

V/11.2

Steven Kosky BA (Hons) Dip TP MRTPI

PLANNING

SUMMARY PROOF OF EVIDENCE

Application by **VEOLIA ES HERTFORDSHIRE LIMITED**

For a recycling and energy recovery facility for the treatment of municipal (including healthcare), commercial and industrial waste together with ancillary infrastructure including bulking transfer facilities administration/visitor centre, landscaping, habitat creation, drainage and highway improvement works

AT

Land at New Barnfield, Travellers Lane, Hatfield, Hertfordshire

Call-In Public Inquiry

Planning Inspectorate Reference: APP/M1900/V/13/2192045

SUMMARY PROOF OF EVIDENCE OF
STEVEN KOSKY BA (Hons) Dip TP MRTPI

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1.0 INTRODUCTION

- 1.1 My name is Steven Kosky and I am the Planning Witness. I am a Chartered Town Planner employed as a Director by the Barton Willmore in Cambridge.
- 1.2 I hold a BA (Honours) Degree in Town Planning and a Post Graduate Diploma in Town Planning. I have held full membership of the Royal Town Planning Institute since 1997.
- 1.3 I have 24 years experience in Town and Country Planning matters, gained in the public and private sectors. Full details of my experience can be found in Section 1 of my proof.
- 1.4 I am familiar with the application site, the principal planning issues involved and relevant documents pertaining to this Inquiry.

2.0 SCOPE OF EVIDENCE

- 2.1 The scope of evidence presented in my proof comprises the consideration and evaluation of all relevant European, national and local planning policy relating to waste, energy, sustainability and climate change.
- 2.2 My proof evaluates the degree of conformity of the proposed RERF with the Development Plan and the National Planning Policy Framework (NPPF) and all other material considerations which have a bearing on the application.
- 2.3 My proof identifies where there have been any material changes in waste, energy or climate change policy or any other relevant considerations in the interim since the WPA's resolution to grant planning permission.
- 2.4 My proof identifies the suitability of the application site at New Barnfield for the development. It assesses the degree of planning policy compliance arising from the use of the site for the waste management purposes proposed.
- 2.5 My proof reviews the availability of alternative development sites, both within and closely bordering Hertfordshire. The conclusions of which are informed by an Alternative Sites Assessment updated in July 2013.

3.0 THE APPLICATION PROPOSALS

- 3.1 The application proposes an efficient Recycling and Energy Recovery Facility (RERF) for the treatment of Municipal, Commercial and Industrial Wastes, with ancillary infrastructure, including a visitor centre, landscaping, habitat creation and highway improvement works.
- 3.2 The RERF will manage residual municipal waste from Hertfordshire with a capacity of 380,000 tonnes pa. Commercial and industrial waste will be utilised to supplement the treatment of municipal waste where necessary.
- 3.3 The RERF will utilise two processes; (i) a Mechanical Pre-Treatment (MPT) process for further recycling from incoming residual wastes and (ii) an Energy Recovery Facility (ERF) to derive energy from the residual waste fraction.
- 3.4 The RERF will generate 30 MW of electricity with 26 MW exported annually to the National Grid. The RERF will be R1 compliant, CHP ready and is a Recovery operation under the Waste Framework Directive.
- 3.5 Full technical details of the operational features and management of the RERF are provided at Paragraphs 4.17 – 4.185 of the Planning Statement.

