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Our ref. FPC/20/004

Your ref. PLAN/SD/EH141

Date: 14 August 2020

Dear Sam,

Objection to Planning Application 33619/007 : Development of an Energy Recovery Facility and Associated Infrastructure at Alton Materials Recovery Facility, A31, Alton GU34 4JD

Froyle Parish Council (FPC) strongly **objects** to planning application 33619/007 from Veolia to construct an Alton Advanced Energy Recovery Facility (AAERF) on the existing Alton MRF site.

FPC is objecting to the application as an independent Parish Council. It is fully aware of the reports that the No Wey Incinerator (NWI) action group have commissioned from specialist consultants and submitted to HCC as an objection to this application. FPC has been provided with a copy of the NWI report and fully support the findings contained therein. We have sought not to repeat these findings in detail in this submission other than where relevant to support our specific comments.

FPC specifically objects to this proposal on the following grounds:

1. Suitability of Site and Visual Impact

- The proposed site is not appropriate for an industrial building of the dimensions of the AAERF. The scale of the building is totally out of proportion for a site within a rural location surrounded by open rolling countryside that was recently designated "*a valued landscape*" by the Committee for the Protection of Rural England (CPRE). **Allowing construction of the AAERF will be extremely detrimental to the far-reaching views across the North Wey Valley into the South Downs National Park (SDNP).**
- Development of the AAERF in this rural location and in close proximity to the SDNP is in contradiction to the Hampshire Waste Management Plan (HMWP) adopted in October 2013. Policy 5 Paragraph 4.37 of the HMWP states that "*waste uses and other minerals developments that are not specifically linked to the natural occurrence of a mineral should be located in urban areas*". The East Hampshire Local Plan: Joint Core strategy 2014 CP19 also states that "*countryside should be protected for the sake of its intrinsic character. To achieve this the only development in the countryside should be that with a proven need for a countryside location*". **This application demonstrates no such need.**
- The purpose of designating a National Park under the National Parks and Access to the Countryside Act 1949 is to conserve and enhance their natural beauty, wildlife and cultural heritage. Although the AAERF is just outside the SDNP boundary, it would have an effect on its setting, which is significant in its statutory purpose. The applicant has downplayed the potential effect of the AAERF on the SDNP, referring to impact on views

only within the park, whilst ignoring the impact on the setting of the National Park. The impact on the setting is significant in its statutory purpose and specifically requested in the SDNP Scoping Opinion : Sept 2019 *“Only two viewpoints on the very edge of the SDNP have been included and there is no assessment further within the park, such as at Selbourne as requested in the Scoping opinion.”* **The effect on the SDNP needs further assessment and greater emphasis placed on the impact to its setting.**

- The scale of the building will have a huge visual impact on the wide panorama views of the countryside surrounding the village which are enjoyed by both residents and visitors from various vantage points especially the very popular St Swithuns Way. Development of the AAERF is therefore contrary to both Policy 10 of the HMWP which states that minerals and waste development should not *“have an unacceptable visual impact”* and Policy DM27 in the EHDC Draft Local Plan 2019 which states that proposals should *“not conflict with landscape character”*. **FPC consider it unimaginable that a building up to 40m high with two 80m chimneys with regular plumes cannot have an unacceptable visual impact.**
- Far from being in accordance with Policy 13 of the HMWP the AAERF will not maintain and enhance the distinctive character of the landscape. It will be an industrial development inappropriate in scale and character to its proposed location. EHDC Landscape Capacity Study 2018 covering the local area of Alton, Holybourne, the Froyles and Bentley (local area 4b.2) states that the area has *“low capacity for development constrained by its strong rural character and its importance as the valley of the River Wey”*. The EHDC Landscape Capacity Study does allow for a small amount of development accommodated *“around clusters of built form”* providing it is *“informed by further landscape and visual impact assessment and sensitively integrated into the landscape”*. **The application fails to meet any criteria for development in this sensitive rural area.**
- In its 2002 submission to the Alton MRF proposal (33619/004), FPC were *“pleased to note that the developers propose to bind themselves to planting a comprehensive belt of trees and shrubs around the site”*. The requirement to landscape the Alton MRF was a specific condition (2. Landscape) of the permission granted. It is not apparent that this condition has been fully met by Veolia and therefore FPC has to question Veolia’s commitment to effectively mitigate the visual impact of the building as proposed in this application. **The site has very limited space for any natural landscape screening.**
- The ‘green wall’ that the applicant has offered is an attempt to mitigate the impact of the AAERF on its surroundings and *“integrate the building into its surrounding context”*. Views of the building are artfully rendered to support their argument but the green wall will stand out against the sky when viewed close up, and silver cladding on the upper façades will contrast against the green backdrop when viewed from valley sides above the site. Furthermore, the ‘drought resistant’ plant species on the living wall, one of which is north facing, are likely to be different colour tones and hues to those in the native backdrop at many times in the year, further emphasising its mass. There are also no details of how the green wall is to be managed and in the likelihood of it failing, it will further add to the contrast and negative impact of the building on its surroundings.

