will create significant landscape and visual impacts, as defined by the regulations governing the preparation of Environmental Statement. This harm will be caused through the construction phase and last for at least 15 years. The applicant acknowledges that additional planting and screening will not seriously reduce this harm. Hence, AWRP is contrary to a number of Local policies, including:

#### **Harrogate Borough Council Core Strategies Document 2009**

*Policy EQ2: The Natural and Built Environment and Green Belt*

#### **NY Waste Local Plan**

*Policy 4/3 Landscape Protection*

*Policy 4/20 Open Space, Recreation and Public Rights of Way*

#### **Harrogate District Local Plan**

*Policy HD7A Historic Parks and Gardens*

*Policy HD20*

*Policy R11 Rights of Way*

*Policy SG3 Settlement Growth*

**3.52** For these reasons, AWRP should be scored as “Very negative” for compliance with EN4.

### **EN5 “To safeguard public amenity, minimising pollution.”**

**3.53** This cannot be rated as ‘Very Positive’ due to the carbon pollution and other disamenities for local publics. The applicant accepts that AWRP will release noxious substances into the atmosphere, including persistent pollutants that would not otherwise be emitted from the site. This will cause harm to the landscape. The applicants are required, under European

law, to give priority consideration to alternative processes that would not release these substances but have **failed** to do so.

- 3.54** AWRP will increase new light and noise pollution for local residents. In spite of the A1(M) nearby, the countryside around is relatively dark at night and the night sky is visible. The proposed 24 hour working will illuminate the night sky in spite of the use of downlighters, causing unacceptable light pollution that will be alien to this rural location. 24 hour working of the incinerator and other equipment will also cause additional noise pollution.
- 3.55** For these reasons, AWRP should be rated as “Negative” for compliance with EN5.

### EN6 “To safeguard water quality and water resources.”

- 3.56** AWRP is located within an EA Designated Groundwater Source Protection Zone, yet there is no evidence in the application regarding the nature of the surficial sediments or of hydrogeological modelling of the underground aquifer to check for harm. There is a lack of information regarding the precise elevation of the groundwater table itself, because old records do not survey the ground surface of the boreholes and may not be reliable because of the ground-works. The surface and the deeper aquifers are connected, as indicated by high salt levels recorded in one borehole.
- 3.57** AWRP should therefore be rated as (at best) “Neutral” for compliance with EN6.

### NR1 “To ensure sustainable design, construction and operation, minimising the use of natural resources.”

- 3.58** Subclause “*The development provides for the re-use of a quarry/landfill site*”

This **cannot** be rated as ‘Positive’ because the quarry/landfill site was granted planning permission subject to full restoration. This restoration will be denied/delayed for a quarter of a century at least if AWRP is given planning permission.

- 3.59** Subclause: “*The facility would be CHP enabled thereby ensuring the opportunity for combined heat and power off-take should it become economically viable.*”

This is a **meaningless** claim since there is no heat demand in the area, now or in the future. The applicants own survey demonstrates this. The fact that the scheme is not able to utilise the heat increases the harm promises by AWRP and fails to minimise the use of natural resources.

AWRP could recover 200,000MWh of heat from the Energy from Waste process, but it will never do so because there is no heat demand at this Site. The applicant has stated<sup>1</sup> that “*If the facility was in a well populated area, with residential properties located directly around the facility, the heat could be used for a District Heating Scheme and could potentially heat 30,000 to 40,000 homes. However, it will not be possible to introduce a District Heating Scheme at Allerton due to the distance between the site and main areas of population. To be effective the steam needs to remain at the high temperature at which it is extracted. To transport this steam to any suitable development requires significant infrastructure in the form of thickly insulated piping, which on increasing distance from the facility makes the*

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<sup>1</sup> Email AWRP to Councillor Vassie, 31<sup>st</sup> August 2010.

*process increasingly expensive and uneconomical, as is the case for Allerton Waste Recovery Park.”*

The absence of genuine CHP represents a waste of resources that will cause avoidable GHG pollution. Opportunities for CHP exist elsewhere in the County and in the City of York but are ignored by the applicant.

**3.60** For these reasons, AWRP should be rated as (at best) “Neutral” for compliance with NR1.

## **NR2 “To drive waste up the waste hierarchy thereby minimising disposal of waste at landfill.”**

**3.61** Subclause: *“The over-riding objective of the development seeks to divert waste from disposal at landfill, by maximising recycling opportunities (3rd tier of the waste hierarchy) and the treatment and recovery of energy from residual waste (4th tier of the waste hierarchy)”*

AWRP **cannot** be graded as “Very Positive”, because the incinerator dominates the application and is only one rung up the waste hierarchy from the very worse option. It is also **misleading** to compare the proposal only against the inappropriate alternative of continuing to landfill. Instead, AWRP should be compared against alternatives such as minimising waste generation, increasing reuse and recycling. Evaluating the proposal against the worst possible scenario (landfilling) is a false representation.

PPS1(S) classifies incineration as low-carbon technology and not eligible for concessions for renewable energy schemes in terms of landscape impact or the need to justify them. PPS22 “Renewable Energy” specifically excludes the “mass incineration of domestic waste” from its scope.

Also, it is **incorrect** to claim this scheme is urgent because of falling landfill capacity regionally. No convincing evidence is presented to justify this. North Yorkshire has many active and dormant mineral sites that could be used (see map below).