4.0 THE RESOLUTION OF THE WASTE PLANNING AUTHORITY

- 4.1 The planning application and Environmental Statement (ES) was submitted to Hertfordshire County Council as the Waste Planning Authority (the WPA), on 15th November 2011. Following submission, an independent review of the ES was commissioned by the WPA and further information requested from the applicant under Regulation 22 in April 2012.
- 4.2 The application was considered on 24th October 2012 and the resolution of the Planning Committee (by a substantial majority) was that permission should be granted, subject to appropriate conditions and a Section 106 Agreement.
- 4.3 The WPA concluded that the current situation for waste management in the County was unsustainable, with residual Local Authority Collected Waste (LACW) being transported long distances to other counties for landfill and other disposal. The WPA gave weight to the urgent need to replace landfill as the principal means of waste disposal.
- 4.4 The WPA gave weight to the fact that over 500,000 tonnes of commercial and industrial waste was exported out of the County mainly for disposal, due to the lack of appropriate treatment facilities within Hertfordshire. With regard to site alternative locations, the WPA gave due consideration to the Alternative Sites Assessment (ASA) submitted by the applicant and concurred with the ASA conclusions that no other suitable sites existed within Hertfordshire or close to its borders which were available and could deliver the RERF with less overall environmental impact than the application site.
- 4.5 The WPA gave consideration to the importance of the Green Belt. The WPA however considered that there was a very large extent of Green Belt land in Hertfordshire and that given the urgent need for a recovery facility, the previously developed nature of the application site, the clear lack of viable alternative sites and the contribution to low carbon and renewable energy supply, that there were very special circumstances to justify the grant of planning permission.

- 4.6 The WPA gave weight to site-specific matters including Southfield School, where it was noted that that the school would be relocated during the construction phase for a period of five years.
- 4.7 Members were advised that education officers would also work closely with the school upon its return and make use of the special education needs expertise available to minimise any disruption.
- 4.8 The WPA considered that the application would have access to the wider major road network and that neither the Highways Agency nor the Local Highway Authority had raised any objections or specific concerns. With regards to noise, the WPA judged the operational noise impact of the proposal to be acceptable both day and night.
- 4.9 The WPA noted that Hatfield House and Hatfield House Park were located 2km to the north east of the application site, but considered that the RERF would result in 'less than substantial harm' to Hatfield House and Park.
- 4.10 With regards to visual impact, the WPA considered that the proposed RERF would be seen within the context of other large industrial buildings. It noted that the design was commended by CABI for being ambitious and inspiring with the potential to enhance the character of Travellers Lane.
- 4.11 The WPA acknowledged that Great Crested Newts (GCN) had been found on the site (22) and that suitable habitats existed on the western end of the site. The WPA considered the three derogation tests of the Habitats Directive and concluded that there would be no harm to the GCN as long as mitigation measures were implemented. Bats were given the same consideration.
- 4.12 The WPA accepted the conclusions of the Environmental Statement in that no significant effects on designated sites were predicted and that Appropriate Assessment was not required. The WPA also noted that Natural England did not object to the proposals. Accordingly, the WPA resolved to grant planning permission for the proposed RERF, subject to appropriate planning conditions and legal agreements.

5.0 NATIONAL POLICY AND THE DEVELOPMENT PLAN

5.1 The relevant planning policy context has evolved since the submission of the planning application in November 2011. My Proof, deals with relevant policy changes since the submission of the application. I list below the key themes, and a fuller appraisal is provided in Section 5.0 of my main proof.

The Waste Framework Directive.

5.2 The objective of the Directive is to prevent the generation of waste, and where waste cannot be prevented, to use it as a viable resource. Waste policy should minimise waste and reduce the use of valuable resources in favour of the waste hierarchy.

5.3 Annex II of the Directive sets out a list of recovery operations, which includes the use of waste as a fuel to generate energy (Criterion R1). The RERF will be thermally efficient and R1 compliant, with the majority of the waste consumed in the process. The proposals are therefore a recovery facility in the Waste Hierarchy.

Waste Strategy for England 2007

5.4 A key objective of this Strategy is to secure increased recovery of energy from residual waste. Recovering energy from waste which cannot be re used or recycled is an 'essential component of a well balanced energy policy.' The Strategy makes clear that recent increases in energy prices, coupled with instability in many countries, *'underlines the importance of maximising energy recovery from the portion of waste which cannot be recycled.....using the most efficient technology for the job'* (paragraph 18).

DEFRA Review of Waste Policy in England 2011

5.5 The DEFRA Review of Waste Policy published in July 2011, sets out a range of commitments to manage waste in line with the waste hierarchy, these commitments include:

- The reduction of the carbon impact of waste.
- The support for Energy from Waste where appropriate.

5.6 The Review identifies waste as a valuable resource which needs to be used productively. The Review supports efficient energy recovery from residual waste which can deliver environmental benefits, reduce carbon impact and provide economic opportunity.