- The site boundaries of the existing Alton MRF and thus proposed AAERF are fixed by the A31, the London/Alton railway line, the IGas Oil Terminal site and privately-owned land, It is unclear how construction traffic and activity will be managed as the site appears to provide little space for HGV's to manoeuvre and for general operational activities. The physical space limitations of the site will, FPC believe, have a significant major impact on the plant operations with potential for queuing traffic on the A31, HGV night time operations with resultant noise etc. The site has little capability of being enlarged for the required construction compound.
- Traffic flows on the A31 and in particular the accident blackspot at the Hen and Chicken junction have been longstanding concerns for Froyle residents. This was recognised in the 2002 Alton MRF decision which in March 2003 secured the payment of a £10,000 S106 contribution from the developer (Onyx) towards highway safety works. **The road safety issue at this location still exist and will only be exacerbated by the increased HGV movements to and from the AAERF site.**
- The AAERF will adversely affect local businesses in particular West End Flower Farm, Mill Farm (Organic), Bonhams Farm, Froyle Estate, the Hen and Chicken Pub and Froyle Park (wedding venue) creating economic harm to local employment due to its visual impact and emissions. In particular a designated picnic pitch at the flower farm and parts of the Froyle Estate are located within the area identified in the Environmental Statement where process contribution for hourly mean nitrogen dioxide exceeds 10% of the AQAL. The application does not acknowledge the presence of these businesses and suggests that that public exposure to nitrogen dioxide in this area for an hour or more is unlikely. **This assertion is clearly untrue.**
- Veolia state that the AAERF will create 45 jobs but fails to mention that 65 jobs will be lost at the existing MRF resulting in a significant net reduction in GVA to the local economy.

2. Need and Sustainability

Alignment with UK and Hampshire waste strategy

- FPC is supportive of a robust solution to waste management in Hampshire provided this is consistent with the UK Government and Hampshire waste strategy based on a 'waste pyramid' or 'waste hierarchy'. This prioritises reduction of waste volumes and increased recycling above incineration in an Energy Recovery Facility (ERF). Incineration without waste heat recovery and landfill for any residual waste are at the bottom of the pyramid. The UK Government strategy is being reinforced by legislation in the Environment Bill that was presented to Parliament in January 2020. **FPC does not consider that this application is consistent with the objectives of the UK and Hampshire waste strategy.**
- The development of an AAERF is not aligned with the prioritisation of reduction and recycling of waste away from incineration. Only landfill sits below an ERF in the waste hierarchy but this only applies if the incinerator can utilise the waste heat. The applicant has made it clear that there is currently no identified use for the heat generated by the plant – nor is there likely to be in the foreseeable future. This means that this application falls short against the UK Government waste strategy guidelines and the criteria laid out in HMWP Policy 28. This states that any new ERF should “*wherever practicable provide*

combined heat and power. As a minimum requirement the scheme should recover energy through electricity production and the plant should be designed to have the capability to deliver heat in the future”

- The applicant has proposed that a (small proportion) of the heat will be used for the generation of 33MW of power of which 30MW is to be exported for local use (enough for some 75,000 homes). It is unclear to FPC where the local demand for such additional power exists in the local area especially as there is an equivalent amount of power being produced from a number of local solar farms already in operation.
- The application contains no evidence of planning permission being requested or granted to create a connection to the Mill Lane substation in Alton yet the overarching National Policy Statement for Energy (EN-1) makes it clear that *“the connection of a proposed electricity generating plant to the electricity network is an important consideration for applicants wanting to construct a generation plant”*. Paragraph 4.9.2 of EN-1 makes it clear that *“the Government envisages that wherever possible, applications for new generating stations and related infrastructure should be contained in a single application or in separate applications submitted in tandem which have been prepared in an integrated way”*. The applicant has neither demonstrated that they have secured access rights to the land under which they propose to lay the power cable nor obtained planning permission.
- **If approved as currently proposed, the AAERF could be constructed with no use for the electricity or heat that it produces. Without a commercial outlet to utilise the waste heat or any specific energy recovery scheme, the AAERF does not reflect the direction of the national waste strategy and as such it ranks this facility alongside landfill in the waste hierarchy.**

