

1 INTRODUCTION

- 1.1 The planning application seeks the change of use of a warehouse and adjoining land to an 'Energy from Waste' facility. This includes the storage of waste and the installation of gasification ovens within the building and a Combined Heat and Power Plant including an 18 m high chimney stack.
- 1.2 The site covers an area of 1.1 hectares and is located on the Marston Moor Business Park within a predominantly agricultural setting. The industrial park is designated for B1, B2 and B8 uses, with some *sui generis* uses mainly in relation to waste related activities. The estate is occupied by small-scale industrial units including food and drink suppliers, medical suppliers, bathroom and kitchen suppliers, garages, some manufacturing businesses and small family owned businesses.
- 1.3 The industrial estate is a former WW2 airfield and the existing site comprises a former aircraft hanger clad in corrugated steel.
- 1.4 The rural village of Tockwith lies some 500 m to the east of the site; the closest residential development (and children's playground) is Prince Rupert Drive, although several other properties are much closer including a bungalow near Rudgate Business Park adjacent to the airfield. Wetherby is approximately 8.5 km to the west and York is situated 22 km to the east. The application surroundings are predominantly a flat agricultural landscape.

2 THE PLANNING APPLICATION

- 2.1 The application states that the proposed plant will process waste and generate electricity on a 24 hour basis, 7 days a week. Waste will only be brought to the site between the hours of 0800 – 1700 on weekdays and 0800 – 1300 on Saturdays.
- 2.2 The plant will process 30,000 tonnes of non-hazardous municipal solid waste and 30,000 tonnes of hazardous waste per annum.
- 2.3 The proposals include the construction of 12 gasification ovens, 3 secondary thermal treatment chambers, 3 steam boilers, flue gas treatment system, chimney stack, turbine hall, water cooled condenser and an electrical connection so that electricity can be exported.
- 2.4 The planning application is requesting permission for the facility to operate by means of gasification. It is interesting to note that the scoping request (NY/2006/0195/SCO) was for the 'destruction of waste by means of plasma gasification', however it is understood that gasification and plasma gasification are two different technologies. It is of further interest that the Air Quality Impact Assessment has been carried out for 'a single tri-flue chimney accepting waste gases from three incineration streams'. It seems that there has been some confusion about which technology is being used.

2.5 The application suggests that power could be exported to the National Grid and that to achieve this an 11 km long cable to the nearest suitable substation would be required. The application also suggests that heat and power could also be supplied to the Business Park and local community. However this application does not show how the relevant connections could be made and the necessary construction details and land take do not form part of the application. This application must therefore be viewed as one for a standalone hazardous waste gasification plant with no export of heat or power. These concerns and others will be addressed in the following chapters.

3 POLICY CONSIDERATIONS

3.1 It is necessary for the application to be judged against the development plan including Government and regional guidance, the North Yorkshire County Structure Plan, the Waste Local Plan, consideration of the Minerals and Waste Development Framework, the Harrogate District Local Plan and Local Development Framework and other local waste strategies.

3.2 Planning Policy Statement 10: Planning for Sustainable Waste

3.2.1 This Government guidance on waste policy sets out key objectives for planning authorities which include:

- i. providing a framework in which communities take more responsibility for their own waste, and enable sufficient and timely provision of waste management facilities to meet the needs of their communities;*
- ii. helping secure the recovery or disposal of waste without endangering human health and without harming the environment, and enable waste to be disposed of in one of the nearest appropriate installations.*
- iii. reflect the concerns and interests of communities, the needs of waste collection authorities, waste disposal authorities and business, and encourage competitiveness.*

The issue of the proximity of the waste to the source (the Proximity Principle) requires waste to be managed as near as possible to its place of production. The proposed development will be expected to comply with the proximity principle.

3.2.2 The policy states that when identifying suitable sites for waste management facilities, waste planning authorities should assess their suitability for development against the following criteria:

- i. the extent to which they support the policies of the PPS*
- ii. the physical and environmental constraints on development, including existing and proposed neighbouring land uses*

- iii. *the cumulative effect of previous waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential;*
- iv. *the capacity of existing and potential transport infrastructure to support the sustainable movement of waste, and products arising from resource recovery, seeking when practicable to use modes other than the road transport.*

3.2.3 Regarding health issues the Statement says that where concerns about health are raised, waste planning authorities should avoid carrying out their own detailed assessment of epidemiological and other studies. Rather they should ensure, through drawing on Government advice and research and consultation with relevant health authority agencies, that they have advice on the implication of health and when determining planning applications consider locational implications of such advice. This is clearly the approach that must be taken considering that the technologies used for gasification are in their infancy and the environmental effects of some of the emissions are not fully appreciated.

