

Mr Shaun Robson,
Planning Services,
Business and Environmental Services Directorate,
County Hall,
Northallerton DL7 8AH

January 31st 2012

Planning Application reference: NY/2011/0328/ENV

Dear Mr Robson,

This letter registers our objection to the Allerton Waste Recovery Park (AWRP) facility at Allerton Quarry, Planning Application Y/2011/0328/ENV.

We have not previously objected to a single planning application for waste treatment or disposal at Allerton Park, nor are we in principle opposed to an appropriate treatment facility being located on this site. We recognise that there is a need to divert waste from landfill. Our objections are predicated on ensuring an optimum solution to the waste problem is found that is sustainable in economic and environmental terms for the next 25 years. Notwithstanding the above, we object strongly to the AWRP proposal and request that planning permission is refused.

This is because: the application is contrary to EU, National and District Planning Policies; it will cause harm to the environment, to the economy and to sustainability; that harm cannot be mitigated; and the applicant fails to prove a need that overrides the harm.

We highlight five other key points:

- The choice of a single site to treat all of North Yorkshire's waste makes no sense given this is the largest rural county in England.
- There are alternative sites, dismissed by the applicant, that could be used to better meet the strategic needs of NYCC/CYC. The York City area is the largest waste producer yet sites within this area are excluded without proper justification. This includes the former British Sugar Factory (site 041), which is well located to receive waste from York, Scarborough, Thirsk and Northallerton and has options for Combined Heat and Power. Other sites not properly assessed include Burn Airfield.
- AWRP would be a massive industrial development in the open countryside, resulting in major adverse landscape and visual impacts that cannot be mitigated.
- The AWRP site has no CHP potential. It will therefore have unnecessary adverse climate impacts that could be avoided.
- AWRP is premature and undermines the developing Core Waste Strategy, which sets the strategic case for the "where", the "how" and the "when" with regard to waste treatment in NYCC/CYC.
- AWRP will increase traffic flows across the county, including at the already dangerous A59/A168 junction.

We summarise our case in this covering letter and attach a detailed response. We also reserve the right to make further comments later. This objection is made by Marton cum Grafton Parish Council and the nine other Parish Councils listed at the end of this letter.

Summary of grounds for objection

The AWRP is contrary to planning policies within the Statutory Development Plan

The Waste Local Plan (WLP) is the statutory policy document for waste management planning in North Yorkshire. Significant weight should therefore be attached to its saved policies. Policy 4/1 is the main locational policy and in (a.) requires the siting and scale to be appropriate to the location and in (e.) requires landscaping/screening to effectively mitigate impacts and be sympathetic to landscape character.

AWRP fails WLP Policy 4/1 by seeking to establish a large industrial facility in the open countryside that is not sympathetic to the landscape character and which cannot be effectively screened. AWRP fails WLP Policy 5/3 and 5/10 (and ENV14) because the site is not *“within an existing, former or proposed industrial area of a character appropriate to the development”* and is not *“located on land formerly occupied by waste management facilities of a character appropriate to the development”*. As there is an existing approved restoration scheme for the site, it is not *“located on areas of contaminated, despoiled or previously derelict land”* and it must be assessed against the landscape qualities of the site following restoration.

AWRP is contrary to Policy 4/1, which requires it to be demonstrated that the proposal represents the Best Practicable Environmental Option (BPEO) and that the location accords with the proximity principle. The BPEO means communities *“taking more responsibilities for their own waste and enabling waste to be recovered at the nearest appropriate installation by means of the most appropriate methods and technologies”* (PPS10). In reality, the proposed location can only be considered as proximate if ‘community’ is defined as the whole of North Yorkshire, and if the best available technology requires a large single facility. Neither condition applies: AWRP fails the proximity principle, it stops communities taking responsibility for managing their waste locally, and it is not the most appropriate technology for this site.

AWRP fails policy E8 of the Harrogate Core Strategy, which states the circumstances where new industrial and business development will be permitted. No encouragement is given to large scale developments in the countryside like AWRP, which are unrelated to the existing settlement pattern and would significantly impact on the character, appearance and amenity of an area.

AWRP fails Policies HD7A, HD20 and R11 that deal with landscape and visual impacts on historic parks and gardens, and impacts on rights of way. The scheme will adversely affect the character and setting of Allerton Park and Allerton Castle, a Grade 1 listed building, and will make an adverse contribution to the landscape and visual amenity within a radius of at least 5 km from the application site. The buildings and chimney will be visible from a large number of receptors up to 20 km distance including the Conservation Areas of Arkendale and Marton cum Grafton, and from the Hambleton Hills.

