

Chris Moscrop  
Planning Department  
Weymouth and Portland Borough Council  
Council Offices  
North Quay  
Weymouth  
DT4 8TA

16 November 2009

Dear Mr. Moscrop,

**Re: plans by W4BRE Limited to build an Energy Plant adjoining Balaclava Bay. Application No. 09/00646/FULES and 09/00648/LBC**

I am writing on behalf of Biofuelwatch to object to the plans re-submitted by W4BRE Ltd to build a "Green Energy Plant" at Balaclava Bay, which is to burn virgin vegetable oil, primarily palm oil from SE Asia.

Would you please acknowledge receipt of this objection by e-mail, let me know when the planning committee will consider this application and give Biofuelwatch the opportunity to make verbal representations at the committee meeting.

In their re-submission, W4BRE provided additional information to address the reasons given by the Council in refusing the original application. The third reason for refusal concerned the distance required to transport fuel:

*"The proposed Power Plant would not be located close to the source of fuel that is proposed to be used and as such would result in excessive transportation requirements that would be contrary to Energy Policy A of the Bournemouth, Dorset and Poole Structure Plan and PPS22 Renewable Energy."*

Biofuelwatch's primary reasons for objecting to the original application were that the use of imported vegetable oil for generating electricity is unlikely to produce any saving in greenhouse gas emissions, and that the production of vegetable oil feed stocks for the Energy Plant particularly in overseas countries leads to significant adverse environmental, social and economic impacts.

**These deficiencies of the proposed development have not been addressed at all in the revised application. The same fuels are to be used from the same sources with the same adverse impacts.**

All our original objections stand, which we summarise later after commenting firstly on the new information provided:

1. In trying to address the third reason for refusal – distance of fuel transport - W4BRE has put forward a claim of carbon savings from operation, but have not provided details of the method of calculation. We believe that the Council should not accept such claims without independent verification.
2. Reporting the effects of the Energy Plant in terms of 'carbon savings' is, however, irrelevant and gives a misleading and optimistic assessment of the impact of its operation. The measure that should be considered is the overall 'Greenhouse Gas Impact', a principle also adopted into the European Union's Renewable Energy Directive 2009 ( the EU RED ) - ( **DIRECTIVE 2009/28/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC )
3. A key point here is that climate-changing emissions are not limited solely to carbon dioxide, and even less so to carbon dioxide calculations which ignore land use change. W4BRE is trying to persuade the Council to consider only the carbon dioxide emitted during the burning of fuel at the Energy Plant. What are also relevant and very significant are the emissions of other more powerful greenhouse gases, notably Nitrous Oxide and Methane, which are released when growing crops are fertilised and when land is cleared and drained to prepare the ground, as well as carbon dioxide emissions from land clearance and from soils (particularly in the case of feedstock being grown on peatlands). Instead of simply stating that the Energy

Plant will produce carbon savings, W4BRE should provide an assessment of the full greenhouse gas impacts of their proposed operation, including from soils and land use change as well as methane and nitrous oxide emissions, which should be verified independently.

4. The EU RED defines a minimum reduction in greenhouse gas impact in order for fuels to be treated as 'renewable'. With effect from 2009, the threshold is set at 35% compared with fossil fuels, and from 2017, this limit will be increased to 50% - concerns about the fact that indirect impacts are not included in this, thus not giving the full picture of biofuel impacts on the climate are discussed below. W4BRE has not put forward a greenhouse gas impact figure for their Energy Plant. It is therefore not possible for the Council to assess the impact against the criteria laid down in the EU RED and inherited by the UK's Renewable Obligation Order 2009.

5. The EU RED also gives "Typical and default values for biofuels if produced with no net carbon emissions from land-use change." (Annex V). For hydrotreated vegetable oil from palm oil, the values are given as ranging from 26% to 68% depending on the method of production. Palm oil is therefore recognised by the EU as one of the poorest 'renewable' fuels, and the EU assesses that some palm oil fails to meet the (low) threshold of 35% and more oil will fail the higher threshold of 50% when that takes effect in 2017.

6. The Council is no doubt aware that significant greenhouse gas savings can be achieved by other renewable energy technologies like solar, wind and marine. For virgin vegetable oil, on the other hand, there is considerable and growing evidence that, far from offering 'greenhouse gas savings', they accelerate climate change.

