



11 July 2017

Agenda Item:9

REPORT OF CORPORATE DIRECTOR – PLACE

BASSETLAW DISTRICT REF. NO.: 1/17/00736/CDM

**PROPOSAL: VARIATION OF CONDITION 6 OF PLANNING PERMISSION
1/12/10/00001 TO INCLUDE THE OPTION TO USE THE FACILITY FOR
COAL POND FINES IN ADDITION TO BIOMASS FUEL MATERIALS**

LOCATION: COTTAM POWER STATION, RETFORD, DN22 0EU

APPLICANT: EDF ENERGY

Purpose of Report

1. To consider a planning application for the variation of condition 6 of planning permission 1/12/10/00001 to include the option to use the facility for coal pond fines in addition to biomass fuel materials at Cottam Power Station. The development does not raise any significant planning issues, but there is a requirement to report this planning application to committee on the basis that the potential throughput is above the threshold that can be dealt with under delegated powers. The recommendation is to grant planning permission subject to conditions.

The Site and Surroundings

2. Cottam Power Station is a 2,000 megawatt coal-fired power station, situated 0.9km east-northeast of Rampton and to the immediate south of the village of Cottam (see Plan 1). The closest residences to the power station site in Cottam Village are approximately 60m from the Power Station (to the north of the rail line) on Floss Lane/Town Street. Residences to the north of Cottam Road are approximately 150m from the power station site.
3. The River Trent flows from the south of the power station site and runs along its eastern side (to the east of coal stocking areas). At its closest extent, the river meanders to within approximately 220m of coal stocking areas, Cottam Wetlands, a local wildlife site is located between the power station and the river (see Plan 1).
4. The River Trent forms part of the county boundary between Nottinghamshire and Lincolnshire, with the villages of Torksey and Brampton being the

settlements closest to the site to the east of the Trent in Lincolnshire (see Plan 1).

5. The Cottam Power Station site covers an area of approximately 240ha, including power station infrastructure, offices, coal stocking areas and ash disposal areas. Surrounding land use is predominantly agricultural. Torksey Ferry Road (a byway open to all traffic) runs along the site's southern boundary. Access to the Cottam Power Station Site is from Outgang Lane/Cottam Road to the north of the power station infrastructure. To the north of Outgang Lane is the Cow Pasture Lane Drains local wildlife site (see Plan 1).
6. The application site incorporates a building constructed as an ash overhang building, a facility enabling the direct filling of large articulated dumper trucks (ADTs) as part of the ash disposal process. The building was never used for this process and remained as a vacant store until planning permission 1/12/10/00001 was granted in June 2010 to change the building's use to a Biomass Semi-Direct Injection (SDI) facility. Semi-Direct Injection is a process by which fuel material (in this instance biomass) is added to coal prior to combustion. The building used as an SDI plant prepares the fuel material (in this case biomass), prior to it being issued to point at which it is mixed with coal material before being transferred by conveyor to join the raw coal feed to the coal bunkers. Under planning permission 1/12/10/00001 the building is stated as having a maximum throughput of 160,000 tonnes per annum.
7. The arrangement of the building is organised so that material is deposited via a ramp into hoppers on the eastern side of the building. Material is then milled (through a hammer mill) within the building and then transferred by pneumatic conveying system to an injection point for entry into a boiler. Bulk storage silos are situated to the immediate west of the building.
8. The area of the building is within Flood Zone 3, with a small area the north-west of the building within Flood Zone 2.

Proposed Development

9. This application seeks to vary Condition 6 of planning permission 1/12/10/00001, to include the option for the use of coal pond fines in the facility, in addition to biomass fuel materials. Coal pond fines are a material resulting from coal washing at colliery sites, consisting of finer coal material that has been left on site in lagoons, which have then, over time, dried out. The applicant has stated that though the facility is described as a biomass handling facility, in practice it is a fuel handling facility and so can accept other fuels as well.
10. The potential for the use of biomass in the future is described as limited, due to economic factors. Subsidies for biomass use will no longer be available at

Cottam Power Station from October 2017. Therefore, for economic reasons, the applicant is seeking to use a different fuel type in the SDI facility.