The National Policy Statements

5.7 The National Policy Statements (NPS) are material considerations in decision making on applications determined under the Town and Country Planning Acts. The NPS's of relevance to the RERF comprise EN-1 and EN-3.

EN-1

5.8 EN-1 sets out the overarching policy framework for new energy infrastructure in line with the Government's energy and climate change objectives. The Government seeks a transition to a secure, low carbon economy, and the UK needs all types of energy infrastructure. EN-1 identifies that it is critical that the UK has secure and reliable supplies of electricity in the transition to a low carbon economy. To manage risks, the UK needs:

- Sufficient electricity capacity (including a greater proportion of low carbon energy) to meet demand at all times, including spare capacity.
- Reliable associated supply chains and;
- A diverse mix of technologies and fuels, with no reliance on any one technology or fuel.

5.9 The Government would like industry to bring forward many new low carbon developments. Biomass and Energy from Waste will have an important role to play in this energy mix as they are 'dispatchable', non intermittent forms of power. With regard to developments in the Green Belt, a distinction is made between previously developed and undeveloped Green Belt land. Paragraph 5.10.11 of EN1 states:

'...infilling or redevelopment of major developed sites in the Green Belt, if identified as such by the local planning authority, may be suitable for energy infrastructure'

5.10 EN-3 similarly does not preclude consent for renewable energy projects within Green Belts but developers will need to show very special circumstances if projects are to succeed. EN-3 identifies that such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources (*Paragraph 2.5.35*).

The National Planning Policy Framework (March 2012)

5.11 The NPPF is predicated upon the delivery of long term sustainable economic growth with a presumption in favour of sustainable development.

5.12 For **plan-making**, this means *inter alia* that local planning authorities should positively seek opportunities to meet the development needs of their area.

5.13 For **decision-taking**, this means that development proposals that accord with the development plan should be approved without delay.

5.14 Local authorities should:

- Have a positive strategy to promote energy from renewable and low carbon sources.
- Design policies to maximise renewable and low carbon energy development.
- Consider suitable areas for renewable and low carbon energy sources and supporting infrastructure.

5.15 When determining applications, local authorities should:

- Not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy.

- Recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions.
- Approve the application if its impacts are (or can be made) acceptable.

5.16 The NPPF recognises that many elements of renewable energy projects will comprise inappropriate development when located in the Green Belt and very special circumstances will be required, however these may include the wider environmental benefits associated with energy from renewable sources.

PPS10 - Planning for Sustainable Waste Management (March 2011).

5.17 PPS 10 advises LPA's to protect green belts but recognise the particular needs of some waste management facilities. These locational needs, and the wider environmental and economic benefits of sustainable waste management, are material considerations to be given *significant* weight in determining planning applications.

5.18 With regard to site suitability PPS 10 advises that priority be given to using previously developed land (as with the application site). Annex E provides a list of matters which waste planning authorities should consider. Each of these matters is satisfactorily addressed by this application as the evidence in my main proof shows. PPS 10 is currently being reviewed in the light of the recent publication of the Consultation Draft of the Waste Management Plan for England, in July 2013.

5.19 Where applications for new waste management facilities are submitted on sites which have not been allocated or identified in a development plan document, they should be considered favourably, where consistent with the policies of PPS 10 and the Waste Authority's Core Strategy (paragraph 24). New Barnfield lies within an Area of Search (Area C) and is consistent with the adopted Waste Authority Core Strategy. New Barnfield is also a proposed waste site allocation in the Submission Waste Site Allocations document, which has been submitted to the Secretary of State (June 2013). This is scheduled to be examined in public, commencing in September 2013.

DEFRA: Waste Management Plan Consultation Draft (July 2013)

5.20 DEFRA recently published its draft Waste Management Plan for England, which is an overarching compilation of existing waste management policy, which reflects the findings of the government review of waste policy in 2011. This emerging document has little weight in its current draft.

DEFRA: Energy from Waste – A Guide (February 2013)

5.21 The key message of the DEFRA guide is that 'residual' waste is a mixture of materials where the environmental or economic costs of further separation are greater than the benefits. The biodegradable fraction of this residual waste will however be a partially renewable energy source (*Paragraph 17*).