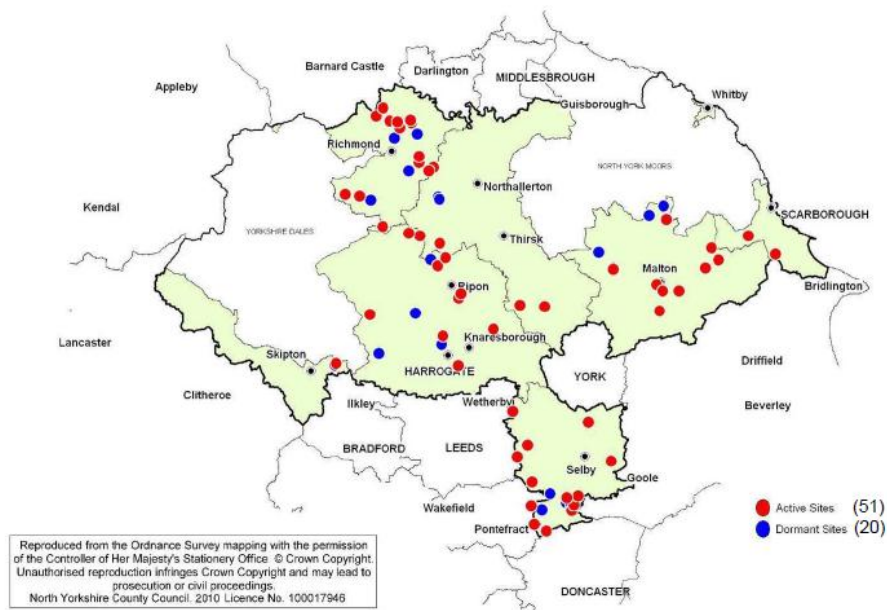
**3.62** For these reasons, AWRP should be rated as “Negative” for compliance with NR2.

## **NR3 “To reduce the need for travel by road during construction and operation, thereby minimising the use of fossil fuels.”**

**3.63** Subclause: *“The location of the facility reduces the need for travel by road when considered in the context of feasible alternative solutions to deliver the identified need.”*

AWRP cannot be rated as ‘Positive’ because a single-site solution will increase travel compared to possible multi-site solutions. Over 50% of the waste will require long distance transport to the site.

## The Plan Area: Active and Dormant Minerals Sites



- 3.64** AWRP's large size will drive this increase in road transport, because significant volumes of commercial and industrial waste will be needed to feed the incinerator. The applicant states that the cumulative mileage for C&I waste will be >1.2 million miles (67,584 tonnes), whilst that for MSW will be 1.4 million miles (248,872 tonnes). Treating C&I waste will add disproportionately to the total road mileage, especially in the first year - significantly more road miles than required solely for Municipal Waste.
- 3.65** AWRP has ignored the excess capacity available at Seamer Carr. This state-of-the-art facility recently entered a three-year deal to process waste from Lincolnshire County Council. It would be better to use Seamer Carr and other sites nearer to communities that generate waste, to respect the proximity principle and significantly reduce road transport.
- 3.66** The applicant states that there will be at least 302 HGV movements daily to/from AWRP and a reduction in quarry traffic of 90 HGV movements daily. This means a net increase of 212 HGV movements daily against the status quo. But if we consider this against what traffic levels would be if the Allerton Quarry were **restored**, as was planned, this would be a net increase of 302 HGV movements daily. However, we share the views expressed in more detail by a submission from Goldsborough and Flaxby Parish Council on this matter.
- 3.67** Paragraph 21 of PPS10 prioritises using previously developed land and the sustainability benefits of moving waste by means other than road transport. AWRP **fails** to do both. There is little attempt to consider transport by means other than by road in this application.
- 3.68** AWRP is unsustainable because it pre-empts and undermines the recently announced NYCC Waste Core Strategy Consultation. A key objective of that Strategy is to determine where waste facilities should be located. AWRP will render that Strategy null-and-void and prevent a democratic decision being taken. Early consultation shows that the public would prefer waste to be treated as a resource, with multiple sites treating waste close to source, minimising transport distance and keeping solutions flexible. This reflects previous public consultation (NYCC 2006) when the overwhelming majority were in favour of multiple sites to reduce transport impact.
- 3.69** For these reasons, AWRP must be rated as "Negative" for compliance with NR3.

### EC1: “To retain existing jobs and create new employment opportunities.”

**3.70** Subclause: *“There is potential for some limited indirect positive effect to the economy of nearby Knaresborough”*

**No** evidence is provided to support this claim. It is also inappropriate because the site is not allocated for development in the Development Plan. AWRP will prevent development at other, properly allocated sites and potentially damage waste-related employment elsewhere. There is **no** recognition of the potential negative impacts of AWRP on the tourist economy of the Harrogate area.

**3.71** For these reasons, AWRP should be scored as “Negative” for compliance with EC1.

### EC2: “To diversify and strengthen the local economy.”

**3.72** Subclause: *“Evidence suggests that the presence of an EfW facility does not detract from alternative development and regeneration initiatives (eg Eastcroft EfW located within Nottingham city centre surrounding by regeneration development)”*

AWRP **cannot** be compared to Eastcroft EfW, which is located in a city centre within an area of unemployment for which the strategic objective is regeneration. AWRP has not been identified by Harrogate Borough Council as suitable for future employment use development, it is not well situated in terms of its proximity to waste arisings and is located in a landscape which is not capable of absorbing large-scale structures.

The proposal is unsustainable because contract length and facility scale will prevent diversification and strengthening of the local economy beyond Allerton Park.

**3.73** For these reasons, AWRP should be scored as (at best) “Neutral” for compliance with EC2.

### EC3 “To ensure that infrastructure and services are provided to offer the best value for money.”

**3.74** AWRP will **not** incentivise moving up the waste hierarchy because of the guaranteed minimum tonnage required by the incinerator. Details of the costs have also been withheld, preventing public scrutiny and democratic decision making.

**3.75** Our report to NYCC Member’s Due Diligence Review Group (16 November 2010) showed that the claimed £320 million savings are misleading, as they mainly come from avoiding landfill tax. There are alternative solutions that could save £13 million per year (£325 million over 25 years) whilst meeting targets to reduce landfill and thus avoiding landfill tax as well.