3.2.4 However local residents and people working on the Business Park clearly perceive that there is a risk that their health and well being would be adversely affected by the operation of a hazardous waste gasification plant on the Business Park. Case law (*Newport County Borough Council v Secretary of State for Wales and Browning Ferris Environmental Services Ltd 1997*) has shown that public perception of fear is capable of being a material consideration in determining planning applications and local people's fears for their safety are neither baseless nor unfounded. This case involved the construction of a chemical waste treatment plant and one of the grounds for refusal was that the proposed development was perceived by the local community to be contrary to the public interest generally and to their interests in particular. In court it was held that the public's perception and risk to their safety inherent in the proposed development was a material consideration which must be taken into account.

3.2.5 One of the main objectives of PPS 10 is to confirm the importance of the waste hierarchy where the main goal is reduction, followed by re-use and recycling, composting and recovery with disposal being the last resort.

3.2.6 Whilst this guidance supersedes PPG 10, the applicant makes reference to it in relation to the location of suitable sites (Section 6.4.4 of Main Statement) which would include industrial areas, especially those containing heavy or specialised industrial uses, contaminated land, working or worked out quarries, existing landfill sites, sites previously occupied by other waste management facilities and existing or redundant sites. This gives a clear indication of the type of location appropriate for

this development, which is adjacent to land uses generally considered to be 'bad neighbours'. The Marston Moor Business Park is not a suitable industrial site, the current uses being appropriate to a small industrial park in a rural area.

3.3 The North Yorkshire County Structure Plan

3.3.1 There are no policies which relate directly to this type of development. Policy W1 says that it would be expected that waste disposal would predominantly be achieved through landfill. Policy W2 states, amongst other criteria, that proposals for the disposal of waste will be permitted where it has been shown that the site is suitable to accommodate the types of waste proposed and that provision will be required to reduce to an acceptable minimum the effects of the disposal operation on residential and rural amenity. The Structure Plan policies relating to waste have largely been superseded by more recent guidance such as PPS 10 and the Regional Spatial Strategy.

3.4 Draft Regional Spatial Strategy (RSS) – Yorkshire and the Humber 2016

3.4.1 The RSS for Yorkshire and the Humber region has been through a consultation period which finished on 21 December 2007. The responses to the consultation are now to be considered by Government Office on behalf of the Secretary of State, with determination expected to be around March 2008. As the RSS is at such an advanced stage, its policies are considered relevant.

3.4.2 Policy R5 regarding waste management strategic principles requires local authorities to seek and identify the combination of facilities and other waste management options which best meet environmental, social and economic needs for their areas based on general principles which include regional, sub regional and local self sufficiency and the proximity principle.

3.4.3 Policy R10 on Energy from Waste states that thermal recovery without energy recovery would only be permitted in special or exceptional cases. Whilst the application centres on the energy aspect, stating that an 11 km cable is required to supply power to the National Grid, no mention is made of the means of bringing this about and therefore this application is for a hazardous waste disposal facility only and must be considered as such. The preamble to this policy notes that it is important that such facilities should only be developed alongside measures to improve waste reduction, recycling and composting in accordance with the waste hierarchy. Gasification without energy recovery is not in accordance with the Waste Strategy for England 2007.

3.4.4 The RSS also notes that local authorities should ensure that the land use planning system makes an appropriate contribution to the achievement of national air objectives. They should ensure that air quality considerations are properly

considered. Harrogate Council have undertaken an assessment of air quality and concluded that there is no requirement for a declaration of an Air Quality Management Areas plan.

