



## Belfast City Council

<b>Report to:</b>	Town Planning Committee
<b>Subject:</b>	Draft Supplementary Planning Guidance for PPS 18 'Renewable Energy' Anaerobic Digestion
<b>Date:</b>	5 September 2013
<b>Reporting Officer:</b>	John McGrillen, Director of Development, ext 3470
<b>Contact Officer:</b>	Keith Sutherland, Urban Development Manager, ext 3478

<b>1</b>	<b>Relevant Background Information</b>
1.1	The Department of the Environment (DOE) published draft Supplementary Planning Guidance (SPG) for Planning Policy Statement (PPS) 18 'Renewable Energy'. The draft Supplementary Planning Guidance provides additional advice and guidance specific to Anaerobic Digestion (AD).

<b>2</b>	<b>Key Issues</b>
2.1	The purpose of the SPG is to provide advice and guidance on the key issues raised by AD developments and details the type of information that may be required to accompany a planning application for anaerobic digestion developments. Advice and guidance is also provided in relation to the Environmental Impact Assessment as well as information on other consents that may be required.
2.2	Once finalised, the SPG will be a material consideration in the determination of planning applications for anaerobic digestion developments.
2.3	The proposed guidance could have implications both in relation to Council proposals and the discharge of statutory duties in relation to health and environmental considerations. The draft response appended to this report sets out general and specific comments in an attempt to ensure clarity in respect of the scope and operation of the proposed guidance.
2.4	The draft response to the Supplementary Planning Guidance (SPG), for Planning Policy Statement (PPS) 18 'Renewable Energy', is attached (Appendix 1) for consideration and if appropriate endorsement as the formal response to the Department of the Environment.

<b>3</b>	<b>Equality and Good Relations Considerations</b>
3.1	There are no equality and Good Relations Considerations attached to this report.

<b>4</b>	<b>Recommendations</b>
4.1	Members are requested to consider the content of the proposed draft response to the Supplementary Planning Guidance, as set out in Appendix 1, and if appropriate endorse this as the formal response to the Department of the Environment.

<b>5</b>	<b>Decision Tracking</b>
Submission of an agreed response following consideration and agreement of the Committee.	

<b>6</b>	<b>Key to Abbreviations</b>
AD - Anaerobic Digestion DOE - Department of the Environment SPG - Supplementary Planning Guidance PPS - Planning Policy Statement	

<b>7</b>	<b>Documents attached</b>
Appendix 1: Response to Draft Supplementary Planning Guidance for PPS 18 'Renewable Energy' Anaerobic Digestion	

## **Appendix 1: Response to Draft Supplementary Planning Guidance to PPS 18 'Renewable Energy' Anaerobic Digestion (June 2013)**

Belfast City Council welcomes the opportunity to comment on the Draft Supplementary Planning Guidance (SPG) to Planning Policy Statement (PPS) 18 'Renewable Energy'. This Council has reviewed the draft SPG on Anaerobic Digestion (AD) and would make the following comments by way of response.

### **Background**

The Council is proposing to develop an innovative Environmental Resource Park at the North Foreshore, to create a major cleantech environmental technology cluster within the City. This is a strategic project contained in the City Investment Programme. Currently the Council is seeking an ERDF contribution to build the road infrastructure and prepare 30 acres for future cleantech development.

To progress the implementation of the Giant's Park Environmental Resource Park, the Council is promoting the development of a sustainable renewable energy hub within the site that will generate electricity and heat that may be utilised by the future cleantech companies locating in the environmental resource park. Currently the Council is generating c3mw of renewable electricity from landfill gas for export to the local grid which is sufficient to supply up to 3,500 homes. There is surplus export capacity c7mw available in the existing on-site substation that would permit the development of further renewable energy generation projects at the site. It is the Council's intention to encourage the development of a district heating system within the environmental resource park to utilise the potential renewable heat c3mw that may be generated.

To deliver the sustainable energy hub, the Council approved the disposal of two sites by way of Marketing Prospectus to invite private sector interest to develop their own commercial biogas / AD renewable energy facility. The Council recently released two sites for disposal suitable for large scale commercial AD (above 1 mw) at the North Foreshore Giant's Park Environmental Resource Park, and are currently assessing the development submissions.

### **General comments in relation to draft SPG**

The draft Supplementary Planning Guidance would appear to largely focus on agricultural or farm based AD in rural areas. Though the draft SPG recognises that large scale Commercial AD would be more suitable in an Industrial setting. This is to be welcomed, as urban areas produce commercial food waste and sewerage sludge that could be usefully processed in an AD facility within cities to avoid excessive transportation cost, as well as provide a decentralised supply of renewable energy. The North Foreshore site is designated for "Employment & Industry", with a "key site criteria" for waste management uses in the draft Belfast Metropolitan Area Plan (BMAP), and the site is located in an existing industrial location.

The draft Supplementary Planning Guidance clearly set out the planning issues and the information that may be required to support a planning application. It provides useful guidance to developers in preparing proposals that will help to minimise any potential delays in determining the application which is to be welcomed.

