

CHAPTER 16

Pollution Hazards and Waste

16.0 Introduction

16.1 Concern over the quality of the environment has increased significantly in recent years and has become a key quality of life issue. A clean and healthy environment is a key element of sustainability. In many ways the environment in the UK has improved and does not face pollution problems elsewhere in the world. However, there are still major environmental and resource challenges both nationally and locally, in particular the need to:

- improve the management of waste;
- improve the quality of our air

16.2 The protection and enhancement of the District's environment through the management of pollution, hazards and waste is one of the principal policies of the Plan (policy UDP 9). The Plan includes a number of policies or criteria which relate to the control of pollution eg mineral workings(policies NR3 and NR4) and lighting pollution (policy D15). This Chapter contains specific policies for the control of pollution and hazards as well as waste management facilities, set out in two sections. The first section deals with pollution and hazards and covers:

- Air quality
- Hazardous installations
- Contaminated land
- Development close to former landfill sites
- Unstable land
- Noise

16.3 The second section sets out policies for the management of waste, including:

- Waste management
- Recycling
- Green waste composting
- Waste incineration
- Landfill

Pollution and Hazards

16.4 The Council is concerned to ensure that developments, due to their nature or location, do not endanger public health and safety, or cause a significant nuisance to the public. The Council will operate the following principles in assessing development proposals.

- There will be the fullest practical disclosure of information on the environmental impact of proposals.
- Prevention of environmental damage is better than cure.
- The polluter pays, where actions are required to reduce the environmental impact of development or land use.

- A precautionary approach is taken assuming that an activity is environmentally damaging unless proven otherwise.

Air Quality

- 16.5 In response to episodes of poor air quality, especially in urban areas, and growing public concerns about air pollution, the government adopted a National Air Quality Strategy (NAQS) in 1997(replaced by the Air Quality Strategy for England, Scotland and Wales published January 2000). This introduced new air quality objectives for the assessment and management of the quality of air. The Local Air Quality Management (LAQM) system, introduced by the Environment Act 1995, has an integral part to play in ensuring the national objectives are achieved. As part of LAQM local authorities must review and assess air quality and identify areas, which fail to meet the objectives. The review and assessment for Bradford District (January 2001) concluded that the air quality objectives prescribed by the Air Quality Regulations 2000 are likely to be met for all the pollutants under review. A further review and assessment of air quality in the District will be completed by the end of 2003.
- 16.6 Both the national Air Quality Strategy and planning guidance identify the planning system as one of the key methods for providing improvements in air quality.
- 16.7 Government guidance in 'Air quality and land use planning' published under DETR circular 15/97 advises on the role which land use planning has in the improvement of air quality. It states that air quality considerations, which relate to the use and development of land, are capable of being a material consideration.
- 16.8 Developers will therefore be expected to take proper account of air quality issues in drawing up development proposals.

Policy P1

DEVELOPMENT WILL NOT BE PERMITTED WHERE IT IS LIKELY TO HAVE AN UNACCEPTABLE EFFECT ON AIR QUALITY. IN DETERMINING WHETHER OR NOT AN UNACCEPTABLE EFFECT WILL RESULT, PARTICULAR CONSIDERATION WILL BE GIVEN TO THE FOLLOWING ISSUES:

- (1) THE LIKELY HOOD OF EMISSIONS WHICH ARE LIKELY TO HAVE A SIGNIFICANTLY UNACCEPTABLE EFFECT ON THE AMENITY OF THE LOCAL AREA;
- (2) WHERE THERE IS THE SIGNIFICANT RISK THAT PUBLIC HEALTH MAY BE ADVERSELY AFFECTED;
- (3) WHERE THERE IS A SIGNIFICANT POSSIBILITY THAT ANY PROPOSED DEVELOPMENT WILL LEAD TO A BREACH OF NATIONAL AIR QUALITY OBJECTIVES.

AN AIR QUALITY IMPACT ASSESSMENT MAY BE REQUIRED BEFORE DETERMINING APPLICATIONS WITH A POTENTIAL TO SIGNIFICANTLY CONTRIBUTE TO AIR POLLUTION.

- 16.9 Unacceptable effects will include emissions in excess of Air quality Standards set by regulatory bodies.
- 16.10 Poor air quality can have harmful effects especially for the elderly or those in poor health. It is therefore important to adopt a precautionary principle approach to assessments of effects on public health.
- 16.11 Applicants should consider the air quality impacts on humans, flora and fauna of traffic using the development as well as pollutant emissions from the proposal itself. Applications where air quality could be a material consideration include where; the development could result in the designation of a new Air Quality Management area or the application would conflict with proposals in an Action Plan (should one be required).
- 16.12 Air quality assessments would be required for:
- (1) Industrial activities with potentially significant air emissions which are regulated by the Environment Agency or by the Local Authority under the Environmental Protection Act **1990**;
 - (2) Any developments that have the potential to increase the volume of traffic flows by more than 10% on roads with flows greater than 20,000 vehicles per day;
 - (3) Developments located in (or likely to affect) an AQMA which would significantly change patterns of traffic flows or could emit one or more of the pollutants specified under NAQS.
- 16.13 Where an air quality assessment is requested, the applicant and the local authority (including all specialist departments eg planning and environmental protection) should agree the content and methodology to be used before it is undertaken. It should **[Delete: normally]** cover a projects likely effect on air quality and include broadly similar information to an application for Integrated Pollution **Prevention and Control (IPPC)** authorisation under **[Delete:Part I of the Environmental Protection Act 1990] the Pollution Prevention and Control Act 1999**.
- 16.14 Consultation with the appropriate bodies, including the Environment Agency and the Council's Department of Environmental Protection and Waste Management where necessary, should be carried out at the earliest possible opportunity..
- 16.15 Development may not have an unacceptable effect on air quality in itself, but may be in close proximity to an area suffering from poor air quality and may therefore be at unacceptable risk. Therefore:

