

# **NORTH YORKSHIRE COUNTY COUNCIL**

## **NORTH YORKSHIRE WASTE LOCAL PLAN**

**ADOPTED 2006**

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## 1. INTRODUCTION

### NEED FOR A PLAN

- 1.1 As the Waste Planning Authority for North Yorkshire the County Council has a duty, under the Town and Country Planning Act 1990, to prepare a Waste Local Plan. The role and purpose of the Waste Local Plan is:-
- to develop national, regional and structure plan policies into detailed policies and proposals
  - to provide a policy framework for the use of land for waste management and disposal
  - to provide a basis for planning decision making
  - to bring waste planning issues before the public
- 1.2 Nationally it is estimated that 106 million tonnes of controlled waste is generated annually. This total comprises:-
- |            |       |
|------------|-------|
| Municipal  | 28 mt |
| Industrial | 48 mt |
- (excluding construction and demolition waste)
- |            |       |
|------------|-------|
| Commercial | 30 mt |
|------------|-------|
- Source "Waste Strategy 2000"
- 1.3 In North Yorkshire the annual average rate of waste disposal to landfill sites is some 1.8 million tonnes. There is currently only limited re-use and recycling of wastes in the County. Historically the disposal of waste to landfill sites has represented the cheapest option, and markets for recycled materials have not been fully developed. However, tightening environmental controls, together with the continued increase in volumes of some wastes means that it is necessary to develop a more sustainable approach to the management of waste.
- 1.4 As well as being the Waste Planning Authority the County Council is also the Waste Disposal Authority responsible for arranging for the disposal of waste and the provision of Household Waste and Recycling Centres. The seven District Councils act as Waste Collection Authorities responsible for the collection of household waste and some commercial and industrial wastes on request. They also have a responsibility to prepare recycling plans. The private sector has an important role within the County and provides a range of sites, large and small. The Environment Agency is responsible for the regulation of waste treatment, storage and disposal facilities through a licensing system.

### PLAN CONTEXT, FORMAT AND TIMESCALE

- 1.5 The Plan provides detailed policies and proposals that will guide waste related development in the County of North Yorkshire, outside the Yorkshire Dales and North York Moors National Parks, and the City of York. The National Parks and

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the City of York are responsible for preparing waste policies and proposals for their own areas. The Plan will cover the period to 2006.

- 1.6 The policies and proposals of the Plan relate to waste processing, transfer and recycling facilities, together with the disposal of waste.
- 1.7 The Plan comprises of a written statement and a proposals map. The written statement sets out the policies and proposals of the Plan together with reasoned justification. The proposals map is on an Ordnance Survey base and identifies those areas to which the various policies and proposals apply. Inset maps have been produced for certain areas at a larger scale than the main proposals map.
- 1.8 The policies and proposals of the Plan need to be considered in the context of the Plan as a whole. In many cases more than one policy will be relevant. In some instances policies have been negatively phrased. This is in cases where it is clear that demonstrable harm would be caused to an important interest which is not justified by the proposed development.

## THE DEVELOPMENT PLAN

- 1.9 Section 54A of the Town and Country Planning Act 1990 states:  
*"Where in making any determination under the Planning Acts, regard is to be had to the Development Plan, the determination shall be made in accordance with the Plan unless material considerations indicate otherwise".*

The Development Plan therefore provides a degree of certainty about the nature of development that will or will not be permitted during a given time period.

- 1.10 The Development Plan is not a single document. When adopted the Waste Local Plan will form part of the Development Plan for North Yorkshire. Other component plans are:-
- North Yorkshire County Structure Plan provides the broad, strategic planning framework for the County
  - North Yorkshire Minerals Local Plan sets out detailed planning policies and proposals to guide future mineral development
  - District wide local plans set out detailed policies and proposals for the development and use of land for purposes other than minerals and waste developments
  - Other adopted plans remain relevant until such time as the appropriate local plan is adopted

Whilst the component parts of the Development Plan will normally be consistent with each other, in instances where they are not, regulations provide that the more recently adopted plan will prevail.

## **PLAN PROGRAMME**

- 1.11 In November 1998 a Survey and Issues Paper was published as the first stage in the preparation of the Waste Local Plan. This was circulated for consultation and representations were considered by the Planning Sub-Committee in February 1999.
- 1.12 The Consultation Draft Plan was approved by the County Council in April 1999 and was the subject of public consultation between 14 June and 23 July 1999. Following careful consideration of the comments received the Plan was amended and placed on deposit between 26 May and 7 June 2000
- 1.13 The Council revised the Plan following consideration of the comments received and the revised plan was placed on deposit between 1 October and 14 November 2001. All objections were carefully considered and those objections which could not be resolved were considered at a Local Plan Inquiry conducted by an independent Inspector between 11 June and 1 August 2002.
- 1.14 Following receipt of the Inspector's report, proposed modifications were advertised in January 2003 and again in June 2003. After due consideration had been given to the objections received, the County Council proposed no further modifications and the Plan was adopted in DATE.

## **ENVIRONMENTAL APPRAISAL**

- 1.15 Government guidance (PPG 12) requires that an environmental appraisal of a plan's policies and proposals is carried out as part of the plan preparation process. An appraisal is an "explicit, systematic, and iterative review of development plan policies and proposals to evaluate their individual and combined impacts on the environment" (Environmental Appraisal of Development Plans - A Good Practice Guide, DoE).
- 1.16 The County Council carried out an appraisal of the Deposit Draft Plan and following revisions to the Plan a further environmental appraisal was carried out, the full details of which are contained in a separate report. The appraisal demonstrates that the scope of the Plan is generally satisfactory and the main areas of concern have been adequately addressed. The matrix appraisal shows that, in respect of some waste management options, there is conflict between these and aspects of environmental stock and that policies are designed to minimise this conflict in the interests of sustainable development.

## **2. STRATEGY AND POLICY CONTEXT**

### **POLICY CONTEXT**

2.1 In drawing up the Waste Local Plan the County Council must have regard to national and regional planning policy guidance. The plan must also comply with any European Union (EU) requirements.

#### **European Union**

2.2 The principles of the EU's Waste Strategy can be summarised as:-

- protect human health and the environment
- minimise the production of waste
- waste recovery by recycling, re-use or reclamation
- establish an integrated network of waste facilities to enable the European Community to become self sufficient, taking account of the proximity principle

2.3 The main EU legislation designed to achieve the objectives of the Waste Strategy is the Framework Directive on Waste (75/443/EEC as amended by 91/156/EEC and 91/693/EEC) (the Directive). These objectives are set out in more detail in Appendix 1.

2.4 The Landfill Directive (1999/31/EC) came into force in the EU on 16 July 1999 and will need to be transposed into UK law no later than 16 July 2001. The main objective of the Directive is to ensure high standards for the disposal of waste within the European Union, to stimulate recycling and recovery of waste and to reduce emissions of methane.

2.5 The main requirements of the Directive are:

- by 2016 (2020 for UK) reduce the amount of biodegradable municipal waste (BMW) to landfill to 35% of 1995 levels. Intermediate targets of 75% by 2006 (2010 for UK) and 50% by 2009 (2013 for UK)
- banning co-disposal of hazardous and non-hazardous wastes and requiring separate landfills for hazardous, non-hazardous and inert wastes
- banning landfilling of tyres by 2003 for whole tyres and 2006 for shredded tyres
- banning landfilling of liquid wastes, infectious clinical waste and certain types of hazardous waste (e.g. explosive, highly flammable) by 2001
- sets out provisions on the control, monitoring, reporting and closure of sites.

2.6 The Landfill Directive will bring about significant changes to the ways in which particular hazardous wastes are disposed of in the County. The Government has commissioned a study to determine the extent of the problem and to identify alternative options for dealing with hazardous wastes. The Directive also requires

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pre-treatment of landfilled waste. This may require the construction of treatment facilities at existing and new landfill sites.

## National Policy

2.7 “Waste Strategy 2000” was published in May 2000. This sets out a vision for waste management. At the centre of this vision is the need to tackle the amount of waste that is produced, by breaking the link between economic growth and waste production and to put waste which is produced to good use through substantial increases in re-use, recycling and recovery of energy.

2.8 The waste hierarchy has been developed to provide a policy framework within which waste management decisions can be taken. The hierarchy gives a broad indication of the relative environmental benefits of different waste management options:-

REDUCTION  
RE - USE  
RECOVERY - Recycling  
Composting  
Energy recovery  
DISPOSAL

Within the hierarchy, incineration with energy recovery is not to be considered before the opportunities for recycling and composting have been explored.

2.9 The Government’s overall policy aim is to increase the proportion of waste managed by the options towards the top of the waste hierarchy. Whilst this is the overall policy aim, the hierarchy acts as a guide and is not prescriptive. The Strategy recognises that for individual waste streams, the choice of waste management options will be guided by the principle of Best Practicable Environmental Option (BPEO). The BPEO is the outcome of a decision making procedure which emphasises the protection and conservation of the environment. It is the option which provides the most benefit or least damage to the environment, at acceptable cost, in the long term as well as the short term.

2.10 The Government has set a number of challenging targets for waste management:

- to reduce the amount of industrial and commercial waste landfilled to 85% of that landfilled in 1998 by 2005
- to recover value from 40 % of municipal waste by 2005, from 45% by 2010 and 67% by 2015

To achieve these targets further targets have been set for the recycling and composting of household waste

- to recycle or compost at least 25% of household waste by 2005, 30% by 2010 and 33% by 2015



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2.11 Planning Policy Guidance Notes (PPGs) set out the Government's policies on different aspects of planning, and must be taken into account when preparing a Local Plan. The most relevant of these guidance notes for this plan are:-

PPG1 'General Policy and Principles' (February 1993)

PPG12 'Development Plans' (December 1999)

PPG22 'Renewable Energy' (February 1993)

PPG23 'Planning and Pollution Control' (1994)

PPG10 'Planning and Waste Management' (October 1999)

Certain other PPGs, MPGs and Government Circulars refer to waste related development in the context of local plan preparation.

### **Regional Policy**

2.12 Regional Planning Guidance for Yorkshire and the Humber (RPG12) was published in October 2001. In respect of waste RPG12 advises that policies in development plans should have regard to (a) the need to minimise waste arisings, maximise recovery and reduce the amount of waste going to landfill, (b) the need to make adequate provision for the management of the Region's waste in its own boundaries wherever possible (c) the need to use the most sustainable form of transport. Until regional targets have been developed, regard should be had to national targets.

### **Local Policy**

2.13 The North Yorkshire County Structure Plan provides the overall strategic policies for the County for the period to 2006 and it contains a number of policies which relate directly to waste disposal. The County Council is carrying out a fundamental review of the Structure Plan jointly with its strategic planning partners - the City of York Council and the North York Moors and Yorkshire Dales National Parks. This will provide a strategic framework for waste management based on the principle of sustainable development.

2.14 The County Council has prepared a separate Minerals Local Plan which was adopted in December 1997. This Plan looks at issues relating to mineral extraction, including the disposal of mineral wastes and the restoration of mineral voids through infilling with wastes.

2.15 "In conjunction with the District Councils and the City of York the County Council has published its Waste Management Strategy. This looks at the management of household waste over the next 20 years"

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**THE STRATEGY**

- 2.16 The concept of sustainable development is central to the Waste Local Plan. The World Commission on Environment and Development (Brundtland Report) defined sustainable development as “*development that meets the needs of the present without compromising the ability of future generations to meet their own needs*”. Sustainable development is concerned with reconciling economic and social progress with the need to protect and enhance the environment now, and in the future.
- 2.17 The disposal of waste and associated development raises a number of sustainability concerns. Waste disposal is an important requirement of modern society, yet it has the potential to result in pollution of air, land and water. Similarly the disposal of non-renewable resources which could potentially be re-used conflicts with the principles of sustainable development.
- 2.18 The County Council aims to encourage a more sustainable approach to waste management which acknowledges the waste hierarchy but also recognises that local circumstances and selection of Best Practicable Environmental Option (BPEO) may have overriding influence on waste management practices.
- 2.19 The proximity principle requires that waste is managed and disposed of as close as possible to the place at which it was generated, wherever practicable. This encourages local communities to take greater responsibility for the waste generated and is also likely to reduce the environmental impacts of transporting waste. In doing so this accords with the principle of sustainable development and the aim of achieving, as far as possible, self sufficiency in the provision of waste management facilities.
- 2.20 The Authority is committed to, as far as possible, achieving self sufficiency of provision of facilities to manage its own waste. In addition the County already accepts a proportion from adjacent authorities which accords with the proximity principle and in so doing also contributes to overall regional self sufficiency
- 2.21 The County Council, in its Waste Local Plan, needs to make adequate provision for the treatment and disposal of waste. This cannot, however, simply be a commitment to provide appropriate facilities for an ever increasing amount of waste with no reference to the ability of the receiving environment to accommodate such development. To do so would not be a sustainable approach. The County Council's overall strategy, therefore, is:-

***To seek a balance between providing essential facilities to treat and dispose of waste with the need to protect, and where possible, enhance the environment and the quality of life in North Yorkshire, in accordance with the principles of sustainable development.***

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2.22 The overall strategy for the Plan will be realised through a series of aims and objectives relating to the main functions of waste planning policy. The aims of the Plan are:-

- To protect the environment and local amenity from potential harm from waste related development
- To seek a reduction in the amount of waste that requires treatment and disposal
- To secure an adequate and integrated network of facilities for dealing with waste generated within, or in proximity, to North Yorkshire
- To encourage a move away from traditional waste disposal to alternative methods of re-use and recovery
- To encourage the use of environmentally acceptable standards of operational practices in respect of waste treatment and disposal

### 3. QUANTITATIVE BASIS OF THE PLAN

- 3.1 To be able to plan for waste in the future it is necessary to have information on the types and amounts of waste that are produced and disposed of in North Yorkshire. There is also a need to understand the current situation in respect of existing waste management facilities.

#### WASTE DISPOSAL IN NORTH YORKSHIRE

- 3.2 Table 3.1 shows the amount of waste that was disposed of at landfill sites within North Yorkshire during the period 1996 -1999. The figures are taken from "Waste Management Report - Interim Information for the North East and Yorkshire & The Humber" produced by the Environment Agency. The Environment Agency's information is based on site returns and is currently the best available data relating to waste disposal, providing a general indication of trends. Between 1996 and 1999, the levels of waste disposed of has fluctuated from 2,074,000 tonnes in 1996 to 1,646,000 tonnes in 1997/98 and rising again to 1,758,000 tonnes in 1998/99 with an average annual rate of disposal of 1,826, 000 tonnes.

Table 3.1 Waste Disposed of at Landfill Sites 1996-1999

Waste Type	Year (thousand tonnes)				
	1996	1997/1998	1998/1999	Total	Average
Household	447	364	390	1201	400
Ind/Comm	1146	804	842	2792	931
Inert/C&D	481	478	526	1485	495
<b>Total</b>	<b>2074</b>	<b>1646</b>	<b>1758</b>	<b>5478</b>	<b>1826</b>

Source: "Waste Management Report - Interim Information for the North East and Yorkshire & The Humber Note: For 1996 C&D data included in inert column. Commercial data included in Industrial column

Note: The table includes data from sites with the North York Moors National Park and the city of York. This does not include PFA disposal which are contained within Chapter 7

#### FORECASTING THE FUTURE

- 3.3 For the purposes of calculating the likely amount of household waste that will require management during the Plan period, it has been assumed that this will increase at 3% per year. This is in line with the national average as noted in Waste Strategy 2000. Industrial, commercial and construction wastes are affected by changes in the economy. Such changes are difficult to predict. For the purposes of forecasting the likely amounts requiring disposal it has been assumed that any growth resulting from increased economic activity will be off set by waste minimisation. Table 3.2 shows the projected waste management requirement to the end of the Plan period based on the annual average rate including the projected 3% growth in household waste.