7. The EU RED defines a minimum reduction in greenhouse gas impact in order for fuels to be treated as 'renewable' and eligible for subsidies (including ROCs). With effect from 2009, the threshold is set at 35% compared with fossil fuels, and from 2017, this limit will be increased to 50%. W4BRE has not put forward a greenhouse gas impact figure for their Energy Plant. It is therefore not possible for the Council to assess the impact against the criteria laid down in the EU RED and inherited by the UK's Renewable Obligation Order 2009.

8. We point out that the EU has defined its default values for greenhouse gas savings on the basis that there are no net carbon emissions from land use change – something W4BRE have not and in our view cannot guarantee. These additional emissions are very significant and in the case of palm oil produced on drained peatlands have been shown to result in a 'carbon debt' of as long as 840 years<sup>(1)</sup>, mostly because of large emissions of carbon from peat-land destruction and deforestation. Carbon debt is the length of time it would take for the initial release of greenhouse gases from land-use change to be compensated for by the use of 'renewable fuel' from that land. The EU itself recognises that there is a need to include the effects of land use change in assessing the greenhouse gas impacts of biofuels, stating in the RED that:

*"(70) If land with high stocks of carbon in its soil or vegetation is converted for the cultivation of raw materials for biofuels or bioliquids, some of the stored carbon will generally be released into the atmosphere, leading to the formation of carbon dioxide. The resulting negative greenhouse gas impact can offset the positive greenhouse gas impact of the biofuels or bioliquids, in some cases by a wide margin. The full carbon effects of such conversion should therefore be accounted for in calculating the greenhouse gas emission saving of particular biofuels and bioliquids. This is necessary to ensure that the greenhouse gas emission saving calculation takes into account the totality of the carbon effects of the use of biofuels and bioliquids."*

It is noteworthy that the EU RED here states that: **"The resulting negative greenhouse gas impact can offset the positive greenhouse gas impact of the biofuels, in some cases by a large margin."**

Nothing that W4BRE have put forward, including their reference to the Roundtable on Sustainable Palm Oil (as discussed below) guarantees compliance with EU standards and thus eligibility for ROCs. Without subsidy, it will be uneconomic for W4B to operate the proposed green energy plant.

9. The EU RED makes it clear that member states should have regard for the sourcing of biofuels and not allow biofuel production to be the cause of land-use change which incurs a large carbon debt:

*"(73) Land should not be converted for the production of biofuels if its carbon stock loss upon conversion could not, within a reasonable period, taking into account the urgency of tackling climate change, be*

*compensated by the greenhouse gas emission saving resulting from the production of biofuels or bioliquids.”*

10. Both the UK Government and the EU recognise that the current sustainability criteria are inadequate, highlighting for example the need to take account of ‘Indirect Land-Use Changes’:

*“(85) The Commission should develop a concrete methodology to minimise greenhouse gas emissions caused by indirect land-use changes. To this end, the Commission should analyse, on the basis of best available scientific evidence, in particular, the inclusion of a factor for indirect land-use changes in the calculation of greenhouse gas emissions and the need to incentivise sustainable biofuels which minimise the impacts of land-use change and improve biofuel sustainability with respect to indirect land-use change.”*

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See Joseph Fargione, Land Clearing and the Biofuel Carbon Debt, 2008/10.1126/science.1152747 and ‘Carbon payback times for crop-based biofuel expansion in the tropics: the effects of changing yield and technology’. Holly Gibbs et al, Environ. Res. Lett. 3 (2008) 034001 (10pp)

11. W4BRE refer in their re-submission to the Round Table on Sustainable Palm Oil (RSPO), stating that they will only be eligible for Renewable Obligation Certificates if their fuel is RSPO-certified. We draw the Council's attention to the fact that this month the RSPO has failed to reach agreement with palm oil producers on a minimum level of greenhouse gas savings to be included in the certification scheme. **Using RSPO-certified palm oil does not therefore guarantee any level of greenhouse gas saving and thus no compliance with EU rules for biofuel subsidies.**

12. The RSPO is a supplier-led certification body, which acts in the interests of its members, primarily the palm oil plantation owners and processors of South East Asia. It has attracted criticism from many international environmental NGO's including Greenpeace and Friends of the Earth. The RSPO certification scheme is incomplete in that for example it doesn't map the impacts of palm oil production on soil degradation or water use and it does not address the social problems caused by large-scale palm oil production. Certification does not address the structural impacts of biofuels, such as the distortion of commodity markets and the shift in the balance of power between small farmers and agro-industry.