Policy P2

DEVELOPMENT WILL NOT BE PERMITTED NEAR TO POTENTIALLY POLLUTING SOURCES, WHERE THE PROPOSED DEVELOPMENT IS LIKELY TO BE SUBJECT TO UNACCEPTABLE RISK.

- 16.16 Unacceptable risk will include situations where the development will be subject to emissions in excess of health related Air quality Standards set by regulatory bodies.

Hazardous Installations

- 16.17 Within the District there are certain sites and pipelines for example High Pressure Gas pipelines designated by the Health and Safety Executive (HSE) as notifiable hazardous installations because of the quantities of hazardous substances stored, used or transmitted. The Council wishes to ensure that public health and safety is not jeopardised by development which increases the number of people close to such hazards, or by development which introduces new, or expands existing hazardous installations close to where people live, work or congregate. Therefore:

Policy P3

PLANNING PERMISSION WILL **ONLY** BE GRANTED FOR DEVELOPMENT PROPOSALS

(1) INVOLVING NOTIFIABLE QUANTITIES OF HAZARDOUS SUBSTANCES;

OR

(2) WHICH ARE IN THE VICINITY OF NOTIFIED SITES OR OTHER KNOWN HAZARDS.

[Delete: ON CONDITION] IF IT IS DEMONSTRATED THAT THERE IS NOT AN UNACCEPTABLE RISK TO PUBLIC HEALTH AND SAFETY WHICH CANNOT BE SATISFACTORILY OVERCOME BY APPROPRIATE AMELIORATING MEASURES.

- 16.18 Hazardous substances and their specified quantities are set down in The Planning (Hazardous Substances) Regulations 1992 as amended by The Planning (Control of Major-Accident Hazards) Regulations 1999 (COMAH). These latter regulations implemented the land use planning requirements of the Seveso II Directive [*Council Directive 96/82/EC of 9 December 1996*]. The notifiable installations under these regulations, as at May 2001, are listed in the Proposals Reports.
- 16.19 Bradford has a number of sites where significant quantities of potential hazardous chemicals are used and stored. These chemical plants are a major source of local employment but the storage and use of these chemicals can place significant restrictions on certain kinds of development in the vicinity. When considering development on land in the vicinity of COMAH sites it is important to strike the proper balance taking account of the costs and benefits and the nature of the risk as well as the level of risk. Unacceptable risk will be determined with regard to what is considered to be an acceptable level of safety in relation to the potential accident affects on people in the surrounding area, taking account of HSE advice and appropriate comparable acceptable levels of risk.

- 16.20 The HSE and Environment Agency will be consulted on development of sites designated under COMAH Regulations and on development within the COMAH consultation zones, in particular for their view as to whether a proposal would create an unacceptable risk in respect of policy **P3** [~~Delete:P2~~].

Contaminated Land

- 16.21 Whilst the Council wishes to encourage the full and effective use of land in the urban areas, it is important that the development of land which may be contaminated does not endanger public health and safety. It is the responsibility of the developer to investigate the possibility of the existence of contaminants, and identify and carry out any necessary measures to overcome the problem. Therefore in accordance with [~~Delete: Circular 21/87~~] **Environment Protection Act 1990, Part IIA inserted by the Environment Act 1995** and PPG 23 Planning and Pollution Control.

Policy P4

PLANNING PERMISSION FOR DEVELOPMENT ON LAND KNOWN OR SUSPECTED BY THE COUNCIL TO BE CONTAMINATED WILL BE GRANTED, PROVIDED THAT

- (1) AN APPROPRIATE SITE INVESTIGATION AND RISK ASSESSMENT HAS BEEN CARRIED OUT BY THE DEVELOPER TO DETERMINE WHETHER CONTAMINANTS ARE PRESENT OR NOT, AND
 - (2) IF ANY CONTAMINANTS ARE FOUND THE DEVELOPER [~~Delete: CARRIES~~] **SHALL CARRY** OUT APPROPRIATE MEASURES AGREED WITH THE COUNCIL TO ADEQUATELY OVERCOME THE PROBLEM ON THE COMMENCEMENT OF DEVELOPMENT.
- 16.22 The scale and level of detail of a site investigation will depend on the circumstances of the particular case including the evidence revealed by a desk study which would consider previous uses of the site. In instances where it is known or there is evidence to suggest that the site is contaminated to a degree that would adversely affect the proposed development, the developers will be expected to finance and carry out a site investigation and identify appropriate remedial measures, to the satisfaction of the Council, prior to the Council determining the planning application.
- 16.23 The type and level of contaminants present on the site and the remedial measures proposed will be prime considerations in determining appropriate uses for the site, and hence whether the development proposal will be permitted, particular attention will be given to groundwater contamination issues. A further consideration in determining planning applications will be the relationship between the cost of remediation work, and the commercial viability of the site.

