



**SEVERN ROAD RESOURCE RECOVERY CENTRE**

**CHAPTER 4- POLICY CONTEXT**

**Viridor**

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### 4.0 POLICY CONTEXT

#### INTRODUCTION

- 4.1 It is customary in undertaking an Environmental Impact Assessment (EIA), and in preparing an Environmental Statement (ES) in support of a planning application, to review planning policy at an international, national regional and local level, in order to consider whether the proposed development and the potential environmental implications are in conformity with such policy. This is particularly the case in the context of the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires planning applications and appeals to be determined in accordance with the development plan, unless material considerations indicate otherwise. In effect, this section of the Act established a presumption in favour of granting permission for developments which are in accordance with the development plan.
- 4.2 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.
- 4.3 This section will consider the proposed Severn Road Resource Recovery Centre (SRRRC) within the context of international, national and local planning policies.

#### PLANNING POLICY

- 4.4 Schedule 4 to the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 does not make any specific reference to the inclusion of an assessment of planning policy. However, Chapter 6 of the DTLR Good Practice Guide on the preparation of an ES includes a section on “Policies and Plans”. Paragraph 6.1 states that “An ES should include a section on policies and plans which are relevant to the environmental assessment of the development in question”. The rationale for this is stated as “The objective is to demonstrate how these policy guidelines have been taken into account in developing the project and compiling the ES, and to provide a picture of the decision making context in which the environmental impacts will be evaluated”.
- 4.5 It can be seen that there is some ambiguity between the Regulations and the guidance provided by the Government. However, it is clear, from published guidance, that the Government is committed to a plan led system, with the Development Plan forming the basis of all planning decisions. Accordingly, policies and plans play an important role in determining any planning application. In the spirit of the guidance, therefore this Section provides an overview of the policies that have been considered in undertaking the EIA.

### GENERAL CONSIDERATIONS

- 4.6 Historically, National Planning Policy Guidance has been set out in a series of Planning Policy Guidance Notes (PPGs), which address general principles and policies together with detailed guidance on particular subjects and land use issues.
- 4.7 In September 2004, The Planning and Compulsory Purchase Act 2004 came into force. The Act establishes provisions that replace regional planning guidance and structure plans with Regional Spatial Strategies. Local Plans are to be replaced by a suite of documents referred to as Local Development Documents (LDDs). Planning Policy Guidance (PPGs) are currently being replaced by Planning Policy Statements (PPSs).

### International Policies

- 4.8 The following International policies provide the overarching European framework for Waste applicable to the United Kingdom.
- European Community (EC) Landfill Directive 1999/31/EC; and
  - EC Framework Directive for Waste 75/442/EEC as amended by 91/156/EEC.
  - Waste Incineration Directive 2000/76EC.

### National Policies

- 4.9 The following documents have been considered with regards to the proposals:
- PPS1 – Delivering Sustainable Development (2005);
  - Planning and Policy Statement: Planning and Climate Change (supplement to Planning Policy Statement 1) (2007);
  - PPS9 – Biodiversity and Geological Conservation (2005);
  - PPS10 – Planning for Sustainable Waste Management (2005);
  - PPG 13 – Transport (2001)
  - PPS22 – Renewable Energy (2004);
  - PPS23 – Planning and Pollution Control (2004);
  - PPS25 – Flooding (2006) and
  - Waste Strategy (2007).

### Regional Policies

- 4.10 Planning policy for the South West Region is set out in the following:
- Regional Planning Guidance 10 for the South West (RPG10);
  - The Draft Regional Spatial Strategy (RSS) for the South West;
  - The West of England Partnership Preferred Options (consultation document) January 2009;

- Joint Residual Municipal Waste Management Strategy (Preferred Options Draft Consultation Document – Strategic Waste Management Issues August 2008 Version 11).

