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The development is an EIA Development within the meaning of the Town and Country Planning (Environmental Impact Assessment) Wales) Regulations 2017 as confirmed by Planning and Environment Decisions Wales in their letter to the company of the 13th January 2022. I understand that as such a mandatory Environmental Statement is required.

In my submission on the Voluntary Retrospective Environmental Statement I would like to start by restating my ongoing objection to the siting of the Biomass Incinerator at every stage of the planning process and consultation. I have been contacted by local residents who have listed health and safety as well as environmental and practical concerns throughout the application process for planning and licencing permission for Barry Biomass, particularly since construction began in 2016. I have outlined concerns below in response to the consultation regarding the environmental statement for the Barry Biomass plant.

Health and safety concerns

Concerns have been continuously raised regarding local residents being at risk from releases of particulate matter and micro-organisms.

The site is very close to a residential area and a busy train station which is a cause for great concern given that the pathway for bioaerosols is air transport leading to inhalation.

From the outset there have been failures to meet environmental and health and safety requirements. Concerns have been raised that a fire tank and other safety measures have been built after testing began and it became clear that they were required despite local people being informed all requirements had been satisfied before testing.

There have been incidences of black smoke being reported by local people since construction began and testing commenced which I have also witnessed.

I continue to question how the risk can be mitigated by a dust management plan with the proximity of the site to a populous residential area. In addition to the

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release of polluting materials to the air (smoke or fumes, dust and bioaerosols), there is potential for release of pollutants via water or land.

There is a clear risk of dust nuisance as dust could be deposited on cars and clothes in the local area. The application notes a risk of noise nuisance. The local population has been subject to disturbances from the adjacent site in the form of ongoing light pollution, dust, noise, smoke and increase in traffic. Strong wind and dry weather will increase the likelihood of dust from the site causing a disturbance.

Traffic pollution concerns

Alongside local residents I am concerned about the potential increase in traffic in the area. This will lead to increased levels of pollution and noise in the area and could cause disturbance to the local residents. There are also concerns that increased volumes of traffic could impact on commuters from HGVs in particular.

Noise and light pollution

There are concerns regarding disturbance to the local population with regarding to noise and bright lights. I understand that noise from onsite vehicles will be 24/7 which presumably means floodlights will also be operational 24/7. I have received complaints from local residents about the light and noise pollution since construction began.

The documents note:

The operational Biomass site has approximately 17 - 20 staff. The site is operational on a continuous 24/7 basis with deliveries, loading and unloading activities generally carried out between 07:00 – 19:00 Monday to Friday, and in accordance with the stipulations of Condition 24 of the 2015 Planning Permission¹⁰

Concerns regarding the consultation

There is wide public concern regarding the Biomass Plant. Local people have lost trust in the company.

The documents note:

Since the commencement of the construction of the site in 2016, a number of environmental concerns have been raised by the public concerning the environmental and health impacts of the development. 1.6 As such, the Owner has agreed with a request from the Welsh Government to prepare this statement with a view providing an objective account of the likely significant environmental effects of the Biomass Facility by setting out the results of the EIA which has been undertaken of the 'As-Built' development. It is intended to provide the Welsh Government with

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sufficient information to evaluate the likely significant environmental effects of the Biomass Facility having due regard to the protection of the local amenity and the environment as a whole.

Local people have not been reassured that the significant environmental impact in such close proximity to a residential area has been mitigated and concerns remain that a site so near a residential area is inappropriate for such a development.

The documents notes:

The effects of the Biomass Facility have been assessed throughout the ES based upon what has been constructed and is currently existing. For example, pre-construction information and the associated impacts have been specifically excluded at the request of the Welsh Government on the basis that they have already occurred and there is no longer any potential to change, modify or make adjustments as a result of this assessment.

Given the long term and ongoing concerns of local residents and representatives I am concerned that the statement suggests that there is no scope for change if concerns have not been addressed.

It also notes that:

The measures that have been incorporated into the design which either reduce or avoid adverse environmental effects arising from the consented scheme and 'As-Built' development have been included as part of the project design.

Further confirmation is needed that no expansion will be permitted and that previous safety and environmental concerns have all been addressed.

I am concerned that the documentation provided by the company and published on the consultation website is incredibly lengthy and technical. Not all interested members of the public will have access to digital platforms to access this information and it is inaccessible due to the language and subject matter. This is an obstacle to meaningful consultation. I understand that there is a cost for accessing the documents in a different format.

