

West of England Partnership Board
11 September 2009

Joint West Core Strategy: Approval of Draft Submission Document

Report of the Chief Executive

Summary

Once finalised, the Joint Waste Core Strategy (JWCS) will set out the sub-regional spatial planning policy for the provision of facilities to treat municipal, industrial and commercial waste.

This report sets out the consultation responses (Appendices A, B and C) to the Preferred Options and subsequent Progress Updates to consultees and stakeholders, including the independent technical reports commissioned by the authorities.

The Joint Waste Core Strategy Draft Submission Document now proposed is at Appendix E. Key features of the Document are highlighted in Section 3 of this report.

Once the views of Board have been taken into account the Submission Document will be submitted to Cabinets and Councils in October/November prior to further public consultation. It will be submitted to the Secretary of State in April/May 2010 and an Examination in Public will be held.

Purpose of Report

(1) To note consultation responses to:

- Public consultation on the Preferred Options and the Progress Updates for the provision of residual waste recovery facilities
- Workshops with the waste industry
- Progress updates to stakeholders and consultees providing a range of independent technical reports.

(Available in the Members room at each Council and on the West of England website at: <http://www.westofengland.org/waste/planning/progress-update->)

(2) To consider the Consultation Statement (Appendix A) on the key issues arising, and how it is proposed these be taken into account, and the Summary Reports of Consultation (B) and Progress Updates (C).

(3) To note the Timetable (para 1.2 below) for concluding the Draft JWCS Submission document for approval, prior to further public consultation in January/February 2010.

- (4) To take into account the views of the Joint Scrutiny Committee and the Planning, Housing & Communities Board both meeting in early September (Appendix D to follow and to be tabled and presented to the Board)
- (5) To seek the Board's views on the Draft JWCS Submission Document (Appendix E), and the two strategic areas for waste facilities (Appendix F), so that they can be taken into account, prior to consideration by Council Cabinets/Councils in October/November.

1. Background

- 1.1 The Joint Waste Core Strategy (JWCS) sets out the sub-regional spatial planning policy for the provision of facilities to treat all waste streams, municipal, industrial and commercial waste. The JWCS is a key development plan document that sits within each authority's Local Development Framework.
- 1.2 ERM consultants are project managing and providing technical support to the remaining stages of progressing the JWCS through to adoption. The timetable for submission of the JWCS to the Secretary of State is set out below.

Timetable

Planning, Housing & Communities Board	7 th September 2009.
Partnership Board	11 th September 2009.
Workshops for Members in each Council	Mid September 2009.
Cabinets and Councils	October-November 2009.
Consultation on Submission document	January/February 2010.
Consideration of outcomes from consultation	February/March 2010.
Submission to Secretary of State	April/May 2010.
Examination in Public	2010

2. Outcomes of Consultation and ongoing Engagement

- 2.1 The West of England Authorities have undertaken several stages of consultation and ongoing public engagement that has informed the preparation of the Joint Waste Core Strategy Submission document. A consultation statement (Appendix A) has been prepared.
- 2.2 The table below sets out the supporting documentation made available publicly for the Preferred Option consultation and Progress Updates. All documentation is available on the West of England Partnership website and hard copies are available in the Members room at each Council.

Preferred Options http://www.westofengland.org/waste/planning/preferred-options-documents	
1	Preferred Options Document
2	Preferred Options Leaflet
Progress Updates http://www.westofengland.org/waste/planning/progress-update- Technical reports including:	