### Local Policies

4.11 Local planning policies are set out in the following documents;

- Bristol Local Plan 1997 (saved policies);
- First Deposit Proposed Alterations to the Bristol Local Plan Feb 2003 (Draft for Consultation);
- Joint Replacement Structure Plan 2002;
- The West of England Partnership Preferred Options (consultation document) January 2009;
- Draft Bristol Development Framework Core Strategy - Preferred Options January 2008.
- Bath & North East Somerset, Bristol, North Somerset and South Gloucestershire Joint Replacement Structure Plan: Adopted September 2002;

### *Review of International Policies*

4.12 The European Union has instigated a range of Directives at a European level that seek to deal with waste in a more sustainable manner allied with waste reduction measures. The key drivers to achieve these objectives are the Framework Directive for Waste and the Landfill Directive.

4.13 The Waste Framework Directive lays down basic obligations for Member States when it comes to dealing with waste. Member States must ensure that the disposal and recovery of waste takes place in such a way as to prevent any risk to water, air, soil, plants and animals. Furthermore, they must not allow waste disposal to constitute a public nuisance through excessive noise levels or unpleasant odours, or to degrade places of special natural interest.

4.14 Member States must also establish an integrated and effective network of waste disposal plants, prepare waste management plans, ensure that those who store waste handle it properly, and ensure that waste treatment operations receive a permit. Waste collectors must have special authorisation to operate or be registered.

4.15 The original Landfill Directive was adopted by Parliament and by the Council in 1999. Transposition into national law was subject to a 2001 deadline. The purpose of the Directive was “to prevent or reduce as far as possible negative effects on the environment, in particular the pollution of surface

water, groundwater, soil and air, and on the global environment, including the greenhouse effect, as well as any resulting risk to human health, from the landfilling of waste, during the whole lifecycle of the landfill”.

- 4.16 Provisions cover location of landfills, water control and leachate management, water and methane emissions control, and protection of soil. The Directive sets targets to reduce biodegradable municipal landfill to 75% of 1995 amounts by 2010, 50% in 2013, and 35% by 2020.
- 4.17 The Waste Incineration Directive (WID) relates to standards and methodologies required by Europe for the practice and technology of incineration. The aim of this Directive is to minimise the impact of negative environmental effects on the environment and human health resulting from emissions to air, soil, surface and ground water from the incineration and co-incineration of waste.
- 4.18 The requirements of the Directive have been developed to reflect the ability of modern incineration plants to achieve high standards of emission control more effectively.

### *Summary*

- 4.19 It is considered that the principle of the SRRRC is in accordance with International policy as it is an established technology which will successfully direct residual waste away from landfill, without significant adverse effects on the environment and human health.

## REVIEW OF NATIONAL POLICY

### **PPS1 – Delivering Sustainable Development (2005)**

- 4.20 Planning Policy Statement 1 (PPS 1) sets out the Government’s overarching planning policies on the delivery of sustainable development through the planning system and the Government’s high level policy objectives for planning.
- 4.21 PPS 1 sets out key principles which should be applied to ensure that development plans and decisions taken on planning applications contribute to delivering sustainable development.

### **PPS 1 – Planning and Climate Change (2007) supplement to planning policy**

- 4.22 In December 2007, a supplement to PPS 1, ‘Delivering Sustainable Development’ was published. The supplement sets out how planning should contribute to reducing emissions and stabilising climate change and also how new developments should be designed to reduce risk from climate change. The potential impact of the SRRRC on climate change, and the reduction of

risk for the SRRRC facility from climate change have been considered throughout the design of the proposal.

- 4.23 This PPS can be used as a material consideration that may supersede the policies in the development plan.

### PPS 9 – Biodiversity and Geological Conservation

- 4.24 PPS 9 sets out the Government’s national planning policies on protection of biodiversity and geological conservation and states that developments should conserve and enhance biological and geological diversity.

- 4.25 Although the site itself is not covered by any statutory conservation designations, the site is within 1km east of a Ramsar Site i.e. Wetland of International Importance, a Special Protection Area (SPA) and an Important Bird Area. The potential impacts of the construction and operation of the SRRRC have been assessed and where necessary, mitigation measures suggested to keep impacts to an acceptable level.

### PPS 10 – Planning for Sustainable Waste Management

- 4.26 PPS 10 sets out the Government’s objectives for sustainable waste management. The proposed development has been considered against these objectives in order to demonstrate its compliance with national waste planning policy.

