

Meeting File Note: Summary of Key Issues and Actions from Scoping Meeting with Midlothian Council (29.01.14) NOT CIRCULATED

Attendees	Company
Gordon Frazer	Zero Waste
Joyce Learmonth	Development Control, Midlothian Council
Douglas Fraser	Transport, Midlothian Council
Lilliane Lauder	Environmental Health, Midlothian Council
Dave Molland	FCC
David Speddings	Race Cottam
Liz Jones	Axis

PROJECT UPDATE

DM provided a project update on changes since the last meeting and progress made. This includes a new project architect (Race Cottam) and a new technology provider (HZI).

PROJECT DESIGN AND OPERATION

DS talked through the new project design and showed drawings/images of the proposed layout, elevations, building design, potential cladding colours and a 3D model. The revised layout offers the following benefits:

- A one way system looping around the site which will help traffic flow
- The noisiest activities/equipment are located furthest away from the nearest sensitive receptors (west of the site) including the proposed Shawfair development.
- The mechanical treatment (MT) building and the EfW boiler house have been separated which helps in terms of construction, minimising fire risk, maintenance and access into the boiler house
- Separating the two buildings may assist with potential visual effects by separating the footprint.

It was also confirmed that:

- The stack height is yet to be fixed as this will depend on a stack height assessment. At the moment it is shown as being 65m;
- The stack location may change;
- There is likely to be a second substation;
- The link from the MT building to the EfW bunker is by conveyor;
- Any reversing on site will be done in the tipping hall; and
- The MT building may reduce in size. GF explained how this is related to the new SEPA thermal treatment guidelines.

JL asked whether it is possible to reduce the height that the conveyor runs at to reduce the visual impact. DS explained that the conveyor needs to run at that height to allow a sufficient drop at the bunker side. JL asked whether the conveyor is fully enclosed and DM confirmed that this would be. JL asked about potential noise issues with tipping of metal recyclables and DM explained that these are likely to be palletted or bailed.

GF explained why there is a reserve strip shown on the drawings and the potential issues of shafts which has meant that the exact road location has not yet been fixed. The extent of land available for landscape planting and the location of this will depend on its location.

DS explained the thought process behind the design of the building and showed potential ideas for architectural treatment to break up the mass of the buildings using colours. He advised that the aim is to keep the stack as slim and neutral as possible.

DM advised that colours/finishes will be considered at the next meeting which will focus specifically on landscape and design issues. JL confirmed that she would comment on this at this following meeting but noted that she is keen on open areas using transparent clear material. DM advised that this may be suitable in the correct location.

The potential for lights on the top of the stack was discussed. This will be confirmed as part of the EIA through consultation with the CAA. FCC will put in a request to MLC to confirm that the development is outside of the airport safeguarding zone, as part of the EIA.

LL asked why the tonnage had changed. DM and GF explained the position and that the figures are yet to be confirmed. It was explained that this may be up to 190,000 tonnes but the figure specified in the Scoping report was 165,000 tonnes. JL advised that the assessments may need to be done based on a worst case scenario in case this changes.

Operational times and times for deliveries were discussed between DF and GF.

SCOPING/EIA

LL asked that the air quality assessment ensures the closest receptors are considered.

JL suggested that the socio-economic benefits of the project should still be pushed if this section is to be scoped out of the EIA. LJ explained that the socio-economic benefits of heat/electricity would still be covered within an upfront section of the ES, but explained why it was not felt necessary to carry out a full socio-economic assessment again based on the findings of the PPiP.

The proposed approach and attendees for the landscape/design meeting was discussed.

OTHER RELEVANT DEVELOPMENTS

Other developments discussed were:

- New Borders Railway which is due for completion in September 2015;
- Operational railway yards which GF mentioned are quiet in the day and busy at night, There may however be operational changes in the future;
- Shawfair - the application is still pending. Midlothian Council is meeting with the developers every 2/3 weeks and the Section 75 agreement is almost ready to be signed (anticipated in the next 4 months). JL advised that construction may be possible before the end of 2014 based on the developer's current programme.

