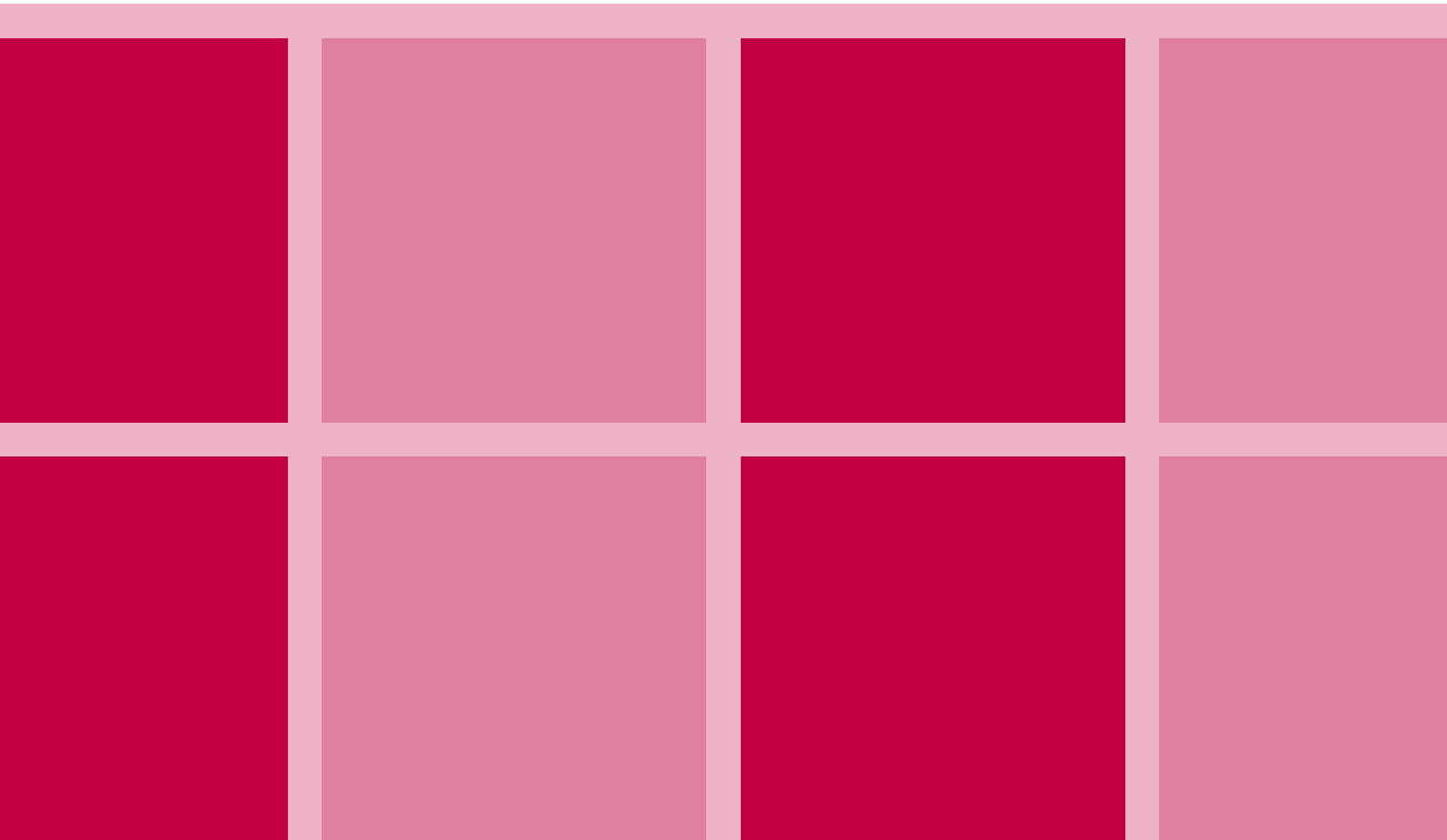


# Technical Paper - Waste



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# 1 Introduction

**1.1** This paper sets the national and local planning context for the management of the borough's waste and provides a summary of the evidence used to formulate the policies within the Telford & Wrekin Local Plan. It also reviews relevant submissions received on the evolving plan and explains how the Council has responded to them in the finalisation of its waste policies.

