



Meeting note

Project name	Larskhall Mill Aggregate Manufacturing and Carbon Capture Facility
File reference	WS010006
Status	Final
Author	The Planning Inspectorate
Date	17 February 2022
Meeting with	O.C.O Technology Limited
Venue	Microsoft Teams Meeting
Meeting objectives	Inception Meeting
Circulation	All attendees

Summary of key points discussed and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

The Inspectorate explained that the publication of the meeting note could be delayed up to six months, or until a formal scoping request had been submitted, if requested by an Applicant for commercial reasons.

Project Background

The Applicant explained that they operate a facility in Brandon, Suffolk that manufactures carbon negative aggregates (manufactured limestone) by processing Air Pollution Control residue (APCr) which, the Applicant explained, is classified as hazardous waste. The facility processes under 30,000 tonnes per annum and was granted planning permission under the Town and Country Planning Act 1990 (TCPA). The lease on the site is due to terminate shortly.

The Applicant is therefore intending to move the facility to Wretham in Norfolk and has made a planning application to Norfolk County Council under the TCPA for a facility processing under 30,000 tonnes of APCr.

The Applicant explained that it intends to submit a Nationally Significant Infrastructure Project (NSIP) application, on the same site in Wretham, Norfolk, which, if granted, would replace the permission currently being sought under the TCPA.

NSIP Proposed Development

The Applicant introduced the project as a facility for the manufacture of limestone aggregate, which utilises APCr and captures carbon dioxide (CO₂), for use in the construction industry. The Applicant explained that commercial interest is growing and as a result the facility would need to process up to 100,000 tonnes of APCr per annum, producing up to 250,000 tonnes of aggregate.

The process entails mixing Air Pollution Control residue (APCr) which is classified as hazardous waste with CO₂, cement, water and sand, to create manufactured limestone pellets less than 30mm in size which can then be used as a building aggregate material.

The Applicant explained that the project would also include the erection of silos, CO₂ tank and a sand store as associated development.

Classification of the project as a Nationally Significant Infrastructure Project (NSIP)

The Applicant explained that from advice they received from QC, the project is an NSIP as it falls within section 14(1)(p) and section 30 of the Planning Act 2008 (PA2008);

- the project would be in England,
- the main purpose of the project would be the recovery of hazardous waste; and
- the capacity would be more than 30,000 tonnes per year.

The Applicant noted ambiguity in section 30 of the PA2008 regarding the main purpose of the proposed development and sought a legal opinion in relation to a separate proposal at a different site. The Applicant is of the view, having received the legal opinion, that the proposed development at the Wretham site should be treated as an NSIP.

The Inspectorate queried the main purpose of the facility, is it to recover hazardous waste or to produce manufactured aggregate? The Inspectorate advised that this may be a key consideration when determining whether or not the proposal is a NSIP.

The Applicant stated that the facility would generate more income through the recovery of the hazardous waste than from selling the manufactured aggregate. This was part, of the reason the legal adviser to the Applicant concluded that the main purpose would be the recovery of hazardous waste.

The Inspectorate advised the Applicant to be sure the project constituted an NSIP before progressing the application. The Inspectorate clarified that it would not make a judgement on whether the application was an NSIP until an application for a Development Consent Order is submitted to the Planning Inspectorate.

The Inspectorate also queried if the proposal is for construction or extension, as an application has already been submitted under the TCPA.

Application Programme

- Scoping Request – expected April 2022
- Development Consent Order application submission – To be confirmed

Environmental Impact Assessment

The Applicant explained that Screening had taken place for the TCPA application currently being considered and asked if Screening would be required for the NSIP application. The Inspectorate confirmed that as screening had already taken place for the TCPA application

and the Applicant had advised the local authority that the development would be EIA development, the Secretary of State would not take a different view.

The Inspectorate explained the process and timescales for Scoping. Further information can be found in the Advice Note here:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-seven-environmental-impact-assessment-process-preliminary-environmental-information-and-environmental-statements/>

The Inspectorate explained the Inspectorate's and the Applicant's duties regarding EIA consultation and notification. Further information can be found in the Advice Note here:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-three-eia-notification-and-consultation-2/>

The Inspectorate explained that advance notice of a Scoping request with a GIS shapefile should be provided to the Inspectorate (with at least 10 working days' notice), before submitting the request and advised the Applicant to follow the advice in the Advice Note when preparing the Scoping request. The Applicant was advised to submit notification under Regulation 8(1)b at the same time.

The Applicant asked about proportionality in relation to the scope of the Environmental Statement. The Inspectorate advised the Applicant to consider the government guidance in this regard and noted that if the project has already been through EIA, the Applicant could potentially demonstrate that only certain aspects would be likely to give rise to significant effects and need to be subject to an EIA. This could facilitate a streamlined Environmental Statement. The Inspectorate advised the Applicant to look at the Slough Multifuel NSIP Scoping documents as an example which are available on the Planning Inspectorate website.

The Applicant confirmed that there is a Special Area of Conservation to the south of the proposed development site. The Inspectorate advised that the Applicant would need to give consideration to air quality impacts on the designated site, including from traffic emissions.

Specific decisions/ follow-up required?

The following actions were agreed:

- The Applicant to provide details for the Project webpage.