



## **GLOUCESTERSHIRE WASTE CORE STRATEGY**

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Dear Sir or Madam

The Pre-Hearing Meeting took place on Tuesday 22<sup>nd</sup> November at Shire Hall, Gloucester and I attach for your information the notes of that meeting. (Appendix 1)

The Examination Hearings will commence on Tuesday 31<sup>st</sup> January 2011 at Shire Hall and commence at 09.30am.

I also enclose/attach an updated timetable. Can you please check it carefully and advise me if you **NO LONGER WISH** to participate at the Hearings in January/February 2012? The parties that are in green have not confirmed that they want to participate and I will remove them from the programme unless they confirm that they do wish to participate by Monday 5<sup>th</sup> December. If you have been missed off the programme or have any problems with it can you please contact me as soon as possible?

I also enclose/attach the updated version of the Inspector's questions (Appendix 2) so please respond to these when you are submitting your statements in January.

As you will be aware the statements are due for submission on Thursday 5<sup>th</sup> January at noon and I have enclosed/attached for your assistance a separate note (Appendix 3) on how this will take place.

All updates and additional documentation can be found at  
<http://www.gloucestershire.gov.uk/index.cfm?articleid=17992>

Please could you give me details of your email if you have not already done so?

If you have any questions please do not hesitate to contact me?  
Kind regards

**Yvonne Parker,  
The Programme Officer,  
29 November 2011**

# GLOUCESTERSHIRE WASTE CORE STRATEGY

## PRE-HEARING MEETING

Tuesday 22 November 2011

## NOTE OF MEETING

### Preamble

At 14:00 I opened the meeting which took place in the County Council's Cabinet Rooms at Shire Hall, Gloucester. A total of 16 people (excluding the Council officers) signed the attendance sheet as requested. Much of what I and the Council officers said is included in Examination Documents **CD13.5** (Inspector's Guidance Notes) and **CD13.10** (Topic Paper 1: Issue 1: Legal Requirements etc) which are available on the Examination web site and, rather than repeat that information here, the appropriate references are included in this Note. The main purpose of this Note therefore is to record, for the benefit of those representors who were unable to attend and as an *aide memoir* for those who did, the additional matters raised at the meeting by me or other attendees. This Note is, however, exactly that. It is not intended to be, nor should it be represented as being, a verbatim minute of the proceedings. References throughout this note in **bold** are to Core Documents which may be found on the Council's Examination web site.

### Introductions

I introduced myself as Brian Cook (see **CD13.5 para 1.1**) and introduced Yvonne Parker as the Programme Officer. Full details of Yvonne's contact details and role are given in **CD13.5 paras 1.2 – 1.5**. My biographical details are given in **CD13.5 para 1.1**. I added that waste and minerals planning is a very small professional world and that I know and will be known to many people within it. However, looking at those who were present and knowing who may attend the hearings only two people were known to me. One is Mr Kevin Phillips with whom I used to work at Avon County Council. However, Avon was abolished over 15 years ago and I have not seen him socially since. The other was representing Grundon Waste Management and appeared before me at the Partial Review EIP referred to in the Guidance Notes. I also mentioned that I had worked in the planning department at Gloucestershire but that was over 30 years ago and was not in the waste and minerals section. I am therefore totally confident that no conflict of interest arises in connection with this Examination although it does mean that I am familiar with the area.

The Council officers introduced themselves as Kevin Phillips who would be the lead officer at the Hearing sessions. He also identified Lorraine Brookes, Laura Weston, Tony Childs as other Council officers who would support him and consultants from ERM and Atkins who would also do so on particular issues.

## **Purpose of the Pre Hearing Meeting**

Nothing of significance was added to that set out in **CD13.5 para 2.1**.

