

WORKING DRAFT

THE WEST SUSSEX WASTE LOCAL PLAN

BACKGROUND PAPER NO. 3

ESTABLISHING CRITERIA FOR THE SELECTION OF LOCATIONS AND SITES FOR NEW WASTE MANAGEMENT FACILITIES

November 2002

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FOREWORD

1. This is the third in a series of Background Papers for the West Sussex Waste Local Plan. The Local Plan will establish criteria for identifying and assessing proposed sites for new waste management developments. The Background Paper sets down the locational considerations that will be taken into account in establishing those criteria.
2. The Paper was considered by the Planning Authority in 1999 as part of its initial survey work. It was recognised then that both consultation and further survey work may amend the lists of locational considerations. Accordingly, the Background Paper has now been revised to provide an up to date policy context for continued work on preparation of the First Deposit Draft of the Waste Local Plan. The Paper will be updated again when necessary.

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1. INTRODUCTION

- 1.1 The purpose of this Background Paper is to identify the locational considerations that will need to be taken into account in identifying criteria in selecting specific sites for new waste management developments (to be known as proposal sites). The criteria will also be used to help to establish a framework for assessing any planning applications for new waste management developments, irrespective to whether they relate to proposal sites. Proposal sites can include existing sites, not just new development on greenfield or brownfield land.
- 1.2 In addition to identifying specific sites the Planning Authority should identify broad locations - known as Areas of Search - within which the industry can look for sites for waste management facilities.
- 1.3 Government advice is for the Plan to contain a 'strategy statement' (Development Plans, A Good Practice Guide, paras 3.5 and 3.8), and for the strategy to include a geographic description. The description should indicate broadly how new development is to be accommodated. This advice means that locational considerations, which will be expressed in the Waste Local Plan as criteria for site selection, will be an essential part of the Plan's reasoned justification for its proposals for locations and sites for new development.
- 1.4 The locational considerations in this paper are drawn from national and regional policies and advice, and from established planning policies relating specifically to West Sussex. The principal source for the 'county' policies is the Structure Plan. The Local Plans for each of the 7 Districts and Boroughs, together with the Minerals Local Plan, are relevant in defining specific areas of land.
- 1.5 The Background Paper identifies 3 groups of locational considerations:-
 - (a) **Potential Locations for Waste Management Uses.** These are generally broad types of land use, defined for the most part in national and regional planning advice. Examples are working and worked out quarries, and industrial areas.
 - (b) **Areas of Constraint.** These are defined areas, where environmental or natural resources have additional protection. Examples are Areas of Outstanding Natural Beauty, the best and most versatile agricultural land, and historic centres.
 - (c) **General Operational Considerations.** These will contribute to the criteria against which the more detailed impact of potential sites and planning applications will be assessed. Examples are normal development control criteria which respect neighbourhood relations.
- 1.6 Two broad categories of waste management operations are dealt with:-

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- (1) *disposal to land (landfill and landraise)*
- (2) *built development. This category is essentially all waste management operations (e.g. materials recovery facilities, transfer stations etc.) except disposal to land, and 'open air' composting, which will be considered in the Plan specifically and separately given the nature of the development involved.*

- 1.7 Government advice (PPG23, para 2.12) is that criteria "should **not** be drawn up to exclude all provision in plans for potentially polluting development projects (including waste management facilities) or to prohibit all applications to set them up".

Accordingly,-

none of the 'negative' locational considerations identified in the Background Paper should be regarded as absolute constraints either in considering sites or areas of search for inclusion in the Plan or in the criteria against which applications will be judged.

To meet the government's expectations that-

the Plan 'will make realistic provision for the types of industry or facility which may be detrimental to amenity or conservation interests, or a potential source of pollution'(PPG23, para 2.12), a balance will need to be struck between provision and locational constraints.

2. POTENTIAL LOCATIONS

2.1 The first group of locational considerations draws on advice at national, regional and also at structure plan levels (West Sussex Structure Plan 2001 – 2016 (Deposit Draft), about broadly where, and what types of land use, might be appropriate locations for new waste management developments.