## 2 Planning Policy Context

**2.1** Waste, for the purposes of the Local Plan, can be categorised into types according to the way in which it is managed as follows:

- **Inert Waste** – this is material that does not decay or degrade such as rubble and waste brick and tile;
- **Non-hazardous Waste** – this comprises waste that is not hazardous but that can decay and biodegrade. It is made up of a wide range of materials; and
- **Hazardous Waste** – this is waste that can pose a danger to the environment or to human health due to the concentration or quantity of hazardous material in the waste.

### Policy Context

**2.2** The following waste management legislation and policies are relevant to the Local Plan:

- European Waste Framework Directive 2008
- EU Review of Waste Policy and Legislation 2014
- Planning Act 2008
- Localism Act 2011
- The National Planning Policy for Waste (2014) which replaced PPS 10 Sustainable Waste Management
- The National Planning Policy Framework (NPPF) as well the Hazardous Waste and Waste Waters National Policy Statements
- Waste Management Plan for England 2013 (and predecessor documents)

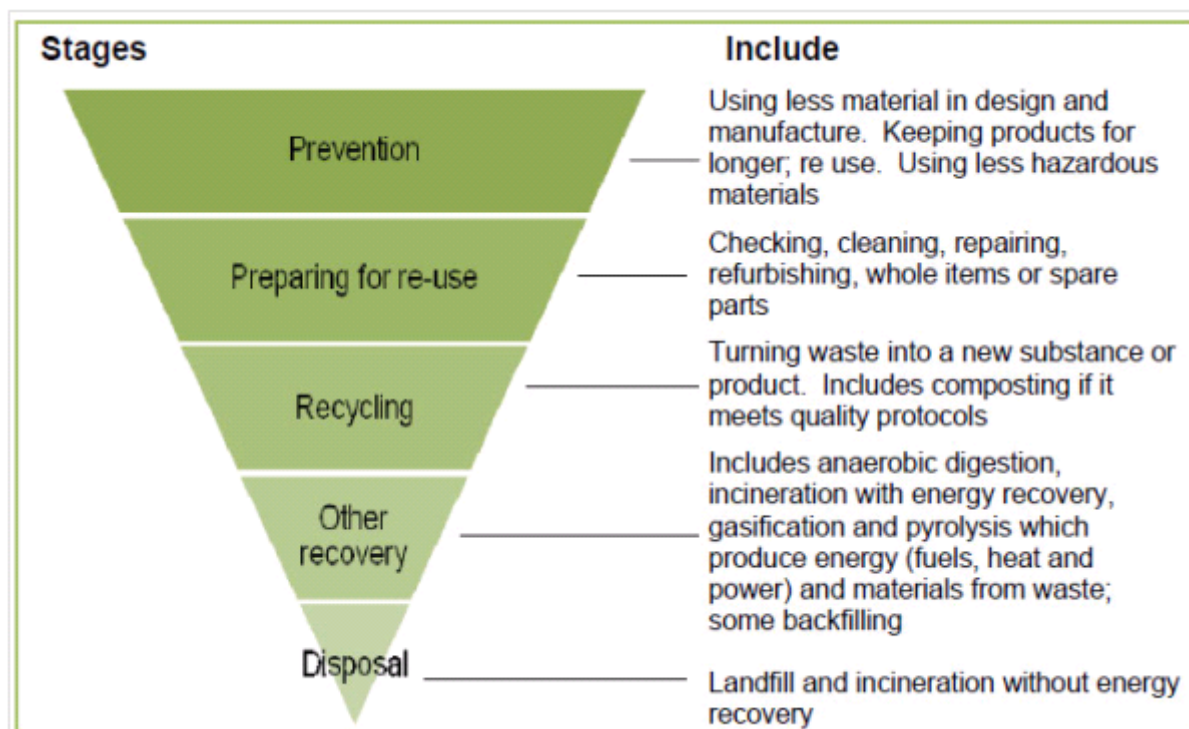
### European Waste Framework Directive 2008

**2.3** Article 28 of the Waste Framework Directive 2008 sets out the requirement for each Member State to produce a Waste Management Plan. The Plan must set out an analysis of the current waste management situation and sufficient information on the locational criteria for site identification and on the capacity of future disposal or major recovery installations. These locational criteria are contained in the Local Plans or Waste Plans of local authorities in the UK. The Telford & Wrekin Local Plan will form part of the UK's Waste Management Plan and will need to contain identified sites and / or criteria for the location of waste management facilities in order to meet the requirements of the Directive.

