

**CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL
BRADFORD WASTE MANAGEMENT DPD - EXAMINATION**

**POINTS OF CLARIFICATION ARISING FROM COUNCIL'S RESPONSES TO THE
INSPECTOR'S SCHEDULE OF MATTERS, ISSUES & QUESTIONS**

1. Matter 1: Legal Requirements & Duty to Co-operate

I refer to my letter of 17 October 2016 about the Minister's Holding Direction regarding the adoption of the Bradford Core Strategy. I have now had the opportunity to see the Council's statement about the Holding Direction relating to the Area Action Plans, dated 18 October 2016. I also note that the Council has instructed Ian Ponter QC to provide a view on Section 21A of the Planning & Compulsory Purchase Act 2004 (as amended) and the powers. In the meantime, I would be grateful if the Council could indicate whether they consider there are any particular implications of the Holding Direction for my consideration of the Bradford Waste Management DPD, whether they wish me to continue to progress the examination of this Plan and what impact any delay in adopting the Core Strategy might have on the progress of the Waste Management DPD. I also understand that the Council's officers are working with DCLG to resolve this issue, and would welcome news of any progress on this matter.

2. Matter 3: Need for New Waste Management Facilities

- 3.1: Revised Table 1 in the WMDPD (MM6) (Page 12) summarises the current total waste arisings in Bradford at 2013 based on the Environment Agency Waste Interrogator (WDI; 2013). However, not all of the figures for the various waste streams and total correlate with the summary figures given in the updated Waste Needs Assessment [WD-SD-050; Table 1 (Page 7)]. Could the Council explain the reasons for the differences in these figures?

- 3.1: Paragraph 3.3 of the WMDPD (above Revised Table 2 (Forecast Waste Arisings) (Page 13)) indicates that the Council has adopted a "Growth" based scenario, which follow a growth rate of 33% estimated GVA for all of the waste streams of Commercial, Industrial, Agricultural, CDEW and Hazardous wastes. However, Revised Table 2 and the updated Waste Needs Assessment [WM-SD-050; ¶ 1.4.3 & Table 3] indicates that the selected "Growth" scenario assumes no growth in agricultural waste. Does this sentence need to be clarified or corrected?

- 3.1: The Council's response indicates that the total area of the proposed waste management sites (17.62ha) exceeds the maximum land-take required under the capacity gap forecasts. New Table 5 of the WMDPD (MM11) sets out the Site Size Assumptions, including the estimated land-take for the various tonnages for the required facilities. Tables 13-15 of the updated Waste Needs Assessment [WM-SD-050] set out the anticipated land-take required to meet forecast gaps in waste management capacity. In view of the significant differences in the updated forecast waste arisings and waste management capacity requirements, could the Council confirm the total maximum land-take needed to fully meet the forecast gaps in future waste management capacity during the plan period to 2030 and include this figure in Table 5? It would also be helpful to know the total waste management capacity which could be provided by the proposed site allocations, compared with the additional waste management capacity required.

3. Matter 4: Managing Other Waste Streams

- 4.1(a): Should the figure of CDEW arisings in the WMDPD (paragraph 5.3) be updated to 485,141 tonnes (as shown in revised Table 2)?

- 4.1(b): Should the WMDPD explain that the capacity gap could be met by implementing an extant planning permission, which has the capacity of 200,000tpa and by the continuation of the management of CDEW on site?

- 4.2(a): Should the first sentence of the Council's response refer to "Agricultural Waste" rather than Hazardous Waste, since the latter is dealt with under 4.2(b).

4. Matter 5: Waste Development Management Policies

- 5.4 (a): Reference is made to outstanding matters of mitigation included in the latest version of the Sustainability Appraisal, but no amendments are proposed to the policy or text accompanying Policy WDM4. The Sustainability Appraisal [WM-SD-002] indicates the importance of putting measures in place (as part of planning application procedures) to ensure that the on-site use and recovery of CDEW does not cause undue nuisance.

5. **Matter 6: Proposed Site Allocations**

- 6.2 (c) (ii): Site WM3: The Sustainability Appraisal [WM-SD-002] refers to the Habitats Regulations Assessment [WM-SD-052] which concluded that Site WM3 may not be suitable for a waste management use which uses combustion processes due to a potential adverse effect on part of the South Pennine Moors SPA/SAC. MM19 indicates that *"Any potential effects of a waste management use on the SAP and/or SAC could be avoided by the plan stating that an incinerator, gasification and/or pyrolysis plant is not operated on that site. Alternatively, potential effects of an incinerator, gasification and/or pyrolysis plant on the SAP and/or SAC would be assessed through a project level Appropriate Assessment (AA) if it is determined by an appropriate body that such an assessment is required"*. The amended text for Site WM3 indicates that the site is suitable for a range of waste management uses, including Conventional Energy from Waste and Advanced Thermal Treatment, but not for a Pyrolysis or Gasification Facility (AM19). The amended text in MM19 may not provide sufficient certainty about the approach to be taken in terms of addressing any potential impact of specific types of waste management facility on the SAP/SAC. I also understand that planning permission has already been granted for 3 Energy from Waste plants on this site, and more recent applications have been submitted in August 2016, including a gasification plant. The Council may therefore wish to reconsider the approach to waste management facilities on this site to avoid any confusion about what the site is deemed suitable for and how any potential effects of specific waste management uses on the SAP/SAC will be addressed. It would also be helpful to have an update on the current position of the planning applications submitted in August 2016.

- 6.2 (d) (iii): Site WM4: What are the implications of the withdrawal of PFI credits from the Council on the likely implementation of the MRP & ERP proposal on Site WM4? Will it result in any shortfall in waste management capacity in the area and how will any shortfall be addressed?

Stephen J Pratt – Development Plan Inspector

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