ITEM NO. 4 **COMMITTEE DATE:** 25/06/2007

APPLICATION NO: **07/0927/25** **COUNTY MATTER**

APPLICANT: Viridor Waste Management Ltd

PROPOSAL: Development of a 50,000-60,000 tonnes per annum energy from waste facility to treat residual municipal waste and similar supplementary non-hazardous commercial and industrial waste

LOCATION: Devon Waste Management, Exeter Transfer Station, Grace Road South, Marsh Barton Trading Estate, Exeter, EX2 8QE

REGISTRATION DATE: 26/04/2007

DESCRIPTION OF SITE/PROPOSAL

The application site covers an area of 0.95 hectares with Grace Road forming the western boundary and the railway line / Valley Park forming the eastern boundary. Planning permission was granted in 1969 for an incinerator on this site, which was operational until 1996 when it could no longer comply with stricter emission controls. Subsequently the chimney was demolished but the main incinerator building remains, the surrounding site has been used as a waste transfer station for municipal waste and is currently the primary reception for waste arising in Exeter.

The proposed building would occupy a total floor area of 3,513 sq metres encompassing turbine hall, waste reception hall, waste bunker, boiler hall, workshop and offices, approximately 30% of the total site area. The remainder of the site is made up of a vehicular circulation area, 30 car parking spaces, 2 disabled spaces, a cycle shelter, 2 weighbridges and associated landscaping. Vehicular circulation is via a one-way system within the site with access achieved through an enlarged entrance along Grace Road South and egress via an existing access point further to the south.

The proposed building would measure approximately 82 metres in length by approximately 38 metres in width. The highest part of the building would be 27.5 metres from ground floor level. The associated chimneystack would be 65 metres tall. The building would include a total of 540 squares metres of office space over four floors, which would front onto Grace Road South. The remaining areas of the building are designed and built to suit the machinery within. In particular the boiler hall and waste bunker require the most internal clearance and accordingly have the greatest floor to ceiling height. The building has a distinctive curved standing seam roof with green cladding panels within the upper sections of the building and a mixture of light and slate grey horizontally laid micro rib cladding panels on the lower sections.

The waste to energy plant would be housed within the building. HGV's would drive into the building via roller shutter doors, which would be kept closed except when a vehicle enters or leaves the building. The waste would be discharged into a waste bunker set into the floor of the reception hall. The waste would then be mixed and an inspection made to identify large or unacceptable items before being be passed into a feed hopper and then into the combustion unit.

The waste to energy plant would operate on a continuous basis burning all the residual waste after kerbside separation of compostable and recyclable elements, in

an oscillating kiln at a temperature above 850 degrees C. The process, once started, would require no fuel other than waste. After the burning process some bottom ash or 'clinker' would be produced, this would be about 25% by weight and 10% by volume of the waste input. There would also be an element of ash from the flue, half of which would be spent lime used to treat flue gases. This is classed as a hazardous waste and is deposited in a controlled landfill. The bottom ash has the potential to be recycled as a construction material, however, no market has been identified, otherwise it would be despatched to an appropriately licensed landfill. Hot gas from the kiln would contain considerable amounts of energy, which would be recovered in two ways. The gas would first pass through a boiler where water would be converted to high-pressure steam: this would, in turn, drive a generator. The electricity would be used for the plant's own purposes but excess energy would be produced. The plant would usually operate 24 hours a day seven days a week for about 8,000 hours a year with occasional periods for maintenance shut down.

The facility at Marsh Barton has potential to export heat and electricity energy by the supply of steam to local industry and the heat via a hot water district heating system to buildings in the vicinity. In both these cases additional pipe work would be required to transport the heat energy to customers. These are not included within this planning application and there is no commitment to supply a specific customer.

