

20/01826/CTY

Applicant Uniper UK Limited

Location Ratcliffe On Soar Power Station Green Street Ratcliffe On Soar Nottinghamshire NG11 0EE

Proposal Proposed development of the East Midlands Energy Re-Generation (EMERGE) Centre (a multifuel Energy Recovery Facility, recovering energy from waste material) and associated infrastructure

Ward Gotham

THE SITE AND SURROUNDINGS

1. The power station site covers an area of around 273ha, including 167ha to the north of the A453 and 106ha to the south of the A453. The main built development is on the north side of the road and the southern site is used predominantly for storage and handling of by-products such as ash.
2. The site is bounded to the south east by the A453, to the north lie Wood Hill and Wright's Hill, behind which is the village of Thrumpton. To the west of the site is the East Midlands Railway and the Parkway station and park and ride facility. The site is served by its own railway line which runs in a loop around northern area of the site. The M1 motorway is approximately 2km to the west.
3. On site at present (northern site) is a centrally located boiler house with 199m high main concrete stack. To the western edge of the site lie the cooling towers (8 in number) which are 114m high. There are a number of gypsum storage buildings connected by conveyors, large substation buildings, offices, academy, stores, parking etc ancillary facilities.
4. The red line application site is located in the northern end of the northern site, and currently comprises a 'lay down' area and contractors parking. It has previously been surfaced with some areas tarmacked and some areas formed by compacted stone hardstanding. The lay down area at present is largely unused with some smaller items stored on it, the contractor parking area was sparsely populated by cars on the date of the site visit. Adjacent to the site on western side lies a boiler house and gypsum silo. Large conveyors used to carry limestone and gypsum to and from the railway sidings run to the south of the site. The land levels rise to the north and east towards Wood Hill and Wright's Hill.
5. The nearest residential property is Winking Hill Farm some 750m to the north-east of the site.

DETAILS OF THE PROPOSAL

6. The development involves an energy from waste facility and, therefore, the application falls to be determined by the Nottinghamshire County Council as the waste authority for the area and the Borough Council is being consulted for its views on the proposal.

7. The current proposal is to construct a multi-fuel energy recovery facility (ERF) which would take in non-hazardous waste from commercial uses, industrial uses, Local Authority collected waste as well as construction and demolition waste. The proposal is to accept only pre-sorted waste (no sorting of waste on site) and this would enter the building and be deposited inside. There would be no storage of waste in outdoor areas. The proposed facility would generate 49.9MW gross of electricity and export 43.4 MW to the grid. It would have capacity to accept 472,100 tonnes of waste per annum. Electricity would be generated using steam turbines.
8. In addition, the facility would be capable of providing combined heat and power to local users (i.e. potential future users on site following closure and any potential redevelopment of the wider site).
9. The site would be made up of a large building in the centre which would contain the boiler hall, waste bunker and waste reception (tipping) area, turbine hall containing two turbines, gas flue treatment facility, Incinerator Bottom Ash Bay and offices, workshop, stores and staff welfare facilities. The building itself would measure 72m wide at its main part, with a further projection of around 30 m to the western side to house the turbines. The building would measure around 180m in length and would be 49.5m high at its highest part in the centre of the building (excluding chimney stacks). The stacks would be 110m high. There would also be several smaller ancillary elements of infrastructure including a workshop, parking area, cellular storage tanks, separators etc. Access would be from an existing internal road within the power station site at the south-east corner of the site.
10. By way of context the existing main stack at the power station measures 199m and the cooling towers are 115m high.
11. There is a scheduled ancient monument located partly within the boundary of the overall power station site (blue line) to the western edge of the site at Red Hill. This is some distance from where the proposed works would take place and unlikely to be affected.
12. The proposal would generate 45 jobs on site once the facility is up and running. Temporary employment for would be provided for around 600 construction workers at the peak of the construction phase, construction is anticipated to take three years.

