Gloucestershire Residual Waste Project

PLANNING APPLICATION FOR THE DEVELOPMENT OF AN ENERGY FROM WASTE FACILITY, BOTTOM ASH PROCESSING FACILITY AND ASSOCIATED INFRASTRUCTURE ON LAND AT JAVELIN PARK, HARESFIELD, GLOUCESTERSHIRE

PLANNING APPLICATION DOCUMENT

JANUARY 2012

This report has been prepared in support of the planning application for the Gloucestershire Residual Waste Project on behalf of Urbaser Balfour Beatty. The application has been co-ordinated by Axis with technical inputs from:

- AXIS – Planning, Transportation, Landscape & Visual
- Gifford – Soils, Geology & Hydrogeology, Surface Waters & Flood Risk, Noise, Archaeology & Cultural Heritage, Facility Design
- Fichtner – Air Quality & Human Health Assessment
- Argus – Ecology and Nature Conservation
- Fletcher-Rae Architects – Facility Design and Architecture

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FOREWORD

This is the Planning Application Document for the development of an Energy from Waste (EfW) facility (with an integrated education / visitor centre), a bottom ash processing facility and associated infrastructure including access roads, security fencing, weighbridges, lighting and surface water lagoons on land at Javelin Park, Haresfield, Gloucestershire.

It comprises six parts which encompass documents forming part of the planning application and documents submitted in support of the application. These are divided as follows:

Documents Forming Part of the Application

- Part 1: Planning Application Forms, Certificates and Notices
- Part 4: Planning Application Drawings (in a separately bound drawing bundle)

Documents Submitted in Support of the Application

- Part 2: Design & Access Statement (in a separately bound document)
- Part 3: Planning Statement
- Part 5: Statement of Community Involvement
- Part 6: Other Information

In addition, submitted separately to this document, but also in support of the application, are the Transport Assessment and Environmental Statement (ES), the latter of which is presented in four volumes, as follows:

- Volume 1: Main Report;
- Volume 2: Illustrative Figures;
- Volume 3: Technical Appendices; and
- Volume 4: Non-Technical Summary.

The ES includes a Flood Risk Assessment in Appendix 11.1.

Part 1:

Planning Application Forms, Certificates and Notices

Part 2:

Design and Access Statement

Part 3:

Planning Statement

1.0 INTRODUCTION AND SCOPE OF THE APPLICATION

1.1 Introduction

1.1.1 This Planning Statement has been prepared by AXIS, in support of a planning application made by the consortium of Urbaser Limited and Balfour Beatty (hereafter referred to as UBB) for the development of an Energy from Waste (EfW) facility (with an integrated education / visitor centre), a bottom ash processing facility and associated infrastructure including access roads, security fencing, weighbridges, lighting and surface water lagoons on land at Javelin Park, Haresfield, Gloucestershire.

1.2 The Proposed Development

1.2.1 UBB is proposing to meet the residual municipal waste management needs of Gloucestershire County Council through the development of a purpose built EfW facility on land at Javelin Park. The facility would have an installed electricity generating capacity of 17.4 Megawatts (MW) (14.5 MW of this would be exported to the local supply grid with the remainder used in the operation of the facility). It would generate electricity by way of a steam turbine which would be driven through the combustion of approximately 190,000 tonnes per annum (tpa) of non-hazardous residual waste (i.e. waste which is left after recycling and composting) the significant majority of which would be municipal waste. Municipal waste is that waste collected and managed by, or on behalf of, local authorities. A lesser proportion of the waste treated at the facility would be commercial and industrial (C&I) wastes similar in composition to the municipal waste. The facility would also be capable of exporting heat produced through the waste combustion process. An identified heat user has not been established at this stage but UBB has undertaken an assessment of potential heat users in proximity to the proposed facility and will continue to review and explore the potential to secure contracts with heat users.

1.2.2 The proposed development would be based around a main building which would contain the following areas:

- waste reception hall;

- waste bunker;
- boiler hall and demineralisation plant;
- turbine hall;
- flue gas treatment (FGT) facility;
- Air Pollution Control (APC) reagent silos and APC residue silos;
- bottom ash processing facility; and
- education / visitor centre and staff facilities.

1.2.3 The development would also include the following ancillary / infrastructure elements:

- vehicle weighbridges and office;
- substation;
- site fencing and gates;
- service connections;
- surface water drainage and attenuation features;
- cycle / motorbike store;
- external hardstanding areas for vehicle manoeuvring;
- internal access roads and car parking;
- ammonia and diesel tanks;
- fire sprinkler system pump house; and
- new areas of hard and soft landscaping.

1.2.4 The operation of the proposed facility would comply fully with relevant UK Government and European Union (EU) legislation. The principal processes to be carried out at the plant include the receipt, storage and combustion of non-hazardous residual waste, the generation of electricity and heat, the use of emissions abatement equipment and the processing of bottom ash arising from the EfW facility into a recycled aggregate capable of beneficial use. In addition, there would also be the temporary storage of process residues (e.g. air pollution control residues) on the site prior to being transported off the site for treatment or disposal.

1.2.5 On the basis that the planning application is approved, the planned opening date for the facility is autumn 2015. The facility would have a design life of

approximately 30 years although in reality many elements of the plant would last beyond this period. For the avoidance of doubt planning permission is being sought for a permanent development and therefore as elements of the facility require repair/refurbishment/replacement this would be carried out.

1.2.6 A full detailed description of the proposed development is contained within Chapter 5.0 of the Environmental Statement (ES).

1.3 The Development Site

1.3.1 The proposed development site (hereafter referred to as 'the site') is approximately 5.1ha in area (including the site access road) and forms the southern part of Javelin Park, a disused former airfield. The wider Javelin Park site covers a total area of approximately 10.75ha and comprises derelict ground, hardstanding and vegetated areas. No buildings or above ground structures associated with the former land use remain at the site. The site slopes gently from east to west with a fall of approximately 2.5m. The site is situated at between 19.5 and 22 meters above ordnance datum (mAOD).

1.3.2 The site is bounded to the north by an undeveloped, derelict area (the northern part of 'Javelin Park'), beyond which lies Blooms Garden Centre. Further north is Junction 12 of the M5 motorway.

1.3.3 The eastern boundary of the site is formed by the B4008 beyond which are agricultural fields and one residential property, The Lodge, which is approximately 50m from the site boundary.

1.3.4 A small unnamed watercourse flows into the south-east corner of the site and flows along the southern and western boundary. It is understood that watercourse was previously culverted beneath Javelin Park and has since been diverted around the site in an engineered open channel. The corridor of the watercourse has been landscaped with trees and shrubs.

1.3.5 Agricultural fields lie to the south and west of the site. The M5 motorway runs in a north-east / south-west orientation, approximately 70m from the western

boundary. Hiltmead House, a residential property, is located approximately 250m to the west on the opposite side of the M5 motorway.

1.3.6 Access to the site is from a three-arm roundabout junction, which was purpose built to provide access to Javelin Park from the B4008. A recently constructed private access road within Javelin Park links the site to the B4008 roundabout junction. The private access road runs along the northern boundary of the site and is not currently accessible to traffic. Another access onto the northern half of Javelin Park is provided via a ghost island right turn lane on the B4008 and is combined with the Blooms Garden Centre access.

1.3.7 The area beyond Javelin Park is predominantly semi-rural in nature. However, there are a number of key features and settlements in the surrounding area which include:

- the M5 motorway 70m to the west of the site and the associated M5 Junction 12 approximately 100m to the north of the site;
- the settlement of Haresfield located approximately 1km to the east of the site;
- the settlement of Little Haresfield and Standish located approximately 1 km and 1.5 km to the south of the site respectively;
- the settlement of Moreton Valence located approximately 2 km to the south-west of the site;
- Quedgeley East Business Park located approximately 0.75 km to the north-east of the site, the business park is located to the east of the M5; and
- Quedgeley West Business Park and Waterwells Business Park located approximately 1.5 km and 2 km to the north of the site, the business parks are located to the west of the M5.

1.4 Background to the Development

1.4.1 The Gloucestershire Joint Municipal Waste Management Strategy (JMWMS) outlines how the County intends to manage its municipal solid waste (MSW) up to 2020. The JMWMS identifies the need for the County to develop alternative sustainable measures to landfill. The JMWMS has set a target to recycle and

compost 60% of the County's MSW by 2020 with the remaining residual waste to be diverted from landfill through materials and energy recovery.

1.4.2 In 2008 the GCC Cabinet approved the preparation of a business case to determine the best approach for the delivery of a residual waste contract. In 2009 GCC invited companies to bid for the Gloucestershire Residual Waste Project, a long term contract for the provision of residual waste treatment capacity capable of diverting Gloucestershire's municipal residual waste from landfill.

1.4.3 As part of the procurement process, in accordance with Defra guidance, a model waste management solution was identified by GCC. This included a specific waste treatment technology and a specific development site. This solution is referred to as the Reference Project and provides the benchmark against which the various bids for the contract would be evaluated. The Reference Project was an Energy from Waste (EfW) facility (with an opportunity to develop Combined Heat and Power) based on Javelin Park.

1.4.4 Whilst a Reference Project was selected by the Council, bidders for the Gloucestershire Residual Waste Project were encouraged to come forward with a range of potential solutions. The Council stipulated that solutions did not have to consist of any single technology or combination of any particular technologies. In addition, GCC made it clear that the solution could be based on a single site or on more than one site. UBB were one of 10 companies selected to develop proposals for the contract.

1.4.5 The Gloucestershire Residual Waste Project was originally intended to be funded as a Private Finance Initiative (PFI). However, part way through the procurement process, in October 2010 Defra announced the withdrawal of the PFI funding from the project as part of the Government's Spending Review. As a result GCC suspended the procurement exercise and carried out a "strategic reappraisal" of the project. In March 2011 GCC announced that on the basis of the cost benefits to the Authority it would continue with the procurement process albeit not under the PFI umbrella. At the same time UBB was shortlisted as one

of the two final bidders for the contract. In December 2011 UBB were awarded preferred bidder status.

1.4.6 At the preferred bidder stage UBB is required to submit its planning application for the consortium's contract solution.

1.5 Scope of the Planning Application

1.5.1 As described in the Foreword, the application is contained within three principal documents, the first of which is the Planning Application Document (in which this Planning Statement is contained).

1.5.2 This encompasses both the statutory / mandatory planning application documentation which forms part of the application and other information submitted in support of the application. It should be noted that a Flood Risk Assessment is contained, in accordance with the advice in Planning Policy Statement 25: Development and Flood Risk (PPS25), in the ES which also supports the application (see below).

1.5.3 This part of the Planning Application Document, the Planning Statement, is divided into four main Sections following on from this introduction. Section 2.0 assesses the need for the development, Section 3.0 considers alternative sites, whilst Section 4.0 summarises the relevant planning history associated with the site of the proposed development. Section 5.0 provides a detailed appraisal of the planning policy context against which this application should be determined, and assesses the extent to which the development accords with that context.

1.5.4 Applications for planning permission are required to be accompanied by sufficient information to ensure that they are valid for determination. Appendix 1.1 to this Planning Statement contains a planning application validation checklist signpost document. This has been prepared in order to aid the validation of the application by identifying the national and local validation requirements and providing a signpost to where the information is contained within the planning application documentation. In addition, it also provides justification (where necessary) for the exclusion of information required in the validation checklists form the planning application.

1.5.5 The second main planning document is the Environmental Statement (ES) which has been prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and is presented in four volumes as follows:

- **Volume 1: the Environmental Statement (ES) Main Report**, which also includes a detailed description of the development proposals, an evaluation of the current environment in the area of the proposed development, the predicted environmental impacts of the scheme and details of the proposed mitigation measures which would alleviate, compensate for, or remove those impacts identified in the study. Volume 1 also includes a summary of the overall environmental impacts of the proposed development;
- **Volume 2: Illustrative Figures**, contains all the relevant schematics, diagrams and illustrative figures;
- **Volume 3: Technical Appendices**, which include details of the methodology and information used in the assessment, detailed technical schedules and, where appropriate, raw data.
- **Volume 4: a Non-Technical Summary**, containing a brief description of the proposed development and a summary of the ES, expressed in non-technical language.

1.5.6 The third document is a separately bound Transportation Assessment.

2.0 THE NEED FOR THE SCHEME AND ITS BENEFITS

2.1 Introduction

2.1.1 This chapter of the Planning Statement assesses the need for the EfW facility (and its associated bottom ash processing plant and education / visitor centre), together with the benefits of the proposal.

2.1.2 Need is, in many instances, closely related to planning policy and strategy. The detailed appraisal of these is contained in Chapter 5.0 of this Statement. By necessity, the need appraisal overlaps with the full planning assessment and has been informed by it. Thus, this chapter is best read in conjunction with Chapter 5.0.

2.1.3 The proposed facility would manage residual waste and generate energy (a proportion of which would be renewable). Thus, if appropriate, the need for the scheme (and any benefits arising from it meeting a need) should be considered in the context of both waste and energy policy (and strategy). The proposal would not exist if it did not generate energy and equally there would be no scheme if it did not manage waste. As such, there is no issue as to what may be the primary purpose of the scheme, both policy areas are equally applicable and can be afforded equal weight in any need assessment.

2.1.4 The need for a development, and its benefits, can be a very significant material planning consideration. However, where a planning application accords with the statutory Development Plan, there is no requirement to demonstrate either a quantitative or market need, or the absence of alternatives. With specific regard to waste management proposals, this approach to need is manifest in Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10) (paragraph 22, extract) which reads:

"When proposals are consistent with an up-to-date development plan, waste planning authorities should not require applicants for new or enhanced waste management facilities to demonstrate a quantitative or market need for their proposal."

2.1.5 As reported in Chapter 5.0, whilst there is a statutory Development Plan in place, elements of it are not up-to-date. Specifically, the policy allocating Javelin Park as a strategic waste site in the Gloucestershire Waste Local Plan (2004) was not saved in 2007 as one aspect of the policy (referring to BPEO) was not in conformity with national waste policy. The emerging Waste Core Strategy, which also allocates Javelin Park as a strategic site for residual waste recovery, is not yet formally adopted (although it is at an advanced stage of its preparation and currently the subject of independent examination).

2.1.6 In light of the above and notwithstanding the historic and emerging development plan allocations, this chapter of the Planning Statement seeks to demonstrate the need for the EfW facility from a national, regional and County policy / strategy perspective.

2.1.7 With regard to renewable and low carbon energy policy the position on need is clear. The Energy White Paper (May 2007) and the PPS1 Supplement on Climate Change (December 2007) are unequivocal in stating that it is not necessary for an applicant to demonstrate need for renewable and low carbon energy schemes such as the Javelin Park development. Of particular relevance is:

- paragraph 5.3.67 of the Energy White Paper which states: *"Applicants will no longer have to demonstrate either the overall need for renewable energy or for their proposal to be sited in a particular location."*
- paragraph 20 of the PPS1 Supplement states that planning authorities should: *"not require applicants for energy development to demonstrate either the overall need for renewable energy and its distribution, nor question the energy justification for why a proposal for such development must be sited in a particular location."*

2.1.8 Notwithstanding the above, where there is a clear need for (and thus benefit from) a development, this can be a very important material planning consideration to which significant weight (possibly very significant weight depending on the prevailing circumstances) can be attached. Furthermore, where a planning proposal is found to cause a degree of harm, planning permission can still be granted where the benefits of the scheme outweigh its

disbenefits. Given that many of the benefits accruing from the proposal (or indeed any renewables scheme) are inextricably linked with delivering the same policies that underpin need, the need for the proposed development (and thus the benefits of delivering the proposal) has been assessed. It has been evaluated in the context of energy and climate change policy / strategy at a national, regional and county level.

2.1.9 In light of the above, the need for the proposed EfW plant has been considered under a number of different headings, as follows:

2.2 Waste Management Principles Relating to Need / Demand
2.3 Waste Management Need from a Regional Perspective
2.4 County Waste Management Need
2.5 The Need for Renewable and Low Carbon Energy Generation
2.6 Other Benefits of the Scheme
2.7 Conclusions on Need

2.2 Waste Management Principles Relating to Need / Demand

The Waste Hierarchy

2.2.1 One of the overriding principles of sustainable waste management (central to national, regional and county policy and strategy) is adherence to the waste hierarchy. This flows from the national waste strategy, where rankings for waste management techniques were established in Waste Strategy for England 2007 (WSE2007).

2.2.2 The Waste (England and Wales) Regulations 2011 came into force on 28 March 2011. The Regulations transpose the revised Waste Framework Directive (rWFD) into UK law and introduced a new waste hierarchy which is shown below:

1) **Prevention** - the most effective environmental solution is often to reduce the generation of waste, including the re-use of products;
2) **Preparing for re-use** - products that have become waste can be checked, cleaned or repaired so that they can be re-used;
3) **Recycling** - waste materials can be reprocessed into products, materials, or substances;

4) **Other recovery** - waste can serve a useful purpose by replacing other materials that would otherwise have been used
5) **Disposal** - the least desirable solution where none of the above options is appropriate.

2.2.3 Preference is given to managing waste further up the hierarchy. With regard to prevention, most historic trends have shown the levels of waste produced have kept growing, although generally quantities of municipal waste have decreased in recent years. Whilst education, legislation and re-use can reduce levels of waste growth, and potentially reduce arisings in the long-term, it is widely accepted that there is a general long-term need to manage at least the present day levels of waste, although the degree of need at a local level should not be prejudged.

2.2.4 On 21 June 2011, the Department for Environment, Food and Rural Affairs (Defra) published a document entitled 'Guidance on Applying the Waste Hierarchy' setting out how businesses and organisations should adhere to the new waste hierarchy as set out within revised PPS10 (March 2011). The document outlines what the waste hierarchy is, how it applies to common materials, how to comply with it, and dealing with waste in line with the hierarchy.

WSE2007 Targets

2.2.5 WSE2007 also incorporates England's interpretation of some of the EU's key policy drivers for sustainable waste management including 'The Landfill Directive' (1999/31/EC April 1999), which seeks significant reductions in the quantities of biodegradable municipal waste sent to landfill. These targets are focussed on recovering value from municipal solid waste (MSW), through the recycling and composting of household waste and the recovery of energy. Additionally a target has been introduced, to reduce the amount of commercial & industrial (C&I) waste sent to landfill.

2.2.6 In the case of MSW, the WSE2007 targets are:

- *to recycle or compost at least 40% of household waste by 2010;*

- *to recycle or compost at least 45% of household waste by 2015;*
- *to recycle or compost at least 50% of household waste by 2020;*
- *to recover value from 53% of municipal waste by 2010;*
- *to recover value from 67% of municipal waste by 2015;*
- *to recover value from 75% of municipal waste by 2020.*

2.2.7 WSE2007 (Annex C2) contains a target for C&I waste which sought to achieve a 20% reduction in the amount of C&I waste landfilled by 2010 when compared to 2004 figures.

Defining Residual Waste

2.2.8 In 2010 Defra undertook a consultation on the definition of municipal waste, following which, in early 2011 they produced a briefing note on the change in terminology and definition of 'municipal waste' in policy and statistical terms. Previously, the term 'municipal waste', as used in the UK, has been used in waste policies and nationally reported data to refer to waste collected by local authorities. In fact the definition of municipal waste as described in the Landfill Directive includes both household waste and that from other sources which are similar in nature and composition, which will include a significant proportion of waste generated by businesses and not collected by local authorities. In 2010, negotiations with the EU Commission and consultation with the waste community redefined national targets and the effects of this change in relation to the EU Landfill Directive targets. To remove ambiguity, in the future reference to 'municipal waste' will refer to the new definition (as set out above). However, formalising this position will require new legislation not yet in place. As a consequence, for the purpose of this assessment, the terms municipal solid waste (MSW) and commercial and industrial (C&I) waste are still used. However, for the avoidance of doubt the term C&I waste encompasses those wastes that will shortly be re-named and encompassed within the term MSW.

The Need and Measures to Divert Waste from Landfill

2.2.9 It is generally accepted and implicit within the above national targets that the balance of MSW not recycled will need to be managed in some other way (i.e.

further down the waste hierarchy) with a preference for energy recovery over disposal. At present, the majority of waste in the UK that is not either recycled or composted is managed by way of disposal to landfill.

2.2.10 In line with European legislation, sustainability in general, and the principles of the waste hierarchy, the Government wishes to reduce the amount of waste sent to landfill. With regard to MSW, WSE2007 (Annex C1) requires:

- *by 2010 to reduce biodegradable municipal waste landfilled to 75% of that produced in 1995;*
- *by 2013 to reduce biodegradable municipal waste landfilled to 50% of that produced in 1995;*
- *by 2020 to reduce biodegradable municipal waste landfilled to 35% of that produced in 1995.*

2.2.11 In order to achieve these targets, the Government put in place two principal measures:

- The Landfill Allowance Trading Scheme (LATS) which specifies an annual quantity of biodegradable MSW that each Waste Disposal Authority (WDA), or group of WDAs where they have pooled their allowances, may dispose of at landfill. The allowances were to decrease each year and, in combination, set an allowance across England to ensure the country met the target year allowances as set out above. For every tonne that exceeded the annual allowance, the WDA would be required to pay a financial penalty of £150;
- The Landfill Tax regime which introduced (in 1996) an escalating tax payable on every tonne of waste disposed of within a licensed landfill. For non-hazardous waste (the majority of the MSW and C&I waste stream) the tax is presently £56 per tonne (from 1 April 2011). It was confirmed in the Chancellor's 2010 budget that the rate of Landfill Tax will continue to rise by £8 per year until 2014/15 by which time it will have reached a level of £80 per tonne.

2.2.12 In the 'Government Review of Waste Policy in England 2011' published by Defra in June 2011, it was announced that LATS would come to an end after the 2012/2013 scheme year. The Government no longer considers the scheme to

be the most appropriate method of ensuring England's landfill diversion targets are met. The Defra website states that:

"Defra has taken this decision after a careful analysis of the range of policies needed to enable England to meet landfill diversion targets in 2013 and 2020. This analysis, along with responses to the consultation on meeting landfill diversion targets launched in March 2010, has shown that LATS is no longer the major driver for diverting waste. The Landfill Tax is now much more of an incentive for local authorities to reduce the waste they send to landfill. LATS has proven effective in influencing local authorities to take action to divert biodegradable waste from landfill…..But it is right to end LATS to deliver reductions in the amount of waste sent to landfill. This approach is consistent with the direction of the Government's wider review of waste policies, removes unnecessary burdens on those affected, and removes a potential barrier for small businesses to mange their waste in a more environmentally friendly manner." (http://www.defra.gov.uk/environment/waste/local-authorities/landfill-scheme/)

2.2.13 Thus, Landfill Tax is now the key driver for landfill diversion and the ongoing significant rise in tax continues to increase the need for alternative facilities for the management of both MSW and C&I waste. As stated above, Landfill Tax is currently planned to keep rising until 2014/2015. Thereafter Defra will review the need for further rises or alternative legislation should England not achieve its landfill diversion targets.

The Issue of Technology Choice

2.2.14 The regulatory system identified within the Review is largely reliant upon voluntary targets and incentives as the primary means of cutting waste and encouraging recycling. Significantly, the Government has pledged to remove barriers to the rollout of energy from waste technologies, and produce a guide to energy from waste to help stakeholders and investors make decisions best suited to the specific requirements of an area:

"While remaining technology neutral, we will look to identify and communicate the full range of recovery technologies available and their relative merits - right fuel, right place and right time. The Government will also provide the necessary

framework to address market failures and ensure the correct blend of incentives is in place to support the development of recovery infrastructure as a renewable source." (Paragraph 22).

2.2.15 The issue of national policy remaining technology neutral is expressly emphasised in paragraph 23 of the Review and the energy recovery summary on page 62. The latter states the Government will "*provide the necessary framework to address market failures in delivering the most sustainable solutions, while remaining technology neutral*".

2.2.16 The issue of technology choice is also referenced in the National Policy Statements:

- EN-1 Overarching Energy NPS (CD-NPP14):
  - paragraph 3.1.2 (extract): *It is for industry to propose new energy infrastructure projects within the strategic framework set by Government. The Government does not consider it appropriate for planning policy to set targets for or limits on different technologies.*
  - paragraph 3.3.5 (extract): *There are likely to be advantages to the UK of maintaining a diverse range of energy sources so that we are not overly reliant on any one technology (avoiding dependency on a particular fuel or technology type).*
  - paragraph 3.3.6 (extract): *Within the strategic framework established by the Government it is for industry to propose the specific types of developments that they assess to be viable. This is the nature of a market-based energy system.*
- EN-3 Renewable Energy Infrastructure NPS (CD-NPP15) paragraph 2.5.11 (extract): *Waste and biomass combustion plant covered by this NPS may include a range of different combustion technologies, including grate combustion, fluidised bed combustion, gasification and pyrolysis. The IPC should not be concerned about the type of technology used.*

2.2.17 The earlier Waste Strategy England 2007 also sets a similar message and states at chapter 5, paragraph 25 (extract) "...*the Government does not generally think it appropriate to express a preference for one technology over another, since local circumstances differ so much".*

2.2.18 The 2011 Review offers much needed clarity as to the importance that must be placed upon energy recovery in meeting the Country's waste needs and the weight to be applied to it as a renewable energy source:

"Energy recovery is an excellent use of many wastes that cannot be recycled and could otherwise go to landfill. It can contribute secure, renewable energy to UK demand for transport, heat, biomethane and electricity and is generally the best source of feedstocks for UK bio-energy needs" (Paragraph 214);

"There is clearly a gap between the potential of energy recovery from waste and the delivery, resulting in valuable resources going to landfill…..The role of the Government is to help overcome these barriers by facilitating change through the delivery of information and support" (Paragraph 219);

"Energy from waste continues to be a rapidly developing area, the need to reduce waste going to landfill and develop renewable energy sources as well as innovation in the sector provide a significant opportunity for growth." (Paragraph 228)

2.2.19 The EfW facility at Javelin Park would demonstrably contribute towards meeting all of the above national policy objectives. Specifically, it would:

- Divert residual waste from disposal at landfill (contributing to the national landfill diversion target);
- Manage Gloucestershire's residual waste proximate to where it is generated;
- Constitute other recovery (by way of energy recovery from waste) and thus move the management of waste up the waste hierarchy (and contribute to the national waste recovery target);
- Generate renewable and low carbon energy from the biodegradable fraction of the waste and secure energy from the non-biodegradable waste fraction;
- Be an appropriate technology, notwithstanding the clear national policy position of the Government remaining technology neutral.

2.2.20 Given the clear European and national waste policy imperatives, reconfirmed as recently as July 2011 in the Government Review of Waste Policy in England 2011, it is self-evident there remains a need at national level for proposals such

as the Javelin Park EfW facility to contribute towards the overall aim of sustainable waste management manifest through the achievement of the national targets.

2.3 Regional Waste Management Need

Regional Planning Guidance 10 (RPG10): Regional Planning Guidance for the South West (September 2001)

2.3.1 RPG10 is the Regional Strategy (RS) for the South West. However, it is aged and some of its policies do not fully reflect contemporary national policy. Furthermore, the Localism Bill received Royal Ascent on the 15 November 2011 and became the Localism Act. The Act makes provision for, the revocation of Regional Strategies (Section 109), however it is not possible for the RS's to be revoked until consultation on the environmental impacts of doing so has been completed and responses have been considered. Consultation on Regional Planning Guidance 10 closed on the 20 January 2012. Thus at the time of writing the RS remains a material planning consideration.

2.3.2 Irrespective of the future position, the waste management data within the Strategies is informative about waste arisings, waste management capacity and the need for various types of new waste facilities. This is particularly the case with regard to the draft Regional Strategy (RS) which, as described subsequently, is well advanced. This is self-evident from the Steve Quartermain Letter to Chief Planning Officers 6th July 2010. When answering the question: *"16. How do we establish the need for waste management without Regional Strategy targets?"* He responds: *"For the transitional period this will continue to be the data and information which has been collated by… bodies who currently form the Regional Waste Technical Advisory Bodies. We intend for this function to be transferred to local authorities in due course".*

2.3.3 This point was reiterated in the Inspector's conclusions on the Avonmouth EfW decision (APP/Z0116/A/10/2132394, 03 February 2011). Where he concluded paragraph 216) that notwithstanding a draft RS not forming part of the development plan it still contributed towards the evidence base for considering

that proposal (in that case by virtue of it informing the preparation of the Joint Waste Core Strategy. The relevant extract reads:

"The draft Regional Spatial Strategy [CD6/4], as proposed to be changed by the then Secretary of State, does not form part of the DP and work to progress it to adoption stage has currently ceased. Its contents do, however, form part of the evidence base for the JWCS."

2.3.4 As a consequence, it is presently of continued relevance to understand the regional waste management picture.

2.3.5 Paragraph 9.23 of RPG10 identifies:

"The Government intends to… pursue targets to increase the recycling and composting of waste, increase recovery of value (including energy) from waste and reduce its disposal to landfill".

2.3.6 The targets for recovery and landfill reduction contained within RPG10 are:

Recovery Targets

Recover value from 40% of municipal waste by 2005
45% by 2010
67% by 2015

Landfill Reduction Targets

Reduce landfilling of industrial and commercial waste to 85% of the 1998 level, by 2005 (National Waste Strategy)
Reduce landfilling of biodegradable municipal waste to 75% of the 1995 production level, by 2010 (EU Landfill Directive, including agreed derogations)
50% by 2013 (ditto)
35% by 2020 (ditto)

2.3.7 In commenting on the achievement of these targets, paragraph 9.24 of RPG10 states: *"The implications of the National Strategy for the South West are substantial. The achievement of the targets will require large increases in all forms of value recovery, including recycling, composting, energy recovery etc. and correspondingly substantial development to provide those facilities".*

Paragraph 9.27 goes on to say*: "Moving from the historic dominance of landfill in waste management in the South West to achieve the challenging targets set out above, will require a step change in waste management. There are consequently significant margins of uncertainty over the exact scale of provision of the various types of management facilities that will be proper and feasible over the next 15 years. The first aim of the interim strategy will therefore be to develop a mix of waste management methods at regional and sub-regional levels; to reduce the present reliance on landfill; and to avoid over-reliance on any other single method or facility".*

2.3.8 RPG10 contains Policy RE5 'Management and Transportation of Waste', which states:

"In order to achieve sustainable waste management…in the region, waste planning, disposal and collection authorities, the Environment Agency and waste management and water companies should cooperate to:

- *Establish a mix of waste recovery methods e.g. recycling, composting, energy recovery etc, regionally and sub-regionally, that will reduce reliance on landfill and will avoid creating over-reliance on any one method or facility.*
- *Pursue the following regional targets:*
  - *Recycle or compost at least 30% of household waste by 2010; and, 33% by 2015.*
  - *Recover value from 45% of municipal waste by 2010; and 67% by 2015.*
  - *Reduce landfilling of biodegradable municipal waste to 75% of the 1995 production level by 2010; and, 50% by 2013.*
  - *Reduce landfilling of industrial and commercial waste to 85% of the 1998 level by 2005.*

Give priority to the provision of waste management facilities that will recover value from waste at or near the PUAs. Those facilities should take account of waste management requirements in the PUA(s) concerned and its neighbouring county areas and should be planned to contribute to the achievement of the regional targets above, in respect of the urban area(s) and its hinterland.

Ensure that sub-regional requirements are taken into account in structure and waste local plans and in waste planning decisions. Structure or (where appropriate) waste local plans should propose targets for the provision of

value recovery capacity among participating waste planning authorities. Provision at PUAs and at other urban areas should take the waste management requirements of their neighbouring county areas into account.

Draft Regional Strategy for the South West (Secretary of State's Proposed Changes Version) (July 2008)

2.3.9 The body formerly known as the South West Regional Assembly (SWRA), now South West Councils, prepared a new draft RS for the South West 2006-2026 and submitted it to the Government Office for the South West (GOSW) in 2006. The Secretary of State's Proposed Changes to the draft RS were published in July 2008. In light of a High Court Judgement being issued against the East of England RS for failing to meet certain requirements of the Strategic Environmental Assessment Directive, the GOSW announced in September 2009 that further sustainability appraisal work was required; however this further assessment work has not been undertaken. In light of the Government's intention to scrap Regional Strategies, it is highly unlikely that it ever will be.

2.3.10 Notwithstanding the above, the draft RS for the South West is a material consideration in determining planning applications due to its advanced status and having been tested at examination. Although it has not been formally adopted, reasonable weight can be given to the RS policies. More importantly, the statistical evidence base informing the draft RS is informative on the need for new waste management facilities.

2.3.11 The draft RS tabulates (Table 1 and 2 of Chapter 7) for each sub-region within the region, capacity requirements for:

- recycling and re-use;
- secondary treatment / recovery; and
- landfill.

2.3.12 Table 1 addresses MSW and Table 2 C&I waste. The approach adopted in the draft RS is one that is relatively common in England, but makes the assumption that maximum landfill allowances would be used, rather than seeking to maximise secondary treatment / recovery and minimise the quantities of waste

sent to landfill (i.e. managing waste in accordance with the waste hierarchy). Thus, in understanding the maximum secondary treatment / recovery capacity, the secondary treatment / recovery capacity figure needs to be added to the landfill figure. Accordingly, the following maximum secondary treatment / recovery capacity needs to be planned for:

Regional secondary treatment / recovery capacity for MSW

2010 - 2,580,000 tpa

2013 - 2,600,000 tpa

2020 - 2,750,000 tpa

Gloucestershire secondary treatment / recovery capacity for MSW

2010 - 240,000 tpa

2013 - 250,000 tpa

2020 - 260,000 tpa

2.3.13 As described in more detail below, the Javelin Park EfW facility would cater primarily for residual MSW delivered under contract by Gloucestershire County Council (GCC), but capacity has also been allowed for the treatment of lesser quantities of residual non-hazardous commercial and industrial (C&I) waste. Thus, as well as considering MSW, it is important to understand the need for new facilities to divert C&I waste from landfill. With regard to C&I waste, the draft RS identifies the following maximum secondary treatment / recovery capacity that needs to be planned for:

Regional secondary treatment / recovery capacity for C&I

2010 - 3,250,000 to 3,610,000 tpa

2013 - 3,150,000 to 3,460,000 tpa

2020 - 2,930,000 to 3,080,000 tpa

Gloucestershire secondary treatment / recovery capacity for C&I

2010 - 435,000 to 495,000 tpa

2013 - 410,000 to 450,000 tpa

2020 - 370,000 to 410,000 tpa

2.3.14 In light of the clear and significant capacity requirements identified above, it is important to understand the Region's current position regarding the development of major residual waste treatment infrastructure. On this basis the following developments (i.e. existing schemes or proposals with an extant planning permission) have been identified.

Gloucestershire

- Old Airfield, Moreton Valance, Stroud - Planning permission was granted for a 30,000 tpa gasification plant in September 2009. This was never implemented. In September 2011 Gloucestershire County Council approved a planning application to revise the consented scheme, which also has not been implemented. Subsequent to the issue of the new permission gasification plants utilising a steam turbine (as proposed at Moreton Valance) have been subject to re-consideration in DECC's Review of the Renewables Obligation Banding Scheme. In the consultation, gasification technologies have been divided into 'standard' and 'advanced' gasification schemes, with the former (which encompasses the Moreton Valance technology) having their financial support from the Renewables Obligation significantly reduced. Previously all gasification schemes received a subsidy of 2 Renewable Obligation Certificates (ROCs) per MW hour of electricity generated. This is now proposed to be reduced (for 'standard' schemes) to only 0.5 ROCs per MW hour. This reduction in subsidy would materially affect the viability and deliverability of 'standard' gasification schemes.

Cornwall

- Cornwall Energy Recovery Centre, St Dennis - Planning permission was granted appeal in May 2011 for a 240,000 tpa facility to be operated by SITA Cornwall Ltd. The permission was subsequently quashed following Judicial Review but the Secretary of State is contesting this decision. In any event, this facility will only treat wastes arising in Cornwall.

Devon

- Matford Park Energy from Waste Plant, Marsh Barton, Exeter - The 60,000 tpa facility is currently under construction and is due to be completed in 2013. At this scale it will only treat local waste arisings.

Plymouth

- Land at North Yard, HM Naval Base, Devonport, Plymouth – Planning permission for the construction and operation of a energy from waste combined heat and power facility for the combustion of up to 265,000tpa of waste was granted conditionally subject to a Section 106 obligation (with delegated authority to refuse in the event that the Section 106 obligation is not completed by March 2012) by Plymouth City Council's Planning Committee on the 22 December 2011. The Committee Report identifies that the facility would divert the sub-region's residual waste from landfill and specifically the South West Devon Partnership area comprising Plymouth City Council, Torbay Council and Devon County Council.

Dorset

- Dorset Green Technology Park, Winfrith Technology Centre Winfrith Newburgh, Dorchester - Planning permission for a 116,000 tpa gasification facility to be operated by New Earth was granted in December 2010. This gasification project is subject to the same difficulties in respect of a reduction in ROCs subsidies as the Moreton Valance proposal. Notwithstanding this matter, should the scheme be built out, at this scale it would only treat local waste arisings.

Bristol

- Former Britannia Zinc Site, Kings Weston Lane, Avonmouth - Planning permission for a 100,000 tpa gasification facility, to be operated by New Earth, was granted in October 2010. This development has not been implemented and is subject to the same difficulties in respect of a reduction in ROCs subsidies as the Moreton Valance proposal.
- Plot M2, Merebank Estate, Kings Weston Lane, Avonmouth - Planning permission was granted for a waste recovery facility encompassing a 100,000 tpa gasification plant and a Materials Recycling Facility (MRF). This development has not been implemented. The consent has not been implemented and is subject to the same difficulties in respect of a reduction in ROCs subsidies as the Moreton Valance proposal.
- Severn Road Resource Recovery Centre, Severn Road, Avonmouth - Planning permission for a 350,000 tpa facility, to be operated by Viridor, was

granted at appeal in April 2011. This development has not been implemented.

South Gloucestershire

- Severnside Energy Recovery Centre (SERC) - On the 15th September 2011 planning permission was granted for the SERC, a 400,000 tpa EfW facility that is proposed to be operated by SITA. This development has not been implemented.

2.3.15 It can be seen from the above that several EfW facilities have been granted planning permission in the region and considerable consented capacity exists in Bristol and South Gloucestershire. These authorities form part of a specific sub-region called the West of England (WOE) which covers the area of the four unitary authorities: Bath & North East Somerset; Bristol; North Somerset and South Gloucestershire. The matter of consented EfW capacity within the WOE was considered in detail by the Planning Inspector at the most recent of the above planning decisions, that for the Severnside Energy Recovery Facility (SERC) (APP/P0119/A/10/2140199). In his conclusions he made it explicit that the consented facilities with WOE were promoted on the basis of just serving that sub-region and that waste from outside WOE (such as in Gloucestershire) would reasonably be managed more locally. He stated:

234. Indeed, with the encouragement that PPS10 gives to the provision of waste management facilities to meet local needs, it is reasonable to assume that waste from outside the WOE will be managed outside the sub-region unless suitable sites, for the necessary facilities, cannot be found there. Certainly, it is not the role of the planning system to stifle competition and, whilst the JWCS must demonstrate sufficient waste management capacity to meet the sub-region's needs, for a period of at least 10 years, it is not intended to place a rigid cap on such capacity, as is clear from paragraph 7.27 of the companion guide to PPS10.

235. In any event, as has been noted above and elsewhere, it is far from certain that operational capacity will necessarily flow from the grant of planning

permission. That is the case, irrespective of whether it was a significant factor in deciding the Viridor appeal. [93-94, 196]

236. Whatever the operational capacity for residual waste treatment in the WOE, it is likely to be supplied by landfill diversion, given the escalating cost of disposal to land and the financial incentives to recycle. A capacity of 1050ktpa could be fed entirely by waste originating from within the sub-region without threatening the 50% minimum recycling rate sought by the JWCS. To the extent that some waste might need to be imported if recycling rates within the WOE were to rise above 50%, it is reasonable to assume that the distances involved would be limited by the high cost of transport and warranted by the benefits that improved recycling would bring in terms of movement up the waste hierarchy.

2.3.16 Thus, the capacity consented in the WOE is clearly targeted to meet the WOE's own waste management needs. However, regardless of this position, the fact remains that there are actually no operating EfW plants in the region and only one scheme is under construction (a small 60,000 tpa EfW facility in Exeter, designed to treat local waste). It is widely recognised in the UK (based on several years of evidence) that the existence of EfW facility planning permission provides no guarantee whatsoever that consents will be implemented (a point confirmed by the SERC Inspector above). The financial cost of EfW facilities is very significant and the present largest barrier to facility deployment is bank funding. A significant factor of this is the developer (i.e. borrower) needing to have long term secure contracts for the input waste material. A number of the aforementioned facilities are not backed by any such contracts. This position differs from the UBB situation, where the company has been appointed Preferred Bidder for the Gloucestershire County Council residual waste contract.

2.3.17 Thus, despite the clear message in RPG10 (dating back to 2001), there is presently no operating residual waste treatment capacity in the region. One proposal is coming forward and indeed others may and probably will. However, even if all of the consented schemes were developed and operated to their maximum capacity they would still not even be close to providing the required capacity. Furthermore, only one consent has been identified in Gloucestershire, for a very small (30,000 tpa) gasification plant.

2.3.18 In light of the above, there remains a very significant need for residual waste treatment capacity to be provided in the South West region. The proposed development of the Javelin Park EfW facility would contribute towards meeting this need.

2.4 County Waste Management Need

MSW - Overall Position

2.4.1 The County of Gloucestershire has long recognised the need to implement a strategy for the sustainable management of MSW stemming from the EU Landfill Directive and subsequent European and national policy and legislation. This is more recently manifest by way of the Gloucestershire Waste Partnership, which comprises Gloucestershire County Council and the six District Councils, publishing the 'Joint Municipal Waste Management Strategy (JMWMS) 2007-2020' (April 2008).