**3.76** For these reasons, AWRP should be rated as “Very negative” for compliance with EC3.

## Sustainability Assessment: Summary

**3.77** The applicant claims that their sustainability appraisal “demonstrates that the proposed AWRP is generally very positive or positive in meeting the sustainability objectives”. **It does not.** There is little to no evidence provided for this and AWRP consistently goes against planning policy. In many instances, the claims made by the applicant fly in the face of common sense.

Below, we give a new assessment of the sustainability of AWRP.

Ref	Sustainability objective	New Score	Explanation
SP1	To improve access to services, facilities, the countryside and open spaces for the community.	Very Negative	Open countryside will be built on for 25-30 years Restoration plans delayed. Restrict access for 25-30 years.
SP2	To improve skills, education and learning opportunities and provide for community participation in decision making.	Negative	Visitor centre case not made. Better alternatives exist that promote reduction, re-use and recycling in urban areas where waste is generated. Community participation flawed.
SP3	To improve the health and sense of well-being of people.	Negative	Widespread public perception of health risks.
SP4	To provide for sub-regional self-sufficiency and for communities to take more responsibility for their own waste (Local needs met locally).	Very Negative	Site search is flawed. Not compliant with WFD. Not CHP. Prevents communities taking responsibility for waste and opportunities for recycling. Not flexible - incinerator will need to be fed waste for 25 years.
SP5	To minimise greenhouse gas emissions and provide a managed response to the effects of climate change.	Negative	Fails to minimise GHG emissions. Other schemes are more effective. WRATE report flawed.
EN1	To protect and enhance biodiversity and the natural environment.	Negative	Cannot protect or enhance biodiversity because preventing restoration. Will harm natural environment as alien development in open countryside.
EN2	To preserve, enhance and manage landscape quality and character for future generations.	Very Negative	Major adverse landscape impacts on the long-term character of the area. Two previous public inquiries rejected industrial-scale development on grounds of adverse landscape impact.
EN3	To protect and enhance the historic environment.	Very Negative	Adverse impacts on a Grade 1 listed building and parkland. Mitigation cannot offset this harm. Landscape and Cultural Heritage funds poorly specified and paid for by the public.
EN4	To improve the quality of the built environment.	Very Negative <input type="checkbox"/>	Prevents restoration. Site has not been identified for development in the Local Plan.
EN5	To safeguard public amenity, minimising pollution.	Negative	Will cause pollution. Persistent organic pollutants potentially harmful.
EN6	To safeguard water quality and water resources.	Neutral	Adverse harm to Groundwater Protection Zone and aquifers.

Ref	Sustainability objective	New Score	Explanation
NR1	To ensure sustainable design, construction and operation, minimising the use of natural resources.	Neutral	Restoration will be prevented for at least 25 years. No CHP demand.
NR2	To drive waste up the waste hierarchy thereby minimising disposal of waste at landfill.	Negative	Classified as “disposal” by the EU WFD. Disincentivises further recycling. Fails to evaluate options higher up the waste hierarchy. Limited carbon reduction.
NR3	To reduce the need for travel by road during construction and operation, thereby minimising the use of fossil fuels.	Negative	Case not proven. No serious consideration of alternative transport. Fails to consider multi-site solution.
EC1	To retain existing jobs and create new employment opportunities.	Negative	Limited new jobs. Fails to consider potential adverse impacts on tourism.
EC2	To diversify and strengthen the local economy.	Neutral	Site is not identified for development in the Local Development Plan or for future employment need. Will damage employment opportunities elsewhere. Will not strengthen local economy.
EC3	To ensure that infrastructure and services are provided to offer the best value for money.	Very Negative	Cheaper alternatives exist. No business case provided. Commercial confidentiality prevents public scrutiny.

## Financial harm

**3.78** The application should be refused because it will cause harm to the people of NYCC and CYC who will pay for it and bear the risk for the next 25 years. There are several reasons for this.

- First, the gate fee charged to NYCC and CYC will be c. £130 per tonne, which is significantly higher than the existing market price. AWRP will therefore cost £65 per tonne **more** than alternatives - £13 million **more** per annum and over £300 million **more** over the 25-year contract. These costs ignore the huge capital costs of the facility and its debt servicing.
- Second, AWRP projections are misleading and falsely inflate the savings. NYCC forecasts against a “Do nothing” option and against increasing waste volumes and rising landfill tax. This is mere guesswork. For example, NYCC assumes that landfill tax will rise to £100 by 2020 and £170 by the end of the contract – there is **no evidence** for this. NYCC’s target for municipal waste recycling is low at 50% and this allows them to exaggerate the savings forecast. But this target is not in line with other areas, where recycling is increasing.
- Third, the 25-30 year contract to amortise the capital cost locks NYCC into incineration technology and prevents flexibility to take advantage of technological developments.

