

**ITEMS RECEIVED AFTER THE PRODUCTION OF THE REPORT**  
**FOR THE PLANNING COMMITTEE**  
**TO BE HELD ON 2 JULY 2015**

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<b>Page</b>	<b>Application</b>	<b>Location</b>	<b>Item No.</b>	<b>Description</b>
82	2015/00031/OUT	David Davies Road, Woodham Road, Barry	1.	Comments submitted by Agent.
			2.	Comments of the Biofuel Watch and response of applicant.
			3.	Objections received in response of application.
146	2015/00095/FUL	Ardwyn, Pen Y Turnpike Road, Dinas Powys	4.	Clarification of proposal with regard to current applications.
			5.	Amendment to Conditions
			6.	Objections raised with regard to scheme

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1.

## LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 2 July 2015

<b>Application No.:</b> 2015/00031/OUT	<b>Case Officer:</b> Mr. Morgan P. Howell
<b>Location:</b> David Davies Road, Woodham Road, Barry	
<b>Proposal:</b> Outline application for a wood fired renewable energy plant	

**From: Douglas Wardle for Sunrise Renewables (Applicant)**

**Summary of Comments:**

Details submitted that believed to help the committee members determine the application. One document is a set of photographs from the application. The second is a report from a Site Visit that was commissioned last year.

**Application:** RE: 2015/00031/OUT  
**Proposal:** Renewable Power Plant at Woodham Road  
**Location:** David Davies Road, Woodham Road, Barry  
**Applicant:** Sunrise Renewables (Barry) Limited

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# **Site Visit Report**

**16<sup>th</sup> July 2014**

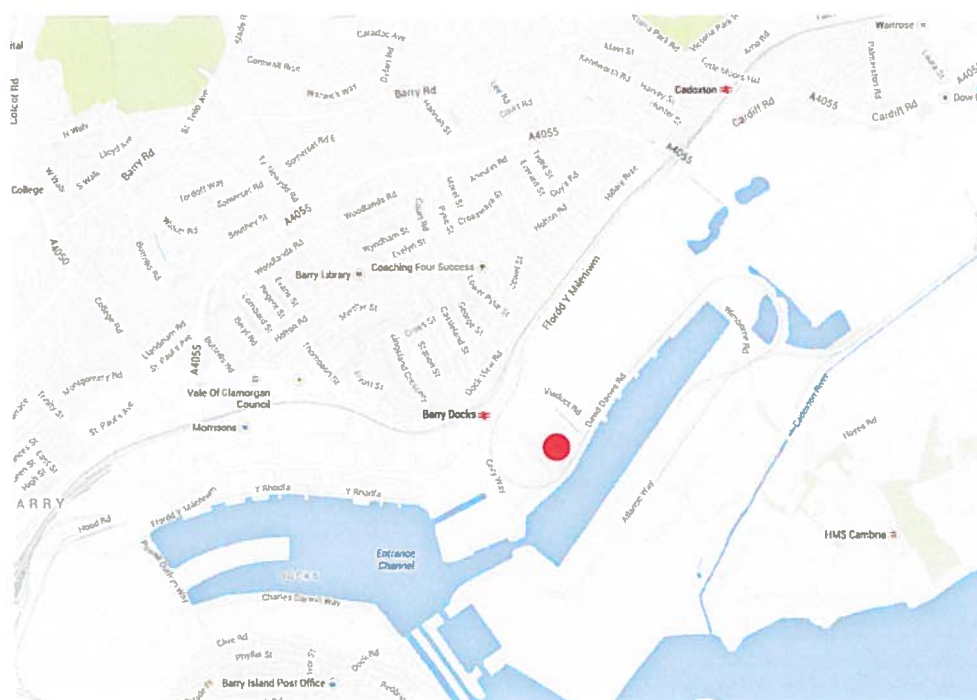
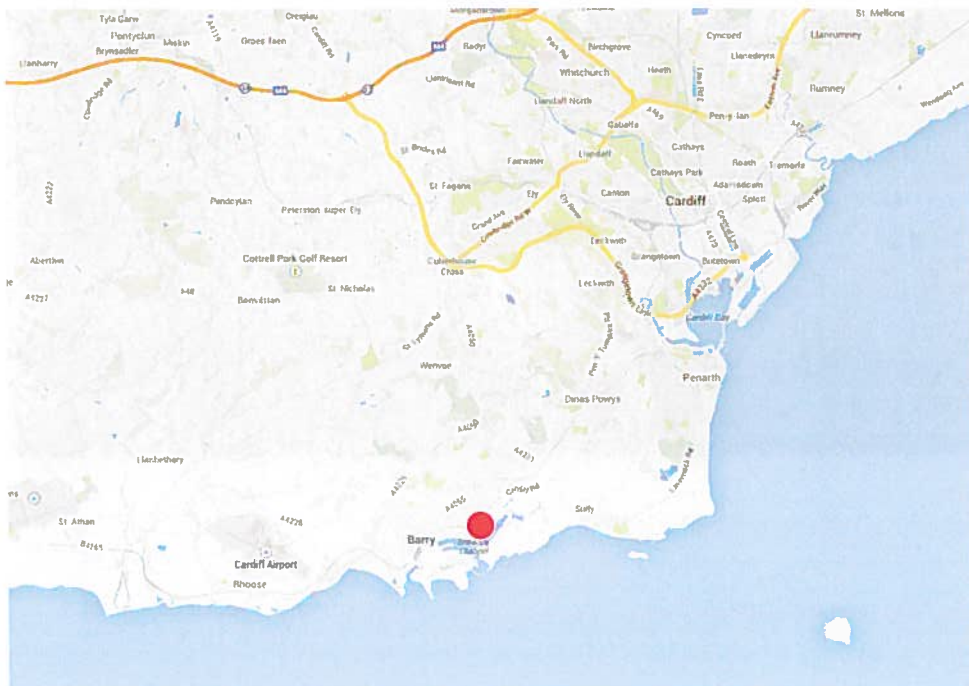
## BARRY SITE VISIT – 16<sup>TH</sup> JULY 2014

**In Attendance:** Tony Michael (Clugston), Kevin Clarke (Imtech)

**Weather:** Warm, clear sunny conditions, no rain

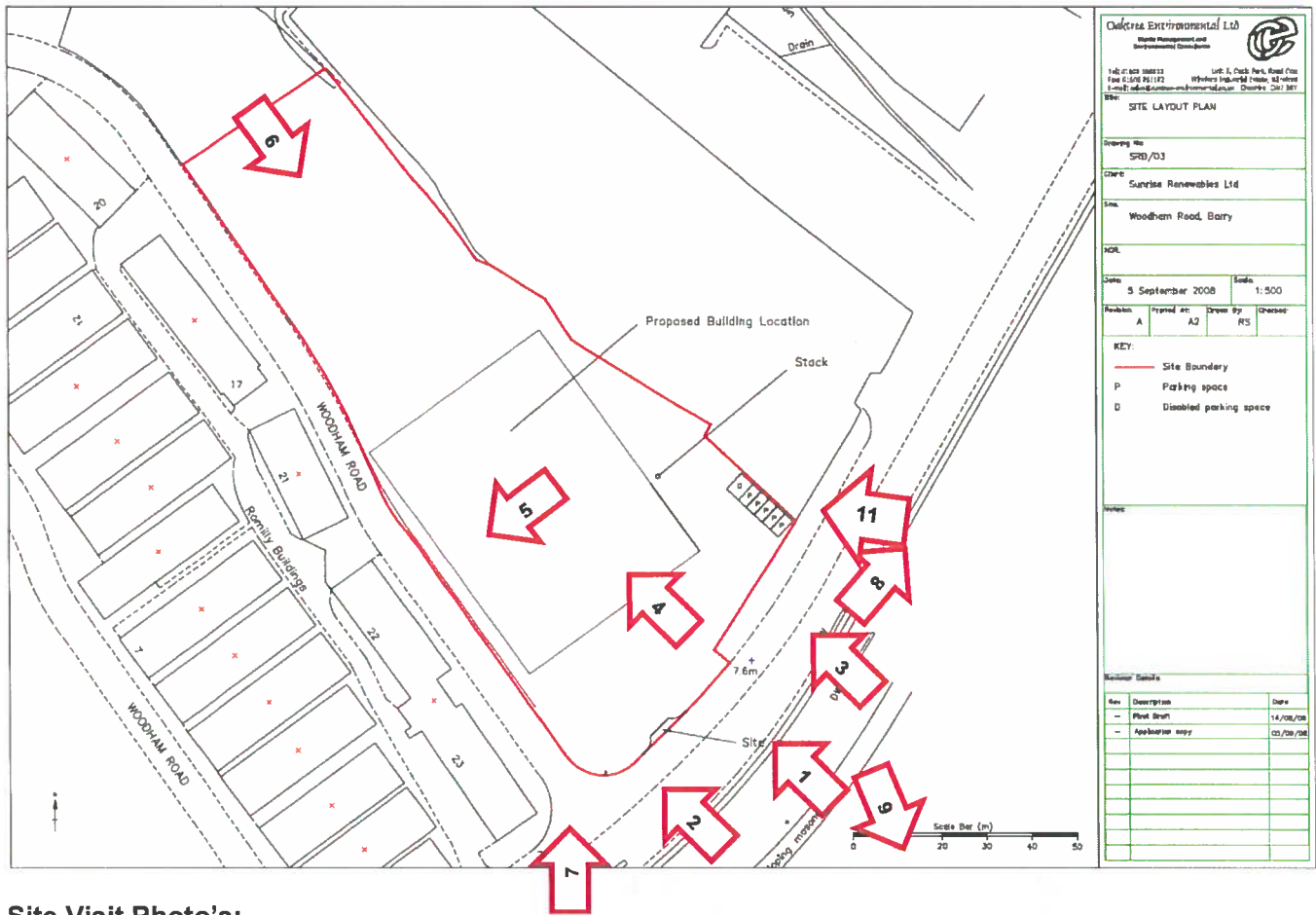
### **Site Location, Access & Description:**

The site is located off David Davies Road, Barry, CF63 4JE. The site is reasonably flat with peripheral bunds to prevent occupation. The bunds and site are quite overgrown with vegetation and both the bunds and vegetation will require clearance. There is also a moderate amount of fly tipped material that will also require removal prior to commencement of the development. Road access is not encumbered by height, weight or width restrictions and is via a reasonable quality two way width carriageway. The carriageway does have some fairly large speed bumps that may cause low loader access issues.