Developments close to former landfill sites

- 16.24 Particular care needs to be taken with development proposals on or near to former landfill sites, owing to the potential problem of the migration of gas from these sites. The Council will consult the Councils Environmental Protection

Section and, where appropriate the Environment Agency, regarding levels of gas recorded at sites. However it will be up to the developer to finance and provide an independent assessment of risk from migrating gas.

Policy P5

DEVELOPMENT PROPOSALS WITHIN 250 METRES OF FORMER LANDFILL SITES SHOULD MAKE SATISFACTORY ARRANGEMENTS TO OVERCOME THE DANGERS OF MIGRATING GAS

Unstable Land

- 16.25 In some parts of the District the presence of existing or former mine workings, steep slopes, or other adverse ground conditions may give rise to problems of land instability. The Government's Planning Policy Guidance Note 14 "Development on Unstable Land" states that this is a material planning consideration which should be taken into account when determining planning applications. ***PPG14 sets out the broad planning and technical issues to be addressed in respect of development on unstable land; annex 1 develops that guidance in relation to landslides and unstable slopes and Annex 2 relates to subsidence.***
- 16.26 It is the responsibility of the developer to demonstrate to the Council that a site is stable, or that any actual or potential instability can be satisfactorily overcome by means of appropriate measures. Developers are responsible for investigating the ground conditions of a site, and the Council may in appropriate circumstances require a planning application to be accompanied by a stability report. ***This should demonstrate that the site will not be affected by instability and subsidence or that the development will be able to withstand the effects of any subsidence.*** Further advice on this matter is contained in Planning Policy Guidance 14 : Development of Unstable Land.

Policy P6

PLANNING PERMISSION FOR DEVELOPMENT ON LAND KNOWN OR **[Delete: STRONGLY]** SUSPECTED TO BE POTENTIALLY UNSTABLE WILL BE GRANTED, PROVIDED THAT:-

- (1) A FULL SITE INVESTIGATION HAS BEEN CARRIED OUT BY THE DEVELOPER TO DETERMINE WHETHER INSTABILITY MAY OCCUR OR NOT, AND
- (2) IF ANY INSTABILITY IS FOUND, THE DEVELOPER **[Delete: CARRIES]** **SHALL CARRY** OUT ANY MEASURES REQUIRED TO ADEQUATELY OVERCOME THE PROBLEM, ON THE COMMENCEMENT OF DEVELOPMENT.

Noise

- 16.27 The Council wishes to use its powers as Local Planning Authority to help reduce the problem of noise pollution. This will be done in two ways. First, by controlling the introduction of noise sensitive development (such as housing, schools, and

hospitals) close to the existing sources of noise. Second, by controlling the introduction of new noise sources (eg certain employment uses) close to existing noise sensitive development. The onus lies with the developer to ensure that development proposals do not cause unacceptable noise problems.

Policy P7

WHERE DEVELOPMENT PROPOSALS GIVE RISE TO AN UNACCEPTABLE NOISE PROBLEM BY VIRTUE OF THEIR NATURE AND/OR LOCATION, DEVELOPERS WILL BE REQUIRED TO CARRY OUT ANY REMEDIAL MEASURES NECESSARY TO SATISFACTORILY OVERCOME THE PROBLEM. WHERE NOISE PROBLEMS CANNOT BE SATISFACTORILY OVERCOME PLANNING PERMISSION WILL NOT BE GRANTED.

- 16.28 It will be up to the developer to finance any assessment of noise levels arising from development and any subsequent remedial measures. ***Further guidance on the role of planning to minimise the adverse impact of noise can be found in PPG24 Planning and Noise.***

Waste

Introduction

- 16.29 Bradford Council is the waste planning authority (WPA) for waste development in the district and is responsible for producing planning policy and deciding planning applications in this respect. Planning applications for waste management development will be considered against the policies in this Section along with other Chapters of this Plan as appropriate.
- 16.30 There has been a dramatic change in waste management policy over the last few years, which has culminated in new European Directives, Government policy and guidance.
- European Directives: Framework Directive on Waste, the Hazardous Waste Directive, the Packaging and Packaging Waste Directive and the Landfill Directive.
 - UK Government policy and guidance: Waste Strategy 2000 for England and Wales, Regional Planning Guidance for Yorkshire and the Humber Region 1992 (RPG12), draft Regional Planning Guidance for Yorkshire and the Humber Region 2000, Planning Policy Guidance Note 10 "Planning and Waste Management" 1999 (PPG10) and Planning Policy Guidance Note 11 "Regional Planning 2000 (PPG11).
- 16.31 The new European Directives are aimed at reducing the amount of waste that is generated and disposed of, and, to ensure that high standards of control are maintained across the Member States. These directives also require member states to produce waste management plans. The requirements of these directives is included within the document "Waste Strategy 2000".