Ongoing concerns presented in 2017/18 which have not been resolved by the statement:

1.1.1. AIR QUALITY

- (i) The Biomass Stack may discharge pollutants within the legal limit but I am concerned that these discharges will create a cumulative effect with existing industrial activity on the Docks Estate and along the A4055.
- (ii) The Welsh Government clearly states in its most recent guidance that there is no "safe" level of air particles.

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- (iii) Barry residents remain sceptical of the readings and data offered by Biomass.
- (iv) I must emphasise that in the immediate vicinity of the Biomass Plant are the socially deprived wards of Castleland and Cadoc where health, education and employment levels are already low. Additional particles in the air will be damaging to the health of Castleland and Cadoc residents, their older people and children.
- (v) The Report by the Shared Regulatory Service (Cardiff, Bridgend and Vale Councils) expresses concern over air quality. Note that this Report is written by professional officers and can be accessed [here](#).

1.1.2. NOISE

- (i) Noise has been a feature of the construction of the Plant, which the Vale of Glamorgan Council has made efforts to curtail.
- (ii) I am not convinced that noise will not continue should the Plant become operational.
- (iii) The Plant is likely to operate 24 hours per day with noise pollution caused by the arrival of HGVs and the opening and closing of the roller doors into the reception hall.
- (iv) During daylight hours, there will be 30 HGV deliveries of woodchip per day, making for (with return journeys) 60 HGV journeys along the A4055 and the A4231 daily.

1.1.3. LIGHT POLLUTION

- (i) Light pollution is a constant source of annoyance to the residents of Dock View Road (and the terraced housing in and around the immediate hinterland of the Docks Estate). This can be attributed to construction; however, there are no guarantees that light pollution will not continue once the Plant is operational.

1.1.4. TRAFFIC CONGESTION AND TRAFFIC EMISSIONS ALONG THE A4055

- (i) I remain extremely concerned that traffic congestion will emerge as a serious issue along the A4231, the A4055, Ffordd Y Mileniwm, Cory Way and David Davies Road. At a minimum, we can expect 60 HGV round-trip journeys along these routes.
- (ii) The Castleland and Cadoc Wards are among the most socially and economically deprived wards in Wales. As a result, educational achievement, health and employment levels are among the lowest in Wales. There is evidence also of high levels of respiratory problems in Castleland and Cadoc, and the addition of HGV emissions on a serious and sustained high level is of great concern.

1.1.5. CHILDREN'S COMMISSIONER FOR WALES / OLDER PEOPLE'S COMMISSIONER FOR WALES

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- (i) Both Professor Sally Holland (Children's Commissioner) and Sarah Rochira (the former Older People's Commissioner) share my concerns about the health and well-being of children and older people living in the Castleland and Cadoc Wards, and across Barry and the Vale of Glamorgan. These concerns have also been raised with the Future Generations Advisory Panel.

1.1.6. CLIMATE CHANGE, FLOODING AND TIDAL SURGE

- (i) These are real concerns which Biomass UK No 2 does not appear to have written into its construction plans.
- (ii) Flooding and tidal surge pose considerable threat to the Plant and the repercussions are considerable in terms of fire risk and industrial spillage.

1.1.7. PROXIMITY TO DWELLINGS

- (i) The Biomass UK No 2 Plant is being constructed in the heart of "Victorian" Barry.
- (ii) The Town of Barry was built in the 19th century to house the influx of workers who came to work on the Docks. The Barry Dock area of the town joined up the rural, medieval villages and hamlets of Barry, Merthyr Dyfan and Cadoxton. The construction of Barry Docks created a thriving industrial landscape which ended the isolation of Barry Island and brought it within the urban development. At the end of the 19th Century and the early part of the 20th Century, Barry was one of the largest coal-exporting towns in the world, rivalling Cardiff for size and status. Trains bringing coal from the South Wales Valleys operated 24/7 and Barry Docks was a thriving centre of activity and industrial magnificence. The Town's heritage and culture survive to this day, not least in the densely populated area of terraced housing in Barry Dock and Cadoxton. These are close-knit communities.
- (iii) Similarly, the brownfield site ("The Quays") across redundant areas of the Docks Estate, has been developed by Taylor Wimpey, Persimmon and Barratt Homes and provides accommodation for 5000 new residents of Barry. At the same time, this development includes social housing of a high standard and in line with the Welsh Government Housing Quality Standard.
- (iv) The new estate is close to the Biomass UK No 2 Plant and will be affected by the noise, traffic, emissions and other inconveniences which will emanate from the Plant.
- (v) The Social Housing development, as the final stage of the Quays redevelopment of the Barry Docks brownfield site, will be erected a mere 200 metres from the Plant.
- (vi) Should there be an incident at the Plant (fire, spillage) the effect on the immediate hinterland will be serious. I have written to the Vale of Glamorgan Cabinet Member for Neighbourhood Services, Transport and Civil Protection asking for reassurances around the civil protection of the populace should an incident occur. However, it would appear that Civil Protection Plans will not be drawn up by the Shared Regulatory Service (SRS) (Cardiff, Vale of Glamorgan, Bridgend Councils) until the plant is fully operational.

