

## REPRESENTATIONS

Below is a summary of points raised by representees, group under topic headings but otherwise presented in no particular order.

### Topic headings are as follows:

- Comments of Local Braintree District Council Members
- Determination Process
- Nature of the Proposals
- Need
- EIA Scoping Opinion
- ECC interests in the IWMF
- Location
- Design
- Stack height
- Air Quality/Emissions/Health Impacts
- Stack cladding
- Landscape & Visual
- Heritage
- Traffic & Highways
- Ecology
- Water usage Other
- Applicants financial situation

	<b><u>Observation</u></b>	<b><u>Comment</u></b>
	<b>Comments of Local Braintree District Council Members</b>	
1.	Braintree District Local Members comment – the increase in stack height by 23m is 65% increase in stack height and is a significant and material planning consideration which needs to be critically assessed in landscape and visual impact terms	See section 7 Appraisal part M
2.	Braintree District Council Members – the increase in height would have an increased adverse impact upon the rural landscape and an increased industrialising effect,	See section 7 Appraisal part M
3.	Braintree District Council Members – application has caused much local concern and ECC members and officers should ensure any LVIA is fit for purpose.	See section 7 Appraisal parts A and M

4.	Braintree District Council Members – of the opinion would not be entirely inappropriate to refuse planning permission.	See section 7 Appraisal
	<b>Determination Process</b>	
5.	There has been extreme planning creep and further creep expected. Lack of openness and transparency as plant capacity has increased.	See section 7 Appraisal part A
6.	This facility has been going on for decades; the applicant keeps changing their mind, as if they are trying to wear down the opposition.	See section 7 Appraisal part A
7.	Significant planning creep with the removal of the geographical limits allowing waste to be imported into Essex	See section 7 Appraisal part A
8.	Inadequate consultation, not covering greater enough area, over too short a period	Consultation was in accordance with the Statement of Community Involvement and additional time given due to the consultation starting in holiday period.
9.	No consultation with EA on original application hence EA permit refusal over stack height	The EA have been consulted on all planning applications with respect to the Rivenhall IWMF
10.	Changes in incinerator capacity in 2016 were not subject of consultation with EA	See above
11.	A new planning application is required with clear indication of the planned technologies, now totally different to that originally permitted.	See section 7 Appraisal part A
12.	No public engagement, despite suggested in EIA Scoping Opinion	See section 7 Appraisal part A
13.	There has been no real engagement with the community by the applicant. Engagement started in 2014 and there have only been 4 meetings. There has been no community engagement on this new application.	See section 7 Appraisal part A
14.	Applicant claims there has been community engagement, but there has been no engagement with respect to this application, no meetings or information provided to community.	Initially no public engagement was undertaken, but in Jan 2019 the applicant with its new partner Indaver undertook 3 public drop-in sessions.
15.	Decision on this application should be referred to an independent body to make an impartial decision	See section 7 Appraisal part A

16.	ECC has a conflict of interest as the IWMF is cited in its own Waste Local Plan, therefore considered to have a pecuniary interest.	See section 7 Appraisal part B
17.	Applications should be determined by an independent body due to the following: <ul style="list-style-type: none"> <li>• Conflicting advice on need for facility</li> <li>• Conflicting advice re visual impact</li> <li>• A further EA permit application</li> <li>• A sea change in understanding of impacts of small particles, CO2 and NOx</li> <li>• Issues raised technical nature beyond average person</li> </ul>	See section 7 Appraisal part A
18.	Appears decision has already been made as the IWMF site is already cited within ECC Waste Local Plan	See section 7 Appraisal part B
19.	There is variation between information in the planning application and that contained in the environmental permit application. The application should be refused until a permit is in place with a known stack height.	The applicant would be required to comply with the details of each application, these details can modify during the process. The environmental permit and planning application were not submitted at the same time as thus may have differed. The planning permission and environmental permit determination processes are independent of each other.
20.	The application should have included consultation with local schools due to the area of dispersion over which the emissions would spread.	The applications were consulted on in accordance with the Statement of Community Involvement.
21.	The consultation period was over the school holiday period restricting residents' ability to respond.	An extended period of consultation was allowed beyond the school holiday period.
22.	The drawings accompanying the application are misleading as to the height of stack applied for.	It is thought some confusion has arisen due the reference to heights above surrounding ground levels and heights Above Ordnance Datum. In addition the lower section of the proposed stack is below surrounding ground levels.
23.	20 days is an inadequate period to consider the complex information supporting the application and suggest	The applications were consulted on in accordance with the Statement of Community

	the application is being fast tracked by ECC	Involvement. Additional time has been given to receive consultation responses and representations at each consultation stage.
24.	The application should not have been a variation; it should have been a reconsideration of the need and impact of the whole facility.	See section 7 Appraisal part A
25.	Due to the complexity and changes in the proposals the application should be called –in for determination by the secretary of state	See section 7 Appraisal part A
26.	ECC cannot make a sound impartial transparent decision on either of these applications	See section 7 Appraisal part B
27.	The application should be referred to the National Planning Casework Unit for consideration as to whether the matter should be called in for determination by the SOS.	See section 7 Appraisal part A
28.	Differences between documentation submitted to EA and that submitted with Planning Application	The nature of the documentation required to support an environmental permit is different to that required for a planning application.
29.	The conditions of the original permission should be upheld, to maintain the protection originally considered necessary and uphold the integrity of the planning system	See section 7 Appraisal part A
30.	Consider the response prepared by the applicant to the PAIN report is unprofessional and dismissive.	The WPA has considered all the matters raised by PAIN.
31.	The applicant's information is too technical and large for a lay person to understand in 21 days.	The application has raised issues of a technical nature and the need for the application to be supported by an Addendum EIA does mean that the documentation is extensive. Additional time has been given to consultees and representees to allow comments. The application has also been subject to consultation with technical bodies.
32.	The fragmented planning applications, means the project has not been clear and/or transparent.	See section 7 Appraisal part A
33.	Due to scale of plant the applications	See section 7 Appraisal part A

	should be considered at public inquiry.	
34.	Current proposals barely recognisable from those considered to the Public Inquiry.	See section 7 Appraisal part A
35.	Important consultees have not been listed in the EIA and/or consulted on the application.	See section 5 Consultations
36.	What are implications of confidentiality agreement between ECC and Gent Fairhead	There is no confidentiality agreement between ECC and Gent Fairhead.
37.	The Community consultation events held in January 2019 – were the first held by the applicant in relation to the planning applications, they were poorly advertised and held between 4-7pm, except for Coggeshall between 4-9 at request of Parish Council and therefore difficult for all to attend.	The WPA cannot control the public engagement events by the applicant. That said 3 events at 3 different locations on 3 different dates were held over a reasonable time period.
38.	The information boards at the Community Events were confusing referring to both heights of the stack	The WPA acknowledges that some information presented was confusing and could lead to a misunderstanding of the facts.
39.	One of the information boards at the Community Events included the ECC logo, implying collaboration or partnership with the applicant – which is misleading.	The ECC logo did appear on one board, but this was with reference to the Essex & Southend Waste Local Plan. However use of the logo could have misled visitors to the exhibition that ECC endorsed the proposals. The logo was used without the prior approval of ECC
40.	Information presented at the Community Events was misleading presenting quotes with respect to the application in 2016 and from the Inspector's report from 2010 regarding visual impact. The original 2008 and 2015 applications did not change the height of the stack, both were comments made with respect to a 35m stack and therefore not relevant and misleading.	The WPA acknowledges that some information presented was confusing and could lead to a misunderstanding of the facts.
41.	Information presented at the Community Events stated the last application ESS/34/15/BTE relating to changes in capacities was determined in Feb 2015, when in fact it was Feb 2016.	Planning application ESS/34/15/BTE was submitted in 2015 but determined in February 2016. The error was noticed by the applicant and corrected in time for the third public event.
42.	Representations made by the public are	The WPA has taken the

	not available on the web, ECC are not being transparent	decision not to make representations available online to avoid any accidental disclosure of personal information.
	<b>Nature of the Proposals</b>	
43.	Indaver Gent Fairhead's new partners only intend to build the incinerator. What guarantees are there that the rest of the facility will be built?	If the IWMF progresses the planning permission is for an integrated facility requiring all elements to be built and operated.
44.	If facility is only to be an incinerator, surely this requires a new planning application.	The current applications do not propose only progressing the incinerator/CHP element of the IWMF
	<b>Need</b>	
45.	In 2010 when granted recycling rates were 5%, but now they are 50/60% with a target of 70% by 2020. Given this in 3 years time they may be no need for an incinerator and thus what % of the waste burnt in the facility will be from Essex.	See section 7 Appraisal part E and V
46.	No need for this facility as Essex is near to meeting its recycling targets and the facility would discourage recycling.	See section 7 Appraisal part E and V
47.	The size of the plant is too big for amount of waste generated nearby. To make it viable waste will come from outside of Essex of no benefit to Essex residents.	See section 7 Appraisal part V
48.	Too justify the stack on the basis that it will produce 28 megawatts of power is misleading as this is only equivalent to 4500 homes.	The production of energy forms only part of the need consideration for the IWMF. See section 7 Appraisal part V
49.	Recent press articles have stated that there are too many incinerators in the UK and the UK will reach capacity in 2018. Waste is being transported between countries contrary to the proximity principle and discouraging recycling.	See section 7 Appraisal part Y and V
50.	A report published August 2017 ( <i>Eunomia, Residual Waste Infrastructure Review: 12th Issue</i> ) made the following statement:  <i>"with more facilities still in the construction pipeline, the report forecasts that the UK's supply of treatment capacity will exceed the available quantity of</i>	See section 7 Appraisal part Y