**2.4** This legislation raises the priority of the waste hierarchy (refer Figure 1) which sets out the way in which society's waste should be handled. It illustrates the concept that waste should be seen as a resource, and that in handling the production of waste, society should first

concentrate on preventing the creation of waste in the first place, before then looking to reuse and then recycle before even considering the use of recovery methods or disposal to landfill. This is a statutory guiding principle for waste management.

**Figure 1 The Waste Hierarchy**



**2.5** A recently published Review of Waste Policy and Legislation by the European Commission <sup>(1)</sup> has set a range of higher targets for recycling and the phasing out of landfilling organic and recyclable materials over time. These include:

- A common EU target for recycling 65% of municipal waste by 2030;
- A common EU target for recycling 75% of packaging waste by 2030;
- A binding landfill target to reduce landfill to maximum of 10% of municipal waste by 2030;
- A ban on landfilling of separately collected waste;
- Promotion of economic instruments to discourage landfilling ;
- Simplified and improved definitions and harmonised calculation methods for recycling rates throughout the EU;
- Concrete measures to promote re-use and stimulate industrial symbiosis –turning one industry's by-product into another industry's raw material; and
- Economic incentives for producers to put greener products on the market and support recovery and recycling schemes (e.g. for packaging, batteries, electric and electronic equipment, vehicles).

1 [http://ec.europa.eu/environment/waste/target\\_review.htm](http://ec.europa.eu/environment/waste/target_review.htm)

## National Planning Policy

**2.6** The National Planning Policy for Waste for England <sup>(2)</sup> directs Councils to deliver sustainable development and resource efficiency, ensuring waste management is considered alongside other spatial planning concerns and providing a framework in which communities and businesses are engaged with and take more responsibility for their own waste. It also requires the re-use, recovery or disposal of waste without endangering human health and without harming the environment; and to ensure the design and layout of new residential and commercial development and other infrastructure complements sustainable waste management. In preparing local plans, Councils should use a proportionate evidence base, identify the need for waste management facilities and identify suitable sites and areas for new and enhanced waste management facilities.

**2.7** More detailed guidance on planning for waste water and hazardous waste is set out in the Government's National Policy Statements for waste water and hazardous waste.

## Local Planning Policy

**2.8** Telford & Wrekin became a Unitary Authority in 1998 and at this time took over the Waste Planning Authority functions from Shropshire County Council. The current policies for waste management date from the Shropshire and Telford & Wrekin Joint Structure Plan 1996 to 2011.

**2.9** The current Development Plan is made up of the following documents:

- **Core Strategy Development Plan Document (2007)** - This document and its policies set out the strategic spatial vision and development strategy for the area to 2016.
- **Central Telford Area Action Plan (2011)** - This provides the planning strategy and policies for Telford Town Centre and its immediately adjoining areas.
- **Wrekin Local Plan (saved policies)** - This document provides detail that is not present in the Core Strategy. Certain policies of this plan were formally 'saved' in 2007, recognising that they were consistent with up-to-date national policy.
- **Shropshire and Telford & Wrekin Minerals Local Plan 1996-2006 (saved policies)** - Certain policies of this joint plan were formally saved in 2007.
- **The Shropshire and Telford & Wrekin Joint Structure Plan 1996 -2011** - This was adopted in 2002 and contained policies on the overall strategy for the development of the Plan area including policies on waste and minerals.

**2.10** The Telford & Wrekin Local Plan will supersede the Shropshire and Telford & Wrekin Joint Structure Plan.

## Duty to Co-operate

**2.11** The Localism Act 2011 has introduced a duty to co-operate in relation to the preparation of local plans. This duty requires local authorities to engage constructively, actively and on an ongoing basis with neighbouring authorities and stakeholders of relevance on strategic issues of cross boundary significance. For matters such as waste planning, it is therefore important that local authorities can show that they have worked together in exchanging information and

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2 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/364759/141015\\_National\\_Planning\\_Policy\\_for\\_Waste.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/364759/141015_National_Planning_Policy_for_Waste.pdf)

reaching agreement on cross-boundary issues. Meeting regularly with officers from all other Waste Planning Authorities in the West Midlands through the Regional Technical Advisory Body (RTAB) is an important aspect of this co-operation. The Council has attended regular meetings with the RTAB and provided updates on the development of the Council's waste policies. RTAB are supportive of the Council's waste approach to waste and have formally agreed the content of the policies.

