

Central & Eastern Berkshire Authorities
Hearing Position Statement
Main Matter 6 – Strategy for waste

Word count: 2539

This Hearing Position Statement should be read in conjunction with the Schedule of Proposed Modifications (MD01).

Issue: Whether the strategy for waste management is appropriate, soundly based and meets needs for waste facilities?

6.1 *How does the Plan support the movement of waste management up the waste hierarchy and reflect the proximity principle?*

The waste hierarchy is part of the Plan Vision (Para. 3.5), while both the waste hierarchy and proximity principles are part of the Strategic Plan Objectives (Para. 3.6) and Policy W1. Additionally, in Policy W3 more non-hazardous recycling than recovery capacity is envisaged and proposals for either landfill or energy recovery development will need to demonstrate that waste management higher up the hierarchy is not achievable.

Waste being managed close to its source or markets is further supported through Policy W4 where it is part of the criteria for appropriate locations. Furthermore, a Statement of Common Ground has been pursued with Slough Borough Council (EX05) regarding the Lakeside Energy Recovery Facility in order to preferentially enable waste to be managed through a directly neighbouring facility, in line with the proximity principle.

6.2 *Does the Spatial Strategy reflect the relationship between existing population and population growth and future infrastructure provision, particularly in relation to the likely future waste generation and the need for new facilities?*

Population growth and new infrastructure have been considered in the Waste Background Study (HS65), particularly in the section on Local Demand Factors (10.7-10.15), including housing completions, predicted housing growth and proposed developments from the other local development plans. While there are many factors that impact waste

growth (e.g. product design, new technologies, behaviour change etc.), and it is the aim of a circular economy to decouple population growth from waste growth, in the absence of national waste growth predictions, the predicted household growth has been combined with the known waste growth trend in the Plan area to determine a waste growth rate.

Policy W4 specifically references areas of major new development as a criterion, however it is also noted that a number of different waste uses have requirements that preclude them from being located within urban or densely populated areas.

6.3 Does the Plan appropriately take into account future development allocations and strategies in the other constituent parts of the development plan with regard to the future need, provision and location of waste facilities?

The Waste Background Study (HS65) considers the local Strategic Housing Market Assessment, strategic development locations and proposed town centre developments (10.7-10.15).

Policy W4 specifically references areas of major new development as a key criterion for waste sites, as it is likely that these areas will need new waste management facilities. A more detailed link to other parts of the local development plan was not possible because of the varying timetables for the preparation of local plans across the plan areas and as insufficient sites were proposed to select from them based on this criteria.

Sites that were found to be allocated for housing were removed for consideration as Preferred Waste Areas, where appropriate, in order to enable housing delivery to proceed and to take into account where waste uses are unlikely during the Plan period. For example, industrial estates within the Royal Borough of Windsor and Maidenhead were excluded from consideration due to the findings of the relevant Economic Development Needs Assessments and the needs identified in the emerging Royal Borough of Windsor and Maidenhead Borough Local Plan (further details can be found in the Waste: Proposal Study, HS76, para 5.26).

6.4 Does the Plan provide sufficient scope and opportunity to deliver new waste management capacity? Does the Plan set out an appropriate approach with regard to cross-border movements of waste and the potential for self-sufficiency within the Plan area?

The Plan estimates waste growth and predicts arisings, based on arisings that were estimated to originate from the Plan area, even where they crossed boundaries and where they are managed in other authorities. This

was done by primarily relying on Environment Agency waste data which is considered the most reliable and contains information on waste facilities across England, so most waste movements from the Plan area (including cross-border ones) are likely to have been captured. The Plan sets out minimum waste capacity requirements in Policy W3, in order to deliver net self-sufficiency, thereby strengthening the case for any waste proposals.

The main approach is given in Policy W4. The Plan underwent a number of 'Call for Sites' across a number of years, but only a small number of deliverable sites were promoted. All the proposed allocations are considered viable and deliverable. Two existing sites, Star Works and Planners Farm, were also proposed, however as there was insufficient information on the type and/or quantity of waste they would manage, it was not considered that allocating them would address the capacity gap or provide greater certainty to communities. Both sites are safeguarded, which should protect their current and potential future waste management land use (further details are in the Waste: Proposals Study, HS76, p.188 and 165, respectively).

As the allocated capacity was not sufficient for the predicted arisings, Preferred Waste Areas were identified through a review of industrial estates and employment land. Criteria are also set out in order to enable waste proposals to come forward for the identified need and to the estimated minimum requirements (from Policy W3).

6.5 Is the approach in Policy W4 of primarily relying on the 25 Preferred Waste Areas justified and effective? How will this ensure that sufficient waste capacity is delivered to meet the capacity requirements identified in Policy W3, whilst also having regard to the proximity principle?

Policy W4 prioritises the Preferred Waste Areas following a thorough assessment which has determined that there is a realistic prospect that the sites can accommodate certain waste uses. However, as there are no specific proposals for these areas, the policy does not rely on these areas, and therefore allocates additional sites, which have uses that would not be compatible with the assessed industrial estates. Policy W4 further both sets out enabling criteria and provides guidance in the supporting policy text. Policy W3 and W4 together help to enable the required waste proposals to come forward, including appropriate waste uses in appropriate locations to provide communities some certainty as to how proposals would be evaluated. The prioritisation of Preferred Waste Areas is clarified through proposed Modifications (AM44 and AM45).

