



Mercia EnviRecover

**PUBLIC INQUIRY UNDER SECTION 77 OF THE TOWN AND
COUNTRY PLANNING ACT 1990 (AS AMENDED) INTO THE
PROPOSED DEVELOPMENT OF AN ENERGY FROM WASTE
FACILITY ON LAND AT HARTLEBURY TRADING ESTATE,
HARTLEBURY, WORCESTERSHIRE**

**PINS REFERENCE: APP/E/1855/V/11/2153273
LPA REFERENCE: 10/000032/CM**

PLANNING POLICY AND NEED / BENEFITS

SUMMARY

PROOF OF EVIDENCE OF NICHOLAS ROBERTS

October 2011



Introduction

1. I am Nicholas Roberts a founding Director of AXIS who specialise in waste management and renewable energy planning. I set out my qualifications and relevant experience in my main proof.
2. In 1998 Mercia Waste Management (MWM) was awarded the Herefordshire and Worcestershire waste PFI contract. The cornerstone of this contract is the delivery of a residual waste treatment facility. There is no such waste management infrastructure in either county and consequently, despite being 13 years into the contract, last year 209,471 tonnes of the joint authorities' residual MSW was disposed of at landfill and 18,000 tonnes sent to out-of-county EfW facilities, notwithstanding that a household waste recycling level of over 42% was achieved. This situation is not environmentally or economically sustainable and cannot continue.
3. The Councils' Joint Municipal Waste Management Strategy Review process established that, in terms of environmental, economic and social criteria, the optimum residual waste management solution was the provision of a single EfW facility with CHP. Work carried out by MWM, on a site specific basis, has confirmed that a single EfW facility, located within Worcestershire, with CHP or power only, are the preferred waste management options.
4. Following an exhaustive site search exercise, MWM established that land at Hartlebury Trading Estate is the only suitable and available site to deliver such a facility. It is ideally located in relation to the strategic road network, the overall pattern of waste arisings and existing waste transfer infrastructure.
5. The Estate comprises ~160,000 m² of built development and is a defined Major Developed Site within the Green Belt, despite having existed for over 30 years before the Green Belt was introduced in this area. The application site, located centrally within the Estate and bounded immediately to the north by a prominent landfill, has a long planning history of major development proposals. It benefits from an extant planning permission for a number of industrial units totalling 12,871m².

6. In April 2010, following an extensive community consultation exercise, MWM submitted a planning application for its EfW facility proposal, referred to as the Mercia EnviRecover facility. No technical / environmental consultee objections were sustained through the determination process and the application went to committee with a clear officer recommendation for approval.
7. On 1st March 2011 the committee voted unanimously 14-0 that it was minded to grant planning permission. In addition, on 18th April 2011 the Environment Agency granted the facility an Environmental Permit.
8. The planning decision was referred to the Secretary of State who, on 10th May 2011, called in the application for his own determination.
9. There are three key facets to the EnviRecover proposal, which are its benefits in respect of:
 - Sustainable waste management;
 - Energy generation and combating climate change;
 - The economy.

Sustainable Waste Management

10. With a recovery capacity of 200,000 tpa, the plant would practically eliminate local residual MSW being disposed of to landfill, and utilise it to generate energy. It could also make a modest contribution to diverting local C&I waste from landfill (of which over 250,000 tpa is presently landfilled). It would move the management of waste up the Hierarchy and will not stifle other reduction, reuse and recycling initiatives, even if recycling levels materially increase beyond the current national and local targets.
11. The facility is an essential element of the local waste management infrastructure that is currently missing. As a consequence very significant weight should be ascribed to the sustainable waste management benefits arising from the proposal.