- 4.27 With regard to the objectives for sustainable waste management, the SRRRC will provide a facility to deal with residual waste within Bristol and the surrounding area. The EfW facility will process up to 350,000 tpa of residual waste which will make a significant contribution to the achievement of local and regional targets for diverting waste from landfill. In addition, the MRF will sort 150,000 tonnes of waste per annum into recyclable streams. In summary, the SRRRC will provide a facility to enable the treatment of waste which would have previously gone to landfill, to be moved up the waste hierarchy.

- 4.28 Annex E of PPS 10 sets out the main factors waste planning authorities should take into account when testing the suitability of a site for waste management purposes. These are:

- protection of water resources - considerations will include the proximity of vulnerable surface and groundwater. For landfill or landraising, 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;

## POLICY CONTEXT 4

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- 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.

All of the above have been considered in the development of the proposal and it is considered that the proposal has addressed each of the locational issues. It is proposed to locate the facility at an established industrial site, in the wider industrial area of Avonmouth. In terms of visual impact, the site has no statutory landscape designations, however, due to the size and height of the

development, the SRRRC will be visible. Therefore, mitigation strategies and compensation/enhancement measures have been integrated into the development scheme.

- 4.29 With regard to the environmental impact of the proposals these have been thoroughly assessed in the subsequent chapters that follow and identify that there would be limited significant adverse effects on the environment or local communities from the proposed development.

### PPG 13 – Transport

- 4.30 The key objectives of PPG 13 are to integrate planning and transportation at the national, regional and local level in order to:

- Promote more sustainable choices;
- Promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and;
- Reduce the need to travel especially by car.

- 4.31 Whilst PPG13 is more relevant to housing and commercial developments than industrial developments, the SRRRC would be accessible by public transport and is well related to the primary road network. The traffic impacts of the proposal have been assessed and a Travel Plan is included in the ES.

### PPS 22 – Renewable Energy (2004)

- 4.32 PPS 22 sets out the Government's policies for renewable energy, which planning authorities should have regard to when preparing local development documents and when taking planning decisions. The PPS recognises that increased development of renewable energy resources is vital to facilitating the delivery of the Government's commitments 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:

- Social progress which recognizes the needs of everyone – by contributing to the nations energy needs, ensuring all homes are adequately and affordably heated and providing new sources of energy in remote areas;
- Effective protection of the environment by reductions in emissions of greenhouse gases and thereby reducing the potential for the environment to be affected by climate change;
- Prudent use of national resources by reducing the Nation's reliance on ever-diminishing supplies of fossil fuels; and
- Maintenance of high and stable levels of economic growth and employment through the creation of jobs directly related to renewable energy developments, but also in the development of new technologies.

- 4.34 Through the use of life cycle assessment software, it can be demonstrated that Energy from Waste yields an environmental impact that is comparable to

Advanced Thermal Treatment, and better than other competing technologies. On this basis it is concluded that the proposed SRRRC EfW facility will result in a negative environmental footprint, that is, an overall reduction in environmental impacts such as global CO<sub>2</sub> emissions. In addition, the proposal will include Combined Heat and Power (CHP) infrastructure and aims to generate enough energy to power itself and surplus to export to the National Grid.

### **PPS 23 – Planning and Pollution Control (2004)**

4.35 PPS 23 provides advice on Planning and Pollution Control. The proposals set out within the planning application have taken the main considerations of the PPS into account. PPS 23 advises that:

- Any consideration of the quality of land, air or water and potential impacts arising from development, possibly leading to impacts on health, is capable of being a material planning consideration, in so far as it arises or may arise from or may affect any land use;
- Presence of contamination in land can present risks to human health and the environment, which adversely affect or restrict the beneficial use of land but development presents an opportunity to deal with these risks successfully;
- Where pollution issues are likely to arise, intending developers should hold informal pre-application discussions with the LPA, the relevant pollution authority and/or the environmental health departments of local authorities (LAs), and other authorities and stakeholders with a legitimate interest; and
- Where it will save time and money, consideration should be given to submitting applications for planning permission and pollution control permits in parallel and co-ordinating their consideration by the relevant authorities.

4.36 It is recognised that the development potential of the Avonmouth area is constrained by the presence of hazardous processes and materials and that land in the area has been contaminated by former industries.