	<p><i>residual waste in 2020/21. Were all facilities to operate at full capacity, together they would limit the UK's recycling rate to no more than 63%.</i></p> <p>Thus there will not be the waste to fuel the facility and will discourage recycling.</p>	
51.	The overall IWMF proposals are in conflict with the original Inspector's report – current proposals contradict the spirit and philosophy of the original decision	See section 7 Appraisal part V
52.	The proposals would be contrary to the Government's recently published "A Green Future: Our 25 year Plan to improve the Environment" Which seeks to achieve clean air, increased recycling, waste reduction and improve the natural environment.	See section 7 Appraisal
53.	Incinerator will continue to change with the ultimate removal of the anaerobic digestions and mechanically and biologically treat waste aspect being totally removed as recent contracts for these services have already been let by ECC - there have already been gradual changes moving this towards a facility that is focused on incineration - this should not be allowed to continue	It is not currently proposed to remove the AD or MBT elements of the proposal. Future applications would have to be dealt with on their individual merits.
54.	Recent problems with the Basildon plant (providing SRF) and the ensuing legal battle mean most, if not all, the waste will be trucked in from a distance, and this is not sustainable	See section 7 Appraisal parts B, V and Y.
55.	Waste may be incinerated from anywhere but Essex	See section 7 Appraisal part V
56.	ECC needs this incinerator and is both relying on it from a waste management perspective as well as a solution to their SRF from Basildon as opposed to their current contracts - this should not be the basis for the application to be granted	See section 7 Appraisal parts A and V
57.	The facility will generate large amounts of ash which will require special dedicated landfill within Essex.	See section 7 Appraisal parts F
58.	Where will the toxic ash generated by the facility be disposed of?	See section 7 Appraisal parts F

59.	Set to be largest facility in the UK, drawing waste from outside Essex	See section 7 Appraisal part Y and V
60.	Contrary to ECC Organisation Plan 2018/19 page 18 which seeks to reduce waste and costs for disposal to taxpayers and reduce carbon emissions	<p>The commitment in the ECC Organisation Strategy states <i>“Reduce the environmental impact and cost to the taxpayer of dealing with waste, by operating efficient waste management services and working effectively with partners and communities”</i>. This relates to the waste management services provided by the WDA and as explained in Section 7 Appraisal part B the WDA has not connection with the IWMPF</p> <p>In addition the strategy states <i>“Reduce carbon emissions and energy costs for the public and businesses, by developing new strategies that promote clean growth and affordable energy”</i>. Similar goals are contained within the NPPF which are taken into consideration see Section 7 Appraisal.</p>
61.	Many supermarkets have made commitments to reduce packaging, or make reusable or compostable packaging over the next 4 to 8 years, such that by 2025, this facility will be no longer needed.	See section 7 Appraisal parts E and V
62.	There is a wholesale change of attitude to waste that grows with each day that passes.	See section 7 Appraisal parts E and V
63.	The Inspector in granting the original facility recognised the recycling elements linked benefits of producing heat and power to reprocess paper – this balance was lost when the capacities were changed in 2016. The changes reduced the flexibility of the plant.	A decision was been made on ESS/34/15/BTE, it is not possible at this stage to reconsider that decision.
64.	The change in capacities in 2016 reduced the recycling element of the facility, reduced the amount of energy recovered from a greater volume of waste.	Noted
65.	Given the doubts about available waste paper and card in 2010 and the reduced size of the paper facility in 2016, the size	The WPA is unable to amend the capacity of the CHP as part of this application. It can only



	of the CHP should be reduced.	approve or refuse the proposals with respect to the stack height change.
66.	Significant weight should be given to the National Waste Management Plan, (NWMP) and National Planning Policy For Waste (NPPW) and Braintree District Local Plan, particularly promoting sustainable development	See section 7 Appraisal
67.	World as a whole moving away from burning waste, do not consider applicant has shown a need for the facility in Essex	See section 7 Appraisal part V
68.	The applicant's statement that they have spent a lot of money on the scheme is irrelevant to the planning consideration of the application.	The cost to the applicant is not a planning consideration
69.	Proposals seem to be moving away from integrated waste facility with CHP, AD, MRF, MBT and MDIP to a waste incinerator with some paper recycling. Consider whole scheme should be reconsidered in light of new technologies and County waste needs.	See section 7 Appraisal part V
70.	Investment into waste burning infrastructure is a disincentive to recycling. The problem of plastics at source needs to be addressed.	See section 7 Appraisal part E and V
71.	The facility is too big and waste will be drawn in from region, with associated transport problems	See section 7 Appraisal part V
72.	The incinerator will move disposal of waste down the waste hierarchy it will disposal to atmosphere.	See section 7 Appraisal part V and W
73.	Is the Waste Local Plan still relevant?	See section 7 Appraisal
74.	Is incineration an effective and efficient way of disposing of waste, in view of the knowledge that is developing with respect to the health impacts.	See section 7 Appraisal parts E and V
75.	What will the incinerator burn if waste reduction and waste recycling is successful?	See section 7 Appraisal part V
76.	What research has ECC done on the impact of recycling rates on such a facility?	See section 7 Appraisal part E
77.	The DEFRA Waste Management Summaries for 2016 and 2017 show there is no short fall in capacity when compared against inputs.	These summaries are not assessing arisings against capacities. These show that the amount of waste operational incinerators received and the maximum amount they are

		permitted to receive as stated in the environmental permits issued by the Environment Agency.
78.	With recycling rates for household waste in Essex reaching 50% and the change in public attitude to minimising waste, there won't be sufficient waste to supply the incinerator.	See section 7 Appraisal part E
79.	Essex would be become a net importer of waste	See section 7 Appraisal part V and Y
80.	At the Community Event the applicant's representative would not confirm that waste wouldn't be imported from outside the county to the facility.	The current permission for the IWMF does not preclude importation of SRF from outside the County; such a requirement would be unenforceable as it is contrary to the principles of Net Self Sufficiency and the Proximity Principle.
81.	At the Community Event the applicant's representative stated that the emissions from the stack would not be worse than those from an emergency vehicle, like an ambulance.	It is not possible to confirm whether this statement is an accurate record of what was stated, but matters with respect to emissions from the stack would be addressed as part of the Environmental Permit by the Environment Agency.
82.	At the Public Engagement event the applicant presented a drawing of all the incinerators in Europe, as if to say if it's right and OK there its right and OK in England.	Noted
83.	ECC and the EA seem to be pushing for and allowing hundreds of incinerators.	ECC as WPA has to determine planning applications that are submitted to it in accordance with the Development Plan and other material considerations. The EA has to determine Environmental Permits applications in accordance with the national regulations. Neither the WPA nor EA can control what applications are submitted to them.
84.	Where is all the waste coming from	See section 7 Appraisal part V
85.	As Indaver operate in Europe including involvement in Felixstowe port, will we see waste imported from Europe?	See section 7 Appraisal parts V and Y
	<b>EIA Scoping Opinion</b>	

