BRADFORD WASTE MANAGEMENT DPD - EXAMINATION

MATTER 4: MANAGING OTHER WASTE STREAMS Policies W4-W7

Key issue:
Does the Waste Management DPD properly address the waste management needs of other waste streams, including Construction, Demolition & Excavation Waste, Hazardous and Agricultural Waste, and Residual Waste for Final Disposal, including the need for additional waste management facilities, in a manner which is appropriate, effective, deliverable, positively prepared, justified with evidence, soundly based and consistent with national policy?

Council Response

The Council are of the opinion the Waste Management DPD fully meets the needs of other waste streams including Construction, Demolition & Excavation Waste, Hazardous and Agricultural Waste, and Residual Waste for Final Disposal including the need for additional waste management facilities where appropriate, in a manner which is appropriate, effective, deliverable, positively prepared, justified with evidence, soundly based and consistent with national policy.

4.1 Construction, Demolition & Excavation Waste – Policy W4

a. **Has Bradford MDC forecasted future Construction, Demolition & Excavation (CDE) waste arisings in line with the guidance in the Waste PPG [ID-28-033]?**

Council Response

A number of data sources have been analysed in the forecasting of Construction, Demolition and Excavation Waste arisings in Bradford District. Accurate data on the quantity of construction demolition and excavation (CD&E) waste arisings has historically been poor and therefore forecasting of the CDE waste stream is problematic. An estimate of how much CD&E waste is produced in Bradford can be made with respect to CD&E managed through permitted sites. Data has been published by the Environment Agency for 2013 (EA Waste Data Interrogator database). This gives quantities of CD&E waste deposited at sites which are subject to Environment Agency permit. This data provides some information on origin and waste movements but is incomplete as some CD&E wastes are not fully recorded for all details. Data on CD&E has been gathered from the EA Waste Data Interrogator (2013 deposit data) and an analysis of the waste categories has taken place to enable the separation of construction and demolition waste from excavation waste. Further details of the forecast methodology for CDEW can be found in Section 4. of the Waste Needs Assessment, Capacity Gap Analysis and Site/Facility Requirements Study PART A.

The Council consider the approach set out in PART A of the 'Needs Assessment is in line with the guidance set out in the Waste Planning Practice Guidance.

b. **How will the need for new and expanded sites for the management of CDE waste be determined, and how will the policy encourage the management of CDE waste on-site at the point of origin with an emphasis on re-use and recycling?**

Council Response

The Council has demonstrated through work undertaken on the Waste Management DPD and the supporting 'Needs Assessment there is currently no identified need which constitutes the delivery / allocation of waste management facilities for CDE Waste within Bradford District. However, under Policy W4, applicants applying for new and expanded CDEW sites will be required to demonstrate an identified need for such a facility and that CDE waste cannot be reduced or processed on-site at its source. In regards to how the need for a new or expanded site for management of CDE waste facility will be determined, the applicant would firstly need to demonstrate specifically why the CDEW could not be recycled and reused on site, and secondly would need to demonstrate a local / sub regional, regional capacity gap for the management of the identified CDEW type which could not be managed in-situ.

Policy W4 places emphasis on encouraging the reuse and recycling of CDEW on site before considering new sites, as this is considered the most sustainable and environmentally sound solutions for management of this waste stream.

Policy WDM4 of the Waste Management DPD also encourages the reuse and recycling of CDEW on site, with a requirement for applicants to demonstrate the use of recycled and secondary materials for construction of the development, including the minimisation of waste resulting from construction.

This policy approach is based upon robust evidence set out in the Waste Needs Assessment, Capacity Gap Analysis and Site/Facility Requirements Study. The Study sets out the low value and high cost of transporting the CDEW results in the majority of arisings being managed on site. The Study also makes clear how the gap could be met by the implementation of an extant permission, which has a capacity of 200,000tpa, and by the continuation of the management of CD&E on site.

c. **Are the locational criteria set out in Policy W4, including the sequential order of priority, appropriate, effective, justified, deliverable and soundly based?**

Council Response

The Council consider the locational criteria set out in Policy W4 to be appropriate, effective, justified, deliverable and soundly based. The location criteria matches that of the 'Area of Search Principles' set out in the Site Assessment Report [WD-SD-016 / WD-SD-24 / WD-SD-34] to identify sites in the most sustainable strategic locations. The locational criteria, including the sequential approach, set out in Policy W4 are considered to meet the requirements of paragraph 5 of the National Planning Policy for Waste.