2.4.2 The JMWMS identifies that the Gloucestershire Local Government Association had a recycling and composting vision that all households in Gloucestershire would be able to recycle and compost at least 70% of their waste by April 2010. It is acknowledged that this 'vision' is very ambitious, and accordingly the JMWMS targets relating to recycling and composting are (JMWMS Section 5.1.1):

40% by 2009/10
50% by 2014/15
60% by 2019/20

2.4.3 The emerging Waste Core Strategy (WCS) identifies in Table 2 that the amount of MSW sent to landfill in 2009/2010 was 169,000 tonnes. It is acknowledged in the JMWMS (and the emerging WCS) that the three non-hazardous landfills in Gloucestershire (Hempsted, Wingmoor Farm West and Wingmoor Farm East) have a declining amount of landfill void space. The potential time left to fill each of the landfills is influenced by a number of factors such as input rates, time limits on planning permissions and compaction of material. In order to prevent waste having to be transported to out-of-county landfills when void space runs

out in Gloucestershire, action needs to be taken to *"develop new collection systems, composting and bulking / transfer facilities and also invest in developing a residual waste treatment technology to enable diversion of waste from landfill"* (Emerging WCS Paragraph 5.1.3).

2.4.4 The JMWMS considers different options for dealing with residual waste. Thermal treatment such as energy from waste is one of three identified broad technologies identified together with mechanical biological treatment and autoclaving technology. Paragraph 10.5 states that:
"Energy from Waste still remains the only proven technology for residual waste treatment, and now qualifies as an eligible source of Renewable Energy if used for generating both heat and power in sufficient quantities".

2.4.5 In light of the above, there is a pressing need to put in place a solution to manage the residual MSW and the optimum solution has been identified as comprising thermal treatment / EfW. The subsequent text in this sub-section examines the waste quantities that need treating within Gloucestershire and thus the justification for the Javelin Park EfW facility being sized as it is.

MSW Waste Quantities

2.4.6 The prediction of future waste arisings is not a precise science. With regard to MSW, the UK as a whole has seen arisings constantly increase in line with population and housing growth to 2007. WSE2007 (Box 1.3) states "*municipal waste increased at about 3.5% per year up to the millennium but average growth over the last five years has been less than 0.5% per year".* Since 2007 MSW arisings have generally decreased, which is due to a combination of factors such as:

- The effect of the ongoing recession from 2007 (and the consequential slow down in house building rates);
- Local authorities reducing their trade waste collections (a component of MSW) in order to reduce their Landfill Tax and LATS liabilities;
- The effects of waste minimisation initiatives and legislation.

2.4.7 Thus, the recent dip in MSW arisings, contrary to the longer term trend of steady growth, should not necessarily be seen as indicative of the future medium and long term position.

2.4.8 In this regard the recent Defra publication 'The Economics of Waste and Waste Policy' (June 2011) establishes that the recent decline in the levels of MSW is primarily attributable to the economic downturn commencing in 2007. It presents (at Appendix A) the results of two waste forecast models which predict the future growth future growth of MSW. Both of the models predict that there will be an increase in the growth of MSW in the next 10 years and that this growth will be in parallel with economic recovery.

2.4.9 With regard to MSW arisings and future forecast data within Gloucestershire:

- The JMWMS predicts that: *"total future waste arisings will grow from around 324,000 tonnes per year in 2006/07 to some 457,000 tonnes by 2030/31. This is equivalent to an annual growth rate of 1.6%. This is based on recent and future waste growth and analysis of whether increases can be attributed to 'one-off' events such as the recent introduction of kerbside collection of green waste, changes and improvements at HRCs, the future introduction of reduced residual waste collection by all authorities by 2010/11 and new recycling and composting schemes. In a worst-case scenario (if the events were not 'one-offs') waste growth could be as high as 2.8% on average"* (Section 5.1.2).
- It is estimated in the JMWMS that Gloucestershire will still generate in the region of 150,000 tonnes, possibly 270,000 tonnes in a worst case scenario, of residual MSW in 2020 even with waste minimisation, recycling and composting schemes in operation.

2.4.10 The emerging WCS acknowledges (Key Issue 1) that population and economic growth materially affects future waste tonnages. It also identifies there will be significant population growth within Gloucestershire. However, whilst population growth is a relevant factor, it is growth in the number of households that is the key generator of increased quantities of MSW. By reference to the Gloucestershire Housing Trend Analysis and Population and Household Projections Final report (May 2011), it can be seen (Table 12) that the number of

households in Gloucestershire is predicted to increase by 18% over a 22 year period (2009- 2031). This is likely to have a significant affect on MSW (and thus residual MSW) growth rates.

2.4.11 The emerging WCS states at paragraph 2.53 *"Importantly there are no recovery facilities in Gloucestershire dealing with residual MSW and C&I waste… It is due to this lack of facilities that most of Gloucestershire's waste is currently sent to landfill".* The document also identifies (in Table 3) the need for 150,000 tpa of residual MSW treatment capacity for the period up to 2027. This figure allows for very high levels of recycling taking place.

2.4.12 In conclusion, it can be seen that there is a clear need, as identified by the County Council in the JMWMS, emerging WCS and their procurement of the Gloucestershire Residual Waste Project, for a facility to deal with residual MSW at a scale of 150,000 tpa (and possibly much more).

2.4.13 Given the complexities of forecasting residual MSW in the longer term, UBB is proposing to also treat C&I waste at the Javelin Park EfW facility. This is entirely in line with national waste policy on the co-treatment of MSW and C&I waste which is a key Government objective in WSE2007. The Executive Summary, paragraph ix of WSE2007 provides an objective to: "*increase diversion from landfill of non-municipal waste and secure better integration of treatment for municipal and non-municipal waste"*.

2.4.14 In light of the above, it is important to also understand the County's position with regard to residual C&I waste quantities that require treatment.

C&I Waste Quantities

2.4.15 The emerging WCS recognises that it is difficult to determine how much C&I waste will need to be managed in the future as there are no obvious past trends (paragraph 3.24). For the purposes of the WCS it has been assumed that there will be a 0% growth rate for C&I waste.

2.4.16 The WCS identifies that in 2008 there was 375,000 tonnes of C&I waste in Gloucestershire. The draft WCS background paper (Technical Paper WCS-A Waste Data (Update 2010 - November 2010) identifies that, in the same year, 314,000 tonnes of C&I waste was disposed of to landfill. The draft WCS then references the 2010 Defra National C&I Waste Survey (reporting 2009 C&I arisings) and indicates that this identifies there was 526,188 tonnes. Somewhat surprisingly the draft WCS is dismissive of this higher figure as:

- It includes C&I waste arising in Gloucestershire, but exported from the county for management;
- It includes some recycled metals.

Clearly in order to quantify the actual level of certified waste **arisings** within a County, exports and all recycled material must be counted.

2.4.17 The basis on the 375,000 tonne figure is explained in paragraph 2.21 of the draft WCS, which explicitly states that the 375,000 tonnes is actually a 'managed figure' i.e. it is not the C&I waste arisings in Gloucestershire, only that which is managed within the County. The draft RS (footnote 9 to Table 2 of Chapter 7) makes it clear that the 'managed figure' is an approach that GCC has also historically adopted in the Waste Local Plan and that Gloucestershire is the only Waste Planning Authority in the South West region to follow such an approach.

2.4.18 Clearly, in light of the above, the 375,000 tonne figure is not an accurate reflection of quantities of C&I waste produced in Gloucestershire. Conversely, the Defra National C&I Waste Survey data is used extensively in waste planning throughout England and is considered to give the most robust estimate of C&I waste arisings. Thus, the actual C&I waste arisings in Gloucestershire should be taken as 526,188 tonnes in 2009.

2.4.19 The WCS takes a very simplistic approach to calculating the recovery capacity gap. It takes the draft RS recovery (excluding recycling) capacity figure (from Table 2 of Chapter 7 of the draft RS – see previous sub-section) of 260,000-290,000 tonnes / year for 2020 and then sets this against the current capacity of 213,000 tonnes / year, leaving a capacity gap of between 47,000-77,000 tonnes / year. It then does a similar exercise for the recycling capacity gap resulting in a capacity gap figure of between 96,000 – 116,000 tonnes/year.

2.4.20 The two capacity gap figures are then added to together to give a total 'recovery' (both recycling and 'other recovery') capacity gap of between 143,000-193,000 tonnes for C&I waste during the plan period (i.e. from 2012 - 2027). Clearly, as identified in the preceding paragraph, only 47,000-77,000 tonnes / year of this relates to 'other recovery' (i.e. energy recovery).

2.4.21 Unfortunately, this 'other recovery' capacity gap figure is significantly understated as, in relying on the draft RS approach, it ignores 110,000 - 120,000 tonnes of C&I waste planned to be sent to landfill, which should ideally be managed further up the Waste Hierarchy. If the national policy imperative is followed, and the C&I waste planned for landfill is moved up the Hierarchy to 'other recovery', the gap increases to a maximum of 197,000 tonnes (i.e. 77,000 tonnes plus 120,000 tonnes).

2.4.22 It is also possible to identify Gloucestershire's C&I 'other recovery' capacity gap from another, far simpler direction, as follows:

- The County presently has no operational 'other recovery' (i.e. energy recovery) facilities (draft WCS paragraph 2.53);
- Gloucestershire has 526,188 tonnes per annum (tpa) of C&I waste;
- If an ambitious C&I waste recycling target is adopted, say 65%, there will be 184,166 tpa of residual waste to be managed;
- In so far as the residual waste should, in accordance with the Waste Hierarchy' be diverted from landfill, it should be subject to energy recovery wherever possible;
- Thus, by this approach, the C&I waste 'other recovery' gap is a maximum of 184,166 tpa (based upon a high 65 % rate of recycling).

2.4.23 The two maximum C&I waste 'other recovery' capacity gap figures identified above, each calculated differently, correlate closely (i.e. 197,000 tpa and 184,166 tpa). This represents the quantities of residual C&I waste arising within Gloucestershire each year (after high levels of recycling have taken place) that is likely to require management. Much of this residual C&I waste is similar in characteristics to residual MSW (and indeed shares the same European Waste Code). Thus, it can be treated in an energy recovery facility, such as that proposed by UBB at Javelin Park.

2.4.24 It should be noted that the Javelin Park EfW facility would, as described above, only treat residual waste, which is that which remains after the appropriate efforts have been made to reduce, recycle or compost the waste, bearing in mind the prevailing local circumstances. In this regard, in terms of municipal waste, the County Council has set very high recycling aspirations (considerably beyond the national statutory target) and thus it is fair to assume that any MSW treated at the plant would be truly residual. However, both MSW and C&I waste is subject to economic drivers. The combination of economic incentives to recover materials for recycling and the requirement to pay gate fees for each tonne of waste delivered for treatment or disposal (plus Landfill Tax for the latter) are such as to ensure that as much recyclable and other material as practicable would be recovered from the waste streams prior to treatment as residual waste. To send recyclable materials to a residual waste management facility would simply be poor business and financial management. As a consequence, it can be concluded that any waste treated at the facility would be residual.

Conclusions on the Need for Residual Waste Treatment Capacity in Gloucestershire

2.4.25 The County wide waste management need assessment has demonstrated that:

- Gloucestershire has no residual waste treatment capacity and is sending very large quantities of waste to landfill (almost 500,000 tpa). All relevant national, regional and local policy is unequivocal in stating this position **must** change.
- Gloucestershire is predicted to generate approximately 150,000 tpa of residual MSW by 2020 if it achieves a high recycling rate of 60% (10% higher than the national target for the same date).
- Beyond 2020 it is complex to predict residual MSW growth. However, historic long term trends and the recent Defra projections on household waste arisings indicate it is likely to grow;
- Even if there is 0% growth in waste produced by individual households, the number of households in Gloucestershire is predicted to materially increase by 18% over a 22 year period. A corresponding increase in residual MSW

would result in 150,000 tonnes of residual MSW increasing to circa 177,000 tonnes (150,000 + 18% increase = 177,000);

- Any EfW facility built in 2015 (as proposed by UBB) will have at least a 30 year life (noting that permanent planning permission is sought for the facility) and should be designed to accommodate residual MSW until at least 2045. Notwithstanding this factor, it is considered unlikely that all of the Javelin Park EfW facility capacity would be utilised in treating MSW, although preference would be given to this waste stream. Therefore UBB plan that any remaining capacity would be used to recover energy from Gloucestershire's C&I waste that is presently sent to landfill.
- In 2008, 314,000 tonnes of C&I waste was landfilled within the County. Even with significant increases in recycling there is predicted to be circa 200,000 tpa of residual C&I waste produced in Gloucestershire.

2.4.26 In conclusion, Gloucestershire must develop new residual waste management infrastructure. The proposed EfW facility, with a capacity of 190,000 tpa, would move the management of Gloucestershire's residual MSW up the Waste Hierarchy and still allow for very high levels of recycling. It would also make a modest, but nevertheless useful, contribution towards recovering energy from some of the County's residual C&I waste, which is presently sent to landfill.

2.4.27 The Javelin Park EfW facility would provide an essential element of the waste management infrastructure required within Gloucestershire that is currently missing. The need for the facility is overriding and cannot be questioned. As a consequence **very** significant weight should be ascribed to the sustainable waste management benefits arising from the proposal.

2.5 The Need for Renewable and Low Carbon Energy Generation

Introduction

2.5.1 This sub-section considers the Javelin Park EfW facility proposal in terms of the need for renewable and low carbon energy provision. It firstly sets out the reasons why the facility is considered to produce 'renewable' energy, before

outlining the need for renewable energy generation from a national, regional and local policy and strategy perspective.

Renewable Energy from Waste

2.5.2 Before considering any quantitative need for additional renewable energy generation capacity, it is necessary in the first instance to establish whether waste can be considered a source of renewable energy. This issue is dealt within in a number of published policy documents which are summarised below:

- EU Directive (2001/77/EC) on the *'promotion of electricity produced from renewable energy sources in the internal electricity market'* states that :
  "'biomass' shall mean the biodegradable fraction of products, wastes and residues from agriculture (including vegetal and animal substances), forestry and related industries, as well as the biodegradable fraction of industrial and municipal waste;"
- The Glossary to the PPS1 supplement on climate change explicitly identifies that 'renewable and / or low carbon energy supplies' include energy from waste, it states '*Renewable and / or Low carbon Energy Supplies':*
  "Include energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment - from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass. Low-carbon technologies are those that can help reduce carbon emissions. Renewable and / or low-carbon energy supplies include, but not exclusively, those from biomass and energy crops; CHP / CCHP (and micro-CHP); waste heat that would otherwise be generated directly or indirectly from fossil fuel; energy-from-waste; ground source heating and cooling; hydro; solar thermal and photovoltaic generation; wind generation."
- The DTI Energy Review (2006), the Energy White Paper (2007), Waste Strategy for England (2007) and the UK Renewable Energy Strategy (2009) all also recognise that the biodegradable fraction of waste is a renewable resource.

2.5.3 The Government has also announced (March 2011) details of the Renewable Heat Incentive (RHI), which is a scheme to provide financial support to

renewable heat installations to encourage the uptake of renewable heat. In relation to energy from waste combustion (the biomass proportion of municipal waste) the RHI states:

"Rather than being sent to landfill the waste we produce can be reused, recycled or burned to produce heat. More than half of the rubbish households throw away is organic, renewable matter, such as food or paper products. Although it is usually better from an environmental perspective to reuse, recycle or produce biogas from these materials, this is not always possible and combustion can offer a better option than disposal to landfill, which generates harmful greenhouse gas emissions. Due to its renewable biomass proportion, currently around half the heat produced by burning municipal waste is renewable heat."

2.5.4 The RHI goes on to state: *"Participants who burn MSW will receive the biomass tariff, adjusted pro-rata for the solid biomass content of their waste. Unless participants prove a higher percentage of biomass content, the pro-rata content will be deemed at 50 per cent."* This indicates that 50% is considered to be the minimum proportion of the waste which is considered biomass, and therefore the minimum proportion that is renewable.

2.5.5 In reality, the 50% figure will be exceeded, but the actual figure will depend upon the precise composition of the waste to be treated. For the purposes of this assessment, based upon predicted waste compositional analysis within Gloucestershire and projects elsewhere in the UK, a conservative figure of 56% biomass content has been adopted. Thus 56% of the energy produced by the proposed EfW facility would be renewable.

2.5.6 Finally, the publication of the 'Government Review of Waste Policy in England 2011' confirms that energy recovery is an excellent use of many wastes that cannot be recycled and could otherwise go to landfill, and that it can contribute secure, renewable energy. Furthermore, energy from waste continues to be a rapidly developing area. The need to reduce waste going to landfill and develop renewable energy sources, as well as innovation in the sector, provide a significant opportunity for growth. The Review states:

- *the Government supports energy from waste as a recovery method through a range of technologies, and believes there is potential for the sector to grow* further (paragraph 207)*;*
- *The benefits of recovery include preventing some of the negative greenhouse gas impacts of waste in landfill. Preventing these emissions offers a considerable climate change benefit, with the energy generated from the biodegradable fraction of this waste also offsetting fossil fuel power generation, and contributing towards our renewable energy targets. Even energy from the non-biodegradable component, whilst suffering from the negative climate impacts of other fossil fuels, has additional advantages in terms of providing comparative fuel security, provided it can be recovered efficiently* (paragraph 208).

2.5.7 In conclusion, it is demonstrably the case the energy produced from the combustion of the biomass fraction of MSW and C&I waste within an EfW plant is classified as renewable and low carbon. In the case of UBB's EfW facility, circa 56% of the energy produced would be renewable / low carbon. This energy includes both heat and electricity derived from the heat produced.

2.5.8 For the avoidance of doubt, the development proposal includes for electricity generation and export to the grid. The electricity generation component forms part of the planning application, but the connection (i.e. transmission lines) to the local electricity distribution network is not included within the formal application itself. This would be delivered through a separate consenting process as described subsequently. However, the Environmental Statement (ES) submitted in support of the application does consider the potential environmental effects of grid connection.

2.5.9 Similarly the planning application includes for the generation of heat, but again distribution of heat to potential users is not included. However, unlike electricity export there are no current fixed proposals to export heat and thus consideration of the environmental effects of heat transmission are not assessed in the ES.

2.5.10 The position is that the plant would (definitively) be operated in electricity generation mode from the outset. It would also be 'CHP ready' (i.e. capable of

exporting heat by virtue of its design). However, at the time of submitting the application, no definitive heat users have been identified, although UBB has assessed heat off-take potential (existing and proposed) within ES Chapter 5.0. UBB will continue to review and explore the potential to secure contracts with heat users / customers and suggests planning conditions to facilitate this (again see ES Chapter 5.0). On this basis, the subsequent assessment also considers the need for, and benefits of, CHP.

National Renewable Energy Policy and Strategy

2.5.11 The following documents have been reviewed and the relevant sections of the documents that relate to the proposed development have been identified and discussed below:

- DTI Energy Review (July 2006);
- Energy White Paper 'Meeting the Energy Challenge' (May 2007);
- The UK Biomass Strategy (May 2007);
- Planning Policy Statement 1 Supplement - Planning and Climate Change (December 2007);
- UK Renewable Energy Strategy (July 2009);
- UK Low Carbon Transition Plan (July 2009);
- National Policy Statements (EN-1 and EN-3) (July 2011);
- Draft Planning Policy Statement: Planning for a Low Carbon Future in a Changing Climate (March 2010);
- The Carbon Plan: Delivering Our Low Carbon Future (December 2011);
- Government Review of Waste Policy in England 2011.

DTI Energy Review (July 2006)

2.5.12 The UK Government has four long-term goals in terms of energy policy:

- to put the UK on a path to cut carbon dioxide emissions by some 60% by 2050, with real progress by 2020;
- to maintain reliable energy supplies;
- to promote competitive markets in the UK and beyond, helping to raise the rate of sustainable economic growth and to improve productivity; and
- to ensure that every home is adequately and affordably heated.

2.5.13 In November 2005 the Government announced a major review of the Country's progress on achieving these goals. The conclusions of this DTI Energy Review were published in July 2006 and were to inform the production of a new Energy White Paper.

2.5.14 The Review set out the next steps required in responding to the energy challenges facing the UK. It made a number of proposals for actions to be taken, identified proposals on which Government intended to consult further and highlighted areas where the Government considers there is further work to be done.

2.5.15 Energy generation from renewable sources is considered within Chapter 5 of the Review. Energy generation from waste is specifically discussed in Box 5.3 of the Review document which states:

BOX 5.3: ENERGY FROM WASTE

The Government's waste policy prioritises prevention, reuse and recycling over the recovery of energy from residual wastes. But where prevention, reuse and recycling are not possible, recovering energy from waste could contribute to our energy policy goal as a source of low carbon energy where the energy so generated comes from the biomass fraction of the waste (e.g. waste food), which is renewable; does not displace recycling, which is even more beneficial; and does displace fossil generation.

Strong opposition from some sections of the public has hindered the development of energy from waste technologies in the UK. This opposition is motivated primarily by fears over supposed impacts on human health, as well as by concerns that excessive investment in incineration, in particular, might "lock in" wastes which could otherwise have been recycled. The Government believes that the first of these concerns is not supported by the available evidence, whilst the second can be addressed through the careful design of local waste strategies. These issues are being addressed in the Government's revision of its waste strategy for England, which will be published towards the end of this year.

2.5.16 It is clear from the above that the Government acknowledged the potential of recovering energy from waste as a source of renewable, low carbon energy and that they are actively addressing the public concerns that are often associated with such developments.

Energy White Paper 'Meeting the Energy Challenge' (May 2007)

2.5.17 The Energy White Paper recognises that the planning process is one of the most significant barriers to the deployment of renewable energy technology within the UK. In light of this, the Government proposed a number of reforms to the planning system. One of the key reforms is that applicants will no longer have to demonstrate the overall 'need' for renewable energy development. In recognising the urgent requirement to bring such development forward, and the difficulties in securing planning permission for this type of development, the White Paper states (Paragraph 5.3.67):
"Applicants will no longer have to demonstrate either the overall need for renewable energy or for their proposal to be sited in a particular location"

2.5.18 The Energy White Paper supports the proposed reforms to the planning system with a statement of need for renewables, this states:
"We remain committed to the important role renewables has to play in helping the UK meet its energy policy goals. In this publication we are reiterating previous commitments we have made, not least in the 2003 Energy White Paper and Planning Policy Statement 22 on renewable energy (PPS22), on the importance of renewable generation and the supporting infrastructure. We intend this to reconfirm the UK Government policy context for planning and consent decisions on renewable energy generation projects.

As highlighted in the July 2006 Energy Review Report, the UK faces difficult challenges in meeting its energy policy goals. Renewable energy as a source of low carbon, indigenous electricity generation is central to reducing emissions and maintaining the reliability of our energy supplies at a time when our indigenous reserves of fossil fuels are declining more rapidly than expected. A regulatory environment that enables the development of appropriately sited

renewable projects, and allows the UK to realise its extensive renewable resources, is vital if we are to make real progress towards our challenging goals.

New renewable projects may not always appear to convey any particular local benefit, but they provide crucial national benefits. Individual renewable projects are part of a growing proportion of low carbon generation that provides benefits shared by all communities both through reduced emissions and more diverse supplies of energy, which helps the reliability of our supplies. This factor is a material consideration to which all participants in the planning system should give significant weight when considering renewable proposals. These wider benefits are not always immediately visible to the specific locality in which the project is sited. However, the benefits to society and the wider economy as a whole are significant and this must be reflected in the weight given to these considerations by decision makers in reaching their decisions.

If we are to maintain a rigorous planning system that does not disincentivise investment in renewable generation, it must also enable decisions to be taken in reasonable time. Decision makers should ensure that planning applications for renewable energy developments are dealt with expeditiously while addressing the relevant issues."

2.5.19 Aside from this statement of need (which is obviously an important consideration) there are a number of other relevant points contained within the Energy White Paper that support the case of need for the Javelin Park EfW facility, these are summarised below.

2.5.20 The Government set a target to see renewables grow as a proportion of electricity supplies to 10% by 2010, 15% by 2015, with an aspiration for this level to increase to 20% by 2020. The White Paper indicates that in 2006 electricity supplied from renewable sources stood at around 4% of the UK's total. Therefore, it is clear that if the Government's targets are to be achieved significant levels of renewable energy provision will have to come forward throughout the UK.

2.5.21 The Government indicates that increasing the amount of electricity generated by renewables would make a significant contribution towards their long-term aim of reducing CO_2 emissions by 60% by 2050. As renewable energy technologies produce very little carbon dioxide and other greenhouse gases, they play an important part in tackling climate change.

2.5.22 The White Paper proposed to strengthen the Renewables Obligation (RO) mechanism and introduce 'banding' of the technologies. The aim of RO is to incentivise renewables growth and works by placing an obligation on licensed electricity suppliers to source a specified and annually increasing proportion of their electricity sales from renewable sources, or pay a penalty.

2.5.23 The introduction of banding meant that technologies could be awarded more or less than one ROC (a Renewable Obligation Certificate which can be sold or traded) for each MWh of electricity produced, depending upon the stage of the technology development and associated costs. The aims of this were to bring forward emerging renewable technologies, increase their deployment and improve the overall effectiveness of the RO. The Government believe that 'banding' achieves the best balance between the overall cost effectiveness of support for renewables deployment and investor confidence.

2.5.24 Under the current banding levels / arrangements energy from waste with combined heat and power (opportunities for which are actively being pursued in the context of the Javelin Park EfW development) is listed as a renewable energy technology.

2.5.25 A review of the 2013-2017 Renewable Obligation Banding was due to commence in the spring of 2012 with an announcement on the revised levels in the Autumn. The Coalition Government have brought forward the timescales for this review and DECC have undertaken consultation on the proposed revisions to the banding between 20 October 2011 and the 12th January 2012. Under the arrangements proposed as part of the banding review EfW with CHP would drop a band (from 1 ROC to 0.5 ROCs). The new banding arrangement will come into force on the 1st April 2013.

2.5.26 It is clear from the current and emerging banding that the Government supports EfW (with CHP) as one of the technologies which contributes towards the UK achieving its renewable energy obligations. This is further evidenced in paragraph 5.3.44 of the White Paper which states (extract):

"Generating energy from that portion of waste that cannot be prevented, reused or recycled has both energy and waste policy benefits. Energy generated either directly from waste or through the use of a refuse derived fuel has benefits for security of supply. In addition, the biodegradable fraction of waste is a renewable resource".

UK Biomass Strategy (May 2007)

2.5.27 The UK Biomass Strategy was published alongside the Energy White Paper, and recognises that: *"biomass is an important tool for tackling climate change, as well as offering new commercial opportunities"* (Paragraph 2.1).

2.5.28 The Strategy states: *"Biomass is renewable and generally has low carbon characteristics. It is theoretically a carbon neutral fuel - the carbon emissions from the use of biomass as a fuel can be offset by the carbon captured during its growth"* (Paragraph 2.3).

2.5.29 Paragraph 3.1 sets out the Government's strategy for biomass and indicates that this is intended to:

- *Realise a major expansion in the supply and use of biomass in the UK;*
- *Facilitate the development of a competitive and sustainable market and supply chain;*
- *Promote innovation and low-carbon technology development so biomass can deliver relatively higher energy yields;*
- *Contribute to overall environmental benefits and the health of ecosystems through the achievement of multiple benefits from land use;*
- *Facilitate a shift towards a bio-economy through sustainable growth and development of biomass use;*
- *Maximise the potential of biomass to contribute to the delivery of our climate change and energy policy goals: to reduce CO_2 and other greenhouse emissions, and achieve a secure, competitive and affordable supply of fuel.*

2.5.30 Paragraph 3.3 of the strategy states that delivery of the Strategy's objectives: *"will require a major expansion of biomass use for fuel, energy and industrial products"* and that this will need to come from a variety of sources including waste.

2.5.31 Chapter 5 of the Strategy discusses the use of biomass in energy production. The introduction to the chapter acknowledges that: "*biomass resources can be used for a range of energy applications including heat, electricity generation, combined heat and power…."* Noting that: *"the main driver for the use of biomass is the abatement of greenhouse gas emissions and avoidance of methane emissions that would otherwise result from the disposal of waste biomass to landfill."*

2.5.32 The chapter notes (at paragraph 5.7) that: *"biomass has significant potential to contribute to renewable energy and carbon abatement…."* With regard to biomass with CHP paragraph 5.10 states: *"…CHP increases the overall efficiency of fuel utilisation compared to conventional forms of generation, so delivering carbon savings...*"

2.5.33 The Biomass strategy is clear in setting out the significant potential that biomass is to play in ensuring delivery of climate change and energy policy goals and to reduce CO_2 and other greenhouse emissions. It also highlights the benefits of CHP in delivering carbon savings.

Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 (December 2007)

2.5.34 PPS1 Supplement (paragraph 3) stipulates that*: "The Government believes that climate change is the greatest long-term challenge facing the world today*". There are a number of key policies within the Supplement, those of particular relevance are outlined below:

- Paragraph 19 states *"In developing their core strategy and supporting local development documents, planning authorities should provide a framework that promotes and encourages renewable and low carbon energy generation;"*

- Perhaps of most significance is Paragraph 20 which states *"planning authorities should not require applicants for energy development to demonstrate either the overall need for renewable energy, and its distribution, nor question the energy justification for why a proposal for such development must be sited in a particular location."*

2.5.35 As set out in the introduction to this sub-section the PPS supports renewable and lo carbon energy including that generated through CHP.

UK Renewable Energy Strategy (July 2009)

2.5.36 In 2007 the UK Government agreed with their EU partners to a binding target that 15% of the UK's energy consumption comes from renewable sources by 2020. The Government sees this as a very challenging target and has set out the means by which it intends to achieve it in the UK Renewable Energy Strategy. Paragraph 1.1 of the Strategy states (our emphasis): *The UK needs to **radically** increase its use of renewable energy. First, the impending threat of dangerous climate change means we urgently need to reduce our emissions of carbon dioxide and other greenhouse gases. A new focus on renewable energy will play a key role in this.*

2.5.37 Through the implementation of the measures set out within the Strategy, the aim is to achieve the following:

- *More than 30% of electricity generated from renewables, up from about 5.5% today. Much of this will be from wind power, on and offshore, but biomass* [including the biodegradable fraction of waste - see below]*, hydro and wave and tidal will also play an important role.*
- *12% of our heat generated from renewables, up from very low levels today. We expect this to come from a range of sources including biomass, biogas, solar and heat pump sources in homes, businesses and communities across the UK.*
- *10% of transport energy from renewables, up from the current level of 2.6% of road transport consumption. The Government will also act to support electric vehicles and pursue the case for further electrification of the rail network.*

2.5.38 The Strategy considers all methods of renewable energy generation but also supports renewable energy generation from the biodegradable fraction of waste. This is specifically discussed within Chapter 4 of the Strategy under the sub-heading 'Using more Sustainable Bioenergy'.

2.5.39 Box 4.4 of the Strategy sets out the different types of biomass that can make a contribution to the generation of renewable heat and power, this includes 'Biomass from biodegradable waste and other similar materials'. It is noted at paragraph 4.121 that:

"*Our analysis suggests that using biomass to generate heat and electricity is a cost-effective way to meet the 2020 renewable energy target... Our analysis indicates that around 30% of the UK renewable energy target could come from bioenergy for heat and power, rising to around 50% if biofuels for transport are included. In addition, it can provide the feedstock for a wide range of sustainable low carbon renewable materials and products."*

2.5.40 The Strategy indicates at paragraph 4.131 that there is considerable potential to increase the amount of heat and power generated from the municipal solid waste biomass that is current sent to landfill. It also (at paragraphs 4.179 - 4.184 and Box 4.9) actively encourages more energy infrastructure able to use biomass waste, citing the lack of combustion plants compliant with the Waste Incineration Directive (WID) as a barrier to fully exploiting biomass waste to energy.

2.5.41 It is clear, therefore, that the production of energy from waste has an important role to play in the overall achievement of the UK's renewable energy target and that the Government is actively encouraging more energy infrastructure that is capable of using waste biomass. In this context, it must be noted that the proposed Javelin Park EfW facility would allow for the generation of energy from waste in a WID compliant facility.

The Low Carbon Transition Plan 2009

2.5.42 The Low Carbon Transition Plan White Paper sets out the UK's first ever comprehensive carbon reduction plan to 2020. The Plan aims to deliver

emission cuts of 18% on 2008 levels by 2020 (and over a one third reduction on 1990 levels).

2.5.43 It sets an aim to: *Produce around 30% of our electricity from renewables by 2020 by substantially increasing the requirement for electricity suppliers to sell renewable electricity.* To achieve this aim The Low Carbon Transition Plan (page 4) seeks an *unparalleled deployment* of renewable energy.

National Policy Statements (EN-1 and EN-3) (July 2011)

2.5.44 In light of concerns regarding energy security and the worsening global environmental situation, the National Planning Statements recognise that there is a pressing national need to move away from out-dated carbon technology and develop forms of low carbon and renewable energy generation. It is for these reasons that the guidance (EN-1 paragraph 3.3.10) emphasises that the UK has a: *"…need to diversify and decarbonise electricity generation, the Government is committed to increasing dramatically the amount of renewable generation capacity…"* Indeed, the guidance confirms (paragraph 3.3.5) that: "*Government would like industry to bring forward many new low carbon developments (renewables, nuclear and fossil fuel generation with CCS) within the next 10 to 15 years to meet the twin challenge of energy security and climate change…"*

2.5.45 With regard to the matter of energy security, Policy Statement EN-1 states (our emphasis) that *"It is **critical** that the UK continues to have secure and reliable supplies of energy as we make the transition to a low carbon economy"* (paragraph 2.2.20) since "*energy is **vital** to economic prosperity and social well-being*" (paragraph 2.2.1). This only re-states similar clear messages that occur in the Energy White Paper 2007 and other policy documents.

2.5.46 Policy Statements EN-1 and EN-3 both advocate the use of CHP solutions. Policy EN-1 (paragraph 4.6.7) indicates that *"in developing proposals for new thermal generating stations, developers should consider opportunities for CHP form the earliest point…."* EN-3 states that *"Biomass/EfW generating stations can be configured to produce Combined Heat and Power (CHP)"*.

Draft Planning Policy Statement: Planning for a Low Carbon Future in a Changing Climate (March 2010)

2.5.47 In March 2010 the Department for Communities and Local Government (DCLG) published, for consultation, a new Planning Policy Statement: Planning for a Low Carbon Future in a Changing Climate. This draft policy document sets out a planning framework for securing progress against the UK's targets to cut greenhouse emissions and use more renewable and low carbon energy, and to plan for the climate change which is now inevitable.

2.5.48 In terms of CHP the Draft PPS states at Paragraph 59 that:
"District heating allows the production of heat in a central location with hot water then piped to the buildings connected to the network, rather than the generation of heat within an individual building. Gas fired, waste fed or biomass combined heat and power (CHP) schemes can produce power and heat with greater energy efficiency than conventional energy sources."

2.5.49 The main detail and emerging policies associated with this document is discussed further within Section 5.0.

The Carbon Plan: Delivering Our Low Carbon Future (December 2011)

2.5.50 In addition to the above, in June 2011, the Coalition Government enshrined in law a new commitment to halve greenhouse gas emissions, on 1990 levels, by the mid-2020s. The Carbon Plan: Delivering Our Low Carbon Future, published in December 2011, sets out how the Government will meet this commitment in a way that protects consumer bills and helps to attract new investment in low carbon infrastructure, industries and jobs.

2.5.51 The plan is sub-divided into several parts: Part 1 identified The Government's approach to energy and climate change; Part 2 Our Strategy to Meet Carbon Budgets; Part 3 Delivering the Fourth Carbon Budget. However, Part 2 includes a sub-section entitled: 'Waste and Resource Efficiency' and specifically paragraphs 2.223 and 2.224 which state:

"The Government's aim is to get the most energy out of waste, not to get the most waste into energy recovery. Through effective prevention, re-use and recycling, residual waste will eventually become a finite and diminishing resource. However, until this becomes a reality, efficient energy recovery from residual waste can deliver environmental benefits and provide economic opportunities.

"Efficient energy recovery from waste prevents some of the negative greenhouse gas impacts of waste in landfill and helps to offset fossil fuel power generation. Over the next decade, the Government is taking forward a range of measures through the Review of Waste Policy Action Plan and the UK Renewable Energy Roadmap to overcome barriers to deployment of energy from waste through a range of existing and more innovative technologies."

Government Review of Waste Policy in England 2011

2.5.52 With specific regard to waste and energy the recent Government Review of waste policy in England states:

The government supports energy from waste as a waste recovery method through a range of technologies, and believes there is potential for the sector to grow further (paragraph 207);

The benefits of recovery include preventing some of the negative greenhouse gas impacts of waste in landfill. Preventing these emissions offers a considerable climate change benefit, with the energy generated from the biodegradable fraction of this waste also offsetting fossil fuel power generation, and contributing towards our renewable energy targets. Even energy from the non-biodegradable component, whilst suffering from the negative climate impacts of other fossil fuels, has additional advantages in terms of providing comparative fuel security, provided it can be recovered efficiently (paragraph 208).

…..There is a need to ensure that innovation, technology mix and flexibility is encouraged and optimised to ensure the right long term capacity, while

considering the energy outputs and carbon impacts of technologies. Maintaining the contribution of energy from waste to UK renewable energy generation will require the increased deployment of higher efficiency approaches such as combined heat and power (CHP)." (Paragraph 230)

Emerging National Planning Policy Framework (NPPF)

2.5.53 A detailed review of the context provided by the NPPF and an appraisal in the context of the proposed development is provided in Section 5.0 of this Statement. In terms of the renewable energy need for the proposed development it is important to note that the emerging document seeks to facilitate and not restrict the delivery of sustainable development. Moreover, it has express support for renewable / low carbon energy generation schemes as part of the sustainable infrastructure development that the country needs.

Conclusion

2.5.54 It can be seen from the above review, that the national policy message on renewable energy, energy security and climate change is unambiguous. There must be more renewable / low carbon energy and greater security of supply as a national priority. It is in this context that the regional and county energy / renewable energy position is considered below.

Regional Renewable Energy Policy and Strategy

2.5.55 In a similar vein to the consideration of Regional Strategies in respect of waste matters, it is important to consider their future relevance to the renewables position. In the case of renewables the situation is quite straight forward. Regional targets are simply an all technology renewables target designed to achieve the national target and to allow monitoring. Thus, the fact that Regional Strategies will probably be scrapped makes no difference to the weight that regional targets should be afforded.

2.5.56 Steve Quartermain's Letter to Chief Planning Officers 6th July 2010, with regard to the abolition of Regional Strategies, makes this clear:*…..authorities should…. help secure more renewable and low carbon energy to meet national targets…..*

2.5.57 This matter is supported further by the Inspector at the Yelvertoft Wind Farm appeal (APP/Y2810/A/10/2120332). He was considering the relevance of regional targets at a time when Regional Strategies were actually withdrawn (before their subsequent reinstatement). The Inspector's report (20th July 2010) states at paragraph 11 "*Notwithstanding that the regional targets are no longer applicable… It is common ground that the proposal would contribute to the national objective of promoting renewable energy technologies".*

2.5.58 The use of regional targets as a monitoring tool is considered in PPS 22: Renewable Energy, where paragraph 3 states: *Targets should be expressed as the minimum amount of installed capacity for renewable energy in the region, expressed in megawatts, and may also be expressed in terms of the percentage of electricity consumed or supplied. Targets should be set for achievement by 2010 and by 2020. Progress towards achieving these targets should be monitored by regional planning bodies. Targets should be reviewed on a regular basis and revised upwards (if they are met)….*

2.5.59 Thus, the renewables targets in the Regional Strategy, specifically the draft RS which is relatively contemporary and well advanced, are a very significant consideration and provide the framework for the South West Region to contribute to the overall national target.

Regional Targets for Renewable Energy and the Strategy for the Achievement of the Regional Targets for Renewable Energy Generation.

2.5.60 The extant Regional Strategy (RPG10) sets, in Policy RE6, the target that a minimum of 11-15% of electricity production in the South West should be from renewable energy sources by 2010. Whilst RPG10 is somewhat dated this target remains and is in line with national policy.

2.5.61 More recently, the former Government Office for the South West (GOSW) in partnership with the South West Regional Assembly (SWRA) commissioned a project called REvision 2010, which was subsequently updated by REvision 2020 to assess the South West renewable electricity, heat and on-site generation targets for 2020. These projects were used to help inform the draft RS for the South West.

2.5.62 The proposed regional targets contained within REvision 2020 (published in June 2005) were:

- *Renewable electricity to 2010: 509-611MWe (onshore), 56MWe (offshore).*
- *Renewable electricity to 2020: 847MWe (onshore), 400MWe (offshore). Together, this capacity will generate approximately 20% of the region's electricity demand by 2020.*
- *Renewable heat to 2010: 105 MWth*
- *Renewable heat to 2020: 503 MWth*

2.5.63 The draft RS for the South West identified that only 3% of the region's electricity demand was met by renewable energy installations in 2005, and the Government target for 2010 was for 10% of demand to be provided for by renewable electricity. Thus there was a significant shortfall to be made up in order to achieve the 2010 target.

2.5.64 Policy RE1 of the draft RS states:

"*Local Development Documents will include positive policies to enable the achievement of the following targets: By 2010 a minimum target of 509 to 611 MWe installed generating capacity, from a range of onshore renewable electricity technologies… By 2020 a minimum cumulative target of 850 MWe installed generating capacity from a range of onshore renewable electricity technologies".*

2.5.65 The draft RS for the South West contains a number of energy policies set out within Section 7.3. It is recognised that there is considerable potential in the South West for the production of electricity and heat from renewable sources and the South West has a lot to gain from harnessing these. *"The region has*

*opportunities for facilities that produce heat and electricity such as **energy from waste**"* (our emphasis - Paragraph 7.3.7).

2.5.66 In summary, the regional renewable electricity targets are:

- 11 - 15% (say 13%) of demand by 2010 (RPG10, the extant Regional Strategy);
- A minimum target of 509 to 611 MW of installed onshore electricity generating capacity by 2010 (draft RS);
- A minimum target of 850 MW of installed onshore electricity generating capacity by 2020 (draft RS).

Electricity Consumption and Renewable Electricity Generation in the South West

2.5.67 The Department for Energy and Climate Change (DECC) figures for 2009 show that total electricity consumption in the South West was 24,904 GWh.

2.5.68 DECC's Renewable Energy Statistics Database (ReSTATs) shows that the total renewables electricity generation in the South West in 2010 was 663 GWh. This equates to **2.6%** of the region's consumption. If the draft RSS was correct, the amount of demand being met from renewables has dropped since 2005, which appears to be quite incredible given the national policy imperative.