There are currently 21 EfW plants operational in the UK of varying capacities from 26,000 tonnes to 600,000 tonnes. This proposal is for an oscillating kiln facility, of which there are 30 operational worldwide. The most recent plant of this type in the UK at Grimsby received planning permission in 2001 and was operational in April 2004. If planning permission is granted it is anticipated that construction will commence in Summer 2008 and be operational by Spring 2010. The proposed building is designed to take between 50,000 and 60,000 tonnes per year of residual municipal and other waste. The exact capacity will depend upon the calorific value of the waste stream.

CONSULTATIONS

Exeter City Council have received no letters in respect of this proposal as the application is to be determined by Devon County Council.

PLANNING POLICIES/POLICY GUIDANCE

A review of the policy background primarily relates to the principle of the proposal rather than the matters of detail.

Planning Policy Statement 10: Planning for Sustainable Waste Management was published in July 2005. It sets out guidance for all those involved in making decisions about the management of waste and ensures that waste management is allied to the objectives of sustainable development. PPS 10 paragraph 1 states: -

'Through more sustainable waste management, moving the management of waste up the 'waste hierarchy' of reduction, reuse, recycling and composting, using waste as a source of energy, and only disposing as a last resort the Government aims to break

the link between economic growth and the environmental impact of waste'

The Municipal Waste Management Strategy for Devon was published in March 2005. The key priority identified is the need to reduce the amount of waste going to landfill by focusing on reducing, reusing, recycling and composting waste. The target is to achieve 50% recycling and composting by 2010 and 60% by 2020. The residue of the waste after separation of recyclables is currently landfilled and the strategy recognises the need to deal with the residue (ie waste remaining following kerbside collection of recyclables) in a more sustainable manner.

The Devon County Waste Local Plan (Waste Local Plan) was adopted in June 2006 and covers the period up to 2016. This document establishes a strategic framework for the location of residual waste treatment facilities in Devon and draws on the targets established in the Municipal Waste Management System to identify quantities of waste in the County and how it will be managed. The document identifies the Exeter Transfer Station as being a suitable location for a large scale residual waste treatment facility, which includes the possibility for energy from waste by incineration. The Waste Local Plan importantly highlights the proximity principle which encourages the location of waste treatment facilities close to major centres of population that generate the waste having regard to the environment impacts of the plant and transport infrastructure.

The need to avoid landfill is not solely based on local authorities' desire to adopt more sustainable methods of waste disposal but to comply with the European Landfill Directive that limits the amount of biodegradable waste which can be landfilled. There are essentially three ways that local authorities can achieve these targets. Firstly, they can provide new waste management facilities to divert waste away from landfill. Secondly they can buy and sell tradable biodegradable waste permits under the Landfill Allowances Trading Scheme (LATS). However it should be noted that although Devon currently has an excess of permits due to high levels of recycling and composting without investing in more facilities to reduce waste going to landfill, it would shortly exceed its allowance. Finally the local authority would have to pay a fine for every tonne of waste sent to landfill.

Prior to the adoption of the Waste Local Plan, Devon County Council commissioned an independent report to assess the range of options for waste management in the County. The report "Best Practicable Environmental Option of the management of Municipal Waste in Devon" was published in July 2004. The report identified and assessed a range of options principally focusing on the treatment of residual wastes and the comparative potential impacts of different treatment technologies including landfill and various forms of thermal, mechanical and biological treatment processes. The report concluded that the best performing scenarios are Energy from Waste Incineration (EfWI) and Energy from Waste pyrolysis and/or gasification (EfWPG). EfWPG is a process of heating in the absence of oxygen to produce a char (scorched charcoal like residue) and fuel gas then reacting the hot char with high temperature steam, flue gas and air to create combustible gases containing carbon monoxide and hydrogen.