- 16.32 Waste Strategy 2000 and PPG 10 set out the governments requirements for planning authorities. There are several principles that authorities must take into account when drawing up their Unitary Development Plans:
- **Best Practicable Environmental Option (BPEO)**
 - **Regional self sufficiency**
 - **Proximity principle (locating facilities close to source of waste)**
 - **Waste Hierarchy (reducing waste at source, increasing reuse/recovery and reducing landfill)**
- 16.33 In addition to these **principles** authorities must also consider both the Regional waste Management Plan and the Council's own Municipal Waste Management Strategy. **[Delete: Both these documents are currently under production.]** The Regional Plan will provide the regional dimension and may, **amongst other matters**, identify where major facilities should be located within the Yorkshire and Humber Region. **This document is currently under production.** The Council's own strategy **[Delete: will]** covers **[Delete: the]** issues relating to the handling and processing of municipal waste. That is all waste that is collected, handled, and disposed by the Council including household waste and trade waste. **This document is in a framework form, and is a two-phased approach. Phase 1 to 2005, recycling and composting to be prioritised, waste minimisation awareness to continue and discussions with companies for joint ventures in these areas to be evaluated. Phase 2, 2005 and beyond, evaluation of tried and tested technology available to enable the council to meet the target for the recovery of value.**

Waste Statistics

- 16.34 The quantity of waste being generated in the district is increasing on an annual basis. It is therefore important that there is sufficient capacity within the District and Region in order that this waste can be dealt with under the principles of **Waste Strategy 2000 and PPG10**. Information regarding non municipal waste is collated by the Environment Agency but this does not take into account the waste that is processed, handled, recycled or disposed of at unlicensed facilities. Details of the national waste targets and waste statistics for Bradford District are provided in Appendix D

Land Use Waste Strategy

- 16.35 When drafting policies for waste development it is necessary for the planning authority to plan for current and future waste management **requirements**. The UDP must deal with municipal and non-municipal waste, in other words ALL waste that is generated in the district. Until the Council's Waste Municipal Waste Strategy and the Regional Waste Management **[Delete: Plan] Strategy** are available the planning authority is not in a position to provide site specific allocations for large scale waste treatment facilities. **Buck Park Quarry, Denholme has been identified as a landfill site capable of taking household waste and is considered to provide sufficient capacity for plan period.**

- 16.36 However, there is an increasing amount of recycling and treatment of waste being carried out in the district and the WPA expects this to continue during the life of the plan unless the Regional Waste Management Strategy dictates otherwise.
- The plan will support all recycling, treatment and handling proposals provided the applicant provides evidence that it is the Best Practicable Environmental Option (BPEO) for that waste stream and the impact of the development on environment and people is minimised.
 - Landfilling of inert material will only be considered if it is proved to be the Best Practicable Environmental Option (BPEO) and involves either derelict land, contaminated land or agricultural land that cannot be improved by other means. The WPA will expect inert material to be recycled and reused wherever possible.
 - Landfilling of biodegradable waste will be considered against set criteria. Given the lead in time required for large scale alternatives it is likely that a large scale landfill will be required during the life of the plan. Any such proposal will need to prove Best Practicable Environmental Option (BPEO) and ensure that it has a minimum impact on the environment.

Role of other Regulatory Bodies

- 16.37 Whilst Bradford Council is the planning authority it is important to be aware that there are other controls that cover waste developments. These controls relate to pollution control matters and are covered by the Environmental Protection Act 1990 as amended by the Pollution Prevention and Control Act 1999.
- 16.38 These controls are aimed at achieving a high level of protection of the environment taken as a whole by preventing or, where that is not practicable, reducing emissions into the air, water and land. Depending on the proposal the responsibility for undertaking these controls lies with either the Council's Environmental Protection Service or the Environment Agency. These controls are separate but complimentary to the land use planning system. The WPA will consult and liaise with the pollution control authorities on all planning applications for waste management facilities.

Waste Management Facilities

- 16.39 Waste management facilities cover a wide range of processes dealing with a variety of waste types. Current facilities in the Bradford district include vehicles dismantlers, scrap yards, material recycling facilities and waste transfer stations.
- 16.40 At any time between the generation of waste and its final disposal, opportunities exist for recycling, either in conjunction with a waste transfer station or at a purpose built facility. These activities are very effective in reducing the harmfulness of the waste and/or reducing the amount of waste that requires final disposal.
- 16.41 These activities are industrial in character and can generate significant heavy vehicular movements. These factors influence their siting and make such

operations most suited to locations within employment areas where in general, there are less sensitive land uses and where access arrangements are normally of a higher standard. However, even in employment sites care will be needed to ensure that adjoining sensitive land uses are not compromised by the siting of these facilities. It will be necessary to ensure that these facilities are appropriately sited in relation to neighbouring housing, schools and sensitive industrial uses such as food processing.

- 16.42 In accordance with Waste Strategy 2000 and PPG10 proposals for waste management facilities will need to provide evidence of BPEO including consideration of the proximity principle.
- 16.43 The WPA will expect proposals for waste management facilities to include **[Delete: a] full [Delete: assessment] details** of the potential impact on the environment and people to ensure that there is no unacceptable adverse impact.
- 16.44 The siting of aggregate recycling facilities may also be suited to active quarries. Facilities to deal with the recycling of demolition and construction material to produce an aggregate material will be assessed against Natural Resource Policy NR8.