2.5.69 With regard to installed generating capacity, the Renewable Energy Progress Report: South West 2011 Annual Survey (March 2011), undertaken by Regen SW, found that the total installed renewable electricity capacity for the region in 2010/2011 was 200.2 MW. This is less than 40% of the lower end of the regional target in the draft RSS (509 MW).

2.5.70 Looking at ReSTATS data other facts can be established:

i) Renewables generation in the South West is the second lowest of all the English regions (ReSTATS 2010 data – Generation of Electricity from Renewable Sources 2010).

ii) Renewables generation in the South West has fluctuated between 2003 and 2009 with a peak of ~ 800 GWh in 2006 which has subsequently fallen away (ReSTATS 2009 data - Trends in Generation by English Region).

iii) Renewables generation in the South West is very heavily reliant on waste (ReSTATS 2010 data - Data Table 2010). In 2010 the position on generation by technology type was:

- Landfill gas: 65% of generation;
- Sewage gas: 8% of generation;
- Biofuels (an undefined part of which is waste based): 10% of generation;
- All other sources / technologies: 17% of generation in combination.

2.5.71 Based on the above, the South West region is failing in every regard in the deployment of renewables and meeting its obligations contribute to the national renewables target. It is now the second worst performing region in England and it is actually generating less renewable electricity (compared to demand) in 2010 than it did in 2005.

2.5.72 With regard to targets, the 13% target for 2010 in the extant RS has been missed by a huge margin with only 2.6% renewable electricity generating capacity achieved. With regard to installed generating capacity, less than 40% of the lower end of the regional target in the draft RS was achieved.

2.5.73 In light of the above, any development that contributes towards the achievement of the South West's regional renewable energy targets (which are being missed by a very wide margin), should be afforded **very** significant weight in terms of the benefit it brings.

County Energy Policy

2.5.74 Other than meeting its share of the national renewables targets (10% by 2010 and 15% by 2020), the only identified renewable electricity generation target for Gloucestershire is contained on the Regen SW website. This is listed as a local area target and the renewable electricity target for Gloucestershire is shown as 40-50 MW of installed generating capacity by 2010.

2.5.75 In February 2011 GCC published their 'Renewable Energy Study: Phase 2 - Resource Assessment'. The study looks at energy consumption and provides an

estimate of the total energy potentially available from various renewable energy sources in the County.

2.5.76 The Study found that the total energy consumption (residential and commercial) for Gloucestershire in 2008 for electricity was 3,144,000 MWh/yr (or 3,144 GWh/yr).

2.5.77 Table 10.1 of the Renewable Energy Study shows the technical potential of renewable resources (large wind, small wind, hydro, biomass and the renewable fraction of waste) in Gloucestershire and that the potential electrical output from waste (renewable fractions only) was found to be 231,953 MWh/yr. One of the key findings of the assessment is that *"waste offers significant potential for energy recovery, with additional benefits associated with avoiding landfill".*

2.5.78 The installed renewable electricity capacity for Gloucestershire as at January 2011 is identified in the Regen SW Renewable Energy Progress Report 2011 (Table 12). This shows that the County only has 17 MW of installed renewables capacity. Achieving this level of capacity over the past circa 15 years represents a significant failure to deliver national policy.

2.5.79 There is no actual renewables generation figure for Gloucestershire in the Regen SW data, which is a far more relevant and important figure than the installed capacity. However, using the Regen SW information (and known typical net declared capacities for renewables technologies) this can be estimated as set out in Table 3.1 below. The net declared capacity is effectively the quantity of electricity produced having regard for the proportion of time the technology will generate at its installed capacity.

Table 3.1: Estimated Renewable Electricity Generation in Gloucestershire 2010

Technology Group	**Total Installed Capacity (MW)**	**Assumed Generation Time per annum expressed as a %**	**Generation (MWh per annum)**	**Generation (GWh per annum)**
Advanced Thermal Treatment (of waste)	0.355	90%	2,799	2.799
Hydro	0.054	90%	426	0.426
Landfill Gas	13.625	90%	107,420	107.42
Sewage Gas	1.205	90%	9,500	9.5
Onshore Wind	0.581	30%	1,527	1.527

Solar (PV)	1.244	20%	2,179	2.179
Totals (rounded)	**17**		**124,000**	**124**

2.5.80 Based on the estimate above, 2010 renewable electricity generation in Gloucestershire was ~124 GWh. This only accounts for 3.94% of the County's electricity consumption.

2.5.81 Thus, it can be concluded:

- Gloucestershire is lagging very significantly behind the 2010 national target for renewable electricity generation at 3.94% compared to the 10% target.
- Gloucestershire only has 17MW of installed renewable electricity generation capacity and has significantly missed the Regen SW target of 40-50 MW by 2010.
- Of the 124 GWh of renewable electricity generated in Gloucestershire in 2010, 120GWh (97%) came from waste, highlighting the importance of waste as a renewable resource in the County.

2.5.82 The failure to deploy renewables in the County is as significant as the failure within the wider region. The urgency to deploy renewables in Gloucestershire (and make any meaningful contribution to the national renewables target) cannot be overstated. As a consequence very significant weight should be ascribed to the wider climate change benefits arising from any proposal for renewable energy generation capacity in the County.

2.5.83 UBB's EfW facility would generate 17.4 MW of electricity, with 14.5 MW exported to the local electricity grid. Of that exported 56% would be classed as renewable (i.e. 8.1 MW). Based upon 8,000 hours of generation per annum, the facility would generate 64,800 MWh/yr (64.8GWh/yr) of renewable electricity. This would increase the renewable electricity generated in Gloucestershire (in 2010) by over 50%. It would also increase the current installed capacity by 48%.

2.5.84 The contribution that the EfW facility would make to increasing renewable electricity production in Gloucestershire is huge. In a single project it would increase generation by over 50% and represent a significant step forward

compared to what has been achieved in the past 15 years. The benefit of the scheme (in its contribution to renewable energy generation and consequential climate change action) is of paramount significance at a County level. Furthermore, in terms of the South West region as a whole, it would increase 2010 renewable electricity generation levels by over 10%. This is a very significant benefit at a regional level. The benefit is clearly so great that it should be afforded very significant positive weight (in planning terms).

2.5.85 In addition, there is extensive policy support for CHP, noting that the Javelin Park facility would be fully 'CHP ready'. The ES (Chapter 5.0) sets out the potential to facilitate CHP at the site and UBB is committed to the ongoing exploration of facilitating heat off-take. This potential should also be ascribed positive weight.

2.6 Climate Change

2.6.1 Whilst climate change policy has been briefly considered in respect of renewable energy policy above, it is worthy of emphasis that*: "The Government believes that climate change is the greatest long-term challenge facing the world today"* (PPS1 Supplement - paragraph 3).

2.6.2 For this reason, there is a bespoke PPS (PPS1 Supplement) specifically focussed on climate change issues. Paragraph 9 of the Supplement sets out the Governments "Key Planning Objectives" for combating climate change. The subsequent text identifies the relevant climate change objectives and how the Javelin Park proposal would meet them.

i) ***Make a full contribution to delivering the government's climate change programme and energy policy and contribute to global sustainability*** - The proposed EfW facility would deliver 14.5 MW of electricity (~56% of which would be renewable energy) to the local supply grid, which would otherwise have to be generated by burning fossil fuels. In addition, there is heat off-take potential; which if implemented, this would make the facility a combined heat and power (CHP) plant, with associated energy efficiency benefits. It has been calculated (in the ES) that the development would result in significant greenhouse gas savings per annum amounting to 40,480

tonnes of CO_2 equivalents. As such, it would make a valuable contribution to Government energy policy by reducing carbon emissions and providing security of supply.

ii) ***In providing for homes, jobs and infrastructure needed by communities secure the highest viable resource and energy efficiency and reduction in emissions*** – The previous sub-sections detail how the EfW facility is greatly needed by the population of Gloucestershire both in terms of delivering sustainable waste management and contributing towards combating climate change. The proposal would be an efficient electricity generating installation (in the context of exceeding the R1 efficiency threshold) and is also well located in respect of providing good opportunities to export heat. Finally, it would deliver a significant reduction in emissions when compared to current waste management practices.

iii) ***Deliver patterns of sustainable growth and transport*** - The site is well located in respect of the overall pattern of waste arisings and the strategic highway network. It has excellent transport links via the M5 Motorway (junction 12) to the wider area.

iv) ***Secure new development in places that minimise their vulnerability and provide resilience to climate change*** – As set out above, the proposal would directly contribute to combating climate change. Furthermore, the application site is not vulnerable to climate change in terms of flood risk (refer to ES Chapter 11.0).

v) ***Conserve and enhance biodiversity*** - as demonstrated with Chapter 9.0 of the ES, on the basis of the ecological impact assessment it can be concluded that the residual impacts resulting from the proposed development are either of negligible significance, or involve minor impacts during construction which would be mitigated or enhanced by habitat creation. Thus biodiversity would be conserved and enhanced.

vi) ***Reflects the needs and interests of communities and enable them to contribute to tackling climate change*** – The proposal would make a very significant contribution towards Gloucestershire's targets for combating climate change. The community must meet these targets and it is in their interests to do so. The definition of communities in this context should not be interpreted too narrowly. As the Energy White Paper states (in Box 5.3.3), whilst the benefits of renewable developments are not always visible to the

specific locality in which it is sited, they do provide crucial national benefits which are shared by all communities and must be accorded significant weight in the planning process.

2.7 Other Benefits

2.7.1 A Socio-Economic and Community Effects Statement has been submitted in support of this planning application, which is contained within Chapter 16.0 of the ES.

2.7.2 The Statement identifies the prevailing socio-economic conditions / baseline for the District of Stroud, and more specifically the Hardwicke ward, within which the Javelin Park site is located. It then identifies the main socio-economic and community effects of the proposed development.

2.7.3 The Statement establishes that there would be a number of socio-economic and community benefits resulting from the Javelin Park EfW development. These would comprise:

- The creation of approximately 300 temporary jobs during the 33 month construction period of the development, and 40 permanent jobs during the operational lifetime of the facility;
- The creation of new Apprenticeships – with ~ 8% of the workforce during construction (i.e. 8% of the 300 temporary jobs) is to be filled by apprentices. In addition, a new apprentice will be taken on every two years through the operation of the facility;
- Support for businesses and the economy by procuring building products etc locally;
- Assisting the County Council (and thus County rate payers) to reduce its exposure to financial risks arising from increased waste management costs through Landfill Tax regime;
- New visitor / education facilities that the community and schools can use to learn about waste management and how they can take more responsibility for their own waste;

- By-products would be recovered from the combustion process and recycled with associated revenue streams. Metals within the bottom ash would be reclaimed and sold / shipped to reprocessors and the bottom ash itself would be used as a secondary aggregate for onward sale.

2.8 Conclusions on Need and Benefits

2.8.1 The need for the Javelin Park EfW facility (and the benefits arising from the scheme) has been considered in the context of a number of strategic waste policy documents and the current waste management position within the South West region and Gloucestershire. In addition, it has also been evaluated in terms of national, regional and county renewable energy policy and need. The assessment has established the following:

National Waste Policy

i) Waste Strategy England 2007 sets a number of targets to reduce the quantities of biodegradable municipal solid waste (MSW) sent to landfill which are focussed on recovering value from MSW through recycling and composting. It is accepted within national guidance that the balance of MSW not recycled will need to be managed further down the hierarchy with a preference for energy recovery over disposal.

ii) Increases in the Landfill Tax regime, introduced in the March 2010 budget, will rapidly increase the need for alternative facilities for the management of MSW and commercial and industrial (C&I) waste to come forward. This fiscal measure is a driver for the achievement of national sustainable waste management targets.

iii) From a national (and indeed regional and county) perspective, all relevant extant and emerging policy and strategy documents support the thermal treatment of waste with energy recovery.

iv) The biodegradable fraction of waste is acknowledged as being a potential source of renewable energy generation and its contribution to the

achievement of renewable energy targets is acknowledged in the Government's Energy White Paper (May 2007), Waste Strategy for England (2007), the UK Renewable Energy Strategy (2009), together with the Government Review of Waste Policy in England 2011 (June 2011).

Regional Waste Policy and Position

v) From a regional perspective, figures in the draft Regional Strategy (RS) identify that the maximum secondary treatment / recovery capacity that needs to be planned for MSW in 2020 is 2,750,000 tpa and for C&I waste in 2020 is 2,930,000 to 3,080,000 tpa. Presently there are no operating residual waste treatment plants in the region and only a single 60,000 tpa EfW facility under construction (in Exeter). Thus, much more residual waste treatment infrastructure is required in the South West.

County Waste Policy and Position

vi) Gloucestershire has no operating residual waste treatment capacity and is presently sending nearly 500,000 tpa of waste to landfill. The County Council has identified (in its emerging Waste Core Strategy) that for MSW it will require circa 150,000 tpa of residual waste treatment capacity up to 2027. For reasons explained in the Gloucestershire Joint Municipal Waste Management Strategy, and elsewhere, this figure may be much higher (either by this date or beyond). Furthermore, the Council identifies that this level of provision would be consistent with achieving very high levels of MSW recycling.

vii) Gloucestershire also requires up to 200,000 tpa of new residual waste treatment capacity for C&I waste.

viii) The Council supports EfW (i.e. thermal treatment with energy recovery) as being an appropriate residual waste management technology.

ix) In light of the above, Gloucestershire must develop new residual waste management infrastructure. The proposed Javelin Park EfW facility, with a

capacity of 190,000 tpa, would move the management of Gloucestershire's residual MSW up the Waste Hierarchy whilst still allowing for very high levels of recycling. It would also make a modest, but nevertheless meaningful, contribution towards recovering energy from some of the County's residual C&I waste, which is presently sent to landfill. It would provide an essential element of the waste management infrastructure required within Gloucestershire that is currently missing.

National Renewable Energy Policy

x) The Energy White Paper includes targets which aim to see renewables grow as a proportion of electricity supply to 10% in 2010, with an aspiration for this to rise to 20% in 2020. The Paper indicates that in 2006 electricity supplied by renewable sources stood at only 4% of the UK total.

xi) The UK Renewable Energy Strategy promotes investment in renewable energy technology (including the type proposed), in order to meet the EU set target that renewables will constitute 15% of the UK energy mix by 2020. This figure is explicitly a **minimum** target.

xii) The Glossary to the PPS1 Supplement on Climate Change explicitly identifies that renewable and / or low carbon energy supplies include energy from waste. The significance of the Supplement can not be overstated. In paragraphs 13, 19, 20 and 40 it effectively reconfigures the emphasis in the planning system, such that the approach to proposals like the Javelin Park EfW facility, should be one of facilitation and encouragement.

Regional Renewable Energy Policy and Position

xiii) Detailed evaluation has shown that the South West region is failing in every regard in the deployment of renewables and meeting its obligations to contribute to the national renewables target. It is now the second worst performing region in England and it is actually generating less renewable electricity (compared to demand) in 2010 than it did in 2005.

xiv) With regard to targets, the 13% renewable electricity generation target for 2010 in the extant RS has been missed by a huge margin with only 2.6% renewable electricity generation achieved. With regard to installed renewables generating capacity, less than 40% of the lower end of the regional target in the draft RS was delivered.

County Renewable Energy Policy and Position

xv) The need assessment has shown that in 2010 renewable electricity generation in Gloucestershire was ~124 GWh. This only accounts for 3.94% of the County's electricity consumption (against the national target of 10% for the same year). In addition, Gloucestershire only has 17 MW of installed renewable electricity generation capacity and has significantly missed its target of 40-50 MW by 2010. Finally, of the 124 GWh of renewable electricity generated in Gloucestershire (in 2010), 120GWh (97%) came from waste, highlighting the importance of waste as a renewable resource in the County.

xvi) UBB's Javelin Park EfW facility would generate 17.4 MW of electricity, with 14.5 MW exported to the local electricity grid. Of that exported, 56% would be classed as renewable i.e. 8.1 MW. Based upon 8,000 hours of generation per annum, the facility would generate 64,800 MWh/yr (64.8GWh/yr) of renewable electricity. This would increase the renewable electricity generated in Gloucestershire (in 2010) by over 50%. It would also increase the current installed capacity by 48%. Furthermore, in terms of the South West region as a whole, it would increase 2010 renewable electricity generation levels by over 10%.

Climate Change

xvii) The development proposal has been found to accord with the Government's Key Planning Objectives for combating climate change. It would result in significant greenhouse gas savings per annum amounting to 40,480 tonnes of CO_2 equivalents.

Economic and Other Benefits

xviii) The economic benefits of the scheme include the creation of approximately 40 permanent jobs together with up to 300 temporary jobs during the construction phase of the development. This would include local employment opportunities. There would also be financial benefits to the County Council (and rate payers) in terms of reducing the financial costs and risk associated with increased Landfill Tax. In addition social / community benefits would arise from the new visitor / education facilities which would enable the community and schools to learn about waste management and how they can take more responsibility for their own waste.

2.8.2 In conclusion, there is a clear, demonstrable and overriding need for the Javelin Park EfW development and the benefits it would bring relate to both contributing towards delivering sustainable waste management and combating climate change through renewable energy production. Given both the South West region and Gloucestershire have a paucity of sustainable waste management and renewable energy infrastructure, the opportunity presented by the proposal must not be missed. The scheme offers very significant benefits of regional and county significance and, in accordance with the identified policy framework, these should be afforded very significant positive weight (in planning terms).

3.0 CONSIDERATION OF ALTERNATIVE SITES

3.1 Introduction

3.1.1 The Environmental Statement (Volume 1, Chapter 3.0), which supports the planning application, looks at the alternatives considered by UBB in terms of alternative waste management options, alternative technologies and alternative design solutions. It also makes reference to alternative sites by way of reference to this chapter of the planning statement.

3.1.2 This chapter of the statement firstly outlines the Development Plan allocation history of the Javelin Park site and then undertakes a critical review of the approach that Gloucestershire County Council (GCC), as both the Waste Planning Authority (WPA) and the Waste Disposal Authority (WDA), has taken to consider alternative sites and identify the most suitable sites for a strategic waste management facility to serve the County. The review considers the assessment work which has been undertaken to date to inform both the land strategy that supports the Gloucestershire Waste Private Finance Initiative (PFI) process and the evidence base for the emerging Gloucestershire Waste Core Strategy (WCS). This work is contained in two documents. The first is the 'Comparative Site Assessment for a Strategic Waste Management Facility' (September 2007) prepared by Entec UK Limited on behalf of GCC. The second document is Technical Evidence Paper WCS-N 'Site Selection Methodology - Living Draft' (September 2009) which is one of the supporting documents to the WCS Site Options Consultation.

3.1.3 Finally, in order to reaffirm that Javelin Park is a suitable site for a strategic waste management facility such as an EfW plant, UBB has undertaken an assessment of the four sites identified in Core Policy WCS4 - 'Other Recovery (including energy recovery)' in the emerging Waste Core Strategy. The assessment has used relevant planning criteria for assessing the suitability of sites for strategic waste management development.

3.2 Development Plan Allocation History

3.2.1 Until the Gloucestershire Waste Local Plan (WLP) is replaced by the emerging Gloucestershire Waste Core Strategy, the 'saved' policies of the WLP will continue to form part of the Development Plan. A number of policies were not saved as either GCC did not request that they be saved or the Secretary of State chose not to save them as the policy referred to out of date procedures or information.

3.2.2 Javelin Park had been allocated as a strategic waste site in the WLP under Policy 4 'Waste Management Facilities for Strategic Sites' and was identified as being potentially suitable for Waste to Energy Recovery (WtE), a Materials Recovery Facility (MRF), Inert Recovery and Recycling, Metals Recycling, Household Waste Recycling Centre (HWRC), Anaerobic Digestion, a Waste Transfer Station or for composting. Policy 4 was not 'saved', however, due to the wording of the policy making reference to the concept of Best Practicable Environmental Option (BPEO), which was replaced by the provisions of Sustainability Appraisals & Strategic Environmental Assessments identified within PPS10.

3.2.3 The Stroud District Local Plan (SDLP) has an extant reference to the site's intended use, which is for waste management development (noting that there is no policy to support this within the plan itself given that such justification is left to the Waste Plan Framework developed at the County level, and the site is only identified on the proposals map). The site of Javelin Park is not allocated as employment land in the SDLP but it is recognised as being an "employment commitment" as it has a consented planning history for employment use. The SDLP did not specifically allocate the site for an employment use due to the desire to preserve it for waste uses identified by the waste allocation in the WLP.

3.2.4 The fact that Javelin Park is not allocated in either the WLP or the SDLP does not reduce its suitability as a site for a strategic waste management use. Javelin Park is not an allocated site for waste or employment uses simply due to a planning policy expiring and a technicality with the SDLP.

3.3 Review of the 'Comparative Site Assessment for a Strategic Waste Management Facility' (September 2007) - Entec UK Ltd

3.3.1 The Entec report considers ten sites in the comparative assessment. Nine of these sites were contained within the WLP. The tenth site, known as Quedgeley East, was identified as a result of detailed site assessment work commissioned by GCC WDA. The assessment used multi-criteria analysis (MCA) techniques to score each site against a number of environmental, economic and social criteria.

3.3.2 It is considered that using the nine sites in the WLP (plus Quedgeley East) for the basis for the comparative assessment was robust, as the sites have previously been 'tested' throughout the preparation and adoption of the WLP to determine their suitability for a strategic waste management facility. The ten sites are listed in the table below.

No.	Site	Area (ha)	District
1	1A - Wingmoor Farm West A	61.9	Tewkesbury
2	1B - Wingmoor Farm West B	4.8	Tewkesbury
3	2A - Wingmoor Farm East A	48.7	Tewkesbury
4	2B - Wingmoor Farm East B	22.3	Tewkesbury
5	3A - Sudmeadow, Hempsted A	142	Gloucester City
6	3B - Sudmeadow, Hempsted B	9.2	Gloucester City
7	4 - Javelin Park	11.2	Stroud
8	5A - Sharpness Docks A	17.2	Stroud
9	5B - Sharpness Docks B	8.4	Stroud
10	7 - Quedgeley East	9.7	Stroud

3.3.3 The MCA used twenty Planning and Sustainability criteria and six Deliverability criteria to assess the suitability and deliverability credentials of the identified sites for strategic waste management purposes. These are based on key national, regional and local policy documents, in particular PPS10 Annex E locational criteria, which are to be used in assessing the suitability of sites and areas for waste management uses. It is considered that a reasonable approach was used in determining the criteria based upon adopted planning policy. MCA

gives numerical scores where 10 is the highest (site scores well) and 2 is the lowest (site scores poorly), and has a weighting system to evaluate the sites against the criteria.

3.3.4 There is reasoned justification for the scores given to planning and sustainability and deliverability considerations for each site in the comparative assessment. For example, the criteria relating to Potential Conflicts with Green Belt Objectives has a grading threshold of 10 if the site is located outside the Green Belt, 6 if located within the Green Belt and occupied with existing buildings and 2 if simply located within the Green Belt. The application of this approach can be seen in respect of Wingmoor Farm West Site A and Site B, which are both located within the Green Belt. As Site A is occupied by temporary "less fixed" buildings it scores 2, and as Site B is occupied by existing buildings it scores 6.

3.3.5 The attributes of each site were judged against the criteria, and the MCA scoring mechanism was used to ascertain the rank of each site. This is deemed to be a sound approach to understanding which of the sites are most suitable for the development of a strategic waste management facility and what constraints, if any, would need to be mitigated.

3.3.6 The Entec comparative assessment found that of the ten identified sites, Javelin Park ranked 2nd against the planning and sustainability criteria, and in terms of deliverability it was ranked 1st. The average scores were then combined resulting in Javelin Park being ranked 1st out of the ten sites that were considered and therefore judged to be the best performing site.

3.3.7 UBB consider the overall approach adopted in the Entec assessment is founded on sound planning principles and the work has been executed both properly and consistently. UBB may have scored some criteria slightly differently, but not to such a degree that the overall findings would have materially changed. As a consequence, UBB believe that the results of the Entec study are robust and support the finding that Javelin Park is the best performing site, based on the information available at that time.

3.4 Waste Core Strategy Technical Evidence Paper WCS-N 'Site Selection Methodology - Living Draft' (September 2009)

3.4.1 This Technical Paper outlines the selection criteria used to produce the list of sites which are contained in the WCS site options consultation. The first stage of the process involved a desk based study to identify sites in Gloucestershire which met one or more of the following criteria:

- Land permitted for or in existing use as B1c *other industrial processes appropriate in a residential area*, B2 *general industry not included in B1c* and *B8 storage or distribution*;
- Land allocated within District Local Plans for employment uses under the above categories;
- Land previously allocated within the adopted Gloucestershire Waste Local Plan (2004);
- Existing waste management facilities.

3.4.2 This desk based exercise initially identified over 500 potential sites. Following the removal of any duplicate sites this was reduced to 329. The second stage of the assessment clustered together any sites that were overlapping or in close proximity. UBB believe that these first two stages of the assessment are sound methods of producing the initial site 'long list', as they were based on a clear sequential approach to development utilising data in Development Plans and planning consents.

Exclusion Criteria

3.4.3 In order to reduce down this list of sites, 'exclusion criteria' were used which removed any sites under 2 hectares in size and any land outside of 16km (10 miles) of the fringe of the urban areas of Cheltenham and Gloucester (the 16km Area of Search); and any land outside of 500m of the fringe of the named settlements of Cinderford, Cirencester, Coleford, Lydney, Stroud, Tewkesbury and Forest of Dean. The rationale behind the distance of 16km in the Technical Paper derives from Policy W2 of the draft RS for the South West (2006) and the supporting text to Policy W2 in the draft RS Proposed Changes (2008). Research into the evidence base for the draft RS has not found a justifiable

reason for this 16km search distance. However, discussion relating to areas of search for waste facilities contained within the Inspector's Report on the Examination into the Wiltshire and Swindon Waste Development Plan Document (DPD) (noting this area is covered by the same RSS as Gloucestershire) states:

"Though unexplained in RSS, the 16km distance is not entirely arbitrary, but apparently owes its origin to the Industry view of the maximum distance over which householders are willing to transport their own waste. Accordingly, it is unlikely to be of absolute or universal relevance to the location of waste-related development. To apply it as a rigid distance restriction would be inappropriate… Rather, the 16km distance is applied in such a way as to show how waste management facilities should be related closely to the urban areas which (with the exception of rural local-scale facilities) they are intended to serve" (Paragraph 3.6).

3.4.4 In light of the above, it is no great surprise that as the RS progressed, the figure of 16km was considered too prescriptive and was removed from the actual policy to the supporting text as one of the Secretary of State's Proposed Changes. Notwithstanding, the figure has some basis and the RS like the emerging WCS has also undergone several periods of public consultation.

3.4.5 UBB recognise the difficulties in applying exclusionary criteria. The 2 hectare site size threshold is quite straight forward and robust as even this area would potentially be too small for a modern residual waste treatment plant. With regard to the 16 km distance, UBB supports the concept of seeking to minimise, where possible, the distance that waste should travel. This concept is embodied in PPS10 and the revised Waste Framework Directive 2010. UBB sees no reason to disagree with the 16km distance adopted (i.e. the 16km Area of Search) as a reasonable proxy to minimising the distance that waste should travel and therefore support its use.

Technical Assessments

3.4.6 A total of 108 sites remained after the exclusion criteria were applied and following a 'Call for Sites' exercise by the County Council a further two sites

came forward which passed the initial screening and brought the number of sites to 110. In order to test whether the sites were suitable for a strategic waste management facility a number of technical assessments were carried out by the Minerals and Waste Policy Team and other departments within GCC with support from external consultants. The assessments involved planning officer site visits, map based environmental and other constraints research, a Deliverability Study, locational information and consideration of the following topics:

- Highways;
- Flood Risk;
- Archaeology;
- Contaminated Land;
- Public Rights of Way;
- Landscape;
- Geodiversity;
- Ecology / biodiversity.

3.4.7 As required by the Planning and Compulsory Purchase Act 2004, the County Council submitted the technical assessment schedules for each site to Land Use Consultants (LUC) so that independent Sustainability Appraisals could be undertaken for each location.

Initial Officers' Assessment

3.4.8 The next stage of the process involved Planning Officers from the County Council assessing the sites further, based on the technical evidence. The sites were evaluated by reference to four zones (A-D) which had appeared in the earlier WCS Preferred Options version (2008). This divided the 16km Area of Search into four zones established through analysis of key environmental assets (such as national landscape / nature designations) and areas susceptible to flooding. Of the four zones, Zones B and D were discounted due to flood plain and landscape issues respectively. Zone C was favoured above Zone A as it was closer to waste arisings, aligned with the existing transport network and also avoided key AONB and floodplain constraints.

3.4.9 Officers subsequently divided the sites into three categories:

- Sites that were located within the main Cheltenham / Gloucester urban area or within 16km of 'Zone C' but needed further technical assessments and / or deliverability to be established;
- Sites located outside of 'Zone C', but needed further technical assessments and / or deliverability to be established;
- Sites that were unsuitable based on highways and / or flooding reports.

3.4.10 At this stage of the assessment, 43 of the 110 sites were found to be unsuitable due to highways or flooding issues. It is not entirely clear why these 43 sites were not rejected at the previous stage as the technical assessment work undertaken included highways and flood risk. There were 48 sites located within 'Zone C' and 19 sites located outside of 'Zone C'.

Deliverability Study

3.4.11 It was considered appropriate by GCC to assess the 19 sites outside of 'Zone C' as this provides a more thorough and flexible assessment by ensuring all potential sites were considered in the assessment work. The sites within 'Zone C' and outside 'Zone C' were then subject to a Deliverability Study which involved contacting landowners wherever possible to ascertain availability of the site for a waste treatment facility. It was found that out of the 48 sites within 'Zone C', 30 landowners responded to say the land would not be available, 10 responded to say they would like the site to be considered in the WCS and there were 8 sites where the landowners could not be identified or did not respond. (N.B. Paragraph 41 of the Technical Paper has a slight error as it states there were 9 sites where the landowners could not be indentified / did not respond).

3.4.12 For the sites outside of 'Zone C', 3 landowners indicated they would like the site to be included in the WCS, 2 sites would not be available and 14 landowners could not be contacted / did not respond. It is considered that the methodology for contacting landowners still holds weight and that landownership issues are unlikely to have changed significantly in the last two and a half years. In this regard, PPS10 paragraph 18 requires that when identifying land for waste management facilities local authorities should avoid unrealistic assumptions on

the prospect of sites being available having regard to ownership constraints. Furthermore, the 10 sites within 'Zone C' that have landowner support is considered a sufficient number of sites to offer flexibility to deliver waste management facilities. The 10 sites within 'Zone C' were:

- Javelin Park
- Ashchurch / Tewkesbury Industrial Estate (Easter Park area)
- Wingmoor Farm West
- Netheridge Sewage Treatment Works
- Moreton Valance Airfield
- Railway Corridor (Land North of Railway Triangle)
- Stroudwater Area (Nastend Farm)
- Hunt's Grove / Hardwick (Land Adjacent to Quadrant Business Centre)
- Wingmoor Farm East
- The 'Gilder Land' near Wingmoor Farm West

The 3 sites outside 'Zone C' were:

- Foss Cross Industrial Estate
- Hurst Farm, Lydney
- Lydney Industrial Estate (part of)

Site Options Consultation

3.4.13 The Gloucestershire Waste Core Strategy 'Report of Site Options Consultation 5th October - 30th November 2009' provides summaries of all the responses received to the questions in the site options consultation document. Question 3 asked:

"Using the scale below (Suitable / Not Suitable / Don't Know), please indicate whether you think the sites we have identified in Zone C are suitable for the treatment of residual household waste (i.e. waste that is leftover after recycling and composting)?"

3.4.14 The sites which gained the highest scores for being suitable (highest score first) were i) Javelin Park, ii) Land at Moreton Valance, iii) Netheridge Sewage Treatment Works, followed by iv) Wingmoor Farm West and v) Wingmoor Farm East. The Netheridge STW sites was not carried forward as some uncertainty

arose following further discussions with the landowner regarding availability and the prospect of delivering a strategic waste management facility on the site.

3.4.15 On the basis of the above, GCC decided to take four sites forward into the WCS publication as these *"provide enough land to meet the potential capacity requirements to 2027".* The four sites that have been allocated for strategic residual waste recovery facilities (>50,000 tpa) in Core Policy WCS4 of the Revised WCS - Focussed Changes (June 2011) are:

1. Wingmoor Farm East
2. Wingmoor Farm West
3. Javelin Park
4. Land at Moreton Valance

3.4.16 UBB is satisfied that the site selection process undertaken in support of the WCS was extensive, well structured and followed a robust methodology. As a consequence, UBB support the assessment findings.

3.5 UBB Assessment

3.5.1 Site assessments can be undertaken in numerous ways. However, an important consideration in this case is that the two site assessments discussed above used different methodologies but both came to the same conclusion that Javelin Park was the most suitable site.

3.5.2 In order to undertake a final 'health check', UBB has undertaken its own assessment of the four allocated sites identified in the emerging Waste Core Strategy. It is accepted that all of the four sites are potentially suitable for the development of a strategic residual waste recovery facility. However, all of the sites have some constraints (to a greater or lesser degree) which would require some form of appropriate mitigation measures (following the undertaking of an Environmental Impact Assessment). The purpose of the UBB assessment was to confirm that none of the sites were materially preferable to the others in terms of the company's ability to secure planning permission on them for a major waste facility. Whilst there is no requirement in planning law or policy for developers to demonstrate that their chosen site is best, it was considered

prudent to further evaluate the respective merits of the four allocated strategic sites in the emerging WCS.

3.5.3 The UBB assessment (contained in Appendix 3.1) has been informed by a desk based study and site visits to Javelin Park, Land at Moreton Valance, Wingmoor Farm East and Wingmoor Farm West. The information collected was used to complete assessment pro formas for the four sites. The assessment criteria used in the pro formas was based on a modified version of the development criteria in Annex E of PPS 10, adapted to suit the specific characteristics of EfW development.

3.5.4 The potential availability / deliverability of each site was based upon the results of the extensive work undertaken as part of the preparation of the emerging WCS where landowners were contacted and asked to confirm whether they would like their site to be considered for a waste management use. UBB has not revisited this element of work.

3.5.5 A summary table (within Appendix 3.1) illustrating the results of the assessment indicates that Javelin Park is the least constrained site and offers the best opportunity for the development of UBB's EfW proposal. The assessment concludes as set out below.

- **Javelin Park –** This has been assessed as the least constrained site due to:
  - It lying outside of the Green Belt;
  - It having a suitable shape, size and topography;
  - It comprising a brownfield site with permission for B8 use;
  - Its excellent standard of access to the strategic highway network;
  - It being relatively free from obvious environmental constraints and where the site does have any identified constraints these are all minor with the exception of one moderate constraint (ostensibly associated with a single residential property);
  - It offering the best potential for heat off-take;
  - It being available and deliverable.

- **Moreton Valence –** This site does not perform significantly worse than Javelin Park, although it has been identified as having more constraints. The principle reasons for this are:
  - A large part of the identified site (the area not occupied by existing development) is greenfield;
  - The site's access and accessibility from the strategic highway network is slightly constrained, whereas the Javelin Park site has no such constraints;
  - It has lower potential for heat off-take.
- **Wingmoor Farm East and Wingmoor Farm West -** These two sites are considered to be the most constrained of the four. The principal reasons for this being that:
  - They are located within the Green Belt and could not secure planning permission for an EfW facility use without very special circumstances being demonstrated. In light of there being other alternative, suitable / available sites (Javelin Park and Moreton Valance) that lie outside of the Green Belt, this would prove very complex until such time as the alternatives have been built out (i.e. have no available land);
  - They have a relatively constrained and convoluted access which requires vehicles to past through settlements before reaching strategic road network and, a lesser point, both sites are within the Gloucester Airfield safeguarding area.

  Of the two it may also well be the case that there is no available or readily deliverable land of the requisite size at Wingmoor Farm West. The Eastern site has no such constraint.

3.6 Conclusions

3.6.1 UBB has reviewed the two GCC site identification and assessment documents that aim to identify the best sites for a strategic waste management facility. Overall, they find both to be based on sound methodologies and their conclusions to be robust. Both documents rank Javelin Park as the best performing site against the assessment criteria used.

3.6.2 The emerging WCS, which has been through consultation and was formally submitted to the Secretary of State on 5th September 2011, allocates four sites for a strategic waste management facility for waste recovery operations. UBB has undertaken its own appraisal of the four sites and found that Javelin Park is the most suitable for the proposed use.

4.0 PLANNING HISTORY

4.1 The planning history of the proposed development site has been established from a review of the planning application records that are held by Stroud District Council on both the Council's website and following a visit to the Council's offices at Ebley Mill on 8 June 2011. In addition it was augmented with information provided by Gloucestershire County Council.

4.2 The site was understood to have first been developed in 1939 as part of Haresfield aerodrome and was used a landing ground and occasional training base for various military units. In 1941 the site was upgraded to a permanent training base when it became known as RAF Moreton Valance. In 1943 the main runway was lengthened and additional hangers constructed to accommodate the Gloster Aircraft Company for developing, building and testing aircraft. At the end of World War II the RAF withdrew from the site leaving it to the Gloster Aircraft Company. All aviation operations ceased and the site closed in 1962. The former assembly hangers were converted to a trading estate (known as the Bilton Cargo Centre), with other buildings and runways left to deteriorate.

4.3 Subsequent to this time, the site has a complex planning history and for the purpose of this appraisal the planning applications identified in Table 4.1 below have been taken into consideration.

Table 4.1: Identified Planning History

Application Reference	Description	Decision Date
S.10827/1/T	Redevelopment of the site with new buildings for Class B8 use (warehousing and repositories) and associated offices. Construction of new access road onto B4008 (Phase 1).	10 March 1992
S.10827/1/W	Outline application for the demolition of existing distribution warehouses and redevelopment with new buildings Class B8 use and associated offices.	10 March 1992

	Construction of new access onto B4008 (Phases 1, 2 and 3).	
S.10827/2/E	Outline application for the demolition of existing distribution warehouses and redevelopment with new buildings Class B8 use and associated offices. Construction of new access onto B4008. (Renewal of Outline Consent S.10827/1/W) (Phases 1, 2 and 3).	22 February 1995
S.97/211	Renewal of application S.10827/1/T for redevelopment of the site and new buildings for Class B8 uses (warehouses and repositories) and associated offices. Construction of new access onto B4008.	2 April 1997
S.98/220	Renewal of Outline Permission No. S.10827/2/E (for demolition of existing distribution warehouses and redevelopment with new buildings for Class B8 use and associated offices. New access onto B4008).	28 April 1998
S.00/771	Renewal of outline permission S.98/220 for demolition of existing distribution warehouses and redevelopment with new buildings for Class B8 use and associated offices. New access onto B4008. (Section 73 application to extend time limit).	21 June 2000
S.01/1191	Outline application for the redevelopment for up to 45,151 sqm of distribution warehouses, (B8), involving provision of new means of access and demolition of existing warehouses.	21 November 2002
S.02/2178	Reserved Matters application for external appearance, siting, design and landscaping (pursuant to Outline Permission S.01/1191).	8 April 2003
S.05/2138/VAR	Variation of Condition 2 on S.01/1191 to extend the prescribed period in which reserved matters must be submitted. Revised details received 31/1/2006 proposing extension for submission of reserved matters for a further five years.	27 March 2007 Permission granted by the Secretary of State following a Public Inquiry (application was Called-In due to being a 'departure')
S.07/2468/REM	Erection of 2 storage and distribution warehouses (34,754m^2), including	16 April 2008

	landscaping works and internal access and parking. (Application pursuant to Outline planning permission S.05/2138)	
S.07/2471/REM	Erection of 3 storage and distribution warehouses (34,747m^2), including landscaping works and internal access and parking arrangements (Application pursuant to Outline planning permission S.05/2138)	16 April 2008
S.07/2472/REM	Erection of storage and distribution warehouse (11,188m^2), including landscaping works and internal access and parking. (Application pursuant to Outline planning permission S.05/2138)	18 April 2008
S.07/2473/REM	Erection of storage and distribution warehouse (9,916m^2), including landscaping works and internal access and parking arrangements. (Application pursuant to Outline planning permission S.05/2138)	18 April 2008
S.07/2474/REM	Erection of storage and distribution warehouse (24,891m^2), including landscaping works and internal access and parking arrangements. (Application pursuant to Outline planning permission S.05/2138)	18 April 2008
S.08/1083/ADV	1 non-illuminated advertisement facing north west site boundary [Advertisement 1] and 1 non-illuminated advertisement adjacent to site entrance from the B4008 [Advertisement 2]	26 August 2008
S.10/0052/DISCON	Discharge of condition 12 of approved application S.01/1191 - Outline Application for redevelopment for up to 45,151m^2 of distribution warehouses (B8), involving provision of new means of access, and demolition of existing warehouses	Application Withdrawn 21 July 2010
S.10/0434/DISCON	Discharge on condition 14 of planning permission S.05/2138/VAR which relates to a temporary car parking area for site operatives and construction traffic	28 April 2010
S.10/0590/VAR	Extension of time period for the implementation of outline permission S.05/2138/VAR for a further three	Approved but waiting for S.106 to be issued

	years	
S.10/1451/FUL	Construction of private estate road and associated lighting, services and surface water drainage infrastructure.	24 September 2010

4.4 Outline planning permission was granted at Javelin Park (previously known as the Bilton Cargo Centre) in 1992 for the demolition of the old aerodrome hangars and storage buildings, which had come to the end of their useful life, and replacement with modern warehouse buildings (B8 use class) approximately 34,500m^2 in floor area (Ref: S.10827/1/W). The application also included for the construction of a new access road from the site onto the B4008. This permission was subsequently renewed four times between 1995 and 2000 in order to extend the time period for submitting the details for the reserved matters of appearance, landscaping, layout and scale.

4.5 On 21 November 2002 outline planning permission was granted for new distribution warehouses and a new means of access onto the B4008 (Ref: S.01/1191). At the time that this application was being determined by Stroud District Council the site was identified within the Stroud District Local Plan Revised Deposit Version (as amended June 2001) as having an unimplemented permission for employment use and was therefore considered an *"employment commitment"*. However, the site was also identified within the Gloucestershire Revised Deposit Waste Local Plan (April 2001) for activities including Waste to Energy Recovery, Materials Recovery Facility, Anaerobic Digestion or a Waste Transfer Station. This position led to some debate, but ultimately Stroud District Council believed it would be unreasonable to refuse planning permission for B8 uses based on the site's allocation in the emerging waste plan.