**Site Visit Photo's Keyplan:**



**Site Visit Photo's:**

1. South boundary panorama looking north



2. West side of south boundary



3. East side of south boundary



4. South area looking NW



5. Central area looking west



6. North area panorama looking south



7. Woodham Rd/David Davies Rd junction looking north





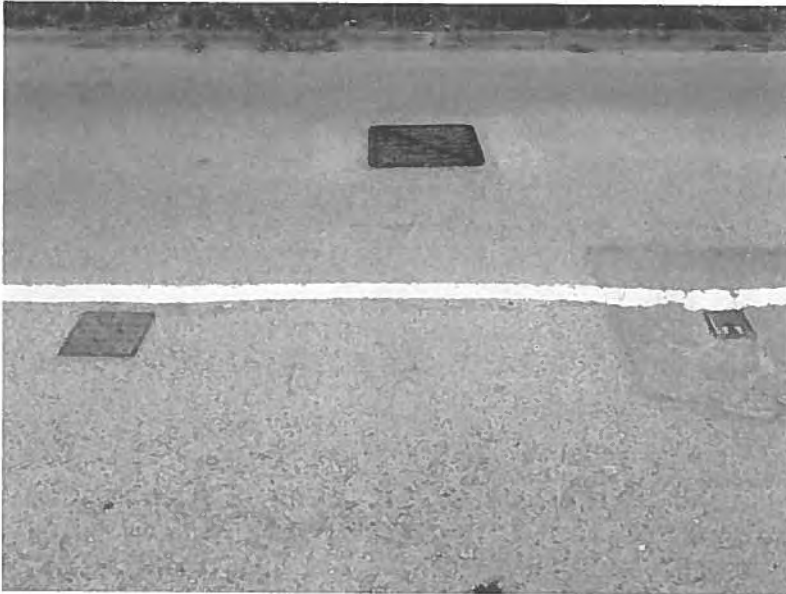
8. South boundary looking east



9. South boundary looking south



10. Services in David Davies Road



11. SE corner of site looking north



**Application:**

**RE: 2015/00031/OUT**

**Proposal:**

**Renewable Power Plant at Woodham Road**

**Location:**

**David Davies Road, Woodham Road, Barry**

**Applicant:**

**Sunrise Renewables (Barry) Limited**

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## **Site Photographs from the Application**



Source: Visual Impact Assessment

Photo 3



**Source: Visual Impact Assessment**

NE



SE

N



S

NW



SW

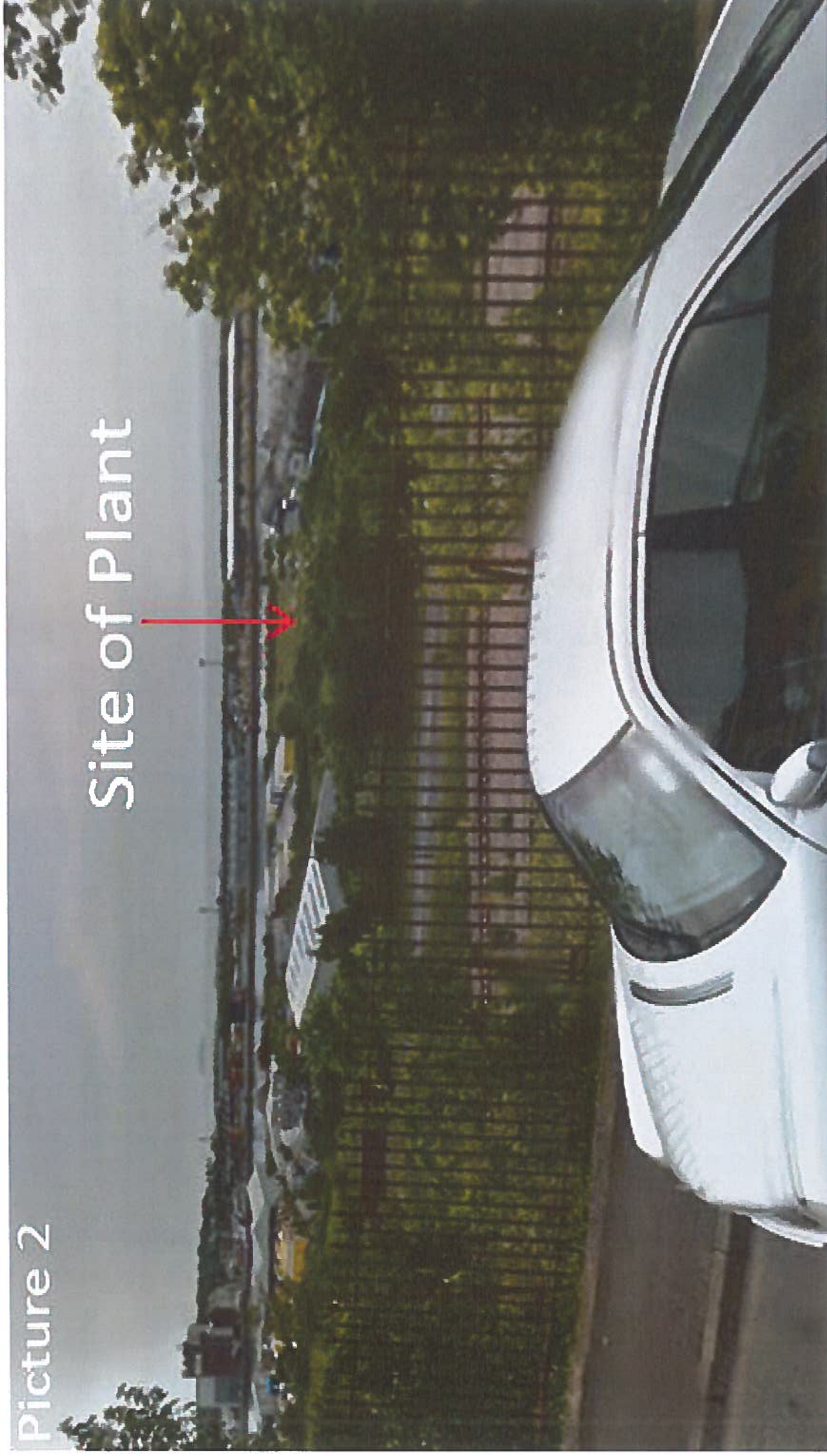
**Source: Geology and Stability Report**

Picture 2

Site of Plant



Source: Visual Impact Assessment







**Source: Ecological Study**



**Source: Ecological Study**

2.

## LATE ITEMS FOR COMMITTEE

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<b>Location:</b> David Davies Road, Woodham Road, Barry	
<b>Proposal:</b> Outline application for a wood fired renewable energy plant	

**From:** Douglas Wardle- Sunrise renewables

### **Summary of Comments:**

Comments of Biofuel Watch and the response of the applicant.

Payne, Adrienne J

30 JUN 2015

**From:** Biofuelwatch <biofuelwatch@ymail.com>  
**Sent:** 30 June 2015 10:24  
**To:** Johnson, Fred T (Cllr); Wilkinson, Margaret R (Cllr); Birch, Janice (Cllr); Birch, Rhiannon (Cllr); Bird, Jonathon (Cllr); Drake, Pamela (Cllr); Drysdale, John (Cllr); Franks, Chris (Cllr) (Home); Hacker, Eric (Cllr); Hamilton, Howard (Cllr); Howard Hamilton (Cllr) (Home); Hartrey, Val M (Cllr); Hodges, Nic P (Cllr); nic.hodges@ntlworld.com; James, Jeffery (Cllr); Parker, Andrew (Cllr); andrew@greatbarn.com; Penrose, Bob (Cllr); penroseroberta@gmail.com; Powell, Anthony G (Cllr); Powell, Anthony (Cllr); apreston@valeofglamorgan.gov.uk; Probert, Rhona (Cllr); Roberts, Gwyn (Cllr); Williams, Clive (Cllr); Wilson, Mark R (Cllr)  
**Cc:** Planning & Transportation (Customer Care)  
**Subject:** Re: Outline application for a wood fired renewable energy plant at David Davies Road, Woodham Road, Barry, Ref 2015/00031/OUT, to be considered by the Planning Committee on 2nd July 2015  
**Attachments:** Barry biomass gasifier letter to Councillors.docx

ENVIRONMENTAL  
AND ECONOMIC  
REGENERATION

RECEIVED
ACTION BY: MPT/HJR
NO: 20
ACK:

Dear Councillor,

***Re: Outline application for a wood fired renewable energy plant at David Davies Road, Woodham Road, Barry, Ref 2015/00031/OUT, to be considered by the Planning Committee on 2<sup>nd</sup> July 2015***

I am writing on behalf of Biofuelwatch ([www.biofuelwatch.org.uk](http://www.biofuelwatch.org.uk)) a UK/US organisation which has been providing research, education and advocacy in relation to large-scale industrial bioenergy since 2006. In our recent work, we have focussed strongly on biomass gasification and pyrolysis technologies, and we have just published an in-depth report on the subject: <http://www.biofuelwatch.org.uk/2015/biomass-gasification-and-pyrolysis/>.

We would like to share with you our serious concerns about the application for outline planning permission for a waste wood gasifier submitted by Sunrise Renewables (Barry) Ltd, which will be considered by the Planning Committee on 2<sup>nd</sup> July, and about the Planning Officer's report and recommendation to approve the application with conditions.

We believe that the Planning Officer's report and recommendation partly relies on claims made by the developers which we believe to be factually inaccurate. We further believe that those inaccuracies are of significant material concern to this application and that, based on accurate factual information, the application would be unlikely to comply with planning policy – especially in relation to the waste hierarchy and good design principles for energy developments. We therefore hope that the Planning Committee will not approve this planning application on 2<sup>nd</sup> July. We suggest that, under the circumstances, a deferral to clarify those material issues might be considered.

### **Summary of our concerns about apparent inaccuracies:**

1) We agree with Sunrise Renewables that under Welsh national planning policy, based on the EU Waste Framework Directive, a plant like this can only be classed as 'energy recovery' if, under the R1 Formula, it has an energy efficiency above 0.65[1] and that energy from waste plants should achieve high efficiencies. However, as detailed below, we believe that, when calculating efficiency using the R1 formula, Sunrise Renewables input a wrong figure into the calculation and therefore obtained an incorrect result. As detailed below, we believe that an R1 calculation based on accurate figures shows that the proposed plant will have an energy efficiency of less than 0.65 and therefore should not be classed as 'energy recovery', but merely as 'waste disposal'. It should therefore be considered on the same bottom level of the waste hierarchy as landfill.

2) Sunrise Renewables claim that their new proposal is significantly more efficient than the one previously approved and that “*such increased efficiency means there will be no surplus heat generated (i.e. it is not a Combined Heat and Power (CHP) plant*”. From the Planning Officer’s report it appears that the Officer has accepted this claim. However, based on the actual feedstock and output figures and a comparison between the technology previously chosen and that proposed now, the plant appears to be less efficient, not more. It is a bizarre claim that the power plant would not generate ‘surplus heat’. Every power station generates heat – in fact, if this plant did not generate ‘surplus heat’ then there would be no need for the Air-Cooled Condensing Unit which forms part of the proposal. If this was a CHP plant then it would be significantly more efficient, but the developers have chosen not to develop a CHP plant.