3.5 The North Yorkshire Waste Local Plan

- 3.5.1 The Waste Local Plan contains policies that are of direct relevance to the type of development proposed. The plan sets out criteria for determining a range of management and treatment options to ensure that waste is dealt with in the most appropriate manner whilst ensuring the protection of the environment and amenity.
- 3.5.2 The objectives include the protection of residential and rural amenity from the adverse effects of waste related development.
- 3.5.3 Policy 4/1 – Waste Management Proposals – states that waste management facilities will be permitted provided that
- the siting and scale of the development is appropriate to the location
 - there would not be an unacceptable environmental impact
 - it can be demonstrated that the proposals meet the Best Practicable Environmental Option
 - the location is geographically well located to the source of the waste, thereby accordingly with the proximity principle
- 3.5.4 Policy 4/2 details the waste hierarchy, which states that facilities will be considered having regard to the preferred methods of reduction, re-use, recovery and waste disposal. Incineration, or in this case gasification, will only be considered after the opportunities for recycling and composting have been explored.
- 3.5.5 Policy 4/19 centres on quality of life. It states that proposals for waste management facilities will be permitted only where there would not be an unacceptable impact on the local environment and residential amenity. In Section 4.47 it notes that the public perception of fear and the impact on health can be a material planning consideration to be taken into account.
- 3.5.6 Both Policies 5/9 relating to incineration and 7/1 on incineration, treatment and transfer of special or chemical waste, state that development will be permitted where the proposed site is suitably located within an existing, former or proposed industrial area of character appropriate to development and where they will not have an unacceptable impact on local amenity or the environment. Hazardous waste is defined as Special Waste
- 3.5.7 Section 5.46 notes that there are a number of developing technologies to recover 'energy from waste' including gasification and that these technologies will largely be in their developmental stages. Whilst the proposals are for gasification, there appear

to be many similarities with incineration and therefore Section 5.39 is relevant. This says that the siting of incinerators is influenced by a number of factors including:

- source of waste
- economic implications of transporting waste
- site access
- proposed energy use

It also states that these considerations generally mean that plants are likely to be located within or very close to urban areas.

3.5.8 Whilst the above policies were fairly recently adopted (May 2006) they were intended to cover the period up to 31 December 2006 and were prepared before the current guidance in PPS10 (Planning for Sustainable Waste). They will be replaced by the Minerals and Waste Development Framework. Active public consultation on the Mineral and Waste Core Strategies Submission is currently taking place.

3.6 Minerals and Waste Development Framework Core Strategies Submission Draft – January 2008

3.6.1 Whilst these policies have not yet been adopted by the County Council they give a strong indication of future policy.

3.6.2 Section 6.12 relating to Hazardous Waste notes that North Yorkshire produces a relatively small amount of the Region's hazardous waste. Whilst specialist facilities will be required, in view of the relatively low level of arisings of hazardous waste and the existence of specialist facilities near to the County boundary, it is not intended to make specific provision for new hazardous waste management capacity in the Waste Core Strategy. Section 6.15 goes further saying that 'new specialist facilities for Hazardous Waste treatment or disposal are not expected to be required'.

3.6.3 Policy CSW6 is relevant to this case stating that planning permission should be granted where the development represents an appropriate expansion or re-development of an existing waste management facility. The proposals are not an expansion but a new development; the current activities that the applicant carries out in an adjacent unit are for a hazardous waste transfer station not an energy plant. Neither is the site a re-development of an existing waste management facility. It should be noted that on the previous planning decision (MIN3462) involving the waste transfer station, the Committee Report, dated 26 October 2004, stated that the consequences of not granting permission was that the waste transfer station would allow the existing operations to remain outside. In approving the application the operation would be relocated to a purpose built facility. Whilst the application was granted, the operations have never been brought inside.

3.6.4 Section 7.43 notes again that provision through the allocation of sites for specialist facilities is not considered to be a priority, bearing in mind that such facilities currently exist close to the County boundary. Policy CSW10 notes that the County Council will support the on-site management of hazardous waste at the point of arising. Further permission for the management of hazardous waste, through the allocation of sites, will not be made.

3.7 Minerals and Waste Development Framework – Waste Site Allocations – November 2007

3.7.1 This document contains policies and proposals for the allocation and development of waste management facilities. The Waste Site Allocations Development Plan Document (DPD) helps to implement the spatial vision, strategic objectives and core policies. The preferred sites identified in this document represent those sites which are considered best fit with the Core Strategy Approach.

3.7.2 A total of 28 sites were originally put forward as potential sites for waste management in North Yorkshire in the Waste Allocations DPD, with Site W20 being at Moor Side at Tockwith. This site was discounted for waste management facilities due to high adverse landscape and visual aspects and poor accessibility, as shown in Appendix 2 of the publication. The site lies just to the west of Rudgate Business Park.