Policy P8

PROPOSALS FOR WASTE HANDLING, TRANSFER, PROCESSING AND RECYCLING AND SCRAPYARDS WILL BE PERMITTED PROVIDED THAT:

- (1) THE ACTIVITY IS APPROPRIATELY SITED WITHIN AN EMPLOYMENT SITE;
- (2) THERE IS EVIDENCE THAT THE PROPOSAL IS THE BEST PRACTICABLE ENVIRONMENTAL OPTION (BPEO) FOR THE IDENTIFIED WASTE STREAM;
- (3) THERE IS EVIDENCE THAT THE PROPOSALS TAKE PROPER ACCOUNT OF THE PROXIMITY PRINCIPLE AND ARE SITED SO AS TO MINIMISE THE NEED FOR LENGTHY HAULAGE OF MATERIALS
- (4) THE SITE WOULD BE SAFELY ACCESSIBLE FROM THE PRIMARY ROAD NETWORK AND WHEREVER POSSIBLE CLOSE TO ALTERNATIVE MODES OF TRANSPORT;
- (5) THE PROPOSAL WOULD NOT GIVE RISE TO UNACCEPTABLE ADVERSE IMPACTS ON PEOPLE AND THE ENVIRONMENT IN TERMS OF VISUAL AMENITY, NOISE, ODOUR, DUST, AIR, GROUND OR WATER POLLUTION OR OTHER NUISANCE;
- (6) THE PROPOSAL INCLUDES MEASURES TO ENSURE THAT THE REQUIREMENTS OF POLICY P12 ARE MET.

Household Recycling Centres

- 16.45 Household recycling centres fulfil an important function in enabling the public to conveniently dispose of bulky household items, garden wastes and other recyclable materials. The operation of these facilities provides a means for the public to voluntarily separate their wastes, and simplifies any subsequent recycling process.
- 16.46 The geographical distribution of household waste centres, and their accessibility to the greatest number of householders, is particularly important in encouraging their use by the public. The WPA will support the formation of additional sites in appropriate locations in order to achieve adequate provision, subject to Policy P9 and material planning considerations.
- 16.47 The WPA is aware that the existing sites at Golden Butts in Ilkley and Ford Hill in Queensbury will require expansion/replacement in the first 3 to 5 years of the Plan period. In addition it is understood that an additional facility is likely to be required in the north Bradford/ShIPLEY area. Other facilities may be required as the Councils Municipal Waste Management Strategy is developed.

Policy P9

PROPOSALS FOR NEW FACILITIES AND REPLACEMENTS FOR OR EXTENSIONS TO EXISTING HOUSEHOLD RECYCLING CENTRES WILL BE **[Delete: SUPPORTED] PERMITTED** PROVIDED THAT:

- (1) THE PROPOSAL IS ACCESSIBLE TO CONCENTRATIONS OF HOUSEHOLDS;
- (2) THERE IS EVIDENCE THAT THE PROPOSAL IS THE BEST PRACTICABLE ENVIRONMENTAL OPTION (BPEO) FOR THE IDENTIFIED WASTE STREAM;
- (3) THE SITE WOULD BE SAFELY ACCESSIBLE FROM THE PRIMARY ROAD NETWORK;
- (4) THE PROPOSAL WOULD NOT GIVE RISE TO UNACCEPTABLE ADVERSE IMPACTS ON PEOPLE AND THE ENVIRONMENT IN TERMS OF VISUAL AMENITY, NOISE, ODOUR, DUST, AIR, GROUND OR WATER POLLUTION OR OTHER NUISANCE;
- (5) THE PROPOSAL INCLUDES MEASURES TO ENSURE THAT THE REQUIREMENTS OF POLICY P12 ARE MET.

Green Waste Composting

- 16.48 It is recognised that 'green' wastes, including grass cuttings, leaf litter and similar wastes from parks and gardens as well as from domestic properties make up a significant percentage of wastes requiring disposal. Most of this waste mass can be dealt with by composting to create soil enriching material and mulches for use by individuals, companies and by the Council on its own public parks and gardens. The WPA will therefore seek to encourage the siting of composting facilities involving the shredding and subsequent aerobic (open to the air) decomposition in appropriate locations.

- 16.49 Mixed wastes including domestic refuse are also capable of being aerobically composted, but the likely implications for local amenity, particularly from odours are significant and it is unlikely that such facilities can readily be established in the vicinity of sensitive land uses without an unacceptable impact on amenity as a result of odour, perceived health risks, vermin, litter etc. Consequently, mixed waste composting will be unlikely to be undertaken other than by means of anaerobic (without air) digestion.