3) Sunrise Renewables claim that the only material changes between this application and the one previously approved are ones related to technology, layout and elevations, and this claim has been accepted by the Planning Officer. However, we believe that additional material changes are:

- lower efficiency;
- larger quantities of waste wood being used;
- increased air emissions.

### **Background:**

As detailed in the Planning Officer’s report, Sunrise Renewables obtained planning consent for a 9MWe waste wood pyrolysis plant on 7<sup>th</sup> July 2010, following their successful Appeal against the local authority’s refusal of that application. In his decision, the Planning Inspector decided to impose a condition to cap the total tonnage of waste wood to be used at the plant to 72,000 tonnes per year.

As the Planning Officer’s report confirms, national planning policy in relation to waste has changed since the Public Inquiry related to that Appeal was held:

The Welsh Assembly Government has since adopted the Overarching Waste Strategy Document for Wales, Towards Zero Waste and the Collections, Infrastructure and Markets Sector (CIMS) Plan, both of which incorporate provisions for the Waste Hierarchy and Proximity Principle which arise from the EU Waste Framework Directive. Furthermore, the UK Government has since adopted the Overarching National Policy Statement for Energy[2] which contains ‘good design’ principles related to efficiency and which should be considered as guidance when determining planning applications for energy developments smaller than 50 MWe.

### **Increased wood feedstock requirements of the proposed plant:**

When approving Sunrise Renewables’ previous planning application (2008/01203/FU), the Planning Inspector limited annual feedstock use to a maximum of 72,000 tonnes[3]. This figure was taken from the Planning Statement that accompanied that application, which said:

*“The plant will be capable of pyrolysing up to 72,000 tonnes of wood per annum. This equates to approximately 216 tonnes per day, which will be sourced from wood recycling operations locally under a fuel agreement.” AND “Wood fuel at up to 35% moisture content is deposited into a hopper by a wheeled loading shovel which feeds a chipper which reduces the size of the wood prior to entry into the dryer” [our highlights].*

It is therefore clear that the Planning Inspector was referring to the actual tonnage of waste wood delivered to and used in the plant.

In this new application, Sunrise Renewables are proposing to gasify “*up to 72,000 dry tonnes equivalent [of waste wood]*”. Their Waste Planning Assessment confirms that the plant can handle up to “*86,000 tonnes of wood chip per annum depending on the amount of water accompanying the fuel in the form of moisture content*”. Indeed, Sunrise Renewables’ application for a nearly identical plant in Barrow speaks of 86,000 tonnes of waste wood per year, based on the same technology and the same energy output.

Waste wood always contains moisture (up to 35% according to the previous planning application, or 18-25% according to the Biomass Energy Centre[4], which is the UK Government’s information centre for the use of biomass for energy). Thus the actual

tonnage of waste wood delivered to and used by the plant will be 18-25% greater than its 'dry tonnes equivalent'. Therefore, if this new planning application was approved, it would raise the cap on annual feedstock imposed by the Planning Officer in 2010.

### **Efficiency of the proposed plant:**

- 1) Generating 10MWe from 86,000 tonnes of waste wood (or 72,000 dry tonnes equivalent) is clearly less efficient than generating 9 MWe from 72,000 tonnes of wood with a moisture content of up to 35%.
- 2) Sunrise Renewables include their efficiency calculation using the EU Waste Framework Directive's R1 calculation in their Waste Planning Assessment. We note that this assessment was produced by the developer alone, not by any expert consultant. We believe that Sunrise Renewables have used the correct methodology for this calculation[5] – but that they have input a wrong figure and therefore obtained the wrong result. Sunrise Renewables have input the net calorific value of dry waste wood as being 16.09 kJ/kg. However, this figure is significantly lower than that cited by the Biomass Energy Centre (the UK Government's official information centre on bioenergy and lower than that used by DECC for the purpose of their Combined Heat and Power Assurance Programme (CHPQA). The Biomass Energy Centre states that the typical net calorific value of waste wood is 19 kJ/kg and DECC's CHPQA uses a figure of 18.3 kJ/kg[6].

If the same R1 calculation is carried out for the proposed plant, using the 18.3 kJ/kg figure then, depending on the precise moisture content of wood, the efficiency "R1" value would be *0.624 – 0.638*, which translates to a conversion efficiency of **20-22%**.

This is below the minimum 0.65 which should be obtained in order for such a plant to be classed as 'energy recovery'.

If the Biomass Energy Centre's even higher 19 kJ/kg net calorific value figure was used, the efficiency of the plant would be lower still.

Based on this calculation, we believe that the plant should be treated as a waste disposal, not an 'energy recovery from waste' plant.

- 3) We are baffled by the claim that the plant will not be a Combined Heat and Power plant because of its high efficiency. Firstly, the proposed plant's efficiency will be extremely low – now higher than 22% by our calculations. Secondly, even the most efficient electricity-only power plant will generate significant surplus heat. This is why all power stations require cooling systems. If there was no surplus heat then Sunrise Renewables would not be planning to build an Air Cooled Condenser. Combined Heat and Power biomass plants can reach well above 70% efficiency levels. It has been Sunrise Renewables' choice to propose a very low-efficiency plant without any heat capture and use.

### **Compliance with the Waste Hierarchy Principle:**

The Planning Officer's recommendation relies on the understanding that the proposed plant would be an 'energy recovery' plant and that it therefore qualifies for that definition using the R1 formula set out in the EU Waste Framework Directive. As we have shown above, this assumption, based on Sunrise Renewables' claims alone, appears to be mistaken.

Even if this was an energy recovery scheme, Sunrise Renewables should have demonstrated that this particular plant will not compete with waste wood uses higher up the Waste Hierarchy – i.e. that it will not divert waste wood away from recycling (such as use in wood panel or paper production or as animal bedding). In this context, we would point out that claims about a significant 'waste wood surplus' made by the developer and contained in the Planning Officer's report are contradicted by findings contained in research published by Defra in 2012[7]. Defra's findings, based on three independent consultancy reports, suggested that the UK is a net importer of waste wood and warned that, if only 25% of the new biomass capacity planned in 2012 was built, there would be a waste wood shortfall by 2015. We believe that compliance with the Waste Hierarchy principle would therefore be highly questionable even if the proposed plant was efficient enough to qualify as 'energy recovery'.

However, since it appears to be so inefficient as to make it a mere 'waste disposal' scheme, we believe that the conflict with the waste hierarchy principle is particularly significant.

### **Compliance with the UK Government's Overarching Energy Policy Statement:**

Section 4.5.1 of the UK Government's Overarching Energy Policy Statement (which applies to Wales) states:

*"Applying "good design" to energy projects should produce sustainable infrastructure sensitive to place, efficient in the use of natural resources and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible."*

The UK Bioenergy Strategy 2012 further highlights the importance of maximising efficiency in bioenergy applications[8]. We believe that the design of this plant, arising from Sunrise Renewables' technology choice, is incompatible with this requirement because of its very low efficiency (no more than 22%).

### **Air emissions:**

Sunrise Renewables have claimed in response to an objection by Biofuelwatch that the current proposal would only have a higher stack than the one previously approved because it has to comply with new EU legislation on air emissions. We have been unable to find any evidence of changes to EU or UK legislation in relation to permitted emission levels from waste incineration plants (including waste wood gasifiers). However, figures contained in the first and the revised Air Quality Assessment for this new application, when compared with those contained in the original application that was approved in 2010 show a different reason. The expected air emissions are significantly higher than the emissions of the original approved plant would have been:

Year	2008	2015
Stack height	20 m	43 m
Stack diameter	0.9 m	1.23 m
NOx emissions rate	0.8132 g/s	4.5 g/s
PM10 emissions rate	0.0407 g/s	0.22 g/s
CO emissions rate	0.2033 g/s	1.1 g/s
SO2 emissions rate	0.2033 g/s	1.1 g/s
HCl emissions rate	0.0407 g/s	0.22 g/s
HF emissions rate	0.0041 g/s	0.02 g/s
Hg emissions rate	0.0002 g/s	0.011 g/s

We presume this is due both to the fact that more waste wood is to be gasified and to the fact that the gasification technology now proposed is significantly more polluting than the pyrolysis technology previously approved (the latter involved gas cleaning before combustion, the former does not).

Best regards,

Almuth Ernsting  
Co-Director  
Biofuelwatch

- [1] <file:///C:/Users/Dell/Downloads/Barry%20Waste%20Planning%20Assessment-signed.pdf>
- [2] [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/47854/1938-overarching-nps-for-energy-en1.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/47854/1938-overarching-nps-for-energy-en1.pdf)
- [3] [file:///C:/Users/Dell/Downloads/APL%200801203%20\(3\).pdf](file:///C:/Users/Dell/Downloads/APL%200801203%20(3).pdf)
- [4] [http://www.biomassenergycentre.org.uk/pls/portal/docs/PAGE/RESOURCES/REF\\_LIB\\_RES/PUBLICATIONS/WASTEWOOD-BIOMASS.PDF](http://www.biomassenergycentre.org.uk/pls/portal/docs/PAGE/RESOURCES/REF_LIB_RES/PUBLICATIONS/WASTEWOOD-BIOMASS.PDF)
- [5] <http://ec.europa.eu/environment/waste/framework/pdf/guidance.pdf>
- [6] [http://www.chpqa.com/guidance\\_notes/GUIDANCE\\_NOTE\\_29.pdf](http://www.chpqa.com/guidance_notes/GUIDANCE_NOTE_29.pdf)
- [7] [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/82571/consult-wood-waste-researchreview-20120731.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/82571/consult-wood-waste-researchreview-20120731.pdf)
- [8] [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/48337/5142-bioenergy-strategy-.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/48337/5142-bioenergy-strategy-.pdf)

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<sup>1</sup> <file:///C:/Users/Dell/Downloads/Barry%20Waste%20Planning%20Assessment-signed.pdf>



it would be significantly more efficient – but the developers have chosen not to develop a CHP plant.

3) Sunrise Renewables claim that the only material changes between this application and the one previously approved are ones related to technology, layout and elevations and this claim has been accepted by the Planning Officer. However, we believe that additional material changes are

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<sup>2</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/47854/1938-overarching-nps-for-energy-en1.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/47854/1938-overarching-nps-for-energy-en1.pdf)

<sup>3</sup> [file:///C:/Users/Dell/Downloads/APL%200801203%20\(3\).pdf](file:///C:/Users/Dell/Downloads/APL%200801203%20(3).pdf)

It is therefore clear that the Planning Inspector was referring to the actual tonnage of waste wood delivered to and used in the plant.

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### **Efficiency of the proposed plant**

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If the same R1 calculation is carried out for the proposed plant, using the 18.3 kJ/kg figure then, depending on the precise moisture content of wood, the efficiency "R1" value would be **0.624 – 0.638**, which translates to a conversion efficiency of **20-22%**.

