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**Development Control Committee
Supplementary Information
Monday, 4 February 2019 6.30 p.m.
Civic Suite - Town Hall, Runcorn**

A handwritten signature in black ink, appearing to read 'David W R', written over a faint, illegible stamp.

Chief Executive

COMMITTEE MEMBERSHIP

Councillor Paul Nolan (Chair)
Councillor Keith Morley (Vice-Chair)
Councillor Chris Carlin
Councillor Ron Hignett
Councillor Valerie Hill
Councillor Joan Lowe
Councillor Carol Plumpton Walsh
Councillor June Roberts
Councillor Dave Thompson
Councillor Bill Woolfall
Councillor Geoff Zygodllo

*Please contact Ann Jones on 0151 511 8276 Ext. 16 8276 or
ann.jones@halton.gov.uk for further information.
The next meeting of the Committee is on Tuesday, 5 March 2019*

**ITEMS TO BE DEALT WITH
IN THE PRESENCE OF THE PRESS AND PUBLIC**

Part I

Item No.	Page No.
3. PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE – AB UPDATE LIST	1 - 5

In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

REPORT TO: Development Control Committee

DATE: 4 February 2019

REPORTING OFFICER: Strategic Director – Enterprise, Community and Resources

SUBJECT: Planning Applications to be Determined by the Committee – AB Update List

WARD(S): Boroughwide

PAGE NO.	LIST A	LIST B	Updated Information
11		18/00417/S73	<p>Members should note that an additional six emails have been received relating to this application following the publication of the report. Four of these emails relate to the Development Control Committee speaking process. The following objection has been received (directly from the objector and via Derek Twigg MP):</p> <p>I have today had a very quick look at the Council Officers recommendations regarding the above application.</p> <p>I must start by stating that it was a cursory look; however immediately a number of issues were quickly identified which I consider need to be addressed as they could be a consideration in the DCC determining this application. The omissions, if not addressed, could lead to the DCC not being in possession of all the relevant information to make a proper consideration.</p> <p>I shall list these below with the Council statements in normal text whilst my comments are underlined.</p> <p>Could you please confirm if you intend to address the matters noted below or to make the DCC aware of the errors/omissions.</p> <p>I shall be looking at the report in more detail during in week, if I find any other issues then I shall be in touch.</p> <p>The traffic volume survey illustrates that traffic going in the opposite direction to the plant and not one vehicle heading for the plant has been registered.</p> <p>It was not necessary to undertake a further traffic capacity analysis. However; a verification has been carried out by the applicant, through the completion of additional 2018 traffic counts, that the baseline traffic and assumptions used in the previous capacity analysis are still valid.</p> <p><u>If it was necessary to conduct an initial traffic capacity analysis then why when this was found to be incorrect is a new one no required to be supplied. It is one thing stating</u></p>