### **PPS 25 Flooding (2006)**

4.39 PPS 25 recognises that planning applications should apply the following procedures to identify potential flooding. This guidance has been followed and implemented successfully for this application:

- Ensure that planning applications are supported by site-specific Flood Risk Assessments (FRAs) as appropriate:
- Apply the sequential approach at a site level to minimise risk by directing the most vulnerable development to areas of lowest flood risk, matching vulnerability of land use to flood risk;

- Give priority to the use of Sustainable Urban Drainage Systems (SUDS); and
  - Ensure that all developments in flood risk areas are appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual use can safely managed.
- 4.40 PPS 25 also provides useful guidance on the implementation of developments recognising that the following should be taken into account:
- Provide a Flood Risk Assessment;
  - Opportunities to reduce flood risk should be installed within schemes;
  - Enhance biodiversity and amenity within schemes;
  - Protect the historic environment; and
  - Seek collective solutions to managing flood risks.
- 4.41 The application site is within the floodplain of the River Severn, in flood zone 3a i.e. 'significant risk of flooding'. The proposals include the provision of Waste Treatment Facilities (non-hazardous), General Industry, Offices and Welfare facilities. Table D.2 of PPS 25 sets out that all of the above uses are designated as 'Less Vulnerable' uses and are appropriate in Flood Zones 1, 2 and 3a. The site is located within Flood Zone 3a, therefore the proposed development is deemed to be appropriate in terms of flood risk providing adequate mitigation is provided.
- 4.42 PPS25 states that developments should take account of flood risk at all times in the planning process. A Flood Risk Assessment will need to be undertaken and an appropriate surface water management scheme designed to protect the EfW facility from flooding, and to ensure that its presence will not increase flood risk in other areas.

### Waste Strategy (2007)

- 4.43 The Government published the Waste Strategy 2007 for England on 24 May 2007. It sets out the Government's vision for sustainable waste management.
- 4.44 The majority of the UK's waste is disposed through landfill with a small proportion incinerated. In comparison with other European countries, the UK ranks as one of the countries which sends the most amount of municipal waste to landfill. Only Greece and Ireland ranked higher.
- 4.45 The Department for the Environment, Food and Rural Affairs (DEFRA) has identified the following trend in municipal waste management in England 2006/07.
- 57.9% of waste is landfilled;

- 11.1% of waste is incinerated with EfW
  - 30.6% of waste is recycled/composted
  - 0.4% other waste disposal techniques
- 4.46 The Waste Strategy 2007 recognises that the Landfill Tax Escalator and the introduction of the Landfill Allowance Trading Scheme (LATS) have created sharp incentives to direct waste from landfill. A variety of Objectives and Targets are set out within Waste Strategy 2007 which confirm the acceptability of the principle of development for the proposed RRC at Avonmouth. In particular the following key objectives and targets have been recognised as pertinent to the application:

### Key Objectives

- Meet and exceed the landfill directive targets for biodegradable municipal waste in 2010, 2013 and 2020; and
- Increase diversion from landfill of non-municipal waste and secure better integration for treatment of municipal and non municipal waste.

### Key Targets

- Reduce the amount of household waste not re-used, recycled or composted from over 22.2 million tonnes in 2000 by 29% to 15.8 million tonnes in 2010 with an aspiration to reduce it to 12.2 million tonnes in 2020 – a reduction of 45%;
  - Recovery of Municipal Waste – 53% by 2010, 67% by 2015 and 75% by 2020.
- 4.47 The Waste Strategy 2007 recognises that recovering Energy from Waste (EfW) is an essential component of well balanced energy policy. Energy from Waste is expected to account for 25% of municipal waste by 2020 compared to 10% today.
- 4.48 It is considered that the SRRRC is in accordance with the Waste Strategy 2007 as it will help to achieve the national target for reducing biodegradable municipal waste going to landfill and reduce the amount of municipal waste not recycled or recovered.