- 3.5 Table 3.3 shows the projected void space requirement based on the forecasted management requirements in table 3.2.

### THE NEED FOR NEW FACILITIES

- 3.6 In order to determine the requirement for new facilities there is a need to make an assessment of current landfill capacity. Table 3.4 indicates the remaining landfill capacity within the County. For reasons of commercial confidentiality it has not been possible to provide this information below County level. The void space figures in this table have been revised following the publication of the Consultation Draft Plan to take account of evidence that at some sites only a proportion of the available void space will be workable. The figures have also been updated to the end of 1999 based on the projected average input rates.

Table 3.4 Landfill Capacity

<u>Non inert Sites</u>	Void (mcm)
Sites with planning permission Permitted since 1997	15.90 1.81
<b>Subtotal</b>	<b>17.71</b>
Less capacity used (1998-1999) <sup>1</sup>	2.70
<b>Total</b>	<b>15.01</b>
<u>Inert Sites</u>	
Sites with planning permission Permitted since 1997	5.56 0.09
<b>Subtotal</b>	<b>5.65</b>
Less capacity used (1998-1999) <sup>1</sup>	0.66
<b>Total</b>	<b>4.99</b>
<u>All Sites</u>	
<b>Total</b>	<b>20.00</b>

Source: North Yorkshire County Council Questionnaire to site operators and County Council records.

<sup>1</sup> Based on the annual average disposal rate plus projected household waste growth

Note: Volumes are based on post settlement contours

- 3.7 Table 3.4 indicates that there is some 20 mcm of permitted void space. In addition to this permitted void space there is an additional 4.88 mcm of non inert void space permitted subject to the completion of a legal agreement. A significant proportion of this latter permitted voidspace would not be available during the Plan period.

Table 3.2 Projected Quantities of Waste to be Managed (1997-2006)

Waste Type	Year (thousand tonnes)										
	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	Total
Household	400	412	425	437	451	464	478	492	507	522	4589
Ind/Comm	931	931	931	931	931	931	931	931	931	931	9307
Inert/C&D	495	495	495	495	495	495	495	495	495	495	4950
Total	1826	1838	1850	1863	1876	1890	1904	1918	1933	1948	18846

Note: Base year is taken as the annual average figure. The projected household figure is based on a 3% annual increase. All other figures remain constant.

Table 3.3 Estimated Void Space Requirement Based on Projected Waste Disposal 1997-2006

Waste Type	Year (thousand cubic metres)										
	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	Total
Household/Ind/Comm	1331	1343	1355	1368	1381	1395	1409	1423	1438	1453	13896
Inert/C&D	330	330	330	330	330	330	330	330	330	330	3300
Total	1661	1673	1685	1698	1711	1725	1739	1753	1768	1783	17196

Note: Conversion rates of 1:1 for non inert and 1:1.5 for inert.

Table 3.5 Landfill requirement 1997-2006

Landfill requirement 1997-2006	Non inert	Inert	All Wastes
Projected tonnage (Mt)	13.90	4.95	18.85
Projected void (mcm)	13.90	3.30	17.20
Less waste deposited 1998/99 (mcm)	2.70	0.66	3.36
Total capacity to 2006(mcm)	11.20	2.64	13.84
Available capacity 1999 (mcm)	15.01	4.99	20.00
Surplus/Deficit (mcm)	+3.81	+2.35	+6.16

- 3.8 Table 3.5 shows how the permitted void space equates to the projected waste disposal requirement. This indicates that there is a surplus of void space during the Plan period. The figures for the available void space, however, represents the theoretical void space available during the Plan period. There are a number of factors which need to be taken into account which may prevent the total potential void space from becoming available although it is believed that a substantial proportion will be utilised. There will, however be a need to continue to monitor the supply of void space against the types and quantities of waste that require disposal. Where localised shortfalls occur new proposals will be considered against the policies of the Plan.
- 3.9 The Government's top priority is to reduce the amount of waste that goes to landfill. To reflect this a number of targets have been set out in "Waste Strategy 2000":-
- to reduce the amount of industrial and commercial waste landfilled to 85% of that landfilled in 1998 by 2005
  - to recycle or compost at least 25% of household waste by 2005, 30% by 2010 and 33% by 2015
- 3.10 These reduction targets will be important in defining the broad waste planning objectives of the Waste Local Plan. Table 3.6 indicates a number of reduction scenarios based on National and European targets. These scenarios should not be seen as prescriptive, but as providing an indication of the likely outcomes of a reduction strategy.

Table 3.6 Waste Reduction Scenario 1997-2006 (All Wastes)

Outcomes	Scenario A	Scenario B	Scenario C
	0% Reduction	25% Reduction	35% Reduction
Projected Disposal (Mt)	15.16	15.16	15.16
Recycled (Mt)	0.00	3.79	5.31
Total Disposal (Mt)	15.16	11.37	9.85
Void Capacity (mcm)	20	20	20
Void Required (mcm)	13.84	10.38	9.00
Shortfall/Surplus (Mt)	6.16	9.62	11.00

- 3.11 The County Council seeks a reduction in the amount of waste that requires disposal to landfill. However, it is recognised that landfill is likely to remain the principal method of waste management in the short to medium term. The exact nature of waste management facilities which will be provided will be strongly influenced by decisions taken by waste management companies. However, if the reduction scenarios are to be achieved then alternative methods for managing and treating waste will be required. There is currently uncertainty about the exact nature and scale of such facilities, and as such it is not possible to prescribe the type of development which will take place.
- 3.12 The Plan needs to provide a planning policy framework which allows for flexibility in determining development proposals which come forward. Accordingly the Plan sets out criteria for determining a range of management and treatment options to ensure that waste is dealt with in the most appropriate manner whilst ensuring the protection of the environment and amenity.
- 3.13 A review of the Plan will commence immediately and incorporate more explicitly the BPEO process. The review will seek to provide where appropriate more site specific advice to assist in the delivery of national and local waste management targets.



## **4. PROTECTING THE ENVIRONMENT**

### **AIMS**

- *To protect the environment and local amenity from potential harm from waste related development*
- *To encourage the use of environmentally acceptable standards of operational practices in respect of waste treatment and disposal*

### **OBJECTIVES**

- *To protect and enhance the landscape character of the County*
- *To minimise the irreversible loss of best and most versatile agricultural land*
- *To protect and enhance nature conservation interests and biodiversity within the County*
- *To protect the quality and quantity of groundwater and surface water*
- *To protect and enhance features of historic and archaeological significance*
- *To protect residential and rural amenity from the adverse effects of waste related development*
- *To minimise the impact of heavy goods traffic and to promote alternative modes of transport where appropriate*
- *To ensure restoration of land is to a high standard and appropriate schemes for aftercare are in place*
- *To safeguard and enhance the recreational amenity of the environment including open space with public access and the PROW network*

### **WASTE MANAGEMENT PROPOSALS**

- 4.1 New targets to divert waste from landfill will result in a need to develop more waste facilities. Proposals for the treatment and disposal of waste have, by virtue of their nature and character, the potential to cause harm to the environment and local amenity interests. For these reasons it is often difficult to find suitable locations for these types of facilities. Although the impacts cannot be totally eliminated careful planning can ensure that the impacts are controlled to an acceptable level. Waste related development also has the potential to provide for environmental enhancement through improvements to existing features or through the creation of new features.

4.2 This Chapter is concerned with the environmental issues related to waste developments and sets out the environmental policies against which applications for waste management facilities will be considered. In the subsequent sections the term "waste management" is used to refer to activities associated with the processing and disposal of waste materials.

**Policy 4/1 Waste Management Proposals**

**Proposals for waste management facilities will be permitted provided that:-**

- a) the siting and scale of the development is appropriate to the location of the proposal;**
- b) the proposed method and scheme of working would minimise the impact of the proposal;**
- c) there would not be an unacceptable environmental impact;**
- d) there would not be an unacceptable cumulative impact on the local area;**
- e) the landscaping and screening has been designed to effectively mitigate the impact of the proposal in a way that is sympathetic to local landscape character;**
- f) where appropriate, adequate provision is made for the restoration, aftercare and management of the site to an agreed afteruse;**
- g) the proposed transport links are adequate to serve the development; and**
- h) other environmental and amenity safeguards would effectively mitigate the impact of the proposal:**
  - i) it can be demonstrated that the proposal represents the Best Practicable Environmental Option for dealing with the waste;**
  - j) the location is geographically well located to the source of the waste thereby according with the proximity principle**

4.3 Policy 4/1 sets out the matters on which the County Council will need to be satisfied before permission for a waste management development will be granted. These are additional to other policies of the Plan. Developers will be expected to demonstrate that they have carried out an appraisal of the options having regard to the social, environmental, economic, land use and resource impacts and that their scheme represents the best available option in the context of the policies in this Plan.

**Policy 4/2 Waste Hierarchy**

**Proposals for waste management facilities will be considered having regard to the waste hierarchy where i) is the preferred option and iv) the least preferred:**

- i) the reduction of waste;**
- ii) re-use of waste;**
- iii) recovery of waste: recycling, composting, energy recovery**
- iv) waste disposal**

4.4 To achieve a more sustainable system of waste management the first priority is to reduce the production of waste. It is important that as much as possible of waste that is produced is re-used or recovered. Incineration with energy recovery will only be considered after the opportunities for recycling and composting have been explored. Waste reduction, re-use and recovery is dependent on organisations and individuals making changes to processes and practices.

**LANDSCAPE QUALITY****Policy 4/3 Landscape Protection**

**Proposals for waste management facilities will only be permitted where there would not be an unacceptable effect on the character and uniqueness of the landscape. Wherever possible, proposals should result in an enhancement of the local landscape character.**

4.5 Government policy in respect of the countryside is contained within PPG 7 The Countryside: Environmental Quality and Economic and Social Development (1997) and is based on the need to ensure rural prosperity and protection and enhancement of the character of the countryside. Government policy states ..."The priority now is to find new ways of enriching the quality of the whole countryside whilst seeking to accommodate appropriate development..."

4.6 The character of the countryside is derived from the interaction of physical and ecological features with land use patterns and human activity. This interaction results in the unique character of different areas of the country.

4.7 North Yorkshire has a wide variety of landscapes including moorland, wooded hills, rolling chalklands, coastal cliffs and flat agricultural farmland. Within the Plan area, which excludes the two National Parks, there are areas of national significance with three Areas of Outstanding Natural Beauty and two lengths of Heritage Coast. The landscapes of these designated areas are important nationally, but outside these areas are landscapes which have a regional or local significance. The North Yorkshire Conservation Strategy recognises this and Special Landscape Areas have been identified. Proposals in such areas will be determined in accordance with Policy 4/3. Those features which are responsible for giving the landscape its special character and distinctiveness should be respected and enhanced. In determining proposals on land adjacent to designated areas consideration will be given to the impact such development would have on the setting of these designations.

- 4.8 Waste related developments have the potential to have an adverse effect on the local landscape. Proposals which have an unacceptable effect on features which make up the local landscape will not be permitted. Proposals for waste management facilities should be compatible with the local landscape in terms of siting, scale and design, and wherever possible enhance the local landscape character. The Countryside Agency has developed Countryside Character Areas and proposals should be developed taking into account the guidelines contained within these studies. Waste related developments can also bring positive benefits to the landscape, through for example, the reclamation of derelict land and should reflect the recommendations of any formal landscape assessment that has been carried out for that area.

***Policy 4/4 Areas of Outstanding Natural Beauty***

**Within the Howardian Hills, Nidderdale and Forest of Bowland AONBs proposals for waste management facilities will be subject to the most rigorous examination and will only be permitted where:**

- a) **the proposal would not have an unacceptable impact on the environment and landscape;**
  - b) **the proposal can be demonstrated to be in the public interest;**
  - c) **there is a need for the development in terms of national considerations;**
  - d) **the need cannot be met in some other way and there are no available alternative methods for treating the waste; and**
  - e) **the development would not have an unacceptable impact on the local economy**
- 4.9 Areas of Outstanding Natural Beauty (AONBs) are nationally important landscapes designated under the National Parks and Access to the Countryside Act 1949. There are three AONBs within the Plan area - Howardian Hills, Nidderdale and a small area of the Forest of Bowland. The primary objective of designation is the conservation of the natural beauty of the landscape and as such policies and development control decisions should give priority to the conservation of this natural beauty.
- 4.10 Proposals for waste management facilities should be demonstrated to be in the public interest before being allowed to proceed. In considering applications for waste management facilities the Planning Authority will make an assessment of : i) the need for the development, in terms of national considerations, and the impact of permitting it or refusing it on the local economy; ii) the cost and scope for developing outside the area or meeting the need for it in some other way; and iii) any detrimental effect on the environment and the landscape, and the extent to which this can be mitigated.

#### **4.11 Policy 4/5 Heritage Coasts**

**Within Heritage Coast areas proposals for waste management facilities will only be permitted where there would not be an unacceptable effect on the natural environment and landscape and where it is essential for operational reasons and cannot be located outside the Heritage Coast.**

- 4.11 Heritage Coasts represent some of the best remaining areas of unspoilt coastline in England and Wales. There are two lengths of Heritage Coast in North Yorkshire, but only small sections of the North Yorkshire and Cleveland Heritage Coast lie outside the North York Moors National Park, at Whitby and Scalby. A small length of the Flamborough Headland Heritage Coast extends into North Yorkshire. Although Heritage Coast designation does not have any statutory status, it is nationally recognised and has been given priority for protection in the County Structure Plan.
- 4.12 The objectives of Heritage Coast areas are concerned with balancing the requirements of conservation with access to the coastal zone. Government guidance discourages development which does not require a coastal location.

#### **Policy 4/6 Green Belts**

**Within the Green Belt proposals for waste management facilities will not be permitted where this would conflict with the purposes of the Green Belt or would have a harmful effect on the Green Belt and its openness. Inappropriate development will only be permitted where it can be demonstrated that very special circumstances exist to justify them proceeding.**

- 4.13 The Green Belt in North Yorkshire comprises of a band some 1-5 miles wide along the southern boundary running from the boundary with the Yorkshire Dales National Park to the west of Wetherby; a band some 4 miles wide along the western boundary of Selby District from the west of Tadcaster to the boundary with South Yorkshire and small parts of the outer edge of the York Green Belt.
- 4.14 Government policy in respect of Green Belts is contained in PPG2 Green Belts (1995). The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. PPG2 states 5 purposes of the Green Belt:
- to check the unrestricted sprawl of large built-up areas
  - to prevent neighbouring towns from merging into one another
  - to assist in safeguarding the countryside from encroachment
  - to preserve the special character of historic towns
  - to assist in urban regeneration by encouraging the recycling of derelict and other urban land

- 4.15 There is a general presumption against inappropriate development within the Green Belt. There is only a limited range of uses which are considered to be acceptable within the Green Belt and these generally relate to agriculture, forestry and other uses which retain the open nature of the Green Belt.
- 4.16 The development of waste management facilities, including the construction and or use of buildings, plant and machinery will be considered to be inappropriate development where the development would impair the openness of the Green Belt or would conflict with the purposes of including the land in the Green Belt. Inappropriate development is harmful to the Green Belt and it is for the applicant to demonstrate why permission should be granted. There may be cases where overriding need and/or substantial environmental benefits will justify inappropriate development in the Green Belt. Where appropriate sites are not available outside the Green Belt and there is a need for additional facilities permission may be granted where provision is made for a high standard of restoration and aftercare. The deposit of waste for the restoration of mineral voids or derelict or degraded land will be considered to be appropriate in respect of Green Belt policy where it would result in a return to an appropriate Green Belt use.

