

Bradford Local Plan

Core Strategy Examination Session Day Eight

Matter 7F: Waste Management

Date: 17th March 2015

Venue: Victoria Hall, Saltaire

Issue 7.28

Policy WM1 – Waste Management

- a. **Is the approach to waste management, including the use of the waste hierarchy, fully justified with evidence, effective, deliverable, positively prepared, soundly based and consistent with the latest national guidance (NPPF/PPG)?**

Council Response

- 1.1 On waste matters, the Local Plan for the Bradford District will comprise of the Core Strategy and Waste Development Plan Document (Waste DPD). The Waste DPD has been progressing parallel to the Core Strategy; it is currently a stage behind the Core Strategy and is programmed for submission for examination later this year. The evidence gathered for the Waste DPD has also been utilised to inform the Core Strategy, in particular future waste arising forecasts and capacity gap analysis undertaken by Urban Vision Ltd (PS/B001b/31 and PS/B001b/32). The Local Development Scheme (SS054) sets out further background to the documents and their relationship.

- 1.2 The waste hierarchy included within the Core Strategy: Submission Draft is slightly misaligned with that set out in the “National Planning Policy for Waste Oct 2014” and National Waste Plan for England. The Council therefore proposed to make the following minor modification to Policy WM1 (a):

A. The Council will work with its partners and neighbouring authorities to integrate strategies for waste management in Bradford and at the sub-regional and regional levels. All forms of waste will be managed in accordance with the waste management hierarchy ~~in the following order of priority:~~

~~1. Waste Prevention: avoiding the creation of waste in the first instance; then:~~ reduce the generation of waste, including the re-use of products; then:

~~2. Preparing for Re-use: making best use of existing and new facilities; then:~~ products that have become waste can be checked, cleaned or repaired so that they can be re-used; then:

~~3. Recycling and composting: making best use of existing and new facilities; then:~~ waste materials can be reprocessed into products, materials, or substances; then:

~~4. Energy Other recovery: making use of technologies that recover energy from waste; then;~~ waste can serve a useful purpose by replacing other materials that would otherwise have been used; then ;

~~5. Disposal: including the use of landfill as a last alternative. the least desirable solution where none of the above options is appropriate.~~

- 1.3 The Council consider there is no need to depart from the national waste hierarchy as set out in the “National Planning Policy for Waste

Oct 2014”, as there is no evidence or justifiable reason to do so. The national waste hierarchy is in itself a sustainable approach to waste management, which the Council has sought to adopt.

- 1.4 The approach adopted by the Core Strategy is to ensure Bradford is as self-sufficient as possible, but equally Bradford district seeks not to over provide when there are suitable and sufficient facilities in a neighbouring/nearby authority, particularly in relation to the disposal of the residual wastes following treatment. Policy WM1 states that we will work with partners and neighbouring authorities to achieve an integrated approach. This has been undertaken through meaningful engagement and continues through the formalised Yorkshire and Humber Waste Technical Advisory Body (Y&H WTAB), in line with the key policies set out in the National Planning Policy for Waste.
- 1.5 The Council consider with the proposed minor modification to WM1 A. that the approach to waste management is fully justified with evidence, effective, deliverable, positively prepared, soundly based and consistent with the latest national guidance.
 - b. **Does Policy WM1 and the accompanying text provide a sound, effective and sufficient policy framework for the sustainable management of waste and provision of waste management facilities, in line with the principles of the waste hierarchy and waste minimisation, which is consistent with the Municipal Waste Management Strategy and national policy?**

Council Response

- 1.6 The Council consider the modified Policy WM1 and accompanying text provide a sound, effective and sufficient policy framework for the sustainable management of waste and provision of waste management facilities, in line with the principles of the waste hierarchy and waste minimisation, which is consistent with the Municipal Waste Management Strategy and national policy.
- 1.7 As noted in response to 7.28 a), the council consider there are no justifiable reasons to depart from the national waste hierarchy, the policy and accompanying text notes that the current approach, in which Bradford exports a large proportion of its waste, is no longer acceptable and that emphasis must be placed on managing waste in the most sustainable way in line with the waste hierarchy.
- 1.8 The Municipal Waste Strategy for Bradford (on submission of the Core Strategy) was set out in the document “Municipal Waste Management Strategy” 2005. . This strategy recommended the provision of a facility that treated the residual waste (following kerbside collection and recycling) in totality, through the Private Finance Initiative (PFI) process. The preferred bidder was chosen, but unfortunately before contract completion the PFI credits for the Bradford and Calderdale Waste PFI Partnership were withdrawn. The Core Strategy and Waste DPD approach was based on ensuring alignment with the Municipal Waste Strategy 2005, with the PFI site allocated in the Waste DPD preferred approach and granted planning permission