HEAT/ELECTRICITY OFFTAKE

DM explained the current situation with regard to potential heat/electricity offtake. It was explained that it may be beneficial to use the heat for schools, community facilities and social housing rather than private housing. DM will circulate the EoN presentation which explains how heat is controlled and managed and arrange for EoN to come in and do a presentation to MLC.

JL explained that there was a policy that favours undergrounding in the Shawfair Local Plan that has now been superseded by the MLP. Everyone is very keen for undergrounding everything within the Shawfair area so this should be taken into account.

Meeting File Note: Summary of Key Issues and Actions from Design/Landscape Consultation Meeting
(27.02.14) NOT CIRCULATED

Attendees	Company
Gordon Frazer	Zero Waste
Joyce Learmonth	Development Control, Midlothian Council
Ellen McCalman	Landscape Architect, Midlothian Council
Frazer McNaughton	Scottish Natural Heritage
Steven Malone	Architecture Design Scotland
Dave Molland	FCC
David Speddings	Race Cottam
Jon Mason	Axis
Liz Jones	Axis

PLANNING/SCOPING

FMcN asked whether East Lothian Council (ELC) had been consulted. JL said that both ELC and the City of Edinburgh Council (CEC) were consulted formally as part of the PPIP application and raised issues with regard to transport and landscape.

FMcN explained that there are proposed developments east of the railway line in the East Lothian District that will form part of their Main Issues Report and are likely to make it into the Local Plan. He advised consultation should be undertaken with ELC and CEC.

The group discussed the complexities surrounding cumulative effects assessment and deciding which proposed/allocated developments in the vicinity should be included.

JL meets regularly with Shawfair and has discussed the possibility of not having housing immediately adjacent to the proposed ERF as detailed in the original masterplan. The developers have explained that the north eastern corner is unlikely to be developed until the last stage which may be up to approximately 25 years.

JL advised that assessments for the EIA should be undertaken based on the current masterplan and design guidance submitted as part of the Shawfair planning application, but bearing in mind that the masterplan can be changed in the future and there does not seem to be any resistance to doing so from the developers. FMcN was in agreement with this approach.

LANDSCAPE AND VIEWS

FMcN queried what assumptions the initial re-assessment of landscape and views had been based on and highlighted the importance of defining the stack height and visible plume length. DM clarified that a stack height assessment will be undertaken shortly in consultation with SEPA for the permit application.

Building Size, Layout and Orientation

FMcN asked whether landscape and views had been considered in the re-orientation of the buildings and it was confirmed that this had been. DM explained that the Mechanical Treatment building may reduce in size, but this is yet to be confirmed

SM asked why the visitor centre is detached and not integral to the main building, following which the potential health and safety issues of doing so were explained.

Landscape Planting

The benefits of numerous areas of landscaping and planting being incorporated into the area as part of the Shawfair development (as shown on the masterplan) were discussed.

SM enquired about proposed landscaping arrangements on the site for people using the buildings and DS explained that there would be a provision. EM suggested that if planting is being retained around the site there may be potential for some footpaths to be incorporated.

FMcN added that mitigation planting outside the operational boundary is an option and that SNH prefer mitigation to be outside the fenceline to allow free movement in these areas. DM explained that this would be something that would have to be agreed with Network Rail if considered.

Lighting

Lighting requirements were discussed. FMcN advised that lighting should be kept as low as possible and below 12m and the tree level. As part of the EIA, consultation will be undertaken with the CAA which will determine if there is a requirement to put lighting on top of the stack.

It was also suggested that a very low level lighting presence through translucence may be beneficial. SM suggested looking at night time visuals to enable a range of approaches to be considered.

Building Finishes

It was acknowledged that a range of approaches could be taken to the finish and colour of the ERF which would be important in breaking up the buildings. The following points were made:

- FMcN asked if the stack could be any colour and DS confirmed that this was possible;
- FMcN suggested lightness, colour and breaking down the masses would be of benefit;
- FMcN said that the colours shown in the previous application reflected the landscape quite well with the use of different colours, timbers etc;
- EM advised more translucency may help;
- FMcN and JL both considered the current proposals shown to be quite functional and harsh at the moment
- There was a general feeling of the development potentially becoming a landmark and the possibility of celebrating this, bearing in mind its position on the edge of the city. A similar approach has been taken in Glasgow with a development becoming a feature at the gateway to the city.
- SM liked the idea of revealing internal processes where it is appropriate to do so,
- The benefit of exploring different approaches including functional/industrial and earthy/natural was advocated.

