

# **Development Management**

## **Central Bedfordshire Council**

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**An application for Development Consent Order for an up to 299 megawatts (MW) gas fired peaking power generation plant designed to produce electricity, along with associated development, such as a gas connection and electrical connection at Rookery South Pit, near Stewartby, Bedfordshire**

## **PROPOSED WRITTEN RESPONSE TO EXAMINATING AUTHORITY'S WRITTEN QUESTIONS**

**The examining Authority's questions are set out in bold.**

**1.0.1. The Environmental Statement (ES) [APP-033] paragraph 2.7.75 states that the Mineral Waste Local Plan – Strategic Sites and Policies (MWLP:SSP) identifies the whole of the Rookery South Pit area as allocated for non-landfill waste management recovery operations and non-hazardous landfill, with opportunities for pre-treatment recovery operations prior to landfill. Please provide comment on whether the proposed use of part of this site for electricity generation is consistent with this policy?**

CBC Response

It is considered that the proposed use of part of the site for electricity generation is not consistent with this policy. However, the Council considers that there are other material considerations which should be taken into account.

The first is that the waste management facility now being built on part of the site by Covanta, significantly adds to and exceeds the additional recovery capacity requirements identified in the Adopted Minerals and Waste Local Plan. Additional strategic sites identified in the Local Plan remain undeveloped. Therefore, there is no strategic need for any further recovery capacity.

The second consideration is with respect to the non-hazardous landfill aspect. It is considered that due to the location of the Millbrook Power proposal, it would still allow the development of a substantial non-hazardous landfill site in the eastern part of Rookery South. Having said that, the Councils are aware that the landowners of Rookery South have tested the market for this type of development and there has been no interest shown. This may be down to a number of factors but the main two are that since the Local Plan was adopted, there has been a significant move away from the development of non-hazardous landfill sites by the waste management industry due to costs and a lack of contracts. In addition to this, potential landfill operators are unlikely to be able to directly compete on gate price with a large capacity waste recovery facility such as Covanta on an adjacent site. They would both be competing for a similar range of wastes within the same market area.

These are issues which the review of the adopted Local Plan will need to take into account when considering the future allocation status of Rookery South pit but this is unlikely to be started until 2019.

**1.1.3. Please confirm that CBC and BBC are satisfied that the list of projects set out at ES paragraph 4.10.7 includes all of the developments that need to be taking into account in the assessment of cumulative effects?**

CBC Response

CBC can confirm that they are satisfied that the list includes all the developments that need to be considered in the assessment of cumulative effects.

**1.8.6. Two of the schemes included in the agreed list of developments to be considered in the cumulative effects assessment (CEA) provided in paragraph 4.10.7 (ES Chapter 4), have been explicitly scoped out from the CLVEA. The proposed Rookery South Pit Integrated Waste Management Facilities development has been scoped out on the basis that insufficient information on that development was available at the time of writing the ES; and land at Warren Farm, Flitwick Road, Ampthill on the basis that an intervening feature (Greensand Ridge) will prevent any intervisibility. It is not stated whether this approach has been agreed with relevant consultees. Please confirm whether and with whom it was agreed. Please could CBC and BBC provide their views on the appropriateness of the Applicant's approach.**

CBC Response

Whilst this approach was not agreed with CBC in advance, it is not objected to in principle. The Rookery South Pit Integrated Waste Management Facility is unlikely to be developed as previously envisaged due to the circumstances identified in the response to 1.0.1 above.

It is agreed that the Greensand Ridge will prevent any intervisibility with the Land at Warren Farm, Flitwick Road, Ampthill.

**1.8.7. Cumulative adverse significant landscape effects are anticipated on woodland, trees and hedgerows during construction and at completion; and beneficial significant effects are anticipated on these receptors 15 years after planting. It is not indicated whether the methodology and conclusions of the cumulative assessment were agreed with any key bodies. Please could the Applicant confirm the position. Please could CBC and BBC provide their views on the Applicant's conclusions.**

CBC Response

In detail, looking at the Visual Effects Table:

Vp 14 – Footpath 7 at Millbrook – the assessment does assess the impact as major Adverse , and having Major significance during construction and on completion, which are very much the same thing. After 15 years growth , the impact only reduces to Moderate adverse with Moderate Significance.

Vp 15- View from country park near Railway crossing – this has a very similar assessment – Major adverse during construction, reducing to Moderate adverse on Completion.

After 15 years of growth , the impact is only considered to be Slight adverse – with minor significance.

In CBC's view, the additional development arising from the Project will extend the built form in Rookery Pit and the visual impact is likely to have a greater significance in both the above views.

The LVIA frequently judges the "Value of Views " to be "Low" from the viewpoints – including from both the above. This judgement comes from the hierarchy of sensitivity linked to the significance of the landform and public use put forward in the Guidelines for Visual Assessment . However, in both the above cases the overall sensitivity of the views are classed as Medium, which is probably fair.

A category of Low Sensitivity would arise from viewpoints where the land is in poor condition and of low importance- perhaps general farmland.

Views from land with Medium Sensitivity would include views from an AGLV ; a Medium -Low category would include undesignated land but where there is a recognised value.

It is considered that views from the Millennium Country Park – where people visit to enjoy a rural ambience, should rate higher than “Low”. In addition, views from the Greensand Ridge over an area designated as a Community Forest also have greater significance than just basic views across a farmland vale without designation.

In overall conclusion, it is accepted that it is not uncommon to have some variance of judgement regarding the findings of the LVIA and generally the LVIA is to an acceptable standard.

**1.10.1. Paragraph 13.6.18 of the ES indicates that based on data contained within the Bedford and Central Bedfordshire Historic Environmental Records and discussion with the Bedfordshire Archaeology Team it is considered that any remains present within the gas connection route are most likely to be of local significance. Please confirm whether CBC and BBC agree with this conclusion.**

CBC Response

Central Bedfordshire Council agrees with the statement in paragraph 13.6.18 of the ES. This reflects discussions held between the CBC Archaeology Team and the applicant’s archaeological consultant.

**1.11.3. The LLRS drainage works defined in the DCO provides for the construction of a drainage channel which is different from the one provided for in BC/CM/2000/8. In the EM it is argued that the revised location is not materially different to that proposed under the planning permission. Have the party responsible for implementing the LLRS and CBC expressed any view about whether there would be any conflict with the planning permission and whether any variation of the planning permission would be required?**

CBC Response

The Council consider that the proposed drainage channel is sufficiently different from the approved scheme that an application for a formal amendment should be submitted. This could be in the form of an ‘either/or’ proposal to amend an approved scheme as opposed to a S73 variation to a planning condition. It is not anticipated that there would be any fundamental objection to this.

Responses prepared by:-  
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