#### ***Policy 4/7 Protection of Agricultural Land***

**Proposals for waste management facilities on the best and most versatile agricultural land will only be permitted where:**

- i) there is an overriding need for the development;**
- ii) there is a lack of development opportunities on non agricultural land;**
- iii) there is insufficient land available in grades below 3a**
- iv) Other sustainability considerations on land below grade 3a outweigh issues of agricultural land quality**

**Where, in exceptional circumstances, development is permitted on the best and most versatile agricultural land it will only be permitted where provision is made for a high standard of restoration such that an agricultural afteruse can be achieved or the future potential for high quality agricultural use is safeguarded.**

- 4.17 Guidance on the development of best and most versatile agricultural land (BMV land) is contained in PPG7 The Countryside: Environmental Quality and Economic and Social Development. In March 2001 revisions to this guidance in respect of BMV land were made to the extent that decisions in respect of the development or protection of BMV land should rest with local authorities having taken account of technical advice. Development of the best and most versatile agricultural land will not be permitted unless opportunities have been assessed for accommodating the proposed development on areas which have previously been developed, on land

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within the boundaries of existing development or on poorer quality farmland. Where development of agricultural land is unavoidable then preference will be given to land below 3a unless sustainability considerations indicate otherwise. These may include, for example its importance for biodiversity, quality and character of the landscape or amenity value or heritage interest

- 4.18 Where, in exceptional circumstances, development is permitted on the best and most versatile agricultural land it will only be permitted where provision is made for high standards of soil stripping, storage, management, restoration, drainage and aftercare to enable reinstatement to a condition suitable for high quality agriculture to be attained.

## **NATURE CONSERVATION**

- 4.19 There is a national and international framework of conservation and planning legislation to safeguard the natural heritage. It is centred around a hierarchical framework of designations which can broadly be considered to be international, national and local, reflecting the different levels of importance. Wildlife heritage is not confined to designated areas but occurs throughout the countryside, urban and coastal areas.
- 4.20 The Government's objectives for nature conservation are to ensure that its policies contribute to the conservation of the abundance and diversity of British wildlife and its habitats, and minimise the adverse effects on wildlife where conflict of interest is unavoidable. The land use planning system has a key role to play in meeting nature conservation objectives. PPG9 Nature Conservation (1994) sets out the principles and policies for nature conservation in land use planning.

### **Policy 4/8 International Sites**

**Proposals for waste management facilities which affect a European Site, a proposed European Site or a Ramsar Site will be subject to the most rigorous examination. Proposals not directly connected with or necessary to the management of the site which are likely to have significant effects on the site (either individually or in combination with other plans or projects) will not be permitted unless there are no alternative solutions and there are reasons of overriding public interest**

- 4.21 Within North Yorkshire there is a range of habitat types, some of which are recognised as being of international importance for nature conservation and are classified as Ramsar Sites, Special Protection Areas (SPA) and Special Areas of Conservation (SAC). Within the Plan area the Lower Derwent Valley is one such example.

- 4.22 These sites are afforded the highest level of protection. The Conservation (Natural Habitats &c) Regulations 1994 restrict the granting of planning permission for development which is likely to significantly affect these sites which is not necessary to the management of the site. Where the proposed development is unconnected with the site management the implication of the proposal for a site's conservation objectives will need to be assessed. If the proposal adversely affects the integrity of the site then the Planning Authority will need to be satisfied that there are no suitable and available sites which are reasonable alternatives, or alternative methods which would have a lesser impact. If there is no alternative solution then permission will not be granted unless there are imperative reasons of overriding public interest sufficient to outweigh the ecological importance of the designation.
- 4.23 Where proposals are permitted, conditions (or where appropriate, planning obligations) will be used to secure all compensatory measures necessary ensure that the overall coherence of Natura 2000 network is protected.

#### ***Policy 4/9 National Sites***

**Proposals for waste management facilities in or likely to affect Sites of Special Scientific Interest (SSSI's) will be subject to special scrutiny. Where such proposals (either individually or in combination) may have an adverse effect either directly or indirectly on the SSSI they will not be permitted unless there are no alternatives and the reasons of the development clearly outweigh the value of the site itself and the intrinsic nature conservation value of the national network of such sites.**

- 4.24 Within the Plan area there are approximately 100 SSSIs. It is national policy to safeguard the intrinsic nature conservation value of the SSSI network. Where proposals are permitted conditions (or where appropriate, planning obligations) will be used to secure all compensatory measures necessary to protect and enhance the nature conservation interest of the site.

#### ***Policy 4/10 Locally Important Sites***

**Proposals for waste management facilities will only be permitted where there would not be an unacceptable effect on the intrinsic interest and, where appropriate educational value of the following:-**

- (a) Local Nature Reserves;**
- (b) Sites of Importance for Nature Conservation;**
- (c) UK Biodiversity Action Plan priority species or key habitats;**
- (d) other wildlife habitats;**
- (e) the habitat of any animal or plant species protected by law**



**(f) Regionally Important Geological/Geomorphological Sites (RIGS)**

- 4.25 Local Nature Reserves, designated by local authorities, are usually habitats of more local importance which make a contribution to nature conservation and education. These Reserves are afforded statutory protection. Within the County there are also a large number of other sites which, although having no statutory protection, are of local conservation interest. The most important of these sites are designated in development plans as Sites of Importance for Nature Conservation (SINCs). A SINCs and Key Habitats survey is being carried out. The 3 year phased programme between 1998-2000 aims to re-survey all SINCs and other key habitats across the County in order to update and inform Local Plans in accordance with the principles of PPG9. In conjunction with the survey programme a SINC Panel has been established to devise SINC selection criteria to ensure that SINC designation applies to those sites with a substantive nature conservation interest in accordance with PPG9. RIGS are new in North Yorkshire, with the first group established in 1999 for Scarborough and Ryedale. Designated by local authorities, RIGS are of regional importance for geology or geomorphology and are valuable sites in terms of science, history and aesthetics
- 4.26 Biodiversity encompasses the whole variety of life on earth. The maintenance of biodiversity is important as it provides the support systems that sustain human existence. The UK Biodiversity Action Plan identifies key habitats and targets for maintaining or increasing populations and range of species or size of habitats. A Biodiversity Action Group has been established in North Yorkshire in conjunction with the District Councils. Local Biodiversity Action Plans will be prepared on a district wide basis and a summary County overview will subsequently be prepared.
- 4.27 Other wildlife habitats are also important. The maintenance of landforms which create wildlife corridors, links or stepping stones from one habitat to another is vital to the maintenance of the current range and diversity of flora and fauna within the County. Examples of relevant features include rivers and their banks, hedgerows, ponds and small woods. Continuity of habitat is important for the migrations, dispersal and genetic exchange of many species. Proposals for waste management facilities should maintain and enhance, wherever possible, the integrity and continuity of such corridors.
- 4.28 Unacceptable effect will be determined in terms of no net loss to nature conservation/ biodiversity/geological value. That is if an impact is unavoidable there must be an equivalent replacement to result in no negative implications to the habitat or species. Where proposals are permitted, conditions (or where appropriate, planning obligations) will be used to secure all compensatory measures necessary to protect and enhance the nature conservation interest of the site.
- 4.29 Certain species of birds, animals or plants are afforded protection by the Wildlife

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and Countryside Act 1981 (as amended). Badgers are protected under the Protection of Badgers Act 1992. PPG9 states that the presence of a protected species is a material consideration when considering a development proposal which, if it were carried out, would result in harm to the species or its habitat. To avoid such harm, consideration will be given to the use of appropriate planning conditions or planning obligations to secure the protection of the species and associated habitat.

### ***Policy 4/11 European Protected Species***

**Proposals for waste management facilities which affect a European protected species will not be permitted unless there is no satisfactory alternative, and the development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.**

4.30 Certain species are conferred special international protection under the Conservation (Natural Habitats &c) Regulations 1994. Consultation will take place with English Nature before permission is granted. Where proposals are permitted, conditions (or where appropriate, planning obligations) will be used to secure all compensatory measures necessary to protect and enhance the nature conservation interest of the species.

## **WATER ENVIRONMENT**

### ***Policy 4/12 Water Protection***

**Proposals for waste management facilities will only be permitted where they would not have an unacceptable impact on the quantity or quality of surface or groundwater resources.**

- 4.31 Groundwater resources are an essential source of water for public supply, industry and agriculture. Groundwater also sustains the base flow of many rivers. Surface waters are important to a wide range of uses including potable supply, industrial uses, spray irrigation and amenity and conservation purposes. Development proposals which would have an unacceptable impact on the quantity of groundwater and surface water will not be permitted.
- 4.32 In addition to maintaining the quantity of water resources it is also important to maintain the quality. Waste management facilities have the potential to pollute groundwater and surface water. The cleaning up of contaminated groundwater is difficult and expensive. It is, therefore, better to prevent or reduce the risk of pollution rather than clean up the contamination.

- 4.33 The Environment Agency has prepared national policy guidance for the protection

of groundwater resources. As part of this policy Source Protection Zones have been defined around public water supply boreholes. The Environment Agency will seek to control various activities within these Zones. The Environment Agency is also producing Groundwater Vulnerability Maps which define areas of high or low vulnerability based on aquifer and soil types.

#### ***Policy 4/13 Flood Risk***

**Proposals for waste management facilities will not be permitted where there would be an unacceptable risk from flooding, or where such development would unacceptably increase the risk of flooding to others. Where, in exceptional circumstances, a development is permitted in such areas appropriate flood protection and mitigation measures will be required.**

- 4.34 In addition to the risk of flooding to the proposed development itself, development in such locations may increase the risk of flooding elsewhere by reducing the storage capacity of the floodplain and/or by impeding the flow of flood water. In exceptional circumstances it may be appropriate to permit development in flood risk areas. In such cases the applicant will be expected to provide adequate flood protection and mitigation measures. This may include restoration of the floodplain, or provide adequate storage and flood flow capacity. Provision should also be made for the future maintenance of any flood protection measures that are required. At sites suspected of being at risk from flooding but for which adequate information is unavailable, the applicant will be required to carry out an investigation to evaluate the extent of the risk. Applicants will be required to identify, implement and cover the costs of any necessary measures.
- 4.35 In July 2001 the DTLR issued PPG 25 Development and Flood Risk. This advises that in considering proposals for development a risk based sequential approach is adopted to direct development away from areas of high risk. The Environment Agency has recently produced flood maps which include both historical predicted and modelled flood data for all watercourses with a catchment area of over 10km, and will be used to identify sites at risk from flooding. In applying the sequential test the County Council will take advice from the Environment Agency on the distribution of flood risk and the availability of flood defences.

## **HERITAGE**

#### ***Policy 4/14 Historic Environment***

**Proposals for waste management facilities will only be permitted where there would not be an unacceptable effect on listed buildings, registered parks, gardens and historic battlefields, World Heritage Sites or conservation areas, including their settings.**

- 4.36 Government policy on the historic environment is contained in PPG15 Planning

and the Historic Environment (1994). The guidance requires effective protection for all aspects of the historic environment which, by its nature, is irreplaceable. Those features which are considered to be nationally or regionally important are identified and classified as such, for example, through scheduling ancient monuments, the listing of historic buildings and the designation of conservation areas. English Heritage has compiled a register of Parks and Gardens of special historic interest and a register of Historic Battlefields in order to assist decision making.

- 4.37 It is recognised, however, that the historic environment cannot be preserved unchanged in all circumstances. In considering proposals for waste management facilities the impact of the proposals on the historic environment will be carefully assessed with due consideration given to the impact the proposal may have on the character and setting of the designated area or feature.

#### ***Policy 4/15 Archaeological Evaluation***

**Where proposals for waste management facilities affect sites of known or potential archaeological importance the applicant will be required to carry out an archaeological field evaluation prior to the determination of the planning application.**

#### ***Policy 4/16 Archaeological Sites***

**Proposals for waste management facilities which would have an unacceptable effect on nationally important archaeological remains, whether scheduled or not, and their settings, will not be permitted. Where planning permission is granted for waste management facilities which would affect sites of regional, County or local importance, conditions will be imposed to ensure the remains are preserved in-situ or by record, as appropriate to their archaeological interest.**

- 4.38 Government guidance on archaeology is set out in PPG16 Archaeology and Planning (1990). It stresses the finite and non-renewable nature of the resource which, in many cases, is highly fragile and vulnerable to destruction. There is a need to balance the requirement for development with the preservation of archaeological remains.
- 4.39 Prior to the submission of an application the developer should consult the County Sites and Monuments Record to ascertain the archaeological potential of a site. This Record is the key index to known archaeological information on sites of national, regional and local importance, whether scheduled or not. Increasingly, such sites are identified in District-wide local plans.

- 4.40 Where nationally important remains and their settings, whether scheduled or not,

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are affected by proposed development there should be a presumption in favour of their physical preservation. For remains of lesser importance there is a need to balance the importance of archaeology with other considerations including the need for the development and the measures proposed to mitigate the impact of the proposal or enhance the archaeological interest.

- 4.41 Where preservation in situ of archaeological remains is not justified in the circumstances of the case and development resulting in the loss of the archaeological remains is permitted, the applicant will be required to make appropriate provision for the excavation, recording, and where appropriate analysis and publication of the remains. Such excavation and recording should be carried out before development commences and work to a specific project brief. Commitment to such an arrangement may need to be incorporated in a Planning Obligation.

## TRANSPORT

### *Policy 4/17 Transport*

**Proposals involving the use of rail and waterways to transport waste will be encouraged and permitted where environmentally acceptable.**

- 4.42 Government advice on transport is contained in PPG 13 Transport (2000). PPG 13 recognises that the continued growth in road transport presents a major challenge to the attainment of sustainable development and encourages planning authorities to minimise the need to travel and to encourage the use of alternative modes of transport.
- 4.43 The movement of waste can generate considerable amounts of traffic. Road traffic associated with waste operations can have a significant adverse impact on the environment and local amenity, as well as causing structural damage to highways. The main problems caused by heavy goods vehicles are noise, vibration, dust, fumes, structural damage, visual intrusion and a reduction in road safety. These problems are not confined to locations close to the point of access to the site but can be experienced some distance away, especially where heavy vehicles use minor roads and/or pass through villages and residential areas.
- 4.44 The County Council is keen to reduce the reliance on road transport for the movement of waste and will encourage applicants to consider alternative methods of transport. The transportation of waste by rail or water offers environmental benefits however, due to the dispersed nature of the population, it is recognised that, in North Yorkshire the potential for using these alternatives is limited. Proposals which include alternative modes of transport will be considered favourably provided other relevant Plan requirements are met.
- 4.45 It is recognised that the installation of plant and infrastructure for rail or waterway

transport may involve substantial new investment and that this may be a constraint on operators. Section 139 and Section 140 grants under the Railways Act 1993 are available to assist towards the capital costs of constructing rail freight facilities and wharf facilities respectively. Track Access Grants are also available to assist in meeting the cost of accessing the railway network.