November 2012 for a facility with pre-treatment to extract further recyclates, followed by thermal treatment of the residual (Energy from Waste facility). Since the Core Strategy submission a new Municipal Waste Strategy has been drawn up and ratified at the Councils Executive meeting on the 13 January 2015. The new Municipal Waste Strategy continues to propose the minimisation of waste and it still seeks a solution for the residual waste after kerbside collection/recycling. The option adopted by the new Strategy is a solution involving pre-treatment of the residual waste followed by thermal treatment. The solution is similar in approach to the PFI in that there is a pre-treatment element followed by thermal treatment, but the solution is far more flexible and open to utilising merchant facilities. With the new adopted option, the pre-treatment and thermal treatment may be located on the same site, or on two separate sites within the district, or even outside of the District. The new Municipal Waste Strategy adopted has been reviewed. It is considered that there still remains a clear alignment between the Core Strategy/Waste Management DPD approach and the modified Bradford Municipal Waste Strategy.

- 1.9 There has always been, and will continue to be, direct liaison with colleagues in the Environment Department who are responsible for the Bradford Municipal Waste Strategy. The waste evidence base (PS/B001b/31 and PS/B001b/32) utilises figures supplied by Environment colleagues to ensure a consistent approach and this will be updated appropriately to reflect any changes that the Bradford Municipal Waste Strategy 2015 may indicate.
- c. **Latest national guidance on waste management (PPG:28-022-20141016) indicates that Local Plans should contain evidence about the waste management capacity in an area, with an understanding of capacity gaps and forecasts of future waste management capacity to deal with forecast waste arising's. Apart from some targets for Policy WM1, there are no figures of existing and future waste arising's and no figures of existing and future waste management capacity, or any details of any cross-boundary waste management issues to set the strategic framework for the forthcoming Waste Management DPD. Further clarification and information on these matters is needed.**

Council Response

- 1.10 In June 2013, Urban Vision Ltd was commissioned to undertake an independent assessment of the future waste arising forecasts and capacity gap analysis / requirement for the Bradford District to year 2030 and this was completed in May 2014 (PS/B001b/31 and PS/B001b/32). This evidence base work has also been used to inform the production of the Waste Management DPD: Publication Draft. The evidence base contains figures of existing and future waste arising's, figures of existing and future waste management capacity and details of all strategic cross-boundary waste movements.
- 1.11 Part B of Policy WM1 within the Core Strategy: Submission Draft is not fully in alignment with this evidence base, as the policy currently

indicates that sufficient capacity for all types of waste arising's will be located within the District.

- 1.12 The delivery of waste facilities is dependent on securing sufficient levels of waste arisings to ensure the operation is viable. The Council is of the opinion there may be some waste types currently arising within the District which may not quantify the allocation of a waste management site due to their diminutive scale and the fact they cannot be fully managed 'on-site'. Through work on the evidence base (PS/B001b/31 and PS/B001b/32), hazardous waste, low level radioactive waste and residual waste for final disposal have been identified as potentially not quantifying the allocation of a waste management site and may continue to be managed at sites outside the Bradford District. These are looked at in more detail below.

Hazardous Waste and Low Level Radioactive Waste

- 1.13 Bradford district generates a small amount of hazardous waste (approx. 19,000tpa) and approx. 3,500tpa is managed within the Bradford District. Low Level Radioactive waste is minimal. Such low levels do not quantify the allocation of further sites specifically for the management of these waste types. It should be noted that hazardous waste and low level radioactive waste facilities require economies of scale so that provision of facilities within the Plan area for the very small quantities of arising's would be unlikely to be viable unless a new facility were to import significant quantities from outside the Plan area. The Council are therefore of the opinion the most sustainable and environmentally effective way of managing forecast waste arising's for Hazardous Waste and Low Level Radioactive Waste is to maintain the existing movements to facilities within the Yorkshire and Humber Region and beyond. This approach has been meaningfully discussed with the Local Authorities who are currently in receipt of Bradford's Hazardous Waste and Low Level Radioactive Waste with no objections raised.