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Based on this calculation, we believe that the plant should be treated as a waste disposal, not an 'energy recovery from waste' plant.

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[http://www.biomassenergycentre.org.uk/pls/portal/docs/PAGE/RESOURCES/REF\\_LIB\\_RES/PUBLICATIONS/WASTEWOOD-BIOMASS.PDF](http://www.biomassenergycentre.org.uk/pls/portal/docs/PAGE/RESOURCES/REF_LIB_RES/PUBLICATIONS/WASTEWOOD-BIOMASS.PDF)

<sup>5</sup> <http://ec.europa.eu/environment/waste/framework/pdf/guidance.pdf>

<sup>6</sup> [http://www.chpqa.com/guidance notes/GUIDANCE NOTE 29.pdf](http://www.chpqa.com/guidance%20notes/GUIDANCE_NOTE_29.pdf)

3) We are baffled by the claim that the plant will not be a Combined Heat and Power plant because of its high efficiency. Firstly, the proposed plant's efficiency will be extremely low – now higher than 22% by our calculations. Secondly, even the most efficient electricity-only power plant will generate significant surplus heat. This is why all power stations require cooling systems. If there was no surplus heat then Sunrise Renewables would not be planning to build an Air Cooled Condenser. Combined Heat and Power biomass plants can reach well above 70% efficiency levels. It has been Sunrise Renewables' choice to propose a very low-efficiency plant without any heat capture and use.

### **Compliance with the Waste Hierarchy Principle:**

The Planning Officer's recommendation relies on the understanding that the proposed plant would be a 'energy recovery' plant and thus that it qualifies for that definition using the R1 formula set out in the EU Waste Framework Directive. As we have shown above, this assumption, based on Sunrise Renewables' claims alone, appears to be mistaken.

Even if this was an energy recovery scheme, Sunrise Renewables should have demonstrated that this particular plant will not compete with waste wood uses higher up the Waste Hierarchy – i.e. that it will not divert waste wood away from recycling (such as use in wood panel or paper production or as animal bedding). In this context, we would point out that claims about a significant 'waste wood surplus' made by the developer and contained in the Planning Officer's report are contradicted by findings contained in research published by Defra in 2012<sup>7</sup>. Defra's findings, based on three independent consultancy reports, suggested that the UK is a net importer of waste wood and warned that, if only 25% of the new biomass capacity planned in 2012 was built, there would be a waste wood shortfall by 2015. We believe that compliance with the Waste Hierarchy principle would therefore be highly questionable even if the proposed plant was efficient enough to qualify as 'energy recovery'.

However, since it appears to be so inefficient as to make it a mere 'waste disposal' scheme, we believe that the conflict with the waste hierarchy principle is particularly significant.

### **Compliance with the UK Government's Overarching Energy Policy Statement:**

Section 4.5.1 of the UK Government's Overarching Energy Policy Statement (which applies to Wales) states:

*"Applying "good design" to energy projects should produce sustainable infrastructure sensitive to place, efficient in the use of natural resources and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible."*

The UK Bioenergy Strategy 2012 further highlights the importance of maximising efficiency in bioenergy applications<sup>8</sup>. We believe that the design of this plant, arising from Sunrise Renewables' technology choice, is incompatible with this requirement because of its very low efficiency (no more than 22%).

### **Air emissions:**

---

<sup>7</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/82571/consult-wood-waste-researchreview-20120731.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/82571/consult-wood-waste-researchreview-20120731.pdf)

<sup>8</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/48337/5142-bioenergy-strategy-.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/48337/5142-bioenergy-strategy-.pdf)

Sunrise Renewables have claimed in response to an objection by Biofuelwatch that the current proposal would only have a higher stack than the one previously approved because it has to comply with new EU legislation on air emissions. We have been unable to find any evidence of changes to EU or UK legislation in relation to permitted emission levels from waste incineration plants (including waste wood gasifiers). However, figures contained in the first and the revised Air Quality Assessment for this new application, when compared with those contained in the original application that was approved in 2010 show a different reason: The expected air emissions are significantly higher than those for the approved plant would have been:

<b>Year</b>	<b>2008</b>	<b>2015</b>
Stack height	20 m	43 m
Stack diameter	0.9 m	1.23 m
NOx emissions rate	0.8132 g/s	4.5 g/s
PM10 emissions rate	0.0407 g/s	0.22 g/s
CO emissions rate	0.2033 g/s	1.1 g/s
SO2 emissions rate	0.2033 g/s	1.1 g/s
HCl emissions rate	0.0407 g/s	0.22 g/s
HF emissions rate	0.0041 g/s	0.02 g/s
Hg emissions rate	0.0002 g/s	0.011 g/s

We presume this is due both to the fact that more waste wood is to be gasified and to the fact that the gasification technology now proposed is significantly more polluting than the pyrolysis technology previously approved (the latter involved gas cleaning before combustion, the former does not).

Best regards,

Almuth Ernsting  
Co-Director  
Biofuelwatch

**Sunrise Renewables (Barry) Ltd - Renewable Power Plant at David Davies Road, Barry  
("Project")  
Responses to questions comments by Biofuelwatch ("BfW") dated 30 June**

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Biofuelwatch have issued a communication to Councillors on 30 June 2015 which grossly misrepresents key aspects of the Project.

**R1 Calculation:** In Biofuelwatch's calculations they use an incorrect figure for the calorific value of wood – they use the higher heating value (also known as the gross calorific value) whilst the R1 calculation correctly uses the lower heating value which is materially different. Their calculation and therefore conclusion is fundamentally flawed and as such they are misrepresenting the position to the Councillors.

**Waste Hierarchy:** The Department of Energy and Climate Change has specifically confirmed that 'energy recovery' from waste wood is preferable to 're-use' which elevates its position in the waste hierarchy. Sunrise has identical plants at both Hull and Barrow where identical applications to change technology were also submitted in 2014 and both those planning authorities recognised and accepted this in approving those applications. To claim conversion of waste wood by the Project is at the bottom of the waste hierarchy is therefore totally misleading.

**Efficiency:** It is only possible to pyrolyse dry wood and the previous application took 72,000 tonnes of dry wood and converted it into 9MW of electricity. It is now proposed to convert 72,000 tonnes of dry wood and generate 10MW of electricity. So, the new proposal will produce 1MW more electricity which is therefore a more efficient use of fuel than the previous proposal. Biofuelwatch are therefore mistaken in their comments concerning efficiency.

**Emissions:** power plant operators are legally required to comply with all current emissions control regulation in order to operate and the Project is therefore being designed to do so. It will not be permitted to operate by Natural Resource Wales if it cannot demonstrate such compliance. To suggest otherwise is to misrepresent the correct position.

**Biofuelwatch** are a self-appointed pressure group who depend on objecting to proposals such as this in order to maintain funding to pay their salaries. In the UK they are based in Edinburgh not in Wales.

**Sunrise Renewables (Barry) Ltd  
1 July 2015**

**LATE ITEMS FOR COMMITTEE****COMMITTEE DATE : 2 July 2015**

<b>Application No.:</b> 2015/00031/OUT	<b>Case Officer:</b> Mr. Morgan P. Howell
<b>Location:</b> David Davies Road, Woodham Road, Barry	
<b>Proposal:</b> Outline application for a wood fired renewable energy plant	

**From: Objectors****Summary of Comments:**

Collection of representations from objectors



Member of the European Parliament

15<sup>th</sup> June 2015

Dear Sir,

Proposed Wood Gasification Facility: 2015/00031/OUT

I write to highlight concerns that have been raised with me by constituents regarding the outline planning permission to change the existing planning consent for a waste wood pyrolysis plant on David Davies Road, Woodham Road, Barry.

It has been suggested that there are contradictions in the planning documents that need clarification in order for the proposals to be properly considered to ensure that a full response can be submitted.

I understand that there are discrepancies between the stated efficiency of the current proposals and the previously consented pyrolysis plant and that the proposed development would require an increase in the amount of waste wood to be sourced for the plant. In addition, the Air Quality Assessment suggests that the technology would not reduce emissions of air pollutants as stated in the plans.

I believe that it is important that the developer clearly sets out the needs of the new plant and clarifies the efficiency data before the proposals can be fully considered. The current application does not include sufficient information for a fully informed decision to be made at this stage.

I would respectfully request that you consider asking for further details on these points before the permission is changed and that residents' concerns are given full consideration, especially regarding a likely increase in traffic congestion and air pollution.

Yours faithfully,

**Dr Kay Swinburne**  
**MEP for Wales**

European Parliament  
Bât. Willy Brandt  
04M083  
60, rue Wiertz  
B-1047 Bruxelles  
Belgium  
Tel: +32 (0)228 37687  
Fax: +32 (0)228 49687

European Parliament  
Bât. Louise Weiss  
T11061  
1, avenue du Président Robert  
Schuman  
CS 91024  
F-67070 Strasbourg  
France  
Fax: +33 (0)3 881 79687

Welsh Conservative Office  
Rhydny House  
1-2 Copse Walk  
Cardiff Gate Business Park  
Cardiff CF123 8RB  
United Kingdom  
Tel: +44 (0)2920 540 895  
[www.kayswinburne.co.uk](http://www.kayswinburne.co.uk)

29 JUN 2015

**From:** Beverley Havard [REDACTED]  
**Sent:** 29 June 2015 09:47  
**To:** Planning & Transportation (Customer Care)  
**Cc:** Johnson, Fred T (Cllr); alun.cairns.mp@parliament.uk; keith stockdale  
**Subject:** Proposed Docks Incinerator -Objection and Inclusion of Supporting Evidence on Respiratory Mortality, Hospital Admissions and NHS Wales Respiratory Delivery Plan

ENVIRONMENTAL AND ECONOMIC REGENERATION

I am a local resident with a vulnerable relative suffering from COPD and asthma.