## **Scope of the Examination and Inspector's Role**

This is set out in **CD13.5 paras 3.1 – 3.5**. The additional points that I made were:

- Both the Issues and Questions and the Hearing Timetable draw heavily on the representations made in response to both consultations carried out by the Council in December 2010 and June 2011.
- Representors seeking changes to the DPD have to demonstrate why they consider it to be unsound and how their suggested changes would make it sound. For the avoidance of doubt, representors should state the change sought to the Plan in any further written statements or contributions at the Hearing sessions.
- The advice in **CD13.5 para 3.5** applies in respect of changes recommended by both the Council and representors. Those promoting challenger sites were reminded that the Examination is not a beauty contest between competing sites. For such a site to succeed and be recommended for inclusion in the Plan it is necessary to show that the Plan as submitted is unsound and would only become sound if the site promoted is included. Furthermore, limited weight only can be given to a proposed change that has not been subject to consultation procedures and Sustainability Appraisal (SA). Equally, if the exclusion of a site, without replacement, is sought, it will have to be shown that the Plan would remain sound if this were to be recommended.
- I am required by law to examine the soundness of the Plan. However, it is the Council's Plan and I have no wish to rewrite it or impose any views I may have about it. If any changes are needed as a result of the discussions the Council will be, and have been, asked to put forward suitable wording, agreed between participants where possible. All changes must relate to the soundness of the Plan, rather than seeking to 'improve' it, with the aim being to make the minimum number necessary to ensure that the Plan is sound.

## **Procedural Questions for the Council**

These are set out in **CD13.5 para 4.1** and the answers given, for the most part, are in **CD13.10**.

In response to supplementary questions, Mr Phillips responded as follows:

- The Plan that the Council wished to be examined was that submitted on 5 September 2011, that is **CD1.1** the December 2010 version and NOT the June 2011 version (**CD1.2**).
- Although the Localism Act, given Royal Assent on 15 November 2011, will abolish the Regional Strategy in due course it remains a material consideration. It was never formally adopted and is, in any event, less applicable to waste than it is to, say, housing

containing as it does indicative waste figures only. The Plan is based upon both it and other factors which will be explained in the Topic Papers. A letter to all local authorities from the Government's Chief Planner makes clear that evidence collected for RS purposes remains a material consideration. Some minor changes to the wording may be required but these will not go to the soundness of the Plan.

- The draft National Planning Policy Framework published for consultation does not seek to replace PPS10 which is of most relevance to the Plan. Although there is a process through which it will be replaced, the timescale is not known. The Council believes the principal objectives of the NPPF are covered by the submitted Plan. With regard to this view, I asked the representative from English Heritage who was present to include in any further statement how the NPPF affected their representation and to comment on the status, if any, of PPS5 once the NPPF is published in final form. ***All representors are asked to note and act upon as necessary the answer below to the question from Nicholas Dummett.***

### **Representations made on the submitted documents**

Nothing was added to what is said in **CD13.5 paras 5.1 to 5.4.**

### **Methods of considering representations**

These are as set out in **CD13.5 paras 6.1 – 6.3.** I stressed that equal weight would be given to the representations whether they are made in writing or orally at the appropriate Hearing session.

Those supporting the Plan are not invited to participate. However, the Hearing sessions are public meetings and all are welcome to attend.

### **Issues to be debated, examination arrangements and hearing timetable**

This is set out in detail in **CD13.5 paras 7.1 – 8.3** but is subject to the following which I confirmed during the meeting.

- Following representations, two additional questions on consistency with PPS10 have been added to Issue 3 and, following clarification of its position by Natural England, one withdrawn from the same Issue.
- In addition, there has been a change to the draft timetable. The revised timetable is attached to this Note. In essence, session 6 will now be spread over 2 days, Tuesday 7 February and Wednesday 8 February. On Tuesday, we will discuss Javelin Park and the two Wingmoor Farm sites and, on Wednesday, we will deal with Moreton Vallence and Sharpness Dock. **Participants may like to note that and attend the day to which they wish to make a contribution to the debate.**

- No session will start before the scheduled time. However, if the morning session overruns, an afternoon session may start later than 14:00 if it is on a separate Issue.
- As an additional point to **CD13.5 para 7.5**, I emphasised that submission of new material at the Hearing session would only be allowed in exceptional circumstances. I gave as an example where a new circumstance had arisen between the submission of further statements and the Hearing session. As this is a short period, this is unlikely to arise.

