

## **Matters, Issues & Questions:**

### **Matter 2: Waste – Meeting Requirements for Commercial and Industrial (C&I) Waste**

Question 98 - 101

Meeting requirements for Commercial and Industrial (C&I) waste

98. How does the evidence demonstrate that the allocated sites in Policy W04 (Meeting waste management capacity requirements – C&I waste including hazardous C&I waste) are appropriate to meet identified C&I waste management requirements?

There are 12 allocated sites referenced in Policy W04. All these sites have indicated that they intend to manage C&I waste, or if they are related to the retention of waste facilities, currently manage C&I waste. In addition, no overriding constraints have been identified through the site assessment process to indicate that the sites could not be developed and operated in an acceptable manner. The *Publication Draft Plan Appendix 1: Allocated Sites (CD18)* provides details on the reasons why individual sites have been allocated.

In summary, the allocation of Southmoor Energy Centre (WJP03) (pages 128-130 of *CD18*), ARBRE Power Station (WJP25) (pages 131-133 of *CD18*) and North Selby Mine anaerobic digestion facility (WJP02) (pages 140-143 of *CD18*) contribute to the provision of infrastructure which could help move waste up the waste hierarchy (Policy W01) and to net self-sufficiency in capacity for the management of waste (Policy W02). The sites provide flexibility in capacity for management of C&I waste in line with Policy W04 and are in accordance with Policy W10 (*Overall locational principles for provision of waste capacity*) & W11 (*Waste site identification principles*). Allocations WJP03 and WJP25 have the benefit of planning permission for the development of waste to energy recovery facilities, and allocation WJP02 the benefit of planning permission for the development of an anaerobic digestion facility, but these have yet to be implemented. The scale of capacity that could be provided at the sites is such that they are of strategic importance and the sites are therefore allocated to help retain this potential for the future.

The allocation of recycling capacity at Tancred (WJP18) (pages 55-57 of *CD18*), transfer station capacity at Halton East (WJP13) (pages 10-12 of *CD18*) and Skibeden (WJP17) (pages 13-15 of *CD18*) and recycling/composting/energy from waste capacity at Seamer Carr (WJP15) (pages 69-72 of *CD18*) is in accordance with Policies W01, W02, W04, W10 & W11 and importantly contribute to retaining an appropriate geographical network of facilities to manage C&I waste in the Plan area.

With regard to the allocation of Pollington (WJP22) (pages 125-127 of *CD18*), the site is based on an existing operation with an adjacent consent for the construction of a biomass energy plant. The allocation of this site could

contribute to the further provision of a range of infrastructure which could help move waste up the waste hierarchy (Policy W01) and it would not conflict with other strategic policies in the Plan, including Policy W02, W10 & W11. In addition, the allocation would also provide flexibility in capacity for management of C&I waste in line with Policy W04. The reference to Policy W04 is not currently included within the 'Reasons for allocating site' in *CD18*. A relevant modification will be included in the 'Main Modifications' document to reflect this.

With regard to the allocation of Fairfield Road (WJP19) (pages 134-136 of *CD18*), although located in the National Park this is an extension to an established site and is within a proposed extension to the business park identified in local planning policy. This site is in accordance with Policy W01 & W02, would also provide flexibility in capacity for management of C&I waste in line with Policy W04 and would be consistent with Policy W10 & W11.

With regard to the allocation of Allerton Park (WJP08), Harewood Whin (WJP11) and Common Lane, Burn (WJP16) please refer to the response to Q. 97.

No sites were discounted that were being proposed for the meeting the requirements for the management of commercial and industrial waste (including hazardous C&I waste). Furthermore, as stated in response to Q.84 above, there are no outstanding objections to the allocation of any of these sites by regulatory bodies.

99. If C&I allocations in Policy W04 could manage a combination of LACW and C&I waste as stated in paragraph 6.55, to be effective should reference also be made to this in Policy W03?