86.	The application is not supported by a new Heritage Assessment, LVIA (Landscape & Visual Impact Assessment) and other reports as required by the EIA Scoping Opinion ESS/24/17/BTE/SPO. The application is therefore invalid and should be refused.	See section 7 Appraisal part A
87.	Separate LVIA & Heritage Statements have not been submitted	The ES did include separate Heritage and LVIA statements.
88.	The applicant has not fully complied with the Scoping Opinion ESS/24/17/BTE/SPO. By disregarding the Scoping Opinion it demonstrates the applicant is not competent or ethically responsible to construct or operate a facility. The applicant was advised to contact consultees direct but no approach was made to Coggeshall Parish Council.	Under the 2011 EIA Regs which are the relevant regulations with respect to this application, the applicant is not required to comply with the Scoping Opinion.
89.	The Scoping Opinion suggested that drop-in sessions were held during the consultation period, no such events were held.	The Statement of Community Involvement encourages pre-application community involvement, but the WPA cannot require this. Drop in sessions were held in January 2019.
90.	The Scoping document makes reference to Coggeshall PC request for clarification as to the water management system as to whether there will be a discharge to River Blackwater. This clarification has not been provided as part of the planning application.	The applicant has permission for a water abstraction licence from the river Blackwater, but no discharge licence. The IWMF includes a waste water treatment plant to treat and recirculate water, such that discharge is not required. The applicant has indicated they may wish to discharge to the River Blackwater but this would require an additional licence from the EA. No such licence has been applied for at this stage.
91.	The application is not valid as it has not fulfilled all the requirements of the Scoping Opinion (ESS/24/17/BTE/SPO).	The Scoping Opinion was issued under the 2011 EIA Regulations, as the Scoping Opinion was issued prior to the 2017 EIA Regulations coming into effect. The 2011 EIA Regulations do not require the applicant to be bound by the outcome of the Scoping Opinion

		decision and therefore the application could not be invalidated on these grounds.
92.	Scoping Opinion suggested a 10km radius for assessments this was not adopted by the applicant.	The Zone of Theoretical Visibility was considered to 10km radius
	<b>ECC interests in the IWMF</b>	
93.	ECC has a pecuniary interest in the IWMF	See section 7 Appraisal part B
94.	ECC has a conflict of interest as it is both the Waste Planning Authority and Waste Disposal Authority.	See section 7 Appraisal part B
95.	ECC has a conflict of interest in dealing with this application and it should be referred to an independent body.	See section 7 Appraisal part B
96.	Applications should be considered by an independent body as ECC is likely to be sole customer	See section 7 Appraisal part A & B
97.	The IWMF facility is a facility cited in the Waste Local Plan and therefore the decision has already been predetermined	See Appraisal part K
98.	If ECC needs an IWMF then they should pursue their own facility in a location where the impact on the environment is minimised.	See section 7 Appraisal part B
	<b>Location</b>	
99.	Location too close to residential areas, large number of people and an area of invaluable natural and cultural heritage.	See section 7 Appraisal
100.	Businesses have invested in Coggeshall and this facility will detract from Coggeshall discouraging visitors and employees.	See section 7 Appraisal
101.	Site is principally a rural location and will be transformed into an industrial zone.	See section 7 Appraisal
	<b>Design</b>	
102.	No detailed design as required by condition 19 has been submitted as required by planning permission and therefore permission should not be granted. The final plant and its requirements won't be known until his is submitted.	The physical envelope and the details of the main buildings and structures of the IWMF are known. The details of the process layout and configuration are required prior to installation of the process equipment and plant under condition 19. The details of plant and processes are

		required in detail as part of the Environmental Permit to enable consideration of pollution control measures. Once these have been confirmed through the Environmental Permit process the applicant will be in a position to confirm the process layout and configuration.
103.	The use of the reflective finish has not been proven and its effectiveness in different lighting conditions	See Section 7 Appraisal parts M and Q
104.	Consideration has not been given to how the reflective finish would be maintained.	Details for the maintenance of the reflective finish have been considered approved and are proposed to be amended as part of the S73 application due to the proposed change in height.
105.	The level of impact arising from glint and glare has been based on criteria used in the aviation industry rather than local or residential amenity impact and no thresholds or criteria for describing effects are identified	See Section 7 Appraisal parts M and N
106.	The increase in stack will on average double the period of likely glint and glare.	See Section 7 Appraisal parts M and N
107.	It is not clear how the findings of the Glint & Glare report were considered in the LVIA.	See Section 7 Appraisal parts M and N
108.	The glint and glare report identified substantial periods of time when receptors would suffer glint and glare effects.	See Section 7 Appraisal parts M and N
109.	The glint and glare report considered the proposed change in height of the stack rather than the whole stack	See Section 7 Appraisal parts M and N
110.	The glint and glare report claims that the impact would reduce over time	See Section 7 Appraisal parts M and N
	<b>Stack height</b>	
111.	The original stack height of 85m AOD was flawed, other EfW facilities have much higher stacks eg Hoddesdon at 350,000tpa has a double stack of 78m.	The proposed increased stack height has been permitted by the EA.
112.	There is confusion between the drawings and the description of development as to the height of the stack, some show 105m AOD but the description states 108m	The stack is proposed to be 108m AOD or approx. 58m above surrounding ground levels. Drawings accompanying

	AOD.	the application show the stack at 108m AOD. Some confusion may have arisen in that the 2 <sup>nd</sup> Environmental Permit application to the EA was initially for a stack of 105m AOD, but during the determination of the EP was increased to 108m AOD.
113.	The applicant justified the application on the basis of the original stack height at 85m AOD and should be required to comply with restriction.	Each application has to be considered on its individual merits.
114.	A taller stack would cause safety issues for aircraft, including civil, military and commercial aircraft	Civil Aviation Authority requires all structures over 150m to be lit, the proposed stack is below this height
115.	The higher stack will need lighting for aircraft – no light pollution assessment of this additional impact has been undertaken	See above. No lighting of the stack is proposed.
116.	There are 8 small airstrips nearby, regular hot air balloon flights in the area at risk with a higher stack	See above
117.	The higher stack will require additional safety lighting causing additional light pollution which has not been assessed	See above
118.	The stack will need to be lit for safety reasons	See above
119.	The mirror finish will reflect the lighting needed for the facility increasing its visual impact.	See Section 7 Appraisal parts M, N and Q
120.	Condition 56 was imposed by the SoS to limit the development, stack no higher than 35m AOD. This restriction should be enforced.	Each application has to be considered on its individual merits. See Appraisal
121.	It is noted in the Inspector's report of March 2010 that "A further application to ECC for an increase stack height would not meet the requirements for certainty and good planning as set out in national guidance".	The quote is from the Planning Inspector's report 2010 following the Public Inquiry in 2009. However, it is not the Inspector's view but a quote from "Section 8 – The Case For The Local Councils Group" paragraph 8.22 where the Inspector has reported the views of The Local Councils Group.
122.	Allowing a higher stack would contradict the PINS decision, which included condition 56 limiting the height of the	Each application has to be considered on its individual merits. See Appraisal

	stack.	
123.	Details of the stack were submitted and approved under condition 14 and construction started on the basis of the approved details, they should be required to maintain the same height stack.	Each application has to be considered on its individual merits. See Appraisal
124.	Allowing a higher stack would set a dangerous precedent for ignoring the PINS and SoS's decisions (particularly condition 56 – stack height), and sends a message that ECC thinks it's able to overturn these decisions.	Each application has to be considered on its individual merits. See Appraisal Section 7 part A
125.	Planning permission was refused in West Street Coggeshall on landscape and heritage grounds by PINS and allowing a 58m stack would set a precedent contrary to that planning decision.	See Appraisal Section 7 part N
126.	A higher stack results in greater safety concerns for aircraft – these have been voiced by Essex Air Ambulance	No direct correspondence has been received from the Essex Air Ambulance as to the potential safety issue with the height of the stack.
127.	The financial analysis of Best Available Technology (BAT) with respect to stack height does not make sense. It suggests it is cheaper to build a stack 58m than it is to build one that is 35m. Are costs being cut or is cost being prioritised over structure. Clarification is required.	This was information provided to support the EP. The graph shows the benefit from dispersion in relation to the increased cost of a higher stack.
128.	The drawings are misleading, it appears the applicant is claiming the overall stack height has not changed, but there is an increase in height and this would breach condition 56 of the existing permission	It is not clear which drawings are being referred to, but the applications do specifically seek to increase the stack height.
129.	The proposed height of 55m is well below the 70-120m range which the EA recommends	The proposed stack height has been permitted by the EA
130.	Better height, perspective and proportionality should have been provided, comparison with existing pylons and trees is simply misleading	A crane at the proposed stack height was utilised to inform the Addendum LVIA.
131.	The stack is not tall enough to allow the chemical fallout to miss the nearest historical village.	The proposed stack height has been determined through the Environmental Permit process administered by the EA. Dispersion is a factor in that permitting process.
132.	The committee was misled with regard to the effectiveness of the below ground element of the stack. This was reported	The stack does in part start below natural ground levels. The acceptability of the stack