3.8 Joint Municipal Waste Management Strategy

3.8.1 North Yorkshire County Council and the City of York Council in partnership with 7 of the District and Borough Councils, including Harrogate Borough Council, have developed a Strategy to cover 2006 – 2026 called 'Let's Talk Rubbish'. The document provides a strategic vision for managing wastes. Whilst it is noted that the Partnership expects that in accordance with BPEO, residual waste treatment in York and North Yorkshire will be biological and / or thermal processes, the ultimate technological solution may vary depending on technology, market, policy and regulations and practicability. The document has been developed in response to the challenges facing the management of municipal waste.

3.8.2 It should be noted that two separate studies were carried out for the City of York and North Yorkshire Councils in 2004 and as part of the BPEO evaluation a number of potential treatment technologies were evaluated and ruled-out at that time, including gasification.

3.8.3 The Assessment of the BPEO for Municipal Solid Waste Arisings in North Yorkshire and the City of York, dated January 2005, notes that 'there is a long history of waste management technology being presented in the market as a new and advantageous solution to the waste problem, only for obstacles to their successful implementation

and operation to emerge at a later date. Such technology should not be disregarded, however it is prudent to account for risks associated with delivery in practice, albeit that this is difficult to assess in advance’.

3.9 Harrogate District Local Plan

3.9.1 Policy A1 has been saved and states that proposals for development should, wherever possible, make a positive contribution to the area by maintaining or improving the quality of the environment and amenity. The criteria by which development proposals should be considered in terms of impact on the environment and amenity are that permission should not be granted where a development would have an unacceptable impact on residential amenity and surrounding land uses; cause significant environmental impact and result in a detrimental effect on the visual amenity and character of the area or cause pollution that will have an unacceptable impact on development within the vicinity.

3.10 Harrogate District Local Development Framework

3.10.1 This framework has not yet been adopted. Whilst it is noted that policy A1 will be replaced by a new policy in the Council’s first Local Development Scheme, the reason given is that there is some repetition with PPS 12 regarding Local Development Frameworks. It is qualified with the statement that Policy A1 is frequently used and important.

4 CONSIDERATION OF THE APPLICATION

4.1 The proposal needs to be considered against each of the policies and guidelines set out above and the principle components are:

- Waste Hierarchy
- Proximity Principle
- Location
- Environmental Considerations

4.2 Waste Hierarchy

4.2.1 The application states that this application is for an ‘Energy from Waste’ facility creating both heat and power and places great emphasis on these points throughout the application. However, whilst relying on these issues for all their positive aspects, the application does not give any information on how this will be achieved. There is no mention of how the energy will be supplied to the National Grid, as it only states that an 11 km cable will be needed. The environmental considerations in relation to this are therefore not open to review. There is no indication as to how the heat from the plant will be used or achieved. The application as it stands must be viewed as a

proposal only for the disposal of waste, which lies at the bottom of the waste hierarchy as set out in PPS 10. It is also clear in Policy R10 of the Regional Spatial Strategy that mass burn incineration (or gasification) without energy recovery is unsuitable development.

- 4.2.2 If permission is granted without any facilities for energy recovery then the plant may well operate for its whole life without energy recovery.

4.3 Proximity Principle

- 4.3.1 The majority of municipal solid waste and hazardous waste arises in urban areas unrelated to this rural site. The applicant is keen to show that the application meets the criteria set down in PPS10 and the Regional Spatial Strategy requiring that waste is dealt with at the nearest appropriate installations, whilst reflecting the concerns and interests of communities, authorities and businesses. It is felt that the most appropriate installations would be at an established landfill site, where the appropriate material could be removed for gasification, the residues then going on to landfill. Instead the applicant wishes to bring domestic waste from a wider area to achieve tonnages. Being adjacent to an existing hazardous waste transfer station is not sufficient justification for the location of this proposal.