#### ***Policy 4/18 Traffic Impact***

**Where rail, waterway or other environmentally preferable modes of transport are not feasible, waste management facilities will only be permitted where the level of vehicle movements likely to be generated can be satisfactorily accommodated by the local highway and trunk road network and would not have an unacceptable impact on local communities.**

- 4.46 Where it is not practicable to transport waste other than by road, operators will be expected where possible to avoid using routes which do not form part of the primary highway network. The routing of heavy lorry traffic can be particularly important. In considering proposals for the routing of vehicles the County Council will need to be satisfied that the safety of all road users, including walkers, cyclists and riders and drivers of horses, is not compromised. Legal agreements will be sought, with operators, in circumstances where the absence of such agreement may cause refusal of planning permission due to the unacceptable impact of heavy commercial vehicles on rural roads and/or communities. Such arrangements would be selective and separate from the imposition of traffic regulation orders by the Highways Authority which would apply to all traffic. A Transport Assessment will be required to support the proposal. The developer will be expected to fully fund any off-site highway works identified as necessary by the Transport Assessment and to indemnify the County Council as Highways Authority in respect of remedying damage. In considering transport options the effect on National Air Quality Standards should be taken into account.

### **LOCAL AMENITY**

#### ***Policy 4/19 Quality of Life***

**Proposals for waste management facilities will be permitted only where there would not be an unacceptable impact on the local environment and residential amenity.**

- 4.47 Waste operations, by their very nature, have the potential to cause disturbance to local communities and the environment. In the case of landfill they are often located in open countryside with the associated impacts of visual intrusion, noise, dust, mud on the highway, odour, heavy lorry traffic, bird flocks, pests and litter. In addition public perception of fear and the impact on health can be a material planning consideration to be taken into account within the terms of this policy.
- 4.48 Waste management facilities can often have a visual impact. The ability of the

landscape to accommodate waste management facilities varies according to the character of the site and of the surrounding land. Intrusive features may include weighbridges, skip storage areas, fixed plant, operational and tipping areas. It is essential, therefore, to incorporate and fully integrate ameliorative measures, which may be both on and off-site, within the design and layout of proposals to minimise visual impact and disturbance and fully integrate proposals into the surrounding landscape.

- 4.49 The decomposition of biodegradable waste results in the production of landfill gas and leachate. It is important that these are adequately monitored and controlled. Odour from the decomposition of waste and landfill gas can also be a problem. Waste management facilities can encourage pests such as vermin and bird flocks and give rise to litter. These problems can be reduced by ensuring the waste deposited is covered with inert material as soon as possible, and by using bird scarers, and perimeter litter trap fencing.
- 4.50 The impact of noise levels generated by waste management facilities is dependent on the degree to which noise is heard above background levels and the proximity of workings to noise sensitive properties. There are measures which can be adopted to control and reduce noise levels. Noise control must be seen as an integral part of operational design. Plant and haul routes should be located to minimise noise disturbance, taking advantage of landform and any established tree and hedgerow cover. Additional protection is possible by earth mounding and advance planting. The incorporation of noise attenuation works within the plant, including cladding and the use of sensitive alarm beepers, are examples of noise control measures. Any proposal must itemise operations which will generate noise and incorporate specific measures to ameliorate such disturbance. Monitoring may be required to ensure that specified levels are not exceeded.
- 4.51 The potential impact on air quality of waste related development may be a material consideration when considering individual proposals. Dust problems arising from soil stripping, haul roads, fixed plant and stockpiles of material especially in dry conditions may generate public complaint and cause disturbance. Dust suppression measures will need to be in place and may include cladding of plant, metalling haul roads and use of water bowsers.

#### ***Policy 4/20 Open space, Recreation and Public Rights of Way***

**The development of waste management facilities will not be permitted where there would be an unacceptable impact on recreational amenity of the area, on open spaces with recreational value or on the enjoyment of the Public Rights or Way network. Proposals for waste management facilities which would interrupt, obstruct or conflict with use of a public right of way will only be permitted where satisfactory provision has been made, in the application, for protecting the existing right of way or for providing acceptable alternative arrangements both during and after working.**

- 4.52 The public rights of way network is an important means of accessing and enjoying

the countryside. It is therefore important that this network and the public using it are protected from waste related activities. Waste management facilities also have the potential to affect the public rights of way network and enjoyment of open spaces adjoining the development. Consideration should be given to this when submitting a proposal. Applicants will be required to protect existing users and to provide acceptable alternative arrangements, where appropriate. Any diversion or stopping-up of an existing public right of way must have received the necessary legal sanction before being implemented.

- 4.53 Where proposals are permitted conditions (or where appropriate, planning obligations) will be used to secure all compensatory measures necessary to protect and enhance the recreational amenity of the area”

## **RECLAMATION**

- 4.54 Waste disposal offers the opportunity to reclaim worked out mineral sites, other voids, derelict and degraded land, where this does not have a significant landscape, historic or ecological value. Policies relating to the reclamation of mineral voids through the importation of waste are contained in the North Yorkshire Minerals Plan and are reproduced at Appendix 2. Policies in this section relate to the reclamation of other sites or voids.

### ***Policy 4/21 Progressive Restoration***

**Planning applications for waste disposal should demonstrate that wherever possible and practicable, progressive restoration will be undertaken to a high standard to achieve a prescribed after-use or combination of after-uses.**

- 4.55 Restoration schemes provide significant opportunities to achieve landscape, nature conservation and amenity benefits. Progressive restoration of sites will be required unless it can be demonstrated that an alternative approach would result in a higher standard of restoration. In order to achieve a satisfactory level of restoration, proposals to restore the site should be seen as an integral part of working the site. Sufficient information should be submitted at the planning application stage to demonstrate that the site can be restored to an acceptable standard and a suitable afteruse is achievable. The County Council has set down in its Code of Practice on Operational and Working Practice the content of, and general approach, to restoration standards which should minimise the impact on the environment.

### ***Policy 4/22 Site Restoration***

**Proposals for waste disposal should demonstrate that the restoration proposals will restore and enhance, where appropriate, the character of the local environment.**

- 4.56 Until recent years, agriculture was considered to be the most appropriate after-



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use. However, there is now a greater consideration of the non-agricultural uses of nature conservation, amenity and forestry.

- 4.57 Where non-agricultural after-uses are proposed, schemes should clearly set out the methods and the high standards of implementation and management that will be achieved, and demonstrate a commitment to ensure that the land uses can be achieved and managed appropriately. Where nature conservation, forestry and amenity afteruses are proposed regard should be had to the impact on local amenity and landscape character and to the opportunities for enhancement of the landscape, creation and protection of habitats or geological features of nature conservation value and creation of public open space, new rights of way and appropriate recreation facilities.
- 4.58 Where best and most versatile agricultural land has to be utilised for development, agriculture will generally remain the most appropriate primary after-use. Where agricultural after-use is proposed, schemes should include significant landscape/conservation/amenity proposals provided that they do not result in permanent downgrading of best and most versatile land.
- 4.59 Waste sites can afford good opportunities for habitat creation and restoration for nature conservation. In determining appropriate habitat creation reference will be made to the UK and Local Biodiversity Action Plan targets. In considering restoration proposals favourable consideration will be given to those schemes which contribute to the implementation of Local BAP habitat creation and restoration targets

#### ***Policy 4/23 Aftercare***

**Planning permissions which are subject to conditions requiring restoration to agriculture, forestry or amenity uses will additionally be subject to an aftercare requirement seeking to bring the restored land up to an approved standard for the specified after-use.**

- 4.60 Conditions will be imposed on planning permissions specifying the aftercare necessary to enable the appropriate standard of restoration to be achieved. This will normally be for a period of five years. The standard maximum five year period for aftercare may not, however, be adequate to satisfactorily establish areas restored to certain non-agricultural uses such as nature conservation or woodland. In these situations longer term management will be required and will be sought through planning obligations to ensure that an acceptable standard of restoration can be achieved.

## **5. REDUCTION, RE-USE, RECOVERY**

### **AIMS**

- ***To encourage a reduction in the amount of waste that requires treatment and disposal***
- ***To encourage a move away from traditional waste disposal methods to alternative methods of re-use and recovery***
- ***To secure an adequate and integrated network of facilities for dealing with waste generated within or in proximity to North Yorkshire***

### **OBJECTIVES**

- ***To ensure the waste implications of development are identified and addressed***
- ***To encourage the recovery of inert and non inert wastes***
- ***To encourage the use of secondary and recycled materials in preference to primary aggregates and other quarried building products***

5.1 In accordance with the principles of sustainable development there is a need to reduce the amount of waste requiring disposal, by moving towards a more integrated system of waste management. This chapter provides a policy framework within which to consider individual waste management developments.

### **WASTE REDUCTION AND RE-USE**

5.2 Waste reduction is concerned with minimising the quantity of waste that is produced and which would otherwise require treatment or disposal by one of the other options in the waste hierarchy. The main benefits of waste reduction are the lower environmental and economic costs associated with production and waste disposal.

5.3 Re-use entails putting an item to another use after its original function has been performed. This increases the life of a product before final disposal. Re-use can offer potential advantages in the form of energy and raw material savings, reduced disposal needs and costs, and new market opportunities. However, the case is not always clear cut. Re-use can mean a requirement for additional infrastructure associated with return and refilling systems that may impose environmental costs which outweigh the environmental benefits of re-use.

- 5.4 Organisations within the North Yorkshire area are encouraged to make a contribution to the strategy by avoiding waste, re-using materials and by choosing products made from recycled products where appropriate.

### **Policy 5/1 Waste Minimisation**

**Proposals for major development should include a statement identifying the waste implications of the development and measures taken to minimise and manage the waste generated. Permission will not be granted where this has not been adequately addressed.**

- 5.5 The extent to which a planning authority can influence waste reduction and re-use is limited. Guidance in PPG 10 Planning and Waste Management advises that waste local plans should include policies which require consideration of all the options for managing waste generated, including waste arising from major new development proposals, and demonstrate that the preferred policies are consistent with BPEO.
- 5.6 This policy will require that waste implications are considered at an early stage in the design process. The nature and scale of a proposal will determine the level of information that will need to be submitted. Supplementary Planning Guidance will be developed, in consultation with the District Councils, to provide guidance on this matter.
- 5.7 The minimisation of waste can often have land use implications. For example, improvements to the segregation of wastes to facilitate increased re-cycling may require additional buildings. Where appropriate, positive support will be given to such proposals. In managing any waste generated, developers will be expected to make provision for the temporary storage of recyclable material on the development site.

## **RECYCLING**

- 5.8 An important part of integrated waste management is recycling as it offers a number of potential benefits:-

- maximises the value that can be obtained from a raw material
- provides energy savings
- reduced disposal impacts
- employment opportunities
- reduction in primary aggregate extraction

As with any process, however, it also has disadvantages:-

- costs of collection, transport and reprocessing
- the often higher costs of recycled goods

**Policy 5/2 Waste Recovery**

**Proposals for facilities relating to the recovery of waste will be permitted subject to adequate environmental and amenity safeguards at the following locations as shown on Inset Maps No. 1 & 2**

- a) **Barnsdale Bar Landfill & Quarry**
- b) **Jackdaw Crag**

**Proposals outside these areas will be considered in light of other policies of Chapter 5**

- 5.9 If Government targets for the diversion of waste away from landfill are to be achieved then there will be a requirement for additional facilities for waste recovery. Suitable sites for facilities for waste recovery are scarce. However, any planning application would need to be acceptable in environmental and amenity terms before permission is granted.
- 5.10 Barnsdale Bar as an active landfill site provides a suitable location for such facilities. Whilst the site lies within the Green Belt, provided that the waste recovery facilities are linked to the life of the landfill site, then on completion of restoration it is considered that the site could be returned to a use consistent with the aims of Green Belt policy.
- 5.11 Jackdaw Crag is a working quarry. The quarry site is located on a major aquifer which is an important groundwater resource. This aquifer is particularly vulnerable to pollution because of its geological nature and structure. Any application submitted will therefore be required to assess the risk to groundwater and any nearby abstractions. Appropriate mitigation will need to be agreed in consultation with the Environment Agency prior to determination of any planning application in order that the level of risk can be reduced to an acceptable level. Due to the sensitive nature of the aquifer where composting is proposed it should be green waste only. This site also lies within the Green Belt and again provided that the waste recovery facilities are linked to the life of the quarry, then on completion of restoration it is considered that the site could be returned to a use consistent with the aims of Green Belt policy.

**Policy 5/3 Recycling, Sorting and Transfer of Industrial, Commercial and Household Waste**

**Proposals for facilities for recycling, sorting and transfer of industrial, commercial and household wastes will be permitted provided that:-**

- a) **the proposed site is suitably located within an existing, former or proposed industrial area of a character appropriate to the development; or**

- b) the proposed site is suitably located within a redundant site or building**
- c) the proposed site is appropriately located within or adjacent to active or worked out quarries or landfill sites and;**
- d) the operations are carried out in suitable buildings; and**
- e) the highway network and site access can satisfactorily accommodate the traffic generated; and**
- f) that in appropriate cases it does not prejudice the restoration and afteruse of the quarry or landfill site; and**
  
- g) the proposal will not have an unacceptable impact on local amenity or the environment.**

5.12 The County Council is required to achieve a reduction in the amount of waste that requires disposal in accordance with targets set out in "Waste Strategy 2000" and in order to achieve this an increase in recycling facilities will be required. The extent to which the Local Plan can influence the amount of recycling that takes place is limited. Recycling developments are dependent on the creation of markets for recycled materials which would encourage applicants to bring forward proposals. The Government is to establish the Waste Resources Action Programme to overcome barriers to promoting re-use and recycling. The Local Plan can, however, ensure that policies are in place to facilitate such developments.

5.13 Facilities for recycling, sorting and transfer of waste tend to be industrial type activities which can generate a significant amount of vehicular movements. This influences the types of location which would be suitable for the siting of such facilities. It is preferable for these type of development to be located within industrial or similar areas, where this would be compatible with surrounding land uses, or at a quarry or an existing landfill site to minimise the potential nuisance such developments can cause. Appropriate industrial areas need to be considered in terms of access to the highway network and proximity to residential and other sensitive uses. It is recognised that in a predominantly rural County it may be difficult to find suitable industrial locations and other locations may be needed. In considering proposals for recycling facilities at locations outside of industrial areas regard will be had to suitable access to the highway network, the impact on local amenity and the environment.

5.14 Where facilities are located at existing landfill sites the proposals should not compromise the effective restoration of the site and development should be removed on completion of the landfill unless material considerations support the permanent retention. It is recognised that as there is pressure to reduce the quantities of waste going to landfill the pace of restoration will slow down. In association with the siting of facilities for the recycling, sorting and transfer of industrial, commercial and household waste in a quarry or landfill site, the agreed phasing of the approved restoration scheme may need to be changed by way of modifications to the relevant planning permission.

- 5.15 Facilities for the recycling, sorting or transfer of waste may range from a group of large purpose built buildings for dealing with a range of wastes to single units converted to deal with a more limited range of wastes. In siting such facilities consideration should be given to the size of the site, access to the highway network and its position in relation to residential areas and other sensitive locations. A high standard of design and landscaping will be required to minimise the overall impact of the facility.