### **Preparation and submission of further material and its availability**

This is set out in considerable detail in **CD13.5 paras 9.1 – 9.9** and again in an attachment to this Note. I made the following additional points:

- The guidance in **CD13.5 paras 9.1 – 9.9** applies equally to the Topic Papers being prepared by the Council and to **ALL** further statements from representors.
- The principles that I stressed are: give clear references to the section, paragraph or page of any document to support any contention made; do not quote verbatim from core documents-it is not necessary and wastes words; 2000 words should be ample to add to the case already made and respond to the issues and questions; appendices should only contain technical evidence and any that are excessively long or appear to be a device to circumvent the word limit may be returned.
- While the Council should generally seek to adhere to the word limit, I indicated that I would be flexible since I required them to address every question within an issue.
- Consultants were reminded that unnecessary information such as company information and quality control sheets should not be included and would count against the word limit if it was.
- For the avoidance of doubt, the word limit applies to the statement for an Issue as a whole and not for an individual question within an Issue.

I said this about Javelin Park to assist those wishing to participate in that hearing session and perhaps the one where we will consider the Habitats Regulations issues. There needs to be a clear distinction in everyone's mind between this plan prepared by the Council as a waste planning authority and the parallel process of the Council as a waste disposal authority seeking to procure facilities to manage residual MSW. I do not know what stage that process has reached and I'm not sure that I need to. The WDA requirements are bound up within strategic objective 3 and, to be sound, the plan has to show how this objective will be delivered. That is the context for the examination which must focus on what the Planning authority proposes for this site. That is set out in WCS4 and Appendix 5. In short, it is one of 4 sites identified as capable of making a contribution by way of strategic scale facilities to the residual MSW and C+I waste recovery needs identified. No particular residual waste recovery technology is specified and, while there is a lower limit of 50,000tpa capacity for a facility, no upper limit is set either. However,

the Plan does not propose the site for a thermal treatment facility capable of managing some 180,000 to 190,000tpa of residual MSW which I understand may be the proposals put forward by the two bidders for the residual MSW contract. Therefore it is not the role of this examination to look at those proposals. The one chosen by the WDA would ultimately need to be assessed by way of a planning application and supporting statements and a permit application to the Environment Agency. Whether the chosen scheme ultimately gets permitted by either or both the WPA and the EA will be a matter for the future following scrutiny by the appropriate bodies. That process will in any event go on beyond the life of this examination and its outcome is not relevant to my task. If all necessary permits are granted, that would resolve the future of the site. But, if it did not get permitted, that does not mean the site itself is unsuitable for any such facility (say different process, scale, waste type) and does not therefore mean that it should not be in this plan for the uses identified. I believe therefore the issue for the examination is whether the evidence justifies the unfettered allocation proposed or whether it points to the need for some limits on the scale and/or type of facility that can be accommodated. That is my understanding of the representations made and my own assessment of the evidence. The issues and questions as a whole are intended to help me deal with this and any further statements and the discussion should take this into account.

### **Site visit arrangements**

I confirmed that I had now visited all the sites that were identified in the Plan to the extent necessary for the examination of a Core Strategy. I will also visit Sharpness Dock and will determine whether a further accompanied site visit will be required to see Wingmoor Farm East.

### **Close of the Examination and submission of the Inspector's Report to the Council**

Nothing was added to that in **CD13.5 paras 11.1 and 12.1**.

### **Matters requiring early clarification**

This matter was addressed through correspondence between myself (**CD13.1**) and the Council (**CD13.2**). Neither I nor the Council added anything to that.

### **Questions**

During the Meeting the following questions were asked and I gave the following answers:

*Sarah Lunnon:*

Q: Being new to this process would the Programme Officer be prepared to undertake an early review the statement she intended to submit to confirm that it met the requirements set out?

A: Through me, Yvonne Parker agreed to do that for Ms Lunnon

*Nicholas Dummett:*

Q: For sessions where CPRE are not invited participants could further statements still be made?

A: Yes.

Q: And was the deadline for these also 5 January 2012?

A: Yes

Q: As the NPPF was still in the air and would be at the time of the hearing sessions what weight would be given to it and any PPS that it might replace?