- The sequential approach set out in Policy W4, encourages the expansion of existing facilities and existing employment sites, which are often within industrial areas and thus less disposed to physical and environmental constraints.
- The sequential approach set out in Policy W4 will also encourage the development of facilities through the expansion of existing sites or within existing employment sites, which encourages the utilisation current transport links, and are in locations which are in close proximity to existing major transport infrastructure.
- Policy will also assist in avoiding detrimental impacts of existing and proposed waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential, as the sequential approach encourages the location of sites on existing facilities and within existing industrial areas.

It is important to note that all proposed waste management facilities for CDEW will also be assessed against the policies within Section 7 of the Waste Management DPD.

4.2 Agricultural and Hazardous Waste

a. **Agricultural waste – Policy W5**

i. **How will the need for new and expanded sites for the management and treatment of agricultural waste be determined, and how will the policy encourage the management of agricultural waste on-site at the point of origin?**

Council Response

The Council has demonstrated through work undertaken on the Waste Management DPD and the supporting 'Needs Assessment there is currently no identified need which constitutes the delivery / allocation of waste management facilities for Hazardous Waste within Bradford District. However, under Policy W5, applicants applying for new and expanded Agricultural waste sites will be required to demonstrate an identified need for such a facility and that it is demonstrated that agricultural waste cannot be reduced or processed on-site at its source. In regards to how the need for a new or expanded site for management of agricultural waste facility will be determined, the applicant would firstly need to demonstrate specifically why the agricultural waste could not be recycled and reused on site, and secondly would need to demonstrate a local / sub regional, regional capacity gap for the management of the identified agricultural waste type which could not be managed in-situ.

Policy W4 places emphasis on encouraging the reuse and recycling of agricultural waste on site, as this is considered the most sustainable and environmentally sound solutions for management of this waste stream.

ii. **Are the locational criteria set out in Policy W5, including the sequential order of priority, appropriate, effective, justified, deliverable and soundly based?**

Council Response

The Council consider the locational criteria set out in Policy W5 to be appropriate, effective, justified, deliverable and soundly based. The location criteria matches that of the 'Area of Search Principles' set out in the Site Assessment Report [WD-SD-016 / WD-SD-24 / WD-SD-34] to identify sites in the most sustainable strategic locations. The locational criteria, including the sequential approach, set out in Policy W5 are considered to meet the requirements of paragraph 5 of the National Planning Policy for Waste.

- The sequential approach set out in Policy W5, encourages the expansion of existing facilities and existing agricultural sites, which are often within industrial areas and thus less disposed to physical and environmental constraints.
- The sequential approach set out in Policy W5 will also encourage the development of facilities through the expansion of existing sites or within existing agricultural sites, which encourages the utilisation existing transport links.
- Policy will also assist in avoiding detrimental impacts of existing and proposed waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential, as the sequential approach encourages the location of sites on existing facilities and within existing agricultural areas, which are isolated and located away from local communities.

It is important to note that all proposed waste management facilities for agricultural waste will also be assessed against the policies within Section 7 of the Waste Management DPD.

b. **Hazardous waste – Policy W6**

i. **Has Bradford MDC forecasted future Hazardous Waste arisings in line with the guidance in the Waste PPG [ID-28-034]?**

Council Response

The 2005 Hazardous Waste (England and Wales) Regulations and the List of Wastes (England and Wales) Regulations set out what is defined as hazardous waste. Waste is classified as "Hazardous Waste" if it has characteristics that make it harmful to human health, or to the environment, either immediately or over an extended period of time. Hazardous waste is a sub category of Local Authority Collected Waste, Commercial and Industrial waste and CD&E classed materials. Estimated totals for LACW, C&I waste and CD&E waste are inclusive of waste in the sub-category of hazardous.

