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Dear Sir/ Madam,

Proposed E-Scrap Facility, Britannia Refined Metals, Manor Way, Northfleet, Gravesend DA11 9BG – Request for a formal Screening Opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017

On behalf of Britannia Refined Metals (BRM), Wood Group UK Limited (hereafter referred to as Wood) requests a formal Screening Opinion under Regulation 6 of the Town and Country (Environmental Impact Assessment) Regulations 2017 (hereafter referred to as 'the EIA Regulations') in relation to the proposed development of a facility to sample waste electronics material (also known as an E-scrap facility) at their site on Botany Road, Northfleet DA11 9BG.

As set out in this letter, Wood considers that the proposed development is not EIA development, and as such, any future planning application for the proposed facility will not be required to prepare and submit an Environmental Statement (ES).

In compliance with the EIA Regulations, this request for a Screening Opinion comprises:

- A brief description of the proposed development site, including any relevant planning background;
- A brief description of the nature and purpose of the proposals, including potential effects on the environment;
- Detailed discussion around whether the proposed facility meets the requisite thresholds set out in the EIA Regulations; and
- Conclusions around the need / or otherwise for any planning application to be accompanied by an EIA.

The proposed development site

The site of the proposed E-scrap facility comprises ~1.25ha of land, which is located immediately north of the existing operational Britannia Refined Metals (BRM) Ltd plant, off Manor Way, Northfleet, Gravesend DA11 9BG. It is situated on the western edge of Gravesham Borough close to the administrative boundary of Dartford Borough.

The proposed development site is under the ownership of BRM and is largely vacant with a small area presently leased by a nearby plant hire company to store plant and equipment such as cranes and portacabins. There is some limited concrete hardstanding and a small building, with the remainder of the site being covered by scrub planting.

A site location plan is provided as **Figure 1**.



The site is bounded to the east by the tidal River Thames and to the south by the wider operational BRM facility, which extends approximately (~)350m southwards - beyond that is the industrial Seacon Terminals Ltd freight facility. To the west (and on the opposite side of Manor Way), is the freshwater Botany Marsh, which comprises a network of drainage ditches, ponds, former grazing marsh, rough grassland and scrub. The marsh is partly owned by Britannia and the company has a management plan in place to maintain the environmental value of the land owned by Britannia. The marsh was recently notified by Natural England as a nationally significant Site of Special Scientific Interest (SSSI).

Immediately north of the site are other commercial sites fronting the river, which include an aggregates and concrete supplier.

The river frontage is characterised by hard engineered flood defences and intertidal mud flats. The Ebbsfleet United football stadium is located ~750m southeast of the proposed facility and the nearest residential properties can be found south of the A226/ Galley Hill Road, some ~750m south of the proposed development site.

West of the proposed development site also lies the wider site of the proposed 'London Resort'. An application was made under Sections 89(3) and 89(4) of the Planning Act 2008 by London Resort Company Holdings for an order granting development consent (DCO) for the development of a nationally significant visitor attraction and leisure resource. The facility itself would be built some distance from the site options for the E-Scrap facility, largely on brownfield land at Swanscombe Peninsula on the south bank of the River Thames and with supporting transport and visitor reception facilities on the northern side of the River Thames. Whilst the 'red line' boundary of the DCO application is located immediately west of the proposed E-Scrap site, this area constitutes marshland of biodiversity significance. This marsh area might be purchased by London Resort Company Holdings to be managed as part of the resort's wider landscape and biodiversity mitigation and the intention is for the wider marshland to remain a green space. An application for a DCO was made to the Planning Inspectorate on 04/01/2021 and accepted on 28/01/21. At present, pre-examination details are pending.