Recycling

- Froyle residents have expressed concern to the Parish Council about the low level of recycling available in the County. The HMWP set a recycling target of 60% recycling by 2020 but in the last reported list of UK Authorities’ recycling rates (2018/19) only 41.3% had been achieved resulting in Hampshire languishing well down the third quartile of recycling performance by local authorities. The FPC was greatly encouraged by the decision taken by Hampshire County Council’s Economy, Transport & Environment Select Committee on the 1st July 2020 to *‘pause work on a single co-mingled MRF whilst business cases for the alternative options of a Twin Stream and Kerbside sort systems are developed and to identify the most suitable recycling collection and processing system for Hampshire in line with the requirements of the Environment Bill 2020’*. Approval for Veolia to demolish the Alton MRF to make way for the AAERF would be a major retrograde step from the already poor recycling performance in the County.
- The application fails to provide any details of how or where the recycling capacity of the existing MRF will be replaced in either the short or medium term. Nor does it make clear reference to how an AAERF facilitates the execution of Hampshire’s long-term waste strategy. It should be considered that a replacement waste transfer facility in the Alton area would be required to avoid household refuse trucks travelling long distances to a ‘super MRF’ (assuming this is designed to accommodate these smaller vehicles). **FPC supported the building of the existing MRF as we believed that it provided**

opportunities for increased recycling but cannot support the building of an inferior incineration solution with no details of where recycling and waste transfer will be carried out.

Shortfall in Hampshire ERF capacity

- The AAERF is justified by the applicant on the basis of an assessment contained in the 2013 HMWP that identified a shortfall of 390,000 tonnes per annum of non-hazardous recovery capacity to be provided by 2030. The 2018 Review of the HMWP concluded that by 2015, a total of 354,950 tpa of recovery capacity had already been delivered, more than 94,000 tpa above the target. This suggests that only a further 34,000 tpa is now required to meet the target for recovery over the period 2015 to 2030 before factoring in new reuse and recycling targets that would be expected to reduce forecast waste volumes in the County. **When coupled with the loss of 125,000 tpa of recycling capacity with the closure of the Alton MRF, this AAERF has clearly been oversized and is not solely for the benefit of Hampshire’s waste management.**
- The significant overcapacity that would result from an AAERF coupled with the applicants statement that this will be a ‘merchant plant’ clearly demonstrates that the AAERF is being designed both with the capacity and in a location that is already owned by the applicant that is consistent with the business generated from the applicant’s contracts to process waste collected from across the South of England. In the Scoping Opinion dated 6 August 2019, HCC stated *“for a development of this size and significance I would expect to see a rational as to why this site has been selected, it is not acceptable to assume just because the land is already owned by the developer that it is the only site.”* Given the much reduced shortfall in Hampshire recovery capacity as identified above and the requirement to locate an ERF close to where the waste is generated and in a location where the heat can be utilised, any new ERF development should be evaluated as part of the existing regional network of ERF’s in Portsmouth, Marchwood and Basingstoke. FPC can see no evidence in the application to demonstrate that *‘this site is the best site for the proposed development following a comprehensive review of reasonable alternative sites’* as required by the HCC Scoping Opinion in 2019, and meets the guidelines contained in the HMWP and the Town and Country Planning Environmental Impact Assessment Regulations 2017.
- Any new incinerator is a long-life asset which FPC assume would represent an expected useful life of at least twenty-five years. Not only is the application completely unclear as to where the 330,000 tonnes annually of commercial waste needed to run the plant will come from on Day One other than stating there will be an average 48km one way journey, it is completely silent on where the waste will be coming from in five or ten years time. **As the national strategy moves towards waste reduction and increased recycling, FPC can only surmise that waste will be transported to the AAERF from further and further afield with all the associated traffic emissions generated by the increased ‘waste miles’.**
- The Alton MRF has only been in operation for 15 years and is described by the applicant as *“our most technologically advanced plant of its kind in the county”*. FPC can see nothing in the application with supporting evidence that explains why the existing MRF has either become uneconomic or can’t be upgraded to extend its useful economic life.