Photomontages/Viewpoints

The range of different viewpoints to the site was discussed, along with the potential scope to do photomontages incorporating the Shawfair development. DM advised that he would speak to the Shawfair developers at the meeting the following day to try and ascertain whether this may be

possible based on the existing information they have.

EM advised that a bridge proposed in the new Shawfair town centre would be a good elevated position and a key point from which to consider views.

FMcN suggested picking a point within each main area of the Shawfair masterplan and considering the potential effects, and re-iterated the importance of engaging ELC and ECC in considering key viewpoints. JL advised that it would however be the responsibility of future applicants that come forward at a later date to react to the Zero Waste proposal if approved to a certain extent.

The need for a representation from the A1 and city bypass was discussed although it was appreciated that it would be very difficult to get a photo from there. JM suggested that wirelines may be useful which SM and FMcN agreed.

AOB

- Other projects in the area mentioned were new development on the railway sidings east of the proposed ERF, and the New Royal City Children's hospital who FCC have spoken to;
- Levels of potential heat production were discussed;
- The possibility of taking the project to National Design Review through ADS's expert industrial designers was discussed;
- DM explained that by the time the project goes into the public domain for consultation FCC's aim is to have a couple of options to go public with that that MLC, SNH and ADS are happy with.
- Contact names mentioned:
 - Ben Wilson (CEC)
 - Ian Glen and Phil McCain (ELC)

**Meeting Note: Summary of Key Issues and Actions arising from Planning and Communications
Meeting (28.10.14)**

Attendees	Company
Joyce Learmonth (JL)	Development Control, Midlothian Council
Dave Molland (DM)	FCC
Jack Middleton (JM)	FCC
Euan Glen (EG)	PPS
Nick Roberts (NR)	Axis
Martin Pollard (MP)	Axis

Issue / Discussion	Action (If required)
FCC Update on Procurement Process and Current Timescales for the Preparation of the Planning Application	
<p>DM provided a detailed update to JL on their bid and the anticipated timescales for future stages of the bid and the associated planning process, he confirmed:</p> <ul style="list-style-type: none"> • FCC submitted their final tender documents to the Zero Waste Team on the 8th October 2014 • The scheme FCC's bid was based upon differs from that which JL has previously been consulted upon; • FCC has a new technology partner in CNIM; • Preferred bidder announcement is due to be made on the 17th December 2014 • Contract close is due in March 2015; • Given the timescales for the residual waste procurement process FCC has agreed to proceed with the preparation of the planning application and associated documentation on an 'at risk' basis, prior to the preferred bidder announcement. • It is FCC and AXIS' intention to have the planning application 60-70% complete by the 17th December 2014; • The aim would be to advertise the PAN on the 18th December, immediately after the PB announcement. This could end up the following week depending upon the protocols associated with the weekly papers; • The aim is currently to submit the planning application exactly 3 months from the issue of the PAN (by the end of March). 	
FCC Summary of Current Development Proposals	
<p>DM confirmed that there have been significant changes to the design of the proposed ERF facility since it was last discussed with JL. DM indicated that the key reasons for the changes to the scheme were as a result of a reduction to the level of Mechanical Pre-treatment that is required, a change in technology provider and further evolution of the proposed design.</p> <p>DM and NR confirmed to JL that the main changes to the proposed scheme are:</p> <ul style="list-style-type: none"> • A more compact building arrangement; • All key operational elements of the ERF process are now within a 	