A: The courts have held that 'weight' is a matter for the decision maker which in this case is me. What would be helpful would be if those making further statements could indicate their view of the weight that I should give to the draft NPPF, particularly where its approach might appear to be different to that of the PPS or guidance it would replace.

*John Beattie:*

Q: Could the Inspector give further clarification regarding his understanding of the contract procurement process and its relationship with the Plan?

A: In essence, I repeated what is set out above. I emphasised that it is not my role to examine or even consider a proposal that may be forthcoming in respect of the residual MSW contract. Although I understand that by the time the Hearing sessions start a bidder may have been chosen and that an application may even have been submitted, this would not form part of our discussion. What is relevant to my examination is whether the allocation of Javelin Park, and for that matter all the other sites in policy WCS4, is sound in respect of the three tests set out in PPS12. Policy WCS4 is concerned with 'other recovery' facilities. What these are is set out in 4.58 to 4.74 of the Plan and includes processes such as MBT and autoclaving which, in my understanding, have an emission profile which may be different to that modelled by ERM. My understanding is that the objections are to a specific 'other recovery' facility rather than to the allocation itself. My role is to assess the allocation and establish whether it is justified as submitted, with modifications to scale and/or facility type or not at all.

*Mary Newton:*

Sought clarification of the date and participants for Session 5, Issue 4 which I gave and which are as shown in the final Timetable.

*Ruth Clare:*

Q: What contribution is required from the Environment Agency on Issue 4 in order that the correct officers attend?

A: My understanding of the representations is that while the effect on the Natura 2000 sites is primarily within the remit of Natural England, they relied on the expertise of the EA to support their concern. Again, my

understanding of the EA's consultation response was that of the 2 models used by ERM to assess the effects of emissions AERMOD is to be preferred as it reflects a more cautious approach perhaps more in line with the precautionary principle. What we need to discuss are the issues highlighted in respect of the Javelin Park allocation in my letter to the Council (**CD13.1**) although it applies equally to the other allocated sites. The EA team that contributed to that response are therefore the most likely to be of assistance to that discussion. The EA's participation at other sessions is, I understand, primarily to support the Council so it will be for the Council to identify to the EA what form that should take.

*Ben Stansfield:*

Q: How will changes to the Plan including any additional policies be promoted and consulted upon?

A: I confirmed that the question was referring to the additional landfill policy signalled in **CD13.11**. This is a matter for the Council who will wish to ensure that the letter and spirit of the Regulations and Guidance is followed. There would however, seem to be two options. The first would be to develop the policy and consult upon it now which would inevitably mean a delay to the hearings programme and was not, as far as I was aware, something the Council was contemplating. The second would be to consult upon this along with any other changes for soundness that might emerge through the hearing sessions. Although a matter for the Council, this consultation may take a very similar form to that undertaken at the Regulation 27 stage. I will then consider the representations made and, if appropriate, hold a further hearing session to discuss any issues arising as, of course, the examination remains open until my report is formally submitted to the Council.

### **Final remarks**

Before thanking everyone for their attendance and closing the Meeting I emphasised the following points:

- Please ensure that the timescales and deadlines are met. All further submissions are required not later than **5 January 2012**. Late submissions or those that exceed the word limit for that Issue may be returned.
- Please keep up-to-date. The Examination web site is kept up-to-date by the Council and, in my opinion, is easy to find and navigate. Alternatively, particularly for those without access to the internet, keep in touch with Yvonne.
- Please come to your Hearing session having read all the relevant documents. The session will be conducted on the basis that you have.

*Brian Cook*

Appointed Examination Inspector



**GLOUCESTERSHIRE WASTE CORE STRATEGY**  
**Examination Hearings Timetable**

Date	Session	Time	Dealing with	Participants
<b>WEEK 1</b>				
Tuesday 31 January	Opening Announcements	09.30		Inspector and Council
	Session 1	9.45	Issue 1 legal requirements, evidence base & relationship to plans and strategies	Council New Earth Solutions
	Session 2	11:00	Issue 2 whether the statistical basis for the CS is robust and justifies the vision and the strategic objectives	Council New Earth Solutions SWARD Cory Environmental Glos VCS Environmental Strategy Group Smiths (Gloucester) Ltd Forest of Dean Friends of the Earth CPRE Gloucestershire Friends of the Earth Grundon GlosVAIN & GlosAIN Stephen Bate Carol Kingsnorth Andrew and Belinda Montague Stroud District and Gloucestershire Green Parties Fran Wellbourne Julian Powell Environment Agency
Wednesday 1 February	Session 3	09.30 am	Issue 6 – monitoring and implementation	Council
Thursday 2 February	Session 2 (continued)	09.30 am	Issue 2 whether the statistical basis for the CS is robust and justifies the vision and the strategic objectives	See Tuesday 31 Jan