I shall be most grateful if the Council’s Planning Committee can have due regard to the whole system impacts on Respiratory Disease in reaching their decision

Included -Cardiff and Vale NHS Hospital admissions per 100,000 population for Respiratory Disease, Mortality and Length of Hospital Stay. Admissions for exacerbation of Respiratory disease-Asthma, COPD, Bronchitis etc will impact on the entire health care system (Accident and Emergency 4 hour waiting, beds availability, costs, mortality rates)

<http://gov.wales/docs/dhss/publications/140429respiratoryen.pdf>

<https://www.healthmapswales.wales.nhs.uk/IAS/dataviews/view?viewId=29>

D.E.E.R
RECEIVED
ACTION BY: MPH 11R
NO: 20
ACK:

Councillors should have due regard to the NHS Wales Respiratory Delivery Plan and Respiratory Disease incidence data for Vale of Glamorgan Any exacerbation of Respiratory disease from environmental factors will impact on the entire health care system. They should also consider the message in ‘Together for Health’ where stakeholders should actively help to assist the delivery of this plan . **A large amount of money and resources have been taken up with preventing smoking but why consider a new pollutant which will exacerbate respiratory conditions for the population of Vale of Glamorgan? Councillors should be having due regard not just to income generation for the local area but the long term impacts and costs on the already struggling healthcare system.**

*Respiratory disease is the cause in one in seven of all deaths in Wales; the third largest cause of death for both women and men in Wales. At the same time, one in seven adults in Wales reports being treated for a respiratory condition.*

***The prudent healthcare approach means that we all have to be jointly involved in avoiding avoidable harm. Respiratory health is a vivid example of this principle because, through a combination of collective and individual action, so much can be done to prevent harm from occurring.***

*To deliver long term, sustainable improvements to respiratory care services in Wales will be a challenge for the **NHS and its partners**. It is a challenge we must and will meet.*

*For our population we want:*

- People of all ages to be encouraged to value good lung health, to be aware of the dangers of smoking and, take personal responsibility for their lifestyle choices to reduce the risk of acquiring a respiratory condition and maximise the benefit of any treatment



- • *Where problems with lung health occur, individuals can expect early and accurate diagnosis and effective treatment so the quality of their life can be optimised*

*Our aim is for Wales to have low incidence for lung disease and improved health care outcomes. We will use the following indicators to measure success:*

- • *A reduction in prevalence of smoking as per the Tobacco Control Action Plan for Wales*
- • *Incidence of Chronic Obstructive Pulmonary Disease (COPD) per 100,000 population*
- • *Unscheduled hospital admissions for both asthma and COPD per 100,000 population*
- • *Disease and age group specific mortality rates under age 75 per 100,000 population*

Your assistance is very much appreciated

Beverley

**Payne, Adrienne J**

---

**From:** Beverley.havard [REDACTED]  
**Sent:** 30 June 2015 06:57  
**To:** Planning & Transportation (Customer Care)  
**Subject:** Fwd: Welsh Government - Correspondence Receipt Our Reference TO/MD/01965/15

Please be advised that I have written and received a receipt to the Health Minister for my concerns re Respiratory impacts on the population  
I sent my concerns to yourselves yesterday for which I have not yet had a receipt  
thank you  
Beverley

Sent from my iPad

Begin forwarded message:

**From:** "Beverley.havard" <[beverley.havard@btinternet.com](mailto:beverley.havard@btinternet.com)>  
**Date:** 30 June 2015 06:49:33 BST  
**To:** Mark Drakeford <[Correspondence.Mark.Drakeford@Wales.gsi.gov.uk](mailto:Correspondence.Mark.Drakeford@Wales.gsi.gov.uk)>  
**Subject:** **Re: Welsh Government - Correspondence Receipt Our Reference TO/MD/01965/15**

Thank you for acknowledgement of my concern and request for expert intervention from the Minister  
The Planning reference for the Barry Docks proposed large incinerator processing 200 tonnes of waste and creating 10 tonnes of ash per day is : 2015/00031/OUT

I have written to the Minister due to my concern of the health impacts on my own family and the large population in the area.

In my 30 + year career in the health sector I have seen the devastation lung disease brings including my own father who had a very poor quality of life for a number of years prior to his untimely death aged 67 years

I have been a resident in Barry for almost 10 years and this is the only matter I have ever expressed concerns about

Thank you  
Beverley Havard [REDACTED]

BSc,,MSc, Post Graduate Diploma Legal Practice  
Fellow Royal Society Medicine

RECEIVED

30 JUN 2015

ENVIRONMENTAL  
AND ECONOMIC  
REGENERATION

Sent from my iPad

On 29 Jun 2015, at 13:07, Kelly Lovell <[Kelly.Lovell2@wales.gsi.gov.uk](mailto:Kelly.Lovell2@wales.gsi.gov.uk)> wrote:

Dear Beverley Havard

D.E.E.R
RECEIVED
ACTION BY: MPH112
NO: 10
ACK:

This is a standard acknowledgement e mail which confirms that we have received your correspondence to Mark Drakeford dated 29/06/2015

Our reference for this correspondence is TO/MD/01965/15

When we reply to correspondence we aim to do so within 17 working days from the date it is received in the Welsh Government. In the case of your correspondence this means a target reply date of 22/07/2015

Please note that we scan paper correspondence and only retain the electronic copy (for the period stated in our data protection leaflet).

We only retain original hard copy correspondence for a maximum of two weeks after we reply, before it is securely destroyed. Where we are unable to scan all of an item of correspondence (e.g. due to its bulk) we may only scan the relevant parts of it and securely dispose of the other parts.

Anyone wishing to have some or all of their correspondence returned to them must inform us immediately upon receipt of this acknowledgement.

Please note that where correspondence is part of an organised campaign we may only respond to the organiser and not to you direct.

Information about the Data Protection Act, 1998 and how the Welsh Government processes correspondence to Ministers can be found here: <http://gov.wales/docs//dfm/policy/100126dataprotectionen.pdf>

If you wish to contact us again for any reason, e-mail contact details can be found at <http://gov.wales/about/cabinet/writingtoministers/?lang=en> - or you may write to us at

Minister for. . .  
Welsh Government  
5th floor,  
Cardiff Bay  
Cardiff,  
CF99 1NA.



On leaving the Government Secure Intranet this email was certified virus free. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Wrth adael Mewnwyd Ddiogel y Llywodraeth nid oedd unrhyw feirws yn gysylltiedig â'r neges hon. Mae'n ddigon posibl y bydd unrhyw ohebiaeth drwy'r GSi yn cael ei logio, ei monitro a/neu ei chofnodi yn awtomatig am resymau cyfreithiol.

**Payne, Adrienne J**

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**From:** Planning&Transport@valeofglamorgan.gov.uk  
**Sent:** 29 June 2015 13:32  
**To:** Planning & Transportation (Customer Care)  
**Subject:** New comments for application 2015/00031/OUT

New comments have been received for application 2015/00031/OUT at site address: David Davies Road, Woodham Road, Barry

from Mr John Hopkins ~~XXXXXXXXXXXXXXXXXXXX~~

Address:  
26 Jewel street, Barry.,cf633nq

**Comments:**

Other type details: A Yellow notice fixed onto a Telegraph pole on Dock view road..

Comment: I Entered my Objection on the 29/04/2015. The True cost's of Biomass Incinerator plants to Public health by increasing Air Pollution. Medical Health associations are opposed to the Biomass Incinerator plants that will produce Hundreds of Tonnes of Nitrogen Oxide, Sulphur Dioxide & unacceptable levels of Particulate air Pollution, ( Contaminated Air ) that we breath, which is associated with Cardiopulmonary symptoms, Asthma & Respiratory disease ending in Hospitalization, in some cases Mortality. There will be increased L.G.V. traffic which our infrastructure isn't going to cope with, roads in the area are in need of urgent repairs. I don't profess to be an expert on Biomass incinerator plants, but i do read about the Dangers of Biomass incinerator plants via the computer. I was shocked to read about the Contaminated air caused, by these incinerator plant's. I personally must Object to The I

Case Officer:  
Mr. Morgan P. Howell

RECEIVED

30 JUN 2015

ENVIRONMENTAL  
AND ECONOMIC  
REGENERATION

D.E.E.R
RECEIVED
ACTION BY: MPHIR
NO: 2
ACK:

11 CYRIL STREET,  
BARRY,  
CF63 3NS.

Email: [alan.priest60@gmail.com](mailto:alan.priest60@gmail.com)

Dear Sirs,

26<sup>th</sup> June 2015

SUNRISE APPLICATION

We are unfortunately unable to attend the Committee meeting to be held on 2/7/2015 at which the above will be discussed and must say are dismayed that this proposal has once again reared its ugly head. We fought against it most vigorously 5 years ago and here we are treading the same sorry path again.

What madness to pour money into the regeneration of the docklands and Barry Island by providing homes, leisure facilities, a school (we believe) and also making good use of the 'mole' and then to set in the midst of it an incinerator with a 43metre stack belching out toxins.

Have the following risks been properly assessed?

Will the waste ash be hazardous and how and where will it be disposed of

Will this project produce solid waste

What level of noise will residents (many of whom would be in close proximity) have to endure

How energy efficient will it be

What affect will the many lorries required for this project have on the surrounding roads

Will the incinerator only be 'fed' by old wood and pellets

Do you really believe that this monstrosity will benefit the town and will it create any employment.

It has always been believed that fresh air is free but sadly it seems that it is increasingly something that has to be fought for. Hopefully, common sense will prevail and Sunrise will be told in no uncertain terms to kindly 'go away!'

Yours faithfully,

A large black rectangular redaction box covers the signature area, obscuring the names of the signatories.

ALAN & GLENYS PRIEST

## Rees, Vivien

---

**From:** Goldsworthy, Marcus J  
**Sent:** 01 July 2015 10:14  
**To:** Rees, Vivien  
**Cc:** Howell, Morgan P  
**Subject:** FW: 2015/00031/OUT Sunrise Renewables (Barry) Ltd

Marcus Goldsworthy  
Operational Manager Development Control  
Director's Office - Development Services  
Vale of Glamorgan Council / Cyngor Bro Morgannwg  
tel / ffôn: 01446 704661  
mob / sym: 07976112326  
e-mail / e-bost: [MJGoldsworthy@valeofglamorgan.gov.uk](mailto:MJGoldsworthy@valeofglamorgan.gov.uk)

Visit our Website at [www.valeofglamorgan.gov.uk](http://www.valeofglamorgan.gov.uk)  
Ewch i'n gwefan yn [www.bromorgannwg.gov.uk](http://www.bromorgannwg.gov.uk)

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*Consider the environment. Please don't print this e-mail unless you really need to.  
Ystyriwch yr amgylchedd. Peidiwch ag argraffu'r neges hon oni bai fod gwir angen.*

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**From:** Fred [<mailto:fred@westquayproperty.co.uk>]  
**Sent:** 01 July 2015 10:11  
**To:** Goldsworthy, Marcus J  
**Subject:** FW: 2015/00031/OUT Sunrise Renewables (Barry) Ltd

Fred Johnson  
Managing Director  
West Quay Property Management Limited  
T: 0845 308 1316  
E: [fred@westquayproperty.co.uk](mailto:fred@westquayproperty.co.uk)  
[www.westquayproperty.co.uk](http://www.westquayproperty.co.uk)