			<p><u>that the new report illustrated that the previous assumptions were still valid but this needs to be substantiated by illustrating these figures. After all the initial figures proved unsafe when closely inspected so surely to demonstrate that the new conclusions are correct the raw data is required to be supplied for similar scrutiny. A simple statement that a new one demonstrated that the initial assumptions were correct is not a satisfactory response without providing the data to substantiate this conclusion. There is a note stating that additional 2018 traffic counts were conducted. Could the detailed survey results please be made available to me prior to the DCC meeting 4th Feb. as the information noted in the chart does not contain the raw data.</u></p> <p>Buses being found in count data on none bus routes o It is normal practice for traffic surveys to pick up buses, and buses/coaches may be present on non-registered routes.</p> <p><u>The above comment does not address the matter satisfactorily as the number of buses counted indicates that they would be on a scheduled bus run and only confirms that the data collected was from traffic heading in the opposite direction which therefore makes the information collected unsafe. The above statement is vague and frankly blasé.</u></p> <p>Environmental Health has considered the application in relation to the areas for which the Council has responsibility. The Council is responsible for assessing air quality and enforcing statutory nuisance. The Council's responsibilities for air quality are set out in s82 of the Environment Act 1995 and further supplemented by the National Air Quality Strategy.</p> <p><u>The DCC should be made aware that the PHO is currently investigating, amongst other matters, if the modelling used to establish the emissions from the plant is fit for purpose. This includes the fact that the fuel type being modelled is RDF whilst the fuel being burned is raw domestic waste. The different fuels have completely different compositions, therefore may demonstrate different emission data. They are also investigating if the data within the annual reports provided by Viridor indicate that the plant may be breaching the Industrial Emissions and permit limits. Although the EA may be responsible for enforcing the emissions levels the Council are, as noted above responsible for the quality of the air in the Borough accordingly; there is a duty for both agencies to work together on this matter as there is a dual responsibility. When the current data was presented to the PHO, they were of the opinion that the matter warranted investigation. Therefore how can a decision be made when such a significant matter is under investigation.</u></p> <p>Local air quality is assessed and reported through to Government on an annual basis. Monitoring carried out in Runcorn, including Weston, demonstrates that the air quality in the area comfortably complies with the objective levels set by Government and that there are no air quality concerns in this area.</p>
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		<p><u>had complained of odours inside my home (500 yds from the plant).</u> <u>Odour was detected inside the office of a garage in Mersey Rd.</u> <u>Officers detected odours at premises along Picow Farm Rd when inspecting a dog grooming facility.</u> <u>The Council Environmental Protection Department emailed the EA to advise them of these matters.</u> <u>Therefore the statement by the council is incorrect or misleading.</u></p> <p>For steam to constitute a statutory nuisance it would need to ground at residential premises. Environmental Health staff have not witnessed steam at ground level despite visiting at times when the weather conditions are most likely to result in the plume grounding. On this basis we have not established statutory nuisance from steam emissions.</p> <p><u>This I find unacceptable that steam regularly overarches residential properties,(as witnessed by the PHO) occasionally completely obscuring the view from residents' front and rear windows. The steam also enters garages (occasionally completely filling a workshop) It implies that this is not even a consideration when determining the application</u></p> <p>On the basis of the above evidence collected by Environmental Health staff the Council has not found the existence or indeed any likelihood of a statutory nuisance from the site and by inference there is no material loss of amenity.</p> <p><u>This statement "infers" that there is no loss of amenity, however the true situation is that the Valuation Office Agency have come to a completely different conclusion. Residential properties from all around the plant have secured a reduction in council tax banding backdated to the date that the plant came out of commissioning and handed over to Viridor. This would seem to contradict the Councils' officers. The officer who visited my property confirmed that the plant had caused me a loss of amenity and as such reduced my council tax band.</u></p> <p><u>I have considerable concerns regarding the errors made by the consultants regarding the vehicles going the wrong way and the positioning of the monitor.</u> <u>I have also concerns in relation to the lack of detailed responses to many of the inconsistencies/errors that are within the officers' recommendations.</u> <u>For the DCC to make an informed decision it must be in receipt of all material facts. If they are not made aware of the concerns noted above, even if they do not suit the council, then the decision could be flawed as the decision could have been made without the DCC being in receipt of all material facts.</u></p> <p><u>All concerned should be made aware that the same experts acting for the applicant who are concluding that this application is satisfactory are the experts who stated in their reports for the original planning application that there would be no noise complaints, no odours would be</u></p>
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			<p><u>detected beyond the boundary fence (note beyond the boundary fence) and that steam would not go beyond the boundary fence for more that 5% of daylight hours. All of these assurances have proved to be incorrect so why should the conclusions made in the current submission be trusted. If you consider that these experts counted vehicles going in the opposite direction to the plant, placed air monitoring so far past where any vehicle pass as to be not fit for purpose then these incompetence's should be brought to the attention of the DCC for them to judge if the rest of the conclusions are safe.</u></p> <p><u>The PHO noted during their visit, and confirmed to myself and another resident, that they had noted steam overarching residential properties, they had noted the noise from the turbines, they has heard the tailgates banging in addition to detecting odours beyond the boundary fence. This information is critical to a measured decision being made and without it the DCC cannot make an informed decision on the application. The council have a statutory duty to ensure that the DCC is in receipt of all the relevant facts to enable them to come to the correct decision</u></p>
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