Data on hazardous waste is taken from the 2013 Environment Agency Hazardous Waste Interrogator. This is considered by the Environment Agency to be the most accurate source on this waste stream and is used to inform the needs assessment model in preference to data from its standard site Waste Interrogator.

A total of 19,084 tonnes of hazardous waste was recorded as arising in the City of Bradford in 2013. The City of Bradford is a net exporter of hazardous waste. In 2013 it imported 3,214 tonnes and exported 18,039 tonnes. A total of 4,258 tonnes were managed in Bradford of this 2,185 tonnes were recorded as healthcare treatment, 1,409 tonnes were managed through transfer stations with 664 tonnes managed by recovery operations. The future capacity requirement for hazardous waste has already been taken into account under the main classes of waste materials for which hazardous waste is a sub-set. However, hazardous waste facilities for treatment, incineration and landfill are located outside the Plan area and it is anticipated that provision will continue and remain available throughout the Plan period. It should be noted that hazardous waste facilities require economies of scale so that provision of facilities within the Plan area for the small quantities of arisings would be unlikely to be viable unless a new facility were to import significant quantities from outside the Plan area.

The Council consider the approach taken to forecasting Hazardous Waste arisings is in line with guidance set out in the Waste Planning Policy Guidance.

ii. **How will the need for new and expanded sites for the management and treatment of Hazardous Waste be determined?**

Council Response

Under Policy W6, applicants applying for new and expanded hazardous waste sites will be required to demonstrate an identified need for such a facility and that it is demonstrated that hazardous waste cannot be managed at an existing facility. In regards to how the need for a new or expanded site for management of hazardous waste facility will be determined, the applicant would firstly need to demonstrate specifically why the hazardous waste could not managed and treated at an existing facility within Bradford, the sub-region or the region, and would therefore need to demonstrate a local / sub-regional, regional capacity gap for the management and treatment of the identified hazardous waste type.

iii. **Are the locational criteria set out in Policy W6, including the sequential order of priority, appropriate, effective, justified, deliverable and soundly based?**

Council Response

The Council consider the locational criteria set out in Policy W6 to be appropriate, effective, justified, deliverable and soundly based. The location criteria matches that of the 'Area of Search Principles' set out in the Site Assessment Report [WD-SD-016 / WD-SD-24 / WD-SD-34] to identify sites in the most sustainable strategic locations. The locational criteria, including the sequential approach, set out in Policy W6 are considered to meet the requirements of paragraph 5 of the National Planning Policy for Waste.

- The sequential approach set out in Policy W6, encourages the expansion of existing facilities and existing employment sites, which are often within industrial areas and thus less disposed to physical and environmental constraints.
- The sequential approach set out in Policy W6 will also encourage the development of facilities through the expansion of existing sites or within existing employment sites, which encourages the utilisation current transport links, and are in locations which are in close proximity to existing major transport infrastructure.
- Policy will also assist in avoiding detrimental impacts of existing and proposed waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential, as the sequential approach encourages the location of sites on existing facilities and within existing industrial areas.

It is important to note that all proposed waste management facilities for hazardous waste will also be assessed against the policies within Section 7 of the Waste Management DPD.

iv. **How will an applicant demonstrate that the hazardous waste cannot be adequately handled at an existing operational hazardous waste facility in Bradford district or in neighbouring authorities?**

Council Response

The applicant would be expected to consult with the Environment Agency (EA), the relevant Waste/Local Planning Authority (LPA) and utilise the most up to date hazardous waste data interrogator information to investigate the capacity of any existing applicable facility within Bradford and the sub-region. This may include details of facility capacity submitted as part of a planning application approved by the LPA and / or licensing capacity as permitted by the Environment Agency.

