

NORTHAMPTONSHIRE MINERALS AND WASTE LOCAL PLAN UPDATE: COUNCIL RESPONSE TO INSPECTOR'S MATTERS AND ISSUES

MATTER 3 - Does the Plan make proper provision for the waste to be managed?

Issue 1

Does Policy 12 provide an appropriate framework for the distribution of waste sites for non-inert and hazardous waste?

The intent of Policy 12 is to set out the development criteria for waste management facilities handling both non-inert and hazardous wastes – not to provide a framework for distribution of such sites. The spatial strategy for waste management facilities is set out through Policy 11.

Policy 11 provides an appropriate framework for the distribution of waste sites for non-inert and hazardous waste. It does this by guiding development of a particular scale or treatment level towards areas that are considered appropriate to accommodate the general form of development that may occur (ensuring proportionate scale), where supporting infrastructure is available and where the general siting criteria for facilities is broadly satisfied. These principles are applicable to both non-inert and hazardous waste management facilities. The policy is of a strategic high level nature and so has been kept technology neutral and does not delve into specific locational criteria for existing types of facilities (to do so may hinder new technologies coming forward).

It should be noted that Policy 12 has undergone minimal change from that found sound in 2014. There has been no change at all to Policy 11.

Issue 2

Should planning permissions since 2012, particularly those in Appendix 4 of the Plan, be taken into account, in terms of calculating the capacity gap set out within Policy 10, in order for the Plan to be effective?

The Council does not consider that planning permissions since 2012 need to be taken into account in terms of calculating the capacity gap set out within Policy 10 in order for the Plan to be effective. The waste forecasts and capacity gaps were reviewed and updated in through the partial review and adopted 2014. The current update process is aimed at revisiting sites and the approach taken to these. The MWMR provides an annual update of the permitted capacity – this information is publically available and is taken into account though the planning application process hence the need for such analysis is addressed through this mechanism. A line must be drawn at some point in order for the plan making process to move forward and the decision was made to omit the waste capacity gaps, and other elements, from the scope of this update process as a full review was not warranted given the recent partial review. If one part of the waste forecasts is updated this opens the door for a full review and there is no need for this as new data is limited and already captured at an appropriate level to feed into the planning application decision making process. There is also a more general issue that to require, for example, the waste forecasts to be updated would send a strong message to authorities preparing plans that partial reviews are not considered appropriate and that a plan should be reviewed in its entirety or not at all.

Issue 3

Is the Plan positively prepared to deliver the identified advanced treatment capacity gap?

The Plan is positively prepared to deliver the identified advanced treatment capacity

gap. This is demonstrated through: identification of indicative facility numbers needed to take up the capacity gap of 0.53 Mtpa by the end of the plan period (para 5.32-5.34, Table 6 and 7); a spatial strategy that specifically addresses advanced treatment facilities (Policy 11, para 5.40-5.49); development criteria enabling proposals to come forward through the planning application process (Policy 12); and identification of locations for waste management facilities including industrial areas and sites for integrated waste management facilities (Policy 13) that would be able to accommodate the indicative facility needs.

The plans indicative requirement for advanced treatment by 2031 is 0.92 Mtpa, permitted capacity as at end 2015 was 0.64 Mtpa leaving a gap of 0.28 Mtpa (2015 MWMR 2015 Tables 5-7, Exam Doc Ref 490) that is able to be provided through two facilities (or more if not all permission are implemented).

As set out through the Issues and Options (I&O) paper (Exam Doc Ref 304, para 3.8 and 3.17-3.19) the county has experienced a very limited take-up of allocated sites, whilst applications have come forward (and been approved) for advanced treatment facilities on allocated industrial areas and unallocated sites. A round-up of permission granted on allocated sites, industrial locations and unallocated sites is set out in the I&O paper (Exam Doc Ref 304, para 3.17-3.19) which reported that of a total of 36 permissions for waste related development granted since adoption of the allocations (under the MWDF in 2010 up to publication of the I&O in May 2015) 14% were on allocated sites, 39% were on allocated industrial locations and 47% were on unallocated sites.

The move away from a reliance on site specific allocations and towards designation of industrial locations reflects local circumstances and that industry/market trends in investment are quite fluid. The approach set out in the plan is therefore a more positive and flexible approach.

Issue 4

The Plan makes two site allocations for integrated waste management facilities. Should an integrated waste management facility be defined in the Plan, in terms of what facilities they may be able to accommodate and the role they may play as part of the strategy?

Integrated waste management facilities, in terms of what facilities they may be able to accommodate, should not be defined in the Plan. This is because the intent of the plan is to remain largely technology neutral and it is considered that prescribing specific facilities may unnecessarily hinder emerging technologies coming forward, given the plan period this is not desirable and would not be in line with 'positive planning'. It should also be noted that a definition of integrated waste management facility was not considered necessary to include in either the Locations for Waste Development DPD adopted in 2011 or the Local Plan adopted in 2014.