***Policy 5/4 Household Recycling - Bring Systems***

**Proposals for major retail and community developments will be required to provide facilities for the public to recycle waste within the related car parking area.**

- 5.16 In order to achieve the 25% recycling or composting of household waste target there is a need to establish easily accessible recycling facilities. The Government has set a Best Value indicator for accessible recycling facilities – percentage of the population served by Kerbside collection of recyclables.
- 5.17 Superstores, retail warehouses, community centres, public houses and other public facilities which avoid the need to make additional car journeys are ideal locations for recycling facilities for glass, cans, newspapers etc. It is most efficient to locate the banks in a group so that different materials can be deposited and collected at a single point. Care should be taken when siting such facilities to ensure the convenient collection of material and reduce any environmental or visual amenity impacts. The provision of such facilities in this type of development will be required where there is a local need. Where there are existing facilities located nearby which adequately serve the community's needs, this requirement may be waived.

***Policy 5/5 Household Waste and Recycling Centres***

**Proposals for Household Waste and Recycling Centres will be permitted at the following locations, as shown on Inset Maps No. 3 & 4**

- a) **Brickyard Road, Bar Lane, Boroughbridge**
- b) **Oak Beck Park, Skipton Road, Harrogate**

**Proposals for new HWRC at other locations will be supported if there will not be an unacceptable impact on the environment or local amenity.**

- 5.18 The County Council provides 18 Household Waste and Recycling Centres (HWRC) within the County and a further 2 in the North York Moors National Park and 1 in the Yorkshire Dales National Park. These are places where residents can dispose of household waste (other than that arising from a business) free of charge. Typically, these sites comprise a number of skips into which waste (bulky items and garden waste) can be placed.

- 5.19 Many of these sites provide containers for the recovery of glass, metals, cans, newspapers, magazines, cardboard, car batteries and engine oil. Textiles, timber, furniture and bric a brac are also recycled. Inert wastes are segregated as these attract a lower disposal cost and lower landfill tax. Again, an opportunity exists to enable the materials to be recycled. The extent of recycling and the range of facilities varies according to the size of the site.
- 5.20 Any planning application at Oak Beck Park would need to be acceptable in environmental and amenity terms before permission is granted. The site would be accessed via Oak Beck Road, off the A59 where there is already a right turning facility. The facility should be contained within a building to protect local amenity and the trees along the northern boundary of the site should be retained.
- 5.21 If the County Council is to achieve a significant increase in recycling levels it is likely that additional HWRC will be required. New proposals for HWRC need to be considered in terms of size, good road access, location in relation to population and impact on local amenity and the environment.
- 5.22 In recognition of a need in the Harrogate/Knaresborough area for additional HWRCs the Deposit Draft Plan sought to identify sites to accommodate this need, however land ownership problems have precluded the inclusion of a suitable site. This situation will be reviewed at the first review of the Plan

### ***Policy 5/6 Scrapyards and Metal Recycling Facilities***

**Proposals for facilities for scrapyards and metal recycling facilities will only be permitted provided:-**

- a) the proposed site is suitably located within an existing, former or proposed industrial area of a character appropriate to the development; and**
  - b) the site is adequately screened with the height of any stockpiles maintained to a maximum height consistent with the screening provided; and**
  - c) the highway network and site access can satisfactorily accommodate the traffic generated; and**
  - d) the proposal will not have an unacceptable impact on local amenity or the environment.**
- 5.23 Scrapyards and metal recycling facilities have an important role to play in achieving a sustainable system of waste management. Historically many scrapyards were poorly located, often in residential areas resulting in householder complaints. In siting a scrapyard or metal recycling facility consideration must be given to the compatibility of the proposal with surrounding land uses. It is

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preferable for this type of development to be located within industrial or similar areas to minimise the potential nuisance such development can cause.

- 5.24 The main planning concerns in respect of scrapyards and metal recycling facilities is their visual impact, pollution risks, noise, dust and traffic generation. Ameliorative measures must be incorporated to reduce the impact on local communities and the environment.

***Policy 5/7 Facilities for the Recycling of Construction and Demolition Wastes***

**Proposals for recycling facilities for construction and demolition wastes will be permitted provided that:-**

- a) the proposed site is suitably located within an existing, former or proposed industrial area of a character appropriate to the development; or**
  - b) the proposed site is suitably located within a redundant site or building; or**
  - c) the proposed site is appropriately located within, or adjacent to active or worked out quarries or landfill sites; and**
  - d) that where relevant it does not prejudice the restoration and afteruse of the quarry or landfill site; and**
  - e) the highway network and site access can satisfactorily accommodate the traffic generated; and**
  - f) the proposal will not have an unacceptable impact on local amenity or the environment**
- 5.25 The Government is committed to increasing the use of recycled construction and demolition waste as a substitute for primary aggregates and other quarried building materials. Minerals Planning Guidance Note 6 (MPG6) sets out targets for the use of secondary aggregates and recycled material:- 40 million tonnes per annum of recycled and secondary material to be used in construction by 2001 rising to 55 million tonnes per annum by 2006.
- 5.26 The County Council has only limited influence over the amount of construction and demolition waste requiring disposal and recognises there are obstacles to the increased use of alternative materials. These include the costs of transporting materials from their point of origin to the place where they are to be used, the relatively cheap costs of primary materials, and the problems associated with producing secondary aggregates to meet high grade end uses. The Local Plan can, however, ensure that policies are in place to facilitate such developments. The County Council will continue to maximise the use of secondary and recycled materials when carrying out highway schemes when economically viable.



- 5.27 Processing construction and demolition material at permanent sites involves the use of machinery to crush and screen materials. This can result in problems of noise, dust, and visual intrusion. It is for these reasons that sites for such activities need to be carefully located. Ameliorative measures to minimise visual intrusion, noise and dust may be required.
- 5.28 Recycling is essentially an industrial activity, therefore land that has been allocated for industrial uses is likely to be the most appropriate location. Appropriate industrial areas need to be considered in terms of access to the highway network and the proximity to residential and other sensitive uses. It is recognised that in a predominantly rural County it may be difficult to find suitable industrial land and other locations may be needed. In considering proposals for recycling facilities at locations outside of industrial areas regard will be had to suitable access to the highway network, the impact on local amenity and the environment.
- 5.29 Where facilities are located at existing landfill sites or quarries the proposals should not compromise the effective restoration of the site and development should be removed on completion of the landfill unless material considerations support the permanent retention. It is recognised that as there is increased pressure to reduce the quantities of waste going to landfill the pace of restoration will slow down. In association with the siting of facilities for the recycling of construction and demolition waste in a quarry or landfill site, the agreed phasing of the approved restoration scheme may need to be changed by way of modifications to the relevant planning permission.

***Policy 5/8 Temporary Recycling Facilities for the Recycling of Construction and Demolition Wastes***

**Proposals for the location of temporary facilities on or close to construction and demolition sites for the recovery, separation and where appropriate processing of waste materials generated by the on-site construction or demolition works will be permitted provided that:-**

- a) the facilities are removed on completion of the construction and demolition project; and**
  - b) the highway network and site access can satisfactorily accommodate the traffic generated; and**
  - c) the proposal will not have an unacceptable impact on local amenity or the environment.**
- 5.30 Mobile plant can help to facilitate recycling and the segregation of wastes whilst reducing the amount of transportation required in recycling the materials elsewhere. However, as with permanent facilities, mobile recycling facilities can have adverse environmental and local amenity impacts. Proposals for mobile

plant will need to ensure that environmental and local amenity interests are not adversely affected. In some instances the use of mobile plant on site will not require planning permission.

## **COMPOSTING**

- 5.31 Composting is a process by which organic materials (for example garden and kitchen waste) are broken down by the action of micro-organisms in the presence of air. The resulting product can then be sold as a soil improver. Although composting has been practised for many years by farmers and gardeners, it is only in recent years that there has been an upsurge of interest in this activity as a means of dealing with the increasing pressures on waste management and disposal of organic wastes. The County Council is keen to see the further development of composting schemes provided adequate safeguards are in place.
- 5.32 The County Council supports the Government's strategy for increased waste composting. It is estimated that 25% of all waste deposited at HWRC is green waste and there is therefore a significant opportunity to increase the percentages of recycling from these sites. The County Council is investigating the possibility of a green waste composting scheme in association with its' contractors. Skips are or will be set aside for green/garden wastes only and the material used as a feedstock for a composting scheme.

### ***Policy 5/9 Green Waste Composting***

**Proposals for green waste composting will be permitted provided that:**

- a) the proposed site is suitably located within or adjacent to existing waste management facilities; or**
- b) the proposed site is suitably located within an existing, former or proposed industrial area or working or worked out quarry of a character appropriate to the development; or**
- c) where the proposal is in open countryside, it is in scale and keeping with the local landscape and reuses existing buildings or is on land within or adjacent to farm building complexes; and**
- d) where relevant it does not prejudice the restoration and afteruse of the landfill site or working or worked out quarry; and**
- e) the highway network and site access can satisfactorily accommodate the traffic generated; and**
- f) the proposal will not have an unacceptable impact on local amenity or the environment.**

- 5.33 If inappropriately located, or managed, then problems relating to odour,

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groundwater pollution, increased traffic and noise can occur. Careful siting and good management practices can reduce these impacts.

- 5.34 There may be benefits of locating composting schemes within or adjacent to existing waste management facilities. In the case of landfill sites it should not normally prejudice the restoration and afteruse of the site. It is recognised that as there is increased pressure to reduce quantities of waste going to landfill the pace of restoration will slow down. In association with the siting of facilities for the recycling of construction and demolition waste in a quarry or landfill site, the agreed phasing of the approved restoration scheme may need to be changed by way of modifications to the relevant planning permission. Appropriate industrial locations should be considered in relation to the compatibility of the proposal with surrounding landuses. Composting schemes can be located in open countryside provided they are in scale and keeping with the local landscape to ensure that they are satisfactorily integrated into the surroundings. Proposals for composting may be successfully located within existing farm building complexes. In rural locations proposals should ensure that there is good access to the primary road network to reduce the traffic impact on rural roads.
- 5.35 The scale of composting schemes can vary from small schemes which may require an area of concrete hardstanding for composting and a covered area for storage or screening of material to larger operations which require buildings and large open areas. The scale of the operation and size of associated buildings and open areas can have a visual impact. This can be mitigated by choice of site and locating buildings and large open areas such that they will not be significantly prominent.

## **ENERGY RECOVERY**

- 5.36 Recovering energy from waste adds value before final disposal. The most common method is incineration. Other methods include gasification, pyrolysis and anaerobic digestion but these are either at an experimental stage or are not economically viable for large schemes at the present time. Energy can also be recovered from landfill gas. It is unlikely that the development of a large scale energy recovery plant will take place within the period of the Plan. However, as technology advances and the cost of landfilling continues to rise then such facilities may become more viable. Any proposals for incineration will be considered against policy 5/9 and other relevant policies of the Plan.

### ***Policy 5/10 Incineration of Waste***

**Proposals for the incineration of household, commercial and non-hazardous industrial waste will be permitted only after opportunities for recycling and composting have been explored and provided the following criteria are met:**

- a) the proposed site is suitably located within an existing, former or**

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**proposed industrial area of a character appropriate to the development; or**

- b) the proposed site is suitably located on land formerly occupied by waste management facilities of a character appropriate to the development; or**
- c) the proposed site is suitably located on areas of contaminated, despoiled or previously derelict land; and**
- d) the highway network and site access can satisfactorily accommodate the traffic generated; and**
- e) the proposal will not have an unacceptable impact on local amenity or the environment**

5.37 Since 1 December 1996 large incinerators have been required to meet more stringent pollution control standards which has resulted in those incinerators commissioned in the 1960's and 1970's either closing or being upgraded. Depending on the size of the plant the processes are regulated either by the Environment Agency (in the case of Part A processes) or by Environmental Health Department of the relevant district council (in the case of Part B processes).

5.38 Incinerators vary in size from small installations serving individual factories or hospitals to large scale household waste incinerators. As such it may be possible to accommodate such plants within existing or converted buildings or large new sites may be required. Tighter pollution control standards mean that generally plants need to be of sufficient scale to be economically viable.

5.39 The siting of an incinerator is influenced by a number of factors:

- source of waste
- economic implications of transporting waste
- site access
- proposed energy use - availability of local heat markets and the ease of connection to the Local Distribution Network of the Regional Electricity Company.

These considerations generally mean that plants are likely to be located within or very close to urban areas.

5.40 Incineration needs to be developed as part of an integrated system that includes other waste management options. In determining proposals for incineration the planning authority will need to be satisfied that it represents the BPEO, having regard to alternative methods of waste management. Schemes should be appropriately sized to avoid competition with recycling.

5.41 Large incinerators have the potential to be visually intrusive and often form a

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prominent feature within the local landscape. Generally they comprise of buildings containing the reception, sorting, burning and heat exchange and emission control systems. The chimney stack is usually very tall, the height of which is dictated by the requirement of the Environmental Protection Act 1990 to ensure adequate dispersal of emissions. A high standard of design and landscaping will be required to minimise the overall impact of the facility.

- 5.42 Air emissions from incinerators are authorised under the terms of the Environmental Protection Act 1990. However, air quality can be a material consideration as well as a pollution control issue and as such the Waste Planning Authority will seek advice from the Environment Agency or Environmental Health Authority, depending on the nature of the process, to determine whether matters might be appropriately dealt with by planning conditions rather than by the authorisation. Whilst complying with the authorisation odour still may occur, associated with the storage and transport of waste. Consideration needs to be given, when selecting sites, to avoid locations in close proximity to other sensitive uses.
- 5.43 The use of machinery at an incinerator can generate noise. Measures will be required to contain such noises within buildings wherever possible. Dust can be generated as a result of waste processing and ash handling. Dust suppression measures, for example minimising the amount of open air storage, water sprinklers and covered lorries may be required. Residues from the incineration process known as Municipal Solid Waste ash is potentially polluting and satisfactory arrangements must be made for its safe disposal.
- 5.44 Large incinerators can result in a significant amount of traffic generation particularly where the site is also used for associated waste management activities. Proposed sites should be located to allow good access to the primary road network.
- 5.45 Proposals for specialist facilities required to incinerate special and clinical wastes will be considered against Policy 7/1.

### ***Other Methods of Energy Recovery***

- 5.46 There are a number of other developing technologies to recover energy from waste including Gasification, Pyrolysis and Anaerobic Digestion. These technologies, as noted above, are largely in developmental stages. If a proposal comes forward for this type of development during the Plan period then these will be judged on their merits taking account of the policies of the Plan.

## 6. WASTE DISPOSAL

### **AIMS**

- ***To secure an adequate and integrated network of facilities for dealing with waste generated within or in proximity to North Yorkshire***

### **OBJECTIVES**

- ***To seek a reduction in the amount of waste being disposed of to landfill sites to meet targets set out in “Waste Strategy 2000”***
- ***To ensure sufficient capacity for the disposal of waste which cannot be managed in any other way***
- ***To ensure the effective management of leachate and landfill gas***

6.1 Landfill and landraise are at the bottom of the waste hierarchy, which reflects the potential environmental problems associated with this method of waste treatment. These problems include the risk of release of methane gas or leachate into soil, groundwater and surface water from biodegradable wastes. Landfill can also have longer term implications for site afteruse. However, many of these risks can be significantly reduced by the use of appropriate environmental controls, site operation and monitoring.

