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Date	12 November 2020	Email	<a href="mailto:planning@hants.gov.uk">planning@hants.gov.uk</a>

Dear Sir/Madam,

**Development of an Energy Recovery Facility and Associated  
Infrastructure at Alton Materials Recovery Facility, A31, Alton GU34 4JD**

**Town and Country Planning (Environmental Impact Assessment)  
Regulations 2017 - Regulation 25 request for further information and  
evidence in respect of an Environmental Statement.**

We refer to our previous Regulation 25 letter (dated 23 October 2020; same ref: PLAN/SD/EH141) concerning the planning application and Environmental Statements (ES) submitted to Hampshire County Council (33619/007) (HCC) in connection with the above proposed development.

As recently advised, this Regulation 25 request only includes matters concerning air quality. A final further Regulation 25 request is to be sent out separately addressing landscape and visual effects of the proposed development.

To reiterate, this Regulation 25 request is only based on the consultation responses received by the Waste Planning Authority to date. Hampshire County Council reserves the right to make further Regulation 25 requests where it considers it necessary. Where any further consultation responses are received, the applicant will be notified, with any further requests under Regulation 25 or for further areas of clarification identified.

As previously advised, the environmental consultancy Atkins has undertaken a review of both the air quality submissions and assessments within the submitted planning application and Environmental Statements (ES) and numerous responses by the relevant consultees and interested/affected third

Director of Economy, Transport and Environment  
Stuart Jarvis BSc DipTP FCIHT MRTPI

parties on this same matter. The Atkins report (Project No. 5201045, dated 27 October 2020) is attached.

### **Further information hereby formally requested under Regulation 25**

In accordance with Regulation 25 of the [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#) and following public consultation of the application and the ES, we are writing to request further information, set out by relevant ES chapter, considered by the County Council to be necessary and directly relevant to enable the County Council to reach a reasoned conclusion on the likely significant effects - on air quality - of the proposed development. In all instances, we refer you back to the main responses from the consultees for more detailed information on the requests being made. This response summarises the information required to assess the potential impacts of the proposal, relative to air quality. The further information required is *highlighted*.

#### **1. APPROACH TO THE ENVIRONMENTAL STATEMENT**

##### *ES Vol.1 Section 2.0*

To reiterate the County Council's concerns, as stated in our previous Regulation 25 letter (dated 23 October 2020; same ref: PLAN/SD/EH141), the attached Atkins report also makes a number of comments and criticisms that require further and/or clarification information from the applicant. These too directly relate as to whether or not the submitted ES fully satisfies the requirements of regulation 18(3) of the EIA Regulations with particular reference to paragraphs **4.**, **5.** (b) - (g), **6.** and **7.** Of Schedule 4, which identifies the information for inclusion in an ES.

#### **2. ALTERNATIVES**

##### *ES Vol.1 Section 3.0*

Although this Regulation 25 letter concerns air quality, and the likely significant environmental effects of the proposed development on the local environment, the lack of assessed alternatives as raised **in 2. ALTERNATIVES** of our previous letter (dated 23 October 2020; same ref: PLAN/SD/EH141) remains pertinent when assessing the proposed development's assessment of and effects on local air quality, including that of human health, on sensitive ecology and biodiversity and on climate change.

Therefore, it remains the County Council's opinion that this criterion is a fundamental matter, as stipulated within the Council's Scoping Opinion issued 27 September 2019. Therefore, this information is still needed to allow for a reasoned conclusion to be reached on the likely significant effects of the development, based on the submitted EIA (and ES), and for compliance with the EIA Directive.

*Therefore, as the applicant's choice of site and location was specified as a requirement to be included as per the Council's Scoping Opinion issued 27 September 2019, this does need a fuller explanation to ensure compliance with the 2017 Regulations is demonstrated. The ES, in updating its assessment of the proposed development's significant environmental effects in respect of air quality (below) should be updated accordingly.*

### **3. AIR QUALITY**

#### *ES Vol.1 Section 8.0*

This section should be read in conjunction with the required further information in 3. **ECOLOGY AND NATURE CONSERVATION** of our previous Regulation 25 letter (dated 23 October 2020; same ref: PLAN/SD/EH141). Reference must also be made to *ES Vol. 1 Section 4.0 (Scheme Description and Construction Methods)*, and the submitted Planning Statement, Flood Risk Assessment (FRA) and the Transportation Assessment (TA).

Whilst it is noted in Atkins' report that the assessment of air quality was generally found to be comprehensive, with conservative assumptions built in to give robust conclusions, it was noted that some exceptions apply. These apply to in-combination effects at habitat sites and which accord with some of the points raised by consultees and the No Wey Incinerator (NWI) group.