- 3.79** For these reasons, there are significant financial risks in making the alleged savings, because they would mostly occur late in the contract period and **only** if the forecasts are correct.
- 3.80** A NYCC Working Party which reported to the full council did not look properly at value for money but argued that the PFI process automatically ensures value for money. This is not true as it excludes comparison with the most recent best practice.
- 3.81** **The financial risk of AWRP is considerable.** The contract cost of the £1.45 billion will be funded by the people of North Yorkshire. The interest payments estimated at £407 million are alone more than one quarter of the entire contract. This is justified by NYCC claiming that fixed payments (around £36 million per year or 70% more than currently) will "give confidence over the council's costs for years to come"<sup>2</sup>. In fact this is unlikely to achieve certainty for the cost of waste treatment, and it will certainly **reduce funds available** for other budgets such as child care, education, adult services, care of the elderly, transport, libraries etc.
- 3.82** This is misleading. The cost of "confidence" in the future does not present value for money and will result in harm to the public by diverting money that could otherwise be used to support NYCC and CYC services.
- 3.83** NYCC has stated that they consider the scheme to be risk-free. The Assistant Director of Resources at NYCC stated (3 December 2011) that "*With PFI, the whole transfer of risk goes over to the private sector. It gives us certainty over a long period of time*". She is wrong. In the event of failure of the applicant or its heavily indebted Spanish parent company the responsibility for loan repayment devolves on NYCC and therefore the people of the county and penalties will be substantial.
- 3.84** By seeking planning permission for a plant to treat all North Yorkshire's municipal waste, the applicant is seeking to achieve a monopoly position which will be incapable of challenge for 25 years. This is **unacceptable** in terms of the damage to competition by local businesses. Any profit from the PFI will also leave Yorkshire as AmeyCespa is a Spanish-owned company.
- 3.85** The applicant claims that AWRP will create new jobs. This is **incorrect**, because the plant would displace people currently working in the quarry and in landfilling and waste treatment across the county. These job losses could exceed the 70 to be employed at Allerton.
- 3.86** **Financial harm can be avoided by adopting a more economical solution.** Darlington Council's approach has a capital cost of only £30 million - a fifth that of AWRP. Their gate fees would be around £70 per tonne compared to over £120 per tonne for AWRP. This would save NYCC around £13 million per year or more than £320 million over the 25-year contract and **in addition to** savings from landfill tax.
- 3.87** The Darlington scheme is a bio-drying MBT, which treats black bag waste and extracts valuable recyclates such as steel, aluminium and plastic. The small residue is either landfilled or sent as RDF to a power station for incineration.

Its reduced capital requirements mean that the contract period could be only 12 years instead of 25 years, giving NYCC future flexibility and meeting NYCC's objective of reducing landfilling by 80%.

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<sup>2</sup> Yorkshire Post

- 3.88** Barnsley, Doncaster and Rotherham Councils are embarking on a MBT solution to handle 260,000 tons of waste per annum (very similar to the current waste volumes in NYCC and CYC) at a total cost of around £700 million over 25 years, with their residual waste going to Ferrybridge. **This is ONLY HALF THE COST of the AWRP scheme.**

## Visual and landscape harm

- 3.89** The application should be refused because AWRP will cause **harm** to the landscape and visual amenity of the area. The buildings, chimneys and plumes will be alien industrial features in an otherwise unspoilt landscape. They will damage views from local footpaths, roads and important tourist points such as the White Horse at Kilburn and along the footpaths of the Howardian Hills. Below we detail the evidence for this lack of compliance for different types of visual impact.

### Visual impacts

- 3.90** Fifteen of the original 25 views used by the applicant fall within 5 km of the site. Of these, eight viewpoints will experience significant adverse visual effects and all bar one of these effects will persist for at least 15 years.
- 3.91** The applicant admits that these negative effects cannot be hidden by mitigation through planting and screening: *“The additional screening benefits of this maturing vegetation, relative to the scale of the stack and larger buildings, would generally be of insufficient magnitude to result in a reduced magnitude of adverse effects”.*
- 3.92** In addition the applicant accepts that: *“At some locations within approximately 3.5 km radius of the site, some of the receptors of high sensitivity, such as local residents and users of public rights of way, would experience Large Adverse and Moderate to Large Adverse daytime effects.”*
- 3.93** The application underestimates the visual harm. A report by the Chartered Landscape company, TPM Landscape Ltd, is appended in support of this submission. It challenges the selection of sites for assessment and, using more and better representative sites, re-assesses the impacts of the scheme. It concludes that the scheme will create significant landscape and visual impacts as defined by the regulations governing the preparation of Environmental Statement and these will extend through construction and up to 15 years following.
- 3.94** As appended, if 13 viewpoints are added, 23 of the 39 views within a 5 km study area would have Significant and Adverse visual impacts. Footpaths and settlements within 3.5 km will be particularly affected by AWRP, which will be out of character with the rural setting. The wider landscape setting of Allerton Park will be harmed by AWRP’s prominent and alien industrial feature.

### Landscape and townscape harm

- 3.95** Seven landscape character areas (LCAs) are within 5 km of AWRP and all will experience Adverse impacts. Allerton Park will have a Significant Adverse impact from construction onwards.
- 3.96** Again, impact will not be offset by any landscape mitigation but will result in permanent change: *“Visual effects on some parts of LCA 16 & 31, within close proximity of the site, may be sufficient to result in a localized significant effect on landscape character.”*

- 3.97** Thirteen townscape areas are assessed in the Environmental Statement, 11 within 5 km of AWRP, with over half having Adverse character impacts from AWRP.
- 3.98** On our behalf, the TPM Landscape report re-evaluated the visual impacts of AWRP on the **landscape and townscape character areas** defined within the Environmental Statement. They concluded that:
- the character area of East Knaresborough Arable Farmland (LCA 16(HBC CA 69)) would have not Moderate but Moderate-Large adverse impact because of both extent of impact and specific sensitivity under published landscape descriptions.
  - the character area of Marton Rolling Arable Farmland (LCA 31(HBC CA 91)) would have not Moderate but Moderate-Large adverse impact because of sensitivity under published landscape descriptions.
  - Goldsborough and Flaxby will have greater visual impact that the applicant acknowledges.
- 3.99** In summary, AWRP will cause adverse harm to the landscape, altering the visual skyline of Allerton Park, dwarfing the landmark features of Allerton Castle and the Temple of Victory. The local landscape has special sensitivity, under independently published landscape character descriptions, meaning that AWRP is visually intrusive and out of character with the area. These adverse impacts cannot be prevented through on-site mitigation and there is little detail of off-site mitigation.