SITE HISTORY

13. The coal fired Ratcliffe on Soar power station has been operational for more than 50 years, (permission was granted in 1960 and operation commenced in 1967) the site history in intervening years is extensive, however most pertinent to the consideration of this application and the area of the site outlined in red is consent granted in 1991 for the extension of the power station to accommodate a Flue Gas Sulphurisation Plant. Consent for the work was granted by the Secretary of State under the Electricity Act 1989.

REPRESENTATIONS

Ward Councillor(s)

14. The Ward Councillor (Cllr R Walker) does not object to the application. The Councillor has given careful assessment to a broad range of factors in coming to his decision. Cllr. Walker comments; *“Whilst it is tempting, and easy, to take a definitive right or wrong approach to the principle of energy from waste per se, this ignores the subtleties and complexities of the debate, together with ignoring location-specific context”*
15. The Councillor has considered the historic and proposed uses of the wider site which has been significant in leading to his conclusions. The context of both the historic and proposed use of the wider Ratcliffe on Soar Power Station site. He goes on to state that; *“The current use as a coal-fired power station impacts heavily on baseline data used to assess the impact of the proposed development on emissions, visual impact and pollutants. Whilst accepting that other potential uses of the site would have a greater environmental impact, I acknowledge the benefits of retaining energy-creation on the site. Measuring this against the previous format, rather than against any/all possible alternatives is an acceptable way of considering the impact on local residents.”*
16. The Councillor has considered vehicle movements, the waste hierarchy, use of incineration as a waste management tool as well as a source of energy. He also notes that the site will not be returned to agricultural use and any proposed future industrial uses on the site will require significant heat and power resources. On balance, Cllr Walker is persuaded the proposal would be beneficial overall, but would ask the County Council to carefully evaluate and seek conditions to ensure the following:
 - a. Vehicular (especially HGV) movements are restricted to trunk (dual carriageway) roads and access to local minor roads by such vehicles is prohibited at all times.
 - b. Flue gas treatment measures are controlled and monitored consistently with any action to address excess NOX2 levels taken swiftly and completely.
 - c. Ash emissions from bottom-ash into the atmosphere are adequately monitored and controlled.
 - d. Operation of the facility as an R1-compliant facility is fully maintained.
 - e. The Environment Management System is appropriately monitored and enforced.
 - f. Adequate measures are in place to control litter around the bunker entrance.
 - g. Should odours and/or noise levels from the development exceed expected levels, that appropriate mitigation measures are enforceable.

Town/Parish Council

17. The Ratcliffe On Soar Parish Council comment; *“There is a question on whether there is overcapacity in waste incinerators in Nottinghamshire and we recommended that the number and capacity of existing installations be measured and compared with the tonnages of collected black bin waste to see if the Ratcliffe installation is justified. How much is land-fill reduced by the burning of waste. The burning of waste should impact on the collection of*

recyclable material or on any proposed collection of food waste for anaerobic digestion both of which are important for Climate Control. Waste must not be put to ground on site (as coal is at present) which means there must be consideration of waste hopper size and management to ensure waste does not escape.

18. *The lorry routes need to be controlled and monitored to avoid the use of Kegworth Road and West Leake Lane. We see cameras and ANPR technology to enforce discipline with driver discipline for rule breakers. We are told the planned routes are westward from Nottingham via the A453 and the West Leake Junction and eastward from Junction 24 of the M1. The A453 after duelling has a capacity of 40,000 to 60,000 vehicles a day and 350 additional lorries should not prove to be a problem.”*

