

Energy from Waste Facility  
Battlefield Enterprise Park, Shrewsbury

ENVIRONMENTAL STATEMENT

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## ANNEX: SCC SCOPING OPINION

Mr J Hollister

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Date: 7 May 2008

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Please ask for  
Malcolm Bell

Dear Mr Hollister

**REQUEST FOR A SCOPING OPINION IN RESPECT OF AN ENERGY RECOVERY FACILITY FOR THE COMBUSTION OF RESIDENTIAL HOUSEHOLD AND MUNICIPAL WASTE TOGETHER WITH ADMINISTRATION BLOCK, OFFICES, WEIGHBRIDGE AND VISITOR / EDUCATION CENTRE AND EXTENSION TO THE EXISTING HOUSEHOLD WASTE RECYCLING CENTRE LAND AT BATTLEFIELD ENTERPRISE PARK, SHREWSBURY**

I refer to your letter dated 12 February 2008 in which you provided the County Council with copies of a Scoping Report for the prospective development of an Energy Recovery Facility and other associated works including an extension to the existing Household Waste Recycling Centre, an administration block, visitor/education centre etc at Battlefield Enterprise Park. You requested a Scoping Opinion from the planning authority under the provisions of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended).

The County Council subsequently received from you an agreement to an extension of time until 7 May 2008 to provide a Scoping Opinion. This extension of time has enabled discussions with interested parties to be progressed and also the presentation of a report to the County Council's Planning Committee outlining the stage reached in the development proposals for the Battlefield site and the agreed need for Environmental Impact Assessment in support of a future planning application. Mr Gould of Veolia was informed of these events and attended the Planning Committee. A copy of the Committee report is also attached for your information.

The Planning Committee noted the contents of the report and resolved that Veolia be provided with a Scoping Opinion covering in particular the environmental and technical information that consultees have recommended to be included in an Environmental Statement in support of a future application for the Battlefield site. It should be noted that, with regard to further future stages of the planning application process, it was agreed that members' site visits should be arranged to similar facilities, feedback should be sought from Chineham residents (LLM) and consideration should be given to a special meeting of the Committee in due course. At this stage, however, I would confirm that this letter constitutes the County Council's current response and Scoping Opinion.

**Policy Context:**

The development plan documents outlined in the Scott Wilson Report (January 2008) are relevant in the preparation of the Environmental Statement. Section 54A of the Town and Country Planning Act 1990 provides that in determining planning applications, the determination must be made in accordance with the development plan unless material considerations indicate otherwise. It is noted that, during the current transitional period to the new system of development plans, "saved" policies in existing adopted plans will continue to form the Development Plan.

**Consultations:**

The responses to the consultation exercise carried out by the County Council with external and internal consultees include those set out below. A number of responses were received following the preparation of the Planning Committee report. Members were advised of the general content of these additional consultation responses and these are also summarised.

a) Shrewsbury and Atcham Borough Council:

- Planning Authority: The council's response to the Scoping Report at this stage is as the comments of the Environmental Health Manager of the Borough Council.
- Environmental Health: It is noted that the Air Quality section of the report makes reference to maximum short-term (one hour) concentrations of pollutants. In order to ensure complete assessment with reference to all the UK Air Quality Objectives, the short-term concentrations for Sulphur Dioxide should include 15 minute mean periods in addition to one-hour means. The submitted Scoping Report also makes reference to the use of the Design Manual for Roads and Bridges (DMRB) spreadsheet for assessment of vehicle emissions. The use of this model will be acceptable for screening purposes, but if its use indicates that there are air quality implications from vehicles requiring further assessment, then additional modelling using ADMS Roads or a similar model will need to be employed. An Air Quality Informative is included with the response in order that the applicants can be aware of the required information (copy of letter attached).

b) Environment Agency:

The Agency has provided a detailed set of comments including:-

- The need for a revised Flood Risk Assessment to be submitted in line with current development and flood risk policy – PPS25 which includes consideration of an allowance for climate change.
- The site is considered sensitive in terms of the Environmental Agency's policy and practice for the protection of groundwater. The EA disagree with the consultants' view that no further assessment of land contamination should be undertaken. Site investigations are required to demonstrate that mobilisation of contamination to groundwater does not occur as a result of the development.
- As the proposals include the burning of waste materials, EA advises that an application for a permit under the Pollution Prevention and Control (PPC) regime will be required. The EA would encourage parallel tracking of the planning and PPC applications in order to minimise potential conflict and duplication and in order to enable EA to give a robust appraisal of the technical aspects of the proposals at the time a planning decision is required ie the Agency would require sufficient information on air quality etc to be provided to ensure a robust ES.
- In terms of the scoping document, the EIA should discuss energy recovery and in particular whether all opportunities to maximise energy recovery at the site have been adequately considered.
- A further botanical survey should be programmed at a suitable time of year (May – August).
- Surveys for Great Crested Newt and other herpetofauna will be required as assessments undertaken in March are unlikely to reflect the true potential of the site for these species.
- A substantial buffer strip will be required to the Battlefield Brook (Main River) and its river corridor to provide for access, maintenance, flood flows and habitat wildlife corridor.
- The Agency has also enclosed a copy of their EIA scoping guidance – “Scoping the environmental impacts of incineration” which includes “key potential impacts” and suggested “mitigation”. (copy of EA letter attached).