The Development Plan

5.22 Hertfordshire is a two tier local authority area with responsibility for waste collection undertaken by the District and Borough Councils and with waste disposal undertaken by the County Council, as the Disposal Authority.

5.23 The Development Plan comprises:

- The Hertfordshire Waste Core Strategy – November 2012
- The 'saved' policies of the Welwyn Hatfield District Plan 2005

The Waste Core Strategy - November 2012

5.24 The adopted Hertfordshire Waste Core Strategy covers the period to 2026. The WCS sets out a vision with facilities located as close as practicable to the origin of waste, to ensure communities deal with their own waste, especially in areas where future growth is likely (such as Welwyn Hatfield).

5.25 **Policy 1** states that provision will be made for a network of waste facilities to provide adequate capacity for existing and future waste arisings. Municipal waste management facilities will be provided within broad areas of search.

5.26 Applications that accord with the Local Plan will be approved without delay, unless material considerations indicate otherwise. The RERF proposals lie within an Area of Search and are compliant with Policy 1.

5.27 **Policy 3** states that proposals for the treatment of waste that maximise recovery and where appropriate also generate and recover heat and/or power will be acceptable in principle. In this respect the RERF will be CHP ready.

Green Belt

5.28 **Policy 6** of the WCS seeks to protect Hertfordshire's Green Belt and very special circumstances will need to be demonstrated to justify development.

5.29 The WCS confirms that there is a significant shortfall of waste management facility capacity in Hertfordshire and only limited land available outside the Green Belt. In recognition of the wider environmental and economic benefits of sustainable waste management the WCS therefore 'expects' some development in the Green Belt (*Paragraph 4.66*).

5.30 **Policy 11** sets out ten general criteria for assessing waste applications. The RERF proposals are substantively compliant with most of these criteria and I deal with each criterion of this policy at paragraph 7.74 of my main proof.

5.31 **Policy 17** sets out ten criteria for the protection of Sites of International and National Importance. The RERF proposals are also substantively compliant with most of these criteria and I deal with this policy at paragraph 7.91 of my main proof.

5.32 In relation to both policies, having regard to the historic environment, the proposals will have an impact upon Hatfield House and North Mymms House, resulting in less than substantial harm.

5.33 The NPPF however requires that where development will lead to less than substantial harm to a designated heritage asset, that this should be weighed against the public benefits.

5.34 The provision to consider public benefits against the heritage criteria of these policies is not available within the respective wording and so I weigh the balance of harm against the wider public benefit, as required by the NPPF, in my overall planning judgement, taking into account the wider provisions of the development plan and all relevant material considerations.

5.35 I conclude that the less than substantial harm is outweighed by the public benefits of enabling Hertfordshire to meet an urgent waste recovery need, significantly reduce its waste carbon emissions and produce energy from a dependable low carbon and renewable source.

HCC Submission Waste Sites Allocations (November 2012)

5.36 The DPD identifies sites throughout Hertfordshire for a range of waste facilities. These sites have been tested through the WPA's site selection methodology and scored the most positively in terms of location, suitability and deliverability during the plan period. These sites include New Barnfield, which is allocated and considered suitable for thermal treatment. The RERF proposals therefore fully accord with this DPD.

Welwyn Hatfield District Local Plan 2005 - 'Saved' Policies

5.37 The Welwyn Hatfield Local Plan covers the period to 2011 and is due to be replaced, however a number of policies have been saved and are material to the determination of applications. Policy RA 6 designates the site as a Major Developed Site in the Green Belt.

5.38 The policy is written in the affirmative and subject to certain criteria states that *'complete or partial redevelopment will be permitted within the boundaries of the major developed sites'*.

5.39 Accordingly, there is support in principle for complete redevelopment of the built area of the site for any purpose. This is a material consideration, the implications of which are dealt with in my main proof.