---

**From:** Jane Griffiths [<mailto:Jane.Griffiths@geldards.com>]  
**Sent:** 01 July 2015 09:07  
**To:** [ftjohnson@valeofglamorgan.gov.uk](mailto:ftjohnson@valeofglamorgan.gov.uk); [mrwillkinson@valeofglamorgan.gov.uk](mailto:mrwillkinson@valeofglamorgan.gov.uk); [PDrake@valeofglamorgan.gov.uk](mailto:PDrake@valeofglamorgan.gov.uk); [RBirch@valeofglamorgan.gov.uk](mailto:RBirch@valeofglamorgan.gov.uk); [jbird@valeofglamorgan.gov.uk](mailto:jbird@valeofglamorgan.gov.uk); [JDrysdale@valeofglamorgan.gov.uk](mailto:JDrysdale@valeofglamorgan.gov.uk); [familyfranks@btinternet.com](mailto:familyfranks@btinternet.com); [EHacker@valeofglamorgan.gov.uk](mailto:EHacker@valeofglamorgan.gov.uk); [VMHartrey@valeofglamorgan.gov.uk](mailto:VMHartrey@valeofglamorgan.gov.uk); [AParker@valeofglamorgan.gov.uk](mailto:AParker@valeofglamorgan.gov.uk); [BPenrose@valeofglamorgan.gov.uk](mailto:BPenrose@valeofglamorgan.gov.uk); [RProbert@valeofglamorgan.gov.uk](mailto:RProbert@valeofglamorgan.gov.uk); [GRoberts@valeofglamorgan.gov.uk](mailto:GRoberts@valeofglamorgan.gov.uk); [cwilliams@valeofglamorgan.gov.uk](mailto:cwilliams@valeofglamorgan.gov.uk); [MRWilson@valeofglamorgan.gov.uk](mailto:MRWilson@valeofglamorgan.gov.uk)  
**Subject:** 2015/00031/OUT Sunrise Renewables (Barry) Ltd

71 Dock View Road  
Barry  
Vale of Glamorgan  
CF63 4LQ

1<sup>st</sup> July 2015

Dear Sirs

2015/00031/OUT Received on 5 February 2015  
Sunrise Renewables (Barry) Ltd, Gilbert Wakefield House, Bewsey Street,  
Warrington, WA2 7JQ  
Sunrise Renewables (Barry) Ltd, Gilbert Wakefield House, Bewsey Street,  
Warrington, WA2 7JQ  
David Davies Road, Woodham Road, Barry  
Outline application for a wood fired renewable energy

As a resident of Dock View Road I have read the application by Sunrise Renewables (Barry) Ltd with much concern.

The Incinerator which is being described is most unsuitable for a largely residential area. The noise, emissions, not to mention the increased traffic running directly below Dock View Road is unacceptable.

I cannot understand why a plant of this type could not be located on the old BP/Dow Corning site where another 40ft stack would not be noticed instead of putting it in the heart of a residential area. When the new houses are built in front of the Dock Offices surely the developers would have no hope of selling them with such an eyesore in view. Not to mention the fire risk if the wood chippings were to catch fire. Or is the plain fact that the safety of this plant is so poor that no one is prepared to take the risk of approving locating it so close to these plants in case of a major incident.

Based on the information I have seen it looks that insufficient work has been carried out by your Planning Officer prior to this meeting. He has not asked sufficiently searching questions about the rather dubious claims of Sunrise and very little effort seems to have been made to bring the data up to date to include changes to use of land on the waterfront and the removal of foliage from Dock View Road which will not afford residents a buffer from increase noise from the plant 24/7, in fact, the Proforma dismisses this with "no concerns over noise" , which is quite false as the Inspector sent tight restrictions on night-time noise levels and new permitted housing will be significantly closer.

To me the decision has already been made that you the Planning Committee and your Planning Officers are not prepared to fight the tax payers corner due to cost incurred during Sunrise's previous application but are quite prepared to increase vote to increase our Council Tax while ruining our quality of life. You as a Planning Committee should return the application and ensure all matters are addressed prior to making a decision. For example a new *Waste Planning Statement* was submitted only on 18 June, which the officers have not sent to Consultees (NRW; WG) for consultation (no evidence in the report that their own waste officers have considered it)and this is a new application, yet the officers choose to treat it as renewing the old one with different technology. This shows prejudice, not planning grounds

I would like to register my husband (a copy of which has been sent by separate email) and myself having profound disagreement to such a plant being built in David Davies Road. As a council tax payer to the Vale of Glamorgan Council I would hope our views would be taken into consideration.

Yours sincerely

Jane Griffiths

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**From:** Craig Edmunds [mailto: [REDACTED]] **On Behalf Of** Craig Edmunds  
**Sent:** 30 June 2015 10:38  
**To:** Fred  
**Subject:** Re: Sunrise renewables plant

Hi Fred,

My points allude to a number of planning points:

- Permission for new houses close by the Swing Bridge/graving Dock have been granted since the previous permit.
- We now have a Water sport centre on the dock
- Existing and future (clean) light-industry uses may well be deterred, not to mention people who want to relocate to the area.

But as well as these the one that stood out for me was the in-efficiency of the plant:

- We have other “higher value” uses for the materials that are intended to be burnt in the incinerator - recycling for paper for example
- There’s no heat capture within the plan, which seems crazy
- Independent analysis has put the efficiency of the plant at around 20%

But there are obviously many others:

- The air pollution assessment admits levels of the highly dangerous Chromium-6 are predicted over the EAL (Environmentally Acceptable Limit).
- The worst polluted waste wood (excluded by other plants) will be attracted to Barry, with the wide-open permit proposed.
- They do not guarantee compliance with WHO guidance on night-time noise disturbance to sleep
- Welsh planning guidance says to prefer other sites further from homes and businesses for incinerators
- The EIA Screening Proforma was not posted until 11 June 2015 (was due in December on receipt of the application) and included some faulty answers suggesting rushed retrospective approval.
- They wrongly claim no “hazardous waste (is) involved in the proposal”
- They have no real plan for the waste ash - their figures are wrong as they say 8% but give only 2200 tonnes (8% of 72 000 is ~6000); falsely state to be “recycled into various building products and aggregates”, as no firm in the UK handles this ash nor wants it (fine wood-ash with nails etc. is no use for aggregates).

Craig

On 30 Jun 2015, at 10:03, Fred <[fred@westquayproperty.co.uk](mailto:fred@westquayproperty.co.uk)> wrote:



Dear Craig

Thanks for this, now in planning terms what are the reasons for refusal, because reading your e-mail I cannot see any reason to turn it down. Normally people give me reasons which are in terms of planning can stand up at an independent enquiry.

Regards

Cllr Fred Johnson.

Fred Johnson  
Managing Director  
West Quay Property Management Limited  
T: 0845 308 1316  
E: [fred@westquayproperty.co.uk](mailto:fred@westquayproperty.co.uk)  
[www.westquayproperty.co.uk](http://www.westquayproperty.co.uk)

-----Original Message-----

From: Craig Edmunds [mailto:[████████████████████@████████████████████](mailto:████████████████████@████████████████████)] On Behalf Of Craig Edmunds  
Sent: 30 June 2015 09:58  
To: [ftjohnson@valeofglamorgan.gov.uk](mailto:ftjohnson@valeofglamorgan.gov.uk)  
Subject: Sunrise renewables plant

Dear Frederick,

I wanted to write to you before the upcoming decision on this planning application.

I'm sure you've been inundated with the scientific reasons why it doesn't make sense, but I wanted to give you my opinion on why it doesn't make sense from the perspective of the future of Barry.

A bit about me first - I have a passion for Wales, and have a personal agenda to improve the prospects of South Wales through job creation. I run a technology team in London, and am currently working with the WAG to relocate 40 high tech, high paid jobs to Cardiff.

I think Barry, like much of South Wales, has had a troubled 25 years with respect to jobs, but with the natural resources at its disposal (beautiful beaches & coastline, promiximity to Cardiff & the Brecon beacons), leisure & tourism are it's only real chance at changing that. For so long Barry has failed to really capitalise on this, despite the number of wealthy people in and around the area, who instead spend their money in Penarth, Cowbridge, or further afield.

Over the last 18 months or so we've seen the tide start to turn - with a great restaurant (the gallery), a good coffee shop (pier 5), a few places soon to open, as well as the redevelopment of the fairground, we'll start to draw people here to spend their money, and that in turn will draw other businesses here, and that momentum is what will bring the jobs we need.

I currently spend my time between the home I share with my wife on Dock View Road, and London. My belief in Barry's potential has led me to recently purchase a second property in the redevelopment of the pumphouse; I believe the continued redevelopment of the waterfront areas and the island are key to creating a better Barry.

This is why I don't understand how we could even consider blighting the area with a project like this renewables plant - I understand that the site of the proposed development is designated for industrial uses, but given its proximity to existing housing it seems extremely short sighted to allow this type of plant to be created there. To make it worse, the area sits within a massively under-utilised space that we will inevitably want to use for housing in the not too distant future.

I can only imagine you support this position, given your own properties vicinity!

Regards  
Craig

▪

## Robinson, Ian

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**From:** Fred <fred@westquayproperty.co.uk>  
**Sent:** 01 July 2015 13:34  
**To:** Robinson, Ian  
**Subject:** FW: Sunrise Incinerator to 2nd July Planning Cttee

Fred Johnson  
Managing Director  
West Quay Property Management Limited  
T: 0845 308 1316  
E: [fred@westquayproperty.co.uk](mailto:fred@westquayproperty.co.uk)  
[www.westquayproperty.co.uk](http://www.westquayproperty.co.uk)

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**From:** Roger James [mailto:[rogerjames@btinternet.com](mailto:rogerjames@btinternet.com)]  
**Sent:** 01 July 2015 10:34  
**To:** FTjohnson@valeofglamorgan.gov.uk  
**Subject:** Fwd: Sunrise Incinerator to 2nd July Planning Cttee

Sent from my iPad

Begin forwarded message:

**From:** Roger James <[rogerjames@btinternet.com](mailto:rogerjames@btinternet.com)>  
**Date:** 1 July 2015 10:31:00 BST  
**To:** <[celmore@valeofglamorgan.gov.uk](mailto:celmore@valeofglamorgan.gov.uk)>, "[PDrake@valeofglamorgan.gov.uk](mailto:PDrake@valeofglamorgan.gov.uk)"  
<[PDrake@valeofglamorgan.gov.uk](mailto:PDrake@valeofglamorgan.gov.uk)>, "[ftjohnson@valeofglamorgan.gov.uk](mailto:ftjohnson@valeofglamorgan.gov.uk)"  
<[ftjohnson@valeofglamorgan.gov.uk](mailto:ftjohnson@valeofglamorgan.gov.uk)>  
**Subject:** Sunrise Incinerator to 2nd July Planning Cttee

Councillors,

Please find below numerous salient points to stop this planning consent. Please do not subject your constituents to this abomination and threaten our health.

Please, please, act to stop this going forward.

Roger James,  
30 Lycianda House,  
Glanfa Dafydd  
CF63 4BG  
[rogerjames@btinternet.com](mailto:rogerjames@btinternet.com)

There are many planning objections if Councillors want to turn it down, but the officers' report misrepresents or disregards them.