13. In determining this application, Biofuelwatch asks that the Council keep in mind these remarks made by the EU in the Renewable Energy Directive concerning biofuels:

*"(69) The increasing worldwide demand for biofuels and bioliquids, and the incentives for their use provided for in this Directive, should not have the effect of encouraging the destruction of biodiverse lands. Those finite resources, recognised in various international instruments to be of value to all mankind, should be preserved. Consumers in the Community would, in addition, find it morally unacceptable that their increased use of biofuels and bioliquids could have the effect of destroying biodiverse lands."*

#### **SUMMARY OF OUR PREVIOUS OBJECTION dated 17 August 2009**

Biofuelwatch is primarily concerned about the impacts of the large additional demand for biofuels created by the proposed Energy Plant at Portland on the global climate; on communities in the global South, for example in Indonesia, Papua New Guinea, Malaysia and Colombia; and on the life-support systems which underpin global biodiversity.

There is now universal acceptance by scientists and politicians that global warming is changing the climate, and recognition that all developments with more than minor climate and sustainability impacts ought to be considered from a global perspective.

In Biofuelwatch's view, the proposed development will have significant adverse environmental, social and economic impacts at a global level. We believe these should be treated as material considerations in determining this application.

1. Regarding renewable energy specifically, Planning Policy Statement 22: Renewable Energy (PPS22) states as one its key principles that:

*'(iv) The wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations that should be given significant weight in determining whether proposals should be granted planning permission.'*

Biofuelwatch believe that if wider environmental **benefits** are to be treated as material considerations in considering a planning application, then so should wider environmental **impacts**.

2. PPS22 also states that:

*'Renewable energy developments should demonstrate any environmental, economic and social benefits as well as how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures.'*

In our view, the use of large volumes of imported vegetable oil, including palm oil, for this application is totally incompatible with the requirement to ensure that "*environmental and social impacts have been minimised*".

3. Planning Policy Statement 23: Planning and Pollution Control, confirms that *'any considerations of the quality of land, air, water and potential impacts arising from development, possibly leading to impacts on health are capable of being material considerations in the determination of planning applications.'*

The wording of PPS23 does not limit the geographical scope of 'potential impacts'. In our view therefore, the wider environmental and social impacts of palm oil production, which include adverse impacts on the quality of land, air and water in producing countries as well as on the health of indigenous people, should be treated as material considerations for determining this application.

4. Furthermore, the W4BRE application should be considered in the light of the Council's statement in its 2008 – 2013 Corporate Plan, which acknowledged the need to consider the impact that local activities have on global changes to the environment:

*"The Council, communities and local businesses need to work together to reduce the impact our activities have on local and global changes to the environment. For example, there are few places where the effects of sea level change could be more significant in the longer term than Weymouth and Portland"*

5. In Biofuelwatch's view, the proposed development will have significant adverse environmental social and economic impacts at a global level. We believe these are material considerations in determining this application and that the Council should refuse consent.

## **Conclusion**

1. All industrial-scale biofuels, whether imported or domestically grown, cause more greenhouse gases than equivalent fossil fuels and therefore will only exacerbate dangerous climate change. (see [www.biofuelwatch.org.uk/docs/lca\\_assessments.pdf](http://www.biofuelwatch.org.uk/docs/lca_assessments.pdf) ).

2. Increasing the use of biofuels makes it harder to save the tropical rainforests.

3. Biofuels lead to rising food prices, world hunger and human rights abuses.

4. We dispute W4BRE's claims that its fuel supplies will be sustainable. It intends to use palm oil as a fuel, which is responsible for large-scale deforestation, major carbon dioxide emissions, evictions and human rights abuses, more global hunger, serious biodiversity losses and pesticide poisoning.

5. The deficiencies of the original proposed development have not been addressed at all in the revised application. The same fuels are to be used from the same sources with the same adverse impacts.

If approved, this development will have very significant adverse consequences for the environment and for people in the South for decades to come.

We urge you to take these wider implications into account when considering W4BRE's proposals, and to reject their application.

Yours sincerely,

Robert Palgrave

Biofuelwatch