Residual Waste for Final Disposal (i.e. Landfill)

- 1.14 The evidence base has established the level of Residual Waste for Final Disposal (i.e. Landfill) arising's (11,000 tpa by the end of the plan period) and the existing sub-regional and regional capacity did not quantify the allocation of a site for a new landfill for the disposal of residual waste following treatment.
- 1.15 The Yorkshire and Humber Region has the largest landfill void space of all the former Regions and although there may be a possibility of a shortage of landfill void space over the plan period in West Yorkshire, (if a strategic site closes, demand remains high and a number of the new waste facilities with planning permission do not come online), it was resolved at the Yorkshire & the Humber Waste Technical Advisory Body (Y&H WTAB) in November 2014 that there still remains a significant void space with over 56 million tonnes of non- hazardous landfill in the Yorkshire & Humber Region. Couple this with the declining inputs as facilities to treat waste come on line it was also agreed at the Y&H WTAB in November 2014 that there is sufficient and agreed capacity residual landfill capacity within the Yorkshire and

Humber Region to accommodate any residuals (following treatment) arising from Bradford over the plan period.

- 1.16 The Council are therefore of the opinion the most sustainable and environmentally effective way of managing forecast waste arising's for Residual Waste for Final Disposal (i.e. Landfill) is to maintain the existing movements to facilities within the WY sub-region in the first instance and utilise the significant capacity available in the Y&H Region if required. This approach has been meaningfully discussed with the Local Authorities who are currently in receipt of significant levels Residual Waste for Final Disposal (i.e. Landfill) and with authorities who may be in receipt over the plan period, with no objections raised.
- 1.17 Therefore, to ensure full alignment with the evidence base and to provide a suitable network of facilities to deliver sustainable waste management collaboratively with other waste planning authorities the following proposed modification to WM1 B is put forward by the Council should the Inspector consider it required to ensure the plan is sound:

B. The Council will plan to ensure that sufficient capacity is located within the District to accommodate for the most sustainable and environmentally effective management of forecast waste arisings of all types during the plan period,–reducing the reliance on other authority areas. In identifying waste management sites within the District the Council will give regard to cross boundary issues, including waste movement and location of facilities in adjacent areas; working collaboratively with other waste planning authorities to provide a suitable network of facilities to deliver sustainable waste management.

- 1.18 While the Council consider that the approach under both WM1 and WM2 with the proposed changes is considered sound (see statement below on WM2), the council could if required and felt appropriate by the Inspector provide additional supporting text to provide further clarification on the approach and relevant evidence. This could require a main modification dependent on the nature of any revised or additional text.

Issue 7.29

Policy WM2 – Waste Management

- a. **Is the approach to waste management, including the priorities and criteria for new waste management sites, fully justified with evidence, effective, deliverable, positively prepared, soundly based and consistent with the latest national guidance (NPPF/PPG)?**

Council Response

- 2.1 Part C of Policy WM2 within the Core Strategy: Submission Draft is not in full alignment with the National Planning Policy for Waste Oct 2014 (Paragraph 5), in that it does not refer to the cumulative impacts and economic viability of waste management facilities.

2.2 Therefore the following proposed minor modification is put forward by the Council:

A. Sites for waste management facilities will be identified to deal with all ~~Municipal Solid Waste (MSW)~~ Local Authority Collected Waste and Commercial & Industrial Waste (C&I) arisings within Bradford District. Sites will need to best meet environmental, economic and social needs.

