



Reference: KCC/SCR/GR/0250/2021

**KENT COUNTY COUNCIL
THE TOWN AND COUNTRY PLANNING
(ENVIRONMENTAL IMPACT ASSESSMENT)
REGULATIONS 2017**

SCREENING OPINION UNDER REGULATION 6

To: Britannia Refined Metals (BRM)
c/o Wood Group UK Limited
Canon Court
Abbey Lawn
Abbey Foregate
Shrewsbury
SY2 5DE

Proposed development: Request for a screening opinion as to whether the proposed development of a facility to sample waste electronics material (also known as an E-Scrap facility) requires an Environmental Impact Assessment at Britannia Refined Metals (BRM) site, Botany Road, Northfleet, Kent DA11 9BG

TAKE NOTICE that the KENT COUNTY COUNCIL, the County Planning Authority, under the Town and Country Planning Act, considers that the above proposed development referred to in your screening request dated 8 December 2021, set out within the letter from the Wood Group Ltd dated 8 December 2021 (Ref: Ref – 807346-WOOD-XX-XX-CO-V-00001_S3_P01) and drawing 807346-WOOD-XX-XX-FG-O-00001_S2_P03 titled “Proposed E-Scrap Facility Site Boundary” dated December 2021, is Schedule 2 development within the meaning of the Town and Country Planning (Environmental impact Assessment) Regulations 2017, which in this particular case **does not** constitute EIA development for the following reasons:

The site comprises approximately 1.25ha of previously developed land. It is located off Manor Way, Northfleet, immediately north of the existing operational BRM Lead Refinery, south of the Northfleet Wharf and Concrete Plant (operated by CEMEX), west of the River Thames and east of the Botany Marshes Local Wildlife Site and the Swanscombe Peninsula SSSI. Part of the site is currently leased by a plant hire company, including an office building, open storage of plant and equipment. The site currently includes areas of concrete hardstanding, a small building and portacabins with the remainder covered by scrub planting.

The project comprises development of a new waste management facility that would receive, sample and bulk up waste electronics material for onward transportation to suitable recycling / disposal facilities (also known as an E-scrap facility). E-scrap comprises discarded, shredded electronic materials from computers, mobile phones, circuit boards, hard-drives, etc. It contains a complex and diverse mix of waste types and materials, some of which are hazardous (including cadmium, lead, mercury and certain flame retardants). Operations on site would involve the shredding of E-scrap within a new fully enclosed building to allow laboratory analysis of the materials. This analysis would allow waste streams to be sorted, bulked up, bagged and dispatched to the most appropriate management facility for the material type. These would

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include smelting and re-processing facilities. The documentation indicates that this would include shipment outside of the UK.

Waste would predominantly be collected from the London area, with some material coming from across the UK. It would be transported to site by heavy goods vehicles (HGVs), where it would be off-loaded within a building. The proposed facility would have a maximum throughput of 25,000 tonnes per annum (tpa), with up to approximately 2,000 tonnes of E-scrap stored on site at any one time. It is anticipated the site would receive deliveries of up to 100 tonnes per day via 5 HGVs (each with a 20-tonne payload). Shredded material would be dispatched bagged up within containers in 20-tonne loads and transported by road to a nearby shipping terminal. The proposals indicate an average of 5 HGVs exporting material per day. The total import and export would require (approximately) 20 HGV movements per day (10in / 10out). HGV movements would take place during normal working hours 5 days each week (Monday-Friday).

The proposed site is not within a 'sensitive area' as defined in Part 1 Regulation 2(1). However, the Swanscombe Peninsula SSSI is positioned immediately to the west with the Thames Estuary Marine Conservation Zone to the east of the site. The development constitutes a 'Schedule 2 Development' by virtue of paragraph 2 sub-paragraph 11(b) (Installations for the disposal of waste) of the Schedule 2 to the 2017 Regulations as the site exceeds 0.5ha, it also adjoins the River Thames and overlies a major aquifer and is therefore within 100m of controlled waters. Case law establishes that the term 'disposal' must be construed in the wider sense as covering all operations leading either to waste disposal or to waste recovery. Therefore, the proposed facility would fall under the provisions of sub-paragraph 11(b) indicated above. Given this it is necessary to consider whether the proposal is likely to have significant effects on the environment by taking account of the selection criteria as set out in Schedule 3 of the Regulations.

The Planning Practice Guidance: Environmental Impact Assessment includes a set of indicative thresholds and criteria to guide local planning authorities in determining whether a project is likely to have significant environmental effects. For paragraph 11(b) the relevant indicative criteria and threshold are installations for the deposit, recovery and / or disposal of household, industrial and / or commercial wastes where new capacity is created to hold more than 50,000 tonnes per year, or to hold waste on a site of 10 hectares (ha) or more. The guidance indicates sites taking smaller quantities of these wastes, or sites seeking only to accept inert wastes (demolition rubble etc.), or Civic Amenity sites, are unlikely to require Environmental Impact Assessment. The development would fall below these thresholds in terms of throughput and area. The facility would accept inert waste streams, however as indicated above there would be a hazardous content.

The Planning Practice Guidance states that it should not be presumed that development above the indicative thresholds will always be EIA development or that those falling below the thresholds could never give rise to significant effects. The guidance indicates that each development needs to be considered on its own merits with the fundamental test being whether, within the given location, a particular development and its specific impacts are likely to result in significant effects on the environment.

Whilst elements of the wastes proposed to be received, bulked up and stored on site are considered hazardous, these are materials that are widely found in everyday life. The waste streams need to be managed, repurposed, or disposed of in a sustainable way. The volumes of waste material proposed are not considered environmentally significant. The proposals would involve shredding, testing, segregation and bulking up of material for transfer, no other processing of waste would take place on site. The development proposes a fully contained building and any waste activity proposed on site would be subject to regulation, control and monitoring through the environmental permitting regime.

The project has the potential to impact on nearby ecological designations, ground conditions, groundwater and surface water, flood risk, highway matters, noise, air quality, dust (amongst other matters). These impacts are considered unlikely to result in significant adverse effects on the environment in EIA terms. It should be noted that the assessment of environmental matters, including those set out above, would form part of the normal planning application process whereby the merits of the proposals are given due consideration as well as any mitigation measures that may be secured by condition to control potential impacts upon the environment. The application can reasonably be accompanied by environmental information that would inform these considerations.

Having regard to the information supplied within the screening request and paragraphs 1, 2 and 3 of Schedule 3 of the 2017 Regulations as well as the National Planning Policy Framework, Planning Practice Guidance and National Planning Policy for Waste, it is considered that the proposed development would not be likely to give rise to significant effects on the environment because of its nature, size and location when considered either in isolation or in combination either as a result of construction impacts or ongoing operational impacts. There are no other issues that indicate a likelihood of there being significant environmental effects from this proposal.

Under the circumstances, whilst the proposed development does need to be the subject of a planning application the County Council considers that the development as described **does not** need to be accompanied by an environmental statement, as defined in the 2017 Regulations.

This decision is reached based upon the information contained in the screening opinion documents outlined above. All potential environmental impacts have been considered in reaching this screening opinion decision and are not limited to the ones explicitly covered in this document. In accordance with the 2017 Regulations, the Development Corporation reserves the right to revisit this decision should any of those conclusions together with any further supporting information be questioned by consultees or any third party during the processing of the application.

Dated Twenty third day of December 2021

(Signed).....
Head of Planning Applications Group