It's being rushed to Committee, with late documents submitted by Sunrise, time is needed for their consideration and consultation

# A new *Waste Planning Statement* was submitted by Sunrise only on 18 June

# Hazardous waste ash is produced – Sunrise's application denies any hazardous material – false; the officers now know they admit to 1440 tonnes pa. hazardous flyash, but refuse to say the application needs correction.

# Waste ash (in the new *Waste Planning Statement* )- their figures are wrong as they say 8% but give only 2200 tonnes (8% of 72 000 is ~6000); falsely state it's to be "recycled into various building products and aggregates". no company takes fine wood-ash with nails etc. which is no use for aggregates).

The officers posted up a *EIA Screening Proforma* only on 11 June 2015 (was due in December on receipt of the application) including some faulty answers suggesting rushed retrospective approval.

1. It contains the Question: "Will the Project produce solid wastes": dismissed wrongly as "Mostly energy recovery" (!)

2. Plans for future land uses on or around the location which could be affected by the project – the officers' answer (*Screening Proforma*) is false "considered previously and have not been considered harmful".

..... permission for new houses close by the Swing Bridge/graving Dock has been granted since the previous permit.

..... plans for a Water sport centre etc.

..... existing and future (clean) light-industry uses may well be deterred.

3. Noise: "Will the Project cause noise...?". The *Proforma* dismisses this with "no concerns over noise" , which is quite false as the Inspector sent tight restrictions on night-time noise levels and new permitted housing will be significantly closer.

The company just say they will comply with the various laws; does not guarantee compliance with WHO guidance on night-time noise disturbance to sleep, as did the previous Inspector approval.

This is a new application, NOT renewing the old one with different technology. All issues are therefore open, including considering alternative sites:

..... Welsh planning guidance says to prefer other sites further from homes and businesses for incinerators – Councillors should follow that even if the officers refuse, and decide Sunrise needs to consider other sites, as under *Env Impact Assessment* legislation.

..... Impacts at new housing given recent permission are higher because they are the closet 'receptors'. But the applicant and officers have failed to consider this.

### Energy Efficiency

The *Waste Planning Statement* claims a value that would be high for an incinerator, but the figure used for heat from wood-chips is fictitious (see Biofuelwatch letter).

'Sunrise' do not plan to use the waste heat, unlike the previous time. They

..... wrongly claim there are no outlets for heat (haven't even asked housing developers, the chemical companies or the Council (offices and swimming pool)

..... wrongly claim they will use all the energy in electricity.

The officers' report repeats this same statement, contrary to science, and give no actual figure (it's only about 20-25% efficient).

### Visibility

Twice as high a chimney and much higher buildings; silos and multiple buildings like the chemical industry.

### Waste Wood

The officers report claims it's reclaimed wood arising (for example) from local recycling operations and otherwise landfilled. Yet it's actually waste wood products including MDF, coated wood and chipboard, and wood with paint and chemical preservatives. Public Health Wales recommended exclusion of some preservative (CCA – arsenic), but the officers ignore the whole issue.

..... Though they claim the incinerator is needed for "local" waste wood, the officers propose no condition that the wood-chips come from this region (unlike wastes to the Viridor incinerator); they even mention 50% imports.

.....The air pollution assessment admits levels of the highly dangerous Chromium-6 are predicted, that come over the EAL (Environmentally Acceptable Limit).

..... The wide-open permit proposed by the officers will attract to Barry the worst polluted waste wood (excluded by other plants).

### Fire Hazard

Wood-chip fires are not uncommon; incinerator fires too. The officers' report fails to consider the hazard from accidental fires to close-by workplaces and nearby housing.

### SITE VISIT

Councillors should require a site visit, and see for themselves how close this is to the Woodham Road workshops, existing housing and potential housing sites. This

should include viewing the site from Dock View Rd, to imagine how the view would be changed from the low Nissan huts to an industrial complex of buildings with very tall stack.

## LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 2 July 2015

<b>Application No.:</b> 2015/00095/FUL	<b>Case Officer:</b> Mr. Steven Rennie
<b>Location:</b> Ardwyn, Pen Y Turnpike Road, Dinas Powys	
<b>Proposal:</b> Construction of eighteen dwellings and associated works	

For Members clarity, the changes from the approved application reference 2014/00167/FUL are as following:-






- Additional dwelling in the centre of the site.
- The setting back of the attached side garage of Plot 15 (Plot 14 of the previous application) by approximately 3m.
- The amendment of house type C in place of house D at Plot 13 (previously plot 12). Both houses types are of a similar size and design approach, type C has a bedroom in the attic space.
- The inclusion of an additional bedroom within the attic space of house type A, (including on plots 16 and 14 backing onto Millbrook Heights), and a single additional rooflight to the rear elevation (serving a non-habitable dressing room).

The primary difference between that approved with application 2014/00167/FUL and this new application is the additional dwelling positioned centrally within the development;





Please also see attached plan extracts from the 2014 approved application, the current 2015 application, and the submitted survey results. This shows the dwellings backing onto Millbrook Heights and their position as being built on site in relation to that approved and also that now proposed with this application and confirms the dwellings are being constructed in the correct location.



**Tree Strategy Key**

-  Trees to be retained - RPZ shown
-  Mature hedgerow to be retained
-  Trees/Hedge to be removed
-  Proposed trees to Landscape Architects recommendations.
-  Proposed low level planting to Landscape Architects recommendations.

**Materials Key**

-  Bitumen macadam surface (Adoptable Highway) Existing not retained c
-  Bitumen macadam surface (Shared / Private Drive)
-  Grasscrete Access Track
-  Rear terrace in natural stone paving steps - refer to engineers design

**Ardwyn, Dinas Powys**



Ansford

Path (um)

Existing native hedgerow/woodland to be retained and cut back where as shown

Note 1

Note 1

Pedestrian link to Pen-y-Tumpike Road to be re-surfaced

12

Open Space

11

10

13

terrace

13

14

terrace

15

terrace

16

terrace

17

terrace

Existing Leylandii hedgerow to be removed

**Tree Strategy Key**



Trees to be retained - RPZ shown



Mature hedgerow to be retained



Trees/Hedge to be removed



Proposed trees to Landscape Architects recommendations.



Proposed low level planting to Landscape Architects recommendations.

**Materials Key**



Bitumen macadam surface



block paviors



Rear terrace in natural stone paving steps - refer to engineers design

Existing r and cut

En

**Ardwyn, Dinas Powys**



## LATE ITEMS FOR COMMITTEE

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<b>Application No:</b> 2015/00095/FUL	<b>Case Officer:</b> Mr. Steven Rennie
<b>Location:</b> Ardwyn, Pen Y Turnpike Road, Dinas Powys	
<b>Proposal:</b> Construction of eighteen dwellings and associated works	

**From: Steven Rennie (Case Officer)**

**Summary of Comments:**

There is no requirement for Condition 1 as the development has begun under planning approval 2014/00167/FUL. As such the following condition should be deleted:

*1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.*

*Reason:*

*To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.*

Condition 2 (now 1) has been updated to include the 'Plan Description Form':

*The development shall be carried out in accordance with the following approved plans and documents: 2024/101 T, 2024-200-01 Rev E, 2024-201-01 Rev A, 2024-202-01 Rev D, 2024-206-01, 2024-203-01 Rev D, 2024-204-01 Rev B and 2024-205-01 Rev B, 2024-300, 2024-301, Detailed Soft Landscaping Proposals 2, Tree Constraints Plan - Layout 2, Arboricultural Method Statement - Layout 2 and Transport Statement (February 2015), Plan Description Form (Received 23rd June 2015);*

*Reason:*

*For the avoidance of doubt as to the approved development and to accord with Circular 016:2014 on The Use of Planning Conditions for Development Management.*

Furthermore, as the developer has sought to amend the tree protection measures that were initially proposed to address the relevant condition of application 2014/00167/FUL these details have not yet been approved. As such it is considered that the tree protection condition should be amended to reflect the need for the details to be agreed. The following condition should therefore be amended from the following:

*6. The development shall be carried out in accordance with the terms and details of the scheme providing for the protection of the trees to be retained and the details of any excavations, site works, trenches, channels, pipes, services and areas of deposit of soil or waste or areas for storage as approved in respect of application 2014/00167/FUL. No development, site clearance or demolition shall be commenced on site until the approved*

*protection scheme has been implemented and the scheme of tree protection shall be so retained on site for the duration of development works.*

*Reason:*

*In order to avoid damage to trees on or adjoining the site which are of amenity value to the area and to ensure compliance with Policies ENV11 and ENV27 of the Unitary Development Plan.*

The amended condition should be as follows:

*5. A scheme providing for the fencing of the trees to be retained and showing details of any excavations, site works, trenches, channels, pipes, services and areas of deposit of soil or waste or areas for storage shall be submitted to and agreed in writing with the Local Planning Authority prior to any further development within the site. The scheme should also include details of any trees to be removed (and identify those trees adjacent to the foul water pumping station). No further development shall be commenced on site until the approved protection scheme has been implemented and the scheme of tree protection shall be so retained on site for the duration of development works.*

*Reason:*

*In order to avoid damage to trees on or adjoining the site which are of amenity value to the area and to ensure compliance with Policies ENV11 and ENV27 of the Unitary Development Plan.*

Finally, due to a change in condition numbers the following conditions have had to be amended:

*13. The development hereby approved shall not be brought into beneficial use until the approved access has been constructed in full accordance with the submitted plans, included plan T14.105.CAD.101 as approved with application 2014/00167/FUL, incorporating the vision splays and the engineering details as required by Condition 10 and the access shall thereafter be so retained to serve the development hereby approved.*

*Reason:*

*In the interest of highway safety and to ensure a satisfactory form of access to serve the development, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.*

*14. The visibility splays as indicated on plan Figure 3.3 of the Transport Statement (February 2015) shall be kept clear of obstructions, or planting exceeding 0.9m in height and shall be constructed in accordance with the engineering details as required under Condition 10. The vision splays as agreed shall be implemented before the first beneficial occupation of any of the dwellings hereby permitted and maintained thereafter.*

*Reason:*

*In the interests of highway safety and to ensure compliance with Policies ENV27 and ENV8 of the Unitary Development Plan.*

## LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 2 July 2015

<b>Application No.:</b> 2015/00095/FUL	<b>Case Officer:</b> Mr. Steven Rennie
<b>Location:</b> Ardwyn, Pen Y Turnpike Road, Dinas Powys	
<b>Proposal:</b> Construction of eighteen dwellings and associated works	

### **Objections raised with regard to proposal and previously approved scheme.**

An email has been received from objecting on several issues, including the distance between the rear of Plots 14, 15 and 16 and the dwellings of Millbrook Heights, and the potential invasion of privacy and overshadowing impact as a result of the proposed dwellings (currently under construction under permitted application 2014/00167/FUL). The objector feels the inadequacy of the adopted Supplementary Planning Guidance 'Amenity Standards' is such that a proper assessment cannot be made. The objector also points to the inclusion of a third floor in Units 14 and 16. The objector includes policy extracts and also photographs that appear to be taken from the scaffolding currently in place at the site.