Energy Generation & Combating Climate Change

12. There is extensive policy documentation at national, regional and local level which is trenchant in its language and unswerving in its support for the UK deploying as much renewable energy capacity as it can, as soon as it can. Policy also sets a national priority to achieve greater security of energy supply.
13. The national target for renewable electricity is 10% of consumption by 2010 and 15% by 2020. In this context, both the West Midlands region and Worcestershire are failing miserably. In the region, only 3.8% of electricity requirements are being generated from renewable sources. In the County the position is even worse and the figure is only 2.85%. This is unacceptable and there is an overriding need for new renewable energy capacity to be installed. The Secretary of State has made it clear, *the greater the need by reference toregional targets the greater the weight that should be attached to the contribution [of a] particular renewables proposal...*
14. In delivering 13.5 MW of electricity for export (up to 60% of which would be renewable), EnviRecover would make a very material contribution (additional 6.9%) towards increasing regional renewables generation. At the County level the contribution would be remarkable and increase generation by up to 82.5%. The plant would generate sufficient electricity for the domestic needs of circa 22,500 households (roughly a town as large as Kidderminster). This electricity would be generated from a secure indigenous fuel in a decentralised facility. It is also well set to export heat.
15. In diverting waste from landfill (with an associated reduction in methane releases, a greenhouse gas 24 times more concentrated than CO₂) and off-setting fossil fuel energy generation, using conservative assumptions, the development is predicted to reduce greenhouse gas emissions by around 34,700 tonnes of CO₂ equivalent per annum.
16. The scheme would clearly make a full contribution to delivering the Government's climate change programme and energy policy, and contribute to global sustainability. In light of the unambiguous policy support, and the

current failure to deploy renewable energy (both regionally and locally), very significant weight should be afforded to this benefit of the scheme.

The Economy

17. The construction of plant would support 452 person years of gross employment, and deliver potentially over 200 person years of local employment. This equates to 45 gross and 20 gross local additional permanent jobs. In the operational phase there would be 42 full-time equivalent jobs. In addition, ongoing spend on supplies and maintenance over the operational life of the plant will support a further 9 full-time equivalent jobs. Allowing for adjustments this totals 49 net additional jobs. It is further expected that this level of employment will generate around £1.62 million of net additional GVA per annum within the Worcestershire LEP area.
18. Due to the location of the site there would be significant financial savings in terms of development infrastructure. In addition, the opportunity for secure renewable energy offers potential to stimulate inward investment, particularly in the 'green' economy sector.
19. The Planning for Growth Ministerial Statement is clear that the default answer to planning applications which deliver economic development and growth, without compromising sustainable development principles is 'yes'.

Findings

20. I have considered (Section 9.0 of my main proof) a number of issues raised by third parties, and in particular WAIL. I draw the clear conclusion that none warrant the refusal of planning permission.
21. The proposal would deliver the Government's objectives for sustainable waste management in a situation where the management of MSW (and indeed C&I waste) is presently far from sustainable. For the reasons set out in my main proof the Mercia EnviRecover development would be wholly in accordance with the relevant objectives and policies of PPS10.

22. The demonstrable locational, environmental and economic benefits (all of which should be afforded **very** significant weight), coupled with the absence of any suitable, available alternative site, would clearly constitute very special circumstances which justify the grant of planning permission from a Green Belt policy perspective and outweighed the very limited harm to the Green Belt caused by inappropriateness, and any other harm.
23. There would be no material adverse consequences with reference to the purposes of including land in the Green Belt. Any harm to the visual amenities of the Green Belt would be small in degree and limited in extent, to the point where it would not justify planning permission being refused. Furthermore, there are clear factors which, in combination, demonstrate that EnviRecover would have very limited harm on the openness of the Green Belt.
24. The consequences of rejecting the EnviRecover application are both material and significant. There would be continued very high levels of landfill with associated greenhouse gas emissions and no infrastructure for the 'recovery' of energy / renewable energy from waste. Developments like EnviRecover have very long lead-in times, coupled with planning and funding uncertainties. Given the absence of any available and suitable alternative site for the development, it is difficult to see that any alternative solution could be delivered and certainly not delivered in a timely manner. Thus, were the proposal to be rejected, I believe the adverse environmental consequences would occur for very many years to come.
25. From an economic and financial perspective the cost of rejecting the proposal would be very significant and run into many millions of pounds. Furthermore, the wider economic benefits associated with the delivery of the EnviRecover facility would be deferred, if indeed they would ever be realised.
26. This is clearly a case where the benefits of the scheme overwhelmingly outweigh its disbenefits
27. In my main proof I conclude that the proposal is in full conformity with the policies of the Development Plan taken, as a whole, and with those in the Emerging Development Plan (none of which attracts significant weight

relevant to the proposal), with the exception of Policy SWDP 46, which attracts no weight and is fundamentally unsound.

28. I have not identified any material planning considerations that indicate that the application should be determined other than in accordance with the Development Plan. Conversely all relevant material considerations, to which weight should be attached, lend further support for the scheme. In light of the above planning permission should be granted.