3	Statement on Scope of JWCS. An amplification of this document "Scope and Policy Document Version 2" was available for comment by the 10th August. The Scope and Policy document clarified the scope of the JWCS and outlined some indicative policy wordings to demonstrate the direction of policy.
4	Sustainability Appraisal (interim comment). The interim comment was published to inform stakeholders how the technical reports would inform the Sustainability Appraisal of the JWCS.
5	Feasibility study on the potential for exporting non-hazardous waste to landfill. The feasibility study examined the non-hazardous landfill requirements and the potential for exporting non-hazardous waste to landfill outside of the West of England area.
6	An assessment of current and future waste management capacity needs This assessed the issues arising from actual and potential waste management capacity.
7	Habitats Regulation Assessment. To inform the decision making process of the suitability of potential sites for residual waste facilities taking into account the Habitats Regulation and Appropriate Assessment issues. This is to ensure that that the development of potential sites for residual waste facilities would have "no likely significant effects", in line with European and National policy.
8	Strategic Flood Risk Assessment. To inform the decision making process of the suitability of potential site options for residual waste facilities taking into account flood risk.
9	Revised Detailed Site Assessment. A detailed assessment of the potential sites for the location of residual waste facilities. This outlined the conclusions from the Habitats and flood risk assessments, key planning considerations for each site, and ERMS recommendation on whether the site is suitable for inclusion in the JWCS.
10	Additional site assessments –Warne Rd, Weston-super-Mare, and Cabot Park, Avonmouth. As a result of the Progress update on 5 th June two sites were highlighted as requiring further assessment. These were assessed through the same process as the other potential sites, outlined above. Warne Rd is proposed as a potential location.
Outcomes of Consultation & stakeholder workshop (also emailed to each Committee Member)	
11	Summary Preferred Options Consultation Report (including stakeholder workshop report) Appendix B http://www.westofengland.org/media/149738/1_summary_consultation%20report.pdf
12	Schedule of representations to the Preferred Options consultation (online) http://www.westofengland.org/media/149732/2_responses_by_question.pdf
13	Schedule of representations to the Preferred Options consultation (received offline) http://www.westofengland.org/media/149735/3_offline_responses.pdf
14	Summary Progress Update consultation report (including workshop report) Appendix C
15	Schedule of representations to the Progress Update information with authority responses.

- 2.3 The draft officer responses within the schedules of representations made to the Preferred Options will be modified to reflect the conclusions and decisions made by Councils, when adopting the Draft JWCS Submission Document for further consultation. They will be published on the website.
- 2.4 In addition to the documentation listed in the table at 2.2 above, (which is available on the West of England website and in the Members room at each Council), the following papers are **appended** to this report:
- A. Summary consultation statement
 - B. Summary report of the Consultation.
 - C. Summary report of the Progress Updates
 - D. Views of the Joint Scrutiny Committee (to be tabled and presented)
 - E. Joint Waste Core Strategy Draft Submission Document
 - F. Maps of two Strategic Areas for waste facilities
- 2.5 Public representations to the Consultation supported a strategy that: prioritised the reduction, re-use or recycling of waste; was flexible; encouraged local communities to take responsibility for waste; reduced the distance waste travelled before being treated; and would not harm the environment or amenity of local residents.
- 2.6 Representations from the industry and key stakeholders broadly supported these principles, but the industry also highlighted that the strategy should provide the potential for economies of scale and be deliverable.
- 2.7 Discussions took place with the Government Office for the South West (GOSW), the Environment Agency and the Planning Inspectorate (PINS) as the Draft JWCS Submission Document developed.

3. Joint Waste Core Strategy Draft Submission Document

- 3.1 The JWCS Draft Submission Document has been informed by the technical reports prepared by ERM and the representations from consultation. The Draft JWCS Submission Document meets the formal requirements but also amplifies those matters that were of importance to Stakeholders and Members.
- 3.2 It is a requirement to publish the Draft JWCS for Public consultation on 'soundness' before it is submitted to the Secretary of State. This is planned for January/February 2010.
- 3.3 For a Core Strategy to be "sound", 'Planning Policy Statement 12: Local Spatial Planning' requires that it should be justified, effective and consistent with national policy. Justified means that the document must be: "founded on a robust and credible evidence base and the most appropriate strategy when considered against the alternatives". Effective means the document must be, "deliverable, flexible and able to be monitored".
- 3.4 A Core Strategy is required to have a clear Vision and Strategic Objectives that can be delivered through the policies it contains. The Strategic Objectives have been shaped by understanding what is desired and achievable, informed by both the iterative process of the Sustainability Appraisal and the preparation of the evidence

base. The strategic Objectives in the Draft JWCS Submission Document at Appendix E para 4.3.1, are listed below:

- To move the management of waste up the waste hierarchy by increasing waste minimisation, recycling and composting then recovering further value from any remaining waste, and only looking to landfill for the disposal of pre treated waste.
- To help enable communities and businesses in the West of England take responsibility for the waste they generate.
- To continue to promote public awareness towards a shared commitment to waste prevention and reuse.
- To deliver the timely provision of an integrated network of waste management facilities to meet requirements in the West of England.
- To contribute to reducing and adapting to the impacts of climate change by driving waste up the hierarchy and encouraging the provision of waste management facilities at appropriate locations having regard for minimising and mitigating flood risk.
- To encourage sustainable construction and waste minimisation in new development.
- To ensure that waste management facilities do not harm the environment or endanger human health and where possible provide benefits.
- To locate development in accordance with land use priorities, giving preference to previously developed land and/or urban areas.

3.5 The JWCS Draft Submission Document at Appendix E is structured as follows:

3.6 **Waste Prevention** - The overarching principle of reduction, re-use or recycling of waste is at policy 1. This fundamental principle is embedded throughout the Draft Submission Document.

3.7 **Non-residual facilities** - Additional recycling and composting capacity requirements across the sub-region will be encouraged through positive criteria-based policy, and subject to development management policies. Indicative required capacities for recycling and composting facilities are included in the supporting text, but these should not be seen as targets or ceilings as ultimately increased recycling and composting facilities will reduce the amount of residual waste for treatment or disposal.

3.8 **Spatial strategy for residual waste treatment facilities** - The Spatial Strategy was derived following a detailed assessment and consultation on alternative spatial options. The spatial strategy identifies the required residual waste capacity for catchment areas within the sub-region based upon: population distribution, waste arisings, the strategic road network, transport impacts and deliverability. The catchment areas are illustrated as 'zones' in figure 6.1 of the Draft Submission Document.

3.9 The Spatial Strategy will ensure the required residual waste treatment infrastructure is delivered across the sub-region at appropriate locations. Sites and locations

considered to be key to the delivery of the Spatial Strategy have been identified in policy 5. Operational requirements for residual facilities are at policy 6. The policy framework for proposals for residual facilities that are not on sites allocated in the Draft Submission Document is at policy 7.

- 3.10 **Landfill** - The Strategic Objectives of the Draft Submission Document seek to ensure that value is recovered from waste prior to disposal and to reduce reliance on landfill. Any new landfill capacity required will be considered against criteria based policy and proposals will be expected to demonstrate that the waste to be disposed of could not reasonably and practicably have been treated otherwise. Policies 8 and 9 in the Draft Submission Document address these issues.
- 3.11 **Development Management Policy** - Development Management Policy will ensure all new waste related development maximises opportunities and minimises adverse impacts. Policy 11 covers planning designations, and Policy 12 general considerations.
- 3.12 **Approach to Implementation and Monitoring** - Core strategies are required by PPS12 to provide an implementation plan to define how the strategy will be delivered. The Draft Submission Document acknowledges the roles and responsibilities of the Authorities and the organisations involved. The delivery of residual waste management facilities will be reliant upon the development industry. Considerable effort has been made by both parties to engage in the preparation of the Draft Submission Document: the involvement of the industry has informed the development of policy. Representations from the industry evidence this engagement and their intentions for sites they own or represent.
- 3.13 Phasing and delivery of sites is based upon this engagement and the evidence base, in particular the Revised Detailed Site Assessment Report, which considered the suitability, availability and land ownership issues of each site. On this basis the phasing of potential sites for residual waste facilities has been illustrated in the Draft Submission Document as follows:
- Short term 1-5 years- Avonmouth/Sevenside
 - Medium Term 5-10 years Bristol, B&NES and Avonmouth/Sevenside
 - Long Term 10-15 years Yate, Weston, Bristol, B&NES, Avonmouth/Sevenside.
- 3.14 It is acknowledged that planning applications for residual facilities may exceed the capacity required for residual waste treatment in some catchment areas within the sub-region. To ensure flexibility and subsequent deliverability of the spatial strategy, it is proposed that this issue is dealt with by a plan, monitor, manage approach. Robust monitoring will record capacity of applications and capacity that is actually delivered and operational. This will ensure that future applications can be considered against the requirement to conform with the Spatial Strategy and should indicate when or if a review of the capacity required in the JWCS is necessary.
- 3.15 **Site Assessment process** - The identification of potential locations for residual waste facilities has been a long assessment process that has encompassed many stages. These are outlined in the revised detailed site assessment.