**3.100** Because of its adverse impacts, AWRP is contrary to the following Local policies:

**Harrogate Borough Council Core Strategies Document 2009**

*Policy EQ2: The Natural and Built Environment and Green Belt*

AWRP will not protect the landscape character of the District and will fail to incorporate the required high quality, locally distinctive design.

**NY Waste Local Plan**

*Policy 4/3 Landscape Protection*

The significant visual and landscape effects from AWRP and the fact that these cannot be mitigated means that AWRP fails this Policy requirement. There will be unacceptable effects on the character and uniqueness of the landscape.

*Policy 4/20 Open Space, Recreation and Public Rights of Way*

The significant visual impacts on recreational amenity through impacts on views from public footpaths and bridleways within 5 km of AWRP mean that AWRP fails this policy requirement.

**Harrogate District Local Plan**

*Policy HD7A Historic Parks and Gardens*

AWRP will harm the character and setting of Allerton Park through significant adverse landscape and visual effects.

**Policy HD20**

AWRP will have significant adverse impact on both the landscape and visual amenity within 5 km, being disproportionate in scale, proportions and height to neighbouring properties and the general landscape setting.

*Policy R11 Rights of Way*

AWRP will adversely affect many public footways and bridleways and some of these impacts will be significant, harming both character and recreational amenity.

*Policy SG3 Settlement Growth*

AWRP will fail to comply with all of the above policy tests. It is thus inappropriate within the countryside setting and will also fail Policy SG3 as a result.

- 3.101** Harrogate District Landscape Assessments for the Allerton Park area (Area 68) seeks to “Protect the setting of Allerton Park” and “The capacity of the landscape to accept further change without detriment to its character and the setting of Allerton Park is limited”. Under Guidelines, Area 68 advises “New development along this (A1(M)) corridor will further conflict with the character of the surrounding landscape and add discord”. Area 91 states “Resist large scale development not sensitive to the openness of the area. Development in prominent locations will be a focal point and bring discord to the landscape pattern”. Moreover, guidance in Area 90 states “Large scale development along the A168 and A1(M) corridor should be resisted in this Character Area”. The AWRP does not comply with these policies.
- 3.102** As we note in Part 1 of our submission, a recent recommendation by Mr Bowe, the Corporate Director – Business and Environmental Services, NYCC, to the Planning and Regulatory Functions Committee at their meeting on 13<sup>th</sup> December 2011 regarding planning application number C5/34/2011/12077 is relevant here.
- 3.103** This application, for a Waste Transfer Station, has many similarities to the current application, although it is much smaller in scale (with a single span building of only 60 m x 40 m x 11 m) and whilst sitting in a similar position alongside the A168 and near to the A1 (M), is not adjacent to a Grade 1 listed Heritage Asset.
- 3.104** In terms of the criteria relating to Policy 4/1 there are many comparisons. On page 38 of the report, Mr Bowe states “...it is considered the development is of a scale that does not integrate well with or is complimentary to neighbouring development and appropriate to the form and spatial qualities of the local area which should be small scale, sustainable and related to the rural economy; is not of a form which is appropriate to the local landscape character; would impact on “Greenfield” land without justification and be contrary to the strict controls placed over new development in accordance with national and Development Plan policy to ensure the protection of the countryside and Green Belt; the development would have significant visual and landscape impacts and is not in keeping with the surrounding landscape, has no relationship with the rural land use around the site, that it will have a significant visual impact and detract from the intrinsic rural and landscape character of the locality contrary to the following: national planning policy and guidance set out in PPS1; PPS7 and PPs 10; Policy YH1, Policy YH6 and Policy ENV 10 of the Yorkshire and Humber RSS; “saved” Policy 4/1 (a) (c) and (d) and “saved” Policy 4/3 and “saved” Policy 4/19 of the North Yorkshire Waste Local Plan; and Policy EQ2 and Policy SG4 of the Harrogate Core Strategy document and “saved” Policy C2 and “saved” policy E8 of the Harrogate District Local plan respectively.”
- 3.105** This is a strong judgement **against planning permission** for a much smaller scale proposal.
- 3.106** Although each application falls to be judged on its own merits, it is difficult to see how, when consistency of approach is demonstrated, an alternative conclusion or recommendation could be given to the AWRP proposal.

## Harm to the environment

- 3.107** The application should be refused because AWRP will cause unnecessary environmental damage by generating pollution that otherwise could be avoided through use of different technologies and choosing a site where CHP cannot be used.
- 3.108** The applicant claims carbon savings as a result of diverting waste from landfill and offsetting electricity generation from gas, oil and coal, using the WRATE computer model and a superficial comparison of AWRP against other technologies (Environmental Statement Chapter 16 and Appendix 16A). But the WRATE analysis is **inadequate** because of its baseline conditions, analysis against other technologies and conclusions and **cannot** be accepted without independent validation. AWRP will in fact increase carbon emissions.

Below we provide evidence of this, by analysing the WRATE model in detail.

### Modelling the environmental impact of municipal waste management systems

WRATE (Waste and Resources Assessment Tool for the Environment) uses life cycle assessment to calculate the potential impacts of the collection, management and processing of municipal waste, including infrastructure, transport and benefits from recycling and energy recovery (see <http://www.environment-agency.gov.uk/research/commercial/default.aspx>). The model has been used by a number of recent planning applications such as:

- The Southwest Devon Partnership New England Quarry EfW (2010)
- The Newhurst Energy Recovery Facility, Leicestershire (2009)
- Poole, Bournemouth and Dorset (2011)
- Suffolk County Council (2008)
- Worcestershire County Council (2009)
- Derbyshire County Council and Derby City Council (2009)
- Greatmore EfW (2009)
- Covanta Rookery South (2010)

**3.109** Because the EA's WRATE team "no longer exists" and the EA will not "validate" the applicant's WRATE analysis (Darren Leng, 19 November 2011) it is essential that NYCC commissions an independent assessment of the WRATE report. This should use an alternative life-cycle approach or, at least, repeat the WRATE analysis to check results.