2.2 As a starting point, the government considers that “a range of realistic sites is needed to provide for choice, flexibility and competition” (PPG1, para 4.6). **Therefore the Plan will need to identify and assess a variety of potential locations and sites.**

2.3 A first general consideration relevant to the location of all types of waste management is the government’s **proximity principle** (see page 14). This is given a locational dimension in the Structure Plan. The Plan’s vision for West Sussex (SP, para 2) is that it continues to be a county with a network of small to medium-sized towns and villages...where social and economic needs are met in high quality environments. Policies ERA7, W1 and W2 give effect to the proximity principle:-

ERA7 proposals for the management of waste (including recycling, energy recovery, and waste disposal) should not be permitted unless they are located as close as possible to the point at which the waste is generated.

W1 proposals for waste management facilities “should be located as close to the source of the waste it is intended to handle as is practicable”.

W2 provision of permanent waste recovery facilities will be sought “close to centres where waste is generated”. Facilities for public disposal of non-collected household waste (civic amenity sites) will be provided “close to or within centres of population”.

2.4 A second group of relevant considerations is the national and Structure Plan policies relating to **transport**. Essentially these guide new development towards strategic road, rail, and water ‘corridors’:-

(a) The government (PPG13, para 45) expects Planning Authorities:

- | | |
|------|--|
| (i) | <i>to locate, where possible, developments generating substantial freight movements where adequate access to trunk roads can be ensured; and</i> |
| (ii) | <i>to promote opportunities for freight generating development to be served by rail or waterways</i> |

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- (b) The Structure Plan states (para 18) that development should be located where it maximises opportunities for access by a choice of means of transport.
- 2.5 Thirdly the Government considers that locations **close to existing developed areas** may have the advantage of:

- (a) *reducing traffic between areas of waste generation and disposal;*
- (b) *providing employment opportunities in or close to existing centres of population;*
- (c) *(for energy from waste plants) providing energy for community heating.*

Full and continuous consultation is strongly advised. In the case of (c) the advantages need to be set against the potential for disturbance (PPG10, para A55).

- 2.6 PPG10 (paras A14 to A18) draws together these three groups of considerations, advising of possible significant environmental and economic advantages when:-
- (a) waste management facilities can be located **close to where the wastes arise**;
- (b) different facilities can be located close together. **Co-location** can secure environmental benefits, e.g. by reducing the overall volumes and cost of traffic (but regard needs to be had to cumulative transport impacts);
- (c) **rail or water transport** can be used instead of road. The PPG notes that transportation by rail is particularly appropriate for facilities such as large energy from waste plants. Opportunities for using forms of transportation other than road should be considered actively and seriously;
- (d) use is made, as far as possible, of the **major road network** rather than local roads, for bulk waste movement. The WPA is expected to seek to locate any new plant along routes identified as most suitable for use by heavy lorries.

In respect of (d), the strategic road network is identified in the County's Local Transport Plan (para 7.1.1) as catering for, inter alia, 'main heavy goods vehicle flows'.

- 2.7 Sites for new waste management facilities might be located, if appropriate, within or adjacent to:-

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- (a) *industrial areas, especially those containing other heavy or specialised industrial uses;*
- (b) *degraded, contaminated or derelict land;*
- (c) *working and worked out quarries;*
- (d) *existing landfill sites – where, for instance, composting facilities may be conveniently located;*
- (e) *existing or redundant sites or buildings;*
- (f) *sites previously occupied by other types of waste management facilities;*
- (g) *other suitable sites located close to railways or water transport wharves or major junctions in the road network (PPG10, para A51).*

2.8 The following locational advice develops that set out above and is consistent with key elements in the government's sustainable development strategy:-

- effective protection of the environment; and
- prudent use of natural resources
(Waste Strategy 2000, Part 1, para 2.1).

