

Development Control Committee – 7 September 2022

Update Sheet

Item 4 – Application LCC/2022/003 – Proposed medical waste treatment facility, Simonswood industrial Estate, Stopgate Lane, Kirkby

Consultations:

Lead Local Flood Authority: No objection.

United Utilities (UU): Responding to the amended application, note that the applicant has not provided any of the information requested in their earlier response (hydrogeological study) which is critical to ensure the protection of the water supply. UU request an update as to whether the information requested will be supplied or whether the requested planning conditions will be imposed.

Natural England: No objection. However, due to the proximity of the site to land that is functionally linked with Martin Mere and the Ribble and Alt Estuaries Special Protection Area (SPA's), the County Council is advised to undertake a Habitats Regulations Risk Assessment (HRA) to establish the significance of any impacts and the need for mitigation. Natural England consider that there will be no direct impact on habitat or impacts during the operational stage but that disturbance impacts during demolition and construction operations need to be considered further in the assessment.

Advice: The response from United Utilities does not appear to recognise that the method of storing wash water has been changed from underground tanks to an above ground storage tank. The above ground tank can be bunded (see condition 10) which should be sufficient to protect groundwater. It should be noted that the Environment Agency (EA) are now satisfied with the proposal's groundwater risks.

Natural England response: The comments are noted. An Habitats Regulations Risk Assessment (HRA) has been undertaken and it is concluded that due to the distance to the functionally linked land, the presence of intervening development and the scale of the development that disturbance impacts are unlikely. However, it is considered the demolition operations should be prevented during the core wintering period when disturbance to over wintering birds is most likely. This can be the subject of a planning condition.

Representations

Since the report was finalised a further 48 representations have been received raising the following issues:

- The World Health Organisation says that incinerators should be stopped
- Organic life and water supply will become toxic

- Emissions including dioxins will occur and are not safe for humans or animals at any level
- Incineration plants are emitters of CO₂
- Noise disturbance
- The plant would cause cancers as happened at Aintree Hospital and Sonae
- Impacts on existing health complaints
- Effect on local wildlife
- Effect on property values
- The site would give rise to dangerous particulates
- Increased heavy goods vehicle (HGV) traffic, illegal use of weight restricted roads, spillage of loads and dangers to road safety
- The incinerator will contribute towards existing background levels of pollutants. The applicant has not properly established what these background levels are
- There are no adequate monitoring systems in place to independently monitor emissions
- The adjacent site has four biomass boilers which would cause additional pollution issues
- The applicant has not detailed the other processes that are available for dealing with medical wastes
- Will the applicant's vehicle route tracking proposals work properly? A planning condition is needed in relation to a traffic management plan
- The hours of operation for heavy goods vehicles (HGVs) should be shorter – 07.00 – 18.00 Monday-Friday and 08.00 – 12.00 on Saturdays
- The site is too near local schools
- The applicant should be more specific about the wastes that would be accepted and the likely concentrations of pollutants at ground level and the stack height
- What other waste management options have been discounted before deciding on the pyrolysis system?
- The operator cannot guarantee that the facility will be well operated
- The applicant should be contributing towards local facilities
- The ash/char should be transported off site in sealed containers
- There is insufficient detail in the application
- The Borough Council will be unable to monitor the air emissions
- Reduction in local economic growth

A letter has been received from Bill Esterton MP (Sefton Central) who states that he has received letters from a number of constituents and is concerned about health impacts, release of dioxins into the food chain and water supply and that the proposal should be sited well away from residential areas.

Advice: These issues are addressed in the report

Conditions:

The following amendments to the conditions are proposed (additional/amended text in bold):

Condition 3

*No waste shall be accepted at the site until **the Organic Rankine Cycle (ORC) engine has been installed as shown on Plan 2776-008-04 and** an electricity cable has been laid linking the site with the inert waste processing and washing plant at the City Centre Commercials Ltd Waste Transfer Station.*

Condition 6

*No bins **containing waste materials** shall be stored outside of the building at any time. Such bins shall only be stored within the areas of the building shown on drawing 2776-008-04 Rev K. Empty bins that have been previously cleaned and disinfected shall only be stored within the areas shown on the drawing.*

Condition 7

The importation of waste materials to the site shall only take place within the following hours:

***07.30** to 18.00 hours Mondays to Fridays (except Public Holidays)
08.00 to 13.00 hours on Saturdays*

No importation of waste shall take place at any time on Sundays or Public Holidays.

Additional Condition 14: -

Demolition operations shall not take place between 1 November and 28 February in any year.

Reason: In the interests of ecology and to conform with Policy EN2 of the West Lancashire Local Plan.