From reviewing the local extant planning policy landscape (the Kent Minerals and Waste Local Plan 2013-2030, adopted July 2016; the Gravesham Local Plan Core Strategy and Policies Map, adopted September 2014; and the Gravesham Local Plan First Review – Saved Policies, adopted 1994), as well as environmental information within the on-line tool MAGIC (www.magic.gov.uk) and the Government's Flood Risk Maps (<https://flood-map-for-planning.service.gov.uk/>) it has been established that the proposed E-scrap site possesses the following key environmental / planning features:

- There are no statutory protected environmental designations within the proposed development site;
- Swanscombe Peninsula SSSI is located west of the site on the opposite side of Manor Way. This comprises a 264-hectare area notified by Natural England in March 2021 as an area of open mosaic habitat on previously developed land and traditional estuarine habitat which connects Ebbsfleet Valley to the southern shore of the River Thames between Dartford and Gravesend;
- The site is located in a Flood Zone 3 area - which is an area identified by the Environment Agency as being at high risk of flooding;
- The site is located in the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area and the Swanscombe Peninsula East Riverside Industrial Area where employment development is supported; and
- The site is within an area identified as being in an Air Quality Management Area (AQMA).

The wider BRM plant presently employs 160 people and is part of the Zinc division of Glencore. The principal manufacturing units at the site are a metal refinery and silver plant. The site is equipped with its own analytical laboratories, workshops, administrative offices, stores, and engineering departments.



The proposed development

E-scrap comprises discarded, shredded electronic materials from computers, mobile phones, circuit boards, hard-drives, etc. It contains a complex and heterogeneous mix of product types and materials, some of which are hazardous (including cadmium, lead, mercury and certain flame retardants). Hazardous waste is defined (in England) within the Hazardous Waste (England and Wales) Regulations 2005 as 'any waste with hazardous properties that may make it harmful to human health and the environment'.

This request for a screening opinion relates to BRM's proposals to develop a small facility to sample waste electronics material (also known as an E-scrap facility) on the northern part of their site off Manor Way, Northfleet. Essentially, this process involves the shredding of E-scrap to allow material laboratory analysis. This in turn allows BRM to identify the most appropriate destination for the waste stream from which the sample was derived (essentially exported to other (Glencore owned) smelting and re-processing facilities potentially located outside of the UK).

E-scrap collected predominantly from London, but also from across the UK would be transported to the E-scrap site via heavy goods vehicle (HGV), where it would be off-loaded within a fully enclosed building. After carrying out checks on the material, it would then be shredded (again within a building) to create a representative sample, placed into bags and then stored on-site, before being loaded into containers, ready for onward shipment outside the UK. All feedstock material would be derived from the UK and despatched outside the UK (for onward recycling and re-processing).

The proposed E-scrap facility would have a maximum throughput of 25,000 tonnes per annum (tpa), with up to approximately 4 weeks covered on-site storage equating to ~2,000 tonnes of E-scrap.

The site would receive deliveries of up to 100 tonnes per day of E-scrap via 5 HGVs (each with a 20-tonne payload). Deliveries would be made over 5 days each week (Monday-Friday) and all deliveries would be made within daytime hours. In terms of despatch of the shredded and bagged E-scrap, it is envisaged that the loaded containers would be transported via road to a proximate shipping container terminal via road on an average of x5 20 tonne payload HGVs per day. Access and egress from the site would be via a new site entrance and weighbridge onto Manor Way.

EIA Regulations

Regulation 2 of the EIA Regulations defines EIA development as either:

- 'Schedule 1 development' (for which an EIA is required in every case); or
- 'Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its nature, size or location'.

The purpose of the EIA Regulations is to require applications for permission of certain forms of development, which are categorised in Schedules 1 and 2, to be accompanied by an Environmental Statement. Such a statement is intended to provide a comprehensive assessment of the likely significant environmental effects of the development proposed, having reasonable regard to current knowledge and methods of assessment.

Schedule 1, paragraphs (9) and (10) of the EIA Regulations defines waste developments requiring a mandatory EIA as being:

"9. Waste disposal installations for the incineration, chemical treatment (as defined in Annex I to Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste (3) under heading D9), or landfill of hazardous waste as defined in Article 3(2) of that Directive.