The Environment Agency is legally required to monitor all movements of hazardous waste in England and Wales. Hazardous waste producers are required to register with the Environment Agency and the site where the waste is disposed or recovered is required to inform the EA of the details of the wastes they receive. Although hazardous waste producer data is commercially confidential, a summary of the movements is provided in this Hazardous Waste Interrogator. Taking this into account, the Council consider sufficient data should be available to

demonstrate whether hazardous waste can or cannot be adequately handled at existing operation hazardous waste facilities in Bradford District, in the sub-region or the region. However, due to commercial sensitivities of the information available, the Council will work proactively with applicants, Environment Agency and other neighbouring authorities in establishing whether or not a demonstrable need can be established.

4.3 Residual Waste for Final Disposal – Policy W7

i. **How will the need for new and expanded sites for the disposal of residual waste, including new or expanded landfill capacity, be determined?**

Council Response

The Council has demonstrated through work undertaken on the Waste Management DPD and the supporting 'Needs Assessment there is currently no identified need which constitutes the delivery / allocation of waste disposal facilities for Residual Waste for Final Disposal (i.e. Landfill) within Bradford District. However, under Policy W7, applicants applying for new and expanded sites for Residual Waste for Final Disposal will be required to demonstrate an identified need for such a facility and that it is demonstrated that Residual Waste for Final Disposal cannot be managed at an existing facility. In regards to how the need for a new or expanded site for management of Residual Waste for Final Disposal facility will be determined, the applicant would firstly need to demonstrate specifically why the Residual Waste for Final Disposal could not managed and treated at an exisiting facility within the sub-region, and would therefore need to demonstrate a local / regional capacity gap for the management and disposal of the identified residual waste.

ii. **How will the "monitor and manage" approach ensure that there is a sufficient supply of landfill and other disposal facilities available within the sub-region, including within Bradford and neighbouring authorities, having regard to the spatial distribution, remaining capacity and timescale of existing facilities?**

Council Response

As the planning for landfill is considered a larger than local issue, the Council is of the opinion the work carried out at a regional level shall be crucial in delivering the Policy W7. The Council shall continue to play an active role within the Yorkshire and Humber Waste Technical Advisory Body (Y&H WTAB), which has an current Memorandum of Understanding (MoU) stating the body will "ensure that planned provision for waste management in the Yorkshire and Humber Area is co-ordinated, as far as is possible". In executing this part of the MoU, the WYCA/LCR WY Lead Officer (Bradford employee) has assisted on the production of the Yorkshire and the Humber Position Statement and produced the supplementary paper 'Landfill in Yorkshire & Humber – Position Statement'. These documents have been produced to assist with coordination in strategic planning for waste by waste planning authorities (WPAs) in the Yorkshire & Humber (Y&H) area and are updated on a yearly basis through the Y&H WTAB. It represents an update to a first version of the Statement produced in July 2014 and subsequently endorsed by WYCA/LCR and WPAs in the area. The Statement sets out some key background information about waste and waste planning in the area and, in particular, identifies some of the key information that is likely to be relevant to preparation and review of waste local plans and which may affect more than one local authority area.

Future updates to the paper shall act as the foundation for the "monitor and manage" approach set out in Policy W7 and other policies within the Waste DPD. Should future updates to the Position Paper and/or supplemental papers, or the Y&H WTAB identify the need for further landfill and other disposal facilities within the Region, the Council shall continue to play an actively role in the Y&H WTAB in the strategic approach to identifying new sites. Should a potential site be identified within the Bradford District, Policy W7 and other policies within the 'Plan would be used to assess such a proposal.

iii. **Are the locational criteria for new or expanded landfill capacity set out in Policy W7 appropriate, effective, justified, deliverable and soundly based?**

Council Response

The Council consider the locational criteria set out in Policy W7 to be appropriate, effective, justified, deliverable and soundly based. The location criteria matches that of the 'Area of Search Principles' set out in the Site Assessment Report [WD-SD-016 / WD-SD-24 / WD-SD-34] to identify sites in the most sustainable strategic locations. The locational criteria, including the sequential approach, set out in Policy W7 are considered to meet the requirements of paragraph 5 of the National Planning Policy for Waste.