## REVIEW OF REGIONAL POLICY

### Regional Planning Guidance for the South West (RPG10)

- 4.49 Section 9 of RPG10 sets targets for the recycling, composting and value recovery from waste up to 2015. It recognises the historic dominance of landfill in the South West and that achieving the challenging waste targets will require a step change in waste management.
- 4.50 Policy RE5 - Management and Transportation of Waste states that in order to achieve sustainable waste management, the Region should aim to;

- recycle and compost 33% of household waste 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.
- 4.51 Policy RE6 - Energy Generation and Use supports and encourages the Region to meet national targets for a 20% reduction (from 1990 levels) in carbon dioxide emissions by 2010 and a minimum of 11-15% electricity production to be from renewable energy by 2010.
- 4.52 It is considered that the SRRRC is in accordance with these policies as it would provide significant capacity for recycling and recovering energy from waste, and would generate electricity.
- 4.53 RPG10 will be superseded by The South West Plan in due course.

### **The Draft Regional Spatial Strategy for the South West (RSS)**

- 4.54 The Draft RSS identifies managing waste as one of the greatest challenges facing the Region. The Secretary of State (SoS) published changes to the draft RSS in January 2008. Consultation on these changes ended on the 19<sup>th</sup> October 2009 but at the time of writing, the results of the consultation were not available.
- 4.55 By 2026, up to 117,000 new homes and 122,000 new jobs are identified in the Secretary of State's proposed changes to the RSS. This growth will have consequences for waste disposal and energy use. Energy from Waste is identified in the RSS as a source of 'renewable heat'. The target for renewable heat in the South West is 100MW by 2010 and 500MW by 2050.
- 4.56 The West of England generates around 1.1 million tonnes of household, industrial and commercial waste each year. Of this, approximately 618,000 tonnes is landfilled, the majority of it outside of the region due to insufficient landfill void and an absence of strategic recovery facilities in the Region. If the Region is to meet targets for diversion of waste from landfill and avoid Landfill Allowance Trading Scheme (LATS) financial penalties, significant recovery and treatment facilities must be developed.
- 4.57 Relevant RSS policies which have been considered in relation to the Severn Road Resource Recovery Centre are set out below:
- Policy F1: Flood Risk
  - Policy RE1: Renewable Electricity Targets 2010 and 2020;
  - Policy RE5: Decentralised Energy to Supply New Developments
  - Policy RE6: Water Resources
  - Policy RE9: Air Quality
  - Policy W1: Provision of Waste Sites
  - Policy W2: Waste Facilities and the Waste Hierarchy

### F1 Flood Risk

Policy F1 aims to;

- Defend existing properties and, where possible, locate new development in places with little or no risk of flooding;
- Protect flood plains and land liable to tidal or coastal flooding from development;
- Follow a sequential approach to development in flood risk areas;
- Use development to reduce the risk of flooding through location, layout and design;
- Relocate existing development from areas of the coast at risk, which cannot be realistically defended; and
- Identify areas of opportunity for managed realignment to reduce the risk of flooding and create new wildlife areas.

### RE1 Renewable Electricity Targets:

Policy RE1 requires Local Development Documents to 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.

Former Avon has a target of 35-52 Sub-region Installed Electricity Capacity (MWe). By 2020, the regional target will increase to 850 MWe installed capacity from a range of onshore renewable electricity technologies. By 2020 the target is for a minimum cumulative target of 850MWe installed capacity from a range of onshore renewable electricity technologies.

### RE5 Decentralised Energy to supply new developments

Policy RE5 states that at least 10% of the energy to be used in new developments of more than 1000m<sup>2</sup> of non residential floorspace should come from decentralised and renewable or low carbon sources.

### RE6 Water Resources

Policy RE6 seeks to protect and enhance the Region's network of ground, surface and coastal waters and associated ecosystems taking account of the Environment Agency's 'Regional Water Resources Strategy', catchment abstraction management strategies, groundwater vulnerability maps, groundwater source protection zone maps and river basin management plans.

### RE9 Air Quality

The impacts of development proposals on air quality must be taken into account and local authorities should ensure, through LDDs, that new

development will not exacerbate air quality problems in existing and potential AQMAs.

### W1 Provision of Waste Sites

Policy W1 states that Waste Planning Authorities should make provision in their Waste Development Frameworks 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.