<p>single building;</p> <ul style="list-style-type: none"> • The orientation of the main process line has changed with the reception hall to the north of the site rather than the east; • The site office and visitor centre has been re-positioned; • A baled waste storage building has been introduced on the western boundary (for the storage of baled waste during planned shut-down / maintenance periods) • The facility will now include an underground waste bunker rather than just a tipping hall. <p>MP indicated that he would provide JL with copies of the elevations and sections of the current layout. NR conformed that it is unlikely that the building heights would ultimately be materially different from those illustrated unless some external factor influences this.</p> <p>JL queried the heights of the main components of the building and asked whether it would be possible for the facility to be buried. NR confirmed that there would be a number of complexities associated with the construction of the building below ground. The first issue is that the ERF facility must be designed in order that certain components (e.g. the turbine) can be wheeled out 'at grade' for installation, maintenance and replacement, they are too heavy to be removed by crane. As such, it would not simply be possible to drop the depth of the building, without dropping much of the area surrounding the building to a similar extent. Such excavations are very costly. The second is that the former use of the site as a colliery and the presence of a number of capped shafts would add considerable cost and complexity to the lowering of ground levels over such a large area.</p> <p>JL also queried the re-location of the waste reception area from the eastern elevation of the building to the west and the potential for this to generate noise. JL also raised concerns regarding the potential for noise and odour to occur in connection with the proposed Bale Storage Facility and queried whether it would be more practical to take the waste off the site during planned maintenance periods. NR and DM provided confirmation on each of these issues:</p> <ul style="list-style-type: none"> • DM confirmed that one of the main drivers and matters that is being reviewed with CNIM (their technology provider) is to ensure that the proposed ERF development would not give rise to any significant effects as a result of noise when compared to measured background levels at the nearest boundary (i.e. the boundary with the proposed Shawfair New Community development). This would take into account all aspects of the scheme including the re-located reception area. • NR confirmed that very specific measures would be put in place to ensure that noise would not be generated during the movement of bales between the mechanical treatment facility and the bale store including the type of vehicle that would be used and introduction of an airlock to prevent release of noise whilst the mechanical treatment plant is operating; • NR confirmed that the baled waste would be encased within plastic wrapping and therefore would not have the potential to give rise to odour. DM and NR confirmed that this is how waste is transported from the UK to Europe and that ordinarily it would be stored like this in the open. It is being stored in a building at the behest of the Zero 	<p>MP to provide JL with the latest elevations.</p>
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<p>Waste team.</p> <ul style="list-style-type: none"> NR confirmed to JL that both noise and air quality (including odour) will be comprehensively assessed in the Environmental Statement. <p>JL raised some concerns regarding elements of the current design of the facility. NR confirmed that the existing design will be the subject of review by the FCC's appointed Architect and that we will also be entering into a formal design review process with A+DS. NR confirmed that we will involve JL and her colleagues in this process.</p>	
Confidentiality Issues	
<p>DM confirmed to JL that, whilst the project is still being dealt with on a commercial and in confidence basis, now that the final bid documents have been submitted (and thus no opportunity to change final submission documents) there is less sensitivity in providing details to technical bodies. The main sensitivity in his regard is now in terms of the public being made aware of the proposals.</p>	
Stakeholder / community engagement process and input from MLC	
<p>DM confirmed to JL that FCC have continued dialogue with the Shawfair developers and that a presentation had been made to them by their partners EON Community Energy to explain the practicalities of installing a network. DM also confirmed that the PR for the Shawfair development would be carried out at the same time as the Millerhill ERF development and that meetings have been held with their PR team to ensure that consistent messages are provided by both parties.</p> <p>DM confirmed that FCC's consultation with the Shawfair developers has been very positive and they hold a strong interest in the heat off-take and district heating opportunities the ERF development would bring.</p> <p>EG confirmed to JL that PPS were in possession of the PAC that had been prepared for the Zero Waste PPIp application. He confirmed to that it was a very comprehensive document and that it was his intention to use this as a basis for the formulation of the PAC for the ERF development. EG confirmed their intention to work with MLC and to make the consultation a positive process. JL agreed with this approach in principle.</p> <p>JL confirmed that there had only been 4 letters of representation from residents on the PPIp which reflects that fact that the site is generally remote from residential properties. JL also confirmed that the representation from Danderhall Community Council on the PPIp raised concerns regarding the impact of the development upon the Shawfair new community development. JL felt that the on-going and positive consultation between FCC and the Shawfair developers should ensure that any such concerns regarding the ERF development are addressed.</p> <p>JL also confirmed that Persimmon Homes objected to the PPIp application. They own a large parcel of land to the east of the site between the existing rail sidings and the A1. NR indicated that they would be taken into consideration and that we would be checking to establish if the site</p>	<p>MP to check whether land is to be allocated in</p>