	by the officer in charge emphasising that the stack below ground was effective where this is simply not the case (please see doc DR/05/16)	height is a matter for the EA that has been considered through the Environmental Permit process.
133.	The stack is proposed to be the lowest that can be got away with; this may reduce the planning objection to the visual impact of the stack but will add to the local impact of the plume. Should the stack be high enough to spread the plume higher it will become a massive eyesore in this predominantly rural environment.	The acceptability of the stack height with respect to pollution control is a matter for the EA that has been considered through the Environmental Permit process.
134.	There are no details as how the stack would be constructed, including its foundations.	This is not a planning matter, the development would require to meet building regulations.
135.	The issuing of an EA permit does not necessarily mean that planning permission should be granted	The planning application will be considered on its individual merits against the Development Plan and any other material considerations
136.	The argument put forward by the applicant that some of the stack is below ground is ridiculous, it is the height above ground that affects the dispersion achieved.	The control of pollution from the stack is a matter for control under the Environmental Permit administered by the EA. The height of the stack has been determined by the EA taking into consideration surrounding ground levels.
137.	There is confusion over the height of the stack required. The Environmental Permit requires the stack to be 78m above surrounding grounds levels, surrounding ground vary around the site from 50m AOD to 53m AOD. The planning applications are for 108m stack but the requirements of the permit could require up to 111m AOD.	The planning application is for a stack height of 108m AOD. The Environmental Permit currently issued requires a stack 78m above natural ground levels. The applicant has based their calculation on average ground levels which are 50m AOD and hence a proposed stack of 108m AOD
138.	Information presented at the Community Event re the height of the stack was misleading. It stated the proposed stack was a similar height to the existing Sheepcotes Communication tower. The tower is 47m above ground (as presented in a previous district application for communication dishes) and the proposed stack 58m above ground – an 11m difference 23.5% taller not “similar in	The information was misleading in that there is a difference in height between the Communication tower and the stack. The top of Communication tower has been surveyed at 100m AOD and the stack would be 108m AOD, so the proposed stack would be 8m higher than the existing



	height” The tower is also a lattice structure while the stack is a solid structure. The stack will have a significant visual impact in a predominantly flat landscape.	communication tower. See Appraisal Section 7 parts M and N
	<b>Air Quality/Emissions/Health Impacts</b>	
139.	No Health Impact Assessment has been submitted, only that which supported the Environmental Permit application.	A Health Impact Assessment formed part of the ES and was found to be acceptable by statutory consultees
140.	ECC Organisational Plan for 2018/19 at page 15 seeks to improve the health of people in Essex	With respect to the health impacts of the proposal these have been considered as part of Environmental Permit processes administered by the EA.
141.	The Government has stated that it is committed to: making the necessary decisions now to realise our vision of stimulating economic growth and tackling the deficit, maximising wellbeing and protecting our environment, without affecting the ability of future generations to do the same.	See Section 7 Appraisal part O
142.	There has been a sea change with regard to national air quality awareness with Braintree identified as a nitrogen dioxide hot spot and the incinerator now contradicts new government targets and aspirations for air quality improvements - this planning application goes against national and even international movements towards greener and more sustainable waste and energy-making facilities	See Section 7 Appraisal part O
143.	Concern re health impacts increased potential for Dementia, Parkinson, cancers, respiratory diseases, low birth weights and pre-term birth.	See Section 7 Appraisal part O
144.	There is no mention of small particulates (pm10 and pm2.5) in the air quality assessment and these are emitted by diesel vehicles which the Government says will be banned from 2040, so why are they acceptable to be dispersed from the stack. This contradicts the direction of government's national air quality policy	See section 7 Appraisal part O

	and its overall air quality aspirations	
145.	Research projects indicate that there is a relationship between infant mortality and the location of incinerators, but this research has not been properly investigated by Central Government and/or the EA.	See section 7 Appraisal part O
146.	The Joint Strategic Needs Assessment and Health & Wellbeing Strategy for Essex state that there need to be measures implemented to improve environmental factors such as reduction in waste and air pollution. The emissions from this facility would contradict these aims.	See section 7 Appraisal part O
147.	The human health risk assessment lists a number of sensitive receptors. One is HH26 and named Coggeshall. It is described as an agricultural location but is in the centre of Coggeshall. Given this error the document needs amending and resubmitting.	While it is acknowledged that HH26 is not an agricultural receptor location, this in fact actually means a more stringent consideration of the impacts has been undertaken, because it assumes a potentially higher level of ingestion of pollutants assuming that potentially vegetables and meats may have been sourced from land adjacent to receptor location, increasing the potential impact of pollutants on the residents at this location.
148.	Air pollution in Braintree exceeds the safe level for public health as set out in a recent Friends of the Earth report and referred to in an article in the Braintree & Witham Times 5-5-17	See section 7 Appraisal part O
149.	The British Society for Ecological Medicine studies have shown an increased rates of cancer in adults and children for town near incinerators and higher rates of mortality for concern sufferers near incinerators.	See section 7 Appraisal part O
150.	Children are at risk of respiratory and other long-term illnesses from the toxic emissions	See section 7 Appraisal part O
151.	For maintenance requirements the stack will need to be shut down at least once or twice a year to be cleaned. This will lead to additional and unusual emissions but these do not appear to have been included within the air quality	Such factors will have been considered by the EA in the determination of the Environmental Permit

	assessment.	
152.	The additional traffic will make the A12 and A120 even busier with consequential increase in emissions	See section 7 Appraisal part O
153.	The application does not take account of the additional noise and emissions from the proposed new A120 routes and widened A12	Cumulative impacts assessed as part of the EIA can only take account of developments that are committed, namely have planning permission. Proposals with respect to the A12 and A120 are at too early stage to been taken account of in this decision. However, in the future the EIA that would need to accompany any applications for the A12 and/or A120 would need to take account of any permitted development including the IWMP.
154.	The traffic emissions required to import the 595,000 tonnes of what to the incinerator, will create more emissions than would be saved through the energy generated	See section 7 Appraisal part O
155.	The stack height should be determined by best performance and minimal emissions rather than planning acceptability and cost. Reduction in emissions should be the only reason behind seeking a certain height, and reducing emissions to the lowest point possible should be the goal.	The proposed height of the stack has been defined as part of the Environmental Permit (including BAT) process.
156.	The emissions would adversely contribute to changing weather patterns	See section 7 Appraisal part AA
157.	The stack is not tall enough to disperse chemicals and fumes adequately which will give rise to health impacts	The proposed height of the stack has been defined as part of the Environmental Permit process.
158.	The facility will give rise to odour from the delivery of waste and the emissions from the stack	The delivery of waste will take place inside the building to minimise odour. The Environmental Permit includes an odour management plan.
159.	Real time data of emissions from the stack should be provided via the internet	This is matter for the EA
160.	Concerned re health risks as current research into the impacts is not comprehensive enough to determine the health impacts.	See section 7 Appraisal part O
161.	Concerned pollution will get into food, air, water supplies posing a major threat to	See section 7 Appraisal part O. The Environmental Permit

	our health	process considers the impacts upon soils, air, and water and the potential ingestion on health.
162.	Toxic fumes will not be dispersed adequately when there is no wind and the weather is foggy and wet.	Pollution control is considered through the Environmental Permit process.
163.	Do not have confidence in the assessments undertaken by the EA in issuing an Environmental Permit for the facility.	The WPA has to assume all pollution control regimes will operate effectively NPPF para 183.
164.	Inadequate consideration within the EIA of the impact upon climate change, the facility and associated traffic are likely to generate from 631,000tpa of CO <sub>2</sub> .	See section 7 Appraisal part AA
165.	500,000 tpa of CO <sub>2</sub> will be generated from the incinerator and HGVs delivering the waste not assisting with reducing climate change	See section 7 Appraisal part AA
166.	Planning policy with respect to protection of the environment and humans and climate change has changed since the IWMF was considered by the Inspector in 2010	See section 7 Appraisal parts O, and AA
167.	The carbon footprint of the facility has not been considered in detail at any point as the facility has evolved	See section 7 Appraisal part AA
168.	The Royal College of Physicians published a report in 2016 ( <i>Every breath we take: the lifelong impact of air pollution</i> ), in which it states that small particles (such as those that will be released by the IWMF) can cause Dementia, Parkinson's disease, cancer and have a deleterious effect on respiratory diseases.	See section 7 Appraisal part O
169.	The NPPF at para 120 seeks <i>"To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues,</i>	This para number is from a previous version to the current NPPF, however there remains a similar requirement at para 204. See section 7 Appraisal part O