**2.12** Shropshire and Staffordshire are the borough's immediate Waste Planning Authority neighbours from whom the borough, until recently, imported waste. These waste movements have now reversed, given the closure of local landfill capacity, the cost and environmental burdens of landfill and changes in the local waste disposal strategy which will make use of new Energy from Waste facilities in those neighbouring authorities. As part of duty to co-operate the Council has received formal notification from both Shropshire and Staffordshire that there are no cross boundary issues to be dealt with in terms of waste arisings as a result of the Local Plan.

**2.13** Telford & Wrekin Council will continue to cooperate with its neighbours over waste issues throughout the delivery of the Local Plan.

**2.14** The Council have also consulted the Environment Agency regarding the waste policies and supporting evidence base. The Environment Agency raise no significant duty to cooperate issues with either the policies or the supporting evidence base.

## 3 Evidence Base

### Waste Management

**3.1** The government has a general policy objective requiring that Local Authorities are, within reason, self-sufficient in managing their own waste. It is recognised that waste streams do not always respect local authority boundaries, and that this is not always achievable given the need for economies of scale in managing waste flows. Another key driver outlined in government policy is the proximity principle with the aim of waste management taking place where facilities are closest to the source of waste.

**3.2** As a result the Local Plan will need to take into account the level of waste arisings forecast to occur through to 2031 and plan for facilities and capacities to accommodate this need. The Council has therefore commissioned evidence estimating how much waste will be produced in the borough over the plan period up to 2031.

**3.3** The borough is a relatively small geographic area with a range of waste management facilities within its boundaries, including landfill sites, treatment facilities and transfer stations. There are no residual treatment facilities at present, but a number of strategic facilities in adjoining authorities, which have confirmed capacity to manage an element of the residual waste from Telford & Wrekin including municipal waste arisings.

**3.4** Since Telford & Wrekin is a Unitary Authority, it is responsible for both collection and disposal of Local Authority Collected Waste (LACW). The Council has entered into a 24 year contract with Veolia Environmental Services for both waste collection and disposal, which includes operation of the Community Recycling Centres (CRC). This will include a new purpose built CRC and waste transfer station at the Hortonwood industrial estate with a maximum

throughput of 95,000 tonnes and improvements to the existing Halesfield CRC site. The CRC at Granville is not covered by the contract with Veolia and its operation will be subject to review between 2014 and 2019, Granville is also operated as a landfill site.

### **Waste Evidence Base Report (2015)**

**3.5** The updated Waste Evidence Base Report (2015) provides estimates of the amount of waste generated in Telford and Wrekin over the period of the Local Plan, the capacity of existing and planned treatment facilities, cross boundary waste movements and an estimated waste capacity gap.

**3.6** Based upon the findings of the updated Waste Evidence Report (2015), at present there is sufficient waste treatment and disposal capacity for Telford & Wrekin to achieve net self-sufficiency in the management of non-hazardous and inert wastes. However, this includes the use of the Granville non-hazardous landfill site, which has permission to continue operating until 2025. Imports into Telford & Wrekin to landfill have, until the recent closure of the Candles site, been significant, but these have been reversed as a result of residual treatment facilities in neighbouring areas (Battlefield and Four Ashes) coming into operation.

**3.7** Three different scenarios for the estimated amount of waste arising in Telford & Wrekin over the period of the Local Plan have been developed in order to plan for the estimated amount of waste management capacity required. The waste 'capacity gap' is calculated by reviewing the current 'annual capacity' of existing waste management facilities and subtracting the 'maximum capacity' requirement (tonnes per annum) to leave a 'capacity gap'. This is set out in Table 1 below. The high scenario was used to demonstrate the maximum estimated capacity gaps for the various categories of waste.