Policy P10

PROPOSALS FOR COMPOSTING GREEN WASTES WILL BE PERMITTED PROVIDED THAT:

- (1) THE WASTE FACILITY IS CLOSE TO THE SOURCE OF WASTE ARISING AND THE FINAL MARKET FOR COMPOST PRODUCT;
- (2) THERE IS EVIDENCE THAT THE PROPOSAL IS THE BEST PRACTICABLE ENVIRONMENTAL OPTION (BPEO) FOR THE IDENTIFIED WASTE STREAM;
- (3) WHERE THE PROPOSAL IS IN THE OPEN COUNTRYSIDE IT IS IN SCALE AND KEEPING WITH THE LANDSCAPE AND RE-USES EXISTING BUILDINGS, OR IS IN LAND WITHIN OR ADJACENT TO FARM BUILDING COMPLEXES;
- (4) THE SITE WOULD BE SAFELY ACCESSIBLE FROM THE PRIMARY ROAD NETWORK;
- (5) THE PROPOSAL WOULD NOT GIVE RISE TO UNACCEPTABLE ADVERSE IMPACTS ON PEOPLE AND THE ENVIRONMENT IN TERMS OF VISUAL AMENITY, NOISE, ODOUR, DUST, AIR, GROUND OR WATER POLLUTION OR OTHER NUISANCE;
- (6) THE PROPOSAL INCLUDES MEASURES TO ENSURE THAT THE REQUIREMENTS OF PARTS 2 TO 8 OF POLICY P12 ARE MET.

Waste Incineration

- 16.50 Many types of waste require treatment before being landfilled and incineration is a form of treatment that has the potential to reduce the volume and pollution from waste during final disposal. These waste types include municipal waste, animal, clinical, industrial and special waste. The incinerators themselves can range in size and capacity including hospital incinerators, animal crematoria, municipal waste incinerators and special waste incinerators. At present only a small proportion of waste is incinerated in Bradford. However, it is likely that this will increase when the European Union pre-treatment target is implemented.
- 16.51 Experience has shown that waste incineration is a process that will normally give rise to considerable concern from local communities, particularly in respect of emissions and the perceived health and nuisance issues that may arise as a result. Environmental controls in relation to the operation of incinerators and their siting are particularly important when considering any proposal for waste incineration. These matters must be fully addressed by applicants in order that the WPA may properly assess the environmental impact of the proposals. ***Refer to Policy P1 in that applications for incineration are projects likely to effect air quality and applications would require Integrated Pollution Prevention***

and Control (IPPC) authorisation under the Pollution Prevention and Control Act 1999.

- 16.52 Waste incineration offers a valuable opportunity to generate energy whether in the form of combined heat and power or energy from waste. The WPA support the generation of power from waste incineration in line with the waste hierarchy objectives of recovery from waste and the Governments targets.

Policy P11

PROPOSALS FOR INCINERATORS WILL BE PERMITTED PROVIDED THAT:

- (1) THEY ARE SUITABLY LOCATED WITHIN AN EMPLOYMENT AREA;
- (2) THERE IS EVIDENCE THAT THE PROPOSAL IS THE BEST PRACTICABLE ENVIRONMENTAL OPTION (BPEO) FOR THE IDENTIFIED WASTE STREAM;
- (3) THE SITE WOULD BE SAFELY AND CONVENIENTLY ACCESSIBLE FROM THE PRIMARY ROAD NETWORK;
- (4) THE PROPOSAL (INCLUDING WASTE STORAGE AREAS) WILL BE LOCATED WITHIN APPROPRIATE BUILDINGS;
- (5) THEY INCLUDE PROPOSALS FOR THE RECOVERY OF ENERGY;
- (6) THE PROPOSAL WOULD NOT GIVE RISE TO UNACCEPTABLE ADVERSE IMPACTS ON PEOPLE AND THE ENVIRONMENT IN TERMS OF VISUAL AMENITY, NOISE, ODOUR, DUST, AIR, GROUND OR WATER POLLUTION OR OTHER NUISANCE;
- (7) THE PROPOSAL INCLUDES MEASURES TO ENSURE THAT THE REQUIREMENTS OF POLICY P12 ARE MET.

Waste Management Facilities – Operational Matters

- 16.53 The operation of waste management facilities can have a significant impact on neighbouring land users and the wider environment. In order that the WPA may properly consider these impacts and ameliorate their effects, all planning applications for such uses will be required to be accompanied by full details of the activity including the proposed control and mitigation measures.
- 16.54 Although the Plan encourages waste management facilities in less sensitive locations, namely employment sites, there is still the possibility of conflict with neighbouring land uses. In order to minimise this impact to an acceptable standard, **[Delete: all developments] Waste Management Facilities** will be required to be carried out within a building or other suitable enclosure. This will reduce visual impact as well as mitigate against noise, dust and potential odour problems.

- 16.55 Highway safety, and the adverse impact that heavy goods vehicle movements can have upon sensitive land uses, are matters that require careful consideration. Applications will be expected to include satisfactory means of access, adequate car parking provision and manoeuvring space. The potential for the use of alternative transport modes will be explored wherever possible in order to promote greater sustainability in the way that wastes, recycled products and residues are transported.
- 16.56 Depending on the scale and nature of the development it may be necessary to submit an Environmental Impact Assessment in accordance with the Town and Country Planning (Environmental Impact Assessment) of Regulations 1999.

