Medworth Energy from Waste Combined Heat and Power Facility

Issue Specific Hearing 3 – 18th May 2023
Submission made on behalf of Wisbech Town Council

Waste Matters, Size and Need

1. It is Wisbech Town Council's contention that the development proposal is not in accordance with the waste hierarchy and is not of an appropriate type and scale.

2. The Waste Fuel Availability Assessment (REP2-010) is based on a 2-hour travel time based on commercial viability. The implication being that it is not commercially viable to transport waste beyond that point. (para 3.2.5). It is certainly more expensive, unsustainable and contrary to the proximity principle i.e. waste should be managed as close as possible to the point of origin.

3. The baseline position put forward by the applicants relies on a significant proportion of the available waste being transported beyond the 2-hour travel time.

4. The waste catchment area has been manipulated by the Applicant in an attempt to justify the facility. As a consequence of this, residual waste will need to be imported significant distances to the proposed facility.

5. The suggestion that the data on HIC arising in Table 4.2 has been amended simply to reflect the latest data is misleading. The fact of the matter is that the data included in the submitted WFAA (APP-094) was incorrect and included waste that was not in scope. This had a significant effect on the total figure, reducing it from 17.9m tonnes to 9.8m tonnes (the 9.8m tonnes should actually be 9.27m tonnes due to an error in the summing of the data). These significant errors in the data presented to support the application undermine the credibility of the evidence base to the extent that it should not be relied upon.

6. The Applicant's suggestion that there was still 2.4m tonnes of waste going to landfill from the study area that would be available to the proposed facility is again misleading. Firstly, the amount of waste being landfilled is on a downward trend (nationally, the amount of municipal waste landfilled fell by almost 50% between 2010 and 2020 – Waste Data Interrogator, Defra Statistics). The data submitted by the Applicant shows that it has reduced by 15% in the study area in the two years between 2019 and 2021, and therefore the amount of waste going to landfill in 2021 cannot be considered to represent that which would be available to the facility at opening or during its 40 years operational life. Secondly, 48% of this 2.4m tonnes would need to come from Essex, the vast majority of which is far beyond the two-hour drive time, the consequence of which is that waste would need to be transported significant distances. To plan for a facility on the basis that its operation would be dependent on a large proportion of waste being transported significant distances would be contrary to Government policy both in terms of the proximity principle and the commitment to achieving net zero by 2050.

7. Notwithstanding this, the amount of waste being landfilled in Essex will significantly reduce once the Rivenhall EfW plant is operational in 2025 and as a result of targets included in the Essex Climate Action Commission (Net Zero: Making Essex Carbon Neutral) published in July 2021, to send zero waste to landfill and to achieve a 70% recycling rate by 2030.

8. Hertfordshire (one of the largest contributors to the landfill total in Table 4.4 of the WFAA after Essex) and also largely outside the two-hour drive time, have made a similar commitment to send no waste to landfill by 2030 and to achieve a 65% recycling rate (Sustainable Hertfordshire Strategy 2020). This will achieved by updating the specifications in waste and service contracts to avoid waste to landfill and by implementing sustainability and performance criteria into the renewal of waste contracts. This latter point is likely to feature in waste contracts for other Waste Planning Authorities in the future if they are to meet their commitments to becoming carbon neutral.

9. The Applicant's response that even if the waste from Essex was excluded from the calculation, there would still be sufficient waste capable of being diverted from landfill is again misleading. It is not only Essex that is outside the two-hour drive time, the vast majority of Hertfordshire and Northamptonshire is also outside the catchment, and Milton Keynes, Luton and Leicester are entirely beyond the two-hour drive time. Assuming the data presented by the Applicant is correct and previous errors are not repeated, the amount of waste going to landfill falls to just over 1m tonnes. As the data included in the WFAA pre-dates the opening of Rookery South ERF in January 2022 (which has a capacity of 585,000tpa), this figure will reduce further.

10. Within 2 years, nearly 1m tonnes of further additional ERF capacity (595,000tpa at the Rivenhall ERF in Essex and 350,000tpa at the Newhurst ERF in Leicestershire due to open later this year) will come on stream within the study area, each with their own two-hour drive time catchment and waste market, further reducing the amount of available residual waste.

11. The Applicant states that the contribution made by Rivenhall ERF is included in the WFAA. Whilst it is noted that it is listed in Appendix C, the implications of consented capacity is not reflected in the conclusions in Section 6 of the WFAA. The suggestion at 6.2.2 that there is potential for around 2.6 million tonnes of material to be managed further up the waste hierarchy and/or at a location that is more proximate to the point of arising is entirely misleading. This does not take into account the additional consented capacity at Rookery South, Rivenhall or Newhurst, which collectively amount to 1.53m tpa. The conclusions on the local analysis needs to be updated to reflect this position.