**3.110** We recommended this to Shaun Robson (15 December 2011) and suggested that NYCC ask Eunomia, who are respected environmental consultants. Eunomia identify significant deficiencies with the WRATE model<sup>3</sup>:

*"The Environment Agency's software tool WRATE is often used to assess the environmental impacts of waste management treatment methods... we believe the model contains fundamental errors, both in regard to the behaviour of landfilled wastes, and with respect to its treatment of the stabilised output from MBT facilities. In the case of the latter, WRATE assumes a proportion of the carbon is degraded within the biological part of the MBT process. However, when this stabilised material is subsequently landfilled, the methane emission is assumed to be exactly the same as that of the non-stabilised material*

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<sup>3</sup> See <http://www.ineosbio.com/media/files/INEOS%20Bio%20Life-cycle%20Assessment.pdf>

– *the model only accounts for the reduction in mass which occurs in material which is biologically pre-treated (occurring as a result of moisture loss). The model, therefore, significantly underestimates the extent to which the biological component of the MBT process reduces the biological activity of material subsequently sent to landfill*”.

- 3.111** This means that WRATE under-estimates the benefits of MBT as alternatives to landfill and to incineration, for reducing greenhouse gas emissions and misleadingly suggests incineration is superior to other approaches.
- 3.112** The EA are now moving away from WRATE and (with ERM, WRAP and nine English Local Authorities) are developing an alternative modeling tool in accordance with international standards on life cycle assessment, carbon footprinting and Defra’s draft guidance on life cycle thinking<sup>4</sup>. Eunomia have already developed an alternative life cycle modeling tool known as ATROPOS, used to analyse policy for Defra and the Committee on Climate Change<sup>5</sup> and to model the viability and impacts of waste schemes in London and Ireland. NYCC should use the ATROPOS model to validate the applicant’s WRATE report and the claims about carbon savings.

### Specific issues relating to the AmeyCespa WRATE report

To justify this recommendation, we list here the main problems with the WRATE report as it stands.

**3.113 Why is the Mechanical pretreatment plant recovering so little of the waste before it is burnt?**

AWRP will include a large MT facility which will recover a pitifully small amount of municipal solid waste before it goes into the AD and incinerator. Table 9 of the WRATE report shows that large amounts of plastic, glass and non-recyclable material will go to the AD (7,100 tonnes out of 40,000 tonnes), whilst the digestate from the AD plant will be also be burnt. Why is there so much non-combustible material going into the EfW and why is there so much recoverable waste being burnt?

**3.114 Why is all of the C&I waste and all of the HWRC waste going straight into the EfW without any effort to recycle?**

AmeyCespa state that “The EfW facility will receive the mixed RDF and Digestate from the Mechanical Pretreatment and AD facilities, as well as directly receiving the HWRC residual and C&I wastes”. This is contrary to the waste hierarchy because the applicant is failing to maximise recycling.

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<sup>4</sup> For more information on the research consortium, the tool and its application email [hannah.beeby@erm.com](mailto:hannah.beeby@erm.com). The nine local authorities with which ERM works are Dorset County Council, Bournemouth Borough Council, Borough of Poole Council, Bath and North East Somerset Council, Surrey County Council, Cambridgeshire County Council on behalf of the Cambridgeshire & Peterborough Waste Partnership (RECAP), Hertfordshire County Council on behalf of the Hertfordshire Waste Partnership, Cornwall Council and Leicestershire County Council

<sup>5</sup> Eunomia (2008) Development of Marginal Abatement Cost Curves for the Waste Sector, Final Report for the Committee on Climate Change, Defra and the Environment Agency, December 2008; Eunomia (2010) Landfill Bans: Feasibility Research, Draft Final Report for WRAP produced for Defra and the Devolved Administrations

**3.115 Why does AmeyCespa use an electricity mix from 2015 in the model? A more realistic year would be mid-contract (i.e. 2030).**

The results from WRATE strongly depend on the energy mix used to calculate the carbon savings against electricity generated by other processes. The applicant chooses a 2015 date for the electricity mix comparison, justifying this on the grounds that by this date the facility should be up and running. This presents a misleading impression of the benefits of AWRP because the efficiency of other forms of energy generation will significantly improve in the future, alongside national targets. Other WRATE studies (above) choose more realistic dates, e.g. 2020. We argue that an electricity mix in 2030 is more appropriate and ask that a re-analysis is done to this standard.

Moreover, we cannot verify the electricity mix data used by the applicant in their main WRATE report (page 5 of the Fitchner report). The applicant says that “The electricity mix used within the AmeyCespa WRATE model is the default mix for the year 2015 within the UK”. The WRATE Users’ Manual states that the default WRATE mix data is available in the “WRATE electricity database unpublished report”, available from the Environment Agency.

We have consulted the Environment Agency report but the electricity mix figures used by the applicant appear not to be the same as those in the EA report. This matter must also be resolved because the electricity mix used by the applicant has significantly more electricity generated by coal (AmeyCespa use 32%, the WRATE electricity database says 22.4%) for 2015, and significantly less Gas CCGT (AmeyCespa use 36.9%, the WRATE electricity database says 44.2%) for 2015. Coal generates more CO<sub>2</sub> compared to Gas CCGT and so the apparent CO<sub>2</sub> savings of AWRP appear artificially high.