Policy P12

PROPOSALS FOR WASTE MANAGEMENT FACILITIES WILL BE REQUIRED TO PROVIDE THE FOLLOWING DETAILS:

- (1) THE CARRYING OUT OF WASTE HANDLING AND PROCESSING ACTIVITIES WITHIN A BUILDING OR OTHER APPROPRIATE MEANS OF ENCLOSURE;
- (2) SATISFACTORY MEANS OF ACCESS, VEHICLE MANOEUVRING AND CAR PARKING ARRANGEMENTS;
- (3) APPROPRIATE SITE SCREENING/LANDSCAPING AND SECURITY ARRANGEMENTS;
- (4) MOBILE AND FIXED PLANT AND MACHINERY;
- (5) PROPOSED THROUGHPUT OF WASTE MATERIALS IN TONNES PER ANNUM;
- (6) STOCKPILE LOCATIONS AND DIMENSIONS;
- (7) SITE DRAINAGE AND CAPACITY OF INFRASTRUCTURE TO SUSTAINABLY ACCEPT DISCHARGES FROM SITE;
- (8) THE POTENTIAL OF THE SITE TO BE SERVED USING ALTERNATIVE TRANSPORT MODES.
- (9) MEASURES TO PREVENT ADVERSE IMPACT UPON AMENITY FROM NOISE, ODOUR, DUST, VIBRATION AND EMISSIONS TO AIR/WATER.

Inert Waste Landfill

- 16.57 Inert wastes include recyclable materials including brick, concrete, stone and slate, which can all be crushed to produce a range of secondary aggregates. The WPA will permit only non-recyclable inert material to be landfilled except where the Best Practicable Environmental Option (BPEO) is proved.
- 16.58 It is accepted that there will remain significant volumes of residual inert wastes, which will require disposal. However, the WPA will only grant planning

permission for the landfilling of these waste types where the applicant can prove that it is the Best Practicable Environmental Option and where the land itself can only be reclaimed or improved through landfilling. Applications for this type of development will need to include a full and detailed justification for the proposal including evidence that the scheme is the Best Practicable Environmental Option (BPEO) and is the only way in which the site can be reclaimed or improved.

- 16.59 In the past there have been numerous schemes for small scale agricultural improvement which can have a cumulative impact on the landscape. In assessing any application the WPA will pay particular attention to the impact on the landscape and will appraise any application against the policies in the Natural Environment and Countryside Section of the Plan. Schemes will need to include an assessment of the landscape and ecological impact of the development and where appropriate include measures to protect and/or enhance areas of interest. There is a presumption against landfilling where this would result in the loss of important ecological, archaeological, landscape and geological features in line with government guidance.

Policy P13

LANDFILLING WILL BE AN ACCEPTABLE MEANS OF DISPOSAL FOR INERT WASTES THAT CANNOT BE REUSED OR RECYCLED PROVIDED THAT THE PROPOSALS:

- (1) INVOLVE THE RESTORATION OF DESPOILED LAND INCLUDING QUARRIES AND THE LAND CANNOT REASONABLY BE RESTORED BY ANY OTHER MEANS; OR
- (2) LEAD TO THE RECLAMATION OF CONTAMINATED LAND WHICH CANNOT REASONABLY BE RECLAIMED BY ANY OTHER REASONABLE MEANS; OR
- (3) IN THE CASE OF AGRICULTURAL LAND LEAD TO A SIGNIFICANT AGRICULTURAL IMPROVEMENT THAT CANNOT REASONABLY BE ACHIEVED BY ANY OTHER REASONABLE MEANS; AND
- (4) DOES NOT RESULT IN THE LOSS OF IMPORTANT ECOLOGICAL, LANDSCAPE OR GEOLOGICAL FEATURES;
- (5) THERE IS EVIDENCE THAT THE PROPOSAL IS THE BEST PRACTICABLE ENVIRONMENTAL OPTION (BPEO) FOR THE IDENTIFIED WASTE STREAM;
- (6) THE SITE WOULD BE SAFELY ACCESSIBLE FROM THE PRIMARY ROAD NETWORK;
- (7) THE PROPOSAL WOULD NOT GIVE RISE TO UNACCEPTABLE ADVERSE IMPACTS ON PEOPLE AND THE ENVIRONMENT IN TERMS OF VISUAL AMENITY, NOISE, DUST, AIR, GROUND OR WATER POLLUTION OR OTHER NUISANCE;

- (8) THE PROPOSAL INCLUDES MEASURES TO ENSURE THAT THE REQUIREMENTS OF POLICY P14 ARE MET;

Biodegradable Waste Landfill

- 16.60 Landfill will remain the method of disposal of active wastes where there are no other reasonable means of managing and reducing the volumes of such wastes through recycling or other processes.
- 16.61 In providing for the deposit of biodegradable waste at landfill, the WPA envisages that wastes committed for such disposal will have passed through other waste reduction regimes, and that such materials constitute the residue from domestic, commercial and industrial waste arisings.
- 16.62 The introduction and development of recycling and other processing of wastes will take time before substantial inroads towards the overall waste minimisation targets set by the Government can be made. Therefore a significant level of active waste disposal capacity for the district will need to be maintained over the period of the plan. It is anticipated that this will be achieved through the identification of a new site to take account of the completion and closure of existing active waste landfill sites in the District. ***Buck Park Quarry, Denholme has been identified as a landfill site capable of taking household waste and is considered to provide sufficient capacity for the plan period.***

POLICY P14

PROPOSALS FOR THE DISPOSAL OF BIODEGRADABLE WASTE BY LANDFILL WILL ONLY BE PERMITTED IF:

- (1) THE PROPOSAL DOES NOT RESULT IN THE LOSS OF IMPORTANT ECOLOGICAL, LANDSCAPE OR GEOLOGICAL FEATURES *AND BEST AND MOST VERSATILE LAND*;
- (2) THERE IS EVIDENCE THAT THE PROPOSAL IS THE BEST PRACTICABLE ENVIRONMENTAL OPTION (BPEO) FOR THE IDENTIFIED WASTE STREAM;
- (3) THE SITE WOULD BE SAFELY ACCESSIBLE FROM THE PRIMARY ROAD NETWORK;
- (4) THE PROPOSAL WOULD NOT GIVE RISE TO UNACCEPTABLE ADVERSE IMPACTS ON PEOPLE AND THE ENVIRONMENT IN TERMS OF VISUAL AMENITY, NOISE, DUST, AIR, GROUND OR WATER POLLUTION OR OTHER NUISANCE;
- (5) THE PROPOSAL INCLUDES MEASURES TO ENSURE THAT THE REQUIREMENTS OF POLICY P15 ARE MET.

Landfill Operational Matters

- 16.63 The establishment of landfill facilities for the disposal of wastes is a matter that can generate significant public opposition. In order that the Authority may

properly consider the environmental implications of a proposed site, full and comprehensive details of the development will be required, together with an Environmental Impact Assessment in appropriate cases.

Policy P15

PROPOSALS FOR LANDFILL WHICH ARE IDENTIFIED ON THE PROPOSALS MAP OR ACCEPTABLE IN ACCORDANCE WITH POLICY [~~W6~~] **P13 AND P14** ABOVE WILL BE PERMITTED PROVIDED THE FOLLOWING MATTERS HAVE BEEN ADEQUATELY ADDRESSED TO ENSURE THAT THE DEVELOPMENT OF THE SITE IS CARRIED OUT IN A SATISFACTORY MANNER:

- (1) A DETAILED TIMESCALE FOR ALL OPERATIONS;
- (2) A DETAILED, AND PHASED, SCHEME OF WORKING AND LANDSCAPING;
- (3) THE PROVISION OF SCREENING IN ADVANCE AND WHILST WORK IS IN PROGRESS;
- (4) THE RETENTION, MAINTENANCE OR REPLACEMENT OF ALL BOUNDARY FEATURES;
- (5) MEASURES TO PRESERVE, REPLACE OR DIVERT EXISTING SITE FEATURES *E.G. WATERCOURSES AND DRY STONE WALLS*, AND SERVICES;
- (6) PROTECTION OR DIVERSION AND REINSTATEMENT OF ALL PUBLIC RIGHTS OF WAY;
- (7) MEASURES TO PRESERVE, ENHANCE OR PROTECT NATURE CONSERVATION INTERESTS;
- (8) SATISFACTORY PROVISION FOR LEACHATE AND LANDFILL GAS CONTROL (INCLUDING ENERGY GENERATION WHERE APPROPRIATE), MONITORING AND DISPERSAL DURING AND AFTER OPERATIONS WHERE APPROPRIATE;
- (9) SATISFACTORY ACCESS, INCLUDING MEASURES TO PROTECT THE ENVIRONMENT FROM THE ADVERSE EFFECTS OF VEHICLES ENTERING AND LEAVING THE SITE;
- (10) LOCATION OF ANCILLARY FACILITIES (OFFICES, STORAGE ETC);
- (11) HOURS OF WORKING;
- (12) MEASURES TO MINIMISE THE ENVIRONMENTAL IMPACT OF NOISE, ODOUR, DUST AND WIND BLOWN MATERIAL;
- (13) A RESTORATION SCHEME WHICH MUST TAKE ACCOUNT OF THE PROPOSED AFTERUSE AND PROVIDE FOR THE PROTECTION OF

GROUNDWATER, WATERCOURSES, WATER BODIES AND DRAINAGE;

(14) A DETAILED SCHEME OF AFTERCARE AND MANAGEMENT.

Reworking or Disturbance of Restored Landfills

- 16.63 The excavation of former landfill sites, for the purposes of retrieving materials of perceived value, is an activity that can be both dangerous and potentially polluting, particularly where clay capping or other sealing material is ruptured or where gases are released.
- 16.64 The ingress of rainwater into a previously sealed waste mass can give rise to rapid generation of leachate in volumes that exceed the capacity of engineered systems designed to take account only of slow seepage. Such eventualities can lead to environmental damage that is both serious and difficult to deal with and consequently these issues require to be assessed as part of any proposals for the excavation or other disturbance of these sites.
- 16.65 Reworking or other excavations into former landfill sites will therefore only be permitted in exceptional circumstances where it has been clearly demonstrated that no risks to the environment would arise and that the site would be properly reinstated upon completion of the works. Such schemes will be assessed against the policies within the Natural Environment Section of the Plan in order that the landscape and nature conservation interests can be fully considered. It is important that any proposals to disturb these sites are carried out in line with the highest possible environmental standards and they will be required to meet the criteria set out in Policy P15 above.

Policy P16

THE REWORKING OR DISTURBANCE OF OLD LANDFILLS THAT HAVE BEEN RESTORED OR RECLAIMED TO A SATISFACTORY STANDARD WILL NOT BE PERMITTED EXCEPT WHERE IT HAS BEEN DEMONSTRATED THAT THERE WOULD BE NO RISK TO THE ENVIRONMENT OR PUBLIC HEALTH AND SAFETY.