6.2 Whilst it is the County Council's wish to see a reduction in the proportion of waste being disposed of to landfill sites, it is likely that in the short to medium term landfill will continue to represent a significant method of waste management within the County. Indeed for certain waste streams in certain locations, landfill may represent the BPEO.

6.3 This chapter provides the planning framework to ensure that adequate provision is maintained for disposal through the Plan period. Plan 6.1 shows the location of active landfill sites for both non-inert and inert disposal.

## **LANDFILLING OF WASTE**

### ***Policy 6/1 Landfill Proposals***

**Proposals for additional landfill capacity for the disposal of waste will be permitted provided that:-**

- a) **it can be demonstrated that there is an over-riding need for the development and there are no available alternative methods for treating the waste; or**

- b) **it is required for the restoration of a former mineral void which cannot be satisfactorily reclaimed in any other way; and**
- c) **where appropriate, provision is made for the selective recycling of waste; and**
- d) **the highway network and site access can satisfactorily accommodate the traffic generated; and**
- e) **the proposal will not have an unacceptable impact on local amenity or the environment.**

6.4 Chapter 2 provides details of the projected landfill capacity requirements over the Plan period and the estimated remaining capacity within the County. It concludes that overall there is sufficient capacity to accommodate the projected amounts of waste that would require disposal in the period to 2006. In view of this no additional sites have been allocated. However, during the Plan period proposals for further landfill sites may come forward and these will be judged against the criteria in Policy 6/1.

6.5 Given the overall surplus of capacity in the County permission will only be granted where it can be clearly demonstrated that there is a need for the facility and that there are not other suitable methods for dealing with the waste in close proximity to the waste arisings. In addition the County Council will expect that, where appropriate, provision is made for the sorting and recycling of wastes.

6.6 In some instances landfilling can result in benefits by restoring voids created by mineral extraction to their pre-working state or creating new landscapes. Such schemes will be permitted provided there is a proven need and the benefits outweigh the potential environmental or amenity impact.

6.7 Landfill is a transitory activity. However, there are potential environmental and amenity effects which need to be addressed. Regard will be had to the potential for water pollution, the impacts of noise, odour, litter and the relationship of the site to the road network together with any possible alternative modes of transport.

#### ***Policy 6/2 Land Improvement Schemes***

**Proposals involving the deposit of inert waste for land improvement schemes will be permitted provided that:**

- a) **the proposal will improve derelict or degraded land, enhance the area and result in an overall environmental and amenity improvement; and**
- b) **no other satisfactory means exist to secure the necessary improvement; and**
- c) **the proposal will not have an unacceptable adverse impact on local**

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**landscape character, local wildlife habitats and the open countryside and**

- d) the proposal will not have an unacceptable impact on local amenity; and**
- e) the highway network and site access can satisfactorily accommodate the traffic generated.**

6.8 Land improvement schemes can have a number of benefits including the production of an improved landform, create environmental or amenity improvements or improve agricultural land quality. However, such schemes do have the potential to generate environmental and amenity problems and safeguards need to be in place to ensure any impacts are minimised to an acceptable level.

6.9 It should be demonstrated that the primary purpose of the proposal is land improvement and not the creation of waste disposal capacity and that the improvement cannot be achieved in any other way. The quantity of waste deposited at the site should be the minimum required to secure the proposed improvement.

6.10 Many areas of degraded land have ecological and nature conservation value in their own right. Proposals which compromise this value will not be permitted. In the case of agricultural improvement, the proposed scheme should result in an improvement of at least one agricultural grade or sub-grade as appropriate within the agricultural land classification system and result in an overall environmental and amenity improvement.

6.11 Where the proposal is in the open countryside it must be demonstrated that suitable access to the site can be achieved and that the essential openness of the countryside is maintained.

***Policy 6/3 Disposal of Waste by Landraising***

**Proposals for the disposal of waste by landraising will be permitted provided that:-**

- a) it can be demonstrated that the need for landfill capacity cannot be met by the infilling of mineral workings, and no suitable alternative methods for treating or disposing of the waste are available; and**
- b) the proposal will not have an adverse visual impact and the final landform will not have a detrimental impact on the surrounding landscape; and**
- c) the highway network and site access can satisfactorily accommodate the traffic generated; and**



- d) **the proposal will not have an unacceptable impact on local amenity or the environment; and**
  - e) **where appropriate, provision is made for the selective recycling of waste.**
- 6.12 Disposal of waste by landraising has the potential to introduce highly visible operations into the countryside and may involve the development of greenfield sites. Landraising has the potential to have a significant environmental impact and special consideration of such proposals is required in addition to those which are applied to other landfilling proposals. Landraising will only be permitted where the need for landfill capacity cannot be met by the infilling of mineral voids and there is no other suitable methods for dealing with the waste.
- 6.13 Detailed consideration will be given to the proposed final landform to ensure the scale and visual impact of permanent changes to the surrounding landscape do not have a detrimental impact on the local landscape character. The benefits of the proposal must outweigh the likely adverse impacts.
- 6.14 Landraising on the best and most versatile agricultural land will not be permitted unless opportunities have been assessed for accommodating the proposed development on areas which have previously been developed, on land within the boundaries of existing development or on poorer quality farmland. Where development of agricultural land is unavoidable then preference will be given to land below 3a unless sustainability considerations indicate otherwise. These may include, for example its importance for biodiversity, quality and character of the landscape or amenity value or heritage interest

#### ***Policy 6/4 Leachate and Landfill Gas Management***

**Proposals for the landfilling of waste will be required, where appropriate to demonstrate that adequate measures can be made for treatment of leachate and landfill gas that will not have an unacceptable impact on the environment or local amenity. Where practical, landfill gas should be recovered for use as an energy source.**

- 6.15 The decomposition of biodegradable waste results in the production of landfill gas (methane and carbon dioxide) and a liquid known as leachate. Both landfill gas and leachate can present environmental problems unless carefully contained and managed.
- 6.16 Details for the management of landfill gas and leachate will be required at the planning stage as their design and operation can have land use implications. Measures to control landfill gas and leachate should be designed and operated such that they do not compromise the effective restoration and after care of the site.
- 6.17 Landfill gas can be collected and used to generate energy or heat. The recovery

of landfill gas as an energy source should be considered where practical and where it will not result in an adverse impact on local amenity or the environment.

## 7. OTHER ISSUES

### SPECIAL AND CLINICAL WASTES

7.1 Waste is defined as special if:

- it appears on the Hazardous Waste list in the EC Directive on Hazardous Waste (91/689) and possesses 1 of the 14 listed hazardous properties
- it does not appear on the Hazardous Waste list but demonstrates one of the following hazards : flammable, irritant, harmful, toxic, corrosive, carcinogenic
- it is a prescription only medicine

The Special Waste Regulations 1996 control the movement and disposal of waste and it is closely regulated by the Environment Agency.

7.2 Data from the Environment Agency (Waste Management Report) indicates that in 1997-1998, 29,634 tonnes of special waste arose within the County.

7.3 Clinical waste arises primarily from hospitals, doctors, dentists and veterinary practices. The effective segregation of such waste is required to ensure that it is treated and disposed of in the most appropriate way.

#### ***Policy 7/1 Incineration, Treatment, and Transfer of Special or Clinical Waste***

**Proposals for the incineration, treatment or transfer of special or clinical waste will be permitted provided:**

- a) **the proposed site is suitably located within an existing, former or proposed industrial area of a character appropriate to the development; or**
- b) **the proposed site is suitably located on land formerly occupied by waste management facilities; or**
- c) **the proposed site is suitably located on areas of contaminated, despoiled or previously derelict land; and**
- d) **the proposed methods of handling, storage, treatment, processing, and associated built development are appropriate to the nature and hazards of the waste(s) concerned; and**
- e) **the highway network and site access can satisfactorily accommodate the traffic generated; and**
- f) **the proposal will not have an unacceptable impact on local amenity or the environment.**

- 7.4 The treatment and disposal of special and clinical wastes requires specialised facilities and many of these processes are subject to regulation by the Environment Agency. Given the nature of the waste involved special consideration will be given to applications involving the treatment and transfer of special and clinical waste.
- 7.5 In locating facilities for managing special and clinical waste consideration should be given to the compatibility of the operation with other nearby land uses. It must be demonstrated that the proposed methods of handling, storage, treatment, processing, and associated built development are appropriate to the nature and hazards of the waste(s) concerned
- 7.6 Proposals for the incineration of cattle under the Government's "Over Thirty Months Scheme" will be considered on their merits taking account of the policies of the Plan. Reference will also be made to the advice contained within circular letter "Planning applications in connection with the destruction of waste arising from the slaughter of cattle under the over thirty months scheme" (8 August 1997)

## **WASTE WATER TREATMENT AND DISPOSAL**

### ***Policy 7/2 Waste Water Treatment Works***

**Proposals for new works, or extensions to works to treat waste water and sewage sludge will be permitted provided that:**

- a) the proposal is required to improve the treatment of sewage sludge and waste water or discharge standards; or**
  - b) the proposal is required to provide increased capacity; and**
  - c) the highway network and site access can satisfactorily accommodate the traffic generated; and**
  - d) the proposal will not have an unacceptable adverse impact on local amenity or the environment.**
- 7.7 Environmental impacts can result from the discharge of inadequately treated sewage effluent, the treatment process, the discharge of treated effluent and the treatment and disposal of sewage sludge.
- 7.8 The Urban Waste Water Treatment Directive (91/271/EEC) and the Bathing Water Directive (76/60/EEC) provide guidance and set out requirements for dealing with sewage. These requirements are implemented in the UK by the Urban Waste Water Treatment Regulations 1994. The effect of these Directives and Regulations is that water companies have to meet higher treatment and discharge consent standards by the end of 2000 or 2005 depending on the size of population the treatment works serves.

- 7.9 The responsibility for waste water treatment and disposal in North Yorkshire lies largely with Yorkshire Water, however Northumbrian Water and North West Water also have a small presence. Yorkshire Water have assessed, and are improving as required, the discharges from all conurbations with population equivalents greater than 15,000 within the period 1995-2005. Investment to improve the quality of continuous discharges with population equivalents less than 15,000 will be funded in the period 2000 - 2005. For population equivalents of less than 2,000 appropriate treatment will be carried out in the period 2000-2015
- 7.10 The EU Water Framework Directive came into force on 22 December 2000 and aims to improve the aquatic environment by setting targets for quantity and quality of surface waters and groundwaters to be achieved by 2015. This has yet to be interpreted into UK legislation. The new processes required to meet the Directive may require extensions to or replacement of existing facilities”
- 7.11 Sewage treatment works are necessary developments if this type of waste is to be managed properly. However, this type of installation is often seen as a 'bad neighbour' development because of the potential impacts. These largely relate to odour and visual intrusion. However, these impacts can be offset by the effective use of screening and odour controls.
- 7.12 In 1997/1998 the total amount of sludge disposed of in North Yorkshire was 5, 749 tonnes of dry solids, the majority of which was disposed of to land. As this method of disposal lies mainly outside the planning system it has not been considered in this Plan. However, regulations in respect of sludge treatment are expected to be tightened which may require significant changes to the current practices of sewage treatment works. This may have land use implications.

## **POWER STATION ASH**

- 7.13 In volume terms the most important source of secondary aggregates within the County is power station ash. Power station ash comprises furnace bottom ash (FBA) and pulverised fuel ash (PFA). The ash is the incombustible part of the pulverised coal which is burned in power stations to provide heat for steam raising to drive the generators. Drax and Eggborough power stations produce over 2½ million tonnes of ash each year around half of which is sold. The vast majority of FBA is sold for uses which include the manufacture of building blocks. PFA is used for block-making, cement replacement, blended cements, grouting, bulk fill and other purposes. The extraction of relatively high value cenospheres (floaters) from the Gale Common site provides a raw material for several industries. A further 200,000 tonnes of FBA from Ferrybridge Power Station, West Yorkshire, is also sold each year following extraction from the Brotherton Ings Ash Disposal site in North Yorkshire.
- 7.14 The remaining unsold ash is disposed of principally at two sites, from Ferrybridge and Eggborough to Gale Common and from Drax to Barlow Ash Mound. Brotherton Ings is used for emergencies. Table 7.1 indicates the quantities of

PFA disposed of between 1994 and 1997. The quantity of PFA requiring disposal has declined which is a direct result of the reduction in coal fired generating activity and increased commercial sales.

Table 7.1 PFA Disposal

Power Station	Thousand Tonnes			
	1993-1994	1994-1995	1995-1996	1996-1997
Eggborough	317	390	403	292
Ferrybridge	284	459	539	511
		1995	1996	1997
Drax		1060	981	597
Total	600	1909	1924	1399

Source: Gale Common Joint Consultative Committee, Drax Power Station Consultative Committee

- 7.15 The County Council will continue to fully encourage and support the use of ash waste products but there will be a continuing requirement for PFA disposal over the Plan period. Whilst it is not possible to predict with any certainty the likely quantities, as this is dependent on electricity generation and commercial sales, the longer term disposal requirements of the power stations need to be maintained. No specific land allocations for ash disposal have been made. However, it is recognised that during the Plan period there may be a requirement to secure further disposal capacity at Barlow Ash Mound through a northerly extension. It is unlikely that additional capacity outside the planned stage 3 will be required at Gale Common during the Plan period.
- 7.16 The policy in respect of the disposal of colliery spoil is contained within the Minerals Local Plan and is reproduced at Appendix 2.

### **Policy 7/3 Re-working of Deposited Waste**

**Proposals to re-work deposited waste will be permitted only where:**

- a) **the proposals represent the Best Practicable Environmental Option;**  
and
- b) **re-working would achieve material planning benefits that would outweigh any environmental or other planning harm which might result**

- 7.17 There may be instances where the re-working of deposited waste is required to resolve pollution problems or where changed economic circumstances support the re-use of deposited waste for example pulverised fuel ash (PFA). In considering applications for the re-working of material there will be a need to balance the desire to encourage re-use of material and the impact that re-working the material will have on the site and the surrounding area. It is therefore necessary to establish that the proposal represents the Best Practicable Environmental Option. Developers will therefore be expected to demonstrate that they have carried out an

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appraisal of the options having regard to the social, environmental, economic, land use and resource impacts and that their scheme represents the best available option in the context of the policies of the Plan.

## **AGRICULTURAL WASTES**

- 7.18 The Waste Local Plan is primarily concerned with controlled waste. The majority of agricultural waste is currently outside the definition of controlled waste, although the Government intends to consult on changes to the controlled waste regulations to extend such controls to agricultural waste. Any changes in the type and quantities of waste that fall within the remit of the Plan will be reflected in subsequent reviews of the Plan.

## 8. IMPLEMENTATION, MONITORING AND REVIEW

- 8.1 The Waste Local Plan provides the overall planning policy framework for waste management and disposal. The principal method of implementing this is through the development control process. The Waste Local Plan forms part of the Development Plan, and as such decisions on planning applications must accord with it unless material considerations indicate otherwise. This applies to the County Council as the planning authority for waste development and to the District Councils when determining applications which have waste related implications.