Statutory and Other Consultees

19. *The Borough Council’s Planning Policy Manager has commented on matters relating to the Rushcliffe Local Plan. He comments on Policy 5 (Employment Provision and Economic Development) of the Core Strategy and 15 (Employment Development) of the Local Plan Part 2. It is his view that the proposal is in principle able to draw support from Policy 5, and that the creation of 45 jobs would be a meaningful level of employment with further employment facilitated on the wider site, this would strengthen the case for Policy 15 to be applied. The officer goes on to state; “*However, while the site remains within the Green Belt, the proposal still needs to satisfy the requirements of NPPF Green Belt policy (paragraph 145(g) most specifically). However, even if it is judged that development would result in a greater impact on the openness of the Green Belt than the existing development, this does not necessarily mean that the proposal should be judged to be unacceptable. The future reuse of the site once existing coal-powered energy generation operations end, and the role that this proposal would play as part of this, may well be of overriding material importance.*”*
20. *The Borough Council’s Conservation Officer has commented as follows; “I have reviewed the information submitted within the proposals, in particular the comprehensive Heritage Impact Assessment. I am satisfied that this has demonstrated that it has taken into consideration the impacts on the nearby heritage assets. The site itself is not within a conservation area and does not contain any heritage assets but a number of these are found within less than 3 kilometres. The nearest conservation area is the Thrumpton Conservation Area.*
21. *Based upon the information submitted, the designs are functional albeit substantial. That said, the height of the stack proposed is equivalent to the height of an existing cooling tower. The larger Radcliffe On Soar Power Station site is likely to be redeveloped in the coming years and any removal of the existing structures may be seen in terms of an improvement to the wider setting and significance of heritage assets.*
22. *Although the proposed development would result in some harm to the wider heritage assets, it would be lesser than that of the existing power station. As the Design and Landscape Officer commented, the visibility in the wider landscape would be restricted due to tree and vegetative cover. Insofar as views and glimpses of it would be available, the design and materials are such*

that the impact would not be significantly harmful as it would read as a functional part of the existing power station which is highly visible.”

23. The Borough Council’s Environmental Health Officer has commented *“I refer to your recent consultation regarding the above named application. I have reviewed the chapters within the Environmental Statement referring to noise, air quality and contaminated land. I have no concerns about the methodology used within these assessments. The applicant has referred to a need for a condition relating to construction emissions e.g. noise and dust and therefore this should be added as a condition. Also, the applicant has advised that a Phase 2 site investigation will be required to determine whether the land is suitable for the proposed use; this again should be conditioned.”*
24. The Borough Council’s Environmental Sustainability Officer has reviewed the EIA documents provided and is satisfied there would be minimal ecological impacts and that conservation status of protected species would be unlikely to be detrimentally impacted by the proposal. A preliminary ecological survey has been carried out dated June 2019 which appears to have been completed in accordance with best practice and is in date. Biodiversity Net Gain has been demonstrated at 52.46%. Further recommendations are made as follows;
 - a. The landscape proposals are amended to remove 'birch woodland' which is not a naturally occurring habitat in the area and is replaced with a mixed deciduous woodland based on the species to match the existing Oak dominated tree community at Thrumpton Park.
 - b. The proposed areas of species-rich grassland are developed as calcareous wildflower grasslands. Consideration should be given to including Small flower buttercup (*Ranunculus parviflorus*) which is locally rare but found within Thrumpton Park.
 - c. A Landscape and Ecological Management Plan (LEMP) should be developed for the landscaped areas with the means to implement in the long term.
 - d. The proposed lighting should seek to reduce the impact of the overall sites lighting, taking into account the potential for the overall lighting of the site may be reduced following the redevelopment of the whole site. Lighting proposals (during construction and post construction) should be appropriate to avoid adverse impacts on bat populations
 - e. Permanent artificial bat boxes / bricks and wild bird nests should be installed within buildings.
25. In addition, it is recommended that the proposal for three electrical vehicle charging points is insufficient, considering that within the lifetime of the operation of this building petrol and diesel cars are to cease to be manufactured.
26. The Borough Council’s Design and Landscape Officer does not object to the proposal. It is considered that the Landscape and Visual Assessment has been carried out in accordance with best practice and he does not dispute the findings. It is considered that with the current power station in place there will not be a significant increase in visual harm or harm to the wider landscape setting. The eventual removal of the power station will result in a large improvement to the local landscape, with this in mind the new energy centre will result in some harm in the long term, but it would be significantly less than the current situation.