**3.8** It should be noted that the maximum capacity requirement in 2030/31 is formed from a composite of LACW figures which are recorded and monitored by the Council, through the Waste Data Flow system, with the remainder from a variety of best available sources. The best available sources include the Environment Agency Waste Data Interrogator and for commercial and industrial waste the use of existing research and studies that have been used in conjunction with Office of National Statistics business data to estimate commercial and industrial waste arisings for the borough up to 2031.

**Table 1 Capacity Gap Table**

	Annual Capacity for capacity gap calculations (tonnes pa)	Maximum Capacity Requirement in 2030/31 (tonnes pa)	Capacity Gap (tonnes pa)
Organic treatment capacity – anaerobic digestion (AD)	0	59,000	59,000
Organic treatment capacity – composting	38,000	27,000	No gap
Material Recovery Facility capacity (recycling)	30,850	185,200	154,350
Residual recovery capacity	0 (currently landfill only)	116,500	116,500
Transfer Capacity (for waste going on to Materials Recovery Facilities and Residual Recovery Facilities)	160,000 (255,000 by 2019 with Hortonwood)	301,700	46,700

**3.9** Waste generated in the borough is managed through a series of end facilities which are broadly speaking categorised as organic treatment facilities (Anaerobic Digestion plants and composting sites), material recovery facilities (recycling sites) and residual recovery facilities (energy from waste plants) and finally disposal at landfill sites. A proportion of waste is also handled through transfer stations which sort and bulk up waste for onward shipment to one of the end plants listed above, transfer sites can handle both recyclables and residual waste flows. The estimated capacity gaps for the waste streams listed above are summarised below:

- **Organic Treatment Capacity Anaerobic Digestion (AD)** - LACW food waste is covered by the 24 year Veolia contract and collection and treatment is the contractor's responsibility it is estimated that between 9 - 15,000 tonnes of organic waste will eventually be dealt with through this contract. This will leave an estimated net gap of 50 - 44,000 tonnes by 2031. If proposals for an AD site came forward then it is estimated that for a 59,000 tonne capacity site a site size of approximately 3.1 hectares would be needed. Typically, a site for an AD plant would be on a farm or in an isolated location, although some industrial locations may also be suitable, depending on access, the sensitivity of any receptor sites and the technology proposed, policy ER7 controls the location of facilities such as AD plants. It should be noted that there are AD plants within neighbouring authorities including a facility with planning permission to increase capacity to 45,000 tonnes in Gnosall, Staffordshire.
- **Organic treatment capacity composting** - There is sufficient capacity for the treatment of organic garden waste by composting in the plan area and no new capacity of this type is expected to come forward during the period of the Local Plan.
- **Materials Recovery Facility (recycling) Capacity** - Additional capacity of approximately 154,350 tonnes per annum by 2031 for the recovery of recyclable material may be needed



during the Plan period. It should be noted that Veolia are responsible for processing an estimated LACW recycling which will have a materials recovery facility as the end destination. If current trends continue by 2031 around 28,500 tonnes of LACW may be processed through such facilities leaving an estimated net capacity gap of 125,850 tonnes, however it is expected that the level of LACW will increase as more recycling takes place. Should proposals for a single materials recovery facility come forward this is not expected to exceed 2 hectares in size. It is expected that most proposals for material recovery facilities will be suitable for the strategic employment areas, however it should be noted that some of the capacity gap may be available through facilities in neighbouring authorities for example the Four Ashes site also includes a material recovery facility.

- **Residual Recovery Capacity** - There is significant recovery capacity coming on stream in neighbouring authorities, the Council's own contractor Veolia Environmental Services will make use of this capacity for the treatment of LACW. Veolia Environmental Services is the developer of the two nearest facilities in Shropshire (Battlefield) and Staffordshire (Four Ashes). Discussions with the relevant Waste Planning Authorities and Veolia confirm that there is no barrier to the use of these facilities for the management of LACW waste over the period of the Local Plan. Some commercial and industrial waste may also be taken to these facilities through flexible contracts for waste collected by private sector companies with the remainder dealt with at either Granville landfill or treated at other specialist recovery facilities in the area and beyond. This mix of facilities is likely to be sufficient until the end of the Plan period to meet the maximum estimated capacity gap of 116,500 tonnes per annum. As recycling rates increase the need for additional commercial and industrial recovery capacity is expected to follow a downward trend, however should capacity be required it is expected this will be met locally through additional transfer capacity. Development of residual recovery capacity would require significant economies of scale over off the back of long term contracts for LACW, as stated above the boroughs LACW is being processed at facilities in Staffordshire and Shropshire.
- **Transfer capacity** - There is an estimated capacity gap of 46,700 tonnes of transfer capacity by 2031. It is expected that should this capacity be needed over the life of the Local Plan this will be met through private sector led development coming forward as well as scope to increase throughput of Hortonwood to cope with the planned levels of residential and employment developments and the corresponding growth in LACW. Should proposals for a single transfer facility come forward it is estimated to be on a site area of 2 hectares.