4.4 Location

- 4.4.1 Policy W2 of the County Structure Plan notes that waste disposal operations should result in minimal effects on rural amenity with Policy 4/1 of the Waste Local Plan requiring operations to be sited in appropriate places, with no unacceptable impacts, being BPEO and geographically acceptable in proximity to the waste stream.
- 4.4.2 Policies 5/9 and 7/1 of the Waste Local Plan state that Special Waste (which includes Hazardous Waste) should be suitably located within an existing or proposed industrial area of character appropriate to the development. The development clearly does not meet these criteria as the business park is for 'light' industry in a rural setting, close to a village that has Conservation status. This proposed location is clearly not suitable.
- 4.4.3 Part of the planning process requires that all alternatives have been considered. The applicant states in Section 6.4.4 that 'due to the presence of the existing Hazardous Waste Facility and the need to adhere to the proximity principle, detailed analysis of alternative sites has not been undertaken as part of this assessment'. The applicant goes on to state that it can be concluded that there is no alternative or more appropriate site than Tockwith to satisfy the need to direct waste away from landfill. If an assessment has not been undertaken then it is not possible to say that there are no alternative sites. It is also felt that the applicant is confusing proximity to his currently operating business, with proximity to the waste stream. The fact that the

location is adjacent to the hazardous waste transfer station does not mean that it is proximate to the waste source. In reality, the waste transfer station itself does not conform to the proximity principle.

4.4.4 The Minerals and Waste Development Framework Core Strategy states that new hazardous waste facilities are not expected to be required. Policy CSW6 states that such facilities would only be permitted where there was an expansion of an existing facility or re-development of existing facilities. This is not the case.

4.4.5 The Waste Site Allocations document (November 2007) part of the Minerals and Waste Framework disregarded site W20 at Moor Side, Tockwith due to high adverse landscape and visual aspects and poor accessibility.

4.5 Environmental Considerations

Visual

4.5.1 Firstly and of particular concern is the fact that the Air Quality Impact Assessment, dated 17 October 2007, is a draft copy. It has a disclaimer on it which states that 'this report is not to be used for contractual or engineering purposes unless the front cover sheet is signed where indicated by both the originator of the report and the approver and the report is designated 'Final' on the cover sheet. The 'footer' at the bottom of the document is also referenced '@Analytical and Environmental Services 2007 14477 Draft'. The document is not 'Final' and has not been signed and therefore its accuracy and conclusions are questioned.

4.5.2 Also the Air Quality Impact Assessment has been carried out for 'a single tri-flue chimney accepting waste gases from three incineration streams'. Is the assessment therefore valid as the application is for gasification and not incineration?

4.5.3 Irrespective of this, Section 7 of the Assessment addresses the plume stack and states that indications are that 'for the estimated stack gas temperature and moisture level, that during the majority of weather conditions the plume from the combined emissions point will not be expected to extend large distances from the stack tip and will not have significant visual impact'.

4.5.4 This does not state the distance that the plume will extend and 'large distances' will be interpreted differently by different people. As far as the visual impact is concerned the site will be overlooked by the village of Tockwith and whilst the site currently exhibits a 'light' industry or business setting, the proposed facility will be more 'heavy' industrial in nature and cannot but intrude into a village such as Tockwith. This is further substantiated by the fact that the Moor Side site at Tockwith was discounted from the Minerals and Waste Development Framework – Waste Site Allocations Preferred Options Document due to its visual impact.

- 4.5.5 In respect of the chimney stack itself, the application states in Section 8.5.1 of the Environmental Statement that ‘nothing however, can be expected to mask the height of the stack in the foreseeable future’. It also says that consideration should be given to painting the stack to minimise its contrast with the back drop of trees to prevent it breaking the skyline, together with additional landscape planting. However any planting would fail to mitigate against the visual intrusion during the autumn and winter months when the leaves have fallen, unless non-native species are used which would not fit in with the surroundings. Also any additional planting would be ineffectual for at least the first 15 years and would not be tall enough to disguise the stack in any case.
- 4.5.6 The applicant states that the visual impacts have been assessed as slightly adverse to neutral, with the exception of the playground on Prince Rupert Drive where the intrusion will have a moderately adverse impact. This area which will be used by small children and their carers will have a direct view of external plant installations and the chimney stack, and would be a continual reminder of the presence of the hazardous waste gasification plant.

Traffic

- 4.5.7 The application suggests that the plant, within the context of the surrounding road network, would not result in any significant effect on accident risk. It concludes that the development would have no adverse effects on the local highway network but is a perceived risk from accidents involving the carriage of the hazardous waste on the part of the local residents and businesses.