Devon County Council's Executive, at its meeting on 28 November 2006, noted a report which highlighted that the Exeter New Technologies Programme Partnership

utilising gasification/pyrolysis bid for funding to DEFRA would not now go ahead due to the proposed technology provider's agreement to support a rival bid at Avonmouth. This pilot scheme would take at least two years to confirm the reliability and effectiveness of the technology. On this basis the gasification/pyrolysis option was no longer deliverable in the required timescales. The report also addressed Mechanical and Biological Treatment by Anaerobic Digestion by sealed containers however site requirements were larger and there was no local market for the output of refuse derived fuel. The County Council's Executive therefore resolved:

"that approval be given to the development of a 50,000-60,000 tonne municipal residual waste thermal treatment plant at the existing Exeter Transfer Station to enable the County Council to meet its LATS target in 2010/11;"

It is the role of the Waste Local Plan to identify an adequate number of sites for waste management facilities to meet the needs identified in the Municipal Waste Management Strategy for Devon. As part of the planning submission there is a requirement for applicants to consider alternative sites, previously identified within the Waste Local Plan, within the Town and County Planning (Environmental Impact Assessment) Regulations 1999. The Regulations states that the Environmental Statement should include:

'an outline of the main alternatives studied and an indication of the main reasons for this choice, taking into account the environmental effects'.

In accordance with the Environmental Assessment Regulations alternative technologies and site allocations within the Waste Local Plan were considered to accommodate the proposed facility. The existing Exeter Transfer Station was identified as the most suitable by virtue of the existing industrial and waste related infrastructure, the neighbouring industrial land uses, accessibility and proximity to the main centres of waste.

The Exeter City Council Local Development Framework Core Strategy Preferred Options was published for public consultation in November 2006. Once adopted this document will form part of the development plan. Paragraph 11.53 of this document identifies that the proposed site is allocated in the waste local plan as either an energy from waste facility or a mechanical biological treatment facility. The document states that the

'the City Council support the proposal but only on a scale that would serve the local area'.

The proposal accords with the requirements of Devon Structure Plan, Devon County Waste Local Plan and the draft Exeter City Council Local Development Framework Core Strategic Preferred Options.

OBSERVATIONS

There are three principal issues 1) the proposed type of facility and energy usage 2) the proximity principle and size of facility 3) the environmental impact.

Type of facility and energy usage

National and local planning and waste policies require sustainable waste management in accordance with a hierarchy of reduction, reuse, recycling and composting using waste as a source of energy and only disposal as a last resort. The waste disposal and collection authorities have strategies to move up this hierarchy. The energy from waste facility is intended to deal with the residual element that cannot be avoided. The production and use of energy is an essential part of the sustainability of the proposal. DCC has evaluated three potentially different technologies before reaching a decision on the proposal.

There will be an input into the facility of 16.3MW of potential energy in the waste of which about 13MW is identified as recoverable, about 3MW as electricity and about 10MW as heat energy (for comparative purposes Langage power station is 850MW and 400 MW of electricity in two phases). Electricity produced would be used by the plant and the surplus exported to the National Grid. The table below illustrates the relative sustainability of various options for use of the energy produced. Combined heat and power (CHP) schemes are the most carbon efficient from of energy recovery, a scheme with only generation of electricity captures half the potential carbon saving of CHP.

Option	Carbon Emissions avoided compared to Landfill (tones per year)
EfW with CHP – Maximise the generation of electricity and export the low-grade heat	36,551
EfW with heat only – Export all the heat in the form of high-pressure steam with no electrical generation	27,775
EfW with CHP – Generation to meet energy consumption only plus export all remaining heat as high-pressure steam	22,954
EfW with CHP – Supply a modest district-heating loop	21,018
EfW with CHP – Supply of the industrial facility outlined in the EIA with all their heat requirements	19,036
EfW with Electricity only	18,816

Use of the energy produced in the form of electricity and hot water which represents a major component of sustainability for this scheme has not been finalised. The similar capacity plant at Grimsby appears to only generate 3MW of heat energy that is exported to an adjoining industrial plant. Whilst mention is made for the need for additional pipe work and the requirement for a separate planning permission no specific end user is identified. This is a potentially significant weakness of the proposal. It is considered that every possible effort should be made by the applicant to ensure that the potential heat energy available from the plant is utilised. As this

represents a fundamental part of case for the proposal, it is considered that the applicant should be required to enter into a Section 106 Agreement requiring it to use its best endeavours to market the energy, and setting out the general terms on which that energy would be made available.