c) Health Protection Agency:

The Scoping Report appears to comprehensively address the potential environmental impacts of the proposed development. However, for completeness, HPA recommend the inclusion of food chain models in any risk assessment of the impact of dioxins and furans on human health. The relative scale of the environmental impacts would benefit from including the methodologies used to calculate the relative importance score. (copy of HPA letter attached).

d) Natural England:

The scoping report already covers much of what Natural England would wish to see included, but NE would like to clarify the situation regarding the SSSI's. There are two Sites of Special Scientific Interest within two kilometres of the site for the proposed Energy Recovery Facility – Old River Bed SSSI and Hencott Pool SSSI. Hencott Pool is also of international importance, being a component of the Midland Meres and Moses Ramsar site. The possible impacts on these sites from aerial and water-borne pollutants should be fully assessed.

A number of legally protected species, particularly great crested newts, bats, badgers, otters and water voles, are widespread in Shropshire and may be encountered throughout the County. Species records are not comprehensive and so Natural England would advise that, prior to any works taking place, adequate surveys should be carried out at an appropriate time of year, an assessment made of the impact the works may have on any protected species found, and mitigation proposals produced for their protection, in accordance with published guidelines.

e) Shropshire Wildlife Trust:

The Wildlife Trust note the contents of the Environmental Scoping Report produced by Scott Wilson on behalf of Veolia and are satisfied by the areas covered within the document which relate to the key environmental issues in Chapter 3, and the survey work carried out under Section 6.2.3 Natural Heritage. The Trust strongly endorse the Recommendations in Chapter 6 for further survey work to ensure that current planning policy and legislation is adhered to and that further work is done to ascertain the following:

- Reptile survey work in the areas of improved grassland
- Great Crested Newts survey work in both ponds (T1 and the larger pond to the north of the site)
- Detailed Badger survey work is undertaken
- Bat survey work is carried out to determine the value of the large English Oak
- Survey work along the brook is undertaken to determine whether water voles are present

The Trust assume that it will be a condition of any future planning consent that work on the site is undertaken outside the bird breeding season.

f) English Heritage:

Amongst other matters English Heritage notes that the prospective development is close to the registered Battlefield of Shrewsbury.

The English Heritage Register of Historic Battlefields identifies forty-three important English battlefields. Its purpose is to offer them protection and to promote a better understanding of their significance. The Scott Wilson Scoping Report includes setting as an issue. English Heritage considers that assessing the impact of this potential development upon the landscape setting of the battlefield is very important. English Heritage's view on the suitability or otherwise of the proposed development in question will be made in this context. It is noted that section 6.2.5 of the Scott Wilson Report is formulaic and fails to recognise the very unusual significance of the Battlefield; only 43 battlefields are registered in England.

In overall terms English Heritage considers that the Battlefield site has been managed to date in a balanced way that recognises the importance of being able to understand, value and care for this site of national resonance.

Although barely mentioned in the Scott Wilson Report English Heritage assume that the dominant landscape feature of this development would be one or more chimneys. In order to inform their view as to whether this development represents a continuation of a balanced approach to development in the area, EH would wish to see fuller information in the form of a mocked up photograph showing the rooflines and chimney/s as viewed from Battlefield Church and from other locations within the Registered Battlefield. As well as visual impact EH are concerned that there is an adequate assessment of impact upon the Battlefield from noise, smoke, dust and other environmental factors. (copy of letter attached).

g) Health and Safety Executive:  
Comments awaited

h) Civil Aviation Authority:

Whilst there are no exact details at this stage of chimney height, given the evident local aviation activity both civil and military, it would be sensible to consider the need for aviation warning lights to be fitted. It is assumed that the development would not either routinely or in emergency circumstances, vent gases that would be a danger to overflying aircraft. (copy of letter attached).

i) Defence Estates (MOD)

Defence Estates note that at present this site falls outside the statutory height safeguarding map and it is anticipated that the new plan will expand across to cover the south western part of Shrewsbury covering Battlefield Park, encompassing the area in a consultation zone for any development exceeding 91.4m

above ground level. The MOD will therefore need to review any developments of tall structures within this area.

At this location it is most probable that the erection of a flue approximately 70m above ground level as outlined in this submission should not cause an obstruction to aircraft using RAF Shawbury. However, due to the volume of helicopter training conducted within this area, it is probable that the flue will need to be lit at the highest most practicable point, with a steady constant light of 200 candelas (copy of letter attached). The MOD would wish to be consulted if/when the development reaches the planning stage to ensure a full assessment is completed against the MODs Statutory Safeguarding criteria.

