

**Parc Adfer Energy Recovery Facility,
Deeside Industrial Park, Flintshire**

ADDENDUM TO WASTE PLANNING ASSESSMENT

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WTI UK Limited



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1.0 INTRODUCTION

1.1 The Planning Application

A planning application was submitted by SLR Consulting Limited (SLR) on behalf of WTI UK Limited to Flintshire County Council (as Local Planning Authority) in respect of land at Deeside Industrial Park, Flintshire on 8 September 2014. The planning application, which has been assigned the reference 052626 by the Local Planning Authority (LPA) is for:

“the construction and operation of an Energy Recovery Facility (referred to as an ‘ERF’) and ancillary facilities, comprising offices and welfare facilities, visitor centre, bottom ash recycling and maturation facilities, access roads and weighbridge facilities, electrical compound, together with peripheral landscaping and security fencing. The proposals also make provision for a rail connection, sidings and associated infrastructure.”

The proposed ERF has been called Parc Adfer: Throughout the ES (and this document) the term “*Parc Adfer*” and “*the ERF*” are synonymous. It should also be noted that the term “*energy from waste*” is also used in this document as it is a term often used in national policy and strategies. Again, the term energy from waste and Energy Recovery Facility (or ERF) are synonymous.

The planning application is accompanied by an Waste Planning Assessment (WPA). The full submission comprises:

- Volume 1: Waste Policy Assessment
- Volume 2A: Environmental Statement (main text);
- Volume 2B: Environmental Statement (Technical Appendices);
- Volume 3: A Non Technical Summary of the ES; and
- Volume 4: Design and Access Statement.

1.2 Consultation

The LPA has consulted on the planning application. In their letter of 27 October 2014 Natural Resources Wales (NRW) informed the LPA that they objected to the planning application citing reasons relating to flooding and the adequacy of the Flood Consequence Assessment. SLR has been in discussion with NRW and has provided two further ‘submissions’ seeking to clarify the assessment presented in the ES and Flood Consequence Assessment.

In view of this clarification, NRW has now withdrawn its objection subject to the imposition of several conditions. One of the conditions is the imposition of an end date to the development to provide clarity on the duration of the operations.

1.3 Proposed Change

It is proposed to limit the life of the proposed ERF to 31 December 2050, thereby making the development “temporary” in nature.

Paragraphs 3.139 to 3.142 of the WPA set out the duration of the ERF in the context of the “*Decommissioning Phase*”. In this respect, it identified that the contract with the North Wales Residual Waste Partnership has a duration of 25 years; however it is not currently clear what will happen at the end of the contract in relation to whether Parc Adfer would be decommissioned or whether it would continue to operate. The decision rests with the waste partnership who could:

- agree between the authorities to decommission the plant
- allow Flintshire to retain the plant
- tender for a new contract for operation of the plant

These options will be influenced by national planning policy and strategies prevailing at that time and how far Wales has progressed to a zero waste economy. As set out below, current strategies clearly indicate that by 2050 residual waste will have been phased out through actions on waste prevention and sustainable consumption and production so that the only waste that is produced is reused or recycled as a resource. Figure 9 in “*Towards Zero Waste One Wales: One Planet*”¹ for example indicates that in 2050 there will be 100% recycling, no residual waste and no energy from waste. This is considered further in the Addendum to the Waste Planning Assessment being submitted alongside this Addendum to the ES.

To address the concern raised by NRW it has been agreed to limit the duration the ERF is in operation to tie in with current national planning policy and strategies and provide that the ERF would be decommissioned by 31 December 2050 after which the plant and buildings would be removed from the application site. As the application site lies within an established industrial area, it would be appropriate to leave the site in a condition that would foster further development, rather than ‘restore’ the site. As set out in the ES (para 3.143) full details of the decommissioning management plan (which would set out the details for the restoration of the site, including final levels) would be submitted two years prior to decommissioning works taking place; this would therefore be submitted by 31 December 2048. This can be secured by way of a suitably worded condition.

It is important to note that the planning application was prepared in the knowledge that the proposed ERF would be decommissioned. For example, paragraph 1.39 refers to a design life in excess of 25 years, but also refers to the decommissioning phase after the operational phase.

1.4 This Addendum

In view of the change to the development identified above consideration has been given to the content of the WPA to determine whether there would be any change to the conclusions reached.

The remainder of this Addendum addresses the considerations within the original WPA and whether the proposed change would lead to a different conclusion. For ease, it is structured in the same order as the submitted WPA.