27. The proposed landscaping is welcomed, birch is a native colonising species but isn't in keeping with the Borough Landscape Character and a mixed woodland species should be agreed by condition.

Local Residents and the General Public

28. Councillor Sewell, the Ward Councillor for Daleacre Hill in North West Leicestershire has written to express her concern regarding the number of proposed vehicle movements on the A453 and seeking reassurance as to how traffic will be kept off the village roads. She and local residents are also concerned about smell emitted from the site and seeks reassurance on these matters.
29. 13 Local Residents from 11 addresses have objected to the scheme. Their objections can be summarised as follows;
- a. This is not a suitable alternative to the power station.
 - b. We should be increasing the use of renewables and not burning waste.
 - c. The overall carbon footprint of Nottinghamshire will be increased.
 - d. There will be an increase in air pollution due to the incinerator being in continuous use.
 - e. There will be noise associated with the operation of the incinerator.
 - f. The planning application states there will be 'no significant effect' from fumes on people's health, this is not good enough there should be 'no effect'.
 - g. Sinfen (Derby) incinerator is cited as example of smell from fumes, also issues with rodent/insects.
 - h. Where will the ash be disposed of?
 - i. The proposal is uneconomic, there is insufficient waste to fuel it, this will result in importation of waste from other counties and may discourage recycling.
 - j. Maximum standards on the grades of waste accepted should be applied.
 - k. The Borough should collect glass for recycling and food waste for anaerobic digestion.
 - l. There will be an increased effect on people with underlying health conditions.
 - m. The rubbish used as fuel will smell and leave a mess.
 - n. Toxic fumes will be released.

- o. There will be increased traffic bringing in the waste leading to noise, congestion and fumes.
- p. Rural roads should not be used as short cuts.
- q. There will be a negative visual impact on the Green Belt and Open Countryside, lighting may be an issue

PLANNING POLICY

- 30. The development plan for Rushcliffe consists of the Rushcliffe Local Plan Part 1: Core Strategy and the Local Plan Part 2: Land and Planning Policies.
- 31. The development plan for the Nottinghamshire County Council consists of the Nottinghamshire and Nottingham Waste Core Strategy and Waste Local Plan including Saved Policies.
- 32. Other material considerations include the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG). Any decision should be taken in accordance with the adopted development plan documents.

Relevant National Planning Policies and Guidance

- 33. The relevant national policy considerations for this proposal are those contained within the National Planning Policy Framework (NPPF) and National Planning Policy for Waste. The proposal should be considered within the context of a presumption in favour of sustainable development as a core principle of the NPPF.
- 34. The following chapters of the NPPF are of particular relevance in consideration of this proposal:
 - Chapter 2: Achieving sustainable development
 - Chapter 13: Protecting Green Belt Land
 - Chapter 11: Making effective use of land
 - Chapter 14: Meeting the challenge of climate change, flooding and coastal change
- 35. The NPPG contains specific guidance on Waste, it sets out that the County Council is generally the waste authority, and that applications of the type proposed should be dealt with as “County Matters”. The NPPG sets out further guidance on protecting human health and the environment, and also states that ‘non-waste’ authorities (such as Rushcliffe) “*must have regard to national planning policy for waste*”
- 36. The National Planning Policy for Waste sets out the Government’s detailed waste planning policies. Annex A of this document sets out the Waste Hierarchy, and the text within the policy (para 3) states that waste planning authorities should “*drive waste management up the waste hierarchy, recognising the need for a mix of types and scale of facilities, and that adequate provision must be made for waste disposal*”