10. Waste disposal installations for the incineration or chemical treatment (as defined in Annex I to Directive 2008/98/EC under heading D9) of non-hazardous waste with a capacity exceeding 100 tonnes per day."

As the proposed E-scrap facility does not involve the incineration, chemical treatment or landfill of any hazardous or non-hazardous waste, it is considered that the proposals do not constitute development falling within Schedule 1 of the EIA Regulations.

In terms of Schedule 2, the proposed E-scrap facility would only constitute EIA development if: (i) it fell within the description of development within column 1 of Schedule 2 and exceed or met the applicable thresholds and criteria in



column 2; or (ii) if any part of the proposals is to be carried out in a 'sensitive area'. Furthermore, if deemed to be Schedule 2 development, an Environmental Statement is only required if the development proposals are likely to have significant environmental effects. Each of these issues is considered in turn below.

Schedule 2 development

In determining whether the proposals can be defined as Schedule 2 development, consideration needs to be given to the thresholds and criteria listed in Schedule 2 of the EIA Regulations. The National Planning Practice Guidance provides advice on the EIA process and includes indicative screening thresholds to help determine the need for EIA. It states that only a very small proportion of development will require an EIA and that in making a screening opinion, the Local Planning Authority must take into account the relevant selection criteria in Schedule 3 of the EIA Regulations.

Having given careful consideration to the EIA Regulations, it is considered that the proposed E-scrap facility could fall under the provisions of Section 11 of Schedule 2: "*Other projects*", and subcategory (b) "*Installations for the disposal of waste*".

The applicable thresholds and criteria for Section 11 ("*Other projects*"), subcategory (b) "*Installations for the disposal of waste*", as set out in Schedule 2 of the EIA Regulations, are:

- The disposal is by incineration; or
- The area of the development exceeds 0.5 hectares; or
- The installation is to be sited within 100 metres of any controlled waters.

Whilst the proposed development would clearly not constitute incineration, the area of the development is likely to exceed 0.5ha and the site is within 100m of the River Thames.

However, the proposed development does not constitute the disposal of waste - the E-scrap facility will simply transfer waste for onward recycling and re-processing. In this context, if the proposed development does not fall within the realms of Category 11 and is therefore not EIA development.

Nevertheless, for completeness the proposed development will be considered against this part of the (Category 11 of schedule 2) EIA Regulations. On this basis, the application of criteria in Schedule 3 (the selection criteria for Schedule 2 projects) and the Secretary of State's guidance within the Planning Practice Guidance are to be considered.

Sensitive areas

'Sensitive areas' are defined by the EIA Regulations as Sites of Special Scientific Interest (SSSIs), National Parks, World Heritage Sites, Scheduled Monuments, Areas of Outstanding Natural Beauty or European Wildlife Sites (Special Protection Areas (SPAs), Special Areas of Conservation (SACs) or Ramsar). A review of the available information indicates that no such sites are present within the proposed development site. The nearest sensitive site is the Swanscombe Peninsula SSSI, which is located immediately west of the site on the opposite side of Manor Way.

However, despite the close proximity of the Swanscombe Peninsula SSSI, the proposed development site is presently within a significantly industrialised plant area; notably it forms part of the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area and the Swanscombe Peninsula East Riverside Industrial Area where employment development is supported. Given this, and the fact that the proposals simply relate to the transfer rather than disposal of E-scrap, it is considered that the proposed development would have no significant effects on the nearby SSSI.