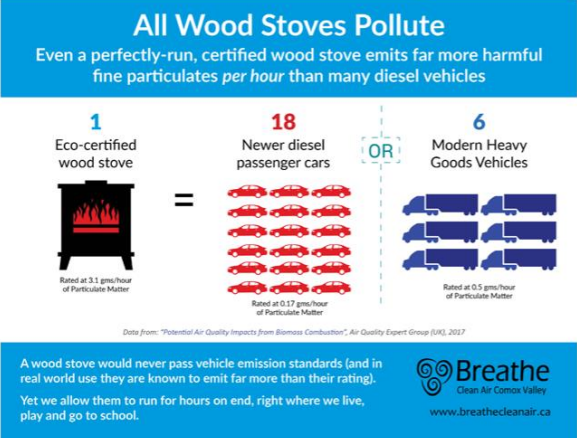
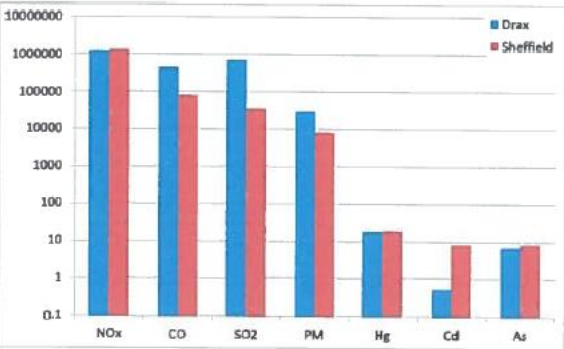
	<i>responsibility for securing a safe development rests with the developer and/or landowner.”</i>	
170.	Emerging District Local Plans (Braintree/Colchester/Tendring) propose new towns, increasing population and whose health would be impacted by these proposals	See section 7 Appraisal part O
171.	The health impacts have been assessed by the EA against guidance that is at least 6 to 10 years old	See section 7 Appraisal part O
172.	The facility will give rise to CO <sub>2</sub> , NO <sub>x</sub> , Volatile Organic Compounds, Cadmium, Benzene and Butadiene in an area of high pollution, ECC has a responsibility to protect health and well-being of residents	See section 7 Appraisal part O
173.	The impacts on air quality and health are highly technical, beyond ECC understanding and therefore should be referred to the SoS	See section 7 Appraisal part A and O
174.	Defra describes poor air quality as “the largest environmental risk to public health”	See section 7 Appraisal part O
175.	National Audit Office in 2017 published a new air quality report “Why air quality matters” and recognises poor air quality is a risk to health and the environment, in particular particulate matter, nitrogen dioxide and poor air quality generally.	See section 7 Appraisal part O
176.	The action group have carried out its own predictions of the air quality impact, for example indicating 89,000 school pupils will be affected within a 5 mile radius.	See section 7 Appraisal part O
177.	Concern has been raised as to the impact of air quality upon agricultural land in terms of deposited pollutants.	This matter was addressed as part of the EA permitting process.
178.	With respect to climate change and CO <sub>2</sub> the application should take account of the NPPF and the draft NPPF	See section 7 Appraisal part P and O.
179.	The applicant states that there would be no health impacts from the development, but in fact the Human Health Risk Assessment Report by Fitchner actually states “ The facility will not result in appreciable health risks resulting from its operation”	See section 7 Appraisal part O

180.	An incinerator should not be built so close to residents in Silver End	See section 7 Appraisal part K & O
181.	When the new 350 houses are built in Silver End they will be even closer to the incinerator than current houses in Silver End housing is	The EIA that supported the housing application, considered Cumulative Impacts and took into account the proximity of the permitted Integrated Waste Management Facility.
182.	Hazardous industrial process should be sited away from areas of population.	See section 7 Appraisal parts K and O
183.	Popular area to move to for healthy environment, which would not be the case if incinerator in the area	See section 7 Appraisal parts K and O
184.	The proposed increase in stack height is admission that the levels of atmospheric pollution will be a problem if the plant is built.	See section 7 Appraisal part O
185.	Since the original permission was granted there has been an increase in the understanding of the adverse impacts of incineration	See section 7 Appraisal part O
186.	CO2 production should be something we are trying to decrease not increase.	See section 7 Appraisal parts AA
187.	Silver End is in a rural setting away from industry and pollution, the IWMF will pollute our air.	See section 7 Appraisal part O
188.	ECC Public Health officer has suggested that traffic movements from facility would reduce air quality and that HGVs should be limited to Euro 6 standard vehicles only. Even with this restriction CO2 emissions would be 31,000tpa, this is not taken account of by the EA in considering air quality.	See section 7 Appraisal part O and P
189.	The proposed Garden Communities will mean many more residents will be impacted by the emissions	See section 7 Appraisal part O
190.	Not convinced by air quality information, consider the emissions are a death sentence for the community	See section 7 Appraisal part O
191.	The proposed facility will mean emissions would be blown over Colchester, one of the largest towns in Essex, affecting all the inhabitants.	See section 7 Appraisal part O
192.	Ecologists and environmentalists have recognised that burning waste will cost the planet and future generations	See section 7 Appraisal part S and O
193.	The small particulates in the air and ash are not good for our children's health.	See section 7 Appraisal part O

194.	What will happen to the thousands of tonnes of ash that will be generated?	See section Appraisal part F
195.	Consideration must be given to the current poor air quality, and that the UK is exceeding levels; the incinerator will only contribute along with the additional traffic emissions	See section 7 Appraisal part O
196.	The incinerator will create a plume of pollution that will impact residents of Braintree, Colchester, Coggeshall, Siler End, Witham, Kelvedon and Feering.	See section 7 Appraisal part O
197.	What research has ECC done into the health impacts?	See section 7 Appraisal part O
198.	The recent Public Health England research will not have taken account of the recent research on the impact of fine particulate matter that will be emitted.	See section 7 Appraisal part O
199.	The case of Ella Kissi-Deborah from South London was in the press in summer 2018 where it was shown there was a direct relationship between the young girl's asthma attacks and pollution spikes in the area and that pollution contributed to the seriousness of the girl's asthma. Ella died in Feb 2013. A new inquest has been granted in Jan 2019 to reconsider the cause of death.	See section 7 Appraisal part O
200.	The proposed incinerator goes against the Governments commitments within the "Clean Air Strategy"	See section 7 Appraisal part O
201.	Fine particulates pm10 and below are known to cause health impacts, these will be generated by the incinerator and its traffic. Some towns/areas in the UK exceed the WHO guidelines on these particulates.	See section 7 Appraisal part O
202.	Since the proposals were last considered in Feb 2016, air quality and especially small particles (pm 10 and pm2.5) have become significant issues and must now be considered a health and environmental issue.	See section 7 Appraisal part O
203.	Chief Medical Officer's Annual Report 2018 refers to air pollution as an issue to be addressed to improve the health landscape	See section 7 Appraisal part O
204.	Emissions from the incinerator re likely to be as bad as coal fired power station	See section 7 Appraisal part O
205.	ECC should be protecting Essex's air quality, not allowing incineration and	See section 7 Appraisal part O

	more lorry movements	
206.	The applicant is now applying for an amended Environmental Permit, with a stack of 85m AOD, but using more advanced technologies to improve emissions. The applicant was required as part of the last EP to use Best Available Technologies, it now appears that this was not the case, as improved technologies are now proposed.	Consideration of changes to Environmental Permit is a matter for the EA
207.	The stack is required by condition 17 not to have a visible plume. The applicant's data shows that based on 2010 data the plume would be visible for 549 hours a year.	See section 7 Appraisal part M and O
208.	At the Community Event information was provided of sensitive receptors which were considered as part of the Air Quality Assessment, the information did now show what levels of emissions would be experienced at each receptor.	The information presented was only part of that submitted with the planning application full details are available on ECCs planning application website.
209.	The NPPF at Para 107e states that planning authorities "should contribute to and enhance the natural and local environment by: ... e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; ..."	See section 7 Appraisal
210.	ECC must consider recent empirical data on small particulates and air quality and their impact upon public health in accordance with Para 170e NPPF	See Appraisal section 7 part O
211.	It was stated at the Community Events that the approx. 200, 000 tonnes of ash would be used as aggregate.	Bottom ash can be reprocessed and used as secondary aggregate. No ash processing facility is proposed as part of the IWMP, bottom ash would need to be exported. Fly ash is also generated; this is hazardous waste and would need to be disposed to a suitably permitted



		facility.
212.	210,000tpa of ash would be generated, increasing the amount of waste to disposed of in Essex and no facilities to deal with this ash within Essex	See above. Depending on the source of the waste, some of the ash would be generated from Essex Waste
213.	Power generation from incineration generates more CO2 than coal, oil or gas powered generation	See section 7 Appraisal part AA
214.	The previous Environmental Permit application was on the basis of Best Available Technique. The new Environmental Permit application includes additional technologies that improve emissions. Is this was available with the higher stack what was it not proposed to ensure all BAT were being used	The acceptability of emissions controls is a matter for the Environment Agency.
215.	<p>Emissions from the facility would amount to 210,000 woodstoves</p>  <p>The infographic shows that 1 wood stove (rated at 3.1 gms/hour of Particulate Matter) is equivalent to 18 newer diesel passenger cars (rated at 0.17 gms/hour) OR 6 modern heavy goods vehicles (rated at 0.5 gms/hour). It includes the Breathe logo and website.</p>	The acceptability of emissions controls is a matter for the Environment Agency.
216.	<p>Emissions from the facility would be similar to outputs from a coal fired power station</p>  <p>The bar chart compares emissions of Drax (blue) and Sheffield (red) for NOx, CO, SO2, PM, Hg, Cd, and As. The y-axis is logarithmic, ranging from 0.1 to 10,000,000. Drax generally has higher emissions than Sheffield for most pollutants except Cd and As.</p>	The acceptability of emissions controls is a matter for the Environment Agency.
	<b>Stack cladding</b>	
217.	Due to recent failing of claddings, there should be a thorough assessment of the materials to be used and a fire prevention	The development would be subject to building control regulations