3. Environmental and ecology impact

Noise

- In its 2002 submission for the MRF application, FPC identified noise as a major concern. A condition (6. Noise & Odour) of the 2002 permission for the MRF (33619/004) was to set limits on noise levels at various localities surrounding the site including Bonhams Farm. The FPC is not aware that the levels set for the MRF have been regularly monitored for compliance.
- The application does not provide sufficient detail on how much noise will be generated by the site operation. As the plant will operate all year round 24 hours a day FPC is extremely concerned that such extended operation will generate significant noise and result in more disruption to Froyle residents' lives than the existing MRF. The lack of detailed assessment of the noise impact is contrary to SDNP SD7.
- The applicant contends that the building has been designed to contain the noise of operations within the building however it is clear that the doors to the processing hall will have to be opened to allow lorries to reverse in and exit. On each occasion this happens noise will escape from the incinerator building in addition to the noise of reversing HGV's, turbines and chimneys venting etc. Froyle sits downwind of the proposed plant and noise will be transmitted across the village. The levels of noise from the AAERF site should be set at a level that is no greater than that experienced from the existing MRF ref Condition 6. Noise of the MRF approval in 2002 (33619/004). This sets not to exceed background noise levels measured at a number of sites adjacent to the site. **FPC considers that these levels should continue to be applied to the AAERF operation and regularly monitored for compliance. Persistent failure by the AAERF operator to comply with these noise levels should lead to the plant being ordered to suspend operations.**

Light

- The AAERF will require extensive lighting to allow 24 hour operation. FPC considers such lighting to be extremely damaging to the dark skies around the village enjoyed by Froyle residents. Such a significant light source so close to the SDNP would also be contrary to The South Downs Local Plan 2019 SD8 which states that development should be permitted where they "*conserve and enhance the intrinsic quality of dark night skies*".

Ecology

- Froyle sits within a rural setting, surrounded by countryside rich in wildlife including several rare species including a colony of 'small blue' butterfly at Renown Quarry that is rare in the wider local area. Residents are passionate about preserving the quality of the local environment and especially the protection of indigenous species of plants and animals. A Froyle Wildlife Group has been established in the village which is dedicated to preserving and enhancing wildlife habitats and is extremely concerned about the impact that the AAERF would have on the local environment.
- There is significant concern in the village supported by FPC as to the effect of the proposed AAERF on the ecology in the area, and in particular the consequences of the deposition of pollutants from the chimneys over the long term. The EHDC Local plan

CP21 states that *“new development will be required to (a) maintain, enhance and protect district-wide biodiversity, in particular the nature conservation designations, (b) extend specific protection to and encourage enhancement of, other sites and features which are of local value for wildlife [...] but which are not included in designated sites.”*

- FPC consider that Section 6 Ecology of the ES has several shortfalls and omissions including:
 - the ‘in-combination’ effect of acid deposition on Shortheath Common especially when considered in conjunction with the impact of the developments in Whitehill and Bordon;
 - adequate assessment of the impact of accidental discharges and fire-water pollution on the water environment including the River Wey;
 - lack of detail with regard to off-site enhancement measures

Without a full assessment, meaningful conclusions of the full impact of these proposals on the delicate eco-system of the area cannot be determined, and without which a decision on the AAERF application should not be made.

Water

- The assessment of the impact of the development on ground water flows is inadequate and mitigation measures are vague. The proposal to construct a waste storage bunker directly into a principal aquifer is insufficiently detailed and is a major concern if not managed properly

Emissions

- Froyle residents are extremely concerned that there will be negative health impacts from AAERF emissions and this is shared by the FPC. There is no evidence in the application of the impact of NOx emissions from the onsite diesel generators and, as mentioned above, the applicant’s conclusion that there is no significant public exposure in the areas where process contribution for hourly mean nitrogen dioxide exceeds 10% of the AQAL is untrue.

Traffic

- FPC considers that the application underestimates the impact of traffic accessing the site on local residents. Traffic approaching the AAERF from the north bound carriageway requires vehicles to drive past the site, exit the A31, rejoin the road and then proceed back to the site. This adds an additional travel distance of 6.8km for all traffic from the south which is the route taken by all traffic transporting Hampshire waste generated on the south coast. The A31 in the vicinity of the site fluctuates between single and dual carriageway causing disruption to traffic flows. The application fails to detail the significant highway improvements that would be necessary to safely manage such a large increase in traffic. There are already incidents of HGV’s cutting across the A31 in the proximity of the Hen and Chicken junction to avoid this “detour”. **This is an extremely dangerous practice which, irrespective of the additional waste miles and associated traffic emissions, must be banned through some form of traffic management measures.**

- In addition to the inward transport of waste, large volumes of ‘toxic’ ash have to be moved off the site. FPC understand that the safe location for storage of this waste is in NW England requiring such traffic to take a similarly long detour to circumnavigate the Holybourne roundabout before proceeding north.
- Although the A31 is a road suitable for HGV’s many of the roads feeding onto the A31 are totally unsuitable and the application lacks details as to how these roads and villages will be protected from a significant increase in heavy traffic and the associated emissions.