Screening opinion

As stated previously, in formulating a screening opinion, the Local Planning Authority must take into account the relevant selection criteria in Schedule 3 of the EIA Regulations. Although 'significance' is not defined in detail in the legislation, Schedule 3 of the Regulations asks Local Planning Authorities to have regard to the following factors:

- The *Characteristics of Development* having regard to size; cumulation with other developments; use of natural resources; production of waste; pollution and nuisances; risk of major accidents and/or disasters, including those caused by climate change; risks to human health;
- The *Location of Development* having regard to existing and approved land use; the relative abundance, availability, quality and regenerative capacity of local natural resources; the absorption capacity of the natural environment; and
- The *Characteristics of the Potential Impact* having regard to the magnitude and spatial extent, nature, transboundary nature, intensity and complexity, probability, onset, duration, frequency and reversibility of the impact; cumulation of the impact with the impact of other existing and/or approved development and the possibility of effectively reducing the impact.

The remainder of this letter considers these criteria in more detail.

Characteristics of Development

Size

Indicative thresholds and criteria set out by the National Planning Practice Guidance (NPPG) indicate that EIA is likely to be required for 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 annum (tpa), or to hold waste on a site of 10 hectares or more. The NPPG goes on to state that sites taking smaller quantities of these wastes are unlikely to require EIA.

As the proposed E-scrap facility would accept a maximum of 25,000tpa, it is considered that it falls significantly below the threshold where an EIA would be required.

Cumulation with other development

The proposed development would take place wholly within an existing industrial site, which itself is allocated in the extant development plan as being part of the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area and the Swanscombe Peninsula East Riverside Industrial Area, where employment development is supported. However, this wider allocation also supports the development of some substantial areas of housing to the south-east of the proposed development site. Although these areas are not immediately adjacent, consideration of how the proposed E-scrap facility may impact upon the emerging development of these nearby residential allocations would need to be given in any planning application. Notwithstanding this, as the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area contains a mix of employment / industrial and residential allocations, it is considered that the principle of locating such uses in close proximity has been established and that no significant cumulative effects would arise from the proposed development.

Use of natural resources

Significant effects from the use of natural resources are unlikely to occur as the nature of the proposals are such that it is unlikely that significant quantities of land or water would be required as part of the construction of the development.

The site area is modest at 1.25ha and by locating the proposed facility on existing, previously developed land, the proposals represent a sustainable use of land. Furthermore, best practice construction management measures, would be incorporated as part of the Construction Environmental Management Plan (CEMP), which is likely to be implemented by way of a planning condition, to ensure that the land is protected as part of the proposed development.

In terms of water, the proposed development has minimal requirements - there would be no abstraction of water from the Thames and on-site water (from rainfall and any washing down activities) would be collected and managed on the wider BRM site by using an existing water treatment plant. Notwithstanding this, it is noted that the site sits within a Flood Zone 3 area - an area identified by the Environment Agency as being at high risk of flooding. However, the site



currently benefits from flood defence infrastructure, which would remain in place. Furthermore, in accordance with the National Planning Policy Framework (NPPF, 2021) paragraphs 159-169, a full Flood Risk Assessment would be prepared and submitted with the planning application for the proposed E-scrap facility. This will include details of the proposed on-site drainage strategy (should changes to the existing drainage be required) and set out how the proposed development would operate to ensure no increase in flood risk to the surrounding area. This would include consideration of the need for climate change resilience to be incorporated into proposals for mitigation of potential flood risk.

Production of waste

Given the nature of the proposed development, the production of substantial quantities of waste resulting in significant effects are unlikely. During construction, measures would be implemented as part of the CEMP to ensure that the production of waste is minimised and where appropriate reused on site. Furthermore, the CEMP will seek to ensure good control of new materials brought to the site to minimise any wastage or scrappage.

In terms of the operational phase of the proposed development, as a waste facility, the proposal by its very nature will handle and receive waste and facilitate the recovery and re-processing of valuable finite resources contained within E-scrap. Significant waste generation is therefore not anticipated,

With these points in mind, it is not expected that the proposed development will have any significant effects in relation to the production of waste.