Relevant Local Planning Policies and Guidance

37. The Rushcliffe Local Plan Part 1: Core Strategy sets out the overarching spatial vision for the development of the Borough to 2028. The following policies in the Core Strategy are relevant:
- Policy 1: Presumption in favour of sustainable development
 - Policy 2: Climate Change
 - Policy 4: Nottingham-Derby Green Belt
 - Policy 5: Employment Provision and Economic Development
38. The Rushcliffe Local Plan Part 2: Land and Planning Policies was adopted in October 2019 and sets out non-strategic allocations and detailed policies for managing development. The following policies in the Rushcliffe Local Plan Part 2 are relevant:
- Policy 1: Development Requirements
 - Policy 15: Employment Development
 - Policy 16: Renewable Energy
 - Policy 21 Green Belt
 - Policy 39: Health Impacts of Development
 - Policy 40: Pollution and Land Contamination
 - Policy 41: Air Quality
39. The Nottinghamshire and Nottingham Waste Core Strategy sets out the approach to delivering sustainable waste management until 2031, it does not allocate specific sites for waste management use, The Nottinghamshire and Nottingham Waste Local Plan including Saved Policies is also of relevance. It is not proposed in this report to go into detail regarding these policies, and it is for the County Council to be satisfied that the proposal accords with relevant Waste policies.

APPRAISAL

40. The Borough Council has been consulted on this application by the Nottinghamshire County Council. The County Council are the determining local planning authority for the purposes of waste and minerals applications and the Borough Council is, in this case, a consultee to the application.
41. As such, the Borough Council has not carried out a full technical or neighbour consultation exercise. Similarly, this report considers only the principle of development, and not technical considerations which will be for the County Council to determine based on responses to their own consultation exercise.
42. Cllr. Sewell and all those who have commented as 'neighbours' have received an email clarifying the Borough Council's role and suggesting they copy their responses directly to the County Council using their website.
43. The key consideration is therefore whether the proposed development would accord with Green Belt policy, other issues to consider are issues of traffic generation, odour, and whether sufficient levels of waste are available to support the facility.

Background

44. The current power station at the site is planned to close not later than the end of September 2025 in line with the Central Government's planned phasing out of coal powered power stations. The East Midlands Development Corporation (EMDC) identified the site as one of three strategically important sites for future economic growth in the East Midlands.

Green Belt

45. Taking into account the history of the site area (which forms part of the curtilage of the power station and is within the operational area of the site) and observations from the site visit carried out by the case officer, it is considered that the area in question is brownfield (previously developed) land. As such it would fulfil the criteria of Paragraph 145 of the NPPF, as set out at part g) and would comprise; *"limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would:*

- *Not have a greater impact on the openness of the Green Belt than the existing development;"*

46. It therefore falls to be considered what the impact of the proposal would be on the openness of the Green Belt.

47. The comments of the Borough Council's Design and Landscape Officer are set out above, and raise no objection. It is also noted that to the north the hills would screen the development to some degree, when viewed from other vantage points, particularly the A453, it is considered that the relative heights, scale and massing of the proposed buildings (of which the main boiler house/waste tipping and bunker is the largest and likely most prominent) would be smaller than other infrastructure and buildings already on site. When viewed in the context of the existing site it is not considered the proposal would have a greater impact on the openness of the Green Belt. As such, it can be concluded that the proposal constitutes an exception to inappropriate development in the Green belt as set out in paragraph 145. In summary, it is not inappropriate development.

Economic Development

48. Paragraph 5 of Policy 5 sets out that the economy will be strengthened by *"Encouraging economic development associated with the University of Nottingham, and with other Centres of Excellence in Rushcliffe such as Ratcliffe on Soar Power Station, British Geological Survey at Keyworth and British Gypsum at East Leake, including their expansion, and allocating land specifically to meet the needs of high technology industries."*

Climate Change

49. Policy 2 of the Core Strategy sets out at part 4 the promotion and encouragement of decentralised, renewable and low-carbon energy schemes which would include the proposed combined heat and power unit. It is considered this can be given only limited weight in favour of the proposal as

the application states that it will be CHP ready, but this will depend on the future development of the site, users and their needs.