**3.10** Through the Veolia contract and waste policies contained within the Local Plan the Council are pro-actively planning for estimated waste arisings up to 2031 and in the case of LACW beyond the life of the Local Plan. The Council recognise that where there is an estimated capacity gap a proportion of this will be met through the delivery of private sector facilities fulfilling a market need. Of the 28 employment site allocations within the Local Plan 26 sites are above 1 hectare in size and 15 sites are above 2 hectares in size and all sites are located within strategic employment areas. Through Policy ER7 this provides flexibility over the period of the Local Plan to meet the need for development of future waste capacity that may come forward as stated above it is expected that where waste proposals come forward the majority will be suitable for location on the employment allocations in the Local Plan.

## Report Recommendations

**3.11** The table below sets out the recommendations included within the updated Waste Capacity Study (2015) and a brief summary of how the Council have responded to each recommendation.

**Table 2 Updated Waste Capacity Study - Report Recommendations**

Recommendation	Council response
1. Safeguard all existing waste management facilities	The supporting text of Policy ER7 - Waste management facilities states that consideration should be given to the safeguarding of existing waste management facilities.
2. Increase composting, re-cycling and reuse of waste	Policies within the Local Plan have been designed to integrate and encourage greater levels of recycling within the design of developments. New facilities at Hortonwood (see below) will also help deliver additional capacity.
3. Secure 155,000 tonnes of additional capacity for Materials Recovery Capacity	An element of the materials recovery capacity will be dealt with through the Veolia contract where waste is sent for recycling. Policy ER7 and the range of employment site allocations provides a high degree of flexibility to meet the needs of any market led facilities coming forward.
4. Secure agreement from neighbouring Waste Planning Authorities for the use of headroom capacity at Battlefield (Shrewsbury) and Four Ashes (Staffordshire) residual recovery facilities (energy from waste plants)	Shropshire Council and Staffordshire County Council have confirmed that there are no duty to cooperate issues with the Councils waste contractor Veolia making use of the Battlefield and Four Ashes plants to process residual waste.
5. Produce a sites documents which identifies criteria for categories of waste sites	The policies within the Local Plan provide a flexible approach to directing waste management facilities to the most appropriate locations. The Council have identified strategic industrial areas on the policies map which are suitable for most waste management facilities with the potential exception of specialised facilities for example AD plants.

## 4 Policy position

### Local Plan Policies

As part of developing the Local Plan a number of waste related objectives and waste related policies have been identified. In drafting these objectives and policies, the Council has taken on board advice from the Government to integrate waste considerations into development design policies, residential site allocations and employment site allocations.

The three main waste related Local Plan objectives are:

- *25. Achieve high quality urban design which responds to local context and provides opportunities for innovation;*
- *29. Promote solutions that reduce energy demands on non-renewable energy sources;*
- *30. Support measures to increase household recycling rates.*

Other Local Plan objectives which indirectly complement the above waste related objectives are:

- *1. Support the delivery of at least 76 hectares of employment land on a range of sites across the borough;*
- *14. Make sure that Strategic Landscapes are protected and managed appropriately;*
- *15. Safeguard and enhance the borough's biodiversity;*
- *29. Safeguard the borough's limited minerals resources for future generations.*

To aid the delivery of the objectives set out above the Council have developed a number of Local Plan waste policies which are set out below.