Pollution and nuisances

As noted earlier, the site is located some distance away from residential and other sensitive properties. Allied to this, it is proposed that potentially noisy activities such as the loading and unloading of E-scrap and the shredding of material is carried out within fully enclosed buildings. In this context, it is anticipated that the proposed development would give rise to little nuisance or pollution by way of noise or visual effects.

In terms of air quality, the proposed development is simply for the handling and transfer of waste i.e., there is no treatment proposed, there would therefore be no process emissions. Again, this, coupled with the fact that there are no sensitive receptors within close proximity to the site and that all waste handling would take place within fully enclosed buildings, which itself will have integrated dust extraction/filtration systems for the equipment, means that there would be no significant air quality effects.

Air quality effects must also be considered in tandem with the effects of emissions from HGVs transporting waste to and from the site - particularly as the site falls within an AQMA. However, as noted earlier, with a throughput of ~25,000tpa, it is anticipated that this would result in the generation of ~10 lorry movements per day - movements which would all take place within daytime hours. Given these minimal, anticipated traffic movements and the fact that the industrial area of the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area and the Swanscombe Peninsula East Riverside Industrial Area is presently served by an established road network, used to accommodating HGVs, it is considered that the traffic effects of the proposed E-scrap facility would not be significant.

Risk of major accidents and natural disasters

As outlined above, due to the nature, scale and location of the proposed facility, the development poses minimal risk in terms of major accidents and disasters.

During design, the designers will comply with the Construction (Design and Management) (CDM) Regulations 2015 and other relevant legislation when undertaking their design. Design decisions which have a health and safety implication will be recorded and designers will design out construction, operation, maintenance and eventual decommissioning risks to as low as reasonably practicable.

During construction the contractor would be required by law to implement health and safety measures which would minimise the risk of any accident occurring, including:

- The Health and Safety at Work Act 1974;
- The Management of Health and Safety and Work Regulations 1999; and



- The Construction (Design and Management) (CDM) Regulations 2015, and any other relevant legislation and best practice.

Furthermore, as required by the CDM Regulations, a Construction Phase (Health & Safety) Plan would be prepared for the works, setting out emergency procedures to be followed in the event of such an incident.

During the longer-term operation of the proposed development, the nature of the development is such that a major accident would be unlikely to occur as a result of the development's operation. Allied to this, the operations will be controlled and regulated via an environmental permit issued by the Environment Agency under the Environmental Permitting Regulations (England and Wales) 2016 as amended.

Location of Development

As previously discussed, the proposed site forms part of the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area and the Swanscombe Peninsula East Riverside Industrial Area, where employment development is supported. It is therefore considered that the principle of employment/ industrial development at the site is already established.

The site itself comprises hardstanding and areas of scrub and as previously referenced, is used to store plant, equipment and as an informal car parking area for the adjacent plant hire company. This industrial / previously developed nature of the site means that it is unlikely to accommodate any features of significant ecological value. Notwithstanding this, a Phase 1 habitat survey would be carried out across the site - the results of which would form part of a planning application. Should this initial survey elicit any features of note, further survey work and mitigation as appropriate would be included with the planning submission.

In terms of built heritage, the proposed development would not have an adverse effect on any designated heritage asset nor on any site of local architectural, archaeological or historical importance. There are no designated heritage assets within the site, and the closest listed building is approximately 1km to the southwest (Grade II* listed church off Galley Hill Road); and Asdin's Kiln Scheduled Monument is located ~0.9km south-east of the site. Therefore, the proposed E-scrap facility would not affect any designated heritage assets either directly or indirectly. Furthermore, there are no known archaeological features on the site. No significant effects on the historic environment are therefore anticipated as a result of the proposed development.

The site and surrounding landscape are not protected by national or local landscape designations. In terms of landscape character, the site is located within a mixed urban area - which reflects the site's industrialised character. Given this and the site's prevailing industrial / employment planning designation, it is considered that the proposed development would have no significant landscape effects.