Welwyn Hatfield Borough - Emerging Core Strategy November 2012

- 5.40 The emerging Core Strategy covers the plan period to 2029. Policy CS4 seeks to retain the Green Belt as far as possible, but recognises that the needs of the Borough require an 'exceptional' release of land from the Green Belt.
- 5.41 Major areas of land are to be released from the Green Belt at two strategic locations; a large scale release of Green Belt for an urban extension of 2000 dwellings to the north-west of Hatfield and significant Green Belt releases for urban extensions at Welwyn Garden City.
- 5.42 This proposed major Green Belt release is material to the RERF proposals, the implications of which are dealt with in my proof.

6.0 ASSESSMENT OF NEED

The Waste Picture within Hertfordshire

- 6.1 Hertfordshire exports waste into London, Bedfordshire, Buckinghamshire and Cambridgeshire. In 2010, 3,498,256 tonnes were exported, however over 80% (2,779,664 tonnes) was exported to more distant locations.
- 6.2 **47.3%** of LAC waste was recycled or composted, with **7.7%** sent for disposal at the Edmonton EfW in London (not R1 compliant). **45%** of total LAC waste arisings were however disposed to landfill.

C&I Waste Arisings

- 6.3 The source data which informs the adopted WCS is predicated upon increased recycling rates of 55% for commercial waste and 60% for industrial waste by 2030. Total C&I waste arisings in Hertfordshire in the period to 2026 will be:

2016	2021	2026
1,059,000	1,066,000	1,062,000

- 6.4 Hertfordshire depends on treatment facilities elsewhere and its last landfill site at Westmill. This landfill site has permission to operate until 2017.
- 6.5 Tables 6 and 9 of the WCS, indicate a combined LAC and C&I residual waste capacity shortfall of 673,000 tonnes in 2016, reducing to 602,000 tonnes by 2026. At the time of writing there are no other treatment facilities likely to be operational in Hertfordshire by 2016 to address this shortfall.

Neighbouring Authorities

- 6.6 **Essex** is an importer of waste and over a million tonnes were imported from London and other counties in 2011, over 950,000 tonnes of which, were landfilled. Essex is currently pursuing a strategy of Mechanical and Biological Treatment to reduce the volume of waste being landfilled, and seeks to reduce reliance on landfill for imported wastes.

- 6.7 **Bedfordshire** requires management for 2,100,000 tonnes of waste which is predicted to rise to 2,300,000 tonnes by 2028/29, necessitating 5,552,000 tonnes of further landfill capacity.
- 6.8 Whilst Hertfordshire has historically exported waste to Bedfordshire this is unlikely to continue and waste is currently landfilled in Bletchley with circa 120,000 tonnes of waste were sent for landfill in 2012. In addition, over 3,800 tonnes were exported to Milton landfill in **Cambridgeshire**, in 2012
- 6.9 **Buckinghamshire** has 37.5 million tonnes to be managed to 2016, but only 12% will have energy recovery and 22% will be landfilled. The emerging Plan seeks greater self sufficiency by 2026, and so continued reliance upon landfill capacity in Bletchley will not be sustainable.

7.0 SITE SUITABILITY AND DELIVERABILITY

- 7.1 New Barnfield is a viable, sustainable and deliverable location for a recycling, waste treatment and energy recovery facility. The connectivity of the site with the M1 and A10 will enable residual municipal, commercial and industrial waste to be rapidly transported to the site from throughout Hertfordshire.
- 7.2 The RERF will not just treat waste, but will generate a dependable supply of low carbon energy, a significant percentage of which will be renewable. It will also increase recycling rates in Hertfordshire by up to 3% and is designed to be CHP ready enabling opportunities for steam and heat export to be developed with potential end users. This is explored further in the evidence of Mr Aumonier.
- 7.3 Whilst the entrance to the site is shared with Southfield School, there is sufficient land available to provide appropriate traffic separation, via the modified access arrangements proposed. These include a re-graded entrance into the site and the use of acoustic mitigation measures at the access point.
- 7.4 The site is suitable for thermal treatment, is available to the applicant and deliverable. No other more viable alternative site is available and deliverable within Hertfordshire or its nearby environs, which can offer the same overall sustainability benefits as the New Barnfield site for a single treatment location of the required scale to serve the whole of the county.