50. Policy 16 of the Local Plan Part 2 states at paragraph 5.1 that energy from waste can also be a technology used to generate renewable and low carbon energy. It sets out that *“proposals for renewable energy schemes will be granted planning permission where they are acceptable in terms of:*
- a) compliance with Green Belt policy;*
 - b) landscape and visual effects;*
 - c) ecology and biodiversity;*
 - d) best and most versatile agricultural land;*
 - e) the historic environment;*
 - f) open space and other recreational uses;*
 - g) amenity of nearby properties;*
 - h) grid connection;*
 - i) form and siting;*
 - j) mitigation;*
 - k) the decommissioning and reinstatement of land at the end of the operational life of the development;*
 - l) cumulative impact with existing and proposed development;*
 - m) emissions to ground, water courses and/or air;*
 - n) odour;*
 - o) vehicular access and traffic; and*
 - p) proximity of generating plants to the renewable energy source.”*

Noise/odour/traffic generation/health impacts

51. In terms of these, more technical issues, the Borough Council is in receipt of all the submitted documentation, but its role is not, in this instance to carry out full consultation with technical bodies (such as NCC Highways, Highways England, Environment Agency etc) and this is the role of the County Council as the determining authority.
52. It is acknowledged that the proposal would generate increased trips on the A453 and surrounding road network. This would be a matter for consideration by Highways England and the local Highway Authority.
53. In terms of odour the submitted documents explain that escape of odour is highly unlikely as the main activities (including tipping and storage of waste) would take place inside the building, and odour would be prevented from escaping the waste tipping hall as the air would be kept under negative pressure. No odours would be emitted from the stacks as all odorous compounds are destroyed due to the high temperatures achieved within the furnace.
54. In terms of pest control this would be a matter that could be controlled through conditions and mitigation.
55. Policy WCS13 of the Waste Core Strategy states any proposal shall have; *“...no unacceptable impact on any element of environmental quality or the quality of life of those living or working nearby...”* Ultimately this matter would need to be adequately addressed to the satisfaction of the County Council and their consultees.

Availability of fuel waste

56. One issue that has been raised through the consultation response is that of ensuring there is sufficient waste available to ensure the proposal is economically viable, and that this need for waste as fuel does not result in less re-using and re-cycling of materials. The submission documents note that the proposal is being brought forward as a merchant facility - not to serve a specific public sector waste contract. Although it is not the purpose of this report to go into detail regarding the County's waste policies, nonetheless it is worth noting that Policy WCS3 or the Waste Core Strategy does states that; *"...new or extended energy recovery facilities will be permitted only where it can be shown that this would divert waste that would otherwise need to be disposed of and the heat and/or power generated can be used locally or fed into the national grid..."* As such, the County Council will need to be fully satisfied on this matter prior to making any decision on the planning application.
52. Two types of solid by-products would be produced, Bottom Ash and Flu Gas Treatment Residues. It is proposed that the Bottom Ash would be managed in the main building, where it would be stored prior to be loaded on HGVS and then exported to a re-processor to extract any metals with the remaining material typically used as a recycled aggregate. The Flu Gas Treatment residues would be stored in silos within the main building and later transported to a Permitted Hazardous Waste disposal facility, or alternatively could be taken to be used elsewhere in stabilisation of acid waste or cement manufacture.

Conclusion

53. Given the Borough Council's role is limited to that of consultee, it is considered that it is appropriate at this stage to observe that the proposal is acceptable in principle in Green Belt policy terms, however it will only be acceptable overall subject to other, material considerations being addressed and being found acceptable or otherwise adequately mitigated.

RECOMMENDATION

It is RECOMMENDED that the Nottinghamshire County Council be advised that the Borough Council DOES NOT OBJECT to the development, subject to the County Council being satisfied that the proposal accords with the relevant development plan and that all other material considerations can be satisfactorily addressed, including the following:

- Odour
- Air quality
- Pest Control
- Health Impacts
- Pollution/Contamination
- Traffic Generation
- Landscaping
- Availability of Waste
- Impact on Heritage Assets