

_planningadvice

From: Dev_PlanningSupport <Dev_PlanningSupport@lincolnshire.gov.uk>
Sent: 02 June 2020 11:04
To: _planningadvice
Subject: Screening / Scoping Opinion Decision Notice
Attachments: EIA_17_20 Screening Opinion Decision Notice.pdf

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Dear Sir/Madam

SCREENING OPINION REFERENCE NUMBER: EIA/17/20

**DEVELOPMENT: PROPOSED REFUSE DERIVED POWER STATION
LOCATION: DECOY FARM, SPALDING ROAD, CROWLAND, PETERBOROUGH, PE6 0LX
GRID REFERENCE: 525543 312829**

Please find attached a copy of the County Council's Screening Opinion Decision Notice in connection with the above application which should be placed on your statutory register.

Yours faithfully



Planning Technical Support Planning

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SCREENING OPINION

Opinion requested by:

EnerG Capital Limited

Name and address of agent (if any)

Robert Doughty Consultancy
32 High Street
Helpringham
Sleaford
Lincolnshire
NG34 0RA

Part 1 - Particulars of request

Date of request:

5 May 2020

LCC Ref No:

EIA/17/20

Description of development:

Proposed refuse derived power station

Location:

Decoy Farm, Spalding Road, Crowland, Peterborough, PE6 0LX

Type of review (ROMP development only):

Part 2 - Particulars of decision

The Lincolnshire County Council hereby give notice in pursuance of the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 that in its view the development referred to in Part I hereof is Schedule 2 development but that this is unlikely to have significant effects on the Environment. **The Council has therefore adopted the screening opinion that the development is not EIA development** having regard to the relevant selection criteria set out in Schedule 3 of the Regulations and the advice in the Ministry of Housing, Communities and Local Government's Planning Practice Guidance. The Council's reasons for reaching this conclusion are set out in the statement overleaf.

Date: 2 June 2020

Planning
Lincolnshire County Council
Lancaster House
36 Orchard Street
Lincoln LN1 1XX

N McBride
Head of Planning

Statement of Reasons

The proposed development falls within within Categories 3(a), 11(b) and 13(b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the "EIA Regulations") as it is:

- a large scale industrial installation that would produce electricity, steam and hot water (Category 3a);
- an installation that would be used for the disposal of wastes (Category 11b), and;
- result in a change to, or extension of, a development falling within the above categories that is already authorised, executed or in the process of being executed (Category 13b).

In total the site covers an area of approximately 2.02 hectares and therefore exceeds the applicable criteria and thresholds of categories 3a and 11b being 0.5 hectares and also in the case of 11b disposal would be by incineration and the site lies within 100 metres of controlled water as identified in the EIA Regulations.

The Planning Practice Guidance 'Environmental Impact Assessment' (PPG) expands upon the EIA Regulations, providing further guidance to help assess whether or not a development is likely to give rise to significant effects, and therefore if EIA is required. The PPG contains further indicative criteria and advises that EIA is more likely where in the case of:

- Category 3a thermal output of more than 50 MW. Small stations using novel forms of generation should be considered carefully; and
- Category 11b new capacity is created to hold more than 50,000 tonnes per year or to hold waste on a site of 10 hectares or more. Where sites take smaller quantities of these wastes, or sites seeking only to accept inert wastes, these are unlikely to require Environmental Impact Assessment.

In this instance the proposed development seeks to install two combustion units within an already approved building. The proposal constitutes a change as identified in Category 13b of Schedule 2 of the EIA Regulations. The approved building has been permitted to process 113,000 tonnes of waste per annum to produce 1.1MW of electricity and 19.2MW of thermal energy. This proposal seeks to produce an annual energy output of 6.5 MW of electricity through the incineration of 60,000 tonnes of Solid Refuse Fuel/Refuse Derived Fuel per year and there would no longer be importation of 48,000 tonnes of waste wood for incineration or 65,000 tonnes of waste water for treatment by evaporation.

As a consequence the proposal does not seek new capacity and would equate to a net reduction in waste throughput of 53,000 tonnes per year and there would be no thermal energy output. In terms of impacts the proposed modifications to the existing planning permission would be similar in nature to those already considered and mitigated.

Having taken into account the guidance contained in Schedules 2 and 3 of the EIA Regulations and the PPG, the Waste Planning Authority does not consider the proposed development would be more than of local importance, would not significantly affect an environmentally sensitive location or result in complex or hazardous effects by virtue of factors such as its size, nature or location and as such an EIA is not required.

Informative

'ROMP development means development which has yet to be carried out and which is authorised by a planning permission in respect of which a ROMP application has been or is to be made.

The term 'ROMP application' is defined in the Regulations as an application to a relevant mineral planning authority to determine the conditions to which a planning permission is to be subject under paragraph:-

- 2(2) of Schedule 2 to the 1991 Act (registration of old mining permissions);
- 9(1) of Schedule 13 to the 1995 Act (review of old mineral planning permissions); or
- 6(1) of Schedule 14 to the 1995 Act (periodic review of mineral planning permissions).

Environmental Impact Assessment (EIA) refers to the whole process by which environmental information is collected, published and taken into account in reaching a decision on a relevant planning application. Applications for planning permission for which EIA is required are referred to in the Regulations as 'EIA applications'.

Where EIA is required, information must be provided by the developer in an Environmental Statement (ES). This document (or series of documents) must contain the information specified by regulation 2(1) and in Schedule 4 to the Regulations. In certain cases, regulation 15 allows developers to obtain a formal opinion from the relevant planning authority on what should be included in the Environmental Statement ('a scoping opinion').

Right of Appeal

Where the relevant planning authority adopts a screening opinion that EIA is required, the developer may request a screening direction from the Secretary of State. Requests must be made in accordance with the provisions set out in the Regulations. (See Regulations 5 and 6 or, where appropriate, Regulation 7).