**Policy ER7 (Waste management facilities)** - Local Authority Collected Waste is measured accurately by the collection authority (the Council) and information on this waste stream is good which as demonstrated by the recently awarded 24 year Veolia contract allows the Council to plan for waste requirements over the long term. Waste collected from businesses is not measured in the same way and the delivery of facilities is largely market driven and can not always be planned for with a high degree of certainty. The waste policies in a Local Plan therefore need to be sufficiently flexible to respond to a range of requirements in terms of waste management capacity especially in the case of the business community.

Policy ER7 Waste Management facilities has therefore been drafted to be sufficiently flexible to respond to the estimated level of waste that will need to be managed over the period of the Local Plan and the estimated level of waste management capacity will therefore need to be developed. The policy also includes criteria in the supporting text for new waste management sites against which applications for permission for waste management sites will be assessed to ensure proposals are of a high quality design to make a positive contribution to the local area.

Existing waste management sites are safeguarded in order that the Council can take responsibility for the management of its waste arisings within its area over the period of the Local Plan.

The policy makes clear that new landfill (or landrise) sites or extensions to existing landfill sites will only be considered where there is an established need and provision will only be made that cannot be practicably be recycled, composted or recovered.

**Policy ER8 (Waste planning for residential developments) and Policy ER9 (Waste planning for commercial, industrial and retail developments)** - Policy ER8 and ER9 have been drafted to ensure new development be it residential or commercial, industrial and retail be designed to take account of the need to manage waste sustainably and enable the collection of waste to facilitate its management further up the waste hierarchy. Therefore this includes integrating provision of the storage for waste and recycable material in developments and the provision of safe access for collection vehicles in the layout and design of developments.

## **Regulation 18 Consultation feedback and Local Plan policy response**

Eleven representations were made in relation to the Regulation 18 (Consultation) version of the Local Plan. In regards to Policies ER8 to ER9, respondents were in support of the policies. However, in regards to Policy ER7 respondents such as the Environment Agency and Veolia suggested the need for a safeguarding policy for existing waste facilities. Other respondents such as Historic England, requested that the Council make explicit the need to protect the historic environment, another mentioned biodiversity when assessing applications for waste developments.

In light of these comments received the criteria for waste management facilities in Policy ER7 were revised to safeguard existing waste management facilities.

In order to address the historic environment concerns, para.10.3.1.4 in the supporting text of the policy states that at application stage potential new waste management facilities would need to demonstrate among other criteria that these areas of concern are addressed.

## **Regulation 19 Exhibition feedback and Local Plan policy response**

Two respondents objected to the requirement in Policy ER7 Waste management facilities which seeks to direct waste management facilities to strategic employment areas as well as Tweeddale. The Council strongly disagrees with the two respondents who objected to the requirement in Policy ER7 which seeks to direct waste management facilities to strategic employment areas as well as Tweeddale. Policy ER7 is in line with the National Planning Policy for Waste published by the Department of Communities and Local Government in October 2014 paragraph 4 which states 'Waste planning authorities should identify, in their Local Plans, sites and/or areas for new or enhanced waste management facilities in appropriate locations. In preparing their plans, waste planning authorities should give priority to the re-use of previously-developed land, sites identified for employment uses and redundant agricultural and forestry buildings and their curtilages.'

Veolia, the borough's waste contractor, have asked for additional text to confirm the extent of their current waste contract to be included within the supporting text for Policy ER7.

One developer recommended that criterion (v) of Policy ER8 Waste planning for residential developments be deleted as this matter is covered by other legislation. In regards to the submission that stated that criterion (v) be deleted from Policy ER8, policies ER7 to ER9 have been checked by the Environment Agency, they deem the policy response to be sufficient, therefore no change is required

No representations were received in connection with Policy ER9 Waste planning for commercial, industrial and retail developments.

The Council has carefully considered all representations made on waste. It proposes minor modifications to address points of clarification around household waste as suggested by Veolia. No other changes are deemed necessary to address a soundness matter.

## 5 Conclusion

**5.1** The waste policies in the Local Plan are sufficiently flexible to respond to a range of requirements in terms of the estimated amount of waste that will need to be managed over the period of the Local Plan. The number of sites required to provide this capacity cannot be determined with certainty since the capacity of each site will depend on the type of waste to be managed, the type of facility to be developed and the market for the waste stream. Therefore criteria for new waste management sites have been developed against which applications for waste management sites can be assessed.