Date	Session	Time	Dealing with	Participants
<b>WEEK 1</b>				
Thursday 2 February	Session 4	14:00 pm	Issue 3 – whether the CS is consistent with national policy	Council New Earth Solutions Cory Environmental Grundon CPRE Stroud District and Gloucestershire Green Parties GlosVAIN & GlosAIN British Waterways Board Environment Agency English Heritage
Friday 3 February	Session 5	9.30 am	Issue 4 – Habitats Regulation Assessment	Council Environment Agency Stroud District and Gloucestershire Green Parties GlosVAIN & GlosAIN

Date	Session	Time	Dealing with	Participants
<b>WEEK 2</b>				
Tuesday 7 February	Session 6	9.30 All day	Issue 5: specific sites: Q1-Javelin Park; Q2-Wingmoor Farm West; and Q3-Wingmoor Farm East only.	Council SWARD Cory Environmental Glos VCS Environmental Strategy Group Forest of Dean Friends of the Earth CPRE Gloucestershire Friends of the Earth Grundon GlosVAIN & GlosAIN Stephen Bate Andrew and Belinda Montague Graftongate and Consi Rob Gafney Caro Kingsnorth Stroud District and Gloucestershire Green Parties Julian Powell
Wednesday 8 February	Session 6 (continued)	9.30 All day	Issue 5: specific sites: Continuation of previous day if required then Q4-Moreton Vallence and Q5-Sharpness Dock	Council New Earth Solutions Smiths (Gloucester) Ltd British Waterways Board
Thursday 9 February	Session 7	09.30	Issue 7 Other matters and closing remarks	Council Stroud District and Gloucestershire Green Parties Inspector

## **GLOUCESTERSHIRE WASTE CORE STRATEGY INSPECTOR'S ISSUES AND QUESTIONS**

### **ISSUE 1 – LEGAL REQUIREMENTS, EVIDENCE BASE & RELATIONSHIP TO PLANS AND STRATEGIES**

*Whether the submitted documents meet all of the legal requirements of the Planning and Compulsory Purchase Act 2004 and associated Regulations (as amended in 2008), are informed by robust, up-to-date and proportionate evidence and are consistent with national policy and the plans and strategies of the Gloucestershire councils*

#### **QUESTIONS**

- 1.1 What is the evidence to confirm that all the above legal requirements have been met? In particular what is the evidence to demonstrate that the requirements for the following matters are met:
- (i) Has the DPD been prepared in accordance with the Minerals and Waste Development Scheme (MWDS); does its listing and description match the submission document; have the timescales set out in the MWDS been met?
  - (ii) Has regard been paid to the sustainable community strategies of the Council and the district councils and those of neighbouring local planning authorities and other relevant strategies?
  - (iii) Does the DPD comply with the Statement of Community Involvement (SCI) and has the Council carried out all consultation consistent with the SCI and the relevant Regulations?
  - (iv) Has the DPD been subject to a Sustainability Appraisal and has the Council provided a final report of the findings of the Appraisal?
  - (v) Were any requirements for Appropriate Assessment under the Habitats Regulations met before publication of the DPD?
  - (vi) How has the Council sought to confirm general conformity of the DPD with the Regional Strategy?
  - (vii) Does the DPD comply with all of the 2004 Regulations, as amended in 2008?
  - (viii) Specifically does it comply with the requirement regarding the publication of prescribed documents, their availability at the Council's principal offices and on an appropriate website, the placing of local advertisements and notification of the DPD bodies?
  - (ix) How is the Regulation 13(5) requirement to list saved Development Plan policies that will be superseded met?