Health

- 4.5.8 There are concerns amongst local residents that emissions may be released into the atmosphere, especially if there is an accident, and that this will have an adverse impact on the quality of their environment and health. This is particularly compounded by the fact that the Air Quality Standards Report (although draft) confirms that there are no guideline values or air quality standards for emissions such as dioxins and furans. The Assessment says that The Expert Panel of Air Quality Standards is currently discussing this area, and may assign guideline figures in the future. There are also no benchmark values for Volatile Organic Compounds. The assessment accepts that ‘the uncertainty associated with dispersion models is difficult to quantify, and short-term concentrations in particular may be subject to large uncertainties’. In light of these unknowns it would be difficult for the applicant to determine that there would be no adverse impacts on the surrounding receptors and therefore the fears of the residents are not put at ease.

4.5.9 Policy 4/19 centres on quality of life. Whilst the application has completed an Environmental Impact Assessment, the assessments and their findings do not allay the fears of the residents of Tockwith. Their perception that there is an unacceptable risk must be viewed as a material consideration.

5 SUMMARY

- 5.1 The applicant has failed to comply with Government guidance and policies contained in the North Yorkshire Structure Plan, North Yorkshire Waste Local Plan and the Harrogate District Local Plan. Whilst some of this guidance is in the process of being updated, the draft guidance in the form of the Regional Spatial Strategy for Yorkshire and Humberside and the North Yorkshire Minerals and Waste Development Framework would also not support this application.
- 5.2 Policies in PPS 10, the Regional Spatial Strategy and the North Yorkshire Waste Local Plan are not satisfied as the proposals are not in accordance with the proximity principal.
- 5.3 The proposals do not satisfy the requirements of PPS 10, Policy R10 of the Regional Spatial Strategy or Policy 4/2 of the Waste Local Plan as this is effectively an application for waste disposal and is therefore at the bottom of the waste hierarchy.
- 5.4 The proposals do not meet Policy CSW6 of the Minerals and Waste Development Framework Core Strategy as this is not an expansion of an existing facility or the re-development of an existing facility. The proposed allocation of land for a waste management facility at the adjacent Moor Side was not proceeded with due to high adverse landscape and visual aspects and poor accessibility.
- 5.5 The applicant has failed to show that the proposal will not have an unacceptable impact on nearby residential amenity in relation to air quality. The Assessment Report is in draft format and is therefore not valid. It also notes that there are a number of emissions that do not have guideline values or benchmarking values and therefore the impact cannot be quantified. This therefore does not meet Policy 4/19 of the Waste local Plan and the supporting text in paragraph 4.47.
- 5.6 The application does not include either a connection to the National Grid or details of how power / heat would be used in the locality. The environmental impacts of this facility have therefore not been properly assessed. The application lacks credibility.

6 CONCLUSION

6.1 The failure to comply with planning policies gives rise to a number of grounds for refusal that cannot be overcome by conditions. On this basis the planning application should be refused.

6.2 The grounds for refusal are as follows:

- 1. The failure of the applicant to supply sufficient and adequate information to enable the application to be considered.**
- 2. The failure to comply with the Proximity Principle as set out in PPS 10, Policy R5 of the draft Regional Spatial Strategy and Policy 4/1 of the North Yorkshire Waste Local Plan**
- 3. The failure to comply with the Waste Hierarchy principle as set out in PPS 10, Policy R10 of the draft Regional Spatial Strategy and Policy 4/2 of the North Yorkshire Waste Local Plan**
- 4. The development will be in contravention of the North Yorkshire Waste Local Plan Policies 4/1, 5/9 and 7/1 as it is not sited within an appropriate location or industrial site of appropriate character**
- 5. The development contravenes The Minerals and Waste Development Framework Policies CSW6 and CSW10 requiring the development to be an expansion of an existing facility or re-development of an existing waste management facility, and that additional sites for hazardous waste management are not required**
- 6. The proposal fails to satisfy the requirements of PPS 10, Policy W2 of the North Yorkshire County Structure Plan, Policy 4/19 of the North Yorkshire Waste Local Plan and Policy A1 of the Harrogate Local Plan in that the development will have an unacceptable impact on the environment and amenity of the location. In addition, the application fails to dispel the public perception of risk to human health and wellbeing.**