C. All potential waste management sites will be subject to detailed assessment of their individual characteristics, cumulative impact, economic viability and the impacts of ~~and the implications of~~ any waste development on surrounding areas. The Waste Management DPD will establish the detailed site development criteria using a similar approach to site identification as applied within the development of strategic and local criteria to include consideration of:

1. Policy alignment;
2. Physical constraints to site development;
3. Proximity to waste arisings;
4. Adjacent uses.

2.3 The Council is of the opinion the modified approach to waste management, including the priorities and criteria for new waste management sites, is fully justified with evidence, effective, deliverable, positively prepared, soundly based and consistent with the latest national guidance. The evidence base work undertaken by consultants Urban Vision and the modification put forward by the Council fully supports this.

b. **Do Policy WM2 and the accompanying text provide sufficient strategic guidance and spatial direction for making decisions on planning applications for waste management facilities and providing the context for the subsequent Waste Management DPD?**

Council Response

2.4 The Policies WM1 and WM2, with the proposed modifications provide sufficient strategic guidance and spatial direction by

- Clearly defining the waste hierarchy and the Council's commitment to work with partners and neighbouring authorities to ensure all strategies (including the waste management DPD) align with this and waste is managed in the most sustainable way;
- The spatial direction is well defined in point B of WM1, setting out the Council's priority for managing waste in the most sustainable way and the need to establish a network of

waste management facilities (through the Waste Management DPD);

- Criteria A. of WM2 sets out the spatial direction for what waste streams will be allocated for in the Waste Management DPD and strategic guidance on the assessment of sites;
- Criteria B. sets out the spatial direction for the identification of sites for waste management and strategic guidance on sustainable locations for waste management;
- Criteria C of WM2 also sets out the strategic guidance for the identification and assessment of waste management sites consider the individual characteristics, cumulative impacts and economic viability of waste management facilities.

- 2.5 The Council is of the opinion modified Policy WM2 with the proposed modification and the accompanying text will provide sufficient strategic guidance and spatial direction for making decisions on planning applications for waste management facilities and providing the context for the subsequent Waste Management DPD.

- c. **Has the Plan been positively prepared in terms of addressing cross-boundary waste management issues with neighbouring Waste Planning Authorities, ensuring that there are no unmet waste management requirements from other areas?**

Council Response

- 2.6 The Council is of the opinion the Plan has been positively prepared in terms of addressing cross-boundary waste management issues with neighbouring Waste Planning Authorities, ensuring that there are no unmet waste management requirements from other areas.
- 2.7 As detailed above, in response to Q 7.28 c, the Council is a Member of the Y&H WTAB, for which a Memorandum of understanding (Appendix 1) has been drawn up to ensure
- planned provision for waste management in the Yorkshire and Humber Area is co-ordinated, as far as is possible; and
 - the approach to waste planning throughout the Yorkshire and Humber Area is consistent as possible between authorities.
 - a framework for the on-going liaison and co-operation between waste planning authorities in the Yorkshire and Humber Area.
- 2.8 A Yorkshire & Humber Waste Position Paper July 2014 (Appendix 2) has also been drawn up and records kept and shared of on-going major/strategic facilities in the planning process, with planning, being built and operational. The Y&H Waste position paper has identified a number of key messages which the Y&H WTAB continue to collaboratively address to ensure there are no unmet waste

requirements in the Y&H area. The minutes and relevant e-mails of agreement are available if required.

- d. **Is there sufficient evidence to justify the location and extent of the Waste Management Areas of Search shown in Appendix 7 of the Plan?**

Council Response

- 2.9 The principles of self-sufficiency and proximity put forward in The Waste (England and Wales) Regulations 2011 fully justify the 'area of search'. The Regulations state:

"4 - (3)The network must enable waste to be disposed of and mixed municipal waste collected from private households to be recovered in one of the nearest appropriate installations, by means of the most appropriate technologies, in order to ensure a high level of protection for the environment and human health."

- 2.10 The Council is of the opinion that taking into account the proximity of facilities to major settlements is a key factor in providing a network of facilities to ensure waste can be disposed of and mixed municipal waste collected from private households to be recovered in one of the nearest appropriate installations. By limiting the area of search to major settlements within the District, the Council is of the opinion the 'proximity principle' is fully embedded into the policy.
- 2.11 The need to avoid detrimental impacts upon the natural environment and countryside, built heritage, open land within settlements and a proximity to 1km of major roads is also considered to be compliant with the latest national guidance set out in the National Planning Policy for Waste when identifying suitable sites and areas for proposed waste management facilities.

Appendix

1. Yorkshire & the Humber Waste Position Statement
2. Memorandum of Understanding – Yorkshire & the Humber Waste Technical Advisory Body (MOU Y&H WTAB)