4.6 It should be noted that the 2002 application was originally for up to 52,000m^2 of warehouse accommodation, however following local objection and discussions with case officers this was reduced to 45,151m^2 of floor area. The applicant also originally proposed building heights of up to 18.5m and later reduced this to 17.5m. However this was still considered to be unacceptable and a condition was attached to the permission "*the buildings hereby permitted shall not exceed 15.7m in height, measured from existing ground levels",* which was the height of

the original storage buildings. The reserved matters of external appearance, siting, design and landscaping were approved in April 2003 (Ref: S.02/2178).

4.7 In November 2005 planning application S.05/2138/VAR was submitted to Stroud District Council. This sought to vary Condition 2 of Outline Permission S.01/1191 to increase the prescribed period in which reserved matters could be submitted from three years to five years.

4.8 Gloucestershire County Council raised an objection to the application (S.05/2138/VAR) as it constituted a 'departure' from the adopted Development Plan, i.e. the Gloucestershire Waste Local Plan (WLP) which was adopted in October 2004. The departure was due to the fact that the proposal for B8 development on a site safeguarded for a strategic waste management use in the WLP was considered to prejudice the use of the site for an appropriate waste management facility.

4.9 Notwithstanding the GCC objection, Stroud District Council's Development Control Committee resolved to grant the application subject to the completion of the departure procedure. However, the application was "called-in" for a decision by the Secretary of State on 20 June 2006 following a direction made under Section 77 of the Town and County Planning Act 1990. The reason for making the direction was that the application raised issues of more than local importance.

4.10 A Public Inquiry was held in November / December 2006 and the Inspector recommended in his report (dated 12 January 2007) that the application be allowed, and planning permission be granted subject to conditions by virtue of the fact that granting planning permission would result in no material additional harm or impact to that already resulting from the extant planning permission (the "fall back position") at the site (Ref: S.01/1191). The Secretary of State agreed with the Inspector's recommendation and permission was granted in March 2007.

4.11 Subsequent to the grant of the 2007 outline consent, there have been five reserved matters applications submitted pursuant to the outline permission (refs:

S.07/2468/REM, S.07/2471/REM, S.07/2472/REM, S.07/2473/REM and S.07/2474/REM). These all related to different configurations of the proposed warehouse schemes and were intended to offer a number of options for the future development at the site. The reserved matters applications also provided the opportunity for the site to be developed in phases with a number of smaller buildings rather than one large single building. This specifically enabled a waste facility to be incorporated at the site. It is noteworthy that it would not be possible for all five reserved matters applications to be implemented as some were variations of schemes for the same part of the site. For example, S.07/2472/REM was an application for one 11,188m^2 warehouse, whereas S.07/2473/REM was an application for a 9,916m^2 warehouse (subdivided into one unit of 4,351m^2 and another unit of 5,565m^2) both sited in the southern part of Javelin Park. All five reserved matters applications were approved in April 2008.

4.12 In January 2010 a planning application (S.10/0052/DISCON) was submitted to discharge Condition 12 of outline permission S.01/1191. Condition 12 states *"The proposed development shall be served by an estate road (or roads) and laid out and constructed in accordance with details, including means of surface water disposal, to be submitted to and approved by the Head of Development Services".* For reasons described below, this was never determined, but it is understood that the estate road was constructed (in part).

4.13 In March 2010 Graftongate Developments and Consi Investments Limited submitted a planning application to extend the time period for the implementation of outline permission S.05/2138/VAR (the '2007 permission') for a further three years (ref: S.10/0590/VAR). Stroud District Council questioned whether the 2007 permission had been implemented due to the commencement of the construction of the estate road, as it would not be possible to extend the life of a permission that had been implemented (n.b. the 2007 permission required implementation prior to the 18 April 2010). It was also noted that if the permission was considered to have been implemented, there was an issue of two outstanding "pre-commencement" conditions that had not been discharged.

4.14 A legal opinion was obtained from Stroud District Council's solicitors on the issue and it was agreed that in the current climate, in order for the planning system to assist economic recovery, the implementation of the estate road at Javelin Park would be considered as a non-implementation of the 2007 permission (S.05/2138/VAR). Therefore the works to the estate road were unauthorised and would require a full application to be submitted for the works and all associated infrastructure. Application S.10/0590/VAR was then approved, subject to a Section 106 Agreement, and remains extant. It allows for 45,151 m^2 of B8 development on the Javelin Park site. Condition 4 of the permission states:

The development hereby permitted shall be commenced before not later than:

i) 16th April 2013 in relation to the approved schemes or

ii) the expiration of two years from the date of approval of the last of the reserved matters to be approved other than those relating to the approved schemes.

4.15 Application S.10/0052/DISCON to discharge Condition 12 was therefore withdrawn on 21 July 2010 and a new full retrospective application for the estate road was submitted on 22 July 2010 and granted planning permission 24 September 2010 (S.10/1451/FUL).

4.16 In conclusion, the planning history identifies that:

- The Javelin Park site has been developed since 1938;
- The site has had a long history of planning consents for B8 Storage or Distribution use;
- The site is served by a lawfully implemented estate road;
- There is an extant planning consent (S.10/0590/VAR) which relates, through a number of interim consents, to the November 2002 permission. This extends the period for development until 16th April 2013 and allows for 45,151 m^2 of B8 buildings on the Javelin Park site.

5.0 Planning Policy Context and Appraisal

5.1 Introduction

5.1.1 This section of the statement undertakes an analysis of the proposed development of the EfW facility (with integrated visitor / education centre), bottom ash processing facility and associated infrastructure on land at Javelin Park in the context of all current, relevant planning policies and guidance.

5.1.2 Following on from this introduction the policy appraisal is divided into four principal sub-sections. Sub-section 5.2 provides a brief overview of the relevant policy context and identifies the principal documents to which further reference is made whilst sub-section 5.3 sets out the detailed policy framework against which planning applications should be considered. Sub-section 5.4 provides a detailed assessment of how the proposals accord or otherwise with that framework. Finally sub-section 5.5 draws a number of concise conclusions.

5.2 Policy Context - Overview

The Development Plan

5.2.1 Section 38(6) of the Planning and Compulsory Purchase Act (September 2004) requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Sub-section 5 of Section 38 also states that: "*if to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published (as the case may be).*"

5.2.2 It has also been confirmed by case law that a particular proposal does not need to accord with each and every policy in a development plan. The key issue is that it accords with the overall thrust of development plan policies taken as a whole. (R v Rochdale Metropolitan Borough Council - [2001] ENV.L.R 22).

5.2.3 In the case of the Javelin Park site, the relevant statutory Development Plan comprises:

- Regional Planning Guidance (RPG10) for the South West (September 2001);
- The Adopted Second Review Gloucestershire Structure Plan (November 1999);
- Gloucestershire Waste Local Plan 2002-2012 - Saved Policies (October 2004);
- The Stroud District Local Plan - Saved Policies (November 2005).

Saved Policies

5.2.4 With regard to the statutory Development Plan identified above, the Planning and Compulsory Purchase Act 2004 introduced fundamental reforms to the Planning System. These reforms included the preparation of a new compilation of documents referred to as the Local Development Framework (LDF). The preparation of these emerging documents varies and until such time as they are adopted, under transitional arrangements, policies within the existing development plans cease to be automatically saved unless (in accordance with a protocol issued by the DCLG), the relevant authority submits a request to 'further save' policies.

The Status of Regional Strategies

5.2.5 The Localism Bill received Royal Ascent on the 15 November 2011 and as such became the Localism Act. Although the Act makes provision for, amongst other things, the revocation of Regional Strategies (Section 109), this and many other powers, are yet to come into force (i.e. secondary legislation would be required or enactment is not due until April 2012). Furthermore, Regional Strategies are unable to be revoked until consultation on the environmental impacts of doing so has been completed and responses have been considered. Consultation on Regional Planning Guidance 10 closed on the 20 January 2012.

5.2.6 Even if the Regional Strategy were to be revoked as stated in Section 2.0 of this assessment, the waste management and renewable energy data within the Strategies is informative and until the transition of this information to local authorities is formalised will remain material.

Material Considerations

5.2.7 Many of the policies contained within statutory Development Plan were adopted some time ago. As a consequence, whilst they carry statutory weight, many have been superseded or are supplemented, in part, by elements of subsequent national policy, guidance and other new evidence. This information is contained within a number of documents, parts of which are considered to be material planning considerations in the determination of this planning application. The key documents are judged to comprise the following:

The Emerging Development Plan

- Draft RSS for the South West (Secretary of State's Proposed Changes version) (July 2008);
- Emerging Gloucestershire Waste Core Strategy - Focused Changes (June 2011);
- Emerging Stroud District Core Strategy.

Other European, National Regional and Local Planning Considerations

- Revised Waste Framework Directive 2008/98/EC (December 2008);
- Renewable Energy Directive 2009/28/EC (April 2009);
- Waste Strategy England 2007 (May 2007);
- Waste (England and Wales) Regulations 2011 (March 2011);
- Government Review of Waste Policy in England 2011 (June 2011);
- Planning Policy Statement 10 (PPS10): Planning for Sustainable Waste Management (March 2011) and the Companion Guide to PPS10: Planning for Sustainable Waste Management (June 2006);
- Energy White Paper 'Meeting the Energy Challenge' (May 2007);
- UK Renewable Energy Strategy (July 2009);
- UK Low Carbon Transition Plan (July 2009);
- Planning Policy Statement 22 (PPS22): Renewable Energy (August 2004);
- Planning Policy Statement 1 (PPS1): Delivering Sustainable Development (January 2005);
- PPS1 Supplement: Planning and Climate Change (December 2007);

- Planning Policy Statement 4 (PPS4): Planning for Sustainable Economic Growth (December 2009);
- Planning Policy Statement 5 (PPS5): Planning for the Historic Environment (March 2010);
- Planning Policy Statement 7 (PPS7): Sustainable Development in Rural Areas (August 2004);
- Planning Policy Statement 9 (PPS9): Biodiversity and Geological Conservation (August 2005);
- EN-1 Overarching National Policy Statement for Energy (July 2011);
- EN-3 National Policy Statement for Renewable Energy Infrastructure (July 2011);
- Draft National Planning Policy Framework 2011 (July 2011);
- Draft Planning Policy Statement: Planning for a Low Carbon Future in a Changing Climate (March 2010);
- UK Renewable Energy Roadmap (July 2011);
- Planning for our Electric Future: A White paper for secure, affordable and low carbon electricity (July 2011);
- Chief Planning Officer letter of 31 March 2011 and Written Ministerial Statement: Planning for Growth of 23 March 2011;
- Gloucestershire Waste Partnership Joint Municipal Waste Management Strategy 2007-2020 (April 2008);
- Gloucestershire Structure Plan un-adopted Third Alteration 2001-2016.

5.2.8 A further material planning consideration is the overriding and demonstrable 'need' for the development in the context of both waste and energy policy (and strategy), which is set out in Section 2.0 of this Statement.

5.3 Detailed Policy Context

The Development Plan

Regional Planning Guidance 10: Regional Planning Guidance for the South West (September 2001)

5.3.1 Regional Planning Guidance for the South West (RPG10) was published in September 2001 and currently forms part of the Development Plan. RPG10

contains a single waste management policy, RE5 ‘Management and Transportation of Waste’, which states:

“In order to achieve sustainable waste management…in the region, waste planning, disposal and collection authorities, the Environment Agency and waste management and water companies should cooperate to:

- *Establish a mix of waste recovery methods e.g. recycling, composting, energy recovery etc, regionally and sub-regionally, that will reduce reliance on landfill and will avoid creating over-reliance on any one method or facility.*
- *Pursue the following regional targets:*
  - *Recycle or compost at least 30% of household waste by 2010; and, 33% by 2015.*
  - *Recover value from 45% of municipal waste by 2010; and 67% by 2015.*
  - *Reduce landfilling of biodegradable municipal waste to 75% of the 1995 production level by 2010; and, 50% by 2013.*
  - *Reduce landfilling of industrial and commercial waste to 85% of the 1998 level by 2005.*

  Give priority to the provision of waste management facilities that will recover value from waste at or near the PUAs. Those facilities should take account of waste management requirements in the PUA(s) concerned and its neighbouring county areas and should be planned to contribute to the achievement of the regional targets above, in respect of the urban area(s) and its hinterland.

  Ensure that sub-regional requirements are taken into account in structure and waste local plans and in waste planning decisions. Structure or (where appropriate) waste local plans should propose targets for the provision of value recovery capacity among participating waste planning authorities. Provision at PUAs and at other urban areas should take the waste management requirements of their neighbouring county areas into account.

5.3.2 Further to the above Policy RE6 relates to ‘Energy Generation and Use’. This policy has been considered in detailed within Section 2.0, of this statement, and as such has not been repeated here.

5.3.3 With regard to the spatial distribution of development, Policy SS1 'Regional Spatial Strategy': *"recognises that the South West is a diverse area that can be broadly sub-divided into four spatially based sub-regions, each of which makes an important contribution to the region as a whole…"* The application site is located in Gloucestershire, which is identified as part of the Northern sub-region. The policy identifies that the northern sub-region: *"will continue to be the main focus for growth in the South West; its prosperity should be maintained and enhanced, because of the contribution the area makes to the well-being of both the region and the nation. In developing and implementing sustainable policies, the important relationships in both economic, transport and environmental terms between this sub-region and the adjoining regions of the South East, West Midlands and South Wales should be recognised."*

5.3.4 Policy SS3 'The Sub-Regional Strategy' identifies that within the northern sub-region development and infrastructure investment in the region should:

- *"build on the economic strengths of the north of the region and foster economic growth in the area to improve its performance in relation to the EU average;*
- *make adequate provision to meet future development requirements at the Primary Urban Areas, including the identification of major strategic employment sites;*
- *seek a more sustainable pattern of development than in the past by strengthening the roles of the PUAs, fostering urban renaissance, curbing unsustainable outward expansion and aiming for greater self-containment in towns within commuting distance of the PUAs;*
- *encourage appropriate housing, employment, retail and social facilities in sustainable locations to reduce social exclusion and rural need;*
- *develop and improve sustainable urban and inter-urban transport networks;*
- *give priority to measures for economic and social restructuring in parts of Bristol and the Forest of Dean and improve transport and economic linkages between the economically successful and less successful parts of the sub-region;*
- *conserve and enhance important environmental assets."*

5.3.5 Policy EC1 ‘’Economic Development’ seeks to support the sustainable development of the regional economy through:

- *“positively promoting and encouraging new economic activity in the areas where it can bring the greatest economic and social benefits and make the greatest contribution to reducing regional disparities in prosperity;*
- *accommodating continued economic development in sustainable locations in the more prosperous north and east of the region and seeking to develop beneficial economic linkages between these areas and areas to the west whose economies have performed less well;*
- *ensuring that the region’s unique environmental and cultural assets are maintained, enhanced and utilised to attract and develop business activity;*
- *developing the skills and abilities of the region’s people by improving access to training, education and employment opportunities.”*

5.3.6 Other relevant policies, contained within RPG10, primarily relate to environmental and transport considerations, and include: Policy EN1 ‘Landscape and Biodiversity’; Policy EN2 ‘Air Quality’; Policy EN3 ‘Historic Environment’; Policy EN4 ‘Quality in the Built Environment’; Policy RE1 ‘Water Resources and Water Quality’ and Policy RE2 ‘Flood Risk’. These environmental considerations are dealt with, in greater detail, in other Development Plan documents and are assessed in Table 5.1. As such, these policies have not been set out in full.

Adopted 2nd Review Gloucestershire Structure Plan 1991-2011 (November 1999)

5.3.7 The 2nd Review Gloucestershire Structure Plan, adopted in November 1999, was intended to cover the period up to the end of 2011. The plan contains a number of strategic policies for the future development of land across Gloucestershire. Whilst, being superseded in part by material considerations, all of policies and associated text, have been ‘further saved’ by the SOS until emerging documents are adopted.

5.3.8 Chapter 12 of the plan relates specifically to waste management and contains a number of policies of relevance to the proposal. These include.

- Policy WM.2 'Best Practicable Environmental Option (BPEO), and Development and Operation' states: *"Primary waste management facilities should be located near to major concentrations of waste arisings, principally the Cheltenham / Gloucester urban area, the Forest of Dean and the Stroud / Cirencester areas. Secondary facilities should be appropriately located in other parts of the County to serve the primary facilities. The following considerations will apply:*
  - *(a) How proposals contribute towards an integrated waste management system and the provisions of the development plan;*
  - *(b) The transportation of waste must use a method that has the least environmental impact, including alternatives to road transport, unless shown to be impracticable or not economically feasible;*
  - *(c) The amenity of local communities and access to the countryside is safeguarded and where possible enhanced;*
  - *(d) That reclamation and aftercare of the site are not to an acceptable standard;*
  - *(e) There is no adverse impact on internationally, nationally, regionally and locally important areas of landscape, nature conservation, and archaeological interest; and*
  - *(f) There is no adverse impact on important natural resources including agricultural land and the water-based environment."*

  (A primary waste management facility is a major site such as a centralised landfill or Energy from Waste (EfW) facility, whilst a secondary facility is one which serves a primary site - a waste transfer station, for example).
- Policy WM.3: 'Regional Self-sufficiency' which states: *"Development intended to primarily cater for Gloucestershire's waste will be encouraged in the appropriate locations."*
- Policy WM.5: 'Energy from Waste' which states that: *"Provision* will be made for energy from waste facilities in or near to the Gloucester/Cheltenham area". [*Provision will be made via land allocations and/or development control appraisal criteria, set out within the Waste Local Plan]."*

5.3.9 Chapter 13 of the plan relates specifically to energy and includes Policy EN.3 'Renewable Energy' which identifies that: *"Proposals for the development of*

renewable sources of energy will be encouraged, particularly where there are benefits to the local community. Renewable energy proposals will be permitted provided that the proposed development:

(a) Would not adversely affect the special character of the Areas of Outstanding Natural Beauty or sites of nature conservation or heritage conservation interest; and

(b) Would not cause demonstrable harm to:

i. Special Landscape Areas or sites of special nature conservation or heritage interest as defined in local plans; or

ii. areas or facilities of special importance for tourism and recreation; or

iii. the amenity of nearby dwellings or residential areas; and would not dominate any prominent skyline or vista as defined in local plans; and would not result in an unacceptable level of visual impact; particular regard will be had to the cumulative impact of existing, planned or proposed renewable energy developments; and is justified, where necessary, in terms of national energy policies of local and regional requirements; and is accompanied by adequate information to indicate the extent of possible environmental effects and how they can be satisfactorily mitigated."

5.3.10 Chapter 14 includes a number of untitled policies on the natural and historic environment. Saved policies of relevance to the proposal include:

- Saved Policy NHE.1 states: *"The countryside's character, appearance and non-renewable and natural resources will be protected from harmful development unless the social and economic needs of the area or wider environmental objective outweigh such harm."*
- Saved Policy NHE.2 identifies that: *"Development will be required to protect and, wherever possible, enhance the biodiversity, including wildlife and habitats of the County."*
- Saved Policy NHE.6 states: *"The distinctive historic environment of the County will be conserved and enhanced. Scheduled Ancient Monuments, Listed Buildings, conservation Area, and their settings will be preserved. Historic settlements and landscape, historic parks and gardens, and sites of archaeological importance will be protected from the adverse effects of development."*

5.3.11 With regard to other environmental policies are provided in Chapters 17 – 19 include the following saved policies:

- Policy W.1 'Water Resources', which states: *"Provision will only be made for development where:*
  a. *adequate water resources exist or can be provided without causing unacceptable adverse environmental effects, and*
  b. *it will not lead to an unacceptable reduction in the quantity of surface and groundwater; and*
  c. *there is not an unacceptable risk to existing or future supplies, residential amenity, nature conservation or fisheries…"*
- Policy F.1 'Flooding and Flood Risk' states: *"Provision will not be made for development where it would be at direct risk from flooding and/or would increase the risk of flooding elsewhere."*
- Policy P.1 'Pollution' *"Provision will only be made for development where it does not have an unacceptable effect in terms of:*
  a. *the environment and local community in terms air, noise or light pollution;*
  b. *the quality of surface or ground water; or*
  c. *contamination of the land or soil."*

Gloucestershire Waste Local Plan 2002-2012 - Saved Policies (October 2004)

5.3.12 The Gloucestershire Waste Local Plan (WLP) was formally adopted in October 2004 and provides guidance on determining waste management development in the County. As identified previously, until such a time as the WLP is replaced by the emerging Waste Core Strategy (WCS), those policies which have been 'further saved' will continue to form part of the Development Plan. Saved policies of particular relevance to the proposal have been identified in turn below.

5.3.13 It should be noted from the outset that, Javelin Park was allocated as a strategic waste management site by Policy 4 'Waste Management Facilities for Strategic Sites'. This policy identified the site as being potentially suitable for Waste to Energy Recovery (WtE), a Materials Recovery Facility (MRF), Inert Recovery and Recycling, Metals Recycling, Household Waste Recycling Centre (HWRC),

Anaerobic Digestion, a Waste Transfer Station, or for composting. However, Policy 4 has not be 'saved' due to the wording of the policy making reference to the concept of Best Practicable Environmental Option (BPEO), which was replaced in England by the provisions of Sustainability Appraisals & Strategic Environmental Assessments identified within PPS10: 'Planning for Sustainable Waste Management'.

5.3.14 *Saved Policy 15 'Waste to Energy Recovery' is considered to be of most relevance to the proposal.* The policy states: *"Proposals for the development of waste to energy recovery facilities will be permitted in appropriate locations where it can be demonstrated that:*

- *the facility would be part of a sustainable waste management system; and*
- *in demonstrating sustainability the facility would not prejudice targets being met for recycling; it would realise energy recovery; and disposal routes for residues would be satisfactory; and*
- *the facility would meet the relevant policies and criteria of the development plan".*

5.3.15 In addition to the above, the plan includes a number of saved policies relating to 'environmental constraints and issues', these include:

- Saved Policy 24 ' Locally Designated Sites for Nature Conservation' states: *"Planning permission will not be granted for waste development which would have a compromising adverse impact not capable of mitigation, on the natural features and biodiversity of the following Local Nature Conservation designations:*

  Local Nature Reserves:

  - *Key wildlife sites;*
  - *Wildlife Corridors;*
  - *Ancient Semi Natural Woodlands*
  - *Regionally Important Geological/Geomorphological Sites (RIGS)"*
- Saved Policy 25 'Conservation Outside Designated Sites' states: *"Proposals for waste development will only be permitted where adverse impacts on features, which are of major importance for wild flora and fauna, natural and cultural heritage can be prevented or mitigated."*

- Saved Policy 28 ‘Sites of National Archaeological Importance’ states: *“Proposals for waste development which would cause damage to or involve significant alterations to nationally important archaeological remains or their settings, whether scheduled or not, will not be permitted.”*
- Saved Policy 29 ‘‘Sites of Local Archaeological Importance’ states: *“Proposals for waste development will only be permitted on a site of local archaeological importance where satisfactory mitigation arrangements have been defined following consideration of the results of an archaeological evaluation, recording or excavation and subsequent publication of the results.”*
- Saved Policy 31 ‘Historic Heritage’ states: *“Proposals for waste development, which adversely affect the following designations, will not be permitted unless the effects of the development can be mitigated:*
  - *Registered historic parks and gardens;*
  - *Registered battlefields; and*
  - *Locally important parks and gardens.”*
- In terms of environmental protection Saved Policy 33 ‘Pollution Control – Water Resources’ emphasises: *“that development will only be permitted where there would be no unacceptable risk of contamination to surface watercourses, bodies or water or groundwater resources.”*

5.3.16 Saved Policy 37 ‘Proximity To Other Land Uses’ states: *“Proposals for waste development will be determined taking into account such matters as the effect on the environment, occupants’ and users’ amenity and health, the countryside, the traditional landscape character of Gloucestershire, the local highway network, any hazardous installation or substance and any adverse cumulative effect in combination with other development in the area. Where appropriate, suitable ameliorative measures shall be incorporated in the proposals to mitigate, attenuate and control noise, dust, litter, odour, landfill gas, vermin, leachate and flue emissions”.*

5.3.17 Saved Policies 39 and 40 related to ‘Transport’ and ‘Traffic’ respectively. These policies seek to ensure that consideration of alternative modes of transport (i.e. by rail and/or canal), where practicable, is undertaken and that a full Transport Assessment is provided.

Stroud District Local Plan - Saved Policies (November 2005)

5.3.18 The Stroud District Local Plan (SDLP) was adopted in November 2005. As identified in sub-section 5.2, following changes to the planning system as part of the transitional arrangements a number of policies were saved by the Secretary of State in October 2008. Only those saved policies of relevance to this proposal have been identified below.

5.3.19 The SDLP Proposals Map does have "cross hatching" over the site, however this was to preserve it for the waste uses allocated in the Gloucestershire Waste Local Plan (WLP). As discussed above, the policy in the WLP which allocated the site for a strategic waste use has not been 'saved' due to references to the concept of Best Practicable Environmental Option (BPEO), which was replaced in England by the provisions of Sustainability Appraisals & Strategic Environmental Assessments in 2007.

5.3.20 Chapter 3 contains a number of general policies including:

- Saved Policy GE1 states: *"Permission will not be granted to any development that would be likely to lead to an unacceptable level of noise, general disturbance, smell, fumes, loss of daylight or sunlight, loss of privacy or have an overbearing effect."*
- Saved Policy GE2 states: *"Permission will not be granted for any development that is likely to create unacceptable atmospheric or environmental pollution to water, land or air."*
- Saved Policy GE5 states: *"Permission will not be granted for any development that would be likely to be detrimental to the highway safety of any user of any highway or public right of way."*

5.3.21 Chapter 4 relates to 'Employment and Tourism' and specifically identifies the application site within Table 4.2 as a site with planning permission for employment use: Javelin Park, B8 uses 4.80ha.

5.3.22 Policy EM4 states: "Redevelopment of existing employment land not protected under Policy EM3 will be permitted where the site is no longer suitable for employment use and one or more of the following criteria are met:

1. *There is an adequate supply of employment land to meet local needs without retention of the site;*
2. *There are demonstrable environmental and/or conservation benefits that outweigh the loss of the employment land;*
3. *The loss of employment land through site rationalisation leads to investment in other parts of the site resulting in increased employment generation".*

5.3.23 Chapter 7 relates to the built environmental and includes saved Policy BE12 which states: *"A proposal for development that affects the setting of a listed building will only be permitted where it preserves the setting of the affected listed building."*

5.3.24 Chapter 8 relates to the natural environment and includes a number of policies of relevance, including:

- Saved Policy NE4 states: *"Development proposals that would adversely affect, either directly or indirectly, a site supporting any legally protected species or its habitat, or priority species or habitats as defined in the Gloucestershire Biodiversity Action Plan, will not be permitted unless safeguarding measures can be provided through conditions or planning obligations to secure their protection. Where appropriate, development proposals should contribute to Gloucestershire Biodiversity Action Plan targets."*
- Saved Policy NE8 will only permit development within, or affecting the setting of the Cotswolds AONB if all of the following criteria are met:
  1. *The nature, siting and scale are sympathetic to the landscape;*
  2. *The design and materials complement the character of the area; and*
  3. *Important landscape features and trees are retained and appropriate landscaping measures are undertaken.*

  Major development will not be permitted unless it is demonstrated to be in the national interest and that there is a lack of alternative sites.
- Saved POLICY NE10 states that: *"Development proposals should conserve or enhance the special features and diversity of the different landscape character types found within the District as identified in the Stroud District Landscape Assessment. Priority will be given to the protection of the quality*

and diversity of the landscape character. Development will only be permitted if all the following criteria are met:

- *natural features and water features that contribute to the landscape setting are retained and managed;*
- *there is no unacceptable impact on long distance views; and*
- *the benefits of the proposed development outweigh any harmful effects on the landscape."*

5.3.25 Saved Policy TR1 identifies that: *"Permission will be granted to development that deals satisfactorily with all of the following issues:*

- *the need to minimise travel, by locating complementary uses close together, focusing development in the Gloucester Principal Urban Area (PUA), Stroud Urban Area and Principal Settlements, and locations highly accessible by public transport (except in the case of those uses which are considered appropriate for rural locations in Policy EM2);*
- *the need to provide access to development via a wide choice of transport modes, including walking, cycling and public transport (with appropriate provision for disabled people, pedestrians and cyclists);*
- *the need to design site layouts and the provision of facilities with the aim of encouraging walking, cycling and the use of public transport;*
- *the need to provide for traffic calming measures, through layout and design wherever possible;*
- *the need to provide for highway improvements; and the need to provide appropriate levels of parking in accordance with the Council's Parking Standards."*

5.3.26 Saved Policy TR12 seeks to ensure that: *"Development proposals should provide appropriate vehicle parking spaces in accordance with the Council's Parking Standards."*

Material Planning Considerations – The Emerging Development Plan

Draft Revised Regional Spatial Strategy for the South West incorporating the Secretary of State's Proposed Changes – For Public Consultation (July 2008)

5.3.27 At the time of preparing this statement the emerging regional Strategy (RS) reached: 'The Draft Revised Regional Spatial Strategy for the South West incorporating the Secretary of State's Proposed Changes – For Public Consultation in July 2008. However, progress on this RS has stalled due to the Government announcing that it will carry out further appraisal work to assess whether the current proposals are the most suitable way forward for the South West Region.

5.3.28 As set out previously in this Section the Localism Bill received Royal Ascent on the 15 November 2011 and as such became the Localism Act. This makes provision for the revocation of Regional Strategies (Section 109). However, Regional Strategies are unable to be revoked until consultation on the environmental impacts of doing so has been completed and responses have been considered. Consultation on Regional Planning Guidance 10 closed on the 20 January 2012. However, at the time of writing no consideration regarding the responses has been published.

5.3.29 It must be noted that even if the Regional Strategy was to be revoked, as stated in Section 2.0 of this assessment, the waste management and renewable energy data within the Strategies is informative and until the transition of this information to local authorities is formalised will remain material.

5.3.30 The most relevant waste management policies contained within sub-section 7.4. This sub-section contains two policies of relevance to the proposal: Policy W1 'The Provision of Waste Sites' and Policy W2 'Locational Criteria for Waste Facilities' each of which is set out below.

5.3.31 Policy W1 states: "*Waste Planning Authorities should make provision in their Local Waste Development Frameworks (involving joint working where necessary) for a network of strategic and local waste collection, transfer, treatment (including recycling) and disposal sites to provide the capacity to meet the indicative allocations for their area."* Gloucestershire are progressing their WDF and detailed of their indicative allocations are provided in detail within Chapter 2.0 of this statement.

5.3.32 Supporting text in connection with this policy set out in paragraph 7.4.8 states: *"The need to plan for the minimisation of transport of waste is particularly relevant in the South West, given the size of region, its geography and the physical separation between urban areas. The spatial approach towards the distribution of the region's principal waste management facilities is to focus them on the Strategically Significant Cities and Town's. Provision of local facilities in smaller towns and rural areas may be appropriate where their needs cannot be met by strategic facilities at or near the Strategically Significant Cities and Town's. Policy W2 sets out this sequential approach, and in relation to which the distance of 16km should be regarded as an indicator of 'close proximity' to an urban area."*

5.3.33 Policy W2 relates specifically to waste facilities and the waste hierarchy and states:

"Proposals for the provision of new waste management facilities should accord with the following sequential approach:

- *Accommodate the management of waste on the site where it arises, wherever possible (waste minimisation); and then*
- *In order to minimise the distance waste is transported, particularly by road, waste should be managed as close as practicable to where it arises.*

The location of new 'strategic' waste management or disposal facilities should accord with the following sequential approach: "They should be at the Strategically Significant Cities and Town's, as follows:

- *Within, or if that is not practicable;*
- *On the edge of, or if that is not practicable;*
- *In close proximity to the urban area primarily served by the facility.*

To the extent that such facilities cannot meet the needs of smaller towns and rural areas, there should be provision of:

- *A network of local waste management facilities concentrated at, or close to, centres of population identified through Policy B.*

Identification of sites for the provision of new waste facilities will take account of the following:

- *Established and proposed industrial sites, in particular those that have scope for the co-location of complementary activities, such as proposed resource recovery parks;*
- *Other previously developed land, including use of mineral extraction and landfill sites during their period of operation for the location of related waste treatment activities.*
- *Opportunities for connection to the rail network; and*
- *Opportunities to maximise efficiency through use of by-products of the waste management process in other processes, e.g. waste heat and/or materials."*

Gloucestershire Waste Core Strategy – Focused Changes (June 2011)

5.3.34 The Gloucestershire Waste Core Strategy (WCS) reached Publication Document stage in December 2010 and was the subject of formal consultation until 7 February 2011. Subsequently the Council has made a number of 'focused changes' to the WCS and invited further comment on these between 27 June and 8 August 2011. Gloucestershire County Council submitted the WCS to the SoS on 5 September 2011 and it is anticipated that it will be formally adopted in spring 2012.

5.3.35 Sections 1 and 2, of the strategy, provide an introduction and commentary on the current waste situation in Gloucestershire. Whilst, Section 3 sets out the spatial vision for the County. This vision seeks to ensure that: *"By 2027 Gloucestershire will be a clean green, healthy and safe place in which to live, work and visit. Residents and businesses are fully aware of the economic and environmental importance of waste management, including its impact on climate change and proactively minimise their waste production to achieve 'zero-growth' across all waste streams by 2020."*

5.3.36 In addition to the above, Section 3 also sets out a range of strategic objectives, including 'reducing waste' (strategic objective 1) and 'minimising impact' (strategic objective 5). Strategic objective 3 is of relevance to the proposed development it, relates to: 'other recovery (including energy recovery)' and seeks: *"To recover the maximum amount of value including energy from any*

waste that cannot be re-used, recycled or composted through the provision of the following:

- *Around 150,000 tonnes/year residual waste recovery capacity for municipal waste by 2027.*
- *Recovery facilities with the capacity to divert 143,000 – 193,000 tonnes/year of C&I waste from landfill."*

5.3.37 Section 4 of the WCS sets out the core policies spatial strategy for achieving the vision and objectives of the strategy. Emerging Core Policy WCS1 'Waste Minimisation' seeks to ensure that waste is minimised through: *"raising awareness and positively influencing attitudes and behaviour."*

5.3.38 Considering the proposal, emerging Core Policy WCS4 'Other Recovery (including energy recovery)' is of particular relevance and states:

"In order to divert waste from landfill, in particular biodegradable waste, in the period to 2027, the WPA will make provision for the following residual waste recovery capacity:

- *MSW 150,000 tonnes/year*
- *C&I 143,000 – 193,000 tonnes/year*

All 'strategic' residual waste recovery facilities (>50,000 tonnes/year) will be located in the central area of Gloucestershire, close to the main urban areas along the M5 corridor including Gloucester and Cheltenham. This area is designated 'Zone C' and is shown on the Key Diagram.

Within 'Zone C' the following sites are allocated for residual waste recovery:

1. Wingmoor Farm East (primarily C&I, but with MSW potential)

2. Wingmoor Farm West – Sites A & B (primarily MSW, but with C&I potential)

3. Javelin Park (primarily MSW, but with C&I potential)

4. Land at Moreton Valence (primarily C&I, but with MSW potential)"

5.3.39 Following the provision of a range of policies identifying the approach towards waste reduction, recycling/composting, recovery and disposal the strategy identifies a range of general policies including:

- Emerging Core Policy WCS 7 'Cumulative Impact' sets out: *"In determining proposals for waste related development for new or enhanced waste management facilities the Council will have regard to the cumulative effects of previous and existing waste management facilities on local communities alongside the potential benefits of co-locating complementary facilities together. Planning permission will be granted where the proposal would not have an unacceptable cumulative impact. In considering the issue of cumulative impact, particular regard will be given to the following*
  - *Environmental Quality;*
  - *Social cohesion and inclusion; and*
  - *Economic Potential.*

  Within these broad categories this will, subject to the scale and nature of the proposal, include an assessment of the following issues: noise, odour, traffic (including accessibility and sustainable transport considerations), dust, health and visual impacts. Traffic impacts will be given particular attention as they are diffuse by there nature and thus not contained on sites."

- Emerging Core Policy WCS8 'Safeguarding Sites for Waste Management' states that: *"Existing and allocated sites for waste management use will be safeguarded by local planning authorities who must consult the Waste Planning Authority where there is likely to be incompatibility between land uses…"*

- Emerging Core Policy WCS9 'Flood Risk' seeks to ensure that: *"In order to reduce the likelihood and impact of flooding both on and off-site there will be a general presumption that all waste-related development will be located in areas of low flood risk, (Flood Zone 1)…A Flood Risk Assessment (FRA) will be required for all development of 1 hectare or more… The FRA should consider all sources of potential flood risk…The design of all new development will be required to take account of current and potential future flood risk from all sources both on and off-site including in particular the use of Sustainable Drainage Systems (SUDs)."*

- Emerging Core Policy WCS11 'Areas of Outstanding Natural Beauty (AONB)' identifies that: *"Proposals for waste development within or affecting the setting of the Cotswolds, Wye Valley and Malvern Hills Areas of Outstanding Natural Beauty (AONB) will only be permitted where it can be demonstrated that:*
  - *Their is a lack of alternative sites not affecting the AONB to serve the market need; and*
  - *The impact of the special qualities of the AONB as defined by the relevant management plan (including the landscape setting and recreation opportunities) can be satisfactorily mitigated; and*
  - *The proposal complies with other relevant development plan policies…"*

- Emerging Core Policy WCS12 'Nature Conservation (Biodiversity and Geodiversity) states that: *"Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNR) will be safeguarded from inappropriate waste management development. Planning permission for waste management development within or outside a Site of Special Scientific Interest (SSSI) or National Nature Reserve (NNR) will only be granted where it can be demonstrated that:*
  - *The development would not conflict with the conservation, management and enhancement of the site unless the harmful aspects can be satisfactorily mitigated; or and*
  - *The benefit of the development clearly outweighs the impacts that the proposal would have on the key features of the site; and*
  - *The proposal complies with other relevant policies of the development plan; and*
  - *In the case of a SSSI, there would be no broader impact on the national network of SSSIs.*

  Local nature conservation designations will also be safeguarded from inappropriate development and planning permission will only be granted for development affecting such designations where it can be demonstrated that the impact of the development can be satisfactorily mitigated or and that the benefit of the development clearly outweighs any impact. Development proposals will be required to assess their impact on the natural environment and make a contribution to local nature conservation targets to ensure gain

for net biodiversity. Proposals that incorporate beneficial biodiversity or geological features into their design and layout will be favourably considered particularly where the proposal would result in a positive contribution to a Strategic Nature Area (SNA) as identified on the Nature Map for Gloucestershire."

- Emerging Core Policy WCS 13 'Design' sets out that: *"Subject to compliance with other relevant development plan policies, planning permission will be granted for waste related development that achieves a high standard of design that is clearly robust and articulated through a Design and Access Statement. Particular issues to address will include:*
  - *How the proposal reflects, responds and is appropriate to its local environment and surroundings within Gloucestershire;*
  - *The durability, adaptability and sustainability of the proposal including the use of sustainable drainage to reduce the impact of surface water run-off;*
  - *How the proposal makes the most efficient use of the site; and*
  - *The use of high quality architecture and landscaping.*

  Poor quality design which fails to reflect or contribute positively to the character and quality of the area in which the proposal is located will be rejected."

- Emerging Core Policy WCS14 'Sustainable Transport' which states: *"In the interests of sustainable development and minimising the impact of waste management on Gloucestershire's roads and the wider natural and historic environment, proposals for waste-related development that utilise alternative modes of transport such as rail and water will be positively supported. This is subject to compliance with other relevant development plan policies and the contribution to a sustainable waste management system for Gloucestershire.*

  Any development exceeding the thresholds set out in the Department for Transport publication 'Guidance on Transport Assessment' must be supported by a Transport Assessment (TA) and Travel Plan. Consideration will also be had to the location of the proposed development in determining whether a TA is required.

Development that would have an adverse impact on the highway network Which cannot be mitigated will not be permitted.
Where a Travel Plan is required the developer will be expected to enter into a Section 106 or unilateral legal agreement to secure the development of the travel plan and any contributions required to support its implementation. A contribution towards costs of monitoring the travel plan will also be required."

Emerging Stroud District Core Strategy – 'Draft Preferred Strategy'

5.3.40 In March 2009 Stroud District Council published their Core Strategy issues paper for consultation; this was followed by a suite of documents to support the Council's "alternative strategies" consultation between 8th February and the 22nd March 2010. Following the publication of this document there have been a change of Government and a number of changes in national policy which have necessitate the council to re-consider a number of aspects of the emerging Core Strategy. It is anticipated that a further stage of public engagement will be undertaken in January 2012 on housing numbers and the preferred locations for development. At the time of writing this document has not been published and as such has not been taken into account in the planning policy assessment.

5.3.41 The Alternative Strategy submitted for consultation in 2010 does not contain detailed policy and guidance and will be the subject of further consultation as the Core Strategy develops. Accordingly no significant weight can be placed upon the information contained therein.

5.3.42 On the basis of the limited weight that can be attached to the plan and on the basis that the relevant issues raised within the energy have been dealt with in detail elsewhere in this assessment, no further assessment of the proposals against the provisions of the core strategy has been undertaken.

Material Planning Considerations – Other European, National Regional and Local Planning Considerations

Revised Waste Framework Directive (December 2008)

5.3.43 The revised Waste Framework Directive (rWFD) came into force on 12 December 2008. The Directive brings together existing elements of waste legislation within a single Directive and introduces a new approach to waste management which focuses more strongly on the prevention of waste. This directive has been transposed into UK law through The Waste (England and Wales) Regulations 2011.

5.3.44 The definitions of "recovery operations" and "disposal operations" are modified in the revised Directive to provide a clear distinction between the two concepts based on a genuine difference in environmental impact. Paragraph 20 clarifies when the incineration of municipal waste can be considered a recovery operation and Annex II of the Directive provides a list of recovery operations, which includes R1 'use principally as a fuel or other means to generate energy'. A footnote to this definition states that *"this includes incineration facilities dedicated to the processing of municipal waste only where their energy efficiency is equal to or above 0.65"*, and defines energy efficiency using a formula which take into account the differing benefits of electricity generation and heat generation.