Finally, in terms of visual receptors, the scale and location of the proposed development means that these are likely to be restricted to transient views from the local highway network to the west of the site. The closest residential properties can be found south of the A226/ Galley Hill Road, some ~750m south of the proposed development site. Given the lack of close sensitive visual receptors, the site's industrial / employment allocation and the fact that the scale building associated with the proposed development would be similar to existing similar structures. It is considered the proposed development would have no significant visual effects.

Characteristics of the potential impact

The magnitude and extent of any impact is likely to be limited to receptors within the immediate area surrounding the site. No transboundary effects are considered likely.

Due to the limited scope of the proposed works in terms of land take and the fact that the proposed development would be located wholly within an existing industrial area – and one that is allocated in the extant local plan for such uses - it is considered that the proposed development is unlikely to have significant ecological effects. Furthermore, given the nature of the proposed development, existing flood risk mitigation measures, and the fact that a detailed drainage system will form part of the design of the proposed development, it is expected that there would be no significant effects on water quality.



Finally, this request for a screening opinion also sets out that due to the nature, scale and location of the proposed development, it is not likely to result in significant effects on the environment, and residents (who are located some distance from the site) are unlikely to experience significant adverse effects. This includes effects on traffic, air quality, noise, visual effects, water, etc.

In summary therefore, based on the available information, the guidance provided by the NPPG and the nature, scale and location of proposed development, it is considered that the proposed development of an E-scrap facility adjacent to the BRM plant off Manor Way, Norfleet is unlikely to give rise to any significant environmental effects.

Conclusion

The proposed development falls outside Schedule 1 of the EIA Regulations. Furthermore, as the proposed development is simply for the transfer of waste rather than its disposal, it is considered that it does not fall under the provisions of Schedule 2 of the EIA Regulations. However, for robustness, this screening opinion request has evaluated the proposals as if they were considered to be an 'other project (installation for the disposal of waste)' under Schedule 2. In this regard, as the total site area exceeds the threshold of 0.5 ha and the development site is within 100m of a controlled water, the proposals have been considered against relevant selection criteria in Schedule 3 of the EIA Regulations.

In considering the proposed development against these criteria, consideration has been given to the scale, location and nature of the proposed development and in summary, Wood considers that **the proposed development does not constitute EIA development.**

Notwithstanding this, Wood recognises that further assessment work will be required to supplement the planning application. In this regard, if the Council agrees that the proposed development is not EIA development, subject to formal pre-application engagement with the Planning Authority, it is considered that a planning application for the E-scrap facility would likely need to comprise:

- A Planning Supporting Statement including:
 - i. A full description of the proposed development, including surface and foul drainage provisions / design, lighting information, elevations of buildings etc.
 - ii. An assessment which addresses proposed waste types and sources, existing and emerging options for dealing with the waste stream(s) at both strategic and more local level, technological options for the waste stream(s), regional and sub-regional self-sufficiency, the proximity principle (where waste disposal is involved) and alternative sites;
 - iii. A high-level air quality assessment, given that the site is in an AQMA;
 - iv. High level (Phase 1) ecological assessment (if priority species were identified as part of this initial study, further, detailed surveys would also be carried out and reported);
 - v. Land quality assessment (given that the site is brownfield / previously developed);
 - vi. Climate / renewable energy assessment i.e., how the proposal complies with the current climate change agenda in the UK; and
 - vii. Cumulative effects with proposals for the wider area.
- A stand-alone Flood Risk Assessment (FRA) – see earlier comments about the site's location in a Flood Zone 3 area – an area at high risk of flooding.

As appropriate, we would invite you to confirm if the proposed supporting documents are acceptable, and request that you adopt a screening opinion in line with Regulation 6 of the EIA Regulations.

Wood on behalf of BRM looks forward to receiving the screening opinion within the statutory three-week period. Should you require any further information or wish to discuss any aspect of the proposal in advance of your decision, please do not hesitate to contact me.



Continued...

Yours faithfully



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Enc. Site location plan