- 3.16 In summary there were three stages of assessment: exclusionary criteria, drive-by assessments, and detailed site assessments (including the outcomes of the Habitat Regulation Assessment, and Strategic Flood Risk Assessment).
- 3.17 Following consultation on the sites that were recommended for inclusion, further work was carried out and all sites were re-evaluated to ensure up to date information was considered. In some instances this resulted in changes to recommendations for the allocation of sites. These recommendations were published in the revised detailed site assessment as part of the Progress Update to seek further views.
- 3.18 As a result of responses to the Progress Update two sites were identified which required further assessment. Warne Road in Weston-Super-Mare and Cabot Park in Avonmouth. ERM have assessed these sites and have recommended that Warne Road is suitable as a potential site for a residual waste facility. The site assessment report for these sites is available on the website and Members were notified of this further development. The Draft JWCS Submission Document has included ERM's recommendation on Warne Road.
- 3.19 Following the outcomes of the consultation and recommendations in ERMs revised detailed site assessment, the list of sites now included in Policy 5 as suitable locations for residual waste facilities are:
- a. BA19 Broadmead Lane, Keynsham, Bath and North East Somerset
 - b. BA12 Fullers Earth Works, Odd Down, Bath and North East Somerset
 - c. BR505 Hartcliffe Way, Bristol
 - d. DSO5 Merebank, Kings Weston Lane, Bristol
 - e. DS06 BZL Site, Kings Weston Lane, Bristol
 - f. DS07 Selvaco Plant (northern part), Severn Road, Bristol
 - g. DS13 Rhodia Chemical Works, Kings Weston Lane, Bristol
 - h. DS14 Gypsy and Traveller Site, Kings Weston Lane, Bristol
 - i. DS15 Advanced Transport System Ltd Site, Severn Rd, Bristol
 - j. SG39 South of Severnside Works, South Gloucestershire
 - k. IS8 Warne Road, Weston-super-Mare, North Somerset.
- 3.20 In addition to these specific sites, Strategic Areas that would potentially be suitable for residual waste treatment facilities have been identified at Weston and at Yate. In the case of Yate the site assessment process did identify suitable locations within industrial estates to the west of the town area, but due to the high turnover associated with these locations it was not possible or appropriate to identify specific sites. In the case of Weston the policy framework to deliver the regeneration area is being developed and as such it is not appropriate to identify a specific site within this area. Indicative maps outlining the proposed Strategic Areas are appended to this report at Appendix F, so that Members may give their views.
- 3.21 Information on individual sites, and reasons for non-inclusion will be available for public inspection on request and should any matters arise at the Examination in Public.

Recommendation

That the Board gives its views on the Draft Joint Waste Core Strategy Submission Document, so that they can be taken into account prior to consideration by Council Cabinets/Councils in October/November.

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