Paragraph 6.55 of the *Publication Draft Plan (CD17)* makes reference to footnote 37 on page 123. This footnote provides a list of allocated waste sites that may potentially perform a dual role in managing both LACW and C&I waste. All of these sites are referenced in either Policy W03 or W04. The point raised in this question is accepted as a reasonable suggestion. A relevant modification will be included in the 'Main Modifications' document to reflect this.

100. How is it envisaged Policy W04 part 1) v) will work in practice? What timescales are to be given for energy recovery capacity in part 1) iii) to become operational before considering other applications?

Paragraphs 6.63 and 6.64 of the policy justification summarise the position regarding recent permissions for energy recovery capacity in the Plan area, which in combination, and if the capacity becomes operational, are expected to provide more than adequate capacity to meet requirements for this form of waste management during the Plan period. If all this capacity (identified in Part 1) iii)) becomes operational during the Plan period (acknowledging the requirement in the *National Planning Policy for Waste (NEB19)* that WPAs should, when planning for waste, focus on availability of operational capacity in considering future needs), then part 1) v) sets out a restrictive policy to limit the potential for further large scale energy recovery capacity in the area, where the purpose of the additional capacity is to meet waste management needs arising

outside the area. This contributes to reducing the need for transport of waste and is in line with the Plan objectives of supporting the principles of proximity and net self-sufficiency in the management of waste.

However, it is recognised that a number of factors, including commercial factors, outside the direct control of the WPAs, can influence whether permitted waste management capacity comes on stream. Whilst the allocation of sites via W04 1) iii) helps retain the potential for development of this permitted capacity, parts iv) and v) respectively provide for circumstances where there is a need for additional capacity either to meet needs arising in the Plan area or, in appropriate circumstances, to meet needs arising outside the area. This approach provides additional flexibility within the Plan.

The restraint in Part 1) v) on development of further energy recovery capacity, aimed at managing waste arising mainly outside the area, is intended to apply from such point in time, during the life of the Plan, as operational capacity comes on stream at all the permitted sites referred to in Part 1) iii) of the Policy. It is considered that this approach provides a suitable balance between constraint to help support delivery of strategic waste Planning objectives relating to the proximity principle, with flexibility to enable alternative capacity to come on stream in circumstances where committed capacity is not available in practice. The Authorities consider that clarification of this could be provided within the supporting justification at paragraph 6.64 and a relevant modification is included in the 'Main Modifications' table.

As indicated in paragraph 6.60 of the *Publication Draft Plan (CD17)* monitoring of development of any operational capacity at the sites referred to in Policy W04 part 1) iii) will be undertaken and any strategically significant implications, will be addressed as part of any review of the Plan. For example, as at February 2018 such monitoring would indicate that the Allerton Waste Recovery Park facility commenced operation in January 2018. The Southmoor Energy Centre was due, as stated on page 125 of *Publication Draft Plan Appendix 1: Allocated Sites (CD18)* for implementation by February 2020, but an application to not comply with the terms of that permission is currently awaiting determination. The development at the former Arbore Power Station, Eggborough (WJP25, page 131, CD18) (p.131 of CD18) has yet to commence and is due, under the terms of the requirements of the planning permission for implementation by 17 May 2019.

101. Should site WJP01 in Richmondshire be allocated in Policy W04 to enhance the network of recycling, transfer and treatment facilities for C&I waste? The reason given in the *Discounted sites summary document* of October 2016 for not allocating the site is that it would result in the loss of an end of life vehicles facility. The site promoter says that no end of life vehicle operations take place on site because it is financially unviable, and the Environment Agency were requested to cancel the permit some years ago. Have the Authorities visited the site? Is the site safeguarded for end of life vehicle operations?

Whilst a change away from dealing with end of life vehicles, to recycling, transfer and treatment would contribute a small amount of increased capacity, the site

has limited capacity given the 0.64 hectare size of the site, to contribute to the network. Due to the scale of the site it does not appear within the Environment Agency's Interrogator system, however, it appears from the Agency's website <https://environment.data.gov.uk/public-register/view/search-waste-operations> to still have an ELV Facility permit as well as two T9 waste exemptions regarding recovering scrap metal.