12. The available waste will be reduced further by the commitments in the Environmental Improvement Plan to halve residual waste by 2042 with an interim target of reducing residual waste in total tonnes by 21% by 31st January 2028, less than five years from now.

13. The Applicant appears to be suggesting that the exportation of waste from anywhere in the study area would be acceptable provided the relevant Waste Local Plan adhered to the principle of self-sufficiency i.e. the concept of each WPA providing enough waste capacity to manage the forecasted waste arising within the Plan area. The principle of self-sufficiency is not disputed and it is acknowledged that waste will flow across WPA boundaries, however the Applicant has not provided any information on the extent to which the WPAs within the study area will be able to achieve self-sufficiency whilst relying on the Medworth EfW CHP to manage its waste and also adhere to the proximity principle.

14. In order to rely on the importation of waste from the Study Area it would need to be demonstrated that this would not prejudice the WPA from achieving self-sufficiency and that the waste was treated as close as possible to its source.

Impact on Local Plans

15. The description of the data in Table 4.7 is misleading. It is not a summary of WPA forecasted future residual waste requirements, it is the Applicant's assessment of forecasted future residual waste requirements based on data provided by WPAs.

16. Whilst Norfolk state that there is no capacity gap, the Applicant have included a shortfall of 616,000tpa, on the basis that this is equivalent to the amount of non-hazarous waste that is transferred out of Norfolk for onward treatment and final disposal. If the Applicant considers that it is appropriate to import waste from Essex, it is not clear why it is not appropriate for Norfolk to export waste to other treatment facilities outside the county.

17. The analysis of the Waste Local Plan capacity gap takes no account of the Rivenhall Waste Management Facility in Essex or Newhurst Energy Recovery Facility in Leicestershire due to be operational later this year.

18. Implementation of the proposed facility would result in significant over-capacity of EfW waste treatment contrary to the emerging NPS and would prejudice the achievement of recycling targets for many years to come.

19. The Applicant's premise that it is not appropriate to rely on data that has not been the subject of examination has been applied inconsistently. The Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document was adopted in November 2012 and the Site Allocations Document in July 2014. The suggestion that it is acceptable to rely on the 2021 assessment (which was not subject to independent examination) but not to rely on the June 2022 analysis on the basis that it has not been independently examined is nonsensical.

Alternatives

20. The Applicant stated that it did not consider alternative sites, which appears contrary to the position advanced at ISH1 when it was suggested that sites in Norwich, Wisbech Essex and Peterborough were looked at. The position needs to be clarified and if alternative sites were considered they need to be documented in the Environmental Statement.

21. The Applicant stated that the site was chosen by looking at sites with a capacity gap, a user for heat, proximity to the strategic road network and free from environmental constraints.

22. As the facility is stated to meet a regional need, the purported capacity gap is not specific to the application site – it could be met anywhere within the region. The only justification for the site is the potential for heat use (although no evidence has been put forward to substantiate this) and its proximity to the strategic road network. It does not make for good planning to locate a regional waste facility in Flood Zone 3 on the northern edge of the waste catchment, some distance from a major urban area.

23. The Applicant made reference to a previous proposal at Waterbeach.

24. The Waterbeach Waste Recovery Facility comprised the erection and operation of an energy from waste facility to treat up to 250,000 tonnes of residual waste per annum (application ref: S/3372/17/CW). It was the subject of an appeal which was dismissed by the Secretary of State in June 2020 on the basis that there was potential for a significant tonnage of waste to be transported long distances which would be at odds with the application of the proximity principle.

25. This was despite a suggested condition that not less than 70% of the waste imported to the WWRF shall originate from a catchment area comprising Cambridgeshire and Peterborough, along with Milton Keynes, and the following areas; Hertfordshire, Suffolk, Essex, Norfolk, Luton, Bedford, Central Bedfordshire, Northamptonshire, Rutland and Lincolnshire, including any waste being processed through any waste transfer station within the defined catchment area. The Inspector concluded that this would permit 30% of the waste imported to the WWRF, some 75,000 tpa, to be sourced from outside the defined, but extensive catchment area. Given the distances involved here, there is potential for a significant tonnage of waste to be transported long distances. The cost of transport would be a factor determining the extent that this would be likely to occur in practice, but the potential here would be at odds with the application of the proximity principle.

26. Waterbeach is located approximately 50km south of Wisbech, to the north east of Cambridge. Despite the fact that it was more centrally located to the proposed catchment area and was more appropriately sized to meet the needs of the region, both the Inspector and the Secretary of State concluded that it would be at odds with the proximity principle and the appeal was dismissed.