## **ISSUE 2 – WHETHER THE STATISTICAL BASIS FOR THE CS IS ROBUST AND JUSTIFIES THE VISION AND THE STRATEGIC OBJECTIVES**

*Whether the tonnage of waste planned for is justified by the evidence base and consistent with national policy and the Regional Strategy insofar as it remains material and whether the Vision and Strategic Objectives developed follow and are justified by the analysis of the evidence base.*

### **QUESTIONS**

#### **Question 1: Statistical base: Municipal Solid Waste**

- 2.1 The CS assumes that this waste stream will increase to some 359,600 tonnes per annum by 2027/28. Are the underlying assumptions about population growth and growth in waste per head (if any) robust? If not, what assumptions would be more robust?
- 2.2 How will policy WCS1 work to deliver a reduction and is there any evidence of success from these approaches to date?
- 2.3 The number and capacity of the facilities for which the CS plans result from assumptions about recycling and composting and assume 60% by 2020 with an aspiration for 70% by 2030. Are these realistic and, if not, what rates would be more realistic and at which years?

#### **Question 2: Statistical base: Commercial and Industrial Waste**

- 2.4 For this waste stream the CS analyses waste **managed** rather than waste **arising** in the County. Should the CS utilise the DEFRA survey (See CD1.3, FC3)?
- 2.5 The DEFRA data reported suggests that the waste arising in the County is managed to a substantial degree out-of-area. How are these apparent cross-boundary flows accommodated in the CS?
- 2.6 What is the justification for the 0% assumed growth rate in this waste stream and how are the figures for Gloucestershire in the RS derived (CD11.34 page 214)?
- 2.7 Why is the term 'recovery' (not defined in the Glossary) used differently when talking about this waste stream (compare CD1.1 paragraphs 3.23 and 3.25)?

#### **Question 3: Statistical base: Hazardous wastes**

- 2.8 CD10.4 Table 7a suggests that the County is a very significant importer of hazardous waste while also being a significant exporter of hazardous waste generated within the County. Is this understanding correct and, if so, what are the implications for the Vision?

#### ***Question 4: Statistical base: Landfill***

- 2.9 CD1.1 paragraphs 4.125 and 4.127 and CD1.3 FC25 set out positions regarding the life of the non-hazardous and hazardous landfill. For the former, the assumption is that the remaining capacity may not last for the plan period. All these assumptions are based on the Wingmoor Farm East application being approved and there is now a resolution to do so (CD13.2). What impact does this have on the remaining landfill capacity?
- 2.10 How would the proposals for built development at Wingmoor Farm West and East (which, as both are in the Green Belt, must be predicated on the fact that the openness of the Green Belt is already compromised by the operational landfill) impact on the availability of the voidspace and therefore the capacity in the plan period?

#### ***Question 5: Statistical base: Construction and Demolition Wastes***

- 2.11 Is the approach taken in the CS justified?

#### ***Question 6: The Vision and Strategic Objectives***

- 2.12 How did the spatial strategy in the Vision for a number of strategic sites rather than a totally dispersed pattern of smaller sites emerge through the plan preparation process?
- 2.13 How did Zone C emerge and were the other Zones considered genuine alternatives?
- 2.14 Is 50,000 tonnes per annum capacity an appropriate scale for a 'strategic site'?
- 2.15 Having regard to the questions posed under Questions 1 to 3 is it accurate to say that the CS addresses the County's 'needs' (CD1.3 FC10)? Does it not simply perpetuate current non-MSW waste management patterns? Or is it aiming for (net?) self sufficiency in waste management capacity?
- 2.16 How does the C+I recovery requirement in Strategic Objective 3 relate to waste arising in the County or is this providing capacity for waste imported to the County now for landfill?
- 2.17 What is meant by an 'integrated sustainable waste management system'?
- 2.18 The very last line of the Vision recognises the continuing role of landfill as does Strategic Objective 4. How is the absence of any landfill policy in the CS consistent with these twin statements or the requirement to give guidance to other plans yet to be prepared as implied by CD1.1 paragraph 4.129?