	plan should be in place before planning permission is granted	
218.	The use of the mirror cladding is contrary to Landscape Character Assessments guidance which suggests “ <i>Conserve and promote the use of building materials, which are in keeping with local vernacular/landscape character.</i> ”	See section 7 Appraisal parts M and N
	<b>Landscape &amp; Visual</b>	
219.	A higher stack will become the most visible feature in the surrounding area which is largely flat and with little coverage	See section 7 Appraisal part M and N
220.	The chimney stack will be a really big bolt on the countryside landscape.	See section 7 Appraisal part M and N
221.	The landscape and visual impact assessment (LVIA) is flawed and should be dismissed	See section 7 Appraisal part M and N
222.	A full LVIA should be submitted not an addendum to the original.	See section 7 Appraisal part M and N
223.	The LVIA is not considered to have been carried out in accordance with Guidelines for LVIA 2013 by the Landscape Institute	See section 7 Appraisal part M and N
224.	Wrong to say the area is industrial in character, the mineral workings are only temporary in nature	See section 7 Appraisal part M and N
225.	Within 1 km of the site only 1.59% of the land could be considered to be industrial, therefore it is wrong to describe the area as industrial. The photographs included in the LVIA confirm its rural nature.	See section 7 Appraisal part M and N
226.	The methodology and representative viewpoints have not agreed with ECC in advance of the preparation of the LVIA in accordance with GLVI3 2013. Nothing in the documentation suggests this has been done	See section 7 Appraisal part M and N
227.	The LVIA does not consider views from the Essex Way near Wright’s or Curd’s Hall Farm	See section 7 Appraisal part M and N
228.	The LVIA fails to consider the effect of the stack on the setting of two ancient woodlands Storey’s Wood and Link’s Wood, although they were referred to in the Scoping Opinion decision.	It is not considered that the value of these ancient woodland arises from their setting.
229.	The LVIA does not consider the nearby heritage assets, their significance and the impact of the proposals. States there will be no change even on Woodhouse Farm	A separate Heritage Assessment formed part of the Environmental Statement and assessed the impact of the

		proposals on Heritage Assets including Woodhouse Farm.
230.	The LVIA only considers a limit number of viewpoints, despite the significant increase in height.	See section 7 Appraisal part M and N
231.	The LVIA while providing photographs of viewpoints does not assess the visual and landscape impact at these viewpoints.	See section 7 Appraisal part M and N
232.	There is no detail to explain the methods used to produce photomontages in the LVIA, such as location, viewpoint, and direction of the photograph, camera type, and direction of view.	See section 7 Appraisal part M and N
233.	The photos in the LVIA are small and pixelated making interpretation difficult.	See section 7 Appraisal part M and N
234.	The LVIA does not consider key views from PRoW and local roads.	See section 7 Appraisal part M and N
235.	The LVIA does not consider views from West Coggeshall	See section 7 Appraisal part m and N
236.	The application states that you will not see smoke from the stack, but this is untrue at the supporting documents state that at times the plume will be visible.	See section 7 Appraisal part I, M, N, and O
237.	The plume will be visible for a significant proportion of the year, contrary to the planning conditions	See section 7 Appraisal part I
238.	The WPA cannot make a valid assessment of the visual and landscape impact on a flawed LVIA	See section 7 Appraisal part M and N
239.	The data on mixing ratios and percentage for water vapour in the application do not correlate revealing in excess of 20% water vapour in the plume, such that there will be significant periods of visibility contrary to conditions	See section 7 Appraisal part I
240.	The proposals to clad the building in mirrors to reflect the surrounding landscape in the day and 'blend in' will have the opposite effect at night and instead become a beacon and increase light pollution	See section 7 Appraisal part M and N
241.	The increased stack height will have an adverse impact on the rural landscape and an increased industrialising effect	See section 7 Appraisal parts M and N
242.	Stack will be the most visible feature in the surrounding area which is largely flat and open	See section 7 Appraisal parts M and N
243.	A 10km radius should be used for	See section 7 Appraisal parts M

	consideration of visual impacts.	and N
244.	The facility will discourage visitors to historic Coggeshall and its attraction including the Vineyard	The location of a waste management at the site was considered and accepted as part of the WLP, which was subject to examination in public.
245.	The Vineyard in West Street has been restricted in its development due to environmental concerns, the IWMF would be visible from several locations with Coggeshall.	See section 7 Appraisal parts M and N
246.	The stack will be a considerable blot on the rural Essex countryside.	See section 7 Appraisal parts M and N
247.	An illumination/visual impact study should accommodate night time and take into consideration a naturally dark (and becoming rarer) landscape	See section 7 Appraisal parts L, M and Q
248.	The Dutch Nursery site has been identified in the emerging Braintree Local Plan for "Comprehensive Development". In considering development on this site the developers have been required to consider the frontage onto West Street frontage which is elevated and forms the western access into Coggeshall and is lined by a number of Listed Buildings. Redevelopment of the site is also required to consider the setting in landscape, visual and heritage impact terms. This development is not supported by adequate similar assessment.	See section 7 Appraisal parts M and N
249.	Any revised LVIA should consider views from West Street and the visual impact upon Coggeshall.	See section 7 Appraisal parts M and N
250.	If a revised LVIA is submitted it should be subject to further consultation	Consultation & notification was provided with respect to the Addendum LVIA
251.	Comparison of the stack with a pylon is not appropriate a pylon is an open structure and is visible from miles away, the stack will be solid in nature and higher with a plume and would be very visible.	See section 7 Appraisal parts M and N
252.	The stack will detract from the local area, reducing tourism and businesses, mental health and wellbeing of residents	See section 7 Appraisal
253.	Will detract from Coggeshall & Blackwater Valley which has historical and natural interest and attracts visitors supporting local economy	See section 7 Appraisal

254.	The stack will reflect the sun, increasing its visibility as seen from distance, or artificial light at night from the plant	See section 7 Appraisal parts M, N and Q
255.	Negative impact upon the tranquillity of the area, caused by air quality, light and sound pollution.	See section 7 Appraisal parts M, N, O, Q and R
256.	The stack will be prominent in the landscape and symbol of industrialisation	See section 7 Appraisal parts M and N
257.	Despite resubmission of the LVIA there are still omissions, it has not been prepared in accordance with the guidelines, mineral working are not generally considered to be “industrial landscape” as they are temporary, many receptors are considered not to have been considered. The conclusion that the impact is unchanged despite an extra 23m of stack is inconceivable.	See section 7 Appraisal parts M and N.
258.	No visual assessment has been provided on the impact when viewed from the Essex Way, and more distant footpaths including Coggeshall 17 and 18	No specific assessment has been made from the Essex Way or from Coggeshall FP 17 and 18 which lie to the north west of Coggeshall. While the ZTV would indicate there may be views, at a distance, however, viewpoints in closer proximity to the stack north east of the site eg from Cut Hedge Lane have been assessed. With respect to north west of Coggeshall assessment has been carried out from near Holfield Grange
259.	The LVIA accompanying the application provides insufficient detail to enable a comprehensive and robust judgement to be made regarding the effects of the proposed development on landscape character and visual amenity	See section 7 Appraisal parts M and N
260.	Viewpoint 7 allows a comparison of the stack (58m) with the Marconi Tower (47m), at this point the 2 structures are equidistant from the viewpoint, but in the montage the two structures appear the same height.	The distance between the viewpoint and the 2 towers is similar but different and therefore there difference in height cannot be directly compared.
261.	The stack is stated to be not dissimilar than the existing Sheepcotes Communications tower, but this is 47m, 11m shorter and is an open lattice structure. A better comparison would have been Nelsons Column 10% lower	See section 7 Appraisal parts M and N