### W2 Waste Facilities and the Waste Hierarchy

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 SSCTs, 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.
- 4.58 In summary, regional waste planning policy recognises that increasing amounts of waste cannot be landfilled if waste management is to become more sustainable. Local Planning Authorities will be required to provide the capacity to manage waste sustainably and this is likely to include technologies such as EfW. The draft RSS states that provision should be made for waste sites in Local Development Frameworks and identified in Waste Development Frameworks.
- 4.59 Bristol is identified in the RSS as a SSCT and it is considered that the Avonmouth site complies with the location criteria set out in policy W2 as it is an established industrial site, close to the main source of waste. The SRRRC will make a significant contribution to Bristol and the Region's target for managing its residual waste, diverting waste from landfill and generating a renewable source of power.
- 4.60 The site is within the floodplain and close to ecologically sensitive areas. In order to comply with PPS 9, PPS 25 and draft policies in the RSS, appropriate technical assessments must be undertaken and any identified mitigation and enhancement measures put into place.

### REVIEW OF LOCAL POLICY

- 4.61 Although work is progressing on the range of documents which will eventually replace the old style Development Plan i.e. Local Plan and Structure Plan, for the purposes of this application, the relevant policies are contained in the adopted Bristol Local Plan 1997 and Joint Replacement Structure Plan 2002.
- 4.62 The '2003 Proposed Alterations to the Bristol Local Plan' are material considerations but should not be attributed the same weight as adopted policy. Similarly, the Bristol Development Framework Core strategy is at the Preferred Options stage and thus not yet adopted.

### **The West of England Partnership Preferred Options (consultation document) January 2009.**

- 4.63 A Development Plan Document is being prepared by the four West of England Unitary Authorities of Bath & North East Somerset (BANES), Bristol, North Somerset and South Gloucestershire Councils. The Document will be known as the Joint Waste Core Strategy and will identify where the large scale management facilities required by the strategy should be located. When adopted, the Joint Waste Core Strategy will replace waste policies in current development plans. The timetable for the adoption of the document is September 2011.
- 4.64 The Core Strategy states that by 2020, the West of England will need to have the annual capacity to recycle 735,000 tonnes of non inert waste and

220,000 tonnes of inert waste. It will also need facilities to recover 775,000 tonnes of non inert waste and dispose of 265,000 tonnes of non inert waste and 380,000 of inert waste.

- 4.65 The latest consultation document, - the Preferred Options document has identified three different options for meeting the future waste management requirements for the West of England:

Option A: Two recovery facilities which will each handle 400,000 tonnes annually;

Option B: Eight recovery facilities each handling 100,000 tonnes annually; and

Option C: A combination of different scale facilities suiting the density of the surrounding area.

- 4.66 Option C (the combination of small, medium and large scale facilities) is the preferred option of the West of England Partnership. It is proposed that the large scale facility identified by this Option will be located in Avonmouth. The document also identifies specific sites that are considered suitable sites for these strategic waste management facilities. The Sevalco site subject to this planning application is identified as one of the sites considered suitable for this strategic waste management facility.

### **Bath & North East Somerset, Bristol, North Somerset and South Gloucestershire Joint Replacement Structure Plan: Adopted September 2002 (Saved Policies)**

- 4.67 The Joint Replacement Structure Plan requires the Waste Planning Authorities in the ex Avon area to make provision for the safe management, recycling, treatment and disposal of forecast waste arising in the area. The emphasis is on sustainable waste management and the use of previously developed land in preference to greenfield sites. A number of policies in the Replacement Structure Plan are relevant to the proposal and are set out below;

4.60 Policy 22

Local Plans covering the coastline should define a coastal zone based on the following broad criteria:

- a. both off-shore and near-shore natural processes, in particular, areas of potential tidal flooding and erosion;
- b. natural habitats that are characteristic of a coastal location, in particular, inter-tidal mudflats, saltmarshes and wetlands;
- c. the areas that are directly visible from the coast;
- d. the extent of direct maritime influences and coast related activities; and
- e. a landscape character assessment.

Along the undeveloped coast, provision will not be made for development, unless it is necessary for habitat/landscape management. Along the currently developed coast, provision for new development, including

redevelopment, will be restricted to those areas not liable to flooding or erosion during the lifetime of the development and to those activities requiring a coastal location.