### **ISSUE 3 – WHETHER THE CS IS CONSISTENT WITH NATIONAL POLICY**

*Whether the policies are consistent with and correctly interpret national policy*

#### **QUESTIONS**

##### ***Question 1: Green Belt***

- 3.1 Although a relatively small proportion of the County's land area is designated Green Belt, most of it is to be found within Zone C. Several policies either identify specific sites within the Green Belt for built waste facilities or indicate that this is an area of search for strategic scale facilities. Does this give appropriate guidance for subsequent site allocation and development management DPDs?
- 3.2 CD10.12 summarises national policy and guidance given in PPG2 and PPS10. Are policy WCS10 and the approach taken to the Wingmoor Farm sites in policy WCS4 consistent with the national approach?

##### ***Question 2: PPS10***

- 3.3 Is the safeguarding of all existing waste management sites in policy WCS8 without any regard to their environmental performance and/or location relative to other occupiers of land and/or buildings consistent with the guidance in PPS10?
- 3.4 Is the 'technology neutral' stance of the Plan, in particular with respect to the allocated sites, a correct interpretation of paragraph 18 of PPS10?

##### ***Question 3: Policy WCS9***

- 3.5 Is this policy wording consistent with PPS25?

##### ***Question 4: Policy Omission***

- 3.6 Would the CS be unsound without inclusion of reference either in policies or by new policy of PPS5 policy HE2.3?

## **ISSUE 4 – HABITATS REGULATION ASSESSMENT**

*Whether the HRA (CD5.1) allows each of the four sites identified in WCS4 to be considered for thermal treatment facilities.*

### **QUESTIONS**

#### ***Question 1: Technology Stance***

- 4.1 It is understood that the CS is technology neutral. It is also appreciated that the Joint Municipal Waste Management Strategy is also technology neutral. A clearly stated purpose of the CS is to identify sites suitable for the strategic management of MSW (CD10.17, paragraph 10). Having regard to the conclusions of the HRA, is the decision not to rule out thermal treatment facilities with a capacity of some 150,000 tonnes per annum at each of the identified sites in policy WCS4 justified?



## **ISSUE 5: SPECIFIC SITES**

*Whether the specific sites allocated in policy WCS4 will deliver the required waste management capacity and whether other sites proposed are required to be allocated for the CS to be sound.*

### **QUESTIONS**

#### ***Question 1: Javelin Park***

- 5.1 CD1.11 proposes (FC44) that the boundary of the site be redrawn to reduce the area substantially. Is the remaining site large enough to accommodate the uses proposed?
- 5.2 The Landscape and Visual Impact assessment (CD1.1 Appendix 5 Site 3) implies that the fallback position of the extant outline permission is a significant factor. How does this permission compare in terms of footprint and size of buildings with those proposed in the CS and how realistic is this fallback position?
- 5.3 The order of the required stack height of a thermal facility is known and any built waste management facility having the capacity required is likely to be within a large building or buildings. How does the CS ensure delivery of the landmark facility required in these circumstances (CD1.1 Appendix 5 Site 3 Key Development Criteria)? *[Note: how the Key Development Criteria are to be taken into account in policy terms is a matter common to each site]*
- 5.4 What other factors might affect the deliverability of this site?

#### ***Question 2: Wingmoor Farm West***

- 5.5 If the required facility for the residual MSW contract cannot be delivered at Javelin Park, the clear implication of the CS is that this is the only other site put forward for a 150,000 tonnes per annum facility. Is this interpretation correct?
- 5.6 The Park (Area A) (CD1.1 Appendix 5, site 2) appears to be occupied by existing businesses. What is the delivery mechanism and timescale for this part of the allocated site?
- 5.7 Green Belt policy in general terms is the subject of Issue 3. Although there may be some built development on Part B, the rationale for development here appears to be that the site is fundamentally an operational landfill and thus a change of use of the land with the ultimate aim of restoration to a use compatible with the Green Belt location. What is the timescale for this, how does it relate to the Plan period or the residual MSW contract period and what, given the likely development to come forward is meant by demountable buildings in the Green Belt Key Development Criteria?
- 5.8 Can the Landscape/Visual Impact Key Development Criterion be delivered at this site for the scale of uses proposed particularly if the proposed development includes an emission stack?
- 5.9 What other factors might affect the deliverability of the site?