5.3.45 Article 10 of the Directive confirms that: *"Member States shall take the necessary steps to ensure that waste undergoes recovery operations, in accordance with Articles 4 and 13."* For completeness Articles 4 and 13 have been referenced in turn below:

Article 4:

1. *The following waste hierarchy shall apply as a priority order in waste prevention and management legislation and policy:*
   (a) prevention;
   (b) preparing for re-use;
   (c) recycling;
   (d) other recovery, e.g. energy recovery; and
   (e) disposal.

2. *When applying the waste hierarchy referred to in paragraph 1, Member States shall take measures to encourage the options that deliver the best overall environmental outcome. This may require specific waste streams departing from the hierarchy where this is justified by life-cycle thinking on the overall impacts of the generation and management of such waste.*
3. *Member States shall ensure that the development of waste legislation and policy is a fully transparent process, observing existing national rules about the consultation and involvement of citizens and stakeholders.*
4. *Member States shall take into account the general environmental protection principles of precaution and sustainability, technical feasibility and economic viability, protection of resources as well as the overall environmental, human health, economic and social impacts, in accordance with Articles 1 and 13."*

Article 13:

"Member States shall take the necessary measures to ensure that waste management is carried out without endangering human health, without harming the environment and, in particular:

(a) without risk to water, air, soil, plants or animals;

(b) without causing a nuisance through noise or odours; and

(c) without adversely the countryside or places of special interest."

5.3.46 Article 16 considers the principles of self-sufficiency and proximity. Firstly, paragraph 1 under Article 16 requires Member States to take appropriate measures to establish an integrated and adequate network of waste disposal installations and of installations for the recovery of mixed municipal waste collected from private households, including where collections also covers such waste from other producers (i.e. commercial & industrial waste), taking into account best available techniques. Paragraph 3 then adds: *"The network shall enable waste to be disposed of or waste referred to in paragraph 1 [mixed municipal waste] to be recovered in one of the nearest appropriate installations, by means of the most appropriate methods and technologies, in order to ensure a high level of protection for the environment and public health*". This is notable as PPS10 only applies this to the "*disposal*" of waste.

Renewable Energy Directive 2009/28/EC (April 2009)

5.3.47 This Directive came into force in June 2009 and is part of a package of energy and climate change legislation which provides a framework for community targets for greenhouse gas emission savings. It encourages energy efficiency, energy consumption from renewable sources and the improvement of energy supply. The Directive set a binding target that 20% of the European Union's energy consumption is to come from renewable sources by 2020. The UK's share of this target is to provide 15% of the Country's energy from renewable sources by 2020.

5.3.48 The definition contained within the Directive for 'energy from renewable sources' is: *"… energy from renewable non-fossil sources, namely wind, solar, aerothermal, geothermal, hydrothermal and ocean energy, hydropower, biomass, landfill gas, sewage treatment plant gas and biogases."* 'Biomass' is defined as meaning:*"… the biodegradable fraction of products, waste and residues from biological origin from agriculture (including vegetal and animal substances), forestry and related industries including fisheries and aquaculture, as well as the biodegradable fraction of industrial and municipal waste."*

5.3.49 The Renewable Heat Incentive (RHI) is the Government's scheme to help drive a significant increase in the level of renewable heat. The RHI states: "*Rather than being sent to landfill the waste we produce can be reused, recycled or burned to produce heat. More than half of the rubbish households throw away is organic, renewable matter, such as food or paper products. Although it is usually better from an environmental perspective to reuse, recycle or produce biogas from these materials, this is not always possible and combustion can offer a better option than disposal to landfill, which generates harmful greenhouse gas emissions. Due to its renewable biomass proportion, currently around half the heat produced by burning municipal waste is renewable heat.*"

Waste Strategy England 2007 (May 2007)

5.3.50 In May 2007 Defra published a Waste Strategy for England (WSE2007). It seeks to build upon the former Waste Strategy (WS2000) but also aims for greater ambition by addressing the key challenges for the future.

5.3.51 The key objectives of this Strategy are:

- *Decouple waste growth from economic growth and put more emphasis on waste prevention and re-use;*
- *Meet and exceed the Landfill Directive diversion targets for biodegradable municipal waste in 2010, 2013 and 2020;*
- *Increase diversion from landfill of non-municipal waste and secure better integration of treatment for municipal and non-municipal waste;*
- *Secure the investment in infrastructure needed to divert waste from landfill and for the management of hazardous waste; and*
- *Get the most environmental benefit from that investment, through increased recycling of resources and recovery of energy from residual waste using a mix of technologies.*

5.3.52 The Strategy aims to reduce the disposal of waste to landfill and encourage the delivery of waste management infrastructure. The Strategy specifically seeks to ensure an increase in EfW provision for the management of MSW, and encourage facilities which recover electricity and heat and provide opportunity for Combined Heat and Power (CHP). The key aims of the Strategy are that it:

- *promotes increased national targets (when compared to WS2000) for the recovery (including energy) of municipal waste;*
- *seeks to achieve a 20% reduction in the amount of C&I waste landfilled by 2010 when compared to 2004 figures;*
- *promotes increased diversion from landfill of non-municipal waste, together with better integration of treatment for municipal and non-municipal waste;*
- *promotes investment in the new infrastructure that is needed to divert waste from landfill and indicates that the most environmental benefit should be obtained from such investment through increased recycling and energy recovery from residual waste;*

- *sets a preference for EfW proposals that recover heat and electricity and indicates that such facilities should be in locations where they are able to maximise opportunities for Combined Heat and Power (CHP);*
- *the strategy envisages an increase in EfW for the management of municipal waste from 10% at present to 25% by 2020;*
- *it refers to the Energy White Paper, which presents a clear indication of government support for EfW as one of the technologies which will contribute towards the UK achieving its renewable energy obligations;*
- *indicates that there is no credible evidence of adverse health outcomes for individuals living near incinerators.*

Waste (England and Wales) Regulations 2011 (March 2011)

5.3.53 On 28 March 2011 the Waste (England and Wales) Regulations 2011 came into force. The Regulations transpose, for England and Wales, EC Waste Framework Directive (WFD) 2008/98/EC, which established a legal framework for the treatment of waste within the European community. The Regulations introduce a change to the waste hierarchy provided within PPS10, to reflect the new waste hierarchy set out in the WFD. The revisions to the waste hierarchy seek to increase the use of waste as a resource (e.g. for fuel) and place greater emphasis on the prevention and recycling of waste.

5.3.54 Regulation 4 places a requirement on appropriate authorities to establish waste prevention programmes by 12 December 2013, the objectives of which are laid down within Schedule 1. Their overall objective is: *"To protect the environment and human health by preventing or reducing the adverse impacts of the generation and management of waste and by reducing the overall impacts of resource use and improving the efficiency of such use."*

5.3.55 Paragraph 4 of Schedule 1 emphasises the role of the principles of self-sufficiency and proximity. It requires that waste prevention programmes must seek to: *"Establish an integrated and adequate network of waste disposal installations and of installations for the recovery of mixed municipal waste collected from private households, including, where such collection also covers such waste from other producers, taking account of best available*

techniques…The network must enable waste to be disposed of and mixed municipal waste collected from private households to be recovered in one of the nearest appropriate installations, by means of the most appropriate technologies, in order to ensure a high level of protection for the environment and human health."

The Government Review of Waste Policy in England 2011 (June 2011)

5.3.56 On the 14 June 2011 the Government unveiled its long awaited review of waste policy in England, outlining ambitions to create a "zero waste economy" where the amount of waste being sent to landfill is reduced in favour of reuse, recycling or waste-to-energy infrastructure. Central to the new strategy will be an extension of the voluntary responsibility with industry to reduce packaging wastes, providing legally binding targets for waste levels and recycling if voluntary agreements are shown to have failed. It promises to deliver additional reviews on whether other materials that have significant reuse or energy value should be banned from landfill, thereby placing greater reliance on facilities that provide energy from waste value.

5.3.57 Significantly, the Government has pledged to remove barriers to the rollout of energy from waste technologies, and whilst remaining "technology neutral", they commit to look to identify and communicate the full range of recovery technologies available and their relative merits.

5.3.58 As discussed within Section 2.0 'need' of this statement, the Government Review offers greater clarity as to the importance that must be placed upon energy recovery and the weight to be applied to it as a renewable energy source, specifically that: *"Energy recovery is an excellent use of many wastes that cannot be recycled and could otherwise go to landfill. It can contribute secure, renewable energy to UK demand for transport, heat, biomethane and electricity and is generally the best source of feedstocks for UK bio-energy needs. There is a capacity gap between the potential of energy recovery from waste and the delivery, resulting in valuable resources going to landfill…The role of the government is to help overcome these barriers by facilitating change through the delivery of information and support...Energy from waste continues to*

be a rapidly developing area, the need to reduce waste going to landfill and develop renewable energy sources as well as innovation in the sector provide a significant opportunity for growth" (Paragraphs 214 - 228).

5.3.59 Paragraphs 213 to 219 specifically consider renewable energy from waste. Of particular note is that the 2010 survey, of C&I waste arisings in England, illustrates that only 2% of C&I waste was incinerated with energy recovery. The Government considers energy recovery an excellent use of many wastes that cannot be recycled and could otherwise go to landfill, they state (paragraph 214) that: "*Our horizon scanning work up to 2020, and beyond to 2030 and 2050 indicates that even with the expected improvements in prevention, re-use and recycling, sufficient residual waste feedstock will be available through diversion from landfill to support significant growth in this area, without conflicting with the drive to move waste further up the hierarchy. Maximising the potential for growth in continuous generation available from energy from waste will require both better use of the available residual waste and development of high efficiency flexible infrastructure*".

5.3.60 The Review notes that there is a gap between the potential of energy recovery from waste and the delivery, resulting in valuable resources going to landfill. In paragraph 234 it recognises that growth in energy from waste has focussed on local authority waste and that: "*significant opportunities for growth in energy recovery exist for commercial and industrial (C&I) waste, for example residual mixed 'household like' commercial waste streams where recycling is not currently viable*…"

Planning Policy Statement 10 (PPS10): Planning for Sustainable Waste Management (March 2011)

5.3.61 PPS10 was originally published in July 2005 and subsequently revised in March 2011 to incorporate the new waste hierarchy as set out in the revised Waste Framework Directive (2008/98/EC) (rWFD). The changes seek to increase the use of waste as a resource and provide greater clarity as to the individual tiers of the hierarchy. The Waste (England and Wales) Regulations 2011 came into force on 28 March 2011 which transposes the WFD into UK law. The changes to

the waste hierarchy will be under Regulation 12, and Regulation 1 (3) confirms that Regulation 12 comes into force at the end of the period of six months beginning with the day on which the Regulations are made (i.e. on 28 September 2011).

5.3.62 Broadly, PPS10 forms part of the national waste management plan for the UK. The PPS recognises that the waste management sector cannot wait (due to the urgent need to provide new facilities to meet legislative targets and avoid financial penalties) until the entire Development Plan system has been revised to accord with the policies of the PPS, before authorities have to make decisions on waste planning matters. This is manifest in paragraphs 5 and 23 and explained in detail within the Companion Guide to PPS10.

5.3.63 The PPS contains a number of key planning policies (and other policy objectives) that are of relevance to the proposal, these are summarised as follows:

- Moving the management of waste up the 'waste hierarchy' of reduction, re-use, recycling and composting, using waste as a source of energy, and only disposing as a last resort (Paragraphs 1 and 3)
- Provide 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 (Paragraph 3);
- Help implement the national waste strategy and supporting targets (Paragraph 3);
- Enable waste to be disposed of in one of the nearest appropriate installations (Paragraph 3 and WSE2007);
- Reflect the concerns and interests of communities, the needs of waste collection authorities, waste disposal authorities and business, and encourage competitiveness (Paragraph 3);
- The locational requirements for waste management facilities (Paragraphs 18 – 21);
- Ensure the layout and design of new development supports sustainable waste management (Paragraphs 3, 35 and 36).

5.3.64 The aforementioned policies have been used to determine the extent to which the proposed development would accord, or otherwise, with the provisions of PSS10. The assessment of the Javelin Park development in the context of these policies is provided in Table 5.1 below.

Energy White Paper 'Meeting the Energy Challenge' (May 2007)

5.3.65 The relevant policy context contained within the Energy White Paper 'Meeting the Energy Challenge' has been set out in the appraisal of need for Renewable Energy Generation contained within Section 2.0 of this statement. As a consequence, it has not been repeated here.

UK Renewable Energy Strategy (July 2009)

5.3.66 The relevant policy context contained within UK Renewable Energy Strategy has been set out in the appraisal of need for Renewable Energy Generation contained within Section 2.0 of this statement. As a consequence, it has not been repeated here.

UK Low Carbon Transition Plan

5.3.67 In July 2008 the government published its strategy for the UK's transition to become a low carbon country; cutting emissions, maintaining energy supplies, maximising economic opportunities and protecting the most vulnerable. The White Paper sets out the Transition Plan to 2020 for transforming the power sector; homes and workplaces; transport; farming and the way waste is managed to meet carbon budgets.

5.3.68 In relation to tackling climate change, the government sets out a five point plan; point 4 refers to building a low carbon UK, and is thus relevant to the planning application.

5.3.69 From the executive summary, key points are:

- 40% of electricity will be obtained from low carbon sources by 2020:

- New investment in low carbon infrastructure is needed to manage risks associated with increasing dependence on energy imports; and
- By 2050 virtually all electricity needs to come from renewable sources.

5.3.70 On page 10 of the executive summary, the White Paper comments: *"The Government is therefore creating a supportive climate for timely investment in a diverse mix of low carbon technologies. The Government is also ensuring that the market and regulatory framework can adapt to cope with the different characteristics of low carbon electricity generation technologies"*

5.3.71 Chapter 1 sets out the background issues around global warming, but also comments about other benefits tackling climate change will have, such as providing security over energy supplies and economic opportunities. In relation to the former, substantial private sector investment will be needed to deliver new low carbon infrastructure.

5.3.72 From the summary in Chapter 2 "*Driving the Transition*" the opening sentence succinctly states that "*the scale of change we need in our economy, and, in particular, our energy system is unparalleled*".

5.3.73 In relation to the power sector, the following are of note from Chapter 3:

- The Government's approach to decarbonising our electricity is to apply a carbon price and to support the rapid development and use of low carbon technologies;
- Delivering large increases in renewable electricity will be critical to decarbonising the power sector;
- Action is needed at the regional and local level to ensure [renewables] projects are supported; and
- Ensure that the renewables industry and its supply chain can deliver the unparalleled deployment required.

5.3.74 Finally, Chapter 7 considers managing land and waste sustainably. In the context of waste, the underlying message is to reduce emissions, with reducing the amount of waste landfilled. It comments that the Government will encourage the greater production of bio-energy, particularly from combustion.

Planning Policy Statement 1 (PPS1): Delivering Sustainable Development (January 2005)

5.3.75 Planning Policy Statement 1 (PPS1) sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. The most notable element of PPS1 in respect of the proposal is set out in Paragraph 27, which outlines the ten sustainable development criteria planning authorities should take into account when preparing their development plans. These are as follows:

i. *"Promote national, regional, sub-regional and local economies by providing, in support of the Regional Economic Strategy, a positive planning framework for sustainable economic growth to support efficient, competitive and innovative business, commercial and industrial sectors.*

ii. *Promote urban and rural regeneration to improve the well being of communities, improve facilities, promote high quality and safe development and create new opportunities for the people living in those communities. Policies should promote mixed use developments for locations that allow the creation of linkages between different uses and can thereby create more vibrant places.*

iii. *Promote communities which are inclusive, healthy, safe and crime free, whilst respecting the diverse needs of communities and the special needs of particular sectors of the community.*

iv. *Bring forward sufficient land of a suitable quality in appropriate locations to meet the expected needs for housing, for industrial development, for the exploitation of raw materials such as minerals, for retail and commercial development, and for leisure and recreation – taking into account issues such as accessibility and sustainable transport needs, the provision of essential infrastructure, including for sustainable waste management, and the need to avoid flood risk and other natural hazards.*

v. *Provide improved access for all to jobs, health, education, shops, leisure and community facilities, open space, sport and recreation, by ensuring that new development is located where everyone can access services or facilities on foot, bicycle or public transport rather than having to rely on access by car, while recognising that this may be more difficult in rural areas.*

vi. *Focus developments that attract a large number of people, especially retail, leisure and office development, in existing centres to promote their vitality and viability, social inclusion and more sustainable patterns of development.*

vii. *Reduce the need to travel and encourage accessible public transport provision to secure more sustainable patterns of transport development. Planning should actively manage patterns of urban growth to make the fullest use of public transport and focus development in existing centres and near to major public transport interchanges.*

viii. *Promote the more efficient use of land through higher density, mixed use development and the use of suitably located previously developed land and buildings. Planning should seek actively to bring vacant and underused previously developed land and buildings back into beneficial use to achieve the targets the Government has set for development on previously developed land.*

ix. *Enhance as well as protect biodiversity, natural habitats, the historic environment and landscape and townscape character.*

x. *Address, on the basis of sound science, the causes and impacts of climate change, the management of pollution and natural hazards, the safeguarding of natural resources, and the minimisation of impacts from the management and use of resources."*

5.3.76 In addition to the above, there are also a number of other points raised within PPS1 which are worthy of note:

- Paragraph 12 highlights pre-application discussions between developers and local planning authorities as being 'critically important';
- Paragraphs 33–39 relate specifically to design and sets out that good design is indivisible from good planning; and
- Paragraphs 40–44 outline the importance of effective community involvement.

Supplement to Planning Policy Statement 1 (PPS1): Planning and Climate Change (December 2007)

5.3.77 In December 2007 the Government published a Supplement to PPS1 which sets out how planning should contribute to reducing emissions and stabilising climate change and take into account the unavoidable consequences. In relation to planning applications the Supplement states that: *"Applicants for planning permission should consider how well their proposals for development contribute to the Government's ambition of a low-carbon economy and how well adapted they are for the expected effects of climate change."* The glossary defines "Renewable and Low Carbon Energy" as including energy from waste, therefore an EfW must be considered to form part of the renewable and / or low carbon supply system.

5.3.78 Paragraph 9 of the Supplement sets out the "Key Planning Objectives", which are to be delivered through the preparation and management of spatial strategies. This includes issues such as:

- *Make a full contribution to delivering the government's climate change programme and energy policy and contribute to global sustainability*;
- *In providing for homes, jobs and infrastructure needed by communities secure the highest viable resource and energy efficiency and reduction in emissions*;
- *Deliver patterns of sustainable growth and transport*;
- *Secure new development in places that minimise their vulnerability and provide resilience to climate change*;
- *Conserve and enhance biodiversity*; and,
- *Reflects the needs and interests of communities and enable them to contribute to tackling climate*.

5.3.79 The approach to planning set out in the Supplement includes the following key policies:

19. In developing their core strategy and supporting local development documents, planning authorities should provide a framework that promotes and encourages renewable and low carbon energy generation. Policies should be

designed to promote and not restrict renewable and low-carbon energy and supporting infrastructure.

20. In particular, planning authorities should:

- *not require applicants for energy development to demonstrate either the overall need for renewable energy and its distribution, nor question the energy justification for why a proposal for such development must be sited in a particular location;*
- *ensure any local approach to protecting landscape and townscape is consistent with PPS22 and does not preclude the supply of any type of renewable energy other than in the most exceptional circumstances;*
- *alongside any criteria-based policy developed in line with PPS22, consider identifying suitable areas for renewable and low-carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources, but in doing so take care to avoid stifling innovation including by rejecting proposals solely because they are outside areas identified for energy generation; and*
- *expect a proportion of the energy supply of new development to be secured from decentralised and renewable or low-carbon energy sources.*

5.3.80 Paragraphs 38 to 40 of the Supplement deal with the determination of planning applications. These stress that it is important that local planning policies are up to date and reflect latest Government policy, and where they do not, Government policy takes precedence. Finally, paragraph 40 confirms that where applications are in accordance with the Key Planning Objectives they should expect an expeditious and sympathetic handling through the planning system.

Planning Policy Statement 4 (PPS4): Planning for Sustainable Economic Growth (December 2009)

5.3.81 PPS4 sets out the Government's policy on economic development. Paragraph 4 supports economic development which provides employment opportunities generates wealth and produces an economic output or product.

5.3.82 In terms of determining planning applications, Policy EC10 indicates that local planning authorities should adopt a positive and constructive approach towards planning applications for economic development. In considering planning applications, the policy provides that applications should be assessed against:

- *"reducing carbon dioxide emissions and resilience to climate change;*
- *accessibility;*
- *high quality design;*
- *impact on economic and physical regeneration;*
- *impact on local employment."*

Planning Policy Statement 5 (PPS5): Planning for the Historic Environment (March 2010)

5.3.83 This PPS contains Government planning policy relating to the conservation of the historic environment and has an overarching aim that: *"the historic environment and its designated heritage assets to be conserved and enjoyed for the quality of life that they bring to this and future generations."* (Paragraph 7) A heritage asset is defined in Annex 2 as: "*a building, monument, site, place, area or landscape positively identified as having a degree of significance meriting consideration in planning decisions*."

5.3.84 Policy HE1 relates to heritage assets and climate change and states: *"Where proposals that are promoted for their contribution to mitigating climate change have a potentially negative effect on heritage assets, local planning authorities should, prior to determination, and ideally during pre-application discussions, help the applicant to identify feasible solutions that deliver similar climate change mitigation but with less or no harm to the significance of the heritage asset and its setting (HE1.2).*

Where conflict between climate change objectives and the conservation of heritage assets is unavoidable, the public benefit of mitigating the effects of climate change should be weighed against any harm to the significance of heritage assets in accordance with the development management principles in this PPS and national planning policy on climate change (HE1.3)."

5.3.85 Policies HE7 to HE10 guide the determination of planning applications. HE8.1 states that the effect of an application on non-designated heritage assets or their settings is a material consideration in determining the application.HE9.1 recognises that there should be a presumption in favour of the conservation of designated heritage assets, and that the more significant the asset the greater the presumption in favour of its conservation should be. Policy HE9.2 allows LPAs to weigh necessary harm to, or loss of, heritage value of an asset against public benefits when determining a planning application. The practice guide to PPS5 states clearly that all heritage assets have a setting.

5.3.86 Policy HE10.1 requires LPAs to treat favourably applications that would preserve the positive aspects of the setting of a heritage asset, or would better reveal its heritage value. For an application which would not do this, LPAs should weigh any detrimental impact in this respect against its wider benefits.

Planning Policy Statement 7 (PPS7): Sustainable Development in Rural Areas (August 2004)

5.3.87 This policy statement predates the publication of PPS10 and the supplement to PPS1, therefore the policies in PPS7 must be read in conjunction with those contained in PPS10 / PPS1. The policies in PPS7 apply to the rural areas, including country towns and villages and the wider, largely undeveloped countryside up to the fringes of larger urban areas. It should be noted that economic development sections of PPS7 have been replaced by PPS4, which has already been considered in this appraisal.

5.3.88 The key principles of PPS7 recognise that sustainable development is a core principle which underlines land use planning and states at Paragraph 1 that:

i) Decisions on development proposals should be based on sustainable development principles, ensuring an integrated approach to the consideration of:

- *social inclusion, recognising the needs of everyone;*
- *effective protection and enhancement of the environment;*
- *prudent use of natural resources; and*
- *maintaining high and stable levels of economic growth and employment.*"

ii) Priority should be given to the re-use of previously-developed ('brownfield') sites in preference to the development of greenfield sites, except in cases where there are no brownfield sites available, or these brownfield sites perform so poorly in terms of sustainability considerations (for example, in their remoteness from settlements and services) in comparison with greenfield sites.

iii) All development in rural areas should be well designed and inclusive, in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness.

Planning Policy Statement 9 (PPS9): Biodiversity and Geological Conservation (August 2005)

5.3.89 PPS9 provides Government planning policy on the protection of biodiversity and geological conservation through the planning system. There are six key principles contained within the PPS, where planning applications are concerned LPAs should ensure that: *"appropriate weight is attached to designated sites of international, national and local importance; protected species; and to biodiversity and geological interests within the wider environment."*

5.3.90 It is also identified in the key principles that: *"The aim of planning decisions should be to prevent harm to biodiversity and geological conservation interests. Where granting planning permission would result in significant harm to those interests, local planning authorities will need to be satisfied that the development cannot reasonably be located on any alternative sites that would result in less or no harm. In the absence of any such alternatives, local planning authorities should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where a planning decision would result in significant harm to biodiversity and geological interests which cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought."*

5.3.91 Paragraph 8 of PPS9 states: "*Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it*

is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSIs."

5.3.92 Paragraph 14 considers biodiversity within developments, commenting that development proposals provide opportunities for designing in beneficial biodiversity. Finally, paragraphs 15 and 16 consider protected species, stating that "*Planning authorities should ensure that these species are protected from the adverse effects of development*..." It goes on to state that: "*Planning authorities should refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm."*

Planning Policy Statement 22 (PPS22): Renewable Energy (August 2004)

5.3.93 PPS22 does not encompass energy from waste (through mass burn incineration) within its remit. However, it still provides clear and helpful advice on the importance of renewable energy projects in general. The PPS provides national planning policy guidance in respect of renewable energy and it is (or was) in the process of being updated into a new PPS entitled Planning for a Low Carbon Future in a Changing Climate. This new PPS (reviewed subsequently) will combine with the PPS1 Supplement on Climate Change and explicitly includes mass burn incineration within its remit.

5.3.94 PPS22 states that: *"Renewable energy covers those energy flows that occur naturally and repeatedly in the environment - from the wind, the fall of water, the movement of oceans, from the sun and also biomass."* The footnote to this paragraph defines biomass as: *"Biomass is the biodegradable fraction of products, waste and residues from agriculture (including plant and animal substances), forestry and related industries, as well as the biodegradable fraction of industrial and municipal waste".*

5.3.95 PPS22 emphasises the importance the Government places on renewable energy technologies, stating that it is vital to facilitating the delivery of the Government's commitment on both climate change and renewable energy. Positive planning which facilitates renewable energy developments can

contribute to all four elements of the Government's sustainable development strategy. Furthermore, that:

"The wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations that should be given significant weight in determining whether proposals should be granted planning permission.

5.3.96 It should be noted that as PPS22 does not assess energy from waste its policies have not been appraised in this assessment.

Overarching National Policy Statement for Energy (EN-1) (July 2011)

5.3.97 This Overarching National Policy Statement (NPS) for Energy was approved and designated by Government in July 2011, and whilst specific to the Infrastructure Planning Commission (IPC) [or the Major Infrastructure Planning Unit (MIPU) if / when IPC is abolished] applications, is a material consideration in decision making on planning applications that fall under the Town and County Planning Act 1990 (as amended).

5.3.98 The NPS highlights the UK's commitment to sourcing 15% of its total energy from renewable sources by 2020 and acknowledges that it will be a major challenge in moving towards a low carbon economy, and industry will need to develop significant amounts of new energy infrastructure in the coming years. Paragraph 3.3.10 indentifies that as well as wind, wave and tidal power, new renewable energy capacity will increasingly include plant powered by the combustion of biomass and waste.

5.3.99 It is identified in paragraph 3.4.3 that future large-scale renewable energy generation in the UK includes energy from waste, where: *"the principal purpose of the combustion of waste, or similar processes (for example pyrolysis or gasification) is to reduce the amount of waste going to landfill in accordance with the Waste Hierarchy and to recover energy from that waste as electricity or heat. Only waste that cannot be re-used or recycled with less environmental impact and would otherwise go to landfill should be used for energy recovery. The energy produced from the biomass fraction of waste is renewable and is in some*

circumstances eligible for Renewables Obligation Certificates, although the arrangements vary from plant to plant".

5.3.100 Of particular note is that the NPS recognises that biomass and EfW facilities can be used to provide peak and base load electricity on demand and the ability of biomass and EfW to deliver predictable, controllable electricity is increasingly important in ensuring the security of UK supplies (paragraph 3.4.4).

5.3.101 Paragraph 4.1.2 states: "*given the level and urgency of need for infrastructure of the types covered by the energy NPSs… the IPC should start with a presumption in favour of granting consent to applications for energy*." However, this statement refers to nationally significant infrastructure projects (NIPS) and is subject to the provisions of the Planning Act 2008.

National Policy Statement for Renewable Energy Infrastructure (EN-3) (July 2011)

5.3.102 EN-3 is to be read in conjunction with EN-1 and is also a material consideration in decision making on planning applications for renewable energy facilities, the extent will be judged on a case by case basis.

5.3.103 It is identified in this NPS that the: *"recovery of energy from the combustion of waste, where in accordance with the waste hierarchy, will play an increasingly important role in meeting the UK's energy needs. Where the waste burned is deemed renewable, this can also contribute to meeting the UK's renewable energy targets. Further, the recovery of energy from the combustion of waste forms an important element of waste management strategies in both England and Wales."* (Paragraph 2.5.1).

5.3.104 The NPS recognises that there are a number of factors which influence site selection for biomass and EfW facilities, which include grid connection, transport infrastructure and CHP. The NPS also provides guidance in terms of the likely impacts of energy from waste schemes, and identifies that where a modern EfW facility meets the requirements of WID and will not exceed local air quality standards, it should not be regarded as being detrimental to health (paragraph

2.5.43). In respect of visual impact, it also states that good design will go some way to mitigate adverse landscape and visual impacts, and that the design and use of materials should reflect the local landscape context (paragraph 2.5.50).

Draft National Planning Policy Framework Consultation Document (July 2011)

5.3.105 On the 25 July 2011 the DCLG published for consultation the Draft National Planning Policy Framework (NPPF). The NPPF is intended to help people and communities back into planning by replacing previously published planning policy documents with a more streamlined and simplified approach to achieving sustainable development.

5.3.106 It is clear from paragraph 7 that the NPPF does not provide guidance for waste management as a National Waste Management Plan (NWMP) for England is due to be published in the future. Until such time, PPS10 will remain in force. The NPPF does confirm, however, that local authorities preparing waste plans should have regard to the policies within the draft NPPF. The NPPF also confirms that the policies set out in the Framework apply to the preparation of local and neighbourhood plans, and to development management decisions. Furthermore, the NPPF is of direct relevance to energy projects and is considered reasonable therefore that, at the time of drafting, the draft NPPF be considered a material consideration in the assessment of planning applications for waste and energy development. The weight that should be applied to it in consideration of the proposed EfW at Javelin Park may alter as the consultation on the draft NPPF progresses and subsequent versions are published. An assessment of the weight to be applied to the draft NPPF is considered in more detail following Table 5.1 below.

5.3.107 The Communities and Local Government Select Committee were invited by the Minister for planning and Decentralisation to examine and comment on the draft NPPF. In response to this invitation an inquiry was set up and submissions of written evidence invited from interested parties. The Committee received over one hundred written submissions and these were published on the Committee's website on the 11 October 2011. Subsequently the Committee held four oral

evidence sessions in late October and early November before preparing their report. The final report was published in late December 2011. It recommends a number of changes based on evidence received. At the time of writing this appraisal it is understood that the Government is considering the findings of the report.

Draft Planning Policy Statement: Planning for a Low Carbon Future in a Changing Climate (March 2010)

5.3.108 In March 2010 the Department for Communities and Local Government (DCLG) published, for consultation, a new Planning Policy Statement: Planning for a Low Carbon Future in a Changing Climate. This draft policy document sets out a planning framework for securing progress against the UK's targets to cut greenhouse emissions and use more renewable and low carbon energy, and to plan for the climate change which is now inevitable. The purpose of the consultation is to get stakeholder views and comments on the new draft planning policy which combines and updates the existing planning policy statements on climate change (PPS1 supplement) and renewable energy (PPS22). It identifies the benefits of CHP and reconfirms that EfW is renewable and / or low carbon energy supply infrastructure. The relevant policies within the Draft PPS to the Javelin Park development are set out below.

5.3.109 Draft Policy LCF 1.4 places an obligation on Local Planning Authorities to: *look for opportunities to secure:*

i) decentralised energy to meet the needs of new development;

ii) greater integration of waste management with the provision of decentralised energy;

iii) co-location of potential heat suppliers and users; and,

iv) district heating networks based on renewable energy from waste, surplus heat and biomass, or which could be economically converted to such sources in the future.

The draft Policy also advises that:

"Local planning authorities should ensure their development management does not prevent, delay or inhibit proposals for renewable and low carbon energy, and

associated infrastructure, which could be permitted having regard to the objectives and policies in this PPS".

5.3.110 Draft Policy LCF 14.2 deals with the determination of planning applications for renewable and low carbon development. It states:

In determining planning applications for the development of renewable or low-carbon energy, and associated infrastructure, local planning authorities should:

i. *expect applicants to have taken appropriate steps to mitigate any adverse impacts through careful consideration of location, scale, design and other measures, including through ensuring all reasonable steps have been taken, and will be taken, to minimise noise impacts*;
ii. *give significant weight to the wider environmental, social and economic benefits of renewable or low-carbon energy projects whatever their scale, recognising that small-scale projects provide a valuable contribution to cutting greenhouse gas emissions, and not reject planning applications simply because the level of output, or number of buildings supplied, is small;*
iii. *not require applicants for energy development to demonstrate the overall need for renewable or low-carbon energy*;
iv. *expect developers of decentralised energy to support the local planning approach for renewable and low-carbon energy set out in the local development framework and, if not, provide compelling reasons consistent with this PPS to justify the departure; but, otherwise, not question the energy justification for why a proposal for renewable and low carbon energy must be sited in a particular location;*
v. *not refuse planning permission for a renewable energy project because a renewable energy target set out in the RS* [Regional Strategy] *has been reached; but where targets have not been reached this should carry significant weight in favour of proposals when determining planning applications;*
vi. *take great care to avoid stifling innovation, including by rejecting proposals for renewable energy solely because they are outside of a broad area identified in a RS for where substantial development of renewable energy is anticipated;*
vii. *where the proposed development is for a renewable energy technology included in the National Policy Statement for Renewable Energy*

Infrastructure, or associated infrastructure, expect applicants to follow the approach to assessment and apply themselves as far as practicable the approach to decision-making and mitigation set out in National Policy Statements.

5.3.111 The draft statement's key objectives are therefore to ensure that renewable energy proposals (including EfW facilities) are not prevented from coming forward through the planning system. It aims to encourage planning authorities to avoid stifling innovation, including rejecting proposals solely because they are outside a broad area identified for where substantial development of renewable energy is anticipated.

UK Renewable Energy Roadmap (July 2011)

5.3.112 The Foreword to the Roadmap states that:

- It…..*sets out our shared approach to unlocking our renewable energy potential.*
- *Renewable energy already employs more than a quarter of a million people; by 2020, it could be over half a million. The creation of jobs in the renewable energy sector, investment in new manufacturing capability, and the consequent direct and indirect benefits will support our transition to a green economy.*
- *Getting more renewable energy across the UK can give us much more security and a greater degree of energy independence – helping to shield us from global fossil fuel price fluctuation.*
- *Timely investments will ensure renewable energy will have a long-term role to play as part of a mix of low carbon generation*

5.3.113 The Executive Summary indicates that: *Based on current information, and taking account of their long term potential as well as their cost effectiveness, 8 technologies are capable of delivering more than 90% of the renewable energy we need for 2020.* Two of these technologies are biomass electricity and biomass heat, both of which encompass EfW.

5.3.114 Within the section dealing with biomass electricity, the introduction reads:

3.120 At the end of 2010 there was 2.5 GW of biomass electricity capacity operating in the UK, accounting for 11.9 TWh of generation. This is the single largest contribution to UK's total renewable electricity generation.

3.121 The majority of generation comes from waste (62% – predominantly landfill gas), although co-firing and dedicated biomass plant are also significant (21% and 17%). Anaerobic Digestion (AD) and other advanced conversion technologies are less well established, particularly at scale.

5.3.115 With regard to the future role of EfW, paragraph 3.123 states: *The analysis indicates that under the central range the market has the potential to deploy up to 6 GW71 of biomass electricity by 2020 (equivalent to around 50 TWh). Achieving this 3.5 GW increase will require an annual growth rate of 9% for the next decade. We anticipate that the majority of this growth will be met from conversion of coal plant, dedicated biomass generation, biomass waste combustion and anaerobic digestion. Landfill and sewage gas – which are significant in the baseline – have already been largely exploited.*

5.3.116 In terms of planned schemes paragraph 3.127 states: *The majority of the existing pipeline is from large scale dedicated plant (3.3 GW), with Energy from Waste (EfW) projects accounting for a smaller proportion (0.9 GW). Of the applications awaiting consent, 78% are under 50MW and will be decided at local level.*

5.3.117 Paragraph 3.143 and 3.146 acknowledge the planning complexities of EfW but indicates that these must be overcome:

3.143 EfW projects, particularly combustion plant, can face strong opposition from local communities, driven by concerns about potential impacts on a range of issues from health and traffic generation, to whether waste will be diverted from recycling. The Government will ensure that a transparent and robust evidence base is available on the opportunities and risks posed by EfW.

3.146 To address uncertainty, the Government has set out its commitment to the role of EfW within the waste hierarchy as part of the Waste Review

Planning our electric future: A White Paper for secure, affordable and low-carbon electricity (July 2011)

5.3.118 The White Paper, Box 12 (page 104 – reproduced as my Appendix NR8) recognises the role that EfW can have in securing affordable low carbon electricity (and heat). It states*: The economies of scale and efficiencies of the larger installations in commercial and industrial sectors means they can provide additional benefits over domestic installations. This is particularly true of combined heat and power schemes, which generate useable heat consumed locally, either through district heating schemes or for industrial use. This greater scale can also open up a range of additional options, such as waste to energy plants. While these options can have high upfront capital costs, particularly where heat distribution infrastructure is required, larger organisations are usually better placed to take a longer term view of their energy needs, allowing them to consider pay-back periods in excess of those that may be acceptable to individual consumers.*

Chief Planning Officer letter of 31 March 2011 and Written Ministerial Statement: Planning for Growth of 23 March 2011 (CD-OD1)

5.3.119 The covering letter from Steve Quartermain to Chief Planning Officers accompanying the Planning for Growth Ministerial Statement states that it: *is capable of being regarded as a material planning consideration.* And that: *Your attention is drawn especially to the weight that the Secretary of State will give to this statement in cases that come before him for decision.*

5.3.120 The Ministerial Statement indicates that the Government has ambitious plans to rebuild Britain's economy and a reformed planning system is key to this by ensuring that the sustainable development needed to support economic growth is able to proceed as easily as possible. The Statement recognises that planning reform will take time, the: *statement therefore sets out the steps the Government expects local planning authorities to take with* ***immediate effect*** (my emphasis).

5.3.121 Thus the Statement provides clear interim policy guidance until such planning changes as those within the National Planning Policy Framework (considered below) are in place. It provides unambiguous advice including that: *The*

Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy.

5.3.122 The Statement reinforces the plan system, but is clear that planning decisions on sustainable development should not wait until contemporary development plans are in place (i.e. prematurity is not a consideration). In this regard it expects: *local planning authorities to plan positively for new development; to deal promptly and favourably with applications that comply with up-to-date plans and national planning policies; and wherever possible to approve applications where plans are absent, out of date, silent or indeterminate.*

5.3.123 With regard to deciding whether to grant planning permission, the Statement indicates that local planning authorities should:

- *support enterprise and facilitate…. economic and other forms of sustainable development….*
- *consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession….*
- *consider the range of likely economic, environmental and social benefits of proposals…..*
- *ensure that they give appropriate weight to the need to support economic recovery….*
- *that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4)….*

5.3.124 Finally it states that: *The Secretary of State for Communities and Local Government will take the principles in this statement into account when determining applications that come before him for decision. In particular he will attach significant weight to the need to secure economic growth and employment.*

Benefits to the economy should, where relevant, be an important consideration when other development-related consents are being determined, including……environmental…..energy consents.

Gloucestershire Waste Partnership Joint Municipal Waste Management Strategy 2007-2020 (April 2008)

5.3.125 The Gloucestershire Waste Partnership Joint Municipal Waste Management Strategy (JMWMS), published in April 2008, has been adopted by all seven local authorities in Gloucestershire.

5.3.126 The relevant policies / key issues set out within the Strategy have already been set out in the assessment of need contained within Section 2.0 of this statement. As a consequence, it has not been repeated here.

Gloucestershire Structure Plan Third Alteration 2001-2016 (un-adopted)

5.3.127 The existing Gloucestershire Structure Plan Second Review (November 1999) comprises the most recently adopted Structure Plan. Gloucestershire County Council commenced the preparation of the third alteration in 2002 with the Deposit Draft produced in November 2002 and Pre-Examination in Public Changes published in June 2003. An independent Examination in Public (EiP) was held in November/December 2003 with the Panel Report submitted in March 2004. In light of the recommendations in the EiP Panel Report, Proposed Modifications to the Plan were produced in July 2004, followed by Proposed Second Modifications in January 2005.

5.3.128 In April 2005, the First Secretary of State (SoS) issued a Direction on three of the Plan's policies, namely policies SD.9 (Green Belt), SC.2 (Distribution of Housing Provision) and SC.3 (Provision of Dwellings in Principal Urban Areas). In order for the County Council to progress the Plan to adoption, the Direction would have to be complied with and the policies amended accordingly. However, the County Council decided not to comply with the Direction, as it was anticipated that the Plan would be held in abeyance until superseded by the South West Regional Spatial Strategy.

5.3.129 As set out on the Gloucestershire County Council website: *"the Structure Plan Third Alteration policies are still to be regarded as a material consideration in both plan-making and development control purposes. They should not supersede those policies in the adopted Second Review (1999), but should still*

carry weight. The three policies subject to the SoS Direction should have lesser weight attributed to them."

5.3.130 Gloucestershire County Council published a 'List of Polices' document in September 2005. The document provides a list of the most contemporary policies based on previous iterations and provides the latest version of the Key Diagram. It is considered that policies contained within the Third Alteration cover the same principles or are mirrored by other policies that have already been the subject of assessment. Therefore in order to prevent undue repetition, they have not been considered further within this policy appraisal.

5.4 Planning Policy Appraisal

5.4.1 The policies and guidance described previously within this Section have been assessed in terms of the application in Table 5.1. The Table sets out the thrust of each of the relevant policies and assesses whether the development would help, be neutral to, or hinder the policy purpose. For the purposes of this assessment where the development either helps or is neutral to the policy objective, no policy breach is deemed to occur. Comments are also made where appropriate.