Heritage

- Froyle has numerous listed buildings including Grade I and II* buildings. The setting of many of these buildings in addition to the Upper Froyle Conservation Area will be directly impacted by the AAERF development. The village has done much to conserve its historic assets and their settings, including developing a Village Design Statement drawn up by the community and adopted by EHDC in 2016. HMWP Policy 7 states that *“Minerals and waste development should preserve or enhance the character or appearance of historical assets unless it is demonstrated that the need for and benefits of the development decisively outweigh these interests.”*
- The scale and visibility of this development is such that it will have a negative impact on the setting of surrounding heritage assets, such as Bonhams Farm, Froyle Manor House and the Conservation Areas of Upper Froyle and Holybourne. Veolia have sought to downplay the potential impact that the AAERF would have on the setting of these assets omitting to provide visualisations of key views at Bonhams Farmhouse, a listed II* building and a proper assessment on the UF Conservation Area. The Planning (Listed Buildings and Conservation Areas) Act 1990 requires Planning Authorities to have *“special regard for the setting of listed buildings”* and recent court decisions have held that *“considerable importance and weight”* should be given to these issues when assessing the impact of proposals on heritage assets.
- **FPC consider that a full assessment of its heritage assets and others in the surrounding area must be undertaken to assess the impact of the AAERF before any decision is taken.**

Conclusion

FPC objects to the AAERF application due to the many adverse impacts that it will have on the Froyle community and residents with regard to:

1. The unsuitability of the site and visual impact the building will have on the surrounding countryside including its setting on the boundary of the SDNP;
2. The need and sustainability for a facility of this size in the context of the priorities stated in the UK and Hampshire waste strategies supported by recent draft legislation and policy decisions. These increasingly prioritise the need for better waste management by producing less and recycling more. The amount of residual waste that is still required to be incinerated in an ERF must be expected to reduce over the coming years;
3. The environmental and ecological impact on the surrounding area including heritage sites resulting from increased noise, light, traffic, emissions.

4. This application has a serious number of shortfalls in compliance with statutory requirements and factual information contained therein. There has been no consideration by the applicant to investigate other possible locations in the County to determine whether this site which it owns is the one that is best suited to the development of an ERF to meet any capacity shortfall in Hampshire's waste management facilities.

FPC recommend that the application should be rejected

Other considerations:

Should Hampshire County Council be minded to approve this application, Froyle Parish Council would wish to discuss the provision of S106 local community packages.

The applicant states in the Planning Statement with reference to Policy 14 of the HMWP that *"the applicant has been in discussion with the local Parish Council in relation to potential community benefit packages. The applicant has already funded a number of local initiatives within the local area and is keen to continue this positive benefit through a local community benefit package. As such the proposed development would comply with the policy"*.

Furthermore, the schemes suggested as Applicant/Owner obligations in the Section 106 Agreement Draft Heads of Terms with respect to Highways and Transport and Ecology have been determined solely by the applicant with no reference to the Parish Council neither for their suggestions and needs nor the prioritisation and costing of any such initiatives.

Froyle Parish Council wishes to formally put on record that it has not been contacted by or been in discussion with the applicant regarding the provision of any local community packages with regard to this application. Furthermore, FPC are unaware of any local initiatives that have been funded by the applicant and would request that these are specified. As such, FPC consider the applicant's statement in this regard to be untrue and should be disregarded unless evidence can be provided by the applicant to support these assertions.

FPC would also like to point out that the existing relationship with the applicant regarding the operation of the Alton MRF site have been far from cordial. For many years, there has been a recurring problem with litter along the verge of the A31 that has either emanated from the MRF site or lorries delivering to or transporting waste therefrom. This issue has been raised on numerous occasions with EHDC and HCC who have both assisted in clearing up the litter and trying to resolve the matter with the applicant. In response, the applicant has consistently denied all responsibility for creating or liability to clear up the litter whenever this has been brought to their attention. This behaviour is not considered to be of an acceptable standard that would be expected from a 'good neighbour' who has the interests of the local community at heart.

When taking into consideration the level of compliance by the applicant with regard to both the planning conditions attached to the MRF approval in 2002 re landscape and noise, and the total disregard for the litter emanating from its operations, FPC question the commitment of the applicant to operate the AAERF with the necessary diligence and care that the risks associated with emissions, noise, traffic, light, water and air quality demand.

Yours sincerely,

A handwritten signature in black ink on a light-colored background. The signature is stylized and appears to read 'A Potter'. Below the main signature is a long, horizontal, slightly curved line.

Andrew Potter

Clerk and Responsible Financial Officer to Froyle Parish Council