Proximity Principle and size of facility

There is national criticism from some environmental groups that the presence of energy from waste or conventional incinerators requiring a steady stream of combustible material discourages alternatives such as greater recycling.

The applicants claim that proposed plant capacity of 50,000-60,000 tonnes per annum has been selected to provide the best fit with the long term requirement for capacity in the area over the life of the facility taking into account likely trends of a 1% growth in waste per annum and projected increases in recycling from 41.3% in 2006 to 60% in 2020.

The existing waste transfer station on the site handles about 104,000 tonnes of waste per annum including 24,000 tonnes of recyclables and compostables, leaving 80,000 tonnes of residual waste for landfill. This residual total is expected to fall to about 69,000 tonnes by 2020 and less beyond that. The previous incinerator on the site also had a capacity of about 60,000 tonnes per annum.

About 65% of waste handled at the transfer station comes from the Exeter City Council area, 30% from the western part of East Devon District Council's area and 5% from adjoining parts of the Teignbridge District Council area. The catchment area has been assessed based on journey times and distances to the site compared to journey times and distances to alternative disposal sites. It is stated that the EfW facility will draw in waste from the same area.

The principles of 'proximity' of waste disposal and self-sufficiency have recently been confirmed as a fundamental objective to be delivered through development plans. They feature in policy WSPS 14 of the adopted Devon Waste Local Plan. The objectives are that communities should take more responsibility for their own waste (self sufficiency) and that waste should be disposed of in one of the nearest appropriate installations.

In order to comply with the proximity principle, a planning condition should be attached that waste should come broadly from the area of the existing catchment. This should be defined by distance from the site.

The waste comes from a number of sources: residual waste from municipal collections; civic amenity centres; recycling centres, materials recovery facility residues and local businesses. There would be no justification in planning terms for seeking to limit sources.

It would be desirable to seek to deter the operator from incinerating any material that might be suitable for recycling or composting. However, it would be impractical to apply a planning control. This matter needs to be left to the management of the facility.

Environmental and other material considerations

In addition to planning consent, the applicant will also need to apply to the Environment Agency (EA) for a permit to operate under the Pollution Prevention and Control (PPC) Regulations 2000. Exeter City Council will also be consulted by the EA on this application, and will have the opportunity to comment further at this stage. In particular, comments are likely to be made to the EA on the abatement of emissions to air and the control of noise emissions. The EA will determine the application, and any permit issued should ensure a high level of protection of human health, not just the environment, whilst the site is operating.

The development has the potential to attract significant attention and concern from local residents and wider community, indeed the application has already generated a level of concern. In order to disseminate information about the site and to involve local residents, a local liaison group should be created, to meet regularly, and to include representatives of the local community and Environmental Health Services. A similar arrangement is understood to operate at Grimsby. The establishment and support of a consultation group should be required through a Section 106 agreement.

The Air Quality and Noise Impact Assessments class the nearby commercial and light industrial properties as 'non-sensitive' in terms of noise and dust issues. It is considered that this classification should be reconsidered by the applicant, especially since complaints have been received from nearby businesses in the past, regarding the operations on the existing site. These businesses could, therefore, be regarded as 'sensitised' and therefore further assessment should be carried out.

In order to control the environmental impact of the proposal at the demolition, construction and commissioning phases, various mitigation and monitoring measures will be required. It is suggested therefore that Environmental Management Plans are produced for these phases, and agreed in advance with Environmental Health Services.

Air Quality

The site will be subject to a PPC permit to operate. This will contain emission limits designed to protect human health and the environment. These limits and monitoring requirements will be based upon the EU Waste Incineration Directive. This requires periodic sampling of heavy metals, dioxins and furans. This sampling takes place over 6 to 8 hours, once every 6 months and should occur during normal operating conditions.