Table 5.1: Assessment of the Proposal against Planning Policy and Guidance

Policy No	Policy Thrust	Development aids policy	Development is neutral to policy	Development hinders policy	Comments
The Statutory Development Plan					
Regional Planning Guidance for the South West (RPG10) (September 2001)					
Policy SS1	Sets out the requirements for the spatial distribution of development.	✓			Gloucestershire is identified as being within the Northern sub-region of the South West. The proposal will contribute to this sub-regions role as the main focus for growth in the region, and in so doing ensure its prosperity is maintained and enhanced.
Policy SS3	Sets out the priorities for	✓			The application site is not identified as

Policy No	Policy Thrust	Development aids policy	Development is neutral to policy	Development hinders policy	Comments
	development and infrastructure in the sub-regions.				being within a Principal Urban Area (PUA). Where it is not possible for development to be located within a defined PUA it should be in sustainable locations with good access. Javelin Park is a sustainable location for the development of a strategic residual waste recovery facility, as it is in close proximity to the main sources of waste arisings with good access to the local highway network. In addition it has also been identified as a suitable location for a strategic waste management facility in the emerging Gloucestershire Waste Core Strategy (WCS). The sites inclusion in the emerging plan has been supported by a comprehensive site search exercise, the results of which are detailed in Section 3.0 of this Statement. In addition to the above and as set out in the ES, the proposed development would also not result in any significant effects upon important environmental assets. Furthermore, the development would (as set out in numerous points in this document) contribute towards the economic growth of the region.
Policy EC1	The sustainable development of the region's economy should be supported.	✓			The proposal will contribute to the sustainable development of the region's economy through the creation of temporary and permanent jobs (both direct and indirect) during the construction of the development and the operation of the facility. In addition, and as stated in response to Policies SS1 and SS3 above, the development would secure economic opportunities in a sustainable location in the north of the Region. In doing so it would not significantly affect any of the regions 'unique' environmental or cultural assets. Further identification of the socio-economic benefits of the scheme is provided in the socio economic and community effects Chapter of the ES (Chapter 16.0). For the reasons set out above the proposal is considered to be supported by this policy.
Policy EN1	Relates to the protection and enhancement of the region's	✓			A comprehensive landscape and visual impact assessment has been undertaken

Policy No	Policy Thrust	Development aids policy	Development is neutral to policy	Development hinders policy	Comments
	landscape and biodiversity.				and is reported in Chapter 8.0 of the ES. This concludes that, in EIA terms, there would be no significant effects on either the landscape fabric or landscape character as a result of the proposed development. In addition, the assessment also concludes that the special qualities and setting of the Cotswold AONB would not be materially affected by the proposed development. Chapter 9.0 of ES reports the findings of a comprehensive assessment of the impact of development in respect of ecology and nature conservation and confirms that the construction and operation of the EfW facility would comply with relevant protected species legislation. In this context it must be noted that a Habitats Regulations Screening Assessment has been undertaken which concludes that there would be no direct or indirect effect upon a European designation as a result of the proposed development. The assessment has found that the site does not lie within any international or national or local biodiversity designations.
Policy EN2	Requires air quality to be a material consideration in the planning process.	✓			An air quality assessment has been undertaken using dispersion modelling for the proposed facility. The results of the assessment are reported in Chapter 13.0 and Appendix 13.1 of the ES. The air quality assessment has considered the emissions from the stack of the EfW facility, the impacts from fugitive emissions (dust and odour), emissions from traffic and potential emissions during construction. In addition, the assessment also confirms that the construction and operation of the Javelin Park EfW would have insignificant effects upon designated ecological assets including any European protected sites within 10km of the development site. The assessment concludes that no significant effects on air quality are predicted as a result of the construction or operation of the proposed facility. In addition to the above, it must also be noted that the emissions from this facility would be regulated by the Environment

Policy No	Policy Thrust	Development aids policy	Development is neutral to policy	Development hinders policy	Comments
					Agency through an Environmental Permit and would also comply with the requirements of the Waste Incineration Directive (WID).
Policy EN3	Seeks to protect archaeological areas, sites and monuments of international, national and regional importance and preserve and enhance important archaeological features and their settings.		✓		Chapter 15.0 of the ES reports the findings of the archaeology and cultural heritage assessment. The assessment concludes that there are no statutorily designated sites (e.g. Scheduled Monuments, listed Buildings) on the development site and that, there is low potential for previously unrecorded archaeological deposits as a result of previous development and ground disturbance from the mid 20th century onwards. Due to the low potential and past impacts across the site, no further archaeological works are recommended in relation to below ground archaeological deposits. In relation to cultural heritage the assessment concludes that the facility would result in minor residual impacts on the setting of one Grade II* and four Grade II listed buildings but that these impacts are not considered to be significant. These are matters that are discussed further in the text following this table.
Policy EN4	Requires high quality architecture, urban design, layout and landscape architecture in the built environment.	✓			The Design and Access Statement contained within Part 2 of this Planning Application Document demonstrates the design process the proposed EfW facility has undergone resulting in a high quality and well considered layout and design. In this context it should also be noted that the design of the facility has been assessed by CABE / the Design Council who were very supportive of the design of the facility and its composition.
Policy RE1	Seeks to ensure the long term sustainable use of water resources.	✓			The impact of the development upon water quality and water resources is considered in Chapters 9.0 and 11.0 of the ES. It is clear from these assessments that the proposed development would not have an adverse effect upon water resources and water quality locally for the following reasons: 1. There is a sufficient water supply locally and water used in the process will be recycled;

Policy No	Policy Thrust	Development aids policy	Development is neutral to policy	Development hinders policy	Comments
					2. As confirmed in Chapter 9.0 of the ES neither the construction, nor operation of the facility would not adversely affect groundwater resources; 3. The development would utilise sustainable urban design solutions; 4. Surface water run-off from the development would not adversely impact upon the quality of water environments locally.
Policy RE2	Seeks to prevent development which is at risk from or give rise to flooding.	✓			Chapter 11.0 and Appendix 11-1 reports the results of a comprehensive Flood Risk Assessment of the Javelin Park site. The assessment considers the proposed EfW development in terms of water quality, flood risk from various sources of flooding and the impact of surface water run-off on upstream and downstream receptors. It also considers the flood risk associated with the construction phase. The assessment confirms that the site is not located in an area at risk of flooding, and flood risks to the development from the existing drainage ditch are also low. Therefore there is a low overall risk of flooding at the site. In addition, whilst the development would increase impermeable areas and surface water runoff from the site. Mitigation measures (in the form of detention basins) would result in a low overall impact from the development upon surface water runoff and off-site flood risk, and a minor improvement in terms of runoff rates to those currently experienced. In light of the above, it can be concluded that, the development would not result in any significant adverse impacts on surface waters and flood risk and moreover would represent an overall improvement in terms of runoff rates.
Policy RE5	Seeks to achieve sustainable waste management in the region by establishing a mix of waste recovery methods, pursuing regional targets and giving priority to the provision of waste management facilities that will recover value from waste.	✓			RPG10 states that *"the Government intends to… pursue targets to increase the recycling and composting of waste, increase recovery of value (including energy) from waste and reduce its disposal to landfill"*. There are targets for recovery and landfill reduction contained within RPG10. The recovery targets are to:

Policy No	Policy Thrust	Development aids policy	Development is neutral to policy	Development hinders policy	Comments
					• *Recover value from 40% of municipal waste by 2005* • *45% by 2010* • *67% by 2015* The landfill targets are: • *Reduce landfilling of industrial and commercial waste to 85% of the 1998 level, by 2005 (National Waste Strategy)* • *Reduce landfilling of biodegradable municipal waste to 75% of the 1995 production level, by 2010 (EU Landfill Directive, including agreed derogations)* • *50% by 2013 (ditto)* • *35% by 2020 (ditto)* The proposed EfW facility would treat residual waste and recover value from these wastes by way of renewable energy generation. This will move the management of waste up the hierarchy rather than disposal to landfill. Thus, it will contribute positively to the achievement of these targets. The need for the development and its contribution to relevant waste management targets is discussed in detail in Chapter 2.0 of this statement.
Policy RE6	Encourage the region to meet the national targets for reduction in greenhouse gas emissions and for electricity production to be from renewable energy sources.	✓			The Government set a target to see renewables grow as a proportion of electricity supplies to 10% by 2010, 15% by 2015, with an aspiration for this level to increase to 20% by 2020. The White Paper 'Meeting the Energy Challenge' indicates that in 2006 electricity supplied from renewable sources stood at around 4% of the UK's total. Therefore, it is clear that if the Government's targets are to be achieved significant levels of renewable energy provision will have to come forward throughout the UK. The proposed EfW facility would have an installed electricity generating capacity of approximately 17.4 Megawatts (MW). It would generate electricity by way of a steam turbine which would be driven through the combustion of approximately 190,000 tonnes per annum (tpa) of non-hazardous residual waste. 14.5 MW of this would be exported to the local supply grid with the remainder used in the operation of the facility. The facility would also have the capability to export heat to local heat users.

Policy No	Policy Thrust	Development aids policy	Development is neutral to policy	Development hinders policy	Comments
					It should be noted that of the 14.5 MW circa 8.1 MW (56%) would be classed as renewable / low carbon. It has been calculated (in the ES) that the development would result in significant greenhouse gas savings per annum amounting to 40,480 tonnes of CO2 equivalents. The proposed Javelin Park EfW facility would contribute towards achieving the above targets and the requirements of Policy RE6.
Adopted 2nd Review Gloucestershire Structure Plan 1991-2011 (November 1999)					
Policy WM.2	Locating primary waste management facilities near to major concentrations of waste arisings.	✓			It must be noted in reviewing this policy that concept of the BPEO no longer forms part of the planning policy framework for the determination of planning applications for waste management facilities. However, on the basis that this policy has been further saved, it has been the subject of assessment. The Javelin Park site is centrally located in the County of Gloucestershire and is adjacent to Junction 12 of the M5 motorway. This therefore provides the site with excellent transport links to the local road network and the major concentrations of waste arisings in Cheltenham, Gloucester, Stroud and Cirencester. In terms of the individual considerations / criteria set out in the policy wording the following must be noted: a) The proposal forms part of an integrated solution for the management of Gloucestershire's waste. b) The development is in a sustainable location with excellent access to the main areas of waste arisings and the primary road network in the County. c) The ES confirms that the development would not result in any significant effects upon the amenity of local communities. d) N/a e) The ES confirms that development would not give rise to any significant effects upon internationally, nationally, regionally or locally important areas of landscape nature conservation and archaeological interest.

Policy No	Policy Thrust	Development aids policy	Development is neutral to policy	Development hinders policy	Comments
					f) The ES concludes that the development would not result in any significant or adverse effects upon natural resources including agricultural land or water resources. For the reasons set out above, it is considered that the development would be in accordance with the provisions of this policy.
Policy WM.3	Encourages developments to cater primarily for Gloucestershire's waste in appropriate locations to enable regional self-sufficiency.	✓			The proposed EfW facility is intended to treat the residual non-hazardous municipal waste (MSW and C&I) produced in Gloucestershire. It will therefore contribute towards bot the Region and the County's self-sufficiency in accordance with the policy wording.
Policy WM.5	Provision will be made for energy from waste facilities in or near to the Gloucester / Cheltenham area.	✓			The proposal is located specifically to be near to Gloucester and Cheltenham, and hence the main areas of waste arisings. This was a key criterion in the allocation of the application site in the emerging Gloucester WCS.
Policy EN.3	Encourages proposals for the development of renewable sources of energy. Subject to meeting landscape, visual and tourism / recreations criteria		✓		In terms of the individual considerations / criteria set out in the policy wording the following must be noted: a) The proposed development would not result in any materially adverse effects upon the setting and special qualities of the Cotswold AONB. As such, there is no conflict with this part of the policy; bi) Is not relevant as there are no Special Landscape Areas that would be affected by the proposed development; bii) Refers to tourism and recreational interests. Landscape and visual impacts are of only limited relevance to this policy. However, some of the viewpoints included in the LVIA illustrate visual effects from areas likely to be well used for recreational amenity, such as the Cotswold Way, Robins Wood Hill Country Park and the Gloucester and Sharpness Canal have been identified within the assessment. This relates to a specific short length of canal near to Parkend Bridge. Views of the site from the canal as a whole would vary depending on the level of vegetation cover present and also depending upon the

Policy No	Policy Thrust	Development aids policy	Development is neutral to policy	Development hinders policy	Comments
					distance from the site. From much of the canal, the proposed development would not be visible or would appear so small within the view as to exert little influence upon the visual experience. In addition, views of the proposed development would often be seen in conjunction with other built infrastructure present in the landscape. As such, and on the basis that only a limited stretch of the canal would experience inter-visibility with the proposed facility, there is not considered to be a detrimental effect on the tourism or recreational benefit of Gloucester to Sharpness Canal in respect of landscape and visual effects. biii) See detailed assessment of visual impact subsequent to this table.
Policy NHE.1	Seeks to protect the countryside's character, appearance and non-renewable and natural resources from harmful development unless the social and economic needs of the area or wider environmental objectives outweigh such harm.	✓			See response to Policy EN1 of RPG10.
Policy NHE.2	Requires development to protect and, wherever possible, enhance the biodiversity, including wildlife and habitats, of the County.	✓			The ecological impact assessment contained within Chapter 9.0 of the ES concludes that the residual impacts resulting from the proposed development are either of negligible significance, or involve minor impacts during construction which would be mitigated or enhanced by habitat creation. As a consequence, the proposal protects the County's ecological interests. Furthermore, the assessment identifies nature conservation benefits in terms of new landscape planting and the creation of new waterbodies on the site. In this context it must be noted that a Habitats Regulations Screening Assessment has been undertaken which concludes that there would be no direct or indirect effect upon a European designation as a result of the proposed development.
Policy NHE.6	Seeks to conserve and enhance the historic		✓		Chapter 15.0 of the ES identifies that there would be no direct physical impacts upon

Policy No	Policy Thrust	Development aids policy	Development is neutral to policy	Development hinders policy	Comments
	environment of the County.				any aspects of the historic environment. However, it does identify minor adverse effects upon the setting of 1 no. Grade II* and 4 no. Grade II listed buildings. This matter is evaluated further in the text following this table.
W1	Seeks to ensure that the long term sustainable use of water resources.	✓			See response to Policy RE1 of RPG10.
F1	Seeks to prevent development which is at risk from or give rise to flooding.	✓			See response to Policy RE2 of RPG10.
P1	Seeks to ensure that development would not give rise to unacceptable amenity impacts including air, noise, light, water quality or contamination of land.	✓			The ES assesses the impact of the Javelin Park EfW development in terms of all of the issues listed in the wording of the policy. None of the assessments indicate that the proposals would (subject to the use of appropriate working practices and the implementation of appropriate mitigation measures) result in a significant impact in respect of any of the aforementioned issues. As a consequence, it is not considered that the development would conflict with the requirements of Policy P1.
Gloucestershire Waste Local Plan 2002 - 2012 (October 2004) (saved policies)					
Policy 15	Permits proposals for the development of waste to energy recovery facilities in appropriate locations subject to criteria	✓			The proposal accords with the criteria in the policy for the following reasons: • The proposal provides an EfW facility in a location where: • It would be part of a sustainable waste management system by way of meeting a demonstrable need for a residual waste recovery facility in the County (See Section 2.0 of this statement) in a location proximate to the main areas of waste arisings. • Section 2.0 of this statement demonstrates that the facility would not prejudice very high levels of recycling and that the scheme would recover energy. Finally, Chapter 5.0 of the ES demonstrates that there would be satisfactory provision for the management of residues including the processing of IBA as a secondary aggregate. • The planning policy appraisal / assessment contained within this document demonstrates that the

Policy No	Policy Thrust	Development aids policy	Development is neutral to policy	Development hinders policy	Comments
					proposal would meet all other relevant policies in the Development Plan.
Policy 24	Will not permit waste development which would have a compromising adverse impact not capable of mitigation on the natural features and biodiversity of local nature conservation designations: • Key wildlife sites • Wildlife corridors • Ancient semi-natural woodlands • Regionally Important Geological / Geomorphical sites (RIGS)	✓			See response to Policy NHE.2 of the Gloucestershire Structure Plan with regard to ecological matters. In addition Chapter 10.0 of the ES identifies that no harm would occur to designated geological sites.
Policy 25	Will only permit proposals for waste development where adverse impacts on features, which are of major importance for wild flora and fauna, natural and cultural heritage can be prevented or mitigated.		✓		See responses to Policies NHE.1 and Policy NHE.6 of the Structure Plan.
Policy 28	Will not permit proposals for waste development which would cause damage to or involve significant alteration to nationally important archeological remains or their settings, whether scheduled or not.		✓		See response to Policy NHE.6 of the Structure Plan.
Policy 29	Proposals for waste development will only be permitted on a site of Local Archeological Importance where satisfactory mitigation arrangements have been defined.	✓			Chapter 15.0 of the ES confirms that the application site is not on a site of Local Archaeological Importance, and no affects would occur on any such resource.
Policy 31	Proposals for waste development, which adversely affect the following designations, will not be permitted unless the effects of the development can be mitigated: • Registered Historic Parks and Gardens; • Registered Battlefields;	✓			Chapter 15.0 of the ES confirms that the proposal would not affect any designations such as the ones identified in this policy as there are none within close proximity to the site.

Policy No	Policy Thrust	Development aids policy	Development is neutral to policy	Development hinders policy	Comments
	and • Locally Important Parks and Gardens.				
Policy 33	Seeks to ensure that the long term sustainable use of water resources.	✓			See response to Policy RE1 of RPG10.
Policy 37	Waste development will be determined taking into account matters such as the effect on the environment, the countryside, the traditional landscape character of Gloucestershire and the local highway network	✓			The ES provides details on the survey work undertaken to assess the proposed development in terms of potential impact on matters including the local road network, landscape, ecology and nature conservation, air quality, noise and cumulative effects. It has been demonstrated that with appropriate mitigation measures, where necessary, there would be no detrimental impact to any nearby land uses in terms of the issues listed in the policy. It should also be noted that the facility would also be governed by an Environmental Permit, issued by the Environment Agency, which would regulate the emissions from the facility (in line with the WID).
Policy 39 and 40	These policies seek to ensure that consideration of alternative modes of transport (i.e. by rail and/or water), where practicable, is undertaken and that a full Transport Assessment is provided.	✓			A full Transport Assessment has been submitted with the planning application and a summary is contained within Chapter 7.0 of the ES. In terms of alternative modes of transport, the site is not currently connected by either rail or a waterway. This said, it should be noted that the movement of waste within Gloucestershire is almost entirely dependent upon road vehicle transport and no alternative currently exists for the movement of waste by other means. Consequently, whilst it is desirable to have facilities connected by rail or waterways it is currently not feasible to do so without either the comprehensive re-structuring of any existing waste management infrastructure or the development of new waste management infrastructure.
Stroud District Local Plan (November 2005) (saved policies)					
Policy GE1	Seeks to prevent development that would lead to an unacceptable level of noise, general disturbance, smell, fumes, loss of daylight	✓			The ES assesses the impact of the Javelin Park development in terms of all of the issues listed in the wording of the policy. None of the assessments indicate that the proposals would (subject to the use of

Policy No	Policy Thrust	Development aids policy	Development is neutral to policy	Development hinders policy	Comments
	or sunlight, loss of privacy or have an overbearing effect.				appropriate working practices and the implementation of appropriate mitigation measures) result in a significant impact in respect of any of the aforementioned issues. As a consequence, it is concluded that the development would not conflict with the requirements of Policy GE1.
Policy GE2	Permission will not be granted for any development that is likely to create unacceptable atmospheric or environmental pollution to water, land or air.	✓			See response to Policy GE1 above.
Policy GE5	Permission will not be granted for any development that would be likely to be detrimental to the highway safety of any user of any highway or public right of way.	✓			A Transport Assessment (TA) has been prepared in support of the application which concludes that there would be no material detrimental effects on highway safety. The overall changes in traffic flow as a result of the development of the EfW facility over the immediate local network would not give rise to a material change in traffic related environmental conditions. During the proposed core weekday waste site delivery period (07:00 - 19:00), the facility could be expected to generate a small increase in HGV traffic volumes which would generally be considered very low when compared to the do-nothing scenario. It is therefore concluded that any residual development traffic environmental impact would be slight in nature and that there is no requirement for off-site highway improvement / mitigation works.
Policy EM4	Redevelopment of existing employment land not protected under Policy EM3 will be permitted where the site is no longer suitable for employment use and meets certain criteria.	✓			Notwithstanding the extant planning permission for B8 uses, the Javelin Park site is noted within the Local Plan as being a future waste management site. This use has long been recognised (e.g. in the former policies of the Waste Local Plan). It is also allocated in the emerging WCS. Thus, there would be no policy conflict. Furthermore, the EfW facility proposal would provide employment by way of 40 new permanent jobs.
Policy BE12	Seeks to ensure that development does not affect the setting of a listed building.		✓		See text following this table.

Policy No	Policy Thrust	Development aids policy	Development is neutral to policy	Development hinders policy	Comments
Policy NE4	Seeks to prevent development that would adversely affect, either directly or indirectly, a site supporting any legally protected species or its habitat, or priority species or habitats as defined in the Gloucestershire Biodiversity Action Plan.	✓			See response to Policy NHE.2 of the Gloucestershire Structure Plan.
Policy NE8	Sets the circumstances where development within or affecting the setting of the Cotswolds AONB can be deemed acceptable.	✓			Chapter 8.0 of the ES includes a comprehensive landscape and visual assessment of the proposal. This concludes that the special qualities and setting of the Cotswolds AONB would not be materially affected by the proposed development. Furthermore, the design of the facility has been developed to have regard to the distinctive skyline formed by the Cotswolds Escarpment and views towards this from the west. This includes the use of materials and protection of landscape features.
Policy NE10	Seeks to give priority to the protection of the quality and diversity of landscape character.	✓			Chapter 8.0 of the ES provides specific consideration to this policy and finds that no significant adverse impact would occur in respect of landscape character and landscape features, nor would there be any unacceptable impacts on long distance views. Furthermore, the benefits of the scheme (see Section 2.0 of this statement) demonstrably outweigh any minor effects on the local landscape.
Policy TR1	Sets out a range of transport criteria for all development.	✓			With regard to the five criteria contained within the wording of the policy the following can be concluded: • The site location minimises the distance that waste is transported by virtue of its proximity to the main sources of waste arisings (i.e. the Principal Urban Areas). With regard to staff access, the site is located within 400m of bus stops on the B4008. • The Transport Assessment describes that provision has been made for staff to access the site through a range of transport modes and a draft travel plan has been produced setting out the potential provides for multi-modal transport. • The design incorporates provision for cycle parking and the B4008, which serves the site, is a signed

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					footway/cycleway corridor. • Detailed assessment has shown that there is no need for traffic calming or highway improvement measures. • The level of parking has been agreed with the LHA (See policy TR12 below). For the reasons provided it is considered that the proposals are in accordance with the provisions of the policy
Policy TR12	Development proposals should provide appropriate vehicle parking spaces in accordance with the Council's Parking Standards.	✓			It is proposed that 45 car parking spaces would be provided on site, including 4 disabled spaces. This level of car parking has been identified as being suitable to accommodate proposed staffing levels at the site (including a requirement for some additional spaces to reflect short term parking demand surges during shift change periods), a level of visitor provision and some opportunity for future site flexibility. In addition to the above car parking supply levels, it is proposed that the site layout would also deliver 3 covered motor cycle parking spaces and a covered cycle parking area suitable to accommodate up to 7 cycles. This level of provision has been agreed with the LHA.
Material Considerations					
The Emerging Development Plan					
Draft Revised Regional Spatial Strategy for the South West incorporating the Secretary of State's Proposed Changes – For Public Consultation (July 2008)					
Policy W1	Places a requirement of Waste Planning Authorities to provide within their development frameworks a network of waste facilities capable of meeting future waste allocations.	✓			The proposed facility is required in order to meet Gloucestershire's waste management requirements. The County presently has no residual recovery facilities but has identified a need for such provision within its JMWMS and emerging WCS. The facility would also provide for some recycling of metals and will be co-located with a facility for the processing and recycling of IBA into a secondary aggregate product.
Policy W2	Sets out series of sequential	✓			The application sites meets the criteria

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	approach criteria relating to the location of waste management facilities.				contained within this policy as: • It has been specifically located proximate to Gloucester and Cheltenham to be near to the main areas of waste arisings; • It would contribute to a network of waste management facilities close to the identified population centre; • It would be located on an industrial site and, taking into account adjacent vacant land, has the scope for the development of complementary activities. In addition, the EfW facility is complimented by an integrated facility for the processing of Incinerator Bottom Ash (IBA); • It would occupy previously developed land. • With regard to potential rail connections please refer to the response to policies 39 and 40 for the WLP. • Efficiency has been maximised through the use of by-products (i.e. IBA processing to create a secondary aggregate). In addition, the facility has been designed to enable heat off-take when viable end users are identified.
Emerging Gloucestershire Waste Core Strategy – Focused Changes (June 2011)					
Policy WCS1	Expects development to incorporate the principles of waste minimisation and re-use and for 'major' development to be supported by a statement setting out how any waste arising during the demolition, construction and subsequent occupation of the development will be minimised and managed.	✓			The proposed development includes an integrated visitor / education centre, which would enable the local community to learn more about the principles of waste minimisation and how the EfW facility would contribute to moving the management of waste up the waste hierarchy and reduce the amount of waste disposed of to landfill. Whilst under current legislation a site waste management plan would need to be provided, a Construction Environment Management Plan (CEMP) would also be developed for the construction phase. The purpose of this would be to manage and report environmental effects of the project during construction, which would include construction phase waste management. Of specific note in this regard is that the earth bunding within the landscape proposals has been designed to minimise the quantities of excavated material that would need to be removed from the site. At the operational stage of the

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					development waste minimisation would be achieved through the recycling of IBA in an integrated IBA reprocessing facility and the recovery / recycling of metals.
Policy WCS4	Seeks provision for the residual waste recovery capacity of: • MSW - 150,000 tonnes/year • C&I 143,000 - 193,000 tonnes/year All 'strategic' residual waste recovery facilities (>50,000 tonnes/year) will be located in the central area of Gloucestershire. Four sites are allocated for residual waste recovery: 1. Wingmoor Farm East 2. Wingmoor Farm West Sites A & B 3. Javelin Park 4. Land at Moreton Valence	✓			The EfW facility, with a capacity of 190,000tpa. This would enable all of the identified residual MSW to be recovered as well as a proportion of the identified C&I waste. It should be noted that Section 2.0 of this statement analyses residual waste quantities in greater detail. The facility would be located close to the main urban areas along the M5 corridor, within Zone C. It would be sited on the identified Javelin Park site.
Policy WCS7	Requires Councils to have regard to the cumulative effect of proposals for new or enhanced waste management facilities with existing waste facilities on local communities in terms of environmental quality, social cohesion and equality and economic potential.	✓			An assessment of the potential cumulative effects of the proposed development during its construction and operation is contained within Chapter 16.0 of the ES. This includes the consideration of the cumulative impact of the proposal in relation to a number of development proposals within a 5km buffer of the Javelin Park site that could have the potential to result in significant environmental effect in combination with the proposed EfW. The conclusions of the assessment are that significant cumulative environmental effects are unlikely to arise from either the construction of operation of the EfW. In terms of the co-location of complementary development please refer to Policy WCS1 above.
Policy WCS8	Requires Local Authorities to safeguard existing and allocated sites for waste management. Proposals for development that would prejudice the use of the site for waste management would be opposed.	✓			The application site comprises the southern part of Javelin Park which is allocated in Policy WCS4 for a strategic residual waste recovery facility. The proposal is for a strategic waste management use and therefore not in conflict with Policy WCS8.

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Policy WCS9	Requires all waste-related development to be located in areas of low flood risk (Flood Zone 1) unless it can be demonstrated that there are no suitable, alternative sites available. A Flood Risk Assessment (FRA) will be required for all developments on sites of 1 hectare or more and for any proposal located within Flood Zone 2 and 3a.	✓			See response to Policy RE2 of RPG10.
Policy WCS11	Proposals for waste development within or affecting the setting of the Cotswolds, Wye Valley and Malvern Hills Areas of Outstanding Natural Beauty (AONB) will only be permitted where it can be demonstrated that: • There is a lack of alternative sites not affecting the AONB to serve the market need; and • The impact on the special qualities of the AONB as defined by the relevant management plan (including the landscape setting and recreational opportunities) can be satisfactorily mitigated; and • The proposal complies with other relevant development plan policies.	✓			See response to Policy NE8 of the SDLP. In addition, this planning policy assessment demonstrates that the proposal accords with all other relevant Development Plan policies.
Policy WCS 12	Seeks to safeguard Sites of Special Scientific Interest (SSSI), National Nature Reserves (NNR) and Local Nature Conservation Designations from inappropriate waste management development. Planning permission for waste management development within or outside a SSSI or NNR will only be granted where it can be demonstrated that:	✓			See response to Policy NHE.2 of the Adopted 2nd Review Gloucestershire Structure Plan. In addition, Chapter 9.0 of the ES gives specific consideration to all of the other matters listed in the policy wording, in particular potential effects upon off-site European and National designated sites. It concludes that the development would have no significant effects upon nature conservation resources.

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	• The development would not conflict with the conservation, management and enhancement of the site unless the harmful aspects can be satisfactorily mitigated; or and • The benefit of the development clearly outweighs the impacts that the proposal would have on the key features of the site; and • The proposal complies with other relevant policies of the development plan; and • In the case of a SSSI, there would be no broader impact on the national network of SSSIs.				
Policy WCS13	Requires waste related development to achieve a high standard of design that is clearly robust and articulated through a Design and Access Statement. It sets specific design criteria that should be addressed.	✓			The Design and Access Statement contained within Part 2 of this Planning Application Document demonstrates the design process the proposed EfW facility has undergone resulting in a high quality and well considered design, with regard o the criteria the Design and Access Statement: • Demonstrates how the proposal is appropriate to its site specific context. • Describes how the development incorporates sustainability measures and illustrates the proposed sustainable drainage solution. • Illustrates how the proposal makes efficient use of the site. • Illustrates the high quality architecture and landscape design solution. The design of the facility within its context has also been commended by CABE / Design Council following a review process.
Policy WCS14	Supports proposals for waste-related development that utilises alternative modes of transport such as rail and water, subject to compliance with other relevant development plan policies and the contribution to a sustainable waste	✓			A detailed Transport Assessment has been submitted with the planning application and a summary is contained within Chapter 7.0 of the ES. With regard to alternative modes of transport see response to Policy 39 & 40 of the GWLP.

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	management system for Gloucestershire.				The submitted Transport Assessment demonstrates that there would be no material adverse impacts on the highway network and that provides details of draft travel plan.
Other European, National, Regional and Local Planning Considerations					
Revised Waste Framework Directive 2008/98/EC (December 2008)					
Paragraph 20	Clarifies where the incineration of municipal waste can be defined as a recovery operation by reference to Annex II point R1. A footnote to the R1 definition states that *"this includes incineration facilities dedicated to the processing of municipal waste only where their energy efficiency is equal to or above 0.65"*, and defines energy efficiency using a formula which take into account the differing benefits of electricity generation and heat generation	✓			Applying the R1 formula to the proposed development at Javelin Park gives an energy efficiency factor of 0.72, confirming that it would be defined as a recovery operation.
Article 4	Seeks to move the management of waste up the waste hierarchy and reduce reliance upon landfill	✓			The proposal will comply with Article 4 by moving the management of residual waste up the waste hierarchy, thereby reducing the reliance upon landfill.
Article 13	Sets out a range of environmental factors waste recovery operations should not adversely impact upon	✓			In respect of Article 13, it is considered that the assessments undertaken as part of the ES demonstrate that: • There will be no significant risk to water, air, soil, plants or animals; • There will be no significant nuisance through noise and odours; and • There will not be a significant adverse effect on the countryside or places of special interest.
Article 16 Paragraph 1	Requires member states to establish and integrated and network of waste facilities for the recovery of waste.	✓			The proposed EfW facility at Javelin Park would form part of an integrated solution for the management of the County's municipal waste.
Article 16 Paragraph	Requires that the network (referred to in Article 16	✓			As identified in Section 3.0 of this statement:

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3	Paragraph 1) enables the recovery of waste in one of the nearest appropriate installations by means of the most appropriate methods and technologies.				• The site is located proximate to and readily accessible from the main areas of waste arising (Cheltenham and Gloucester) • The site is located within Zone C area of search within the emerging Gloucestershire Waste Core Strategy (WCS). This is considered by the Waste Planning Authority to represent the optimum area for the development of a waste management facility on the basis it is closer to waste arisings, aligned with the existing transport network and also avoids key AONB and floodplain constraints. • The Javelin Park site is identified in the emerging WCS as being suitable for a strategic waste management facility. • Two site assessment exercises undertaken by GCC and a further appraisal undertaken by UBB conclude that the Javelin Park site is the most suitable location within Gloucestershire for the proposed EfW development. In light of the above, the site can properly be described as representing the nearest appropriate installation. The appropriateness of the proposed technology has been considered in Chapter 3.0 of the ES. In light of the above, it is considered that the proposals would accord with this principle in the WFD.
Renewable Energy Directive 2009/28/EC (April 2009)					
	Sets a binding target that 20% of the EU's energy consumption is from renewable sources by 2020. The UK's share of this target is 15% consumption by 2020. The Directive also provides a definition of energy from renewable sources.	✓			The proposed EfW would demonstrably contribute to the UK's renewable energy provision as identified in Section 2.0 of this statement. The biodegradable fraction of municipal waste is considered a renewable resource in the definition provided within the Directive.
Waste Strategy England 2007 (May 2007)					

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WSE 2007	National strategy in respect of future waste management.	✓			The key objectives, targets and other factors relevant to the Javelin Park EfW proposal are summarised below along with a brief summary as to how the proposals would achieve them. • *Promotes increased national targets for the recovery (including energy) of municipal waste* - The Javelin Park EfW facility would assist in meeting this targets; • *The Strategy seeks to recover value from 53% of municipal waste by 2010, 67% by 2015 and 75% by 2020.* The Javelin Park EfW facility, would demonstrably contribute towards the achievement of these targets; • *Promotes investment in the new infrastructure that is needed to divert waste from landfill and indicates that the most environmental benefit should be obtained from such investment through increased recycling and energy recovery from residual waste* - The proposal would constitute such an investment, recover renewable energy from residual waste and allow for increased recycling (of metals and IBA). • *Sets a preference for energy from waste proposals that recover heat and electricity and indicates that such facilities should be in locations where they are able to maximise opportunities for Combined Heat and Power (CHP)* – The proposed EfW would export electricity and be enabled to export heat when a viable heat user is identified. At present there are considerable economic barriers to heat export. For further details on heat off-take refer to Chapter 5.0 of the ES. • *The strategy envisages an increase in EfW for the management of municipal waste from 10% at present to 25% by 2020* - This is a clear indication that a number of new or extended energy from waste facilities are expected to come forward in the future and reflects the role that they will play in the management of residual municipal waste. The Javelin Park EfW development would contribute to the achievement of this target. • *It refers to the Energy White Paper, which presents a clear indication of government support for EfW as one of*

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					the technologies which will contribute towards the UK achieving its renewable energy obligations – The Javelin Park EfW facility would clearly assist in meeting these obligations. It is clear from the above that there is considerable strategic policy support within WSE2007 for the Javelin Park EfW facility proposal.
Waste (England and Wales) Regulations 2011 (March 2011)					
	The Regulations transpose EC Waste Framework 2008/98/EC which introduces a change to the waste hierarchy which seeks to increase the use of waste as a resource and place greater emphasis on the prevention and recycling of waste. They also require waste to be recovered at the nearest appropriate installation.	✓			See response to the same provisions in the WFD.
Government Review of Waste Policy in England 2011 (June 2011)					
	Provides actions and commitments to set a direction towards a 'zero' waste economy. The Review seeks to remove barriers to the rollout of energy from waste technologies and clarifies the critical role such facilities play in meeting the UK's need for renewable energy. In order to combat climate change The Review provides the most up-to-date Government stance on management of waste and demonstrates significant support and need for energy from waste facilities.	✓			The proposed EfW at Javelin Park would contribute to the recovery of renewable energy from waste, which will help to prevent valuable resources going to landfill and assist in addressing the causes of climate change. In addition, it would also allow for the recycling of metals and the processing / recycling of IBA into a secondary aggregate product.

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Planning Policy Statement 10 (PPS10): Planning for Sustainable Waste Management (March 2011) and Companion Guide to PPS10: Planning for Sustainable Waste Management (June 2006)					
PPS10 Paragraph 3	Moving the management of waste up the 'waste hierarchy' and helping to implement the national waste strategy, and supporting targets	✓			The Javelin Park EfW facility would provide an essential facility to move the management of residual waste from within Gloucestershire up the waste management hierarchy. In doing so, it would ensure the diversion of waste from landfill which is recognised as a critical issue within national, regional and local waste policy and guidance. In addition to the above, the increased recovery of energy from this waste would contribute to the achievement of the Government's targets for the recovery of value from municipal waste set out in WSE2007.
PPS10 Paragraph 3	Provide 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	✓			GCC has, through its JMWMS and emerging WCS provided a framework for communities within Gloucester to take responsibility for the management of their own waste. The Javelin Park EfW facility would, for reasons described within Section 2.0 of this statement, fully accord with this framework and deliver, in a timely manner, a residual waste recovery facility. The facility would make a very significant contribution to sustainable waste management within the County.
PPS10 Paragraph 3	Reflect the concerns and interests of communities, the needs of waste collection authorities, waste disposal authorities and business, and encourage competitiveness	✓			The proposed EfW development would demonstrably meet the requirements of this policy principle for the reasons outlined below. • The facility would allow for the provision of renewable energy and it would also have the potential to provide a CHP solution. As a consequence, it would assist in meeting the needs of the community in terms of renewable energy provision; • The proposals would assist the waste disposal authority in the achievement of the waste recovery and landfill diversion targets; • By diverting residual waste from landfill and displacing fossil fuel power generation, the proposed development would offer clear benefits in terms of reduced CO_2 emissions; • The facility is centrally located and would benefit waste disposal and collection authorities in terms of its proximity to the

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					main sources of waste arisings; • The Gloucestershire Waste Partnership's JMWMS has been adopted by the seven local authorities in the County (Cheltenham Borough Council, Cotswold District Council, Forest of Dean District Council, Gloucester City Council, Gloucestershire County Council, Stroud District Council and Tewkesbury Borough Council). It has been developed through a series of consultation exercises and identified that *"energy from waste still remains the only proven technology for residual waste treatment"* (section 10.5). Therefore, the choice of technology reflects the aspirations of the community. In a similar vein, the emerging WCS has been through extensive community consultation and identifies Javelin Park as an appropriate location (in principle) for the development of a strategic waste recovery facility.
PPS10 Paragraph 18	Set the locational requirements for waste management facilities The locational requirements for waste management facilities are contained within paragraphs 18-21 of PPS10. Paragraph 18 indicates that in allocating sites waste planning authorities should: *"avoid unrealistic assumptions on the prospects for the development of waste management facilities, or for particular sites and areas, having regard in particular to any ownership constraint which cannot be readily freed, other than through the use of compulsory purchase powers".* It also indicates then when allocating sites authorities should consider the type / types of waste management facility that would be appropriate in that location.	✓			In terms of the 3 criteria set out in paragraph 18 of PPS10: 1. It has been demonstrated in Section 2.0 how the proposed development would met the future needs of the county. This requirement has been identified by the Council in their JMWMS and emerging WCS. 2. The emerging development plan allocates 4 sites for strategic waste management facilities and sets out (in the supporting text) the types of development that could be acceptable on them. This is in accordance with the wording of PPS10 which states that Authorities should only identify the type / types of facilities that would be appropriate on a given site. E.g. IVC /. EfW rather than the specific technologies / processes that would be involved. 3. The proposals relate to the development of a site which is deliverable in terms of the ownership arrangements already in place. As a consequence, the site has no ownership constraints that could prevent the proposal from coming forward. The proposal would therefore be entirely in accordance with the requirements of paragraph 18 of PPS10.
PPS10 Paragraph	Paragraph 20 sets out the considerations for waste	✓			The application site is currently derelict land, which has been identified by the

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20	planning authorities when searching for sites and suitable areas for new or enhanced waste management facilities. These include opportunities for on-site management of waste where it arises and the consideration of a broad range of locations including industrial sites, looking for opportunities to co-locate facilities together and with complementary activities.				County Council as being suitable for a strategic waste management use following extensive site search exercises to inform the extant JMWMS and the emerging Waste Core Strategy. The proposed development includes the co-location of a complementary facility in the form of a bottom ash processing facility, where bottom ash (the burnt-out residue from the combustion process at the EfW) would be processed into a recycled aggregate.
PPS10 Paragraph 21	Paragraph 21 sets out a number of criteria that waste planning authorities should consider when deciding which sites to identify for waste management facilities. The criteria contained within this paragraph of PPS10 includes: *i) Assess their suitability for development against each of the following criteria:* • *The extent to which they support the policies in this PPS;* • *The physical and environmental constraints on development, including existing and proposed neighbouring land uses (see Annex E);* • *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;* • *the capacity of existing and potential transport infrastructure to support the sustainable movement of waste, and products arising from resource recovery,*	✓			Each of these points is considered below: • It is demonstrated in this sub-section that the proposal would be consistent with the relevant policies / guidance contained within PPS10. • The ES assesses the potential significant effects that could result from construction and operation of the Javelin Park EfW facility. The ES demonstrates the suitability of the development and potential impacts on existing and proposed neighbouring uses. The ES establishes how, through the use of high quality design and mitigation techniques the impacts can be minimised and the benefits can be delivered. • The cumulative effects of the Javelin Park EfW facility development with other existing and planned development within the surrounding locality have been appropriately assessed in Chapter 16.0 of the ES. • The capacity of the existing transport infrastructure to support the sustainable movement of waste to Javelin Park has been assessed within the ES and no significant effects on the surrounding road network due to increases in traffic have been identified in the Transport Assessment. • The Javelin Park site is previously developed land with a history of planning consent for large industrial buildings.