¹ Towards Zero Waste One Wales: one Planet. Overarching Waste Strategy Document for Wales. WAG. June 2010

2.0 WPA ADDENDUM

2.1 Chapter 1 - Introduction

For the avoidance of doubt and to provide clarity, paragraph 1.1 should now read (new text is underlined):

“This document comprises an Environmental Statement (ES) and has been prepared by SLR Consulting Limited (SLR) on behalf of WTI UK Limited (the applicant). The ES is part of a package of documents being submitted to Flintshire County Council in support of a planning application in respect of land at Deeside Industrial Park, Flintshire. The planning application is for the construction and operation for a temporary period up to 31 December 2050 of an Energy Recovery Facility (referred to as an ‘ERF’) and ancillary facilities, comprising offices and welfare facilities, visitor centre, bottom ash recycling and maturation facilities, access roads and weighbridge facilities, electrical compound, together with peripheral landscaping and security fencing. The proposals also make provision for a rail connection, sidings and associated infrastructure.”

Similarly, paragraphs 1.16 to 1.20, which summarise the scheme, should be read in the light of the finite duration of the operational phase. For example paragraph 1.17 should now read:

The proposed ERF would recover value (primarily in the form of energy, but also recycled materials in the form of incinerator bottom ash (IBA) and metals recovered from the IBA) from up to 200,000tpa of residual waste² for a temporary period up to 31 December 2050; the majority of the imported waste would be residual Municipal Solid Waste (‘MSW’) collected by the five authorities³ making up the North Wales Residual Waste Treatment Project. The balance would comprise residual commercial and industrial (C&I) waste, collected by private waste management companies, or other MSW contracts. Collectively, the MSW and C&I wastes are referred to as the ‘feedstock’ for the ERF.

2.2 Chapter 2 - Site Description

The proposed change has no impact upon the content of this chapter as it describes the current condition of the application site and its environs.

2.3 Chapter 3 - The Development

As for Chapter 1 this chapter needs to be read in the light of the finite duration of the operational phase. For example, the text “for a temporary period up to 31 December 2050” can be added to paragraph 3.3 or 3.4 for clarity.

Allied to this, paragraphs 3.139 to 3.142 should also be read in the light of the temporary nature of the development. As the contract is for a period of 25 years from “service commencement”, it will terminate in c. 2043. Thus, the three options in paragraph 3.140 are still valid, be it that at the current time, any continuation would be for a period of c. 7 years. Notwithstanding this, there is a fourth option in that a further planning application could be made to extend the duration of the ERF. Based on current guidance/regulations this would

² Residual waste is the fraction that is left after re-use and recycling has taken place

³ Conwy, Denbighshire, Flintshire, Gwynedd and Isle of Anglesey

still be an EIA development and thus the planning application would need to be supported by a new ES, with the application decided having regard to the policies prevailing at that time.

2.4 Chapter 4 - Planning Policy

This chapter sets out the planning policy framework against which the planning application will be assessed. It examines both national planning policy and the local Development Plan. Consideration has therefore been given in the chapter to:

- Planning Policy Wales;
- Technical Advice Note 21: Waste;
- Technical Advice Note 8: Renewable Energy; and
- Flintshire Unitary Development Plan.

Central to national policy is the aim of reducing carbon emissions. Key to this is the diversion of waste away from landfill. For the residual waste stream, energy from waste is favoured as a means of reducing carbon emissions; however, emphasis is also placed in progressively increasing recycling rates and reducing waste arisings. Ultimately, facilities such as Parc Adfer will become obsolete under the current national planning policy landscape. Of particular note in the chapter is paragraph 4.20 which states (emphasis added):

*“... Regard does though have to be given to the provisions of Towards Zero Waste (see Chapter 5) **whereby the need for energy from waste facilities will be phased out by 2050**; however, **up to that time**, national policy and strategies clearly recognise that facilities such as Parc Adfer play an important role. Paragraph 12.8.9 goes on to add that “Local planning authorities should facilitate the development of all forms of renewable and low carbon energy to move towards a low carbon economy”. This paragraph sets out a positive provision in terms of planning policy...”*

As such, the chapter already eludes to the fact that national planning policy and strategies (given that “*Planning Policy Wales*” is inextricable linked to “*Towards Zero Waste*”, refer to paragraph 4.15 of the WPA) regarding waste management do not envisage the need for energy from waste facilities after 2050.

At the local level, the policies considered are principally aimed at whether the application site is a suitable location, referring to the site specific allocations and then examining the policies aimed at protecting the environment and amenity of local communities. None of the planning policies suggest that an energy from waste facility (such as Parc Adfer) should be a permanent development.

The proposed change therefore has no impact upon the content of this chapter as it describes the current planning policies at local and national level. Notwithstanding this, it can be argued that the proposed change reflects the aims of national planning policy and indeed could be seen as supporting the aims to ensure that “*Towards Zero Waste*” is not undermined by the operation of the facility.

The proposed change has no impact upon the content of conclusions of this chapter.