AWRP will be disproportionate in scale, proportions and height compared to neighbouring properties and the general landscape setting. It will adversely affect a large number of public footways and bridleways. HD20 states that proposals should be respectful of and fit in with local landscape and built form, and that *“Development which is contrary to these design principles will not be permitted”*. AWRP fails HD20. The comments of CABE that the *“curved design of the building fits well into the surroundings”* is misleading and carries little weight.

Policies SG3 and SG4 relate to settlement growth and conservation of the countryside. SG3 emphasises protecting the countryside from inappropriate development and favours small scale development. SG4 states that all development in the district should be well integrated with, and complementary to, neighbouring buildings and the spatial qualities of the local area and be appropriate to the form and character of the settlement and/or landscape character. AWRP fails both SG3 and SG4 for the reasons outlined in the paragraph above. AWRP is also contrary to Policy EQ2 that seeks to *“protect the high quality of the landscape which is important to the setting of the towns of Harrogate, Knaresborough and Ripon”*.

The Visitor Centre is an ineffective means to raise awareness of recycling. AWRP will incinerate 85% of the waste it receives and will not help to meaningfully increase recycling levels. Indeed, a more efficient means to promote 'reduce, re-use, and recycle' would be to take that message to the communities and centres where the most waste is produced. A Visitor Centre in the open countryside beyond the reach of public transport fails in this regard.

The AWRP application pre-empts the developing Core Minerals and Waste Strategy. If approved, AWRP will render that strategy null-and-void since treating the whole county's waste at AWRP will become the strategy, *de facto*. Consultation to date shows the public would prefer more recycling and re-use with distributed treatment centres treating waste close to source. There is little public support for mass incineration at a single site.

The applicant refers to supplementary guidance in PPS1 (Paragraph 20) which states: "*planning authorities should: not require applicants for energy development to demonstrate either the overall need for renewable energy and its distribution, nor question the energy justification for why a proposal for such development must be sited in a particular location*". However, this does not apply to AWRP. This is because the AWRP proposal is, first and foremost, concerned with the disposal of waste and not the development of renewable energy. PPS1 in this regard is concerned mainly with genuinely renewable forms of energy, like wind and solar. The applicant must therefore demonstrate why this particular technology is suitable for this location and in this regard he fails.

The proposal will cause harm

AWRP will cause long-term harm over a wide area in several ways.

Sustainability: The applicant fails the Brundtland Commission definition of sustainability as: "*development that meets the needs of the present without compromising the ability of future generations to meet their own needs*". The 25 to 30 year contract will fundamentally compromise the ability of future generations to meet their needs. They will not be able to change to respond to future changes in legislation, technology, recycling or cost. The incinerator dominates the facility in cost and treatment volumes and, once built, cannot be reduced in size.

There is widespread public opposition to AWRP, demonstrating its negative impacts on well-being and public health. We refute the applicant's self-assessment against sustainability criteria and argue that the project will harm the environment and economy, will not contribute to social cohesion and inclusion, and will not use resources wisely and efficiently. Alternative technologies are dismissed by the applicant that could bring significantly greater benefits.

Landscape and visual harm: AWRP will not protect the landscape character of the district and fails to incorporate the required high quality, locally distinctive design (it fails Policy EQ2). The scheme does not enhance the local landscape character and is not compatible with the local landscape in terms of its scale (it fails the WLP Policy 4/3). There would be significant visual impacts from public rights of way and an unacceptable impact on recreational amenity (it fails WLP Policy 4/20 and R11).

AWRP will adversely affect the character and setting of Allerton Park through landscape and visual effects (it fails HD7A). It fails HD20 because of the adverse contribution to the landscape and visual amenity and the disproportionate scale, proportions and height compared to neighbouring properties and the general landscape setting.

AWRP is contrary to recommendations in the relevant Harrogate District Landscape Assessments. Guidelines for Area 68 seek to "*Protect the setting of Allerton Park*" and notes that "*The capacity of the landscape to accept further change without detriment to its character and the setting of Allerton Park is limited*". Area 68 states that "*New development along this (A1(M)) corridor will further conflict with the character of the surrounding landscape and add discord*". Area 91 recommends "*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*". Area 90 states "*Large scale development along the A168 and A1(M) corridor should be resisted*".