8.0 AVAILABILITY OF ALTERNATIVE SITES

- 8.1 A range of alternative locations were assessed against the application site. The Alternative Sites Assessment (ASA) submitted in 2011 was also updated in May 2012. The ASA has also been reviewed in the light of matters raised as part of this Inquiry and further updated. The conclusions of the July 2013 ASA are now informed by a total of 54 site assessments.
- 8.2 Section 8 of my proof reflects the conclusions of the latest iteration of the ASA. New Barnfield stays in fourth place behind the Maylands site in Hemel Hempstead (where no plots of sufficient scale exist) and two sites in Bedfordshire (Henlow and Vauxhall) neither of which are available.
- 8.3 New Barnfield is available and deliverable and so remains the highest scoring site which is actually able to bring forward the development proposed.

9.0 CONCLUSIONS

- 9.1 A core principle of the NPPF is that planning should support the transition to a low carbon future. Such resources can be found in the organic fraction of residual LACW and the proposals at New Barnfield will provide both low carbon and renewable energy to meet this core principle.
- 9.2 The RERF at New Barnfield engages policies in relation to waste, energy, sustainability and climate change and all communities have a responsibility to contribute to energy generation from renewable and low carbon sources. The WPA has considered all of these issues in the context of the site specific matters assessed by the ES and resolved to grant planning permission for the proposals. The grounds for this resolution are that in the weighing of the planning balance, the urgent need for the proposals and the wider benefits of the RERF outweighs the assessed harm.
- 9.3 The applicant concurs with the WPA that the current situation in Hertfordshire is unsustainable with residual LACW transported long distances and over 500,000 tonnes of commercial and industrial waste being exported annually due to the lack of suitable treatment facilities within Hertfordshire.
- 9.4 My proof demonstrates that there is an urgent need to replace landfill as the principal means of waste disposal in Hertfordshire. This requires an efficient energy recovery solution, based on proven, tested technology, on a genuinely deliverable site, which is capable of dealing with the volume of LAC and C&I waste arisings predicted.
- 9.5 The RERF at New Barnfield will be a modern, efficient energy system aimed at the residual waste fraction and capable of extracting recyclates from the waste delivered whilst supplying low carbon heat and power. The proposed RERF will generate up to 26 MW of electricity for export to the National Grid from a dependable, low carbon and renewable energy source. The RERF will also provide dispatchable power, providing peak load and base load electricity on demand. NPS EN-1 also recognises that major developed sites in the Green Belt may be suitable for energy infrastructure and may help to provide jobs and prosperity without further prejudice to the Green Belt.

- 9.6 In this instance the site lies at the periphery of the Green Belt, is identified as a Major Developed Site (MDS) and lies adjacent to a range of major industrial and commercial land uses with a common access road from the A1001.
- 9.7 In terms of sustainability, the RERF proposals are R1 compliant and accord with PPS 10 in that they are predicated on front end recycling and back end energy recovery and so they are not a disposal operation. Accordingly, as the current method of waste management in Hertfordshire is predicated on landfill disposal in out of country locations, the RERF proposals will help drive waste up the hierarchy, whilst also assisting Hertfordshire to meet its recycling and renewable energy targets.
- 9.8 With regard to the impacts of the proposal, these are primarily; the impact upon the openness of the Green Belt, the impact upon Hatfield House and the impact upon Southfield School. With regard to Green Belt the NPPF recognises that elements of many renewable energy projects may comprise inappropriate development when located in the Green Belt. In such cases, developers will need to demonstrate very special circumstances if projects are to proceed.
- 9.9 This Proof illustrates that the design of the RERF proposals recognises the importance of the protection of the Green Belt. However over two thirds of the county is designated as Green Belt and opportunities for non-Green Belt sites suitable to accommodate the scale of waste treatment facilities required are very limited, as acknowledged by the WPA. Whilst some harm will be caused to the openness of the Green Belt by the proposals, the Applicant concurs with the WPA that the main purposes of Green Belt, such as encroachment and sprawl, are only affected to a very minor degree.
- 9.10 However the urgent need for a new recovery facility, generating low carbon secure energy, together with the previously developed nature of the New Barnfield site, is a material consideration of significant weight. This combined with the lack of viable alternative sites and the site's location at the eastern fringe of the Green belt adjacent to other industrial users served by Travellers Lane, creates a set of very special circumstances.

