

# Planning Committee

14 March 2017

Present: Councillor T Mulvenna (Chair)  
Councillors, A Arkle, L Darke,  
S Graham, M A Green, E Hodson,  
Janet Hunter, John Hunter,  
F Lott, D McMeekan and J O'Shea,

## **PQ65/03/17 Apologies**

Apologies for absence were received from Councillors J Allan, C Johnson and P Mason.

## **PQ66/03/17 Substitute Members**

There were no substitute members.

## **PQ67/03/17 Declarations of Interest and Dispensations**

There were no Declarations of Interest or Dispensations reported.

## **PQ68/03/17 Planning Officer's Report**

**Resolved** that (1) permission to develop pursuant to the General Development Provisions of the Town and Country Planning Act 1990 and the Orders made thereunder, be granted for such class or classes of development or for such limited purpose or purposes as are specified, or not granted as the case may be, in accordance with the decisions indicated below; and

(2) any approval granted for a limited period be subject to the usual conditions relating to the restoration of land, removal of buildings and discontinuance of temporary use.

Application No:	<b>16/01922/FUL</b>	Ward:	Riverside
Application Type:	full planning application		
Location:	Howdon Yard, Tyne View Terrace, Wallsend		
Proposal:	Erection of Energy Recovery Facility (with fluidised bed reactors gasification technology) and associated infrastructure		
Applicant:	Howdon Green Energy Park Limited		

A planning officer presented details of the application to the committee. In doing so she made reference to the written report contained in the agenda papers, two addendums to the report, each containing additional proposed conditions, and various images, maps and plans displayed at the meeting. The committee also viewed a video animation showing the proposed operation of the proposed facility.

Peter Spark, nominated by the communities of East Howdon and Willington Quay, Steve Manchee, from North Tyneside Friends of the Earth, and Graeme Cansdale, on behalf of the community of Willington Quay, were permitted to speak to the committee.

Peter Spark objected to the application on six grounds, namely: its close proximity to nearby residential properties, its close proximity to other business uses, its impact on health, the flaws and problems with the technology to be used, the impact of emissions into the air from the facility and the proposed transport of waste by road from around the UK to the facility.

Steve Manchee challenged the efficiency and green credentials of the proposed gasification technology in the context of the waste hierarchy and the content of the Refuse Derived Fuel (RDF) feedstock to be used. He suggested that if the committee were minded to approve the application there should be a condition requiring the applicant to obtain R1 Recovery Status from the Environment Agency.

Graham Cansdale stated that the Port of Tyne were being negligent in its corporate responsibilities in asking the committee to approve an experimental scheme. He was concerned that the emissions from the facility would be a threat to public health, the transportation of the RDF would increase traffic pollution, the facility would add to problems caused by existing industrial operations in the area and it would be a blot on the landscape. The facility would be to the detriment of local communities and lessen the chances for improvements in the area. He urged forward thinking to secure investment in cleaner and better uses for the site.

Members of the committee asked questions of the speakers.

Councillor Wendy Lott, a councillor for the Riverside Ward, was permitted to speak to the committee. Councillor Lott was opposed to the application. She described the types of industrial processes which took place around East Howdon and the detrimental impact these had on the quality of life of residents. She was concerned at the potential impact of the facility in terms of noise, air quality, vermin, dust and flies, particularly as they were likely to affect those communities with high levels of deprivation and poor health.

Councillor Bruce Pickard, also a councillor for the Riverside Ward, was permitted to speak to the committee. Councillor Pickard challenged the evidence presented by the applicants to demonstrate that the risks associated with the facility would be adequately managed, when experience had shown him that such systems and promises had often failed. He considered that the facility represented over development, he questioned the quantitative or market need for the facility in the region and he expressed concerns about the fuel to be used, its impact on public health and the reliability of the technology.

Harvey Emms, a planning advisor from Nathaniel Lichfield & Partners, Simon Williams, from Outotec (UK) Ltd, and Andrew Moffat, Chief Executive of the Port of Tyne, were permitted to speak to the committee on behalf of the applicants. They were accompanied by Tony Catherall, of Day Architects, Paul Foster, the Project Manager from the Port of Tyne, and Susan Wear, the Director of Corporate Affairs from the Port of Tyne, who were available to answer questions from members of the committee.

Harvey Emms outlined details of the application and how it complied with national and local planning policies. He commented on how there was sufficient supply of waste material in the North East and how the facility related to the waste hierarchy. He stated that the technology to be used was proven and was in use elsewhere. He commented on the measures to be taken by the applicant to mitigate against the impact of the facility in terms of noise, emissions, odours, deliveries, visual amenity, biodiversity, flood risk and contamination. As there were no adverse impacts or valid planning reasons to reject the application he asked the committee to accept it.

Simon Williams described the range and nature of Outotec's operations both in the UK and abroad, its proven track record of adhering to the stringent air emission limits set out in its operating permits and its record in working closely, and sharing data, with the Environment Agency. He was confident that there would be no problems with the proposed facility and that it provided a safe and sustainable solution to waste management issues.

Andrew Moffat outlined the status, aims and business plans of the Port of Tyne. He explained how revenue from the proposed facility was critical to the Port's aspirations to sustain and create growth and jobs across the whole of its business. The Port had a track record of working with local communities to minimise the impact of its operations and in this regard it had sought reassurance from 3<sup>rd</sup> party experts that any risks from the facility would be adequately mitigated.

Members of the committee asked questions of the applicants and their representatives. In doing so the committee examined in more detail a range of issues including:-

- a) the arrangements for monitoring the emissions from the chimney stack;
- b) the applicant's modelling of the distribution of emissions from the stack;
- b) the location, size, and type of other Outotec gasification plants and their impact on local communities;
- c) the proposed restrictions on the timing of delivery vehicles and the operation of reversing alarms on the vehicles;
- d) the supply of RDF from within the North East region;
- e) the risk and impact of flooding; and
- f) alternative sites considered for the facility.

Members of the committee then asked questions of officers, including a representative of the Environment Agency, and made comments. In doing so the committee gave particular consideration to:

- a) the Environment Agency's regulatory framework within which the facility would be required to operate;
- b) the option for the applicant to apply to the Environment Agency for R1 Recovery Status, which was a measure of the efficiency of the plant;
- c) the powers of the Council's Environmental Health Officers and Planning Officers to regulate the operation of the facility; and
- d) the impact of the proposed facility on air quality, public health, visual amenity, future investment in the area and neighbouring residential areas.

### **Decision**

The Head of Environment, Housing and Leisure be granted delegated authority to determine the application subject to:-

- a) the Coal Authority not objecting;
- b) the conditions set out in the planning officer's report and addendums;
- c) the addition or omission of any other conditions considered necessary, subject to the receipt of any additional comments received from consultees;
- d) no further matters arising which in the opinion of the Head of Environment, Housing and Leisure, raise issues not previously considered which justify reconsideration by the committee; and
- e) completion of an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure 100 apprenticeships.

(The committee was minded to approve the application because the benefits of the development in terms of securing economic development, additional employment within the

borough and low carbon energy generation outweigh the concerns regarding the need for a development of this nature within the borough. It was therefore considered to be acceptable in terms of the principle of development and its impact on the environment, nearby residents, visual amenity, biodiversity, archaeology, highway safety, flooding and contaminated land in accordance with the National Planning Policy Framework, the National Planning Policy for Waste and relevant policies of the North Tyneside Unitary Development Plan 2002, including policies E3, E30, E30/3, E30/4 H13, E12/6, E19/1 and DCPS 4.)

Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.