Government Planning Inspectors have rejected two planning applications very close to this site – a motorway services area (1998) and an abattoir and meat processing factory (2005) – on grounds of the unacceptable impact they would have on the landscape. AWRP will greatly exceed those schemes in size, visual and landscape impacts, and will have other adverse impacts from intrusive lighting and increased traffic, notably large lorries using the dangerous A168/A59 junction but also more widely across North Yorkshire caused by the requirement to truck waste to a single location.

Pollution and climate harm: AWRP would cause adverse climate change impacts through greenhouse gas emissions (GHG) that would be reduced by using alternative technologies. AWRP is located in the open countryside and although it could recover 200,000MWh of heat from the Energy from Waste process, this heat cannot be used¹. The applicant has stated 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 process increasingly expensive and uneconomical, as is the case for Allerton Waste Recovery Park.”*¹

The absence of genuine CHP represents a waste of resources that will cause avoidable GHG pollution. Opportunities for CHP exist at other sites in the county but are ignored by the applicant.

The applicant fails to robustly assess the GHG impacts of AWRP against other technologies and the relative merits of single versus multiple site solutions. His WRATE models use inconsistent and misleading base-line data that provide an inaccurate impression of the apparent GHG benefits of AWRP. This entire approach requires independent validation. Other technologies, notably Mechanical Biological Treatment (MBT), offer significantly better GHG performance yet receive little consideration. AWRP would not secure the highest resource and energy efficiency nor the greatest reduction in carbon emissions possible. A single site increases carbon emissions by increasing waste transport compared with two or more sites, particularly in a rural area.

AWRP seeks to use a technology already rejected by City of York Council (CYC), which determined (13 June and 12 September 2006) that there would not be an incinerator in the CYC area. It is not logical that CYC, which could use the waste heat, should reject an incinerator yet agree to send its waste to an incinerator at Allerton Park where there is no heat recovery.

Financial harm: This project will cause harm to the people of NYCC and CYC who will have to meet the £1.4 billion cost of this PFI contract and underwrite the project risk. We understand the gate fee charged will be £65 per tonne more than the current market price for black bag disposal. This amounts to a colossal overpayment over the life of the contract. Over £400 million of the £1.4 billion contract is for interest repayments. AWRP will harm small, Yorkshire owned, firms because its monopoly position would be unchallengeable for 25 years.

Financial harm could be mitigated by using less expensive systems. We have detailed previously the MBT scheme used by Darlington Council, which is cheaper and more flexible than that proposed at AWRP and can meet the target to reduce waste to landfill. It could be replicated at one or more sites and the small amount of residual waste either landfilled or disposed of via an existing facility (such as that at Ferrybridge). Barnsley, Doncaster and Rotherham Councils are embarking on a similar MBT solution to handle 260,000 tonnes of waste per annum at a total cost of circa £0.7 billion over 25 years, with their residual waste going to Ferrybridge. This is nearly half the cost of the AWRP scheme and could save North Yorkshire £30 million per annum.

¹ Email AWRP to Councillor Vassie, 31st August 2010.

The harm caused by AWRP cannot be mitigated

None of the so-called mitigation measures reduce, mask or change the visual and landscape harm to the immediate and distant landscape caused by an alien structure in what is otherwise open countryside. The proposed Section 106 Agreements are irrelevant and deficient in scope and impact to offset this harm. The £1 million in compensation will go solely to the owner of Allerton Park and will not benefit the wider community. The proposal to repair six small monuments and a boundary wall provide no effective mitigation to the general public who have little or no access to these. The proposed Community Heritage Fund is inadequately specified and we fail to see why members of the public should be required to apply for funds so they can mitigate the impacts of AWRP when this is the responsibility of the applicant.

The applicant fails to demonstrate a need that outweighs the harm the proposal will cause

The applicant fails to provide a business case, despite a significant component of the scheme being funded and underwritten by public money. There is a strong public interest case for contract disclosure, mindful that the contract has now been signed. Without disclosure, it is impossible for the applicant to financially justify the proposed technology, nor compare it to others that are available. Without details, the financial 'need' cannot be given any weight.

