

## **Inspector's Agenda and Supplementary Questions: Issue 5**

### **Agenda**

- 1      Opening remarks
- 2      General point
- 3      Javelin Park
- 4      Wingmoor Farm West
- 5      Wingmoor Farm East
- 6      Land at Moreton Vallence
- 7      Land at Sharpness Dock

Having read the further submissions the following questions need to be addressed by the Council, and others as appropriate, **at the Hearing session. Unless specifically requested by the Inspector via the Programme Officer, no further written statements should be supplied in response and any that are will be returned by the Programme Officer.**

### **Agenda Item 2**

1. I am grateful to both the Council and Cory for confirming in their respective statements that my interpretation (Question 2, 5.5 of CD13.7) was wrong. In which case, as Cory point out (CD13.41.3), what is the point of implying in policy WCS4 and Appendix 5 that the sites are primarily suitable for one waste type over another if that is not in fact the case?

### **Agenda Item 3**

We will already have discussed under Issue 4 the possible effects of a thermal treatment facility on the European sites of nature conservation interest so I will already have all the information I need to assess any risk on that matter to the delivery of such recovery facilities at Javelin Park. The questions that arise therefore are:

1. This site and site 4 (Moreton Valence) are very close together being separated by the M5 motorway. In the long views referred to by CPRE (CD13.44.3) the two sites may even appear almost as one once developed, especially if both have emissions stacks. CPRE has drawn attention to what appears to be a very different Landscape/Visual Impact (LVI) approach to the two sites in Appendix 5 of CD1.1. What is the justification for that?
2. My understanding from reports in the technical press is that the recent permission referred to at site 4 (CD13.15 para 6.3) involves a stack some 25m high which, from para 2.10, would seem to be 'medium' height. The LVI Key Development Criteria (KDC) for site 4 in Appendix 5 of CD1.1 says that 'the site is not recommended for a technology requiring the erection of a medium or large emission stack'. If my understanding is correct, what role if any did the KDC play in the determination of that application?

3. Again, if my understanding is correct about the permitted stack height on site 4 (or even if it is actually lower) has the cumulative effect of two stacks in very close proximity been taken into account in the LVI for site 3 (Javelin Park)?
4. Site 3 is **not** allocated in the plan for any particular 'other recovery' facility. However, it is now quite clear that it will be promoted on behalf of the Waste Disposal Authority for a building and emissions stack with dimensions, subject to further assessments, in the order of those set out in CD13.15 para 2.7. In places the height of the buildings would be about 3 times that of the permitted B8 development limit and the stack is likely to be some 70m. These are at or beyond the parameters that underpinned the conclusions of the LVI assessment. On the basis of the LVI for the plan would such a development accord with the KDC set out and what kind of boundary enhancements would have the desired effect particularly in the views from distance and height that CPRE refer to?
5. If a thermal treatment facility is not possible at this site it could still need to make a contribution under WCS4 towards the required capacity. That would come forward in the form of one of the other recovery technologies listed in CD1.1. Is the smaller site envisaged by FC44 and Graftongate/Consi large enough to provide the necessary facilities? If it is not would the plan remain sound and, notwithstanding what is said by Graftongate/Consi in CD13.50.2 para 1.5, has the Council considered using compulsory acquisition powers?

#### **Agenda Item 4**

1. If The Park was developed could the existing IVC permission still be implemented and, if not, what effect would this have on the capacity gap or the net increase in capacity provided at this site?
2. Cory quite clearly sees this allocation as two separate sites capable of independent development for strategic scale facilities (CD1341.3). Do the KDC, particularly Access/Highways, deal adequately with this potential dual development? And has the cumulative impact of development of Wingmoor Farm East (site 1) been assessed?
3. Why is area B not suitable for a 'one-site' solution? If it is the presence of the Household Waste Recycling Centre is there not scope to relocate this to The Park given Cory's interest in the site?
4. As with Agenda Item 3, there appear to be inconsistencies in the LVI assessment of this site and site 1 which is, in effect, on the other side of the railway. Why under this site when noting that a 60m+ stack would be of slight to moderate adverse impact is the frequency of similar (vertical landmark) structures in the wider area noted while for site 1 it is said that such a stack would create a vertical landmark '...out of keeping with the surrounding landscape character' with no mention of the wider context?

#### **Agenda Item 5**

1. My understanding is that the allocated site has never been worked for minerals. Is it ever planned to be given that mineral extraction is conditioned to end by 31/12/2014?
2. Will the allocated site ever be subject of waste disposal operations under the current consent?
3. What is it that drives the life of this site which under the latest permission will be about 60 years? Is it mineral extraction or waste disposal?
4. The current permission requires all buildings to be removed by 31/12/2029 with use of the MRF ceasing a year earlier. Is there any reason why any buildings erected under WCS4 should have a longer life and if not, as they would be in place for a maximum of 14 or 15 years, allowing for applications to be made and the necessary permissions and permits to be gained, is this likely to be realistic investment?

### **Agenda Item 6**

1. I am unclear from what is said by both the Council (CD13.15 para 6.3) and Smiths (CD13.46.2) about the additional waste management capacity that can come forward at the allocated site and contribute towards the requirements in WCS4. How much is expected?
2. In this context, does the recent permission which Stroud District and Gloucestershire Green Parties say would manage 32,000tpa (CD13.43.4) provide new capacity towards the requirement or replace existing permitted capacity already accounted for in assessing the capacity gap?
3. Have I understood the Council correctly in assuming that the suggested extension of the allocated site has been subject to both Sustainability Appraisal and consultation?
4. Could the Council explain with reference to the various site assessments carried out why the extension suggested by Smiths should not be included in the plan?

### **Agenda Item 7**

1. While the planning permission is not time limited (CD13.42.1 Appendix 1), the landowner (BWB) says that there is an unexpired lease of 25 years and that any change of use cannot take place without BWB approval. Is that New Earth Solutions' understanding too or is their use of the building less fettered?
2. If that is correct, the position presented by BWB to the examination is that any further or different waste management development of the type envisaged by policy WCS4 would not be allowed by the landowner. There must therefore be a deliverability issue as the Council says. Furthermore, it seems to be common ground that although NES has submitted a sustainability appraisal now (CD13.45.4) this has not been subject to consultation and this process has not been undertaken by the Council. In all these circumstances, would this proposal itself be sound?