Research has indicated however that the majority of the dioxin emissions from a municipal waste incinerator can be released during start-up periods, and during 'upset' or 'transient' conditions when the steady-state combustion is perturbed. For example, at a modern Japanese incinerator equipped with better dioxin abatement than is standard in the UK, it was found that total emissions during start-up were equivalent to operating the incinerator in steady state conditions non-stop for over 2 months (Tejima et al. 2007). Contamination levels of ash were also increased. Periodic sampling during normal operating conditions does not therefore represent a worst-case scenario for dioxin emissions. The Waste from Energy plant at Richmond

Hill, Isle of Man, (a similar sized plant) which was commissioned in 2004/05, is one of the first such plants in the UK to adopt continuous sampling of dioxins and furans as well as periodic sampling, following best practice from Europe. The results of this sampling show that whereas the periodic sampling (taken when the plant is running at optimum conditions) gave results well below the EU Waste Incineration Directive limit (0.1 ng/m3) by a factor of 20 and greater, the continuous sampling, which records levels at start-ups and transient conditions (averaged out over a month long period) frequently exceeded the 0.1 ng/m3 limit, in some cases by a factor of 10. This has prompted the operator to increase mitigation methods to reduce dioxins and furans emitted from the secondary incinerator at the plant.

In order to determine a robust sampling regime for dioxins that is truly representative of the dioxin emissions formed during start-ups and abnormal events, as well as during normal steady-state combustion, a continuous sampling device for dioxins, such as AMESA (Adsorption Method for Sampling of Dioxins and Furans), should be installed and operated.

The air quality impact assessment contains modelling of the impact of traffic associated with the development. The results from the modelling of NO_2 concentrations at the roadside are below the background concentrations quoted elsewhere in the report. The justification for these results therefore needs to be clarified. In addition, the impacts on Church Road, Alphington have been modelled, but the results have not been evaluated in light of the new AQMA that has been declared in Exeter which includes Church Road. The Air Quality Impact Assessment should therefore be updated to address these issues.

Noise

There would be noise arising from construction works, construction traffic, facility operation and operational traffic. The nearest residential properties are approximately 600 metres away in Rivermead Road/Old Abbey Close to the north east and 625 metres in Powlesland Road/Raglans to the south west of the site. The accompanying assessment of noise from the applicants concludes that the noise arising from the construction and operation requirements of the plant would not be significant to residential properties or adversely affect avian species within the adjacent Valley Park and beyond. However the report does recognise that the noise and vibration from piling during construction work has the potential for noise disturbance. It is considered that a condition be recommended which requires the monitoring of noise levels from agreed locations close to residential properties to ensure that the construction and operational use do not have detrimental affect on residential amenity. The noise impact assessment contains a BS4142 assessment of the significance of the noise from the facility when operating. In this assessment, no penalty has been added for tonal content of the noise. In order to justify this position, we would request that narrow band or FFT analysis of sound emissions from existing similar plant be submitted in support of the previous assessment.

Odour

There is the potential for odour generation within the reception area of the site. If controlled by good housekeeping and site management, together with the

maintenance of lower than ambient pressure within this area, there should be no significant emissions of odour. It is imperative therefore, that site management measures are implemented to ensure that these conditions are met.

Health Impact Issues

The HIA did not contain consideration of the pathway by uptake via drinking water abstracted from surface water bodies, because it was stated that no such water supplies existed within the study area. In fact, the private water supply at Topsham Lock Cottage (NGR 296160, 88040) is drawn from the canal and therefore the health impact assessment should be updated to reflect the potential for any emissions to pollute this supply.