The applicant seeks to justify the need for the facility because it is a 'green' facility that will recover energy and resources in a sustainable manner. This is simply not true. Over 85% of the waste entering AWRP will be burnt using an inefficient technology that wastes heat. Large volumes of commercial and industrial waste will go straight into the incinerator without any effort at recycling. The Mechanical Treatment (MT) facility will only guarantee to recover 5% additional recyclates. Government guidance makes it clear that waste is a valuable commodity to be re-used, recycled and recovered and only then, **if all else fails**, disposed of by the most efficient form of EfW.

The applicant fails to justify the size of the facility and exaggerates the projections of future waste volumes. The applicant provides no argument to support their waste forecasts – it is their role to do so since they are applying for this facility and not NYCC.

Prevention is at the top of the waste hierarchy and waste arisings will therefore fall, yet AWRP assume that kerbside recycling will not exceed 50% for the next 25 years. This is unreasonable when Scotland and Wales are already committed to targets of 70%. Voluntary and statutory targets at national and EU levels will continue to force waste down in future. Higher kerbside recycling will reduce waste available for AWRP. Using more realistic scenarios, we show there will be only c. 200,000 tonnes of waste by the end of the contract period, not the 320,000 tonnes claimed.

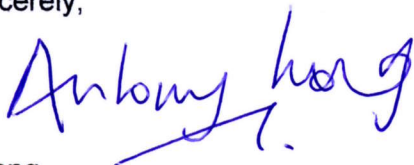
The applicant fails to justify the case for its technology. His application of sustainability criteria to assess the benefits of one or more sites is flawed and the conclusion is unsound. In contrast, the case for multiple, smaller sites in a county the size of NYCC and CYC is compelling. The site search is pre-determined because of its reliance on roads and access as key determinants of the search area, ignoring other more pressing requirements such as the proximity principle and minimising carbon costs (e.g. through CHP or other technologies).

In 2006, NYCC commenced base-line monitoring at just two of the eight potential sites identified in its (withdrawn) Core Waste Strategy Preferred Site Document (2008) to expedite the planning process: one was Allerton Park and the other Burn Airfield. Though not stated, this decision clearly steered the applicant's site selection process and prevented multiple, smaller sites being considered. This is contrary to what the BPEO recommended and ignores the views of North Yorkshire residents who, when last questioned, expressed a clear majority (>80%) preference for multiple sites to reduce the impacts of transport. The responses to the emerging Waste Core Strategy confirm this.

Conclusion

We object to the AWRP proposal because it is contrary to EU, National and District Planning Policies; it will cause harm to the environment, to the economy and to sustainability; that harm cannot be mitigated; and the applicant fails to prove a need that overrides the harm.

Yours sincerely,

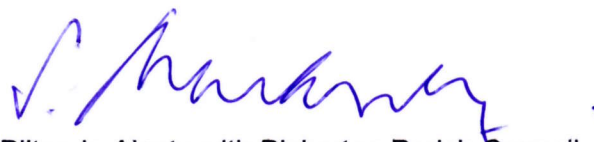


Antony Long
Chair Marton cum Grafton Parish Council

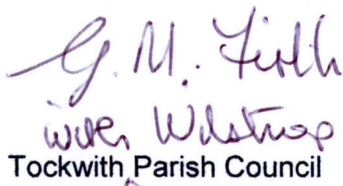
This letter is sent on behalf of the members of the local Parish Councils' Group representing:



Arkendale, Coneythorpe & Clareton Parish Council



Bilton in Ainsty with Bickerton Parish Council



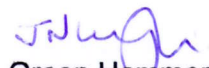
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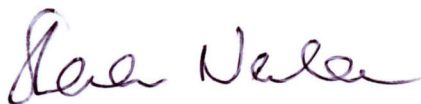
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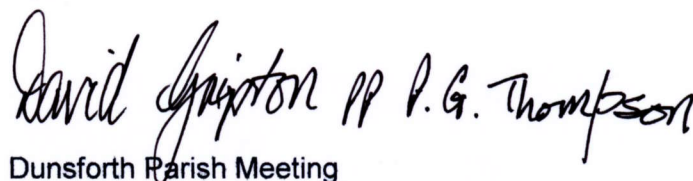
Goldsborough & Flaxby Grouped Parish Councils



Green Hammerton Parish Council



Little Ouseburn Parish Council



Dunsforth Parish Meeting

Attachments

Part 1 Response to the AWRP Planning Statement

Part 2 Objection to the AWRP Planning Application

Part 3 Why AWRP will cause harm

Part 4 Landscape and visual impact

Part 5 Why AWRP mitigation fails

Part 6 Why the AWRP application fails to demonstrate 'need'