Provision for development will be made in areas liable to marine or tidal flooding only where such development is needed in that location; where there is no adequate alternative; and where adequate protection measures which can be sustained for the lifetime of the development can be introduced, without those measures themselves having an adverse impact on the character or nature conservation value of the coastal zone.

### 4.61 Policy 29 Sustainable Waste Management

In accordance with the principles of sustainable waste management, appropriate provision of land should be made for the safe management, recycling, treatment and disposal of forecast waste arising in the area, together with an appropriate proportion of regional waste flows as necessary, in the period to 2011.

Provision will be made for the development of waste management facilities employing the best practicable environmental option (BPEO), utilising previously developed land where appropriate, in locations where :

- the facility is as close as practicable to the particular waste stream source;
- satisfactory access to the main / principal highway network can be provided,
- making use of non-road facilities where practicable;
- the nuisance to neighbouring land uses is minimised;
- suitable provision can be made for appropriate reclamation/aftercare;
- the proposals respect the character of the locality;
- no threat is posed to watercourses and surface/groundwater resources; and
- proposals for the recovery of value from wastes being treated, including energy generation, composting and recycling can be included where practicable and environmentally acceptable.

## **Bristol Local Plan 1997 (Saved Policies)**

4.62 The Local Plan is broadly supportive of renewable energy technology, providing that there are no unacceptable impacts on local communities and the natural environment. The policies are as follows;

4.63 ME1 Proposals for the utilisation and development of renewable sources of energy will be permitted providing there is no unacceptable impact on:

- (i) The amenity of local residents due to noise or other disturbance;
- (ii) Public health and safety;
- (iii) The visual quality of important landscape designations;
- (iv) The natural environment.

- 4.64 **ME2** Development which has an unacceptable impact on the environmental amenity or wildlife of the surrounding area by reason of fumes, odour, dust or other forms of air, land or water pollution will not be permitted. In determining planning applications account will be taken of:
- (i) Provision of adequate facilities for the safe storage and disposal from the site of waste materials;
  - (ii) Measures to stop unacceptable levels of run off and emissions;
  - (iii) Hours of operation;
  - (iv) Location, design and layout; and
  - (v) Measures that reduce existing levels of pollution.
- 4.65 **ME4** Development which has an unacceptable impact on the environmental amenity or wildlife of the surrounding area by reason of noise will not be permitted. In determining planning applications in areas of existing noise such as roads, aerodromes, railway lines, industrial/commercial developments and sporting, recreational and leisure facilities, account will be taken of the provision of adequate sound insulation measures.
- 4.66 **ME5** The location and design of development will be required to incorporate appropriate remedial measures to avoid harm to groundwater supplies which may otherwise result from the development.
- 4.67 **ME6** Development on land which is contaminated will only be permitted if appropriate remedial measures are included in any planning proposal submitted to the council to ensure that the site is suitable for the proposed use and that there is no unacceptable risk of pollution within the site and in the surrounding area.
- 4.68 **ME8** Development within the coastal zone defined on the Proposals Map, will only be permitted where:–
- (i) A coastal location is an operational requirement;
  - (ii) Appropriate flood defence works are undertaken as part of development;
  - (iii) Nature conservation interests are not significantly affected, either directly or indirectly.
- 4.69 **ME9** Development subject to flood risk will be required to provide the appropriate defence works at the same time as the development itself. Development which would increase the risk of flooding, or which is likely to cause unacceptable effects arising from surface water run-off, will be required to provide for the appropriate drainage infrastructure works and retention works at the same time as the development itself.
- 4.70 **NE5** Sites of Nature Conservation Interest, set out in the Schedule and defined on the Proposals Map will be protected, having regard to the relative significance of their designation. Development which is likely to have an adverse effect on the nature conservation objectives or the integrity of a potential or classified Special Protection Area, a candidate or designated Special Area for Conservation or a Ramsar Site will not be permitted.

Development affecting a site of Special Scientific Interest will not be permitted unless it can be made subject to conditions that will prevent damaging impacts on wildlife habitats or important physical features, or if other material factors outweigh the national nature conservation considerations.