	and 20% slimmer.	
262.	The glint & glare assessment shows that the taller stack nearly doubles the average period of glare	See section 7 Appraisal parts M and N
263.	The conclusion of the glint and glare that the increase in stack height would not give rise to increase the impacts, is not relevant, consideration should have been given for the whole stack.	See section 7 Appraisal parts M and N
264.	The landscaping proposals include Ash which re now subject to Ash die back	Ash has now been removed from the planting pallet.
265.	Description and assessment of the landscape and visual impacts in the Addendum LVIA is considered brief	See section 7 Appraisal parts M and N
266.	Consider the Addendum LVIA has not been prepared in accordance with the current recognised best practice guidelines 2013.	See section 7 Appraisal parts M and N
267.	Baseline landscape character assessment is described as industrial, due to the quarrying activities. Quarrying is temporary and the restored landscape would be far more sensitive to inappropriate change.	See section 7 Appraisal parts M and N
268.	The landscape character is described by the applicant as industrial. If a 1km radius is taken from the site the total area of land in industrial use is 5ha 1.59% of the land around the site is therefore industrial. Hard to conclude that the landscape is an industrial landscape.	See section 7 Appraisal parts M and N
269.	The Zone of Theoretical Visibility (ZTV) has been relied upon too heavily. It is essential that site surveys are undertaken to provide an accurate baseline assessment of visibility.	See section 7 Appraisal parts M and N
270.	The ZTV is inaccurate and has been relied upon in the LVIA and Heritage Assessment and therefore these assessments are based on inaccurate information.	See section 7 Appraisal parts M and N
271.	Addendum LVIA is considered to not include a number of important visual receptors, including properties to the north, within Coggeshall and from public rights of way, including the Essex Way.	See section 7 Appraisal parts M and N
272.	Consider visual impacts in Addendum LVIA to have been underestimated, likely to be moderate significance.	See section 7 Appraisal parts M and N

273.	The LVIA does not properly consider the Landscape Character Assessment 2006. For the Character Area B18 – Silver End Farmland Plateau, where new development or take on board the landscape guidelines which suggest <i>“Ensure that new build is in keeping with landscape character. Conserve and enhance the landscape setting of settlements. Maintain characteristic open views across the farmland. Ensure any new development within the farmland is small-scale, responding to historic settlement pattern, landscape setting and locally distinctive building styles.”</i>	See section 7 Appraisal parts M and N
274.	The plume is likely to be visible, contrary to condition 17, during temperatures of -4 degrees C	See section 7 Appraisal part I
275.	If the plume is visible the increased stack height would exacerbate the visual impact of the stack, which has not been considered	See section 7 Appraisal part I
276.	The proposed method of plume abatement by means of selective reheating places undue confidence in the accuracy of the ADMS model, there has been insufficient testing of the model to give certainty. Alternative methods of abatement should have been considered. No cost benefit analysis has been undertaken.	See section 7 Appraisal part I
277.	The applicant’s predictions indicate 3.5% of the time a plume would be visible far from the no visible plume required by condition 17.	See section 7 Appraisal part I
278.	The VIA has not properly considered the impact on residential properties, particularly that living spaces may be not be on the ground floor.	See section 7 Appraisal parts M and N
279.	The local landscape would be blighted by the plant. The plant would be out of proportion and scale to the surroundings	See section 7 Appraisal parts M and N
280.	The proposed 58m stack would double the height of the recently refused Waterbeach Incinerator.	The stack proposed at Waterbeach was 80m high, such that the Rivenhall stack would be in fact shorter.
281.	The stack will be a blot on the rural	See section 7 Appraisal parts M

	landscape	and N
282.	Consider the additional height will be intrusive from miles around and that it is not necessary that there are improved technologies to treat emissions such that the stack could be shorter.	See section 7 Appraisal parts M and N
283.	Consider the LVIA undertaken by Hutchinson Duckett is not a balanced and impartial assessment of the impact of the proposal as required by the Guidelines for Landscape and Visual Impact Assessments in that it is highly selective in its use of quotations from the Landscape Character Assessments 2006	See section 7 Appraisal parts M and N
284.	Question the validity of the ZTV, as it shows areas where the stack would be theoretically possible where in fact they physically could not be possible and thus brings into question its accuracy.	The ZTV drawings were used as a tool to assist in the identification of potential visual receptors, which was then verified by field observations undertaken as part of the LVIA. The ZTV drawings are not used in the assessment of landscape or visual effects; they are only used to identify where potential views may theoretically be possible and to aid further site work.
285.	The LVIA states that the screening of the stack will improve as planting matures and reaches 15m to 20m high. Much of the planting has already take place as part of the quarry restoration and therefore it is not considered this would be the case.	See Appraisal Section 7 part M and N. It should be noted not all screen planting associated with the IWMF has been undertaken.
286.	Hankinson Duckett Associates LVIA fails to acknowledge in the text of their report the key fact that in many instances hedgerows will obscure the view of a 35m ASGL stack but that a 58m ASGL stack would still be highly visible	See section 7 Appraisal parts M and N
287.	The ZTV is considered to be flawed and used to underpin many of the assessments, landscape, visual, heritage, glint and glare	See section 7 Appraisal parts M and N
288.	The stack would be 190ft (58m) tall, there is nothing similar in the landscape and will have a significant impact in the predominantly flat landscape.	See section 7 Appraisal parts M and N
289.	On the public exhibition boards the following statement was presented	The WPA agrees that the information presented was



	<p><i>“The existing IWMF planning permission established the principle of the stack within the landscape. In line with Essex County Council’s original decision of the 26 February 2016 to grant planning permission ESS/34/15/BTE, the landscape and visual impacts resulting from the proposed 23m increase in the 7m diameter stack to a facility with a total operational footprint of 5.64ha within the footprint of a former quarry are not significant: “The low levels of visual impact arising from such a large-scale proposal confirm that this site is ideally suited to the proposed use.”</i></p> <p>This information is misleading and implies ECC were considering the change in height in 2016 and that ECC considered there were no impacts, but the quote was from the Planning Inspectors report of 2010.</p>	<p>confusing. Application ESS/34/15/BTE included approval of the details of the materials to clad the stack. There was no change in height as part of that application. The Committee Report for ESS/34/15/BTE referred to a quote from the Planning Inspector with respect to the visual impact of the IWMF as originally proposed.</p>
	<b>Heritage</b>	
290.	Historic England has stated ECC should seek specialist advice.	County’s Historic advisor has been consulted
291.	There is no adequate heritage Statement submitted with the application in accordance with the requirements of the NPPF & S 66 of the 1990 Act.	A Heritage Statement is included in the ES
292.	Consideration of the heritage impacts must follow the steps set out in the NPPF and S66 of the 1990 Act	See section 7 Appraisal part N
293.	The stack at 58m high will have a negative visual impact on the surrounding landscape and on the landscape settings of the Conservation areas of Silver End and Coggeshall.	See section 7 Appraisal parts M and N
294.	Coggeshall Conservation Area is renowned example of medieval street pattern and has many listed buildings (approx. 200) from that period, including Grange Barn and Paycockes (both Grade I, NT attractions), The Abbey, Highfields and St Peter’s Church. A recent development was refused on appeal due to the negative impact on the landscape setting of the historic village and listed buildings. A 58m stack would be clearly visible on the ridge above Coggeshall	See section 7 Appraisal part N

	having a significant impact upon and devaluing the historic setting of the medieval settlement and associated buildings of national importance.	
295.	Visual impact should consider impact on heritage assets. The zone of visual impact should be overlain with the heritage assets in that zone to assess the impact.	The plan showing the Zone of Theoretical Visibility did identify heritage assets,
296.	Silver End is a fine example of a planned garden village following the principles of the Garden City movement. Silver End is in a rural setting on a flat topped ridge between the valleys of the River Brain & Blackwater, it is raised above surrounding landscape with views over it. Character areas numbers 4 and 9 would have clear views of the stack. The stack and its associated buildings would have a negative impact upon the landscape setting of whole settlement and CA disrupting the historical site of the Rivenhall Airfield, the remaining medieval field pattern and ancient woodland. This is contrary to the aims of the NPPF.	See section 7 Appraisal part and N
297.	The increased stack will have a harmful effect on the setting and significance of the heritage assets in the area and this harm is not outweighed by the public benefits derived from the development. ECC must attribute great weight to this impact and refuse permission.	See section 7 Appraisal part N
298.	The chemical fallout will damage many historical buildings which are located in and around Coggeshall a town first recorded in the Domesday book.	The impact upon the environment was considered by the EA in considering the Environmental Permit application
299.	The increased stack will have a negative impact upon the Listed Building Woodhouse Farm	See appraisal
300.	Do not consider the Heritage Statement has properly considered the impact on Listed Buildings near Goslings Farm, which includes first floor living spaces	See section 7 Appraisal part N
301.	The proposed stack would visible over a wide geographical area overshadowing the medieval villages for which the area is famous.	See section 7 Appraisal parts M and N
302.	The village of Coggeshall has 239 Listed Buildings including 5 Grade I listings,	See appraisal. The theoretical ZTV indicates