11. It is proposed that Condition 6 is changed from “the development hereby approved shall only be used for the storage and processing of biomass fuel materials” to “the development hereby approved shall only be used only for the storage and processing of biomass fuel materials and coal materials.”
12. The coal pond fines would be sourced offsite from former colliery sites and be transported to Cottam Power Station by HGV. The applicant has stated that there would be no change in the number of HGV movements as a result of this variation application. Condition 5 of the current permission limits the number of movements per day associated with the development.
13. Coal pond fines are similar to biomass fuels in being a low calorific value fuel with similar physical properties and environmental controls. The facility would not be altered in terms of its outside appearance or the type of equipment used.

Consultations

14. **Bassetlaw District Council:** no objection.
15. **Treswell with Cottam Parish:** no response received.
16. **EA (Flood Zones):** no response received.
17. **NCC (Flood Risk) Statutory:** no response received.
18. **Rampton Parish Council:** no response received.

Publicity

19. The application has been publicised by means of site notices and press notice in accordance with the County Council’s adopted Statement of Community Involvement Review.
20. Councillor John Ogle has been notified of the application.
21. No representations have been received.

Observations

22. This application seeks to vary the fuel type used in the current SDI facility at Cottam Power Station. Therefore observations and policy considerations have been made solely related to the subject of this application. All considerations related to the use of the facility, its positioning and external visual impact have previously been considered in the granting of planning permission 1/12/10/00001 in July 2010.

23. Bassetlaw District Council have stated that they do not object to the proposed variation of Condition 6 and no other consultation responses have been received. No representations have been made by members of the public.
24. The location of the development for the use of coal pond fines as a fuel is acceptable, as the SDI building is within a power station site and is already used for the preparation of power station fuel. Cottam Power Station is a site that has been using coal combustion to generate electricity for over 40 years, with the use of the SDI facility for coal pond fines fuel material appropriate, adhering to Bassetlaw Core Strategy & Development Management Policies DPD 2011 Policy DM1 (ii) relating to the need for a development in a specific location.
25. As there is no new infrastructure being constructed and the site is located within the central area of a large power station site there will be no anticipated impact insofar as visual impact, impact on public rights of way, or nearby sensitive receptors. As the power station is an existing coal combustion facility, the variation of the fuel type for the SDI facility to a coal material is appropriate for the location.

Traffic, Access and Parking

26. The number of vehicle movements associated with the development would remain unchanged, fuel material would continue to be transported by HGV to Cottam for use in the facility. Condition 5 of permission 1/12/10/00001 controls the maximum number of vehicles associated with the development to 35 HGVs per day (70 two way movements). The condition would have to be slightly amended to include coal material as a material to be imported to the site.
27. Delivery times for fuel materials to the facility (from outside the Cottam Power Station site) are controlled by Condition 4, which would not require amendment if the proposals in this application are deemed acceptable.
28. Therefore the proposed variation does not present additional HGV movements, or unacceptable disturbance to local communities. As the proposed variation does not create significant or exacerbate existing highway safety problems it accords with section (vi) of Policy DM1 of the Bassetlaw Core Strategy & Development Management Policies DPD 2011.

Noise

29. No variation of working hours proposed as part of this variation application. The application site is within the central area of a large power station site. Therefore there will be no additional noise output (or impact) as a result of this proposed variation.

Ground and Surface Water / Flood Risk

30. The site is within Flood Zone 3, however no additional built development is proposed as a result of this development. As this development seeks to vary the fuel type used in an existing facility, no consideration of fluvial or surface water flooding is required.

Sustainability

31. The proposed development gives the applicant increased flexibility in the fuel type used in the production of energy at Cottam Power Station. It uses a waste product produced by mine working that can be extracted at former colliery sites and used as a fuel material.
32. The fuel proposed (coal pond fines) is of a similar calorific value to biomass, in that it produces a similar amount heat when combusted. This therefore makes the existing SDI facility more sustainable as it presents a greater variety of fuel materials that can be used in the facility.

Other Options Considered

33. The report relates to the determination of a planning application. The County Council is under a duty to consider the planning application as submitted. Accordingly no other options have been considered.