(a) **Disposal to Land.** PPG10 (para A51c) notes that landfill is commonly used in quarry restoration. SP policy W3 carries forward this advice by establishing a preference for waste disposal (particularly for domestic waste) in:-

- suitable worked out pits
- other man made voids, or
- natural small depressions.

Related to this, SP policy W2 states that favourable consideration will be given to temporary recovery facilities 'at the point of disposal'; this is repeated in SP policy W5.

(b) **Built Development.** The Structure Plan's priority (para 18) is to locate development within existing towns and villages through the re-use of "brownfield" sites (vacant, derelict or underused land and buildings).

Development in the countryside will be restricted (para 35) unless, inter alia, it has a demonstrable need to be located there. This particular guidance is developed in more detail; firstly in SP policy W2 which encourages "waste reduction and recovery facilities as part of new commercial and industrial development", and secondly in policy 4 of the

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Minerals Local Plan which states that “favourable consideration will be given to recycling operations in appropriate locations....appropriate locations may include current or former mineral workings...”.

2.9 Locational advice is also given, in government guidance, about specific waste management operations:

- (1) When **composting** is for primarily agricultural purposes, it may be appropriate to locate facilities for this on suitable farmland (PPG10, para A57).
- (2) The Government expects consideration to be given to opportunities for encouraging the provision of **recovery and recycling facilities** for commercial waste close to, or within, major retail and commercial centres (PPG10, para A57).
- (3) In respect of **energy from waste**, the annex to PPG22, on Energy from Waste Combustion, gives locational advice:-
 - (a) The relevant planning considerations “are largely the same” as for “any other industrial scheme”. Siting is likely to be influenced by the following factors:-

- *source of waste*
- *the economic implications of transporting waste*
- *site access*
- *proposed energy use, the availability of local heat markets, and ease of connection to the electricity distribution network (para 19)*

- (b) Waste transport and distribution operations “should wherever possible be located close to the waste source” (para 20).
 - (c) Given these locational considerations most plants “are likely to be built in or very close to urban areas”. Where there is a specific need for secure disposal (e.g. for clinical waste) “location close to the point of waste is important” (para 21).
 - (d) “In many cases waste combustion developments are likely to take place in industrial areas”. However, any building is likely to be prominent, so a high standard of design and landscaping is expected to minimise its visual impact” (para 23).
 - (e) “In identifying sites for energy from waste plants in local plans and in considering planning applications for them, planning authorities will wish to bear in mind that some problems may be

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created by odour, particularly where a site is close to housing and other odour-sensitive land uses" (para 26).

- 2.10 In summary the following locations can be identified as having potential for waste management uses:-

- 1. Those readily accessible to the major road network, the rail network and navigable waterways;*
- 2. Existing and proposed industrial areas, identifying separately those containing heavy or specialised industries;*
- 3. Working and worked out quarries;*
- 4. Existing landfill sites;*
- 5. Degraded, contaminated or derelict land;*
- 6. Existing or redundant sites or buildings;*
- 7. Sites previously occupied by other types of waste management facilities;*
- 8. Major retail and commercial centres.*

Potential proposal sites will be identified based upon consideration of the above factors.

3. AREAS OF CONSTRAINT

- 3.1 The Government advises (PPG10, para A54) that “sites which are protected by national and regional policies on the restraint of development will not generally prove acceptable for waste management facilities. Other attractive and open rural areas should normally be avoided for most types of facility”. However, it must be recognised that countryside locations, and in some cases, locations within AONBs, may on balance, be the best. In particular, old quarries may provide the best option for landfill and possibly other forms of waste management.
- 3.2 Protecting the distinctive character of the towns and villages, countryside and coast of West Sussex is one of the three aims of the Structure Plan (para 255). Accordingly, the Structure and District Local Plans of West Sussex identify and define areas and establish appropriate policies which would guide new waste management developments away from them. The amount of protection to be given to each area, i.e. the ‘weight’ to be afforded to the constraint, is established in the respective policy.
- 3.3 The following principal features and areas of constraint are identified in Structure Plan policies:

1. The distinctive and diverse character of West Sussex

(policy CH1) – development must respect and enhance the distinctive local character of the land and the built environment (para 261);

2. Areas of Outstanding Natural Beauty

(policy CH2) – the SP seeks to prevent development that would threaten the natural beauty of the AONBs. Only proven national interest, a lack of alternative sites or the fact that the need cannot be met in any other way would justify an exception (paras 271 and 272);

3. Woodlands and forest

(policy CH3) – protection and enhancement are important (para 274);

4. Rivers, waterways and wetlands

(policy CH4) – the SP seeks to protect and enhance, where possible, these important resources for recreation, transport and nature conservation (para 278);

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5. The coast

(policy CH5) – the Plan directs new development to existing built up areas and seeks to resist development on the undeveloped coast (para 289);

6. Strategic gaps

(policy CH6) – the Plan seeks to maintain the separate identity and character of settlements and prevent them coalescing. Placing firm restraint on development in strategic gaps not only maintains visual breaks between settlements, but also perpetuates an absence of urban activity (paras 293 and 295);

7. The distinctive character of towns and villages

(policy CH7) – including the maintenance and enhancement of their settings (para 304);

8. The county's historic heritage and character

(policies CH8 to CH10) – including conservation areas, buildings of architectural or historic interest, and historic parks and gardens;

9. The county's archaeological heritage

(policy CH11);

10. The county's wide range of habitats, species and geology

(policy ERA2); the SP notes that the key to the conservation of wildlife is the protection of the habitat on which it depends (para 332);

11. Areas at risk or potential risk of fluvial or coastal flooding

(policy ERA3); the different Flood Zones are identified in Appendix 1;

12. The best and most versatile agricultural land

(policy ERA4); ERA4 expects local plans to include policies to prevent the irreversible loss of such land (grades 1, 2 and 3a) unless the need for the development outweighs the long term protection of the land.

4. GENERAL OPERATIONAL CONSIDERATIONS

- 4.1 This chapter deals with what will be a 'second stage' in securing the establishment of new waste management developments. The two groups of criteria relating to potential locations and areas of constraint (described in Chapters 2 and 3 of the Paper) make a framework for site selection. They provide general locational guidance by focusing onto those areas where proposals for new waste management developments might either be supported in principle, or would not normally be permitted.
- 4.2 The 'second stage' in the process of securing the establishment of new waste management developments builds on the government's view that the most appropriate locations will be those with the **least adverse impacts** on the local population and the environment (PPG10, para A50).
- 4.3 A context for the 'second stage' assessment is provided by PPG23 and PPG10, and developed in Structure Plan policy W4.
- a) Para 2.18 of PPG 23 states that 'local plan policies (and hence development control decisions) should aim to keep apart housing and other developments sensitive to pollution from polluting and other potentially polluting uses, where such uses cannot reasonably co-exist'
- b) PPG10 (para A11) identifies relevant factors as including:-

- *transport, traffic and access;*
- *dust; odours, vermin and birds; noise; litter;*
- *protection of surface and underground water;*
- *land instability;*
- *visual intrusion;*
- *nature and archaeological conservation;*
- *historic environment;*
- *hours of operation; duration of operations at the site;*
- *reinstatement of the site to an appropriate after-use (if relevant); and*
- *compatibility with adjacent development.*

- (c) Consistent with these starting points, SP policy W4 requires the Planning Authority to be satisfied that the facility is unlikely to cause an

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unacceptable impact on the neighbourhood. Special attention will be paid to traffic routeing, access, emissions and other disturbances, and scale and design of plant and buildings.