#### ***Question 3: Wingmoor Farm East***

- 5.10 Green Belt policy in general terms is the subject of Issue 3. CD1.1 Appendix 5, site 1 says that the allocated part of the site is unworked. What effect does the recent approval of the landfill application (CD13.2) have on this CS allocation?
- 5.11 If it has no impact, the allocated site would appear to be undeveloped land, albeit within an approved landfill permission area, within the Green Belt. Is this allocation consistent with national Green Belt policy?
- 5.12 Can the Landscape/Visual Impact Key Development Criterion be delivered at this site for the scale of uses proposed particularly if the proposed development includes an emission stack?
- 5.13 What other factors might affect the deliverability of the site?

***Question 4: Land at Moreton Vallence***

- 5.14 Are the CS proposals deliverable within the identified Area?
- 5.15 What would be the impact on the existing waste management operations?
- 5.16 What other factors might affect the deliverability of the site?

***Question 5: Land at Sharpness Dock***

- 5.17 Would the CS be unsound without the inclusion of the site put forward by New Earth Solutions?
- 5.18 Has this site been subject to Sustainability Appraisal and consultation carried out either by the promoter or the Council?

## **ISSUE 6 – MONITORING AND IMPLEMENTATION**

*Whether the CS provides a robust basis to enable measurement to take place and the need for remedial action to be identified.*

### **QUESTIONS**

- 6.1 While the indicators are given, the targets are not universally expressed as trajectories throughout the Plan period. How is it intended to identify if/when a delivery issue is occurring at any particular point during the Plan period?
- 6.2 If a delivery issue is identified at any point during the Plan period, where in the CS does it say what action will be taken?

## **ISSUE 7 –OTHER MATTERS AND CLOSING REMARKS**

*Any other miscellaneous, procedural and outstanding matters*

- 7.1 Any other representations for changes to the CS required in order for it to be sound not otherwise covered in previous Hearing sessions.
- 7.2 Council's recommended schedules of changes to the CS including the changes included within CD1.11 that have not as yet been subject to consultation and any others required for soundness that have emerged as a result of the Hearing sessions and other considerations.

**SUBMISSION OF STATEMENTS FOR THE  
GLOUCESTESHIRE WASTE CORE STRATEGY**

**GUIDANCE NOTE**

If your representations are to be considered at more than one Hearing session, a copy of your further written statement is required for each of the relevant Hearing sessions. This applies to the hard copies and the electronic copies. If they are not submitted separately they will be returned to you so that you can split them down.

Those appearing at **Hearings** should send **FOUR** copies of all statements to the Yvonne Parker, The Programme Officer at:

2 Priory Court,  
Burnley,  
Lancashire,  
BB11 3RH

by **midday on Thursday 5<sup>th</sup> January.**

An electronic version of your statements should also be sent to [posltd@virginmedia.com](mailto:posltd@virginmedia.com) by noon on **Thursday 5<sup>th</sup> January**. Electronic versions of your statements will **NOT** be accepted without the hard copies arriving on the same day. I need to send the hard copies to the Inspector on Friday 6<sup>th</sup> January so it is vital that I receive them on Thursday 5<sup>th</sup> January or he will not receive them on time.

In order to reduce the amount of copies that would need to be exchanged between the parties the statements will be put on to the website as quickly as possible after 5<sup>th</sup> January and parties can then download the relevant ones for their own information.

Statements should be headed with the representor's name and be clearly marked, **at the top, right hand corner**, with the appropriate Issue number.

Representors' statements should be referenced: (e.g. Issue 1/Smith) for representor Smith's statement on Issue 1.

The Council's Topic Papers should be separately referenced WCS/ followed by the Issue number (e.g. WCS/Issue 1). .

If anyone anticipates a problem with the electronic submission of statements can they please contact me as soon as possible? If do not hear from you by **12<sup>th</sup> December** I will presume that everyone is happy to submit their statements as outlined above?

For written representations 4 hard copies of statements still need to be submitted and an electronic version.

**Further details on preparing your documents can be found in the Inspector's Guidance Notes.**