

# CHAIN

Cheshire Anti Incinerator Network



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12 April 2017

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Chief Executive  
Cheshire West and Chester Borough Council  
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## **TATA Waste Incinerator, Lostock, Northwich.**

CHAIN (Cheshire Anti-Incinerator Network) had concluded that, as nearly five years have elapsed since planning permission was granted, the above project had died a natural, and from the point of view of thousands of local people, a welcome death. It certainly should have been written off and discouraged since many of the reasons for its inception are no longer relevant; for example the dramatic reduction in the price of gas and the downsizing of the TATA Winnington plant. I will not dwell on these factors since they are well known by most people in Northwich, particularly to those who lost their jobs.

However, irrespective of the fact that planning permission was granted, I believe CWAC should ask itself whether it really wants a waste incineration plant of this size in full view of the excellent development that is taking place in Northwich town centre. DONG will shortly have a new plant on the same site processing waste; a facility that will be capable of taking all of Cheshire's waste, including CWAC's, and which is a latest technology plant, not the outdated, inefficient mass burn incineration giant that TATA wants to build.

I would also like to point out a few planning inconsistencies in TATA's current plans for the project:-

1) Whilst TATA do have planning permission to build a 600,000 tonnes per annum waste incineration plant, the published Environmental Permit Application, dated 31 August 2012, clearly records TATA's intention to initially build a half size plant viz. 300,000 tonnes per annum. The document also records TATA's intention to build in two distinct separate phases which is not in accord to a serious extent with the planning consent as decided and published by the Secretary of State.

2) In the Planning Application and also throughout the subsequent Public Inquiry, there was an unambiguous commitment to a single build construction and commissioning. Clearly, a two phase build would cause much more stress to the public, disruption to their lives, increased traffic flow and would be strongly opposed by the community in and around the area. The developers representatives elaborated at length on how construction would proceed in one single phase and provided assurances to the Planning Inspector who was chairing the inquiry about how they would minimize stress and disruption to the local community by completing it in 'one shot' as their witness expressed it. There was absolutely no ambiguity as the members of the public present would be able to confirm.

3) For the record, a 300,000 tonnes per annum waste plant would have actually come under a different planning authority, as you will be aware, since it would not be capable of generating 50MW of power which is the cut point of the two authorities involved. Indeed, CWAC could be open to legal challenge if it allows TATA to get away with building a plant that is not capable of achieving 50 MW. Clearly, this would be an abuse of the statutory authorisation process.

4) the closure of some operations at Winnington in 2014 calls in to question whether this plant can ever operate as a CHP installation given the existing modern large gas plant on the Winnington site and continuing decline in the price of gas. The closure was a significant major change in the circumstances, without a doubt, because the planning application and the consent by the Secretary of State was based on the steam requirements of both plants that were in production as set out in the planning application submitted in 2010.

It could be argued that points 1,3 and 4 above have been superseded by events but point 2 above is not minor and is a significant and substantial departure from the current planning permission. The email to my colleague Liam Byrne dated 23 July 2014 from Mr Brookfield, CWAC Principal Planning Enforcement Officer, which I attach, sums up the position rather well. You will see that he details the path to be taken if TATA makes changes to the "phasing of construction". He goes on to say that under these circumstances "a new planning application will have to be submitted to the Council for approval".

There is no argument that a two phase construction of the plant would be a significant major change in construction, intention, timing and work content. It would cause huge additional disruption and stress to residents in the area, to the thousands of commuters who drive through it on their way to and from their work every day and to the hundreds of children who attend nearby schools. As a key participant who attended every session of the public inquiry, I sympathised with the Planning Inspector in her evident concern for the people of Northwich in this regard.

CHAIN respectfully requests that, as recommended by your own planning department, CWAC honours its statutory obligations under planning law and its responsibilities to our community and insists that TATA submits a new planning application for this project.

I look forward to your reply to this letter.

Yours sincerely,

Brian Cartwright

Chairman

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