Design and visual impact

The waste from energy building will inevitably have a significant visual impact within context of the City, Valley Park and from wider views. Whilst the existing tree screen located within the Valley Park will afford some visual protection to the lower parts of the building, clearly the main body of the building reaching a height of approximately 27 metres and a 65 metre chimney stack will be highly prominent. The chimney is likely to be seen from some distance, particularly from the south and east. It should be noted that the former incinerator contained a similar chimney stack at a height of 60 metres and the existing building on the site is already significantly taller than others in the immediate vicinity. The additional landscape planting proposed within the application site area will only have a significant benefit in closer views such as from parts of the Valley Park. The building will have greatest impact in mid-range views. It will be important to condition approval of any external lighting

Whilst the design of the building has attempted to visually break up its overall scale and massing through the use of different coloured materials and horizontal layer cladding, the overall size of the building will consequently have a major impact on the surrounding area. Although some attempt has been made with the introduction of a curved roof, this does not as the applicants claim make it '*...a building of high architectural standard...*' rather as they go on to conclude the '*…building will form a noticeable feature.*' The building and processes are claimed to attract an excellent BREAM rating for sustainability.

An assessment of plume visibility is contained within the air quality impact assessment section of the Environmental Statement. The plume will be within the site for 95% of daylight. Visible plumes, whilst only indicating emissions of water vapour, nevertheless can have a significant psychological impact on local residents and the wider community. The impact of this should therefore be considered alongside the other visual impacts of the development.

Traffic Movement.

The submitted Transport Assessment states that there would be a reduction in vehicular movements from about 150 a day at the existing Waste Transfer Station to about 27 lorries and 11 cars. The proposal is judged to have a neutral impact on the

transportation network in the operational phase. Deliveries of waste to the site will be determined by local collection times. There will be a transportation impact in the construction phase and a need to seek to avoid peak periods when there is localised congestion. This is best secured by the Construction Management Plan. Off site construction parking is intended to be sourced at the Matford Centre.

Flood risk

The site is within an area that is predicted to flood if there is a magnitude of event that occurs less often than once every fifty years. Sensitive facilities such as the waste bunker and chemical and other stores are protected from flooding to 1.5 metres above ground level the maximum predicted height of a flood event. A Flood Management Plan needs to provide for timely shut down.

Construction and shut down arrangements

If planning permission is granted the existing waste transfer facilities will need to be accommodated elsewhere for about two years during construction and testing and green and commercial waste activities will need to be accommodated permanently elsewhere. There will also need to be a strategy to deal with waste during any prolonged shut downs of the energy from waste plant. While this may not be a material planning consideration to the planning application, the matter will be separately raised with Devon County Council independent of the consideration of this planning application.

WESTERN AREA WORKING PARTY – 05/06/07

Members noted that the application would be considered by Planning Member Working Group and the Planning Committee. One Member expressed the view that there might be a better alternative site.

PLANNING MEMBER WORKING GROUP – 12/06/07

Members received an early draft of this report and were informed that a meeting had been held with Devon County Council to discuss potential concerns. The County Council had seemed generally sympathetic to the controls that the City Council considered needed to be secured through planning conditions and a section 106 agreement. Representatives stated that the City Council would be consulted on any detailed provisions. The requirement for an AMESA continuous sampling system and for further technical information to support the application would be referred to the applicant. It is understood that the introduction of an AMESA system would be a precedent in the UK. Any formal response will be included on the update sheet or provided orally at the meeting.

Members raised a number of concerns:

- Total exposure to emissions over time was more important than peak levels.
- The need to recycle bottom ash as a construction material to minimize disposal.

A requirement in a Section 106 agreement to use reasonable endeavours to recycle bottom ash is now included in the recommendation.

Members enquired about the success of consultation arrangements at the Grimsby facility and whether any consultation group could be combined with the existing arrangement for J L Thomas. The applicant has been asked for information on arrangements at Grimsby. Devon County Council has a standard form of consultative arrangement at waste sites, experience suggests that dual issue arrangements may not be successful.

Members noted that the City Council should raise objections unless its main concerns on heat and bottom ash usage, a proximity condition, installation of an AMESA continuous sampling system and establishment of a consultative group are satisfied.