- 4.4 To provide a framework against which to consider the more detailed impact of proposals, site operational considerations will be developed, in the Waste Local Plan, as planning control policies to secure that new waste management facilities operate in an environmentally acceptable way. Site operational considerations will normally come into play for the Waste Planning Authority when it is considering a specific planning application. But they are also an important part of the site selection guidance, by enabling a prospective applicant, when preparing a planning application, to assess whether the site is likely to be suitable for the specific development which he is proposing.

5. GENERAL CONCLUSIONS

- 5.1 This Background Paper has set out a range of factors which will help to guide the selection of suitable locations and sites for waste management uses.
- 5.2 Locational considerations have been drawn from national and regional policies, together with the West Sussex Structure Plan. Potential locations identified include industrial areas, degraded, contaminated or derelict land, and working and worked out quarries. In addition, it is recognised that the strategic road, rail and water corridors should guide development.
- 5.3 Potential locations are however limited by a number of constraints which are present in the County, although none of these can be regarded as an absolute constraint on development. These include environmental assets such as sites of special scientific interest, special protection areas, and the undeveloped coast. Consideration also has to be paid to the built environment, and sites such as conservation areas and historic parks and gardens.
- 5.4 Finally, there are a number of general operational considerations which will influence the site selection process. These factors are often specific to the type of waste management facility involved and will help to assess whether the proposed development would be an acceptable use of the land.

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APPENDIX 1

FLOOD RISK CATEGORIES (taken from PPG25. See main text, para 3.2.11)

<u>Flood Zone</u>	<u>Appropriate Planning Response</u>
1. Little or No Risk	No constraints
2. Low to Medium Risk	Suitable for most development. Flood risk assessment to be provided. Flood resistant construction and suitable warning/evacuation procedures may be required depending on the flood risk assessment.
3. High Risk	<p><u>(a) Developed Areas</u> May be suitable for commercial and industrial development provided the appropriate minimum standards of flood defence can be maintained for the lifetime of the development.</p> <p><u>(b) Undeveloped and Sparsely Developed Areas</u> Generally not suitable for commercial and industrial development unless a particular location is essential and an alternative lower risk location is not available. Where, exceptionally, development is permitted, it should be provided with the appropriate minimum standard of flood defence and should not impede flood flows or result in a net loss of flood plain storage.</p> <p><u>(c) Functional Flood Plains</u> Built development should be wholly exceptional and limited to essential transport and utilities infrastructure that has to be there.</p>

These zones are used as part of the assessment of the suitability of potential locations and sites for accepting new waste management developments. The assessment is described in Information Paper 5B and its Supplement.

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REFERENCE SECTION

ABBREVIATIONS USED

AONB	- Area of Outstanding Natural Beauty
MLP	- Minerals Local Plan
MRF	- Materials Recovery Facility
PPG	- Planning Policy Guidance Note
RPG	- Regional Planning Guidance Note
SAC	- Special Areas of Conservation
SP	- Structure Plan
SPA	- Special Protection Areas
SSSI	- Site of Special Scientific Interest

PRINCIPAL SOURCE DOCUMENTS

National

- Waste Strategy 2000 (Cm 4693, May, 2000)
- Development Plans, A Good Practice Guide, HMSO, 1992
- PPG7- The Countryside, Environmental Quality and Economic and Social Development, 1997 (amended 2001)
- PPG9 - Nature Conservation 1994
- PPG10 - Planning and Waste Management 1999.
- PPG13 - Transport, 2001
- PPG20 - Coastal Planning, 1992
- PPG22 - Renewable Energy, 1993
- PPG23 - Planning and Pollution Control, 1994
- PPG25 - Development and Flood Risk, 2001

Regional

- RPG9 - Regional Planning Guidance for the South East, 2001

Local

- West Sussex Structure Plan 2001-2016, Deposit Draft (November 2001)
- West Sussex Minerals Local Plan, Deposit Plan Incorporating Proposed Modifications, March 2000

DEFINITIONS

- | | | |
|---------------------|---|--|
| Proximity Principle | - | waste should generally be managed as near as possible to its place of production, because transporting waste itself has an environmental impact (PPG10, page 7). |
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