Statutory and Policy Implications

34. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment, and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Crime and Disorder Implications

35. The building subject to this application is within the central area of Cottam Power Station, which is a secure site, subject to regular and comprehensive security measures. These include CCTV, site security staff and identification required for all visitors. Entry to the site is restricted to those with permission to enter.

Human Rights Implications

36. Relevant issues arising out of consideration of the Human Rights Act have been assessed. Rights under Article 8 (Right to Respect for Private and Family Life), Article 1 of the First Protocol (Protection of Property) and Article 6 (Right to a Fair Trial) are those to be considered. In this case, however,

there are no impacts of any substance on individuals and therefore no interference with rights safeguarded under these articles.

Implications for Sustainability and the Environment

37. As coal pond fines are proposed to be an additive fuel (as a substitute additive fuel for biomass), its use in the SDI facility would not add to emission above the existing impact of the coal power station. The development does not remove the ability to incorporate renewable fuels within the fuel mix, but it will provide additional flexibility to accept an additional fuel source.
38. There are no Human Resources Implications, Safeguarding of Children Implications, Equalities Implications, Financial Implications, Implications for Service Users.

Statement of Positive and Proactive Engagement

39. In determining this application the Waste Planning Authority has worked positively and proactively with the applicant by assessing the proposals against relevant Development Plan policies, all material considerations, consultation responses and any valid representations that may have been received. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

RECOMMENDATIONS

40. It is RECOMMENDED that planning permission be granted subject to the conditions set out in Appendix 1. Members need to consider the issues set out in the report and resolve accordingly.

ADRIAN SMITH

Corporate Director – Place

Constitutional Comments

Planning & Licensing Committee is the appropriate body to consider the contents of this report.

[RHC 21/6/2017]

Comments of the Service Director - Finance

There are no specific financial implications arising directly from the report.

[RWK 15/06/2017]

Background Papers Available for Inspection

The application file available for public inspection by virtue of the Local Government (Access to Information) Act 1985.

Electoral Division(s) and Member(s) Affected

Tuxford

Councillor John Ogle

Report Author/Case Officer

Robert Portman

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For any enquiries about this report, please contact the report author.

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RECOMMENDED PLANNING CONDITIONS

1. The development hereby permitted shall be begun within 3 years from the date of this permission.

Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The County Planning Authority (CPA) shall be notified in writing of the date of commencement at least 7 days but not more than 14 days, prior to the commencement of the development.

Reason: To enable the CPA to monitor compliance with the conditions of the planning permission.

3. The development hereby permitted shall only be carried out in accordance with the following documents, unless amendments are made pursuant to the other conditions as set out below;

- a) Drawing no 704-01-000251 entitled Proposed Development Site Proposed Extension to Ash Overhang Building received by the CPA on 15 February 2010;
- b) Drawing no E4720-09 Layout of Olive Oil Cake Injection Plant Stage 1 received by the CPA on 15 February 2010;
- c) Design and Access Statement received by the CPA on 15 February 2010;
- d) Environmental Report received by the CPA on 15 February 2010;
- e) Flood Risk Assessment received by the CPA on 15 February 2010;
- f) Application Form received by the CPA on 4 May 2017;
- g) Supporting Statement received by the CPA on 4 May 2017.

Reason: For the avoidance of doubt.

4. All drivers shall be instructed to follow the approved lorry route between the power station and the A57 and only arrive at the site between the hours of 0700 to 1900 Monday to Saturday (inclusive).

Reason: To comply with policy DM1 (vi) of the Bassetlaw Core Strategy & Development Management Policies DPD 2011.

5. No more than 70 two way HGV movements (35 HGVs into the site and 35 HGVs out of the site) per day shall visit the site to deliver biomass or coal material fuel to the facility hereby approved. The operator shall record the number of lorries visiting the site to deliver fuel to the facility and shall make available copies of such records to the CPA within one week of a written request from the CPA.

Reason: To comply with DM1 (vi) of the Bassetlaw Core Strategy & Development Management Policies DPD 2011.

6. The development hereby approved shall only be used for the storage and processing of biomass fuel materials and coal materials.

Reason: For the avoidance of doubt as to the materials to be handled in the semi-direct injection facility.