- j) Campaign for the Protection of Rural England  
Comments awaited

#### Internal Consultations

- k) Highways Development Control:  
Initial view is that a full Traffic Assessment may not be necessary and that a detailed and robust traffic analysis of the existing traffic movements due to the combustion on site could be acceptable. However, in order to ensure a full understanding of the traffic implications of the proposed development the applicant company may nevertheless elect to carry out a full Traffic Assessment in order to demonstrate the robustness of the proposal in terms of highway impact. The routing of traffic, particularly HGV's to the site, will be a fundamental issue.
- l) County Ecologist:  
The Scoping Report appears to cover the ecology/biodiversity issues but some detailed comments including:-
- Welcome reference to ground nesting birds
  - Measures to control oil/salt spillages to brook
  - The brook forms a key corridor; could modifications be made to the bank of the brook to increase wetland habitat?
  - The possible impact of external lighting on bat species should be considered.
  - It will be important to assess any impacts on European designated Wildlife Sites within a 10km radius (or further away if impacts are still possible). Detailed comments on sampling points provided.
  - A Great Crested Newt Survey will be necessary.  
(copy of memo attached)
- m) Historic Environment Officer:  
General approval of the proposed cultural heritage assessment proposed as part of the EIA as detailed in the Scoping Report, providing all elements of the assessment are undertaken as specified. This should provide an adequate basis for an informed judgement to be made on the archaeological implications. The process should enable the information in the Scoping Report to be reviewed and revised if necessary.
- n) Landscape Officer:  
A number of detailed comments are made on the Scoping Report in relation to the statements on landscape and visual impacts including:  
It is imperative that any landscaping scheme around the boundaries of the site (the stated purpose of which will be to screen and integrate the site with its surroundings) must be in keeping with, and seek to enhance, the landscape character of the area.  
The Environmental Scoping Report currently makes no reference to the Shropshire Landscape Character Assessment. The information contained within the LCA is more relevant to scale and nature of this development than the much larger Shropshire, Cheshire and Staffordshire Plain Character Area sited in the Report.  
The Report states that... "the vicinity of the site is of low sensitivity to change"... This statement is currently unsupported and it is therefore unclear how the consultants have reached this conclusion.  
It is imperative that those preparing the Environmental Statement undertake/prepare a detailed and comprehensive account of the effect of the scheme on the setting of the Battlefield.  
In terms of selection of viewpoints, suggest additional viewpoints on the Battlefield Heritage trail (in addition to the car park) and other rights of way in the area and from the edge of the residential areas at

upper Battlefield and Berwick Grange. Longer distance viewpoints towards the site might also include the summit of Haughmond Hill and from the Shropshire Way on Ebury Hill. (copy of memo attached).

In summary, it is requested that the above responses are considered carefully and incorporated in further development work leading to the preparation of an Environmental Statement. The County Council is generally satisfied that the topics set out in section 6 of the submitted Environmental Scoping Report address the matters that will need to be the subject of Environmental Impact Assessment. However it is noted that in the section dealing with Land Impact (geology, contamination and agriculture) there are no proposals to carry out further assessment as part of the ES. Given the geology of the site and its surrounds and comments of bodies such as the Environment Agency it is considered that the ES would benefit from a section dealing with geology and soils and linkages with an assessment of potential contamination issues and risks to groundwater. You have already confirmed that construction vibration will be assessed in the Environmental Statement.

It is understood that each topic/environmental issue will include an assessment of the baseline conditions, predicted impacts, mitigation proposals as required, residual impacts and conclusions.

The topics/issues to be included in the ES should include in particular:-

Project Description and Planning Policy Issues: The ES should incorporate the planning policies and legislative framework against which the proposals require to be considered. This should include national regional and local policies and guidance set against government policy and guidance and the Development Plan.

Landscape and Visual: The ES should consider not only the site and its surrounds but also a wider zone of influence related to the proposed buildings and structures.

Transport: The proposed development may benefit from a full Traffic Assessment in order to demonstrate the robustness of the proposal in terms of highway issues.

Natural Heritage: The ES will need to cover in a comprehensive manner the matters raised by Natural England, Shropshire Wildlife Trust and the County Ecologist.

Noise and Vibration: The assessment should cover the matters identified in section 6.2.4 of the Scott Wilson Report in order to determine the impact of the operations on the surrounding areas.

Cultural Heritage: It will be necessary to ensure that all elements of the assessment are undertaken as specified in the Scoping Report and also in response to bodies such as English Heritage.

Air Quality: The ES will need to cover in detail the points made by consultees and therefore the potential impact that emissions from the proposed ERF plant may have on local air quality including the local neighbourhood and sites of nature conservation importance. This topic along with others in the ES will need to also cover alternatives considered and the reason for not selecting such alternatives taking into account matters such as environmental effects.

Land, Surface Water and Groundwater: The assessment should cover the matters raised in this letter and supporting correspondence.

Community and Social: The assessment should cover the matters identified in section 6.2.9 of the Scott Wilson Report.

Cumulative and Combined Effects: The assessment should cover the matters identified in Section 6.2.10 of the Scott Wilson Report and the inter-relationships between the topics proposed to be included in the Environmental Statement.

In conclusion, therefore, the contents of this letter, including the comments from consultees and any associated attachments, comprise the Council's Scoping Opinion which should be taken into account when preparing an Environmental Statement to accompany a planning application for an Energy Recovery Facility and associated development at Battlefield Enterprise Park, Shrewsbury.

Yours sincerely

Head of Planning Development Control