#### Baseline data sources (3.4 in Atkins' report)

- The applicant has not given consideration to the potential impact on existing concentrations of the A31 growth corridor as set in East Hampshire District Council's (EHDC) Local Plan. Recent monitoring trends suggest there has only been limited improvement in air quality over the last five years.
- The applicant has not identified Air Quality Management Areas (AQMAs) in the wider area, which may be affected by traffic movements. As a result, impacts (based on IAQM traffic change criteria) within AQMAs cannot be excluded.
- The applicant has not identified DEFRA PCM road links which could present a constraint and compliance risk

*Therefore, the ES, in updating and informing its assessment of the proposed development's significant environmental effects in respect of air quality should be updated accordingly.*

### Assessment (3.5 in Atkins' report)

#### Construction-related emissions:

- No consideration has been made of the potential for emissions from construction plant (NRMM) or decommissioning.
- Whilst emissions from construction-related HGV movements have been included within the TA, the study area is confined only to the A31 and does not consider other roads and additional traffic, and changes within an AQMA, such as in Farnham. Routes for new HGV movements beyond the A31 are required.

***Therefore, the ES, in updating and informing its assessment of the proposed development's significant environmental effects in respect of construction-related air quality should be updated accordingly (in conjunction with the submitted Transport Assessment (TA)).***

#### Operational-related emissions:

- Whilst emissions from operational HGV movements have been included within the TA, the study area is confined only to the A31 and does not consider (via agreed and appropriate screening calculations) other roads and additional traffic, and changes within an AQMA, such as in Farnham. Routes for new HGV movements beyond the A31 are required.
- The stack height sensitivity study was not based on the maximum hourly mean for NO<sub>2</sub>, rather than on a percentile value. Using this could mask any evidence of building downwash effects on the plume (emitted from the stack). This updated study/information is required.
- The applicant's submitted Human Health Risk Assessment (HHRA) only considered dioxins and PCBs only and not metals, which are also subject to bioaccumulation - in food chain exposure pathways - and may act similarly to gaseous emissions. This approach must be justified.

***Therefore, the ES, in updating and informing its assessment of the proposed development's significant environmental effects in respect of operational-related air quality should be updated accordingly (in conjunction with the submitted Transport Assessment (TA) and the Human Health Risk Assessment (HHRA)).***

#### Ecological impacts:

- It is noted that 'whilst stack emissions found only a 1% exceedance of critical load at Shortheath Common SAC' and 'where loads for nitrogen and acid deposition are already exceeded', the in-combination effects with traffic have not been included within the air quality section of the ES.

Whilst this is likely due to traffic being scoped out of the ES, this quantitative assessment and its conclusions and mitigation - used to inform the Council's HRA - is absent and is required. Please refer to Habitat Regulations Assessment (HRA) on pages 4-5 in the required further information section in 3. **ECOLOGY AND NATURE CONSERVATION** of our previous Regulation 25 letter (dated 23 October 2020; same ref: PLAN/SD/EH141).

- In support of the above, the inclusion of other pollutants within the evaluation of future trends in air quality (Appendix 6.6 of the ES) could enhance these considerations and the assessment of in-combination impacts.

The Waste Planning Authority is aware that the applicant's Ecologist is currently discussing the above matters with the County Council's Ecologist. It is strongly recommended that Natural England be involved in these discussions.

*Therefore, the ES, in updating and informing its assessment of the proposed development's significant environmental effects in respect of operational-related air quality should be updated accordingly (in conjunction with the required information in 3. **ECOLOGY AND NATURE CONSERVATION** of our previous Regulation 25 letter (dated 23 October 2020; same ref: PLAN/SD/EH141)).*

Climatic impacts (4. in Atkins' report)

Impact of the project on climate

- No assessment (and as result no methodology) of the significance of any impact is presented nor is any consideration of UK or local policy of climate change (i.e. UK carbon budgets, net zero targets or affected and proximate Local Authorities' own climate emergency declarations, including Waverley BC's most ambitious target of 2030) is contained within the applicant's submitted Carbon Assessment in Appendix 4.3 of the ES.
- Further to the above, the impact of the assessment rests fully on the submitted Carbon Assessment's baseline scenario - the use of the landfill baseline. This is a worst case future scenario in terms of the waste hierarchy with no consideration of other waste uses further up the hierarchy, and on a regional and national approach, solely assuming landfill is the only alternative for the lifetime of the facility. It is crucial that it is fully justified and representative of the current and future scenario for the lifetime of the proposed development (i.e. operational life).

- Further to the above, the Carbon Assessment's baseline scenario does not take into consideration carbon reductions during the proposed operational lifetime (30 years) of the proposed development. The IEMA best practice EIA guidance notes *'that future baseline should be set to include future changes such as UK grid decarbonisation projection and/or the adoption of renewables'*.
- Whilst some mitigation - to reduce greenhouse gas (GHG) emissions - has been included for the construction phase none has been proposed for the operational phase (30 years) of the proposed development, which will be the significant producer. Further details are required to identify how emission will be reduced in association with transport, combustion and other operational processes.
- The concerns raised by the NWI relative to the applicants' Carbon Assessment are generally agreed with by the conclusions in the Atkins' report (see pages 34 - 38). The concerns made should be factored into the applicant's response to the above bullet points in this section of the Regulation 25 letter.