2.5 Chapter 5 - Material Considerations

Planning policy (as set out in Chapter 4 of the WPA) plays an important role in determining any planning application. However, there are times when other ‘material’ considerations can over-ride the provisions of a particular policy, or when taken collectively, weigh in favour of a development, despite it being contrary to the Development Plan. Such “*material considerations*” can include European Directives and national strategies.

Chapter 5 of the WPA considers:

- European Directive 2008/98/EC on Waste (revised Waste Framework Directive);
- Towards Zero Waste (2010)
- The Municipal Sector Plan (2011);
- The Collections, Infrastructure and Markets Sector (CIMS) Plan (2012);
- The Industrial and Commercial Sector Plan (2013)
- Environment Strategy for Wales (2006);
- One Wales: One Planet (2009);
- Wales Spatial Plan 2008 Update – People, Places, Futures (2008)
- UK Renewable Energy Strategy (July 2009);
- UK Low Carbon Transition Plan (July 2009);
- UK Renewable Energy Road Map (July 2011);
- Climate Change Strategy for Wales;
- Energy Wales: A Low Carbon Transition (2012); and
- Flintshire Waste Management Strategy (2009).

Of these, and in the context of the proposed change, it is Towards Zero Waste and the Sector Plans that are key.

As set out in paragraph 5.15 of the WPA “Towards Zero Waste” sets out a long term framework for resource efficiency and waste management between now and 2050. It identifies the outcomes the Welsh Government wish to achieve, sets high level targets and lays out the general approach to delivering these targets and other key actions. The key thrust of the strategy document is to recycle 70% of all waste by 2025 with an aim of zero waste to landfill **or recovery facilities** by 2050.

Paragraph 5.22 of the WPA states:

“The contract for the management of residual waste collected by the local authorities will expire in 2043/2044, and the Authority has specifically requested a 12 month residual life at the end of the contract. As such the 25 year contract will expire some six years before the target date of 2050 and thus is consistent with Towards Zero Waste.”

Accordingly, the chapter clearly gives cognisance to the fact that post 2050 there will not be a need for energy from waste facilities and thus the proposed change is not in conflict with the thrust of the chapter.

The Municipal Sector Plan⁴ supports ‘Towards Zero Waste’, by detailing outcomes, policies and delivery actions for the municipal sector. It forms part of the suite of documents that overall comprise the waste management plan/strategy for Wales. As noted in paragraph 5.25 of the WPA, Section 3.5.1 of the Sector Plan indicates that the treatment methods most likely to deliver the sustainable development outcomes identified in “One Wales, One Planet” and “Towards Zero Waste” include, for residual waste:

“Use as a fuel of the residual municipal waste left after recycling in energy recovery plants with a high energy efficiency (preferably with a thermal efficiency of 60 per cent or greater, but at the least meeting the recovery threshold efficiency formula laid down in the revised Waste Framework Directive)”

⁴ Municipal Sector plan Part 1. (WAG10-11169). WAG March 2011

The Collections, Infrastructure and Markets Sector (CIMS) Plan updates the picture of infrastructure requirements, in relation to technology choices and the best overall environmental option for specific waste materials. In terms of “*Key Areas for Action*”, the CIMS Plan identifies energy recovery from residual waste. Wastes that cannot be re-used, recycled or undergo other forms of recovery, are to be used for the optimised recovery of energy in local applications and to ensure that the retention of economic value in Wales from such operations is maximised.

Overall, the thrust of the chapter is to examine the period up to 2050 setting out the factors that support the development of Parc Adfer. The chapter makes it clear that national strategies support the use of high efficiency energy from waste facilities to treat residual waste (and recover value) up to 2050. As such, the proposed change does not conflict with the thrust of the chapter. This is highlighted in paragraph 5.91 in the Chapter’s “Summary” (emphasis added):

*“There is a consistent message throughout each of the documents, in that there is a need to reduce carbon emissions. This is to be achieved by firstly diverting waste away from landfill and secondly, to decrease the amount of waste that is produced, together with increasing the amount of waste that is either re-used or recycled, As such, by 2025 virtually all residual waste will be diverted from landfill to high efficient energy recovery facilities, such as Parc Adfer. **By 2050, there should not be a need for any energy recovery facilities**”*

The proposed change has no impact upon the content of conclusions of this chapter.

2.6 Chapter 6 - Need

This chapter examines the numerical need for Parc Adfer in terms of waste arisings. Projections of waste arisings (such as in Tables 6-1 and 6-3) are up to c. 2045, and thus before 2050. No consideration is given in the chapter to arisings post 2050.

The proposed change therefore has no impact upon the content of this chapter.