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	seeking when practicable and beneficial to use modes other than road transport. *ii) Give priority to the re-use of previously-developed land, and redundant agricultural and forestry buildings and their curtilages.*				
PPS10 Para's 3, 35 & 36	Ensure the layout and design of new development supports sustainable waste management In particular the layout and the design of new waste management facilities *"should be well designed, so that they contribute positively to the character and quality of the area in which they are located. Poor design is in itself undesirable, undermines community acceptance of waste facilities and should be rejected"*	✓			Refer to the response to Policy WCS13 of the emerging WCS.
Energy White Paper 'Meeting the Energy Challenge' (May 2007)					
	National strategy in respect of future energy development.	✓			The detailed appraisal set out in Section 2.0 of this statement confirms that the proposed Javelin Park EfW facility would be in accordance with the requirements of the White Paper in respect of renewable energy development.
UK Renewable Energy Strategy (July 2009)					
	Sets out a range of measures aimed at the achievement of the UK share of the EU renewable energy target.	✓			The detailed appraisal set out in Section 2.0 of this statement confirms that the proposed Javelin Park EfW facility would be in accordance with the requirements of the UK Renewable Energy Strategy in respect of renewable energy development.
UK Low Carbon Transition Plan (July 2009)					

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	Sets out the plan for transforming a number of sectors including the power and waste sectors to meet carbon budgets.	✓			It is considered that the proposed development would accord with the relevant provisions of the plan. For the following reasons. • The development would demonstrably contribute towards the target of obtaining 40% of electricity from low carbon sources by 2020; • The EfW facility would constitute new investment in low carbon infrastructure; • The EfW development would contribute towards security of electricity supply; • The EfW facility would support the rapid development of renewable / low carbon technologies as required in Chapter 3 of the Plan; • In accordance with Chapter 7 of the Plan, the facility will contribute towards reduced emissions when compared to the landfilling of waste and reductions in the amount of waste that is landfilled. Moreover, the scheme would also encourage greater production of bio-energy from combustion.
Planning Policy Statement 1 (PPS1): Delivering Sustainable Development (January 2005)					
Paragraph 12	Indicates that pre-application discussions between developers and local planning authorities as being 'critically' important.	✓			UBB has undertaken extensive consultation with Gloucestershire County Council as both the Waste Planning Authority and the Waste Disposal Authority and other key technical consultees during the preparation of this planning application.
Paragraph 27	Sets out a series of sustainable development criteria authorities should take into account when preparing their development plans.	✓			It is considered that the Javelin Park EfW facility development would accord with relevant the sustainable development principles set out within Paragraph 27 of PPS1 for the following reasons: • the proposals are at the heart of developing sustainable communities. Waste would be managed closed to its source of arisings and converted to renewable and low carbon energy to support the communities who generate the waste; • the proposal demonstrably promotes sustainable waste management; • the development would be on previously developed land on a site which has previously been in an

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					employment use, which would therefore reduce the pressure to build on greenfield sites; • the proposal would lead to a reduction in the quantities of waste disposed of at landfill and the amount of fossil fuels utilised to generate energy. Based upon sound science, this would assist in reducing the causes of climate change; • the development poses no physical or environmental constraints on neighbouring land uses. Conversely, it provides essential infrastructure.
Paragraph 33-39	Promotes good design.	✓			See response to Policy EN.4 of RPG10 and Policy WCS13 of the emerging WCS.
Paragraphs 40-44	Highlights the importance of effective community involvement.	✓			As set out in Part 5 of this Planning Application Document, UBB has entered into extensive consultation with the community and other key stakeholders in respect of the proposed development. It is UBB's intention to continue to consult with the local community following the submission of the planning application.
PPS1 Supplement: Planning and Climate Change (December 2007)					
PPS1 Paragraph 9	Sets out the key planning objectives which are to be delivered through the preparation of spatial strategies.	✓			The proposed development accords with relevant objectives fro the following reasons: • *Make a full contribution to delivering the government's climate change programme and energy policy and contribute to global sustainability* - the proposed EfW facility will deliver 14.5 MW of electricity (56% of which would be renewable energy) to the local supply grid, which would otherwise have to be generated by burning fossil fuels. As such, it is making a valuable contribution to Government energy policy by reducing carbon emissions and providing security of supply. It will also divert waste from landfill with further CO_2 equivalent savings; • *In providing for homes, jobs and infrastructure needed by communities secure the highest viable resource and energy efficiency and reduction in emissions* - energy from waste will deliver a significant reduction in emissions when compared to current

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					waste management practices, will provide a source of low carbon and renewable energy to communities and businesses and a potential source of heat where markets can be found. It would allow for the recovery of metals for recycling and the processing of IBA into a secondary aggregate. • *Deliver patterns of sustainable growth and transport* - the site is well located in respect of the pattern of waste arisings and the strategic highway network serving Gloucestershire, having access onto the M5 motorway from junction 12. This obviates the need for HGVs to travel though local villages; • *Secure new development in places that minimise their vulnerability and provide resilience to climate change* – As set out above, the proposal would contribute to combating climate change. Furthermore, the application site is not vulnerable to climate change in terms of flood risk (please refer to Chapter 11.0 of the ES); • *Conserve and enhance biodiversity* - as demonstrated with Chapter 9.0 of the ES the residual impacts resulting from the proposed development are either of negligible significance, or involve minor impacts during construction which will be mitigated or enhanced by habitat creation. Ecological mitigation and enhancement proposals implemented as part of the landscaping scheme are designed to link into the most valuable habitat in the south-eastern part of the site and are targeted towards achieving real benefits in habitat quality for key elements of the site's fauna; • *Reflects the needs and interests of communities and enable them to contribute to tackling climate change* - the benefits of low carbon/renewable developments are not always visible to the specific locality in which it is sited but they do provide crucial national benefits which are shared by all communities and must be afforded significant weight in the planning process.
Planning Policy Statement 4 (PPS4): Planning for Sustainable Economic Growth (December 2009)					
Paragraph	Supports economic	✓			The proposed EfW facility would:

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4	development which provides employment opportunities, generates wealth and produces an economic output or product.				• Represent a very significant economic investment in essential infrastructure; • Create up to 300 temporary jobs during the construction phase and 40 permanent jobs thereafter; • Produce energy, a very viable commodity, and a recycled aggregate for use in the construction industry alongside recycled metals. Accordingly, it would support this objective of the PPS.
Policy EC10	Sets out the criteria against which applications for economic development should be considered.	✓			The criteria would each be met for the following reasons: • The proposed development would provide a source of renewable energy, consistent with national waste and energy strategies. Consideration has been given to climate change in the ES. In particular, its design has had regard to flood risk, and the requirements of PPS25. • As noted in the Transport Assessment (see Chapter 7.0 of the ES) the application site is highly accessible, having good links to the strategic highway network, with access onto the M5 from junction 12. • Central to the proposals has been the desire to provide for a high quality design (please refer to the response to WSC13 of the emerging WCS); • The proposal would bring a vacant brownfield site back into beneficial use. In so doing, it would provide new permanent employment opportunities for approximately 40 people, along with indirect employment opportunities though haulage and provision of services. The construction phase would also provide short term employment opportunities for a range of construction and engineering services, with approximately 300 temporary jobs being created during the build programme. As a consequence, it would contribute to both physical and economic regeneration.
Planning Policy Statement 5 (PPS5): Planning for the Historic Environment (March 2010)					
Policies HE1.2 &	Refer to heritage assets and climate change.	✓			The impact of the development on the heritage resource is considered in Chapter

Policy No	Policy Thrust	Development aids policy	Development is neutral to policy	Development hinders policy	Comments
HE1.3					15.0 of the ES and is also discussed in more detail in the text following this table.
Policies HE7 – HE10	Seek to guide the determination of planning applications and their potential to impact upon the historic environment resource.	✓			The impact of the development on the heritage resource is considered in 15.0 of the ES and is also discussed in more detail in the text following this table.
Planning Policy Statement 7 (PPS7): Sustainable Development in Rural Areas (August 2004)					
Paragraph 1 criteria (i), (v) and (vi)	Sets out the sustainable development principles of relevance to the proposed development.	✓			(i) The proposal would deliver a sustainable waste management solution that would meet the needs of the population of Gloucestershire. The ES demonstrates that the environment would be appropriately protected and Section 2.0 of this statement summarises the economic benefits of the scheme. (v) The site is previously developed (brownfield) land. (vi) With regard to design quality please refer to response to Policy WCS13 of the emerging WCS.
Planning Policy Statement 9 (PPS9): Biodiversity and Geological Conservation (August 2005)					
PPS9	Provides Government Policy on the protection of biodiversity and geological conservation through the planning system.	✓			ES Chapters 9.0 and 10.0 provide a detailed assessment of the proposal in respect of nature conservation and geological maters (respectively). Chapter 9.0 concludes that the residual impacts resulting from the proposed development are either of negligible significance, or involve minor impacts during construction which will be mitigated or enhanced by habitat creation. Chapter 10.0 finds that no material adverse geological impacts would occur. In this context it must be noted that a Habitats Regulations Screening Assessment has been undertaken which concludes that there would be no direct or indirect effect upon a European designation as a result of the proposed development.
EN-1 Overarching National Policy Statement for Energy (July 2011)					

Policy No	Policy Thrust	Development aids policy	Development is neutral to policy	Development hinders policy	Comments
	The NPS recognises that biomass and EfW can be used to provide peak load and base load electricity on demand and the ability of biomass and EfW to deliver predictable, controllable electricity is increasingly important in ensuring the security of UK supplies.	✓			The proposed EfW development at Javelin Park would provide a secure supply of renewable energy realised through the use of a fuel from a renewable energy source (i.e. biomass).
EN-3 National Policy Statement for Renewable Energy Infrastructure (July 2011)					
	The NPS recognises that there are a number of factors which influence site selection for biomass and energy from waste (EfW) developments, which include grid connection, transport infrastructure and combined heat and power (CHP). The NPS also provides guidance in terms of the likely impacts of energy from waste schemes, and identifies that where a modern EfW plant meets the requirements of WID and will not exceed local air quality standards, it should not be regarded as being detrimental to health (paragraph 2.5.43). In respect of visual impact it also states that good design will go some way to mitigate adverse landscape and visual impacts, and that the design and use of materials should reflect the local landscape context (paragraph 2.5.50).	✓			It terms of the main points of relevance to the proposed development, the following should be noted: • The ES submitted in support of the planning application demonstrates that the proposal has viable grid connection options which would not result in any significant environmental effects. • The Transportation Assessment highlights that the site is very well served by appropriate transport infrastructure. • The facility would generate and export electricity and be capable of being a CHP scheme. • ES Chapters 13.0 and 14.0 conclude that the proposal would not give rise to any material impacts in respect of air quality and human health (respectively). • The issue of visual impacts is discussed in the text following on from this table. With regard to good quality design refer to the response to Policy WCS13 of the emerging WCS.
Draft National Planning Policy Framework Consultation Document 2011 (July 2011)					
	The NPPF is intended to help people and communities back into planning by replacing previously published planning policy documents with a more streamlined and simplified approach to	✓			See text following this table for further details.

Policy No	Policy Thrust	Development aids policy	Development is neutral to policy	Development hinders policy	Comments
	achieving sustainable development.				
Draft Planning Policy Statement: Planning for a Low Carbon Future in a Changing Climate (March 2010)					
Draft Policy LCF 1.4	Sets out the obligations for local planning authorities for the security of decentralised energy, co-location of heat users and the establishment of district heating networks based upon renewable energy from waste. The policy indicates that local planning authorities should actively seek opportunities for decentralised energy at a scale that could supply more than the energy needs of a single building. It specifically indicates that authorities should look for greater integration of waste management with the provision of decentralised energy and the potential for district heating based upon renewable energy from waste.	✓			The proposed Javelin Park EfW facility development would provide renewable / low carbon energy at a significant scale. The total energy output from the scheme would meet the domestic needs of circa 26,000 homes. In achieving this, it would integrate waste management and energy generation. The facility would also be enabled to provide CHP and would export heat as and when viable heat users are identified.
Draft Policy LCF 14.1	Indicates that local planning authorities should ensure that the policies of their development plan should not prevent, delay or inhibit proposals for renewable and low carbon energy, and associated infrastructure, which could be permitted in accordance with the objectives and policies of the PPS.	✓			It is clear that national guidance would wish authorities to support proposals that contribute to the key objectives of the draft PPS. The proposals would be in accordance with the objectives and policies of the PPS and in light of this the authority should set policies that support and facilitate developments of the type proposed, but not delay their determination of this application in doing so.
Draft Policy LCF 14.2	Sets out the criteria local planning authorities should consider when determining planning applications for renewable and low carbon development.	✓			It is considered that the proposals would accord with the relevant criteria set out within the wording of the policy for the following reasons: i) The ES prepared in support of this planning application has demonstrated that the development of the EfW facility at Javelin Park would not (following the

Policy No	Policy Thrust	Development aids policy	Development is neutral to policy	Development hinders policy	Comments
					adoption of mitigation measures) result in any significant environmental effects. Other than some localised visual impacts (discussed in more detail following this table). ii) The proposed development would offer a significant number of social, economic and environmental benefits as identified in Section 2.0 of this statement. iii) Notwithstanding there is no requirement for applicants to demonstrate a need for renewable energy development, Section 2.0 of this statement highlights the acute need within the South West Region and Gloucestershire. It also highlights the very significant contribution that the proposal would make to meeting this need. iv) The policy appraisal has demonstrated that the proposals have been shown to be in conformity with all local, regional and national policy and guidance relating to renewable and low carbon development. v) Section 2.0 of this statement identifies that the renewable energy targets in the extant and emerging RS have been missed by a very significant margin (as have those for Gloucestershire). As a consequence, there should be significant weight in favour of the proposal. vi) N/A vii) As set out in this statement and the ES the proposals have taken into account the approach to mitigation and decision making set out in all relevant National Policy Statements.
UK Renewable Energy Roadmap (July 2011)					
	The Renewable Energy Roadmap sets out a comprehensive action plan to accelerate the UK's deployment and use of renewable energy in order to achieve our 2020 EU targets. It identifies the eight technologies that have either the greatest potential to help the UK meet its targets in a cost effective or sustainable	✓			The biodegradable fraction of the waste that would be treated at the facility is considered a renewable source of energy and as such the facility would contribute towards the potential increases in biomass energy and heat generation identified in paragraph 3.123 of the Roadmap document. In light of this the facility would contribute towards the potential / planned growth in biomass energy by 2020 and in doing so

Policy No	Policy Thrust	Development aids policy	Development is neutral to policy	Development hinders policy	Comments
	manner or offer the greatest potential for the decades to follow. Two of these are electricity and heat generated from biomass.				assist in meeting the UK's 2020 renewable energy targets.
Planning Our Electric Future: A White Paper for secure, affordable and low carbon energy (July 2011)					
	Provides the Government's response to the future loss of the UK's generating capacity from coal and nuclear plants over the next 10 years. It also sets out the key measures to create a secure mix of electricity sources including new renewables.	✓			The white paper is very broad in its scope. However, it does recognise (in Box 12) the role that EfW can have in securing affordable low carbon energy. In particular it recognises the economies of scale of larger installations and the benefits that they can bring. It is clear therefore that the White Paper supports developments like the Javelin Park EfW facility.
Chief Planning Officer Letter of 31 March 2011 and Written Ministerial Statement: Planning for Growth of 23rd March 2011					
	The Ministerial Statement is intended to support the Government's plans to re-build Britain's economy. It specifically seeks to support reforms to the planning system which will ensure that the sustainable development needed to support economic growth is able to proceed as expediently as possible. The statement is capable of being regarded as a material planning consideration and is clearly intended as interim policy guidance until such a time as planned changes to the planning system (such as those set out in the emerging NPPF) are in place.	✓			See text following this table.
Gloucestershire Waste Partnership Joint Municipal Waste Management Strategy 2007-2020 (April 2008)					
	Sets the strategy for future management of municipal waste in Gloucestershire	✓			The contribution that the proposal would make to the achievement of the objectives set out in the JMWMS is set out in detail in Section 2.0 of this statement.

5.4.2 It can be seen from the assessment of Development Plan policy and material planning considerations in Table 5.1 above, that the proposed EfW facility at Javelin Park is either in conformity with, or supported by, practically all facets of the identified, relevant planning context.

5.4.3 The proposal demonstrably accords with the overall thrust of Development Plan policies taken as a whole. Furthermore, the material considerations that have been identified do not support the planning application being determined other than in accordance with the Development Plan. Therefore, Section 38(6) of the Planning and Compulsory Purchase Act indicates that planning permission should be granted.

5.4.4 The detailed appraisal of environmental protection policy has only identified one area of material tension. This relates to the acknowledged localised, but nevertheless significant, visual effects of the scheme in the context of Policy EN.3 of the Structure Plan. This matter is discussed further below. In addition, whilst no significant adverse effects have been identified, minor impacts have been predicted in terms of the setting of 1 number Grade II* and 4 number Grade II Listed Buildings. Whilst the assessment has found that no breach of Policy NHE.6 of the Structure Plan, Saved Policy 28 of the Gloucestershire Waste Local Plan or BE12 of the Stroud Local Plan would occur (these policies protect the setting of Listed Buildings), the matter is again discussed below.

5.4.5 Weighed against these adverse effects, the assessment has identified a wealth of material planning considerations that add very significant weight in support of the proposal (and approval of the planning application). These relate to the benefits that the Javelin Park EfW facility would bring in relation to contributing towards delivering sustainable waste management and combating climate change through renewable energy production. Both the South West region and Gloucestershire have a paucity of sustainable waste management and renewable energy infrastructure, and policy imperatives have been set to rectify this. They include policies contained within (but not limited to):

- Draft RSS for the South West (Secretary of State's Proposed Changes version);

- Emerging Gloucestershire Waste Core Strategy - Focused Changes (June 2011);
- Waste Strategy England 2007;
- Government Review of Waste Policy in England 2011;
- PPS10: Planning for Sustainable Waste Management;
- Gloucestershire Waste Partnership Joint Municipal Waste Management Strategy 2007-2020;
- UK Renewable Energy Strategy;
- PPS1 Supplement: Planning and Climate Change.

5.4.6 In addition, the assessment has identified that there will be a potentially significant change to England's planning policy context through the proposed introduction of the National Planning Policy Framework (NPPF) and has identified that the written ministerial statement: planning for growth provides interim policy guidance until the NPPF is formalised.

5.4.7 In light of the above, the subsequent text within this chapter:

- Assesses the proposal in terms of the draft NPPF ;
- Provides more detailed policy consideration of the visual impact and heritage issues referenced above;
- Draws concise conclusions on the planning merits of the scheme, including consideration as to whether the identified benefits of the scheme outweigh any identified harm.

Draft National Planning Policy Framework Consultation Document (July 2011)

5.4.8 As referenced previously, the draft NPPF does not provide guidance for waste management. However, it is of direct relevance to energy projects and as such should be considered a material consideration in the assessment of this planning application. The weight that should be applied to the draft may alter as consultation progresses and subsequent versions are published. Both the relevant objectives of the draft NPPF and the degree of weight that can be attached to at this time are considered below.

5.4.9 The decision making principles in the draft NPPF are set out on pages 3 to 17. Paragraph 14 states:

"At the heart of the planning system is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. Local planning authorities should plan positively for new development, and approve all individual proposals wherever possible. Local planning authorities should:

• prepare Local Plans on the basis that objectively assessed development needs should be met, and with sufficient flexibility to respond to rapid shifts in demand or other economic changes

• approve development proposals that accord with statutory plans without delay; and

• grant permission where the plan is absent, silent, indeterminate or where relevant policies are out of date.

All of these policies should apply unless the adverse impacts of allowing development would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

5.4.10 Under the heading of *Determining Applications*, paragraph 63 states:

"In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development."

5.4.11 In respect of development management, the guidance in draft NPPF states that local planning authorities need *to "approach development management decisions positively – looking for solutions rather than problems so that applications can be approved wherever it is practical to do so; attach significant weight to the benefits of economic and housing growth; influence development proposals to achieve quality outcomes; and enable the delivery of sustainable development proposals."* (Paragraph 54).

5.4.12 There is further emphasis on the need to expedite sustainable development in paragraph 110 (extract). This effectively removes the argument of prematurity and states: *Planning permission should be granted where relevant policies are out of date…….*

5.4.13 Paragraph 148 of the draft NPPF sets the clear objective that the planning system should aim to deliver renewable and low-carbon energy infrastructure. The draft NPPF deals with renewables under the heading: *Support the delivery of renewable and low-carbon energy* and paragraph 152 (extract) states that planning authorities should:

"Have a positive strategy to promote energy from renewable and low-carbon sources…design their policies to maximise renewable and low-carbon energy development while ensuring that adverse impacts are addressed satisfactorily."

5.4.14 Paragraph 153, still dealing specifically with renewables, goes on to say (extract):

"When determining planning applications, local planning authorities should apply the presumption in favour of development and: not require applicants for energy development to demonstrate the overall need for renewable or low-carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and approve the application its impacts are (or can be made) acceptable…."

5.4.15 In respect of the weight that should be applied to the document, the Planning Inspectorate (PINS) has produced advice for its Inspectors 'Advice produced by the Planning Inspectorate for use by its Inspectors - National Planning Policy Framework: Consultation Draft' (August 2011).

5.4.16 The main points of the advice are considered to be: *"Whilst it is a consultation document, and therefore, subject to potential amendment, nevertheless it gives a clear indication of the Government's 'direction of travel' in planning policy. Therefore, the draft National Planning Policy Framework is capable of being a material consideration, although the weight to be given to it will be a matter for the decision maker's planning judgement in each particular case. The current Planning Policy Statements, Guidance notes and Circulars remain in place until cancelled. The proposed changes, outlined above in Annex B, are significant and could have a material bearing on the cases put and thus the decision reached by the decision maker. They are, however, contained in a consultation draft of national planning policy so Inspectors need to have regard to the proportionality of referring back to the parties in cases where, realistically, it is*

not likely that such reference would result in a change in the balance of considerations, including the fact that current planning policy statements, circulars and guidance documents remain in place until cancelled. Inspectors are accordingly advised to consider on a case by case basis whether the draft NPPF is a material consideration of some weight, its relevance to the issues..."

5.4.17 As the NPPF will still be at a 'draft' stage at the time this planning application is submitted, the document is likely to be subject to change following consultation. Therefore, the weight to be afforded to the draft NPPF should be dictated by the specific circumstances of the case at hand. It is considered that there are two key factors which help determine the relevance of the draft NPPF and weight that should be applied in this particular case:

- whether the determination of the application accords with the decision making principles in the draft NPPF (set out above); and
- whether the development accords with the Government's 'direction of travel' in planning policy. Where the development accords strongly with the draft NPPF some degree of positive weight, and therefore support, can be attached.

5.4.18 Based on the foregoing, it is clear that the draft NPPF seeks to facilitate and not restrict the delivery of sustainable development. Moreover it has express support for renewable / low carbon energy generation schemes as part of the sustainable infrastructure development that the country needs. The proposed development is demonstrably sustainable development and the generation of renewable energy complies with all extant and emerging policy on energy, renewable energy and combating climate change. The proposal therefore conforms to the "golden thread" set out in the draft NPPF and thus there is a presumption in its favour.

5.4.19 With regard to the decision making principles, in short:

- If the proposal conforms to the Development Plan it should be approved. On this basis the Javelin Park EfW facility merits approval;
- If the Development Plan is out of date (which could be argued to be the case in this instance), the draft NPPF states that planning permission should still be granted.

Given the above, the only manner in which the application could be refused in the context of the draft NPPF is if the adverse impacts of allowing the development would significantly and demonstrably outweigh the benefits. For the reasons contained within this Planning Statement (see Section 2.0 and sub-section 5.5 below) and the accompanying Environmental Statement, this is demonstrably not the case.

5.4.20 The *'direction of travel'* of Government policy on the deployment of renewables has been unwavering for several years. The clear objective and messages in the draft NPPF reinforce that the Government intends to keep travelling in the same direction. The text used in the draft NPPF either repeats or paraphrases extant policy and the overall message is unambiguous. The Government has indicated, in the clearest possible terms, that it wishes to see as much renewable and low-carbon energy infrastructure come forward, in as short as time frame as possible. As such the proposed development is entirely consistent with the *'direction of travel'* for renewables set out in the draft NPPF.

5.4.21 In summary, the proposed development is clearly sustainable development which has unswerving support in the draft NPPF. Favourable determination of the planning application would be consistent with the decision making principles contained within the draft NPPF, and is entirely consistent with the *'direction of travel'* for planning policy set out within the draft NPPF. As a consequence the draft NPPF is considered to be a material planning consideration to which a moderate degree of favourable weight should be attached.

5.4.22 Notwithstanding this conclusion, the Ministerial Statement: Planning for Growth (see my sub-section 3.12) encompasses many of the objectives of the proposed NPPF and provides interim policy guidance until such time the NPPF is fully in place. In this context the following objectives (common to Planning for Growth and the draft NPPF) should, in my view, be afforded significant weight:

- *expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy.*
- *plan positively for new development; to deal promptly and favourably with applications that comply with up-to-date plans and national planning policies;*

and wherever possible to approve applications where plans are absent, out of date, silent or indeterminate.

- *support enterprise and facilitate…. economic and other forms of sustainable development….*
- *consider the range of likely economic, environmental and social benefits of proposals…..*
- *ensure that they give appropriate weight to the need to support economic recovery….*
- *that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4)….*
- *attach significant weight to the need to secure economic growth and employment.*
- *Benefits to the economy should, where relevant, be an important consideration when other development-related consents are being determined, including……environmental…..energy consents.*

5.4.23 In this regard the Severnside Energy Recovery Facility (SERC) appeal / call in decision (APP/P0119/A/10/2140199) is of particular note. It specifically addressed the economic benefits of EfW development. The Inspector concluded (IR 249 - extract): *The recent ministerial statement on Planning for Growth would lend strong support to the grant of planning permission, given the employment that the scheme would provide and the economic growth it would encourage. [25, 36]*

5.4.24 On this conclusion, the Secretary of State found (decision letter paragraph 17 - extract): *He agrees with the Inspector's view that the recent ministerial statement on Planning for Growth would lend strong support to the grant of planning permission, given the employment that the scheme would provide and the economic growth it would encourage (IR249).*

5.4.25 As has been demonstrated in various points within this Planning Statement and the Environmental Statement, the Javelin Park EfW facility proposal is sustainable development, that would have clear environmental and, more importantly in the context of Planning for Growth, significant economic benefits. These should lend strong support to the grant of planning permission.

Visual Impact

5.4.26 The ES (Chapter 8.0 sub-section 8.7) finds that the development proposal is in tension with Policy EN.3 of the Structure Plan. It states: *In respect of bullet b)iii of Policy EN.3, it is considered that there may be some tension between this part of the policy and the proposed development as significant adverse visual effects have been identified from three residential viewpoints close to the site. These adverse effects are considered to be localised and would only impact a very limited number of properties. It should be noted that not all significant effects are considered adverse. This relates to the composition of the existing view available and how the proposed development would relate to this, as well as the simple visibility of the proposed development. More generalised effects upon residential areas would not occur due to the presence of considerable screening vegetation and existing industrial/commercial structures and transport infrastructure, which restrict the wider visibility, from villages such as Haresfield, Standish, Colethrop, Moreton Valence/Putloe and Hardwicke.*

By the very nature of the type of development it would be a prominent feature in the landscape. However, through sensitive design the visual impacts of the development have been minimised. As such whilst the development would result in some adverse visual impacts these are limited to a small number of nearby properties.

5.4.27 The ethos of the plan led system is that development should be approved where it complies with the policies of the Development Plan taken as a whole (unless material considerations indicate otherwise). In this regard it must be noted that the Javelin Park site was historically allocated for a residual waste treatment facility in the Waste Local Plan and will be similarly allocated in the WCS which is at an advanced stage having gone through several rounds of consultation. The 'temporary' absence of an allocation at this time is only a result of the transitional arrangements applied in the national changes to the development plan system. In short, it has long been anticipated that a residual waste recovery scheme would come forward at Javelin Park and as the emerging WCS states (paragraph 4.90), the four residual waste recovery allocations have been made (of which Javelin Park is ranked the best): *due to the strong prospect of delivery of waste facilities on them.*

5.4.28 Any residual waste recovery proposal on the Javelin Park site would cause some degree of significant visual impact and thus, in delivering the objectives of the Development Plan 'as a whole', this will need to be accepted. In this context the wording of the relevant part of the Policy should be noted, specifically that renewable energy development will be permitted where it:

b) Would not cause demonstrable harm to:

iii. the amenity of nearby dwellings or residential areas; and would not dominate any prominent skyline or vista as defined in local plans; and would not result in an unacceptable level of visual impact; particular regard will be had to the cumulative impact of existing, planned or proposed renewable energy developments; and is justified, where necessary, in terms of national energy policies of local and regional requirements; and is accompanied by adequate information to indicate the extent of possible environmental effects and how they can be satisfactorily mitigated"

5.4.29 Thus, to comply with the Policy the key is to ensure that:

- As referenced in Chapter 8.0 of the ES the Javelin Park EfW facility has been designed with the skyline of the Cotswolds escarpment in mind. It confirms that the identified impacts would not dominate defined skylines or vistas;
- Impacts would not be unacceptable bearing in mind cumulative visual effects;
- The effects are not unacceptable in terms of the visual amenities of local receptors;
- Any visual impacts are minimised and residual effects mitigated;
- The visual impacts that would occur can be justified in terms of regional and local energy policy.

5.4.30 With regard to these factors, the following points are noted:

- The identified impacts would not dominate defined skylines or vistas;
- There would (as identified in Chapter 16.0 of the ES - Cumulative Effects) be no material adverse cumulative visual impacts;
- The adverse effects are considered to be localised and would only affect a very limited number of properties;

- The visual harm experienced at the three local visual receptors arises solely because the EfW building is large and visible. It is not because it is overbearing or, for example, casts a shadow over any specific receptor. Thus, it does not undermine the overall visual amenities of the three identified receptors.
- Through sensitive design the visual impacts of the development have been minimised. This includes extensive landscape works incorporating screening mounds;
- Whilst undoubtedly visible, the EfW facility represents a high quality design solution which has been commended by the Commission for Architecture and the Built Environment (CABE), particular in terms of the building form and how it is viewed in the local context;
- The benefits of the scheme in terms of regional and local energy policy are very significant as described in detail in Section 2.0 of this Statement.

5.4.31 In light of the above, whilst tension with criterion b) iii of Structure Plan Policy EN.3 is noted, it is considered that the visual impacts of the scheme are not unacceptable, and thus the Policy is not breached.

Effects on the Setting of Heritage Features

5.4.32 Chapter 15.0 of the ES identifies that minor impacts have been predicted in terms of the setting of 1 number Grade II* and 4 number Grade II Listed Buildings. Whilst the assessment has found that no breach of Policies NHE.6 of the Structure Plan, Saved Policy 28 of the Gloucestershire Waste Local Plan or BE12 of the Stroud Local Plan would occur, it should be noted that both these policies predate PPS 5, the relevant extracts of which have been identified in the planning policy context sub-section above.

5.4.33 In short, PPS 5 indicates that where proposals that are promoted for their contribution to mitigating climate change, but have a potentially negative effect on heritage assets, local planning authorities should weigh the public benefit of mitigating the effects of climate change against any harm to the significance of heritage assets. In this case, the effects on the heritage assets is not significant and has, as far as is possible, been mitigated through the scheme design (as

identified in respect of visual impacts above). Conversely, the climate change benefits from the scheme are very significant and offer a step change in the quantities of renewable energy that would be generated in both the County and the region as a whole. Thus, the minor residual effects that would remain on the heritage assets are clearly outweighed by the climate change benefits the proposal would bring forward.

5.5 Conclusions

5.5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the Development Plan (taken as a whole), unless material considerations indicate otherwise. This assessment of the proposal has demonstrated that the scheme complies with the provisions of the statutory Development Plan and the relevant material planning considerations do not support the planning application being determined other than in accordance with the Development Plan. Conversely, the assessment has identified a wealth of material planning considerations that add very significant weight in support of the proposal (and approval of the planning application). These include:

- National, regional and local policy relating to delivering sustainable waste management;
- National, regional and local policy relating to combating climate change through renewable energy production;
- The provisions of the draft NPPF, which will, in time, reshape the existing planning policy context;
- In light of the above, the Javelin Park EfW facility application should be approved.

5.5.2 Whilst UBB is unequivocal in the above conclusion, should, for whatever reason, the decision maker determine that some facet of Development Plan policy would be breached, then consideration should be given as to whether the identified benefits of the scheme outweigh any identified harm.

5.5.3 With regard to the scheme's benefits, it would:

- Provide a residual waste recovery facility with Gloucestershire for which a need has long been identified (noting at present the County has no such

facilities). This would enable the diversion of 190,000 tonnes per annum of Gloucestershire's residual waste from landfill and allow the County to manage its own waste further up the waste hierarchy at an in-county location.

- Generate 17.4 MW of electricity, of which 14.5 MW would be exported to the local supply grid. Circa 56% of this electricity would be renewable / low carbon. It would also have the capability to export heat to local heat users. The renewable energy generated by the EfW would assist in combating climate change, which the Government recognises is "*the greatest long-term challenge facing the world today".*
- Increase the renewable electricity generated in Gloucestershire (in 2010) by over 50%. It would also increase the current installed renewable generation capacity by 48%. Furthermore, in terms of the South West region as a whole, it would increase 2010 renewable electricity generation levels by over 10%. These benefits would occur in the context of both the region and the County missing their renewable electricity generation targets by very significant margins. National planning policy indicates that such a benefit should be afforded very significant weight.
- Result in the creation of a maximum of 300 jobs during the 33 month construction period, and 40 permanent jobs during the operational lifetime of the facility. The benefits include locally procured jobs and contracts.
- Result in the creation of a new visitor / education centre within which the community and schools can use to learn more about sustainable waste management and how to take more responsibility for their waste.

5.5.4 With regard to the potential harm that would arise from the scheme:

- Significant adverse visual effects have been identified from three residential viewpoints close to the site. These adverse effects are considered to be localised and would only affect a very limited number of properties. Notwithstanding, this finding, further appraisal has determined that the visual impacts of the scheme would not be unacceptable from a policy perspective.
- Minor impacts have been predicted in terms of the setting of 1 number Grade II* and 4 number Grade II Listed Buildings. These effects have been considered in detail and are not found to be significant or result in any policy breach.

- The comprehensive and detailed assessment work carried out through the EIA process has found that no other significant, or in virtually all cases even material, harm would occur.

5.5.5 On balance, it can be seen that the benefits of the scheme are very significant and are of County level and even regional importance. Conversely, any potential harm is very localised and only significant in respect of effects on the views from a very limited number of properties. Thus, it is demonstrably the case that he benefits of the proposal far outweigh any identified harm. On this basis, the earlier conclusion of this assessment remains true, and planning permission should be granted.

Appendices

Appendix 1.1

Planning Application Validation Checklist – Signpost Document

GLOUCESTERSHIRE COUNTY COUNCIL
VALIDATION CHECKLIST TABLE

LOCATION OF DEVELOPMENT AND REFERENCE NUMBER IF AVAILABLE	**PLANNING APPLICATION FOR THE DEVELOPMENT OF AN ENERGY FROM WASTE FACILITY, BOTTOM ASH PROCESSING FACILITY AND ASSOCIATED INFRASTRUCTURE ON LAND AT JAVELIN PARK, HARESFIELD, GLOUCESTERSHIRE**

Item	Tick	Where the information can be found in the application or evidence/justification why it is not needed in this case
1 Original and 9 copies of the completed planning application forms signed and dated.	✓	Please see Part 1 of the Planning Application Document. Agreed with GCC that an original and 3 copies would be provided in line with DCLG guidance (Guidance on Information Requirements and Validation - 2010).
1 Original and 9 copies of the Article 7 Certificate (Agricultural Holdings) signed and dated.	✓	Please see Part 1 of the Planning Application Document. Agreed with GCC that an original and 3 copies would be provided in line with DCLG guidance (Guidance on Information Requirements and Validation - 2010).
1 Original and 9 copies of the completed signed and dated Ownership Certificate (A, B, C or D).	✓	Please see Part 1 of the Planning Application Document. Agreed with GCC that an original and 3 copies would be provided in line with DCLG guidance (Guidance on Information Requirements and Validation - 2010).
If applicable, details of any assistance or advice sought from a planning officer prior to submitting your application – please indicate dates of any correspondence or discussion and name of officer.	✓	A number of pre-application meetings and consultation have been undertaken with the GCC Planning Authority as follows: Meeting – 18/05/2011 – Gavin Jones & Kevin Phillips Meeting – 27/06/2011 – Neale Hall Meeting – 18/11/2011 – Ben Gilpin Telephone and email consultation – January 2012 – Ben Gilpin.
1 Original and 9 copies of the location plan (Ordnance Survey based), at a scale of 1:1250 or 1:2500 or larger or at an appropriate scale to show at least two main roads and surrounding buildings and should show the direction of North.	✓	Please see Part 4 (Planning Application Drawings) of the Planning Application Document. Agreed with GCC that an original and 3 copies would be provided in line with DCLG guidance (Guidance on Information Requirements and Validation - 2010).
The application site should be edged clearly with a red line and a blue line must be drawn around any other land owned by the applicant.	✓	Please see Part 4 (Planning Application Drawings) of the Planning Application Document.
10 copies of any other drawings	✓	Please see Part 4 (Planning Application Drawings) of the Planning Application Document. Agreed with GCC that an

		original and 3 copies would be provided in line with DCLG guidance (Guidance on Information Requirements and Validation - 2010).
The correct application fee	✓	The planning application fee is enclosed with the covering letter.
Design & Access Statement (where applicable)	✓	Please see Part 2 of the Planning Application Document.

LOCAL LIST REQUIREMENTS – In addition to the above, the following information MAY also be required. The County Council will usually require 10 copies, unless otherwise agreed in advance.

Item	Tick	Where the information can be found in the application or evidence/justification why it is not needed in this case
Airport Safeguarding details	N/A	The site is not within an airfield safeguarding area.
Air Quality Impact Assessment	✓	Please see Chapter 13 of Volume 1 – Main Report of the Environmental Statement and Appendices 13.1, 13.2, 13.3 and 13.4 of Volume 3 – Technical Appendices of the Environmental Statement.
Bioaerosol Assessment	N/A	This assessment is not applicable given the nature and operation of the proposed development. EfW developments do not give rise to bioaerosol impacts as the waste is processed within an enclosed building subject to negative air pressure.
Biodiversity and geological conservation report	✓	Please see Chapter 9 & 10 of Volume 1 – Main Report of the Environmental Statement.
Cross-section drawings	✓	Please see Part 4 (Planning Application Drawings) of the Planning Application Document.
Environmental Statement	✓	Please see the Environmental Statement (which is contained in four volumes).
Flood Risk Assessment	✓	Please see Chapter 11 of Volume 1 – Main Report of the Environmental Statement and Appendices 11.1, 11.2 and 11.3 of Volume 3 – Technical Appendices of the Environmental Statement.
Foul Sewerage and Utilities Assessment	✓	Please see Chapter 5 of Volume 1 – Main Report.
Heritage and Archaeological Statement	✓	Please see Chapter 15 of Volume 1 – Main Report of the Environmental Statement and Appendices 15.1, 15.2 and 15.3 of Volume 3 – Technical Appendices of the Environmental Statement.
Land Contamination Assessment	✓	Please see Chapter 10 of Volume 1 – Main Report of the Environmental Statement and Appendix 10.1 to 10.13 of Volume 3 – Technical Appendices of the Environmental Statement.

LOCAL LIST REQUIREMENTS – In addition to the above, the following information MAY also be required. The County Council will usually require 10 copies, unless otherwise agreed in advance.		
Item	**Tick**	**Where the information can be found in the application or evidence/justification why it is not needed in this case**
Landfill applications	N/A	The proposed development does not involve landfilling operations.
Landscape and Visual Impact Assessment	✓	Please see Chapter 8 of Volume 1 – Main Report of the Environmental Statement and Appendices 8.1 to 8.6 of Volume 3 – Technical Appendices of the Environmental Statement.
Landscaping Scheme	✓	A description of the landscaping scheme is provided in Chapter 8 of Volume 1 – Main Report of the Environmental Statement and the Design and Access Statement contained within Part 2 of the Planning Application Document (PAD). A landscape drawing is provided please see Part 4 of the Planning Application Document.
Lighting Scheme (including light pollution assessment)	✓	Please see Chapter 5 of Volume 1 – Main Report of the Environmental Statement and Appendix 5.2 of Volume 3 – Technical Appendices of the Environmental Statement.
Open Space Assessment	×	The proposed development site is not within or adjoining an area of designated or proposed open space.
Photographs / Photomontages	✓	Please see Figures 8.4a to 8.4y of Volume 1 – Main Report of the Environmental Statement.
Planning Obligations – draft Heads of Terms	✓	Pre application discussions have been held with the planning authority and no planning obligations are currently proposed.
Site Waste Management Plan	✓	Please see Part 6 (Other Information) of the Planning Application Document.
Statement of Community Involvement	✓	Please see Part 5 of the Planning Application Document.
Structural Survey	×	The application does not involve any existing buildings with structural problems.
Sunlight / Daylight Assessment	✓	Please see Part 6 (Other Information) of the Planning Application Document.
Supporting Planning Statement	✓	Please see Part 3 of the Planning Application Document.
Sustainability Assessment	✓	Please see Part 6 of the Planning Application Document for the Socio-economic Statement, a BREEAM Industrial Assessment and a CEEQUAL Pre-Assessment of the proposed development.

LOCAL LIST REQUIREMENTS – In addition to the above, the following information MAY also be required. The County Council will usually require 10 copies, unless otherwise agreed in advance.		
Item	**Tick**	**Where the information can be found in the application or evidence/justification why it is not needed in this case**
Transport Assessment (including parking provision)	✓	Please see the Transport Assessment.
Travel Plan	✓	Please see Appendix TA5 of the Transport Assessment for an Interim Travel Plan.
Tree survey / Arboricultural Statement	✓	Please see Part 6 of the Planning Application Document.
Ventilation / Extraction Statement	✓	Issues of odour abatement and acoustic noise control are covered with Chapter 5, 12 and 13 of Volume 1 – Main Report of the Environmental Statement.
Waste Minimisation Statement	✓	Please see Part 6 (Other Information) of the Planning Application Document.
Other Information	N/A	

Appendix 3.1

UBB Site Assessment

Gloucestershire Residual Waste Project

PLANNING APPLICATION FOR THE DEVELOPMENT OF AN ENERGY FROM WASTE FACILITY, BOTTOM ASH PROCESSING FACILITY AND ASSOCIATED INFRASTRUCTURE ON LAND AT JAVELIN PARK, HARESFIELD, GLOUCESTERSHIRE

APPENDIX 3.1 - UBB SITE ASSESSMENT

1.0 Introduction

1.1 This document considers a number of alternative potential sites for the development of an energy from waste (EfW) facility to serve Gloucestershire. It should be noted that there is no national or local policy requirement for an applicant to assess alternative sites, or to demonstrate that their particular site is the 'best'. The relevant test is that development at a particular site is acceptable / appropriate in terms of land use planning and environmental matters. Notwithstanding this position, given there is no up to date Waste Core Strategy identifying / allocating sites suitable for EfW development, it has been considered prudent to assess the suitability of the application site in the context of potential alternatives.