Policy W4 has the proximity principle integrated in its criteria by requiring sites to have good connectivity to either areas of major new development, sources of waste or markets for the types of waste to be managed.

However, in the absence of a surplus of proposed waste sites to choose from, it is not possible to directly apply the proximity principle and the need for waste management capacity will need to be balanced with other factors.

Ultimately, in the absence of sufficient proposed sites, any approach will need to rely on waste sites coming forward. The approach of Policy W4 is considered justified and effective as it enables waste development as far as possible, while giving communities as much certainty as possible through the assessment and prioritisation of Preferred Waste Areas.

6.6 How have the Preferred Waste Areas been selected?

The approach to selecting the Preferred Waste Areas is set out in the Waste: Proposal Study (HS76), section 5 Industrial land review. Employment land and industrial estates were identified through a systematic desk-based assessment, followed by site visits, ruling out initially unsuitable sites and conducting sustainability assessment of the remaining areas. The testing criteria are set out in Table 13. The areas selected are listed in Table 16 and then individually with the relevant assessment information. Those found unsuitable are listed in Appendices 6 through to 9.

6.7 Are any of the Preferred Waste Areas allocated for a different use or protected by policies in any other Development Plan Documents that might prevent them being realistically considered to be available for waste management proposals?

The assessment considered allocations in other plans and removed those that would have uses incompatible with waste. In the time that the Plan was prepared, the status of some of the sites may have changed and this will need to be considered when determining planning applications and in any review of the Plan. After the Plan is adopted, any conflicting uses will need to consider the status of the Preferred Waste Areas in the Plan and a planning judgement will need to be made as to the most appropriate use of the land.

An example is the Nine Mile Ride Industrial estate which is being promoted for housing within the Wokingham Borough Local Plan. The assessment was reviewed by Wokingham Borough Council, and it is considered that waste activity could take place on this site during the Plan period. An objection received to the Submission Plan (REP 24) raises a question of its viability if waste uses do not have the support of the site owner, however the principle of the objection is the incompatibility of promoting the site for housing and using it for waste purposes in the

meantime, and this has been assessed not to be the case, as the industrial estate is only part of the land promoted for housing and already contains a number of businesses with potential impacts similar to those of Category 3 (activities requiring enclosed industrial premises (small scale)). Therefore, it is considered that the site should remain a Preferred Waste Area, giving the opportunity for such uses to come forward within the Plan period.

- 6.8 *The Plan identifies in Appendix B, seven categories of waste management facilities. The 25 Preferred Waste Areas do not include any areas suggested to be suitable to categories 1, 5, 6 and 7, is there an identified need for them? Does the policy approach of primary reliance upon Preferred Waste Areas identify sufficient areas of focus to enable the waste industry to deliver the facilities that are needed over the plan period relevant to the types of waste streams that need to be managed and the operational requirements of the respective waste management facilities?*

While the Plan is not prescriptive on technology or site category, waste proposals from categories 1, 5, 6 and 7 are likely to be needed, in addition to the other categories of waste management facilities. For example, while landfilling (category 7) is the least preferred form of waste management, waste from the Plan area does go to landfill and so, if possible, responsibility should be taken for this sort of waste by providing the relevant waste facilities. However, this will depend on suitable sites coming forward. The Plan allocates two waste sites that could meet category 1 (WA 1 and WA 2). Following the assessment process, no suitable sites were identified that meet categories 5, 6 and 7, and as a result there will be a need to rely on suitable proposals coming forward in the future.

The Plan approach is to prioritise Preferred Waste Areas. However, it also enables other waste proposals to come forward through the setting of minimum waste capacity requirements (Policy W3) and clear criteria for waste proposals outside these areas (Policy W4).

- 6.9 *Is Brookside Business Park, Swallowfield appropriately included within the Preferred Waste Areas?*

The Brookside Business Park comprises a number of business units which have operated on site for a number of years. It is assessed as being suitable for Category 3: Activities requiring enclosed industrial premises (small scale). This type of use is similar to that currently operating on site, and it is considered that replacement of any existing businesses with

a waste business that has the same impacts would be sustainable. It may be that waste management operations with greater noise or traffic impacts are not suitable for this site, so any specific impacts arising from a waste management operation would need to be considered at the planning application stage. Any larger scale applications are generally excluded from the site by virtue of limiting the assessed suitability to Category 3: Activities requiring enclosed industrial premises (small scale).

A number of representations have been raised, primarily raising concerns around site owner support, traffic, and flooding issues. As discussed above, the traffic and flooding impacts should be comparable to the existing uses, while any potentially increased or unacceptable impacts would need to be addressed at the planning application stage. In terms of viability due to site owner support, the main concerns raised were regarding the perceived impacts of waste management facilities. However, Category 3: activities requiring enclosed industrial premises (small scale) are likely to have similar impacts to those businesses already present on site, so it is conceivable that a waste management use could come forward that would be able to address those concerns.