was coming forward as an allocation in the emerging East Lothian development plan. DM did not think that the Council were supportive of the sites allocation. It was agreed that MP to check on LPD progress. JL thought the plan may be going before committee on the 28 th October 2014.	emerging East Lothian Plan.
PPiP Position	
<p>JL indicated that one of the main concerns will be that the proposed ERF development does not fall within the ambit of the PPiP consent. NR confirmed that the principal issue is that the height of the proposed EfW element of the PPiP scheme was clearly understated. NR explained to JL that the boiler needed to be a certain height in order to ensure that the Industrial Emission Directive (IED) specification for the combustion temperature to reach 850°C for 2 seconds is achieved.</p> <p>NR indicated that this position would need to be clarified in all application documentation. This would confirm that whilst the ERF development would be the subject of a standalone application, it is being made in the context of a subsisting PPiP. JL accepted this, but indicated that the main differences between the PPiP and the proposals would need to be addressed.</p>	
Form and content of planning application and planning validation requirements and Scope of EIA	
<p>NR confirmed that it is not FCC's intention to carry out formal EIA scoping with MLC in relation to the ERF development. NR confirmed that the main reason for this approach is the fact that the PPiP was supported by an EIA and thus the key environmental issues relating to the site and the surrounding area are already understood. NR indicated that scoping of assessments within the EIA would be carried out between relevant specialists in FCC's team and their counterparts within the Council and other relevant technical bodies. NR confirmed that for the vast majority of the environmental topics this process was already well underway.</p> <p>MP had provided a list of the documents that FCC is intending to prepare in support of their planning application and MP and NR reviewed them with JL.</p> <p>JL felt that the content of the planning application documents should be sufficient. JL did however indicate that in a recent seminar with SEPA that they appear to have specific concerns regarding the impact of development upon groundwater extractions and potential intrusion in the water table. MP and NR agreed that this matter would be considered in the context of the proposed waste bunker and that the assessment would be contained within the ES Chapter relating to Geology, Hydrogeology and Ground Conditions.</p>	MP to discuss with Chris Eccles at Terraconsult
Approach to Shawfair, AD Plant and Borders Railway in EIA and Approach to Assessment of Cumulative Effects	
NR confirmed that given the progress with the development of the AD Plant and the Borders Railway, both are likely to be complete and	

<p>operational before the determination of the planning application and as such, they would be included in the baseline for the EIA. JL confirmed that she was in agreement with this approach.</p> <p>NR, MP and JL then discussed the most appropriate approach to the adjacent Shawfair new community development. It was agreed that if the phasing of the Shawfair development was to be taken into consideration the assessment of baseline and cumulative effects could become very complex. It was ultimately concluded that the most robust approach to the assessment of the ERF in the context of the Shawfair development would be to assume that it is developed in accordance with the approved (August 2014) masterplan and included as part of the baseline for the EIA. JL confirmed that she was in agreement with this approach.</p> <p>MP indicated that in order to inform the assessment of cumulative effects FCC has been able to obtain lists of all recent major planning consents and development proposals in the vicinity of the Millerhill site from both East Lothian and Edinburgh Councils. MP asked if JL was aware of any recent planning consents or development projects within Midlothian Council's administrative area that would merit consideration.</p> <p>JL confirmed that residential developments are proposed at Newton House and Cauldcotes. The former is a 'preferred strategy' site with the latter a 'less preferred site' in the emerging Midlothian LDP. Both are near to Shawfair and JL expected that planning applications would be forthcoming in the near future. JL also referred to the Persimmon land just over the border in East Lothian Council's administrative area. MP confirmed that these sites would be considered.</p>	
<p>Legal Agreements</p>	
<p>JL indicated that there was no legal agreement attached to the planning permission PPiP but queried whether an agreement may be necessary in connection with the district heating network and associated infrastructure. NR concluded that this would all be addressed through the heat plan and Permit and should therefore not need to be the subject of a legal agreement. JL said that she would give this further consideration.</p>	
<p>Timescales for determination of application and collaborative working with Midlothian Council</p>	
<p>MP indicated that given the project timescales, it would be beneficial if the planning application could be determined within the statutory timescales. MP asked JL whether MLC would be willing to work with FCC in order to achieve this.</p> <p>JL confirmed that in order to do this, it will be important that MLC has sight of documentation in advance of submission. JL indicated that this approach would ensure that sufficient information is submitted for the purposes of validating the planning application and limit requests for further information during the determination process. MP and DM agreed to this working arrangement.</p>	