1.2 Gloucestershire County Council (GCC), as both the Waste Planning Authority (WPA) and the Waste Disposal Authority (WDA), has undertaken two extensive site search / alternative site assessments in order to identify the most suitable sites for a strategic waste management facility to serve the County. The 'strategic sites' are identified as those likely to be suitable for the development of waste recovery operations including a wide range of technologies that encompasses EfW facilities. In combination these exercises evaluated over 500 potential sites with the most comprehensive exercise, that carried out by the WPA, shortlisting 4 final sites. These have been identified within the emerging Gloucestershire Waste Core Strategy (WCS) which is relatively well advanced and the subject of a formal examination (following a number of rounds of consultation) at about the time UBB is submitting their Javelin Park application.

1.3 Section 3.0 of the Planning Statement prepared in support of the Javelin Park application, describes and reviews the exhaustive process undertaken by GCC to short list these four potentially suitable sites. This work as been found (by UBB) to be robust. As such, the starting point for the UBB appraisal of alternatives is these four sites, specifically:

- Wingmoor Farm East;
- Wingmoor Farm West;
- Land at Moreton Valence; and
- Javelin Park.

2.0 Methodology

2.1 There is no set methodology for carrying out an alternative site assessment (ASA). It is therefore essential that in in undertaking any ASA, that a structured, logical and rational planning based approach is adopted. UBB are satisfied that the methodology adopted in this assessment (described below) is based on a sound approach and planning policy principles.

2.2 The UBB assessment has been informed by a desk based study and visits to each of the 4 sites. The information collected was then used to complete pro-forma for each. The pro-formas contain a range of assessment criteria. Each criterion has been developed with reference to Planning Policy Statement 10 (PPS10): Planning for Sustainable Waste Management (in particular Annex E).

2.3 It is considered, in the context of there being no up-to-date development plan, that the advice / policies within PPS10 should be afforded significant weight and thus the Annex E criteria are a sound starting point for assessing site suitability for waste development. PPS10 states at paragraph 5 (extract) that "*in considering planning applications for waste management facilities before development plans can be reviewed to reflect this PPS, have regard to the policies in this PPS as material considerations which may supersede the policies in their development plan".*

2.4 Annex E provides a list of criteria that should be considered when testing the suitability of sites and/or areas for waste management facilities, these listed in full below.

- *Protection of water resources, considerations will include the proximity of vulnerable surface and groundwater. For landfill or land raising, geological conditions and the behaviour of surface;*
- *water and groundwater should be assessed both for the site under consideration and the surrounding area. The suitability of locations subject to flooding will also need particular care;*
- *land instability, locations, and/or the environs of locations, that are liable to be affected by land instability will not normally be suitable for waste management facilities;*

- *visual intrusion, considerations will include (i) the setting of the proposed location and the potential for design-led solutions to; produce acceptable development; (ii) the need to protect landscapes of national importance (National Parks, Areas of Outstanding Natural Beauty and Heritage Coast);*
- *nature conservation, considerations will include any adverse effect on a site of international importance for nature conservation (Special Protection Areas, Special Areas of Conservation and RAMSAR sites) or a site with a nationally recognised designation (Site of Special Scientific Interest, National Nature Reserves);*
- *historic environment and built heritage, considerations will include any adverse effect on a site of international importance (World Heritage Sites) or a site or building within a nationally recognised designation (Scheduled Monuments, Conservation Area, Listed Buildings, Registered Historic Battlefields and Registered Parks and Gardens;*
- *traffic and access, considerations will include the suitability of the road network and the extent to which access would require reliance on local roads;*
- *air emissions, including dust, considerations will include the proximity of sensitive receptors and the extent to which adverse emissions can be controlled through the use of appropriate and well-maintained and managed equipment and vehicles; odours, considerations will include the proximity of sensitive receptors and the extent to which adverse odours can be controlled through the use of appropriate and well maintained and managed equipment;*
- *vermin and birds, considerations will include the proximity of sensitive receptors. Some waste management facilities, especially landfills which accept putrescible waste, can attract vermin and birds, and may be influenced by the distribution of landfill sites;*
- *noise and vibration, considerations will include the proximity of sensitive receptors. The operation of large waste management facilities in particular can produce noise both inside and outside buildings. Intermittent and sustained operating noise may be a problem if not kept to acceptable levels and particularly if night-time working is involved;*
- *litter can be a concern at some waste management facilities; and*

- *potential land use conflict, likely proposed development in the vicinity of the location under consideration should be taken into account in considering site suitability and the envisaged waste management facility.*

2.5 The criterion identified, have been designed to encompass a broad range of facilities. As such, some of the criteria are clearly more applicable to certain waste management facilities than others (i.e. vermin and birds and protection of water resources / groundwater can be considered more applicable to a landfill site rather than a built waste management facility of the type proposed). Consequently, the assessment criteria contained within the pro-forma have been refined through the consideration of specific characteristics associated with the proposed development.

2.6 The refinement process aimed to produce concise, transparent and consistent assessment criteria that do not materially overlap (unless there is good reason for them to do so). Each of the criteria that has been utilised is listed below. For each criterion a description is provided as to how it has been applied in the assessment of the four sites.

1. **Land use allocation / designation and identification of potential planning policy constraints**

- Whether the site is suitably allocated within an adopted development plan for employment or industrial uses (or any other similar allocation that may be appropriate for a waste management use). If it is not suitably allocated this will weigh against the site. A judgment will be applied if the site is suitably allocated in an emerging development plan;
- Whether the site already benefits from planning permission / has a positive planning history in the context of the proposed development;
- Whether the site is the subject of any environmental or other restrictive / protective designations, including Green Belt, noting that this is the only such designation where there is automatically a presumption against 'inappropriate' development (which includes EfW development). It must also be noted for the purposes of assessment that the consideration of the effects of a development upon the Green Belt is a multi-faceted issue. The assessment should also (as set out in Paragraph 3.15 of PPG 2) consider whether the visual amenities of the Green Belt would be injured

by proposals for development either within or conspicuous from the Green Belt. For the purposes of this assessment this aspect of Green Belt policy has been considered under the heading of Landscape and Visual Constraints (see below).

Size, shape, topography and existing use

- Is the size of the site big enough to accommodate the proposed development? The minimum site size to accommodate an EfW facility has been set at 1.5 hectares, although in reality most strategic (EfW) facilities will require a greater site area than this.
- Does the shape of the site prevent the development of an EfW facility (is it very narrow etc)?
- Is the topography of the site prohibitive to development (e.g. is it particularly steeply sloping etc)?
- Is the site brownfield or greenfield? In terms of the assessment of whether a site is brownfield, reference would be made to the definition of previously developed land contained within Planning Policy Statement 3 (PPS3) (ANNEX B) which states:

  "

  'Previously-developed land is that which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure.'

  The definition includes defence buildings, but excludes:

  - *Land that is or has been occupied by agricultural or forestry buildings.*
  - *Land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures.*
  - *Land in built-up areas such as private residential gardens, parks, recreation grounds and allotments, which, although it may feature paths, pavilions and other buildings, has not been previously developed.*
  - *Land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time (to the extent that it can reasonably be considered as part of the natural surroundings)."*

Access and Highway Arrangements

- Is the site readily accessible from the strategic road network, or does it benefit from a direct connection to it that is of a standard capable of accommodating HGVs?
- Is the site capable of being accessed by rail or waterways as part of a multi-modal transport solution?
- Does it have a suitable access or does it require improvement works etc? (e.g. this could include the need to form a new access or improvements to an existing access through widening, introduction of a ghost island, traffic signals etc)?;

Landscape and Visual Constraints

- Is the development within, adjacent to, or conspicuous from, an area of landscape importance / a landscape designation e.g. an Area of Outstanding Natural Beauty (AONB)?
- Would the development give rise to any impacts upon landscape fabric or character?
- Is the development likely to give rise to significant visual impacts upon sensitive residential receptors?
- Would the visual amenities of the Green Belt be injured by proposals for development either within or conspicuous from the Green Belt?

Ecology and Nature Conservation

- Is the site within, adjacent, or proximate to a National or European designation for nature conservation interest?
- Are there any known records of protected species either on or immediately adjacent to the site?

Features of Archaeological and Heritage Importance

- Does the site contain a known feature(s) of archaeological or heritage importance?
- Would the development affect views into and out of a Conservation Area?
- Would the development impact upon the setting of an archaeological / heritage feature? (e.g. a Scheduled Ancient Monument or Listed Building)?

Compatibility with surrounding land uses

- Is the proposed development compatible with the existing / proposed land uses on adjacent land? (e.g. if the site sits in the middle of a large industrial estate it will be more preferable to a site that is surrounded on all sides by residential development).

Proximity to Potentially Sensitive Human Receptors (as a proxy for potential amenity issues)

- Is the development likely to give rise to unacceptable levels of noise on potentially sensitive human receptors?
- Is the development likely to give rise to unacceptable levels of odour and dust on potentially sensitive human receptors?

Flood Risk

- Is the site within Flood Zone 1? If not, it is considered (in accordance with PPS25) to be at risk from flooding and should not be pursued if suitable alternative sites exist in Flood Zone 1 (i.e. the sequential test as required by PPS25: Development and Flood Risk);

Other Potential Technical Constraints

- Is there any information to suggest that the site may be the subject of ground contamination or land stability issues (e.g. known previous uses of the site or details from previous planning applications)?;
- Is the site the subject of any groundwater protection?
- Is the site within an airfield safeguarding area?
- Is the site within an air quality management area?

Opportunities for Heat off-take

- Is there any existing or planned developments adjoining or within close proximity to the site that could potentially utilise the heat generated by the facility?

Commercial Availability / Deliverability

- Is the site commercially available for the proposed development? The requirement for this criterion is supported by PPS10 Paragraph 18 which indicates that when waste planning authorities are identifying sites for

inclusion in development plan documents for new or enhanced waste management facilities they should:

- *"….avoid unrealistic assumptions on the prospects, for the development of waste management facilities, or of particular sites or areas, having regard in particular to any ownership constraint which cannot be readily freed, other than through the use of compulsory purchase powers."*

2.7 The assessment has included site visits and a desk based assessment. The latter has been informed by a number of web based resources (Council websites, MAGIC and Environment Agency websites), aerial photography and Ordinance Survey mapping.

2.8 In addition to the above criteria, the commercial availability of each site has also been considered. This has largely been based upon the results of extensive work undertaken as part of the preparation of the emerging WCS. This involved contacting landowners in order to confirm whether the site should be considered for a waste management use in the future.

2.9 It must be noted that the assessment of the sites has required a combination of objective evaluation and subjective decision making by way of professional judgement. With regard to the latter, all members of the assessment team have extensive experience of the assessment of small and large scale waste management facilities elsewhere in the United Kingdom.

3.0 Results and Conclusion

3.1 The completed assessment pro-formas are contained in Annex A to this document. The findings and conclusions of each pro-forma have been used to inform Table 1 (below). The table mirrors the criteria contained on the pro-forma and provides an informed judgement on the level of constraint applicable to each site when an EfW development (at that site) is tested against the assessment criterion. The level of constraint has been classified as falling within one of four categories as follows:

- no material constraint;
- minor constraint(s);
- moderate constraint(s);
- significant constraint(s);

3.2 Each level of constraint has been colour coded to reflect a traffic light system i.e. green, yellow, amber and red as the level of constraint increases.

3.3 It is accepted that the identification of constraints and the apportionment of each level of constraint in the 'traffic light system' has involved a degree of subjective decision making. However, UBB is satisfied that the overall approach is sufficiently robust to justify the decisions made in respect of each site.

Key

	No material constraint
	Minor constraint(s)
	Moderate constraint(s)
	Significant constraint(s)

Table 1: Site Assessment

Criteria	Wingmoor Farm East	Wingmoor Farm West	Javelin Park	Land at Moreton Valence
Land Use Allocation / Designation / Planning Policy Constraints				
Site Size / Shape and Topography / Existing Use				
Access and Highway Arrangements				

Landscape and Visual Constraints				
Ecological and Nature Conservation				
Features of Archaeological and Heritage Importance				
Compatibility with Surrounding Land Uses				
Proximity to Potentially Sensitive Human Receptors				
Flood Risk				
Other Potential Technical Constraints (Land contamination / Safeguarding Zone)				
Heat off-take				
Commercial Availability / Deliverability				

3.4 Following completion of the assessment of the four sites it can be concluded that:

- **Javelin Park –** This has been assessed as the least constrained site due to:
  - It lying outside of the Green Belt;
  - It having a suitable shape, size and topography;
  - It comprising a brownfield site with permission for B8 use;
  - Its excellent standard of access to the strategic highway network;
  - It being relatively free from obvious environmental constraints and where the site does have any identified constraints these are all minor with the exception of one moderate constraint (ostensibly associated with a single residential property);
  - It offering the best potential for heat off-take;
  - It being available and deliverable.

- **Moreton Valence –** This site does not perform significantly worse than Javelin Park, although it has been identified as having more constraints. The principle reasons for this are:
  - A large part of the identified site (the area not occupied by existing development) is greenfield;
  - The site's access and accessibility from the strategic highway network is slightly constrained, whereas the Javelin Park site has no such constraints;
  - It has lower potential for heat off-take.

- **Wingmoor Farm East and Wingmoor Farm West -** These two sites are considered to be the most constrained of the four. The principal reasons for this being that:
  - They are located within the Green Belt and could not secure planning permission for an EfW facility use without very special circumstances being demonstrated. In light of there being other alternative, suitable / available sites (Javelin Park and Moreton Valance) that lie outside of the Green Belt, this would prove very complex until such time as the alternatives have been built out (i.e. have no available land);
  - They have a relatively constrained and convoluted access which requires vehicles to past through settlements before reaching strategic road network and, a lesser point, both sites are within the Gloucester Airfield safeguarding area.

  Of the two it may also well be the case that there is no available or readily deliverable land of the requisite size at Wingmoor Farm West. The Eastern site has no such constraint.

Conclusion

3.5 It has been concluded through this assessment that the site at Javelin Park is the least constrained and, consequently, the most suitable site for a strategic waste management facility, specifically an EfW development.

ANNEX A – ASSESSMENT PRO-FORMAS

Site Evaluation and Categorisation Pro-forma

Site Name: Javelin Park	
Site Location / Address: Javelin Park (Former Moreton Valence Airfield), off the B4008, Haresfield.	
Existing Use: Cleared Brownfield Land	
Criterion	**Comment**
Land use allocation / designation and identification of potential planning / policy constraints.	Policy 4 in the Gloucestershire Waste Local Plan (2004) allocated the site as a 'Strategic Waste Management Facility'. The policy was not 'saved' and thus was deleted from the Plan in 2007 due to the wording making reference to some aspects of national policy which had been superseded. The allocation in the Waste Local Plan was also identified within the Stroud District Local Plan. The site is also allocated under emerging Core Policy WCS4 'Other Recovery (including energy recovery) within the Gloucestershire Waste Core Strategy. However, it should be noted that the area covered by the allocation is the emerging document has been reduced from 11.2ha in the Draft WCS to just under 5 hectares in the WCS Proposal Map Update Statement September 2011. The site benefits from planning permission for business uses, with reserved matters for B8 use (Storage and Distribution) of circa 9,000sqm to 52,000sqm.
Size, shape and topography	The site covers an area of just under 5 hectares (as defined in the emerging Waste Core Strategy). It is broadly rectangular in shape and flat. It is also 100% previously used brownfield land.
Access and highway arrangements (including consideration of multi-modal transport solutions).	The site is accessed from an existing arm off a purpose built roundabout on the B4008. The B4008 connects to the roundabout at Junction 12 of the M5 motorway circa 500m to the north. Junction 12 includes north and south entry and exit slip roads. Consequently access to the strategic road network is excellent. A further access could also be achieved from the priority controlled T-junction which is shared with Blooms Garden Centre. This junction is located in the northern part of the site circa 350m from Junction 12 of the M5. The site has limited potential for multi-modal transport solutions on the basis it is not next to a railway line or waterway.
Landscape and visual constraints	The site itself is not covered by any specific statutory or non-statutory designations intended to protect the landscape. The site is located next to the M5 motorway circa 1.3km to the west of the Cotswold Escarpment which forms part of the Cotswold Area of Outstanding Natural Beauty (AONB). There are a number of other visual receptors in the wider locality. The proposed development would be prominent from locations closer to the site by virtue of its size and scale. From further afield,

	views would be better screened by both vegetation cover and buildings and other structures within the Severn valley. From the higher ground east and west of the valley, the proposed development would be visible set in an expansive context of diverse land uses, with a mosaic of agriculture crossed by major transport infrastructure and interspersed with commercial and industrial activity, including areas of extensive development at the edge of Gloucester and the edge of Stonehouse.
Ecology and Nature Conservation	There are no international / national nature conservation designations on the site or in the wider locality. The nearest of note being the Severn Estuary SAC / SPA / Ramsar and SSSI which is circa 6.3km distant. Any waste management development on the site is therefore unlikely to have a significant / adverse effect on such designations. However the effects of aerial deposition in these areas would have to be assessed. It is not understood that there are any records of protected species on the site.
Features of Archaeological Importance	The Haresfield Hill Camp and Ring Hill Earthworks, a Scheduled Ancient Monument, alongside designated ancient and semi-natural ancient replanted woodland are located on the summit of the Cotswold Escarpment circa 1.3km distant. 'The Mount moated site' a Schedule Ancient Monument is located circa 750m to the east of the site, whilst a 'moated site at Church Farm' is located within the hamlet of Moreton Valence circa 2.3km to the southwest. There are a number of Grade II* and Grade II listed building in the wider locality. The site has been the subject of previous development and has also been the subject of remediation works. As such it is unlikely that there will be any surviving buried archaeology. It is recognised that the proposed development would be significant in scale and, as such, would be visible from a number of locations in the surrounding area. However, if any facility were to be appropriately orientated and designed the impact upon any features could be minimised.
Compatibility with surrounding land uses	The Blooms Garden Centre is located immediately to the north of the site and beyond this is Junction 12 of the M5 motorway. Agricultural fields running up to the foot of the Cotswold Escarpment are located to the east. Whilst further farmland is located to the south. The land immediately adjacent to the site benefits from planning permission for a range of B8 uses. As such, there is a very good prospect that a compatible (warehousing, distribution or storage) use would come forward on immediately adjacent land. On this basis development at the site should be considered generally compatible with adjacent land uses.

Proximity to potentially sensitive human receptors (as a proxy for potential amenity issues)	The nearest residential / human receptor 'The Lodge' associated with Harefield Court. This dwelling is located circa 50m to the east of the site beyond the B4008. Other dwellings including 'Hiltmead' are located circa 300m to the west of the site beyond the M5 motorway. Other sensitive receptors are considered to be isolated properties/farmsteads and the small cluster of dwellings which together form the community of Haresfield. There are also a number of residential receptors located on the Cotswold Escarpment. In addition to these residential receptors Blooms Garden Centre, which is situated immediately to the north of the site, has moderate sensitivity. It is considered that the positioning of a facility within the site and the implementation of appropriate mitigation measures could prevent any significant amenity effects upon these receptors.
Flood Risk	The site is within flood zone one and whilst there is a watercourse (un-named drain) on the southern part of the site, it is unlikely that flooding would be an issue in terms of the development potential. The site is identified by the EA as overlying a secondary (undifferentiated) aquifer with low groundwater risks. As such, this location is unlikely to pose a constraint to built waste development.
Potential technical constraints	Initial site preparation works appear to have been undertaken (i.e. clearing the site and a new access junction and roundabout). It is also understood that issues associated with land contamination have been addressed. The site is not within an Air Quality Management Area or Airfield Safeguarding Zone.
Heat off-take	Javelin Park benefits from extant planning permission for up to 45,151m^2 of B8 development. Although currently undeveloped, it has the potential to be built out in the future and it is possible therefore that a significant heat user could be located immediately next to the EfW facility. In addition Blooms Garden Centre located immediately to the north of the site could have seasonal heat requirements, but retrofitting is not likely to be viable. There is potential to supply heat to any commercial developments on Quedgeley Park East/West (located to the east of the B4008). Furthermore, heat could be supplied to (Hunts Grove) a residential site with permission for 1,750 dwellings and other employment sites (Waterfalls Business Park). Any transmission pipeline would be circa 500m (i.e. the distance between the roundabout on the B4008 and Junction 12 of the M5) however it is considered it could be laid under the B4008 or within the grass verge. However, in general terms private housing developments are complex to heat via a district heating system, and have a relatively small heat demand.
Commercial availability / deliverability	The site is owned and controlled by Gloucestershire County Council. As such, the site is commercially available for a waste management facility.
Site Evaluation	Positive • Large, flat, cleared site of a suitable size.

	• Extant planning permission for B8 uses (Storage and Distribution); • Comprises 100% previously used land; • Excellent access to the strategic road network (from an existing roundabout off the B4008) and Junction 12 of the M5; • No known technical constraints; • Compatible with adjacent land use; • Flood Zone 1; • Some potential for heat off-take; • Site commercially available; • Allocated for waste management development in the emerging Waste Core Strategy. Negative • Presence of Listed Buildings and SAMs in the locality; • Proximity to sensitive human receptors (a single property close to the site); • Possible visual impacts; • The effects of aerial deposition upon European ecological sites in the wider area would need to be assessed.

Site Evaluation and Categorisation Pro-forma

Site Name: Moreton Valence Airfield	
Site Location / Address: Former Moreton Valence Airfield, off the A38, Moreton Valence.	
Existing Use: Existing waste management facilities / greenfield agricultural land	
Criterion	**Comment**
Land use allocation / designation and identification of potential planning / policy constraints.	Policy 4 in the Gloucestershire Waste Local Plan (2004) allocated the site as a 'Strategic Waste Management Facility'. The policy was not 'saved' and thus was deleted from the Plan in 2007 due to the wording making reference to some aspects of national policy which had been superseded. The site is also allocated under emerging Core Policy WCS4 'Other Recovery (including energy recovery) within the Gloucestershire Waste Core Strategy. The site comprises of a range of waste management operations (i.e. recycling/transfer, container skip storage as well as crushing/screening of material). Whilst, part of the site currently comprises of an un-developed open field with associated earth screening bunds. Planning permission was granted for the *'Change of use for a Batch Gasification/Oxidation System (BOS) Advanced Thermal Treatment (ATT) waste processing plant'* (GCC Ref: 06/0057/STFUL). A planning application relating to *'revised proposals for energy from waste plant for non hazardous wastes' (*GCC Ref: 11/0017/STMAJW) is pending consideration.
Size, shape and topography	The site covers an area of circa 5.6 hectares of land, of which circa 50% is already developed. It is 'L' shaped and flat, with the exception of the earth screening bunds along the eastern boundary. It should be noted that the slightly irregular shape may constrain development options, although the site's planning history would suggest that an appropriate solution can be established at the site. It should also be noted that the majority of the apparent developable land is greenfield and within an agricultural use.
Access and highway arrangements (including consideration of multi-modal transport solutions).	The site is accessed from an existing priority controlled T-junction, off the A38, which is shared with other uses on the former airfield. The A38 connects via the Cross Keys Roundabout to the B4008 circa 2km to the north. In turn the B4008 provides a direct connection to Junction 12 of the M5 motorway circa 0.75km to the south. Junction 12 includes north and south entry and exit slip roads. The access from the site to the strategic road network (Motorway) is slightly constrained due to the distance that vehicles would have to travel but remains good. The site has limited potential for multi-modal transport solutions on the basis it is not next to a railway line or waterway.
Landscape and visual	The site is located next to the M5 motorway next to a cluster of other

constraints	commercial and industrial operations, circa 2km to the west of the Cotswold Escarpment which forms part of the Cotswold Area of Outstanding Natural Beauty (AONB). The site is not covered by any specific statutory or non-statutory designations intended to protect the landscape. There are a number of other visual receptors in the wider locality. The proposed development would be prominent from locations closer to the site by virtue of its size and scale but would be seen in the context of existing industrial buildings. From further afield, views would be better screened by both vegetation cover and buildings and other structures within the Severn valley. From the higher ground east and west of the valley, the proposed development would be visible set in an expansive context of diverse land uses, with a mosaic of agriculture crossed by major transport infrastructure and interspersed with commercial and industrial activity, including areas of extensive development at the edge of Gloucester and the edge of Stonehouse.
Ecology and Nature Conservation	There are no international nature conservation designations on the site or within the wider locality. The nearest of note being the Severn Estuary SAC / SPA / Ramsar / SSSI which is circa 5.3km distant. Any waste management development on the site is therefore unlikely to have a significant / adverse effect on such designations. However the effects of aerial deposition in these areas would have to be assessed.
Features of Archaeological Importance	The Haresfield Hill Camp and Ring Hill Earthworks, a Scheduled Ancient Monument, alongside designated ancient and semi-natural ancient replanted woodland are located on the summit of the Cotswold escarpment circa 3km away. 'The Mount moated site' a Schedule Ancient Monument is located circa 1.8km to the east of the site, whilst a further 'Moated site at Church Farm' is located within the hamlet of Moreton Valence circa 1.1km to the southwest. A further record for 'Gateway to Almony' is located circa 1.6km to the south east. There are a number of Grade II* and Grade II listed building in the wider locality. Around 50% of the site is greenfield. As such, there is potential for surviving buried archaeology. However, the site has been the subject of a successful planning application for the development of a *Batch Gasification/Oxidation System (BOS) Advanced Thermal Treatment (ATT) waste processing plant'* (GCC Ref: 06/0057/STFUL). On this basis it can be assumed that there are no constraints regarding buried archaeology that could prevent the delivery of a development on the site. It is recognised that the proposed development would be significant in scale and, as such, would be visible from a number of locations in the surrounding area. However, if any facility were to be appropriately orientated and designed the impact upon any features could be minimised.

Compatibility with surrounding land uses	Other industrial, commercial and waste uses are located immediately to the north, beyond which are agricultural fields and an isolated dwelling. The M5 motorway lies to the east beyond an earth bund and single agricultural field. Further agricultural fields are located to the west and south. On this basis the surrounding land uses are considered compatible.
Proximity to potentially sensitive human receptors (as a proxy for potential amenity issues)	The nearest residential receptor is the single residential property (Old Airfield Farm) located circa 80m to the north of the site boundary. Furthermore Gables Farm is located circa 250m to the west of the site. This farm also operates as a caravan site and as such there are a number of caravans located in close proximity to the farmstead (some of which maybe closer than 250m). Other sensitive receptors are isolated properties/farmsteads. The closest of which is considered to be 'Putloe Court' Farm, and 'Parkend' and 'Hiltmead' Farms circa 550m to the west and north west. 'Warren' Farm is located circa 850m to the east, beyond the M5 motorway. There are also a number of residential receptors located within the settlements of Moreton Valence and Haresfield alongside those on the Cotswold Escarpment. It is considered that the sensitive siting of a facility and the implementation of appropriate mitigation measures could prevent any significant amenity effects upon these receptors.
Flood Risk	The site is within Flood Zone 1 and whilst drains are located along the northern and southern boundaries of the site it is unlikely that flooding would be an issue in terms of the site's development.
Potential technical constraints	Part of the site is currently occupied by a range of industrial and waste management operations and as such there is potential land contamination issues associated with the sites current use. However this land contamination has not been confirmed and as such, an investigation of such matters may be required in support of any planning application on the site The site is not within an Air Quality Management Area or within an airfield safeguarding zone. The EA identify that the site is overlying a secondary (undifferentiated) aquifer with a low groundwater risk associated with the location.
Heat off-take	Existing neighbouring uses/buildings may offer retrofitting opportunities but appear unlikely to have significant heat demand and thus not likely to be a viable option. There is potential to supply heat to (Hunts Grove) a residential site with permission for 1,750 dwellings and employment sites (Quedgeley Park East/West and Waterfalls Business Park). However, any transmission pipeline would be at least circa 1.5km (i.e. the distance between the site and Junction 12 of the M5) and may need to be laid through a number of agricultural fields. Consequently the capital cost associated with the installation of necessary infrastructure is likely to be considerable and in general terms private housing developments are complex to heat via a district heating system, and have a relatively small heat demand.
Commercial availability /	It is understood that the landowner has confirmed an interest in

deliverability	progressing the site for waste management uses.
Site Evaluation	Positive • Current waste management operations and planning permission for waste management uses (gasification); • Access to the strategic road network (Junction 12 of the M5) is good if slightly constrained; • No known significant technical constraints; • Compatible with adjacent land use (industrial and waste development) • Flood Zone 1; • Site commercially available; • Allocated for waste management development in the emerging Waste Core Strategy. Negative • Approximately 50% of the site is greenfield; • Proximity to sensitive human receptors; • Presence of listed buildings and SAMs in the locality; • Possible visual impacts; • Possible land contamination issues associated with existing built development on the site (requiring investigation); • The effects of aerial deposition upon European ecological sites in the wider area would need to be assessed; • Limited potential for heat off-take.

Site Evaluation and Categorisation Pro-forma

Site Name: Wingmoor Farm West (Site A and B)	
Site Location / Address: Wingmoor Farm, Stoke Road, Bishop's Cleeve	
Existing Use: Existing waste management uses (HWRC) and 'The Park' (Four old aeroplane hangars)	
Criterion	**Comment**
Land use allocation / designation and identification of potential planning / policy constraints.	Policy 4 in the Gloucestershire Waste Local Plan (2004) allocated the site as a 'Strategic Waste Management Facility'. The policy was not 'saved' and thus was deleted from the Plan in 2007 due to the wording making reference to some aspects of national policy which had been superseded. The site is also allocated under emerging Core Policy WCS4 'Other Recovery (including energy recovery). The Tewkesbury Borough Local Plan was adopted in March 2006. The Plan identifies that the entire site is designated as Green Belt (Policy GRB1 now not saved). However, it contains existing built development which provides some mitigation in terms of Green Belt policy. Notwithstanding, an EfW facility would be far greater in scale than the existing buildings and constitute inappropriate development that is likely to materially impact upon the openness of the Green Belt and conflict with the purposes of including land within the Green Belt. Planning permission should not be granted unless very special circumstances can be demonstrated which outweigh the harm to the Green Belt caused by the inappropriateness and any other harm.
Size, shape and topography	The site is divided into two areas: • Area A – 6.8ha • Area B – 4.0ha Area A is largely occupied by a collection of four former aeroplane hangers occupied by a number of uses. Area B contains an operational HWRC. These existing uses effectively reduce the area of land available below the 1.5 hectare minimum site size. However, were the existing uses to be removed the overall site size and shape would be suitable. No information is available about the constraints posed by the existing development, but the site has been appraised on the basis of a 'best case' scenario that they only pose a slight constraint.
Access and highway arrangements (including consideration of multi-modal transport solutions).	The site is accessed from a long internal access road which connects to Stoke Road via a priority controlled T-junction. This junction and internal road is shared with the HWRC, landfill and other occupiers of the site. Stoke Road connects to a roundabout with the A435 circa 2km to the east. The A435 provides a connection to central Cheltenham circa 5km to the south which in turn provides a connection to Junction 10 of the M5, via the A4019 circa 5km to the west. Or the A435 provides a connection to the roundabout with the A46 circa 7km to the north which in turn provides a connection to Junction 9 of

	the M5 circa 4.5km to the west. However, it must be noted that both routes require vehicles to travel past a large number of sensitive receptors/settlements (i.e. Bishop's Cleave) and in the case of Cheltenham potentially congested urban roads. Although a railway line (Bristol to Birmingham) is located adjacent to the site it does not appear that a dedicated railway siding exists. As such, it is considered that the site has limited potential for multi-modal transport solutions due to the fact there is no access to the railway line or a waterway.
Landscape and visual constraints	The site is located within the Green Belt and currently comprises of waste management operations and four aeroplane hangers used by various companies. The site is located circa 3km to the west of the Cotswold AONB. With regard to the landscape and visual impact of any development on the site, the following points should be recognised. 1. The site is located within (on the northern edge) of the Green Belt which surrounds the settlement of Cheltenham. Planning Policy Guidance 2: Green Belt states at paragraph 3.15 that: *"The visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which, although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design."* This would clearly be an important consideration for large scale / prominent development on the site. Given the scale of any EfW development within the context of this site, it is considered likely that the visual amenities of the Green Belt would be materially injured; 2. The site is not the subject of any international, national, regional or local land use designations and whilst is located within circa 3km of the Cotswold AONB, given the distances involve and expanse of views any large scale development would be unlikely to have a significant effect. 3. Beyond current operations on the allocated site and wider Wingmoor Farm site (a number of which are temporary, e.g. the landfill), the surrounding area is rural. Thus any large scale development including tall vertical structures is unlikely to be in keeping with the local landscape character and depending upon the location within the site could have a significant impact.
Ecology and Nature Conservation	There is no international / national nature conservation designation on the site or in the wider locality. The nearest of note being the Dixon Wood SAC circa 5.2km distant. Any waste management development on the site is therefore unlikely to have a significant / adverse effect on such designations. However, the effects of the development in terms of aerial deposition upon these features would have to be assessed.
Features of Archaeological importance	The site is remote from built heritage features and due to the extent of existing development at the site it is very unlikely that any buried archaeological remains would be present.
Compatibility with surrounding land uses	The site is located adjacent to an operational landfill site and quarry and whether located in area A or B would be adjacent to a compatible use.

Proximity to potentially sensitive human receptors (as a proxy for potential amenity issues)	The site is relatively remote from sensitive human receptors with the nearest identified residential property lying over 400m to the north. It is considered unlikely that any material impacts upon amenity would occur that could not be readily mitigated.
Flood Risk	The site lies within Flood Zone 1.
Potential technical constraints	The site is not within an Air Quality Management Area. Although the site is located within the Gloucester Airport safeguarding zone. It should be noted that the site overlays unproductive strata with a low groundwater risk associated with this location.
Heat off-take	The former aeroplane hangers located on part of the site may offer retrofitting opportunities but the current occupiers appear unlikely to have a significant heat demand and this is not likely to be a viable option. It has been noted that Cheltenham and Tewkesbury Council's are considering the potential for an 'urban extension area' (including circa 4,000 new homes) to the south of the Wigmoor Farm. This is being promoted by interested parties through emerging development plan documents including the Joint Core Strategy. However, in general terms private housing developments are complex to heat via a district heating system, and have a relatively small heat demand.
Commercial availability / deliverability	It is understood that the landowner has confirmed an interest in progressing the site for waste management uses through the promotion of parcels of land. Information was based upon a far (circa 80 hectare allocation) at the site. The existing land use appears to present a constraint on availability / deliverability. Notwithstanding, under a 'best case' scenario the existing uses are considered to represent a minor constraint. In this regard, it is noted that land could be freed up through re-location or removal of the existing HWRC.
Site Evaluation	Positive • Current waste management and industrial and commercial operations; • There appear to be few significant environmental constraints; • The site lies within Flood Zone 1; • Allocated for waste management development in the emerging Waste Core Strategy. Negative • Located within the Green Belt and the need to demonstrate very special circumstances; • Located within the safeguarding zone of Gloucester Airport; • Both sites A & B contain existing operational uses which could constrain the amount of land that is potentially available for a development; • Access to the strategic road network (Motorway) is through a number of settlements and over 10km travel in either direction; • Any EfW development is likely to materially injure the visual amenity of the Green Belt; • The site has limited heat off-take potential; • The development of an EfW facility has the potential to give rise to adverse effects upon landscape character.

Site Evaluation and Categorisation Pro-forma

Site Name: Wingmoor Farm East	
Site Location / Address: Wingmoor Farm, Stoke Road, Bishop's Cleeve	
Existing Use: Existing waste management (hazardous / non-hazardous landfill site / MRF) and quarry	
Criterion	**Comment**
Land use allocation / designation and identification of potential planning / policy constraints.	Policy 4 in the Gloucestershire Waste Local Plan (2004) allocated the site as a 'Strategic Waste Management Facility'. The policy was not 'saved' and thus was deleted from the Plan in 2007 due to the wording making reference to some aspects of national policy which had been superseded. The site is also allocated under emerging Core Policy WCS4 'Other Recovery (including energy recovery) within the Gloucestershire Waste Core Strategy. The Tewkesbury Borough Local Plan was adopted in March 2006 and identifies that the entire site is designated as Green Belt (Policy GRB1 now not saved). An EfW facility would constitute inappropriate development that is likely to materially impact upon the openness of the Green Belt and conflict with the purposes of including land within the Green Belt. Planning permission should not be granted unless very special circumstances can be demonstrated which outweigh the harm to the Green Belt caused by the inappropriateness and any other harm.
Size, shape and topography	The site comprises circa 2.8 hectares of flat, clear land which, whilst disturbed (and understood to the subject of an extant planning permission for a landfill) would not be classed as previously developed land.
Access and highway arrangements (including consideration of multi-modal transport solutions).	The site can be accessed from two access junctions off Stoke Road. The main (western) priority controlled T-junction provides access to the main landfill site. Whilst, the secondary (eastern) access priority controlled T-junction provides access to the MRF. Stoke Road connects to a roundabout with the A435 circa 2km to the east. The A435 provides a connection to central Cheltenham circa 5km to the south which in turn provides a connection to Junction 10 of the M5 motorway, via the A4019 circa 5km to the west. Or the A435 provides a connection to the roundabout with the A46 circa 7km to the north which in turn provides a connection to Junction 9 of the M5 circa 4.5km to the west. However, it must be noted that both routes require vehicles to travel through a large number of sensitive receptors/settlements (i.e. Bishop's Cleeve) and in the case of Cheltenham potentially congested urban roads. Although a railway line (Bristol to Birmingham) is located adjacent to the site it does not appear that a dedicated railway siding exists. As such, it is considered that the site has limited potential for multi-modal transport solutions due to the fact there is no access to the railway line or a waterway.

Landscape and visual constraints	The site is located within the Green Belt and currently comprises of a range of waste management and quarry operations, some of which have been restored. The site is located circa 2.5km to the west of the Cotswold AONB. With regard to the landscape and visual impact of any development on the site, the following points should be recognised. 1. The site is located within (on the northern edge) of the Green Belt which surrounds the settlement of Cheltenham. Planning Policy Guidance 2: Green Belt states at paragraph 3.15 that: *"The visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which, although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design."* This would clearly be an important consideration for large scale / prominent development on the site. Given the scale of any EfW development within the context of this site, it is considered likely that the visual amenities of the Green Belt would be materially injured; 2. The site is not the subject of any international, national, regional or local land use designations and whilst is located within circa 3km of the Cotswold AONB, given the distances involve and expanse of views any large scale development would be unlikely to have a significant effect. 3. Notwithstanding the adjacent landfill (which has a temporary consent) the surrounding area is rural. Any large scale development including tall vertical structures is unlikely to be in keeping with the local landscape character and depending upon the location within the site could have a significant impact.
Ecology and Nature Conservation	There is no international / national nature conservation designation on the site or in the wider locality. The nearest of note being the Dixon Wood SAC circa 5.2km distant. Any waste management development on the site is therefore unlikely to have a significant / adverse effect on such designations. However, the effects of the development in terms of aerial deposition upon these features would have to be assessed. Notwithstanding the above, the adjacent *'Wingmoor Farm Meadow'* is designated by the Local Plan as a Key Wildlife Site. This site is located circa 75m to the east of the site and the impacts of the development either directly or indirectly would have to be considered.
Features of Archaeological Importance	The site is remote from built heritage features and due to the extant landfill consents at the site it is very unlikely that any buried archaeological remains would be present.
Compatibility with surrounding land uses	The site is located in the open countryside in the Green Belt. A rugby ground and the edge of the settlement of Bishop's Cleeve are located circa 200m to the north east. However any development would be within an operational waste management site.
Proximity to potentially sensitive human receptors (as a proxy for potential amenity issues)	The site is relatively remote from sensitive human receptors with the nearest identified residential property lying over 500m to the south. It is considered unlikely that any material impacts upon amenity would occur that could not be readily mitigated.

Flood Risk	The site is within Flood Zone 1 as such it is unlikely that flooding would be an issue in terms of the site's development.
Potential technical constraints	The site is not within an Air Quality Management Area. Although the site is located within the Gloucester Airport safeguarding zone. The EA identify that the site is overlying a secondary (undifferentiated) aquifer with a low groundwater risk associated with the location.
Heat off-take	Small scale commercial premises on Stella Way (circa 900m to the north west) and those on Wingmoor Farm East (600m to the north east but over a railway line) may offer retrofitting opportunities but the current occupiers appear unlikely to have a significant heat demand and this is not likely to be a viable option. It has been noted that Cheltenham and Tewkesbury Council's are considering the potential for an 'urban extension area' (including circa 4,000 new homes) to the south of the Wingmoor Farm. This is being promoted by interested parties through the emerging development plan documents including the Core Strategy. However, in general terms private housing developments are complex to heat via a district heating system, and have a relatively small heat demand.
Commercial availability / deliverability	It is understood that the landowner has confirmed an interest in progressing the site for waste management uses through the promotion of the land.
Site Evaluation	Positive • Current waste management operations; • There appears to be few obvious environmental constraints; • The site lies within flood zone 1; • The site is commercially available; • Allocated for waste management development in the emerging Waste Core Strategy. Negative • Located within the Green Belt and it would be necessary to demonstrate very special circumstances; • Located within the safeguarding zone of Gloucester Airport; • Access to the strategic road network (Motorway) is through a number of settlements and over 10km travel in either direction; • Any EfW development is likely to materially injure the visual amenity of the Green Belt; • The site has limited heat off-take potential; • The development would have potential effects upon landscape character.

Part 4:

Planning Application Drawings

Part 5:

Statement of Community Involvement

Part 6:

Other Information