### PLANNING APPLICATIONS

#### ***Policy 8/1 Determination of Planning Applications***

**Planning applications should be accompanied by sufficient information to enable an informed assessment to be made of the impact of the proposals. Such information should address, as appropriate, the criteria listed in Policy 4/1. Planning permission will not be granted where insufficient information is supplied.**

- 8.2 Prospective applicants are advised to enter into preliminary discussions with the waste planning authority prior to the submission of a formal planning application. This enables consideration to be given to the content of the application and to the main issues which will need to be addressed in some detail.
- 8.3 It is in the interests of both the waste planning authority and the applicant that the information submitted with the application is complete at the outset. Sufficient information should be provided to allow a balanced and informed assessment of the potential impact of the proposed development. The County Council has adopted a Code of Practice which sets out in more detail those matters which should be addressed when submitting a planning application, and as appropriate, included in a supporting statement.
- 8.4 Where a proposal for a waste facility is likely to have significant environmental impacts then an Environmental Impact Assessment (EIA) may be required under the terms of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999. Environmental assessment is a technique for ensuring that the likely effects of a proposal on the environment are fully understood and taken into account before planning applications are determined.
- 8.5 The Regulations specify the occasions when an EIA is required. Development proposals which fall within Schedule 1 of the Regulations will require an EIA. Proposals which fall within Schedule 2 will only require an EIA where the proposal is likely to have *'significant effects on the environment by virtue of factors such as its nature, size or location'*. Pre-application discussions can establish whether the proposal is likely to require the submission of an EIA and the likely matters which would need to be included in any such statement.



## PLANNING CONDITIONS AND OBLIGATIONS

- 8.6 When Planning permission is granted a number of comprehensive conditions are normally attached to allow development which would otherwise be unacceptable to go ahead. Planning conditions ensure that a development is implemented and operated in an acceptable manner. The County Council has powers to enforce compliance with planning conditions. The County Council has adopted a Code of Practice for site operations, restoration and aftercare. This will form the basis of drafting conditions on new permissions.
- 8.7 Although as far as possible planning permissions will be controlled by the imposition of conditions, matters which lie beyond the scope of conditions will be controlled by planning obligations. The County Council has prepared guidelines on the use of planning obligations in the form of a Code of Practice which it will seek to follow.

## MONITORING AND REVIEW

### ***Policy 8/2 Review of the Waste Local Plan***

**The Waste Planning Authority will keep under review the likely future demand for waste management facilities, and the extent of known arisings.**

- 8.8 The Waste Local Plan sets out the planning policy framework for waste related development for the period to 2006. To ensure that the Plan remains a relevant consideration in development control decisions it will be necessary to monitor changes in planning policy guidance, changes in the nature and amount of waste arisings, and the achievement of targets for reduction, re-use, and recycling. The effectiveness of the Plan's policies and proposals in achieving the aims and objectives of the plan will be monitored and an early review of the Plan will be carried out.

### ***Policy 8/3 Monitoring of Development Proposals***

**The Waste Planning Authority will monitor waste operations, restoration and aftercare schemes to ensure compliance with planning conditions and planning obligations.**

- 8.9 Monitoring of waste management facilities is essential to ensure that operations are being carried out in accordance with approved planning conditions and agreements. Alleged breaches of planning control and complaints about operations require investigation. Waste planning authorities have a range of powers to monitor and enforce. The Waste Planning Authority will, if necessary, exercise its power to take appropriate enforcement or other legal action in respect of breaches of planning control.

## APPENDIX 1

### EU FRAMEWORK DIRECTIVE ON WASTE

1.1 Article 3, 4, and 5 of the Directive set out a number of objectives which must be implemented either through a system of permits for the disposal and recovery of waste and /or through waste management plans. Provisions to implement the Directive are contained in the Waste Management Licensing Regulations 1994, and the objectives are defined as “relevant objectives” in Paragraph 4 of Part 1 of Schedule 4. These Regulations place certain obligations on plan making authorities when drawing up development plans. These objectives are set out below:

#### 1.2 Article 4

The key objective which underlies the whole Directive is Article 4, and this has been transposed into the Regulations as paragraph 4(1) (a) of Part I of Schedule 4. This makes it a relevant objective to ensure that waste is recovered or disposed of without endangering human health and without using processes or methods which could harm the environment and in particular without:

- a) risk to water, air, soil, plants or animals; or
- b) causing nuisance through noise or odours; or
- c) adversely affecting the countryside or places of special interest

#### 1.3 Article 5

This has been transposed into the Regulations as the relevant objectives contained in paragraph 4(2) of Part I of Schedule 4, and these apply only to the disposal of waste. The objectives are:

- a) establishing an integrated and adequate network of waste disposal installations, taking account of the best available technology, not involving excessive costs; and
- b) ensuring that the network referred to at subparagraph (a) above enables:
  - i) the European Community as a whole to become self-sufficient in waste disposal, and the Member States individually to move towards that aim, taking into account geographical circumstances or the need for specialised installations for certain types of waste; and
  - ii) waste to be disposed of in one of the nearest appropriate installations, by means of the most appropriate methods and technologies in order to ensure a high level of protection for the environment and public health.

#### 1.4 Article 3

Article 3 of the Directive is transposed into the Regulations as the relevant objectives in paragraph 4(3) of Part 1 Schedule 4, which are required to be

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implemented only through the plan making provisions. The relevant objectives are:

(a) encouraging the prevention or reduction of waste production and its harmfulness, in particular by:-

- (i) the development of clean technologies more sparing in their use of natural resources;
- (ii) the technical development and marketing of products designed so as to make no contribution or to make the smallest possible contribution, by the nature of their manufacture, use or final disposal, to increasing the amount of harmfulness of waste and pollution hazards; and
- (iii) the development of appropriate techniques for the final disposal of dangerous substances contained in waste destined for recovery; and

(b) encouraging:-

- (i) the recovery of waste by means of recycling, reuse or reclamation or any other process with a view to extracting secondary raw materials; and
- (ii) the use of waste as a secondary source of energy.

## APPENDIX 2

### NORTH YORKSHIRE MINERALS LOCAL PLAN

For the purposes of clarity, policies relating to mineral waste and the restoration of mineral voids through landfilling contained within the Minerals Local Plan have been detailed below. The paragraph and policy numbers relate to the numbering in the Minerals Local Plan.

#### RESTORATION AND AFTERCARE

- 4.3.1 Although many quarries may have a long life, mineral extraction can be viewed as a temporary activity. It is very important, therefore, that land worked for minerals is reclaimed as soon as possible thereafter to a standard suitable for the intended afteruse. Indeed, this is one of the main aims of minerals planning control as referred to in MPG7 (para 1). Government guidance also states that *“where there is serious doubt whether satisfactory reclamation can be achieved at a particular site, then there must also be doubt whether permission for mineral working should be given.”* MPG7 (para3) Working schemes should facilitate the maximum degree of progressive restoration.
- 4.3.2 The restoration of mineral workings includes both the immediate restoration of the land and any period of aftercare that may be necessary to bring the land back into beneficial afteruse. The process of restoring sites may in itself have significant impacts, for example, through the replacement of overburden or the importation of fill material. Any such impacts will be taken into account in the overall assessment of the effects of any proposals. Importation of waste materials can, in some cases, allow restoration of mineral workings to a more appropriate final landform than could be achieved through restoration at a lower level, as well as providing potentially valuable void space for the disposal of locally generated waste. The choice of restoration of mineral workings by infilling with imported material should be determined by a demonstrable need to import waste to achieve a satisfactory restoration of the mineral extraction void, and should also form part of an integrated scheme of extraction. Any proposals for tipping of waste will also need to satisfy the relevant policies in the Structure Plan.

#### ***Policy 4/17 Importation of Waste***

Proposals for mining operations involving restoration through infilling with imported wastes will only be permitted where

- (a) waste disposal can assist in achieving the most appropriate restored landform; and
- (b) the transport and disposal of the waste would not have an unacceptable impact on the environment or local amenity

## DISPOSAL OF COLLIERY WASTE

- 6.5.1 Waste products from coal mining comprise coarse discard (minestone) and fines produced by the washing process. The former comes to the surface, mostly with 'run of mine' coal as a result of the cutting of roadways, drivages, other underground development work and the high degree of automation applied to variable geology. While the coalfield operator does not seek to produce waste unnecessarily, geology and mining methods combine to add to the quantities involved. Theoretically mining methods could be made more sustainable by minimising the production of waste.
- 6.5.2 Some colliery waste has been used as a secondary aggregate in local construction schemes (see Chapter 5). The ability to dispose of coarse discard from Kellingley Colliery at the Gale Common ash disposal site, where it is used in bank building, also continues to provide a positive outlet thus saving on tipping space and satisfying a need.
- 6.5.3 About 2½ million tonnes of waste is produced each year by Selby Coalfield and over 1 million tonnes by Kellingley Colliery. Fines in the form of multi-roll filter (MRF) cake at Gascoigne Wood and pressed cake at Kellingley contain a high moisture content and constitute a difficult to handle material which needs to dry out. At Kellingley there are on-site lagoons for this purpose which, after a period, are excavated and the material taken to a nearby site where it is used in association with minestone to restore former quarry workings. At Gascoigne Wood a waste disposal site subject to a modern planning permission provides a major facility to dispose of the material in cells formed from coarse discard, with an element of progressive restoration to agriculture, forestry and public access. In the longer term it is expected that this site will form a significant landscape feature in its own right but during its operational life it will have an intrusive environmental effect which can only be mitigated to a limited extent.
- 6.5.4 It is the need to accommodate both dry minestone and 'wet' fines which imposes the main engineering constraints on tip design and controls the pace of progressive restoration.
- 6.5.5 The 'wet' fines require a large working area and the construction of a succession of vertically overlapping 'cells' over an extensive area in order to meet engineering requirements. On the Gascoigne Wood site each cell is capped with minestone when full. While this technique is superior to the construction of settling lagoons for dealing with this waste, in terms of reclamation it still retards the scope for speedy progressive restoration of the site to final landform and appearance. The County Council will wish to monitor the wet:dry ratio at this site so as to ensure compliance with the terms of the planning permission, maintain

the commitment by RJB Mining to the Welbeck Agreement<sup>1</sup>, whereby an average of about 1 million tonnes/annum of Selby spoil is used positively for land reclamation at a regionally significant site in Wakefield District, and obtain assurance that forecasts of waste volumes prove to be reasonably accurate. It will also require the use of the Evaluative Framework technique recommended by the Department of the Environment to provide comparative data on alternatives before any major planning application is determined.

### **Policy 6/3 Evaluative Framework Technique**

Before determining any major application for colliery spoil disposal the Mineral Planning Authority will require applicants to have undertaken a comparative study of alternatives using the "Procedural Manual Evaluative Framework: Assessment of Alternative Colliery Spoil Disposal Options" published by the DoE in 1990 or its successor document.

### **Policy 6/4 Colliery Spoil Disposal**

The Mineral Planning Authority will require proposals for the disposal of colliery spoil to:-

- i) utilise voids or, if not available, derelict or degraded land, wherever possible;
- ii) provide a detailed justification for proposals which, in exceptional circumstances, seek to utilise agricultural land;
- iii) demonstrate that waste arising from the development and requiring surface disposal is kept to a minimum;
- iv) be designed to comprise a compatible landscape feature, or features, upon restoration; and
- v) incorporate detailed measures to mitigate the impact of operations on local amenity and the environment.

### **Policy 6/5 Colliery Waste Tips**

Proposals for re-working colliery waste tips will be permitted provided that they are not likely to cause unacceptable impact on local amenity and the environment or to disturb a restored and established landscape feature.

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<sup>1</sup>The Welbeck Agreement has been dissolved and it is unlikely that spoil will be received during the Plan period. Selby spoil is disposed of at the Gascoigne Wood Spoil tip which has an estimated life span of 16 years at currently estimated spoil arisings of 1.32 million tonnes per year

**LIST OF POLICIES**

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5/9	37	Green Waste Composting
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7/3	48	Re-Working of Deposited Waste
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**GLOSSARY**

**AFTERUSE** Use of former waste site following restoration

**ANAEROBIC DIGESTION** the breakdown of organic wastes in a warm, oxygen free environment.

**AREA OF OUTSTANDING NATURAL BEAUTY (AONB) Designated** under the National Parks and Access to the Countryside Act 1949 for the purpose of preserving and enhancing their natural beauty.

**BEST AND MOST VERSATILE LAND** Agricultural Land Grades 1, 2 and 3a as defined by the Department of Environment, Food and Rural Affairs

**BEST PRACTICABLE ENVIRONMENTAL OPTION (BPEO)** Outcome of a decision making procedure which emphasises the protection and conservation of the environment. It is the option which provides the most benefit or least damage to the environment, at acceptable cost, in the long term as well as the short term.

**BIODIVERSITY** The range of plant and animal species in an area.

**BIOGAS** Gas produced by the breakdown of organic matter in the absence of oxygen which can be used as a fuel.

**BRING SYSTEM** Recycling facilities where the public can take materials for recycling, typically glass, paper and textiles.

**CENOSPHERES** The lightest component of PFA, having a particular commercial value (otherwise known as Floaters).

**CLINICAL WASTE** It includes wastes from hospitals, doctor's and dentist's surgeries, health centres, nursing homes and veterinary surgeries. It typically includes human/animal tissue, syringes, drugs, dressings and other surgical equipment.

**COASTAL ZONE** Area which extends seaward and landward of the coastline. Its limits are determined by the geographical extent of coastal natural processes and human activities related to the coast.

**COMMERCIAL WASTE** Defined by the Environmental Protection Act 1990 as that from premises used wholly or mainly for the purposes of a trade or business or the purposes of sport, recreation or entertainment excluding household waste, industrial waste, waste from any mine or quarry and wastes from premises used for agriculture.

**COMPOSTING** A process which stimulates the decay of organic materials.

**CONSERVATION AREA** Area of special architectural or historic interest worthy of preservation and enhancement.

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**CONSTRUCTION AND DEMOLITION WASTE** This arises from the construction, repair, maintenance and demolition of structures and buildings. It comprises brick, concrete, clay, subsoil and topsoil, and may also contain wood and metal.

**CONTROLLED WASTES** Controlled wastes are defined in the Environmental Protection Act 1990 as being household, industrial and commercial waste and requires a licence for treatment, transfer or disposal.

**DEVELOPMENT PLAN** Statutory plans prepared under Town and Country Planning legislation for a particular locality. In North Yorkshire the development plan comprises the County Structure Plan read together with (as appropriate), district local plans, old-style development plans, old-style subject plans, minerals local plans and waste local plans

**DIRECTIVE WASTE** Any substance or object in the categories set out in Part II of Schedule 4 to the Waste Management Licensing Regulations 1994 which the producer or the person in possession of it discards or intends or is required to discard but with the exception of anything excluded from the scope of the Directive by Article 2 of the Directive 75/442/EEC on Waste.

**ENVIRONMENTAL APPRAISAL** An explicit, systematic and iterative review of development plan policies and proposals to evaluate their individual and combined impacts on the environment. Based on a quantifiable baseline of environmental quality it is an integral part of the plan making and review process, which allows for the evaluation of alternatives.

**ENVIRONMENTAL CAPACITY** The ability of the receiving environment to accommodate a particular activity without suffering significant and irreversible damage.

**FBA Furnace Bottom Ash**

**FLOODPLAIN** All land adjacent to a watercourse over which water flows in times of flood or would flow but for the presence of flood defences where they exist.

**GASIFICATION** The thermal breakdown of organic materials through the partial combustion of organic materials in a reactor with oxygen.