The Authorities have visited the site and had some discussion/correspondence with the site operators regarding possible future options for the site, including whether there was potential to contribute to the recycling of CD&E waste. However, this would substitute for the existing use and there would be no overall net gain in waste facility provision in terms of the Plan.

The site is not safeguarded for end of life vehicle operations because that type of use was not identified within work which led to the *Safeguarding of Waste Infrastructure paper (SEB06)*.

It is therefore not considered that the site should be allocated because of the lack of an overall net gain in waste facility provision in the terms of the Plan and the construction of a waste transfer facility would have an increased visual impact in a relatively sensitive location.

**Prepared by;**

**North Yorkshire County Council  
City of York Council  
North York Moors National Park Authority**

## Appendix

### Matters, Issues & Questions:

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Question 98 - 101

### Main Modifications

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification
Q98	126 of Appendix 1	WJP22 – Reasons for allocating site, 2 <sup>nd</sup> Para	<p>Revise the Para:</p> <p>The allocation of this site could contribute to the further provision of a range of infrastructure which could help move waste up the waste hierarchy (Policy W01) <u>and provide flexibility in capacity for management of C&amp;I waste in line with Policy W04.</u> <del>and</del> <u>The allocation</u> would not conflict with other strategic policies in the Plan, including Policy W02 facilitating net self-sufficiency in the management of waste and would be consistent with the overall locational principles for waste capacity (Policy W10) and Policy W11 waste site identification principles.</p>
Q99	121	W03	<p>Insert a new Part 4) of the Policy and renumber the existing Part 4) to Part 5) and revise:</p> <p><b><u>4) Provision of capacity for management of LACW is also supported through site allocations for recycling, recovery of energy, transfer and treatment of LACW at:</u></b></p> <p><b><u>North Selby Mine Anaerobic Digestion</u></b></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><b><u>(WJP02), in the City of York</u></b>  <b><u>Southmoor Energy Centre (WJP03), in Selby District</u></b>  <b><u>Land at Halton East, near Skipton (WJP13), in Craven District</u></b>  <b><u>Land at Seamer Carr, near Scarborough (WJP15), in Scarborough Borough</u></b>  <b><u>Land at Skibeden, near Skipton (WJP17), in Craven District</u></b>  <b><u>Land at Tancred, near Scorton (WJP18), in Richmondshire District</u></b>  <b><u>Land at Fairfield Road, Whitby (WJP19), in the North York Moors National Park</u></b>  <b><u>Former ARBRE Power Station (WJP25), in Selby District</u></b></p> <p><b>4) 5) Proposals for development at the allocated sites referred to in 1), and 2) and 4) above will be required to take account of the key sensitivities and incorporate the necessary mitigation measures that are set out in Appendix 1.</b></p>
Q99	122/123	6.55	<p>Revise the Para:</p> <p>During preparation of the Joint Plan a number of potential allocations were put forward for sites which could manage a combination of LACW and C&amp;I waste, due to the similarity between these streams and the ways in which they need to be managed. A number of these are allocated<sup>37</sup> in the Joint Plan and they have been identified in <u>Policy W03 and Policy W04</u> dealing with C&amp;I waste, <del>although their potential dual role should be noted in the context of Policy W03<sup>37</sup>.</del></p>
Q100	125/126	6.64	<p>Revise the Para:</p> <p>In these circumstances <u>where committed capacity at all of the following sites: Allerton Waste Recovery Park facility, Southmoor Energy Centre (WJP03), former ARBRE Power Station (WJP25) and North Selby Mine (WJP02), becomes operational</u> it is not considered appropriate to support the principle of further large-scale recovery capacity in the area where the waste proposed to be managed would arise mainly outside the Plan area, unless it can be demonstrated that the</p>

Ref	Page	Policy/ Paragraph	Main Modification
			facility would represent the nearest appropriate installation for recovery of the waste, in line with relevant legislation.