	including Grange Barn (NT tithe barn) and the stack would be visible from the Barn.	that the stack would not be visible from the Grange Barn.
	<b>Traffic &amp; Highways</b>	
303.	IWMF will result in 400 additional lorry movements a day on the A120 on the already congested road, and the new A120 has no approved route or timetable for completion.	See section 7 Appraisal part P
304.	There are no up to date figures on vehicle numbers on the A120 or estimates of future HGV movements.	See section 7 Appraisal part P
305.	The traffic assessment is from 2010 and should be re-assessed and the original body responsible for highways re-engaged.	See section 7 Appraisal part P
306.	A decision on the facility should be postponed until the route of the new A120 is known.	See section 7 Appraisal part P
307.	The Highways Agency need to be re-engaged and a new traffic assessment undertaken based on current traffic data.	See section 7 Appraisal part P
308.	The facility should be located nearer to the A12, as the A120 is not a dual carriageway and could not cope with the traffic.	See section 7 Appraisal part P
309.	HGVs will use minor roads to access the site and will cause delays in Rivenhall, Silver End, Cressing & Witham	HGV access is only permitted via the existing A120 access and funds have been secured through the legal agreement for signage should HGVs be found to not be using the appropriate routes
310.	Concern HGVs will use rural lanes if A120 is congested HGVs	See above
311.	The additional traffic will make the A12 and A120 even busier which are already dangerous and over congested	See section 7 Appraisal part P
312.	The assessments need to take account of the proposed routes for the A120.	See section 7 Appraisal part P
313.	The previous removal of conditions with respect to source of materials means that HGV journeys could be longer, with consequential increased CO2 emissions.	No change is proposed to HGV movements as part of this application.
314.	If A120 progressed a publicly funded junction will be provided for the IWMF – as tax payers we find this objectionable	If option Dis taken forward by Highways England (HE), it is likely there would be a junction for Bradwell Quarry/Rivenhall IWMF. The junctions would be

		provided as part of the road scheme but connection to the quarry/waste facility would be at the developers' expense.
315.	Understood Gent Fairhead would part fund A120 new route	Gent Fairhead are not required/or have offered to part fund A120. They were be required to pay for connection to any junction as explained above if Route D were progressed by HE
316.	It was stated at the Community Events there would be only 200 lorry loads/movement, but it is known there would be in excess of 400 lorry loads/movements	There is no change to the number of permitted HGV movements. The facility is permitted such that there may be up to 404 HGV movements a day (202 in 202 out)
317.	It was stated at the Community Event that waste vehicle were already passing through Essex on the A120, such that there would be no additional HGV movements on the A120.	It is known that waste is exported to Europe which could be via ports within Essex and Suffolk, such that HGVs transporting this waste could be passing through Essex and potentially using the A120. No firm data is known.
	<b>Ecology</b>	
318.	The EIA is required to consider ecological impacts not just impacts on protected species. The NPPF sets out impacts on the Natural Environment are a material consideration.	See section 7 Appraisal part S
319.	Has the necessary Habitats Regulations 2017 Appropriate Assessment been carried out in light of recent policy from Natural England?	See section 7 Appraisal part S
320.	An additional wildlife study should be carried out based on the increased stack height, especially migratory birds including, but not limited to Geese and Swallows	See section 7 Appraisal part S
321.	Insufficient information on ecology and protected species has been provided	The original and subsequent planning applications for the IWMF have been supported by ecological assessments. No objections have been raised by Natural England, Essex Wildlife Trust or the County's ecological consultant
322.	The extraction and discharge of water	The abstraction and discharge

	into the River Blackwater will devastate the ecology of the river	of water from the River Blackwater is administered by the Environment Agency. No discharge is permitted to the River Blackwater. There is an existing Abstraction licence issued by the Environment Agency to abstract water from the River Blackwater.
323.	Insufficient consideration has been given to the impact of pollution/acid rain upon ecology including the Ancient Woodlands, flora and fauna including bees and other insects and river water	The EA in consideration of the EP considered the environmental impact of the changes to air quality.
324.	The IWMF will impact river water quality and thus upon river ecology, including otters, kingfishers, trout.	See section 7 Appraisal part Sand T.
325.	In a period of ecological crisis, we should not be making the problem worse, by reducing air quality	See section 7 Appraisal part S
326.	There are beehives within Coggeshall producing award winning honey, the pollutants have potential to impact upon these bees and the honey they produce.	See section 7 Appraisal part S
327.	Marks Hall Estate is an arboretum approx. 5km from the site and a local wildlife site and includes areas of ancient woodland.. It is considered the impacts of the increased stack height and likely dispersed emissions have not been adequately assessed as part of the EIA.	The EIA has considered the potential impact on ecology including CWS sites in closer proximity to the Marks Hall arboretum and concluded there would not be significant impact. The impact of emissions is also considered as part of the EP process by the EA.
328.	Why has ECC allowed TPO trees to be cut down and bat habitats destroyed.	The loss of an area of TPO Woodland was considered in the balance of issues when the original RCF was determined by the Inspector in 2009/10. Subject to mitigation the impacts on bat habitats was not considered significant.
	<b>Water usage</b>	
329.	The SoS decision in 2010 refers to water use from outside the site would be “minimal”; this does not appear to be the case now.	See section 7 Appraisal part T
330.	There remains uncertainty as to whether a discharge licence will be applied for and concern that there will be further changes	See section 7 Appraisal part S

	to the proposed water management	
331.	Information as to water flow analysis is unclear, and should be provided for winter and summer periods	This is matter for the EA
332.	It is not clear who would monitor water usage and take action if limits are exceeded.	This is a matter for the EA
333.	The abstraction and discharge of water is a risk to local water resources	This is a matter for the EA
334.	There remains uncertainty with respect to water management, smaller temporary lagoons are proposed to allow management of water during the construction of the main lagoon and this leads to uncertainty whether there would be need for greater abstraction or need for discharge.	See section 7 Appraisal part T
335.	Concern that the required abstraction from the River Blackwater would impact upon the health of the river.	An abstraction licence is already in place administered by the EA. The Abstraction Licence is subject to restrictions to ensure abstraction does not impact adversely upon flows within the river.
	<b>Other</b>	
336.	The site lies on the watershed of the rivers Brain and Blackwater and water will percolate through ground water to affect the rivers water quality	<p>The control of water quality is a matter for the Environmental Permit.</p> <p>All water arising within the IWMF will be managed within the IWMF, there is a water treatment facility as part of the IWMF</p>
337.	There have been devastating reports in Northern Ireland as to the long-term benefit and financial feasibility of Anaerobic Digestion Facilities.	Noted
338.	There is no consideration of the potential Silver End Garden Suburb being considered by Braintree District Council.	This proposal is at pre-application/pre-local plan allocation stage and therefore not required to be considered. If progressed the application/EIA for the Garden Suburb would need to take account of any IWMF permission.
339.	If this facility goes ahead it will decrease property prices, who will compensate?	The impact of planning permission on surrounding properties prices is not a land

		use planning issue and there is no recourse for compensation.
	<b>Applicants financial situation</b>	
340.	Indications are that the applicant has insufficient funds to develop the facility.	See section 7 Appraisal part D
341.	Publicly available evidence demonstrates the applicant does not appear to have sufficient funds to develop the facility, thus there are significant long –term risks to ECC in permitting this facility.	See section 7 Appraisal part D
342.	If the developer became insolvent the risk would fall back on the procuring authority.	See section 7 Appraisal part D
343.	Stack height costs and the subsequent BAT versus cost analysis is distorted as these costs do not include the base construction costs jeopardising the financial viability and funding of the project	See section 7 Appraisal part D
344.	Financial viability is low as a result of the withdrawal of funding.	See section 7 Appraisal part D
345.	Consider the WPA should assess whether the applicant has adequate finance to start and complete the development as material consideration in the determination.	See section 7 Appraisal part D
346.	ECC therefore run the risk of making a very expensive financial mistake in using public money to build an incinerator at great cost, whilst the levels of waste it is designed to burn increasingly diminishes.	See section 7 Appraisal part B and D
347.	The stack height costs and the subsequent BAT verses cost analysis is distorted as these costs do not include the base construction costs jeopardising the financial viability and funding of the project	The BAT assessment is part of the consideration of the EP by the EA and not a planning matter. Also see section 7 Appraisal part D
348.	The applicant states that the reason for proceeding is large investment that has already been made by the applicant. This is no reason to continue.	The commercial investment by the applicant is not a material planning consideration.
349.	No business case has been presented of the future sustainability of this facility. No detail as to where the business will come from, no projected P & L account or balance sheet. ECC must possess this information.	Financial viability is not a planning issue. This is merchant facility i.e. there are no existing contracts with ECC as Waste Disposal Authority.