Development which would harm the substantive nature conservation value of sites of citywide importance will not be permitted, except where the significance of the site for nature conservation is outweighed by the importance of the development.

- 4.71 NE8 Development which would cause unacceptable harm to a species protected under national legislation, or its habitat, will not be permitted unless the adverse effect is capable of being overcome by measures to be carried out prior to or during development, as identified in a thorough site survey.
- 4.72 A5 Applications for alterations to, or changes of use of, existing industrial units or buildings will be required to include measures, that fairly and reasonably relate in scale and kind to the proposals, to upgrade development to a high quality of design and landscaping and to demonstrate where necessary that the measures are capable of implementation.
- 4.73 EC7 The city council has identified the following areas as priorities for promotion and regeneration:–
- (i) City Centre
  - (ii) Avonmouth
  - (iii) South Bristol

### **First Deposit Proposed Alterations to the Bristol Local Plan Feb 2003 (Draft for Consultation).**

- 4.74 As Bristol City Council has responsibilities for the disposal as well as the collection of waste, this document includes policies for waste.
- 4.75 Since the closure of the Council owned Avonmouth incinerator in 1996, the limited waste management capacity of the City has been under ever greater pressure. Most of Bristol's waste is currently landfilled outside of the Region. However, this is an expensive and unsustainable solution to waste management and the document recognises that alternatives must be found.
- 4.76 The document states that Avonmouth supports a mix of manufacturing and distribution activities and includes substantial areas of redundant and derelict land in need of re-development. One of the opportunities identified for Avonmouth is the development of renewable energy and recycling facilities.
- 4.77 However, the document recognises the constraints of the floodplain and the significant ecological resources in the area. Access is also recognised as a potential constraint. The document states that no further significant employment growth in the area, over and above that already permitted could be supported without major infrastructure, including an intermediate junction on the M49, the spine road proposal forming the realigned A403 and

enhanced public transport. The SRRRC Resource Recovery Centre will redevelop an existing industrial site thus will provide replacement employment rather than significant employment growth.

### **Bristol Development Framework Core Strategy – Preferred Options Review Paper February 2009.**

- 4.78 Once adopted, the Core Strategy will set out the key elements of the planning framework for Bristol up to 2026 and beyond. Although the policies in the Core Strategy are not yet adopted, a number are relevant to the proposal and would be material considerations if adopted in the future.

Policy BSC7 identifies Avonmouth and Bristol Port as a priority area for industrial and warehousing development including waste management and environmental technologies.

Policy BSC3 'Regeneration' encourages development in the Avonmouth area which would secure social, economic and physical regeneration.

- 4.80 If adopted, it is considered that these policies would be supportive of the proposed Resource Recovery Centre.

### **Joint Residual Municipal Waste Management Strategy Preferred Options Draft Consultation Document – Strategic Waste Management Issues August 2008 Version 11;**

- 4.81 This Strategy defines a way to manage the residual waste managed in the Region for the next 20-30 years. It sets out a vision of a range of facilities for the treatment of residual municipal waste and a long term commitment to achieving zero waste.

### *Local Policy Summary*

- 4.93 The Avonmouth area is identified as a target area for regeneration, including regeneration through the development of waste management and energy production industries. A number of local planning policies support renewable energy and the minimisation of waste. However, as the site is in close proximity to ecologically sensitive areas and within the floodplain, the Local Authority will need to be satisfied that the proposal would not have an unacceptable impact on these sites. The ecological, air quality, land quality and flood risk assessments have confirmed that the potential impacts can be mitigated.

## **Conclusion**

- 4.94 The relevant planning policies have been considered at international, national, regional and local level. Regional and local waste planning policies recognise the acute shortfall in waste management facilities in the West of England. The policies are supportive of waste management facilities which divert waste

away from landfill as long as they do not have significant adverse impacts on local communities or the environment.

- 4.95 In terms of location, the use of previously developed land or existing industrial sites for waste management facilities is supported by national, regional and local policies. Furthermore, the Resource Recovery Centre facility is considered to be in accordance with the objectives of sustainable waste management as it is proven technology which will manage significant amounts of the region's waste, recovering resources and providing electricity to the National Grid.