2.7 Chapter 7 - Amenity and Nuisance

This chapter fundamentally draws from the ES (Volume 2 of the submission) summarising the key environmental aspects. In parallel with this Addendum, consideration has been given to whether the proposed change would affect the conclusions reached in the ES. This is reported in an Addendum to the ES. The overall conclusion reached is that imposing an end date of 2050 would not affect the conclusions of the ES and as a consequence, the proposed change would therefore have no impact upon this chapter of the WPA.

2.8 Chapter 8 - Energy Efficiency

This chapter considered the energy efficiency of the proposed Parc Adfer, having regard to combined heat and power (CHP) and the “R1” calculation. The proposed change has no impact upon the content of this chapter.

2.9 Chapter 9 - Consultation

The proposed change has no impact upon the content of this chapter.

3.0 CONCLUSIONS

Following the submission of a planning application on 8 September 2014 for the construction and operation of an Energy Recovery Facility (ERF) on land at the Deeside Industrial Park, the applicant is proposing to amend the application slightly by imposing an end date to the development. In this respect, it is proposed that the ERF would cease operating by 31 December 2050 in line with national planning policies and strategies relating to waste management.

Consideration has been given in this Addendum to whether such a change would affect the conclusions reached in the WPA submitted with the planning application. For each chapter it has been found that adding the end date to the operational phase of the development would not alter the conclusions reached.

Accordingly, the findings of the WPA remain valid and no further alteration or addition is needed.

ABERDEEN

214 Union Street,
Aberdeen AB10 1TL
T: +44 (0)1224 517405

AYLESBURY

7 Wornal Park, Menmarsh Road,
Worminghall, Aylesbury,
Buckinghamshire HP18 9PH
T: +44 (0)1844 337380

BELFAST

Suite 1 Potters Quay, 5 Ravenhill Road,
Belfast BT6 8DN
T: +44 (0)28 9073 2493

BRADFORD-ON-AVON

Treenwood House, Rowden Lane,
Bradford-on-Avon, Wiltshire BA15 2AU
T: +44 (0)1225 309400

BRISTOL

Langford Lodge, 109 Pembroke Road,
Clifton, Bristol BS8 3EU
T: +44 (0)117 9064280

CAMBRIDGE

8 Stow Court, Stow-cum-Quy,
Cambridge CB25 9AS
T: +44 (0)1223 813805

CARDIFF

Fulmar House, Beignon Close, Ocean
Way, Cardiff CF24 5PB
T: +44 (0)29 20491010

CHELMSFORD

Unit 77, Waterhouse Business Centre,
2 Cromar Way, Chelmsford, Essex
CM1 2QE
T: +44 (0)1245 392170

DUBLIN

7 Dundrum Business Park, Windy
Arbour, Dundrum, Dublin 14 Ireland
T: +353 (0)1 2964667

EDINBURGH

No. 4 The Roundal, Roddinglaw
Business Park, Gogar, Edinburgh
EH12 9DB
T: +44 (0)131 3356830

EXETER

69 Polsloe Road, Exeter EX1 2NF
T: +44 (0)1392 490152

GLASGOW

4 Woodside Place, Charing Cross,
Glasgow G3 7QF
T: +44 (0)141 3535037

GUILDFORD

65 Woodbridge Road, Guildford
Surrey GU1 4RD
T: +44 (0)1483 889 800

LEEDS

Suite 1, Jason House, Kerry Hill,
Horsforth, Leeds LS18 4JR
T: +44 (0)113 2580650

LONDON

83 Victoria Street,
London, SW1H 0HW
T: +44 (0)203 691 5810

MAIDSTONE

19 Hollingworth Court, Turkey Mill,
Maidstone, Kent ME14 5PP
T: +44 (0)1622 609242

MANCHESTER

Digital World Centre, 1 Lowry Plaza,
The Quays, Salford, Manchester
M50 3UB
T: +44 (0)161 216 4064

NEWCASTLE UPON TYNE

Sailors Bethel, Horatio Street,
Newcastle-upon-Tyne NE1 2PE
T: +44 (0)191 2611966

NOTTINGHAM

Aspect House, Aspect Business Park,
Bennerley Road, Nottingham NG6 8WR
T: +44 (0)115 9647280

SHEFFIELD

Unit 2 Newton Business Centre,
Thornccliffe Park Estate, Newton
Chambers Road, Chapeltown,
Sheffield S35 2PW
T: +44 (0)114 2455153

SHREWSBURY

2nd Floor, Hermes House, Oxon
Business Park, Shrewsbury SY3 5HJ
T: +44 (0)1743 239250

STAFFORD

8 Parker Court, Staffordshire Technology
Park, Beaconside, Stafford ST18 0WP
T: +44 (0)1785 241755

WORCESTER

Suite 5, Brindley Court, Gresley Road,
Shire Business Park, Worcester
WR4 9FD
T: +44 (0)1905 751310

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