It is understood that Devon County Council's Development Committee will undertake a site inspection of the application site on 27 June, followed by a meeting with stakeholders and objectors. It is likely to formally consider the application at its meeting on 18 July.

RECOMMENDATION

1 That Devon County Council is advised that Exeter City Council request that apart from standard conditions such as landscaping, archaeology, external lighting etc, more specific conditions should be imposed set out below: -

i) A Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development, and adhered to during the construction period. This should include details of monitoring and mitigation measures to control the environmental impact of the development during the construction and demolition phases, including site traffic and emissions of noise and dust. This should include details of the phasing and timing of work to minimise noisy activities on Saturdays and measures that will minimise the impact of construction traffic on the local road network, including parking. The CEMP should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during this phase of the development, in order to discuss forthcoming work and its environmental impact.

ii) An Environmental Management Plan for the commissioning phase shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of operation of the facility, and adhered to subsequently at all times. This should include a programme for monitoring and mitigation of noise emissions and emissions to air, including the deposition of airborne pollutants using AMESA or another continuous sampling system to be agreed in writing by the Local Planning Authority. The pollutants that are monitored should include, but not be limited to, dioxins and NO_2. Monitoring locations should be both on and off-site, and should be chosen based on prevailing wind direction and the location of predicted maximum concentrations in the air quality impact assessment.

iii) A piling method statement shall be submitted and agreed in writing by the Local Planning Authority prior to the commencement of development, containing details of the methods used in order to control noise and vibration, and adhered to during the construction period. Given the location of the site adjacent to other properties, which will be occupied during the hours of construction, the use of silent piling methods should be considered as the favoured option.

iv) Noise from activity on site during the construction and demolition phases shall not exceed 75 dB ($L_{aeq,1hour}$) and 85 dB ($L_{aeq,5min}$) when measured at the site boundary. The monitoring frequency and location of the monitoring points to be agreed with the Exeter City Council Head of Environmental Health Services.

v) The hours of work during demolition and construction shall be limited to 7am to 7pm, Monday to Friday and 7am to 4pm Saturday.

vi) Noisy activities during the commissioning phase shall only occur between 7am to 7pm, Monday to Friday. Any deviation from this condition shall be agreed in advance with the Exeter City Council Head of Environmental Health Services.

vii) Details of the acoustic treatment of the building shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the development, and the building shall be constructed and maintained in accordance with the approved details.

viii) Sound power levels of all external plant and machinery shall be submitted and agreed in writing by the Local Planning Authority prior to commencement of the development, and the agreed details shall be adhered to at all times.

ix) No development shall take place on site until a full survey of the site has taken place to determine the extent of contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The building(s) shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that the site is in such a condition as to be suitable for the proposed use.

2 That Devon County Council be informed that Exeter City Council objects to the application unless the following requirements are satisfied:

i) a planning condition and/or Section 106 requirement is imposed that municipal and commercial waste incineration at the plant shall be normally restricted to waste collected within a x kilometre radius (to be defined to reflect the catchment of the existing waste transfer station) unless otherwise agreed in writing by the Local Planning Authority..
Reason: To ensure that the facility complies with the proximity principle

ii) the programme for monitoring and mitigation of emissions to air uses an AMESA or other continuous sampling system agreed in writing by the Head of Environmental Health.

iii) in the absence of firm proposals within the submitted documentation the applicant should be required to enter into a Section 106 Agreement, details to be agreed by Exeter City Council, to provide:

A) that best endeavours are made to market the energy produced as a consequence of the waste incineration process, including the general terms on which it will be made available;

B) the establishment of and support for a liaison group and annual reporting arrangement involving the local community and Exeter City Council representatives; and

C) that reasonable endeavours are made to recycle bottom ash as a construction material

3 That Devon County Council be advised to not finally determine the application until it has requested the developer to submit further information in relation to the issues identified elsewhere in this report where the Environmental Assessment is deficient in detail and it is satisfied with the material.