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- (vii) I will refer in more detail to the SRS Report later in this submission.

1.1.8. BEST AVAILABLE TECHNIQUES ("BAT")

- (i) This terminology has been a regular feature of the debate since it began.
- (ii) The concern is that we are entering a world of new, untested technology and Barry residents are (apparently) to be the experiment.
- (iii) In my meeting with the Health and Safety Executive (HSE), held on 10th November 2017 at the Government Buildings in Llanishen (Cardiff), HSE admitted that the Department had set up a new policy function to examine the new technology which is emerging in Barry Docks and across the UK.

1.1.9. DOMINO EFFECT

- (i) The Barry Docks Estate is home to the Chemical Industry; viz.
- Dow Silicones (formerly Dow Corning)
 - Hexion UK Ltd
 - The Bomar Quest is a chemical tanker which docks every 2 weeks; its cargo is unloaded onto trains which cross the docks estate en-route to Dow Silicones.
 - S and K Haulage; a haulage company immediately adjacent to the Biomass Plant whose cargoes often include dangerous substances and are parked up routinely next to the Biomass Plant, often (apparently) with load residue still present in the vehicles overnight.
- (ii) An incident at the Biomass UK No 2 Plant would create a "domino effect" across the docks estate with repercussions for the Quays Housing development and the terraced housing in and around the docks immediate hinterland.

1.1.10. DISCHARGE OF INDUSTRIAL AND BIOLOGICAL EFFLUENT INTO THE DOCKS

- (i) This concern has been the subject of two papers written by the Docks Incinerator Action Group. These papers are entitled: -
- Release of Effluent from Biomass No2 in to CSOs
 - Release of Effluent and Surface Water from Biomass No2
- (ii) Both papers are articulate and well-researched and I am enclosing copies with this submission by way of evidence.
- (iii) I am concerned about the proximity to the Ocean Watersports Trust at **The Mole** (immediately adjacent to Asda), of which I am a Trustee.

1.1.11. ADDITIONAL PLANNING APPLICATIONS

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- (i) I was dismayed to discover that a second Planning Application had been submitted requesting an extension of the Plant's curtilage to accommodate a car-park and also the construction of a water tower.
- (ii) The original drawings for the Plant indicated the presence of attenuation tanks to capture toxic fire-water in the event of a fire at the plant which would create run-off from hoses used by the South Wales Fire and Rescue Service. My understanding was that this toxic waste water would be tankered off the site for secure disposal. However, as a result of enquiries by Vale Councillors, it would appear that these attenuation tanks have not been constructed; hence the need to erect a water tower almost as an afterthought. The car-park is an obvious feature of a development such as this and it does not inspire confidence that the original design had not considered this.
- (iii) The water tower, if constructed, will create downwash, further affecting air quality.

1.1.12. FIRE PREVENTION PLAN

- (i) There is continuing concern that the Biomass Fire Prevention Plan is not robust enough to cope with a serious incident.
- (ii) Woodchip fires deep in the centre of stored feed (at both sites) are difficult to detect.
- (iii) Access by South Wales Fire and Rescue continues to worry residents
- (iv) The August 2017 Capita Reports express these concerns and are cited as evidence in this submission.

1.1.13. CIVIL PROTECTION PLAN

- (i) The Vale of Glamorgan Civil Protection Team says that it cannot produce an accurate Civil Protection Plan until the Biomass Plant is fully operational.

2. THE WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

- 2.1. I call for Public Services Boards created under the Act and the Public Bodies involved (e.g. NRW; Vale of Glamorgan; South Wales Fire and Rescue Service; Public Health Wales; Cardiff and Vale University Health Board) to examine the commitments in the form of Well-being Objectives that each PSB and Public Body has made to the 7 Well-Being Goals and the 5 ways of working.
- 2.2. This approach could help to influence decisions by public bodies associated with the Biomass Plant on Barry Docks.

I am copying this submission to the Minister for Climate Change, Julie James MS, the Cabinet Member for the Vale of Glamorgan Council and Barry Town Council.