The term "integrated waste management facility" is quite self explanatory and widely recognised throughout the industry as indicating a site that accommodates a number of facilities that are linked or integrated in a manner that processes wastes at different levels/via appropriate methods reflecting the waste material to maximise recovery e.g. MRF, AD, MBT, EfW.

The role integrated waste management facilities play as part of the strategy is set out through the site being identified in the central spine (Policy 13) and the plans intent to develop a waste management network incorporating a centralised distribution of advanced treatment facilities supported by a network of local and neighbourhood preliminary treatment facilities (para 5.40). This is further expanded on in paras 5.41-5.43 which sets out what forms of development would be expected within the central spine, being advanced treatment facilities and preliminary facilities serving the central spine and its hinterlands. This indicates that integrated facilities would comprise a number of facilities processing material at a preliminary and/or advanced level. The functional role of facilities provides further guidance on the types of

facilities captured under the categories of advanced, preliminary, etc. (para 5.94-5.95). The catchment area of facilities (para 5.102) also gives a steer regarding waste streams and processes that would be appropriate within the county's waste management network at the different scales. That the site would incorporate a number of different facilities is inferred through its title but also reflected through the plan in para 5.101 "Integrated waste management facilities may require a range of waste types from different catchment areas in order to satisfy the operational requirements of the individual facilities present onsite".

The plan does not stipulate that the integrated waste management facility must include both advanced and preliminary facilities as this may hinder proposals coming forward and the delivery of required capacity. The plans intent is to provide guidance but maintain flexibility as this supports innovation.

Issue 5

Is the Plan effective at setting out the role that industrial locations may play as part of the overall strategy and the types of facilities that they could accommodate?

The role that industrial locations play as part of the overall strategy and the types of facilities that they could accommodate is effectively set out.

The identification of industrial locations will help to secure delivery of the indicative capacity requirements (para 5.35) as set out in Policy 10.

The role and type of facilities that the various sites could accommodate is directed through their location within the spatial strategy (para 5.40-5.49 and Policy 11), as reflected in Policy 13 "general industrial area locations are acceptable in principle for those waste management uses appropriate to be located in an urban area".

Components of the spatial strategy include the functional role and catchment area these are expanded on in paras 5.94-5.102. The location of individual industrial areas within the spatial strategy and how these elements apply would be considered on a site by site basis as the industrial locations are distributed throughout the county (Plan 6).

The plans intent is to provide guidance but maintain flexibility as this supports innovation – in doing so it is necessary to remain largely technology neutral with respect of individual sites.

It should also be noted that there is no change to the principle of the designated industrial locations from that in the Locations for Waste Development DPD adopted in 2011 or the Local Plan adopted in 2014.

Issue 6

Is the Plan effective in delivering the future waste management needs in rural areas, having regard to the omission of site allocations in such areas?

As a point of clarification, the plan does not seek to separate the future waste management needs of rural areas from others areas within the county. The waste industry and commercial contracts commonly serve various/wider areas, not solely from just urban or rural areas (facilities specifically developed or contracted to take a WPAs municipal waste being an exception although even these often take a percentage of commercial waste sourced from a wider catchment to ensure economic viability and operational efficiency). Arisings from within the county have been aggregated to determine total capacity requirements and indicative capacity gaps with the intent of delivering the required capacity within the plan period and achieving net self-sufficiency.

It is assumed that the intent of the issue posed is whether the Plan is effective in delivering the future waste management capacity in rural areas, even though it does not include site allocations within such areas. The delivery of waste management capacity within rural areas is addressed through the spatial strategy which states that "facilities within rural areas should be of a local or neighbourhood catchment

providing for preliminary treatment, or that are incompatible with urban development, should be provided. Where it is the latter they should deal with waste generated from identified urban areas and be appropriately located to serve those areas. Facilities in rural areas should, where possible, be associated with existing rural employment uses.” (Policy 11), also refer para 5.47 for further detail.

Facilities captured under preliminary treatment are set out in para 5.95. Facilities that would be likely to be incompatible with urban development and more appropriate within a rural setting include facilities such as composting, anaerobic digestion and inert recycling. The permitted capacity for composting and anaerobic digestion has been met and exceeded (Table 7). Facilities coming forward for such facilities would need to address Policy 12. The capacity gap for inert recycling (Table 7) is able to be delivered through sites coming forward through the strategy and development principles for secondary and recycled aggregate facilities (para 4.60-4.61 and Policy 8).

Issue 7

Is the Plan consistent with national policy and guidance in terms of radioactive waste?

The plan as submitted has no changes to its policy and text from that found sound and adopted in 2014. However Exam Doc Ref 620, includes proposed modifications that pick up on radioactive waste. This is merely to update in relation to the recently updated strategy and inventory and is thus simply non-significant changes to the glossary and text. In no way has the plan’s intent been amended by these changes.