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(ix) How is the Regulation 13(5) requirement to list saved Development Plan policies that will be superseded met?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: Policy WCS9

3.3 Is this policy wording consistent with PPS25?

Question 3: Policy WCS12

3.4 Is this policy wording consistent with national policy even after taking account of CD1.3 FC33 and FC34?

Question 4: Policy Omission

3.5 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.