Looking forward is essential in the area of climate change. The carbon intensity of incineration is more than 300 gCO<sub>2</sub>/kWh<sup>6</sup> and will increase above this level as recycling increases and plastic becomes a more significant element of the waste that cannot be recycled and is burnt. This means that incineration such as that proposed by AWRP will rapidly be out of line with national targets - Defra estimates a 75% reduction in carbon intensity from over 300 to about 80 g CO<sub>2</sub>/kWh by 2030.

**3.116** For these reasons, WRATE should be re-run with 2030 as a baseline data. This is mid-way through the contract period and a more appropriate baseline for assessing the carbon emissions. In addition, the default electricity mix data should be verified to ensure that the correct values are being used.

**3.117 Why does AmeyCespa use the ‘Incinerator medium, power Chineham v2’ process (WRATE ID: 12300)? The “Billingham” option is more common.**

The applicant seeks to justify the use of Chineham as default thus: “*While the Chineham facility has a substantially smaller throughput than the proposed facility, the emission data in WRATE for this process is based on actual measurements unlike the large incinerators included within WRATE. It is therefore more accurate to scale up this medium incinerator as opposed to modifying one of the large incinerator processes*”.

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<sup>6</sup> Environment Agency, Biomass: Carbon sink or carbon sinner? 2009.

But this is invalid. The Chineham incinerator processes 100,000 tonnes per year and opened in 2003 – it is thus both much smaller and older than the proposed AWRP and thus an inappropriate model. The Billingham large incinerator has a capacity of 250,000 tonnes in 2009 and is more commonly used.

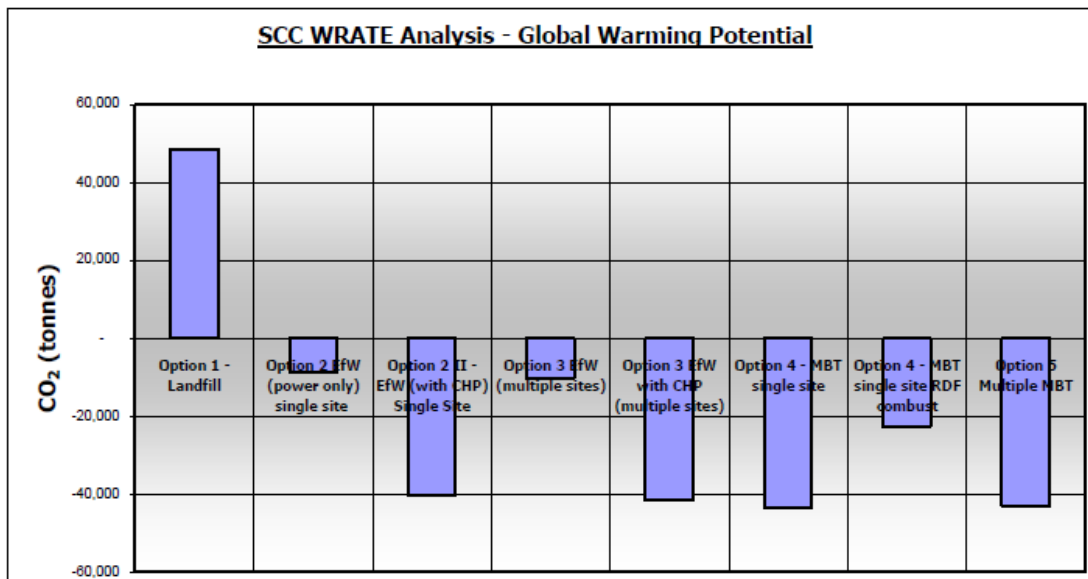
Other WRATE analyses show that those using Chineham emission data model apparently substantially better CO<sub>2</sub> performance against landfill than those using Billingham as default.

The applicant must demonstrate that it is appropriate to upscale the Chineham data as claimed, explain how this was done, and demonstrate the differences from the Billingham setting.

### 3.118 Why does the WRATE report fail to provide a direct comparison with other approaches?

The main WRATE report provides an assessment of the AWRP scheme compared **only** with landfilling. This is contrary to the standard approach used most WRATE reports, which routinely compare one technology with a range of others. The report fails to even break down the relative savings from the different elements of AWRP. It must do so.

An example is given below from Sussex County Council. Although not directly comparable to the North Yorkshire situation, the methodology shows clearly how different technologies compare. In this instance, the biggest savings come from either EfW (with CHP) (options 2 and 3) or via MBT (options 4 and 5). Incineration (no CHP) (option 2 and 3) performs the worst.



### 3.119 Why is AWRP not compared to other options using the same methodology?

In Section 16.3.66, the applicant states that: “Option 1, as described in **Appendix 16A**, represents the solution to be adopted at AWRP. In the analysis it is shown to outperform the other combinations tested. It should be noted that the WRATE analysis used to compare the alternative combinations was, for the purposes of comparison, standardised and does not exactly reflect the latest WRATE model for the proposed development.”

The latest WRATE model includes many changes, including in the treatment of biogenic carbon that are potentially significant for the performance of MBT relative to EfW. This is not

comparing like with like and the model must be re-run and the results made publically available for assessment.

### 3.120 Why are the comparative options so restricted?

Appendix 16A provides an inadequate assessment of alternative technologies (CHP, MBT) and using a different WRATE model from the main WRATE report, thus failing to compare like with like.

The failure to compare with CHP is remarkable, because CHP has been emphasised over incineration in EU and Government policies because of its environmental benefits. There can be only one reason for this omission: the applicant does not wish to show the greater carbon savings that CHP would bring.

This has to be rectified. The applicant should analyse a full range of alternatives using WRATE or ATROPOS (see above), including:

- One EfW (no CHP)
- Two EfWs (no CHP)
- One EfW (CHP)
- Two EfWs (CHP)
- One MBT (single site)
- One MBT (biostabilised residue to landfill)
- One MBT (RDF to offsite EfW)
- One MBT (RDF to offsite EfW with CHP)

### 3.121 Why are only descriptive outputs of the analysis provided, not absolute values?

The WRATE comparator in Appendix 16A only shows results as either “high” (for landfill) or “low” (for all other options). No details of specific CO<sub>2</sub> values are provided (Table 16A.1).