- 9.11 These VSC's are sufficient to justify the grant of planning permission to help secure wider environmental and sustainability objectives for Hertfordshire. The principle of permitting energy from waste facilities in the Green Belt was accepted in July 2012 in *Hartlebury* (CD/F7). This case has clear parallels with New Barnfield given the developed nature of the two respective sites and the recognition of future development facilitated by policy RA 6 at New Barnfield.
- 9.12 The Secretary of State agreed that there was a compelling and urgent need for the recovery facility at Hartlebury and that no other suitable alternative site was available (IR11.60 – 11.64). This is equally the case at New Barnfield and the other parallels with the *Hartlebury* decision are dealt with in the conclusions of my main proof.
- 9.13 The Alternative Sites Assessment (ASA) demonstrates that New Barnfield to be both edge of urban and previously developed land but it is not directly proximate to nearby residential receptors. As such, no other more suitable sites have been found within Hertfordshire which are both currently available and deliverable and which could accommodate the proposed RERF with a materially lesser environmental impact than New Barnfield. The Applicant has updated and extended the search area of the ASA to further assist the Inquiry and no other more suitable sites exist close to the borders of Hertfordshire or within the principal transport corridors proximate to Hertfordshire.
- 9.14 With regard to the impact upon the setting of **Hatfield House** the evidence of Mr Harris shows that any impacts upon the setting of Hatfield House and other heritage assets will be less than substantial. The evidence of Mr Chard further demonstrates that with regards to landscape and visual impacts the Applicant acknowledges that the proposed RERF will be prominent in scale and visible, this will not be unacceptable from key viewpoints. Consultation responses from CABI also show that the design is commendable and will therefore make a positive design statement within the existing town context.
- 9.15 With regard to the impact upon **Southfield School**, the school has already been relocated to a new town centre site and will remain at the Howe Dell site during the construction phase for a period of five years.

- 9.16 Upon the return of the school to New Barnfield in five years time, the Applicant concurs with the WPA that the operational impacts can all be satisfactorily mitigated and that new entry pupils who will occupy the school in 2018/19 are expected to be able to adapt to the changes to the school environment.
- 9.17 With regard to **highway safety**, the proposed RERF has excellent access to the major road network. The Applicant has shown that neither the Highways Agency, nor the Hertfordshire Highways Authority have any objections or any specific concerns in relation to the specific impact of additional HGV's on the operation of the A1 (M) or local roads. The Applicant has also demonstrated through the evidence of Mr Fulcher, that there will be no significant impact upon pedestrian or cyclist safety. In this respect, the draft S106 agreement includes provisions for a contribution towards sustainable transport.
- 9.18 With regard to **air quality and health**, the application site is not located within an Air Quality Management Area (AQMA) and baseline monitoring indicates that air quality standards within the area will not be exceeded by the proposed RERF. The evidence of Mr Barrowcliffe also demonstrates that the potential emissions from the facility, including in combination with associated traffic, will not have any significant impact upon human health. With regards to **noise**, the Applicant has shown through the evidence of Mr Manneylaws that the operational noise impact of the proposal is minor both day and night.
- 9.19 With regard to the **Development Plan**, the proposed RERF is in accordance with the dominant themes of the Waste Plan, as it lies within an Area of Search (C) in the adopted Waste Core Strategy and is one of five allocated sites in the Green Belt in the emerging Waste Sites Allocation Document, which was submitted to the Secretary of State in July 2013.
- 9.20 Furthermore, the site characteristics of New Barnfield are very different from that of the other Green Belt waste treatment allocation sites. This is reflected in its identification as a Major Developed Site in the Saved Policies of the Local Plan with a clear acceptance in favour of redevelopment of the site with the potential for other industrial and commercial uses similarly serviced by HGV's.

- 9.21 In conclusion, the submitted RERF application accords with the dominant waste policy themes set out in national and local waste planning policy as well as other waste, energy and climate-related guidance documents.
- 9.22 Whilst my proof acknowledges a lack of accord with some policies of the development plan, my proof demonstrates that the balance of other national and waste plan policies, with other wider material considerations decisively weigh in favour of the grant of planning permission.