- The sequential approach set out in Policy W7, encourages the expansion of existing facilities and existing employment sites, which are often within industrial areas and thus less disposed to physical and environmental constraints.
- The sequential approach set out in Policy W7 will also encourage the development of facilities through the expansion of existing sites or within existing employment sites, which encourages the utilisation current transport links, and are in locations which are in close proximity to existing major transport infrastructure.
- Policy will also assist in avoiding detrimental impacts of existing and proposed waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential, as the sequential approach encourages the location of sites on existing facilities and within existing industrial areas.

It is important to note that all proposed waste management facilities for CDEW will also be assessed against the policies within Section 7 of the Waste Management DPD.

iv. **What are the implications of the updated assessment of Regional Landfill Capacity (July 2016), and how will the DPD address these implications?**

Council Response

With regards to Regional Landfill Capacity analysis (July 2016)[WD-SD-069], this confirms the position that Bradford was aware of since 2011, that is, there is still sufficient landfill capacity across the Y&H Region for the period of the plan. Bradford has no proposal to allocate landfill sites and this recent landfill analysis justifies the approach set out in the Waste Management DPD. The Regional Landfill Capacity paper notes that the WY area has the potential to lose 10.8millm3 by 2018 if a specific site closes, but as agreed and identified through the Y&H WTAB there is more than sufficient capacity across Y&H Region (94.3 mill m3) within reasonable proximity; there is possible an overcapacity of 14.7 mill m3 of inert material in WY (due to work undertaken on EA non licensed sites) and hazardous is sufficient in WY at 1.8millm3 due to a reclassification of a site in Kirklees.

In conclusion it is considered that there is no requirement to amend the DPD, however the landfill position will continue to be motorised through the Y&H WTAB. If a landfill is required within the Bradford District Policy W7 provides the criteria on which any proposal would be assessed.

v. **Should the term "residual waste" be defined more clearly?**

Council Response

Yes. The Council is of the opinion the Waste Management DPD would benefit from a clearer definition of 'residual waste' within the supporting text of Policy W7. Policy W7 is regarding residual waste for final disposal to landfill, the preceding text to W7 (para 5.5) refers to some residual waste being managed by other technologies (e.g EfW) but such facilities are dealt with through other polices within the Waste Management DPD.

vi. **Should Policy W7 be expanded to address energy from waste (EfW) developments?**

Council Response

No. The policy is intended to be a policy for the residual waste for final disposal to landfill and W7 is framed to deal with landfill. The Policy W7 does cover waste product from EfW processes (i.e. Bottom Ash). However, the Waste Management DPD may benefit from the wording of Policy W7 and the supporting text being modified to clarify this point.

4.4 Other waste streams

i. **How will low-level radioactive waste and waste water be addressed?**

Council Response

Most (98%) of Low Level Waste (LLW) in the UK arises from operation of nuclear power stations, nuclear fuel reprocessing facilities and also from the decommissioning and clean-up of nuclear sites. The remaining 2% is produced by non-nuclear industry users of radioactivity. As no nuclear sites are located in the plan area, these non-nuclear industries are the sole producers of LLW that will need to be planned for. Therefore, when compared to the total LLW produced in the UK, the amount produced in Bradford is very small.

In combination with the fact there is no likelihood of a nuclear facility being located in Bradford in the next 20 years, which means it is highly unlikely that LLW will increase significantly above current levels.

Low Level Radioactive waste is considered a larger than local issue and this is currently being discussed as a regional level, details of which can be found in the Yorkshire and Humber Waste Position Paper (WD/SD/070).

In regards to Waste Water, as a general principle, when greater capacity is required, WWTW operators would try and place new plant on existing treatment works, or failing that purchase land from an adjacent land owner. Therefore it is unlikely that new sites will be required within the Plan area to handle waste water/sewage sludge, particularly in view of the significant size of the existing YW site at 333 ha.

At present it is not envisaged that sites or capacity should be identified within the Waste Management DPD for future use as WWTW as there is no current requirement for additional facilities. Should any further land be required to support the operation of Yorkshire Water, there is capacity within the existing Esholt site which could meet that need.

The Council will continue to work Yorkshire Water in the planning for the management of waste arising from water treatment.