Further liaison with Architecture Design Scotland and Scottish Natural Heritage	
NR confirmed to JL that further liaison is to be carried out with A+DS and SNH during the preparation of the planning application. NR confirmed that A+DS' design review process would comprise of three workshops. A+DS will then produce a final report. JL expressed an interest in attending the first workshop and MP indicated that he would provide the relevant dates once they have been confirmed.	
Agreeing Landscape Viewpoints	
<p>NR indicated that significant progress had already been made regarding the establishment of key viewpoints following the previous meeting (in January 2014) with Ellen McCalman of MLC and Frazer McNaughton at Scottish Natural Heritage (SNH).</p> <p>NR discussed the site with JL and highlighted that mid-distance views from the A1 and A720 will be important. JL confirmed that whilst visible views from the roads would be 'passing'.</p> <p>JL indicated that she would be keen for AXIS to engage with Ellen and SNH on viewpoints and the visual assessment as soon as possible. JL considered that this would be one of the most important environmental assessments.</p>	
Airfield Safeguarding	
<p>NR confirmed that assuming that the stack height assessment does not indicate that the stack will be greater than that proposed as part of the PPiP application it would be the intention to adopt the same mitigation measures. Namely, the introduction of Aircraft Warning Lights.</p> <p>JL expressed some concerns regarding this approach and it was agreed that AXIS would</p> <ul style="list-style-type: none"> • Undertake a review of the consultation responses to the PPiP application in relation to safeguarding; • Engage in consultation with the CAA; and • Carry out a review to establish if any new safeguarding standards have been adopted since the determination of the PPiP application. 	MP to review PPiP application / consultation responses in respect of safeguarding and consult with CAA.
Lighting Assessment	
NR confirmed to JL that it was not the intention to submit a detailed lighting scheme and associated information at this stage, on the basis that it was more practical for this to be addressed following determination of the application and during the detailed design phase of the development. NR confirmed that a qualitative statement would be provided setting out the 'principles' that would be adopted for the lighting scheme with the detail conditional of any planning permission. JL indicated that she was in agreement with this approach.	

Arboricultural Survey	
<p>NR noted that, whilst there are a number of trees on the site, they are immature, the majority would not be suitable for assessment and the sheer number would make such an assessment difficult and costly. NR also noted that the loss of a far greater number of trees had already been accepted through the PPiP application and therefore questioned the need to carry out an Arboricultural assessment at all.</p> <p>JL agreed with this but and suggested that the matter is discussed with Ellen McCalman (Midlothian Council's Landscape Architect).</p>	MP / AXIS to discuss with Ellen McCalman
Application Boundary (Red Line)	
<p>NR referred to the site layout plan produced for the purposes of FCCs bid process and indicated that it was proposed that the red line would only extend as far as the boundary with the approved shared access with the adjacent AD development.</p> <p>JL noted that there was a gap between the boundary of the ERF site and the AD site. DM confirmed that it was in place to allow for network rail to access their services, but also for future district heating and electricity runs?</p> <p>JL indicated that it may be preferable for FCC to consider extending the red line boundary up to the boundary of the AD site and also to include the route of the proposed access road to the East of the site.</p>	
AOB	
<p>JL asked if she could be copied in on all correspondence with MLC staff. MP indicated that he would advise the planning team of this approach and circulate JL's e-mail address.</p>	MP to advise team to copy in JL.