***Therefore, the ES, in updating and informing its assessment of the proposed development's significant environmental effects in respect of climatic impacts should be updated accordingly (in conjunction with the required information in as raised in 2. ALTERNATIVES of our previous letter (dated 23 October 2020; same ref: PLAN/SD/EH141) and in 1. APPROACH TO THE ENVIRONMENTAL STATEMENT and 2. ALTERNATIVES above.***

#### Vulnerability of the project to climate change

- The assessment of the proposed development's vulnerability to climate change (4.8.15 to 4.8.22 in the ES) does not follow an established methodology and is lacking detail in terms of baseline, receptors and potential impacts, specifically the significance and description of the residual impacts, and the links between potential impacts, their receptors and mitigation.
- The projected 'high-level baseline' (4.8.15 in the ES) is taken at a National Level and is qualitative in form. To better determine and guide the potential impacts and mitigation within the catchment area of a proposed development, it is preferable to model using UKCP18 data, which can be specific to a locality.
- Further to the above, quantification of the trends being referenced would also strengthen the baseline. The inclusion of references to the current climate, based on historical observations from established sources including the Met Office (UK regional climate definitions or regional 30 year average datasets) and aligned with the 30 year design life of the

proposed development through UKCP18 and using RCP 8.5 (a conservative emissions-based approach) are required.

- No assessment methodology is presented (4.8.16 in the ES) that sets out how the project's vulnerability to climate change has been considered. Individual potential impacts and receptors are not fully defined, and significance has not been assessed. Only 'increased rainfall' has been scoped in and not sea level rise and river flooding, which are noted as 'being not relevant'. This must be explained and evidenced.
- Further to the above, in terms of assessing pluvial food risk (4.8.17 - 18 in the ES), the design storm size and climate change allowance used are not justified. Additionally, conclusions need linking to the current baseline or future rainfall projections and rainfall intensity projections stated must be justified and aligned with policy.

*Therefore, the ES, in updating and informing its assessment of the proposed development's significant environmental effects in respect of the vulnerability of the project to/from climatic impacts should be updated accordingly (in conjunction with the required information in as raised in 2. ALTERNATIVES of our previous letter (dated 23 October 2020; same ref: PLAN/SD/EH141) and in 1. APPROACH TO THE ENVIRONMENTAL STATEMENT and 2. ALTERNATIVES above.*

**Recommended/Clarification information to be supplied (not requested under Regulation 25)**

There are also some elements which require additional information, clarification or comments. We have only sought to highlight the keys areas of concern in this letter. We consider that this will help the application process especially as some of these link into the further information required above.

The following list sets out information that needs to be addressed to consider the application against relevant policy (as required), rather than, or as well as, being required to address issues in the ES. These are set out below:

**SCHEME DESCRIPTION AND CONSTRUCTION METHODS**

*ES Vol.1 Section 4.0*

**4.8 Climate Change**

In conjunction with the climate change requirements requested through Regulation 25 above, the further impacts that could be considered by the applicant as stated in the 8 bullet points (in 4.1.2.6 'Further impacts') of the Atkins' report are strongly encouraged to be reviewed and responded on by the applicant.

#### 4.11 Constructions Methods

With the proposed development to be constructed over a period of 3 years, impacts from construction processes on the locality are proposed to be controlled through a Construction Environment Management Plan (CEMP).

Whilst this could be conditioned in accordance with the requirements of the Environmental Health Officer's at East Hampshire District Council (EHDC) and Natural England, in conjunction with the climate change requirements requested through Regulation 25 above, other impacts from construction-related air quality effects as stated in paragraph 2 (in 3.5.3. 'Construction dust emissions') and the final 4 bullet points (in 3.5.4. 'Stack emissions') of the Atkins' report are strongly encouraged to be reviewed and responded on by the applicant.

The Waste Planning Authority would welcome a response to the issues raised above.

#### NEXT STEPS

We will let you know of any additional matters affecting this request for further and clarification information, which require further consideration as a matter of urgency.

This Regulation 25 request requires additional information to be submitted for the ES. This will mean re-advertisement and consultation in accordance with the requirements of the EIA regulations once the information is received.

With the intention of moving the application forward towards a resolution, Hampshire County Council formally requests that the further information be provided **no later than 03 December 2020**.

If you have any queries on the matters addressed in this letter, please do not hesitate to contact us on the details provided.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'PP' followed by a stylized name, likely Sam Dumbrell.

Sam Dumbrell  
Project Manager Development Management