As regards the distance between the properties at Millbrook Heights and the new dwellings proposed at Plots 14, 15 and 16 the site has been re-surveyed and the plan is shown as correct. The 30m separation distance is considered to be acceptable and that views between properties would not lead to significant overlooking impact or loss of privacy. Plot 14 and 16 includes a bedroom within the attic space in the latest application, but this does not result in an increase in the height of the dwelling and consequently no greater overlooking impact as a result. The dwelling as proposed does not constitute a three storey dwelling but instead is a two storey dwelling with room in the attic space. Members should also note that introducing habitable space within a loft space would not require separate planning consent and can be undertaken in any property without the need for planning permission..

In terms of overshadowing impact, Members should also note that the site is to the north of the houses at Millbrook Heights and should therefore not result in any significant impact to these existing neighbours.

**From:** Michael Robinson  
**Sent:** 25 June 2015 18:53  
**To:** Kemp, Hayley I  
**Subject:** Re: Ardwyn development

Dear Ms Kemp

Thank you for your reply to my email and thank you for the answer's to the questions raised. I find it a little worrying that the adequate drainage is being considered at such a late stage but do hope that something can still be done for I really feel that No24 and No 30 are especially at risk while 26 and 28 have also had issues in the past.

I am writing this while at sea in Holland so I will not be able to attend any further planning committee meeting but if it is acceptable I would like my comment to be noted with regard to the placement of yet a further building on this site. This would be the effect that I feel that the site has already exceeded what is reasonable in terms of site density and that further properties should not be needed either a) to make it reasonably profitable for the developer or b) to assist the council planning committee with its Assembly building targets and could seriously threaten to further spoil what could have been a very lovely and far less intrusive development .

I reiterate that DO genuinely applaud the building of the six affordable properties but otherwise find much to regret

Yours sincerely

Mike Robinson

## Ardwyn case

- The planning permission granted was for the new development to be “over 30m” from the existing residents’ houses on Millbrook Heights. (see note 1)
- The developer is in breach of their planning consent as the development is more than 3.5m closer than this. It is therefore requested that building work on the three new houses, now 14, 15 and 16 backing on to Millbrook Heights are stopped until this issue is resolved
- Due to this breach of planning consent no further consent re 18<sup>th</sup> house should be given for this development
- The Vale planning Supplementary planning guidance( SPG) Amenities Standards contain no methodology to calculate distances for serious loss of privacy or natural light loss where a difference in elevation of sites occurs. It only states a minimum distance of 21m on flat ground. This means the planning department have to guess what is acceptable.
- This breaches section 5.9 of their own Amenities policy and Planning Policy Wales Edition 5 2012 and Welsh Government Policy Tan 12 (note 2, 3 and photos)  
*(Vale of Glamorgan Supplementary planning guidance Amenities Standards  
5.9 The positioning of windows roof terraces and balconies which looked directly or have the appearance of looking directly into habitable rooms of surrounding properties or allow clear views of private rear garden areas are not acceptable)*
- From the photos it is clear to see that the present distance is completely inadequate
- Having breached their own privacy rules they are also in breach of Article 8 of the ECHR (note 4)
- Houses A 14 and 16 on new plan are now 3 storeys
- All 3 houses backing on to Millbrook heights are now 3 storey and have a window the full height of the house from ground floor to the top apex of the gable end. (See plan docs)
- The Vale having no system to determine distances when changes in elevation occur, other than guessing and the new houses having windows the full height of the building structure we have to look elsewhere to find appropriate means.
- This is found in Wrexham and Swansea local planning policy.(note 5) Using this excepted planning policy the new development should be at more than 45m from the Millbrook Heights houses. This clearly shows that the Vales method of guessing is substantially flawed
- Newport planning also has a method for loss of natural light (link attached note 6 and printed page included)
- Having neither of these means of determination shows that the Vale planning have failed to formulate the necessary SPG that is required of them by Planning Policy Wales and Tan 12

## Note 1

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : 23 OCTOBER 2014

REPORT OF THE DIRECTOR OF DEVELOPMENT SERVICES

P37

Neighbour Impact

The proposed development would be screened from 1-3 The Cottages on Pen Y Turnpike Road by the thick and mature tree belt. However, the separation distance between the proposed houses and these cottages is such that there should be no significant impact to amenities.

Also, the rear of proposed plots 13, 14 and 15 would have views back towards the existing houses of Millbrook Heights, which are on a lower level. The proposed layout would result in a separation distance of over 30m between the rear of the proposed houses and the rear of the nearest houses on Millbrook Heights.

P.38

Overall, it is considered that the proposed development should not have any significant impact to the amenities of neighbouring dwellings.

## Note 2

### Vale of Glamorgan Supplementary planning guidance Amenities Standards

5.9 The positioning of windows roof terraces and balconies which looked directly or have the appearance of looking directly into habitable rooms of surrounding properties or allow clear views of private rear garden areas are not acceptable. Developers should ensure that the design of new residential developments respect the privacy of surrounding properties. In order to achieve this objective for the council encourages developers to consider the use of alternative types of fenestration such as rooflights high-level windows and obscure glazing

Planning Policy Wales Edition 5 - November 2012 - Chapter 9 Housing

9.3.3 Insensitive infilling, or the cumulative effects of development or redevelopment, including conversion and adaptation, should not be allowed to damage an area's character or amenity.

This includes any such impact on neighbouring dwellings, such as serious loss of privacy or overshadowing.



### Note 3

Planning Policy Wales 5<sup>th</sup> Edition 2012 (unchanged in latest 7<sup>th</sup> Edition)

1.3.5 Local planning authorities must take appropriate steps to satisfy themselves, and be able to demonstrate, that their policies, operational practices and organisational culture do not lead to any systematic unfairness in the treatment of any group in the population. The outputs of the planning system, particularly those where discretion is central, should be monitored and the results made widely available.

### Welsh Government Policy Tan 12

Design Policy and Advice 6.1 Local planning authorities are responsible for preparing design advice for their areas which takes account of national policy guidance and also reflects local context and issues. Advice should be disseminated through development plans and through a wide range of SPG. In the preparation of advice, local planning authorities should identify the user group or individuals at whom the advice is aimed and work collaboratively to ensure that the content, format and type of advice is most appropriate to meet users needs. Local planning authorities should examine how in the exercise of their statutory functions they can ensure they are responsive to local concerns. This may mean exploring new ways of achieving meaningful participation in policy formulation and in SPG preparation. The level of community involvement should be sufficient to allow adequate evaluation of the needs and concerns of end users, community and business interests at each stage of the design process.

### Note 4

1.4.5 The Human Rights Act came into force on 2 October 2000 to incorporate the provisions of the European Convention on Human Rights (ECHR) into UK law and enable the UK Courts to enforce these rights. The general purpose of the ECHR is to protect human rights and fundamental freedoms and to maintain and promote the ideals and values of a democratic society. It sets out the basic rights of every individual together with the limitations placed on these rights in order to protect the rights of others and of the wider community. The Human Rights Act makes it unlawful for a public authority to act incompatibly with these ECHR rights except where, as a result of primary legislation, it could not have acted differently. The Human Rights Act has implications for the planning system.

[http://www.equalityhumanrights.com/sites/default/files/documents/humanrights/hrr\\_article\\_8.pdf](http://www.equalityhumanrights.com/sites/default/files/documents/humanrights/hrr_article_8.pdf)

Article 8 of the European Convention on Human Rights provides that:

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic wellbeing of the country, for the prevention of disorder or crime,

for the protection of health or morals, or for the protection of the rights and freedoms of others

Note 5

Wrexham

Local Planning Guidance Note (LPG) No 20 - House Extensions

Your extension should not result in a significant loss of privacy, daylight or sunlight to neighbouring properties, or be visually overbearing when viewed from adjoining houses.

Where two habitable rooms face one another such that direct overlooking is likely to occur, the windows shall be a minimum of 22 metres apart. Where a window faces a wall which exceeds the height of the top of that window, they must be a minimum of 13 metres apart. This standard applies on flat ground.

On sloping ground, an increased distance will be required so that for every metre (or part thereof) difference in height, the distances in the standard shall be increased by two metres. Developers will be required to indicate on their plans the finished floor levels of their buildings and, where there are windows on adjacent existing properties, the level of these properties.

In instances where these standards cannot be fully provided, overlooking can be reduced by:

- the erection of screen walls or fences at ground floor level;
- obscure glazing to windows and doors;
- the installation of high level windows or roof lights following the slope of the roof (minimum sill height 1.7m).

Swansea SPG

C.10 If the application property is at a higher level, then the minimum separation distances will need to be increased to allow for potential increased overlooking. To work out the minimum distances, 2m should be added to the minimum distances (between windows and to garden boundaries) indicated in paragraphs C.5 to C.7 for every 1m difference in height.

C.11 A reduced distance may be acceptable where the landform between the dwellings and boundary treatments provide acceptable screening.

C.12 If it is proposed to add an extra storey to a two storey building, then an increased minimum distance is required to allow for potential increased overlooking. To work out the minimum distances in this situation, 5m should be added to the minimum distances

(between windows and to garden boundaries) indicated in paragraphs C.5 to C.7 for every additional floor proposed.

[file:///C:/Users/Jim/Downloads/A Design Guide for Householder Development%20\(1\).pdf](file:///C:/Users/Jim/Downloads/A%20Design%20Guide%20for%20Householder%20Development%20(1).pdf)

Note 6

[http://www.newport.gov.uk/stellent/groups/public/documents/plans\\_and\\_strategies/n\\_040884.pdf](http://www.newport.gov.uk/stellent/groups/public/documents/plans_and_strategies/n_040884.pdf)

f







RE: 2015/00031/OUT - David Davies Road, Woodham Road,

Dear Marcus

Just following up my conversation with your colleague, we understand that Councillor Chris Elmore (who represents the relevant Ward) has formally requested a Site Visit for the above application, scheduled to be heard tomorrow.

Recognising that it is highly likely this request will be followed, particularly given that visual amenity is a key part of the application and that this is a relatively new Planning Committee, I have decided not to make the journey to Barry tomorrow but to be available for the meeting at the end of the month.

In so far as it is relevant, we would therefore like to support the Councillor's request for a Site Visit to proceed and perhaps this view could be voiced when this comes to be considered. In the unlikely event that a site visit is turned down, perhaps you could apologise for our not being present and explain the reason.

Kind regards

Douglas

---

**Douglas Wardle**

direct: +44 1323 833824

mobile: +44 7770 226680

[douglas.wardle@ukpdp.co.uk](mailto:douglas.wardle@ukpdp.co.uk)



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