Further information regarding the extent of the Preferred Waste Area at this site has been received and two domestic properties will need to be removed from the map (proposed additional modification AM47).

6.10 Are the allocations WA1, WA2 and WA3 justified, having regard to the fact that in paragraph 7.106 it is stated that all of these sites are located within the Green Belt? Should the development considerations in Appendix A state the need to consider Green Belt policy?

The Green Belt consideration for allocations WA1, WA2 and WA3 has been considered and the Waste Proposal Study (HS76) addresses this in 3.22 – 3.25, concluding that it is justified as:

- a) there is a lack of available sites outside the Green Belt, and
- b) the proposed sites are unlikely to cause substantial harm to the openness of the Green Belt.

Furthermore, the Green Belt is an ongoing consideration in the assessment of the allocations. For example, Jayflex Aggregate (REP 38) have commented that their request for a revised larger waste recycling site (red lined area) has not been included in this round of consultation. The revised boundary is a significant increase to that initially discussed and is presented in the Plan. Whilst the need for additional waste infrastructure is apparent, the size of this amended proposal is likely to have a significant impact on the Colne Valley Regional Park and

result in a greater loss of the Green Belt. Meetings have taken place with the Colne Valley Regional Park throughout this process and the allocations outlined in the Plan seek to help implement the Infrastructure Strategy. A development of this scale is not considered to be aligned to the objectives of the Regional Park. A summary of the revised assessments for the site is provided for discussions (see EX10).

However, a development consideration relating to the Green Belt may be of assistance in guiding future planning applications so is suggested for each of the sites through proposed Modifications (MM10, MM11 and MM15). Furthermore, an additional point is added in Policy DM6 on Green Belt to cover this kind of situation (MM5).

- 6.11 *How does the allocation of WA1 in Policy W4 reflect the fact that WA1 appears to mostly overlap with the southern Poyle Quarry Extension, MA2 allocated in Policy M4? Does this raise any issues for the delivery of either proposal? Does there need to be any indication of appropriate phasing? And if so, what impact might this have on the ability of the Plan to provide sufficient waste management capacity?*

This overlap has been considered in the Waste: Proposal Study (HS76) in the appraisal of Berkyn Manor, where it is clarified that the proposed development for green waste / energy recovery use (Anaerobic Digestion) would follow on after working and restoration of the southern Poyle Quarry extension area site, although as a compatible use it could come forward earlier than the full restoration within an appropriate area within the farm's landholdings.

It is not considered necessary for the Plan to be prescriptive on how the sites should come forward in terms of any phasing required, as consideration of the remaining and proposed mineral reserves in the area concludes that they can be extracted within the Plan period and allow for the waste uses to come forward (estimated date of commencement for MA2 is 2025 with around 2 years of extraction, Minerals: Background Study, HS64, 5.125). It is expected that the applicant will set this out accordingly, taking into account the relevant policies in the Plan, as part of any planning application.

With estimated reserves of 250,000 tonnes at both extension areas, it should be possible to deliver both the mineral extension and the waste proposals within the Plan period.

- 6.12 *How does the allocation of WA2 in Policy W4 reflect the fact that WA2 appears to sit within the existing permitted mineral site Horton Brook Quarry identified for the extraction of the remaining reserves under Policy*

M4? Does this raise any issues for the delivery of either proposal? Does there need to be any indication of appropriate phasing? And if so, what impact might this have on the ability of the Plan to provide sufficient waste management capacity?

It is recognised in the Plan that the existing use for WA2 is an existing operational sand and gravel quarry. Furthermore, the Waste: Proposal Study (HS76) highlights that the current plans are for the operational site to be restored to agriculture under existing planning permission, while noting that future waste activities are likely to be located where sheds and offices are already located close to the site access.

It is not considered necessary for the Plan to be prescriptive on how the sites should come forward in terms of any phasing required, as it is expected that extraction and infilling works will be completed by 2023 (in accordance with planning application 17/03850/VAR - <https://publicaccess.rbwm.gov.uk/online-applications/applicationDetails.do?keyVal=P0UNO2NIKKC00&activeTab=suimary>). Therefore, it is expected that the WA2 waste use would be deliverable within the Plan period.

6.13 Is the proposed approach in Policy W2 for safeguarding waste management facilities justified in the context of existing and future waste capacity requirements and the relationship to the growth and development strategies contained within other Development Plan Documents?

Yes, safeguarding of waste facilities is of great importance, as stressed in the National Planning Policy for Waste (NPPW, 2014, para 8), particularly because waste uses can face pressures from incompatible non-waste developments. This is further discussed in the Safeguarding Study (HS74). The importance of safeguarding is further increased by the small number of allocated waste sites in the Plan and the current and predicted waste capacity gap.

The approach proposed in Policy W2 should enable waste facilities to come forward and continue operating unimpeded, while allowing for situations where the planning benefits of the non-waste development clearly outweigh the need for the waste management facility. This allows for the needs of other Development Plan Documents to be addressed, as provided for by Policy W2 3(a).