

12 February 2018

Democratic Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Dear Ms Daniell

Thank you for your petition in respect of the thermal treatment facility at Stephenson Road on the Northacre Trading Estate in Westbury. Your petition has been referred to the Waste Management, Planning and Public Health teams for consideration and a coordinated response.

The planning functions of the local authority are deliberately kept separate from its waste management duties in order that consideration of its future waste strategy or future service aspirations do not interfere with the impartiality of the planning process.

The Council has no plans to review the planning permission granted in 2015 for an advanced thermal treatment facility at Stephenson Road on the Northacre Trading Estate at Westbury. The decision to grant planning permission was made after a full assessment of the relevant planning considerations and the company can implement this permission if they wish to do so. If the company wish to make any material change to their planning permission, then that will be consulted on and evaluated on its own merits as and when any such planning application is received by the Council.

Health impact assessments are not a statutory requirement of the planning consultation process, and in this case will be addressed as part of another regulatory regime which controls certain activities which could harm the environment or human health.

In addition to the planning permission a separate permit from the Environment Agency (EA) is required under the environmental permitting regime. The facility is required to have a permit granted before it can enter into use. This permit is specifically designed to control emissions to air, soil and water. There are sanctions for non-compliance including prosecution for breaching permit limits. Such permits are drafted having regard to detailed industry guidance which prescribe emissions limits to be achieved and operational details required to control emissions. The guidance is based on the 'Best Available Technology' criteria and as such facilities issued with a permit are deemed to be operating to much higher standards that local authorities would be able to insist upon using their statutory nuisance powers, and for this reason the ability to use these powers in respect to permitted sites has been removed in law.

The permit application process includes the requirement for the Environment Agency to consult with a number of parties, including the council and its public health team. It is understood that the EA intend to hold a public consultation in relation to an application for an Environmental Permit at this site.

The proposed gasification facility is not an incinerator. It should also be acknowledged that the construction of this facility is a commercial enterprise which is intended to receive commercial and industrial waste from across the region, and is not a product of Wiltshire's waste strategy.

The council manages waste in accordance with the waste hierarchy where it is technically, economically and environmentally practicable to do so. The range of materials which the council collects at the kerbside for recycling will extend from 30 July 2018 to include plastic pots, tubs and trays and drink and food cartons. However, manufacturers and producers of goods and packaging continue to use materials which cannot be recycled. Residents continue to purchase such goods and packaging and put them out for collection as residual waste which the council has a duty to collect and dispose of. To avoid disposing of such waste to landfill the council will continue to deliver these materials to the Lakeside energy from waste plant or to the mechanical biological treatment plant at Westbury where they are used to produce solid recovered fuel. In accordance with the waste hierarchy it is better to recover value in the form of energy than to landfill this non-recycled waste.

Kind regards,

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