Likewise, the model was run to forecast the use of non-renewable resources. It concludes that Allerton is “low”, incineration and recycling of ash only is “low” and the other two options are “high”. No details of specific values are provided (Table 16A.1).

This is not acceptable – the applicant must provide full, quantified values for robust comparison.

### 3.122 Where is the evidence base for many of the statements made in Table 16A.1?

For example, the applicant argues that the MBT output poses a potential health risk and “was therefore discarded because of a lack of surety of its output usage in the UK and therefore the ability to consistently achieve the required 70% diversion of Municipal Waste from landfill required by NYCC.”

This is not justified and indicates a startling ignorance of recent changes in the waste treatment industry. How can MBT be described as an emerging technology when in fact it is now widespread and arguably the fastest growing sector in the waste market?

Contrary to the applicant's claim that the method is untested, rates of uptake of thermal MBT across Europe are increasing rapidly as the industry recognizes its environmental and cost benefits. At present, there are about 330 operational MBT plants throughout Europe, with a combined annual capacity of 34 million tonnes. Since 2009, at least 25 new facilities have come on stream each year and 80 new plants have been commissioned across Europe over the past three years, taking installed capacity to 46 million tonnes annually

across 450 plants by 2016.<sup>7</sup> In countries like France or Spain, MBT is now preferred over incineration.

## Impacts on wildlife

**3.123** Yorkshire Wildlife Trust has stated that there are otters present in the area surrounding AWRP. In fact, otters are seen with young in Ouse Gill Beck. In addition, the Harrogate Draft “Habitat Action Plan” includes the SINC at Ouse Gill Beck. There is a risk of pollution of Ouse Gill Beck by run-off from the site during construction and whilst operating.

## Traffic impacts

**3.124** The application should also be refused due to traffic impacts.

**3.125** The applicant admits that AWRP will increase in traffic on the A168 but fails to address the most serious risk which will arise at the already hazardous A59/A168 junction. There will be an increase of 2 very large HGVs **per minute** at this junction. This will cause overloads and restrict vision and, in turn, will increase the risk of accidents.

**3.126** AWRP therefore fails to comply with the following regional and local policies.

### **DFT Delivering a Sustainable Transport System (Nov 2008) and its aims:**

- *To reduce transport’s emissions of carbon dioxide and other greenhouse gases, with the desired outcome of tackling climate change.*
- *To contribute to better safety, security and health and longer life expectancy by reducing the risk of death, injury or illness arising from transport, and by promoting travel modes that are beneficial to health.*

### **The North Yorkshire Local Transport Plan LTP3 and its objectives:**

- *Reducing the impact of transport on the natural and built environment and tackling climate change.*
- *Improving transport safety and security and promoting healthier travel.*
- *Ensuring transport helps improve quality of life for all.*

### **Regional Spatial Strategy**

*Policy ENV 12 (Waste Management Objectives) principle 3: ‘Managing waste at the nearest possible location, where necessary seeking agreement with neighbouring authorities’.*

*Policy ENV 14 objective A: ‘Waste should be managed on the site where it arises, or if not possible at the nearest appropriate location’. ‘Major Waste arisings in rural areas should be treated locally (except where specialised facilities are required)’.*

### **North Yorkshire County Council**

Waste Policy 4/18 states that waste management facilities should minimise vehicle movement, whilst saved Policy 4 seeks to minimise the impact of heavy goods traffic and to promote alternative modes of transport where appropriate. The Policy seeks to ensure that treatment plants are geographically well located to the source of the waste thereby according with the proximity principle.

**3.127** The application fails to comply with these policies because:

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<sup>7</sup> Ecoprog 2011 *The European MBT Market*

- Considerable additional traffic will be generated by AWRP, particularly HGVs, thereby adding to CO<sub>2</sub> emissions and other pollutants. HGVs contribute 19.2% of total emissions from transport nationally, by far the largest proportion per unit of vehicle type.
- The large number of extra HGVs associated with the development will be detrimental to the safety and security of residents and North Yorkshire road users across the county.

**3.128** AWRP fails to apply the proximity principle, contrary to Government recommendations, and will also increase greenhouse gas emissions. A single site to treat the county's waste does not make economic sense. It is sheer folly to transport waste from all over the county, creating many miles of unnecessary HGV travel, incurring additional transport costs and adding to CO<sub>2</sub> emissions and other pollutants.

**3.129** The Transport Analysis in Appendix 11A may well be compromised in that "In reality, once a site has been chosen for development, the individual collection authorities will determine whether waste will be direct delivered to the site, or be subject to bulking prior to onward transmission."

**3.130** Therefore, if local authorities decide to send their waste directly to the site instead of bulking, the Applicant's Transport Assessment and all its conclusions will become utterly meaningless and traffic volumes may well be considerably in excess of estimates. This possibility must be fully evaluated within the Application.

**3.131** The applicant states that 'the assessment of the proposed development demonstrates that there are no significant environmental effects from traffic and transport associated with this development'. This is clearly incorrect. There will be an extra 302 HGV movements in and out of the site daily, which alone will have major adverse impacts on local roads, particularly as many of these HGVs will be large (20+ tonnes). This will increase the risk of serious accidents on the already dangerous A59 and A59/A168 junction.

**3.132** Finally, the applicant fails to provide any route maps to demonstrate how waste from across the county will be transported to AWRP. This means that the potential hazards have not been properly assessed.

NOTE: Traffic issues are discussed in greater depth in a submission by Goldsborough and Flaxby Parish Council.