The draft SPG draws attention to the NIE electricity network capacity, which is a major problem in the west of the province, but it makes no mention of the potential of Commercial AD supplying decentralised renewable energy within urban areas where there is potentially better grid network connections compared to remote rural areas. In particular, there is no mention or guidance concerning the utilisation of renewable heat. A by-product of generating energy from biogas produced by the AD process is the production of surplus renewable heat. In Europe heat

generated by Commercial AD (1mw+) is used to supply heat to adjacent residential areas located within 1 km of the AD facility. There is no mention or guidance about the potential utilisation of renewable heat and the opportunity to create a district heating network within a 1 km catchment area.

In addition, clarification is required on whether the draft SPG applies to both endothermic and exothermic AD plants. If it is universal document, it should be more explicit.

## **Specific Comments**

### **Policy Context**

Within the Policy Context, reference could be made to the Landfill Directive ([Council Directive 99/31/EC](#)), Waste Framework Directive ([Directive 2008/98/EC](#)) and the Northern Ireland Towards Resource Management Plan (<http://www.doeni.gov.uk/niea/wms.17.pdf>). These documents could help place AD within the perspective of municipal waste management in Northern Ireland and demonstrate how it contributes to sustainable long-term solutions for municipal waste as well as diverting this waste from landfill (depending on the end use of the digestate material) and help meet government and UK targets.

### **What is Anaerobic Digestion**

In terms of benefits associated with AD plants (4.4), the Council considers that the draft SPG should recognise that AD plants support biodiversity and supplement the objectives of the NIEA.

### **Agricultural or Farm-based AD**

Section 5.3 notes that AD plants may be developed as part of a community initiative. The Council considers that the draft SPG could highlight the potential opportunities for community initiatives such as green economy and the benefits that such a development could bring to the local community – e.g. job creation, contribution to the economy, meeting and supporting local needs. It is also noted that within the draft SPG, there does not appear to be any reference made to community engagement / community consultation plans/ communications etc. The Council considers this aspect fundamental to the planning process.

In relation to 5.4 the Council considers that it would be useful if planning applications for AD plants included a description of the solid/liquid digestates as well as their proposed end uses/disposal.

It is noted in 5.9 that the Department recently concluded consultation on revised permitted development rights for agricultural buildings including anaerobic digestion plants. The Council considers that there may be perceived tension between permitted development rights for small scale AD plants and the need to consider waste as a by-product of AD operations through the planning process. Clarification on the permitted development rights associated with AD plants is required to avoid any ambiguity. Should small AD plants come under permitted development, the Council suggests that emphasis should be placed on the need for other consents as mentioned in section 8, or the need for an exemption.

### **Planning Issues**

#### *Landscape and Visual Impact*

Floodlighting may form part of a proposal for AD development. It is suggested that the potential visual impact of floodlighting associated with the development should be considered.

#### *Transport, Traffic and Access*

The Council considers that the draft SPG largely focuses on traffic accessing the site and does not adequately address traffic exiting the site. In particular, bullet 4 and bullet 5 refer only to traffic entering the site.

The Council requests that the following statement is included after 6.15 of the 'Supporting Information':

- Large scale developments with significant vehicle movements may have potential to exceed air quality objectives and require an Air Quality Assessment (AQA) to be submitted in support of the AD. Detailed advice and guidance to clarify what is required in the submission and consideration of an Air Quality Assessment is available in the DEFRA document 'Local Air Quality Management – Technical Guidance (09)'.

#### *Odour, Emissions and Dust Control*

It is suggested that the following statement is included after 6.24 of the 'Supporting Information':

- The assessment should demonstrate that the development will not have an unacceptable adverse impact on air quality to safeguard against the commitment already in Planning Policy Statement (PPS) 18: Renewable Energy.
- Biomass Screening Assessment - consideration should be given to biomass combustion installations to see if there is potential for the air quality objectives to be exceeded.

It is suggested that the following statement is included after 6.25 of the 'Supporting Information':

- The Environment Agency in conjunction with NIEA have developed an updated version of the H4 Odour Guidance. This guidance is applicable to PPC permitted installations in Northern Ireland from April 2011. Additional guidance is available for operators and regulators - Odour Impact Assessment Guidance for Permitted and Licenced Sites.

#### *Water Environment*

The Council considers that 6.34 could be expanded upon to provide greater detail on dealing with spillages such as having an emergency response plan and providing information on the methods of containment, for example, bunded or underground inceptor tanks.

It is also suggested that this section considers the potential risk of flooding and the implications and the risks associated with a flood event.

#### *Sensitivity receptors*

In light of requirements for other waste facilities to provide an 11m apron/buffer around developments, the Department may wish to consider specifying an appropriate distance from sensitive receptors.

#### **Other Consents**

Under 'Waste Management' reference could be made to Duty of Care requirements and documentation specified under Article 5 of the Waste and Contaminated Land (NI) Order (1997).

In addition, given the explosive nature of gasses from AD plants, it is recommended that the draft SPG highlights the potential Health & Safety issues associated with AD development and that consultation with the HSE would be recommended at an early stage in the planning process. Furthermore, the Department should consider if guidance on security would be beneficial.