**GREEN BELT** A designated area of land designed to prevent urban sprawl by keeping land permanently open.

**GROUNDWATER** water which occurs in the soil and rock below the land surface.

**HERITAGE COAST** The best remaining lengths of unspoilt coastline as defined by the Countryside Commission.

**HAZARDOUS WASTE** Waste that is covered by Directive 91/689/EEC.

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**HISTORIC BATTLEFIELDS REGISTER** Battlefields of national importance registered by English Heritage.

**HISTORIC PARKS AND GARDENS REGISTER** Parks and gardens of national importance registered by English Heritage

**HOUSEHOLD WASTE** Defined by the Environmental Protection Act 1990 as waste arising from a domestic property or residential home, or from premises forming part of an educational establishment, or part of a hospital or nursing home (excluding clinical waste).

**HOUSEHOLD WASTE AND RECYCLING CENTRES (HWRC)** A site where the public can dispose of their household waste free of charge. Typically this includes bulky household items and garden wastes.

**INDUSTRIAL WASTE** Defined in the Environmental Protection Act 1990 as wastes arising from any factory within the meaning of the Factories Act 1961, and any premises used in connection with the provision of services (gas, water, electricity, sewerage, telecommunications and transport)

**INERT WASTE** Wastes which do not undergo any significant physical, chemical or biological transformations

**KERBSIDE COLLECTION** Recycling facilities which involves householders separating recyclable materials into individual boxes which are then collected.

**LANDFILL** The deposit of waste into voids created by mineral workings and similar features.

**LANDFILL GAS** A by product from the digestion by anaerobic bacteria of putrescible matter present in waste deposited at landfill sites. The gas is predominantly methane together with carbon dioxide and trace concentrations of a range of vapours and gases.

**LANDRAISE** The deposit of waste onto land resulting in the raising of ground levels.

**LANDFILL TAX** A tax on the deposit of waste at licensed landfill sites to encourage a shift to more sustainable practices.

**LEACHATE** A liquid which results from rainwater passing through a landfill and by so doing extracts substances from the deposited waste.

**LIFE CYCLE ASSESSMENT** A tool which seeks to make an objective decisions on waste management options.

**LISTED BUILDING** Building, including its setting, which is recognised as having special architectural or historic interest.

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**LOCAL NATURE RESERVE** Statutory designation by local authorities to protect areas of high conservational or educational interest.

**MATERIALS RECYCLING FACILITY** A facility which allows the reclamation, sorting, storage and transfer of a number of waste materials at a single site.

**MUNICIPAL WASTE** Household waste and other wastes collected by the Waste Collection Authority

**MUNICIPAL SOLID WASTE ASH (MSW)** Residue from the incineration of municipal solid waste.

**NATIONAL NATURE RESERVE** Land owned or managed by English Nature for nature conservation purposes and designated as a SSSI.

**NATIONAL PARK** Area designated under the National Parks and Access to the Countryside Act 1949 for the purposes of preserving and enhancing natural beauty and promoting enjoyment by the public.

**OPEN GATE SITES** Sites for the management of waste which are open to a range of users.

**PFA** Pulverised Fuel Ash

**PLANNING OBLIGATION** Enforceable undertaking or agreement to control matters which are beyond the scope of planning conditions.

**POLLUTER PAYS PRINCIPLE** This requires that as far as possible environmental costs are borne by those responsible for the environmental damage and not by society at large.

**PRECAUTIONARY PRINCIPLE** Where there are significant and uncertain risks of damage to the environment, precautionary action should be taken even where scientific knowledge is not conclusive, if the balance of likely costs and benefits justifies it.

**PRIMARY AGGREGATES** Naturally occurring aggregate.

**PROGRESSIVE RESTORATION** A continuous programme of restoring land as early as possible following mineral extraction.

**PROXIMITY PRINCIPLE** Waste should be disposed of, or otherwise treated, close to the point at which it was generated.

**PUTRESCIBLE WASTE** Waste which decay readily to produce potentially polluting by-products that usually take the form of liquids or gases.

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**PYROLYSIS** The thermal breakdown of organic material within an inert oxygen free environment.

**RAMSAR SITE** Wetland site of international importance as waterfowl habitat designated under the Ramsar Convention.

**RECYCLING** The collection and separation of materials from waste to be processed to produce new products.

**RECYCLING CREDITS** Payments made to District Councils and third party recyclers which represent the savings in disposal costs which result from recycling household waste.

**REGIONAL SELF SUFFICIENCY** A region having sufficient facilities to deal with the waste that it generates within its boundaries without the need to export waste to other regions.

**RESTORATION** Process of returning a site to its former or a new use following waste disposal.

**RESTRICTED USER SITES** Waste management facilities which are limited to a specific number of users.

**SCHEDULED ANCIENT MONUMENT** A monument included in the Schedule compiled by the Secretary of State for Culture, Media and Sport. The Schedule is a selective sample of nationally important archaeological remains known to survive which are protected by statute. Scheduled monuments are mostly earthworks, but the Schedule includes ruined abbeys, monasteries, castles and early bridges.

**SECONDARY AGGREGATES** Byproduct wastes, synthetic materials and soft rock which may be used for aggregate purposes with or without processing.

**SITE RETURNS** Information supplied by operators to the Environment Agency detailing the quantities of waste received at a particular site.

**SITE OF SPECIAL SCIENTIFIC INTEREST (SSSI)** A statutory designation by English Nature by reasons of its flora, fauna, geological or physiographical features.

**SITES OF IMPORTANCE FOR NATURE CONSERVATION (SINC)** Non statutory sites designated in local plans as areas of local nature conservation interest.

**SPECIAL AREA OF CONSERVATION (SAC)** Site, formally designated as an SSSI, given protection under the EC Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna (Habitats Directive).

**SPECIAL LANDSCAPE AREAS** Areas of high landscape quality in a regional and county context, identified in the County Council's Conservation Strategy and/or district

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local plans.

**SPECIAL PROTECTION AREA (SPA)** Site, formally designated as an SSSI, given protection under EC Directive 1979 for conservation of wild birds.

**SPECIAL WASTE** Waste that appears on the Hazardous Waste list in the EC Directive on Hazardous Waste (91/689) and possesses 1 of the 14 listed hazardous properties, or it does not appear on the Hazardous Waste list but demonstrates one of the following hazards: flammable, irritant, harmful, toxic, corrosive, carcinogenic, or it is a prescription only medicine.

**STRUCTURE PLAN** Plan produced by the County Council which provides the strategic policy framework for planning over the whole of the county. Part of the development plan.

**SUSTAINABLE DEVELOPMENT** Development that meets the needs of today without denying future generations the best of today's environment.

**TRANSFER STATION** A site where waste is bulked up for onward transport for disposal or recycling.

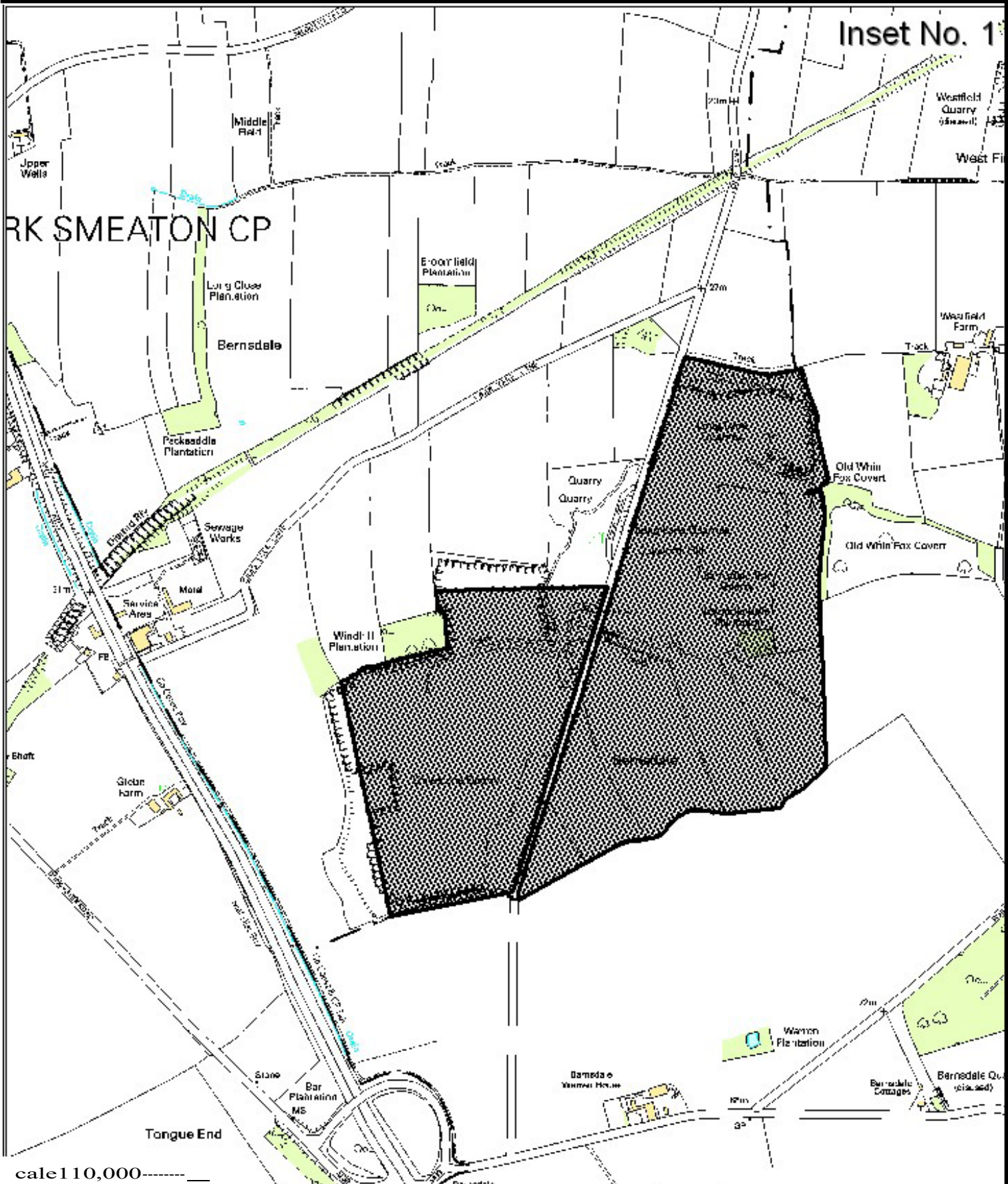
**WASTE** Defined in the Environmental Protection Act 1990 as any substance which constitutes a scrap material or an effluent or other unwanted surplus substance arising from the application of any process and any substance or article which requires to be disposed of as being broken, worn out, contaminated or otherwise spoiled but does not include a substance which is an explosive within the meaning of the Explosives Act 1875. The Waste Management Licensing Regulations 1994 modify this definition to include "Directive Waste".

**WASTE HIERARCHY** The rank order of waste management options which give a broad indication of their relative environmental benefits.

**WASTE MANAGEMENT FACILITIES** Facilities associated with the processing and disposal of waste materials.

**YORKSHIRE AND THE HUMBER REGION** This comprises of North Yorkshire, the metropolitan authorities within West and South Yorkshire, City of York, East Riding of Yorkshire, North Lincolnshire, North East Lincolnshire and Kingston upon Hull.

Inset No. 1



Scale 1:10,000

### Barnsdale Bar Quarry and Landfill



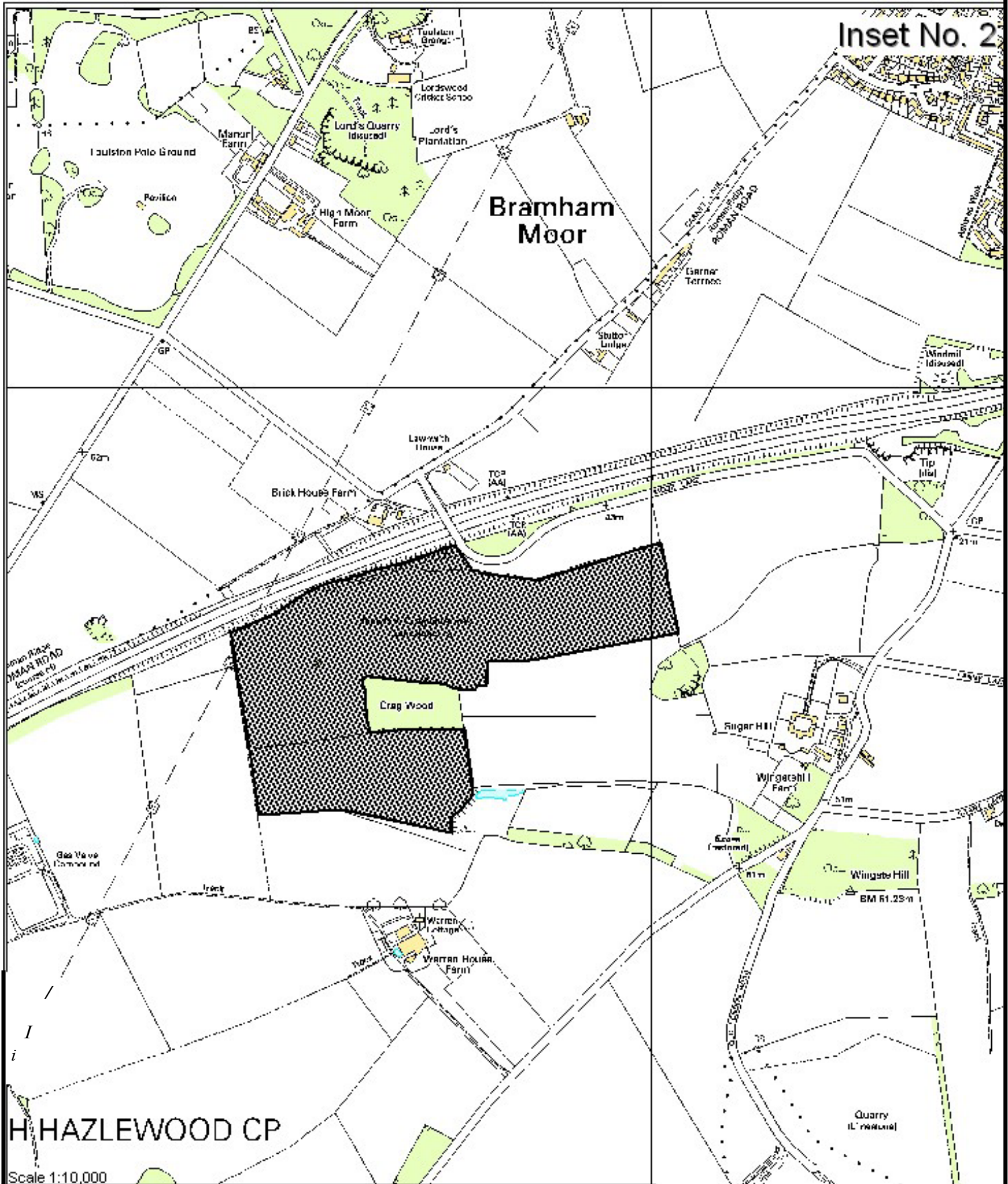
The area shown represents an overall envelope within which the site may be developed



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DATE:	8 June 2004
FILE NAME:	adopted inset maps\inset 1

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 North Yorkshire County Council. 100017946 2004



### Jackdaw Crag Quarry

**Jtlitl** Waste Recovery

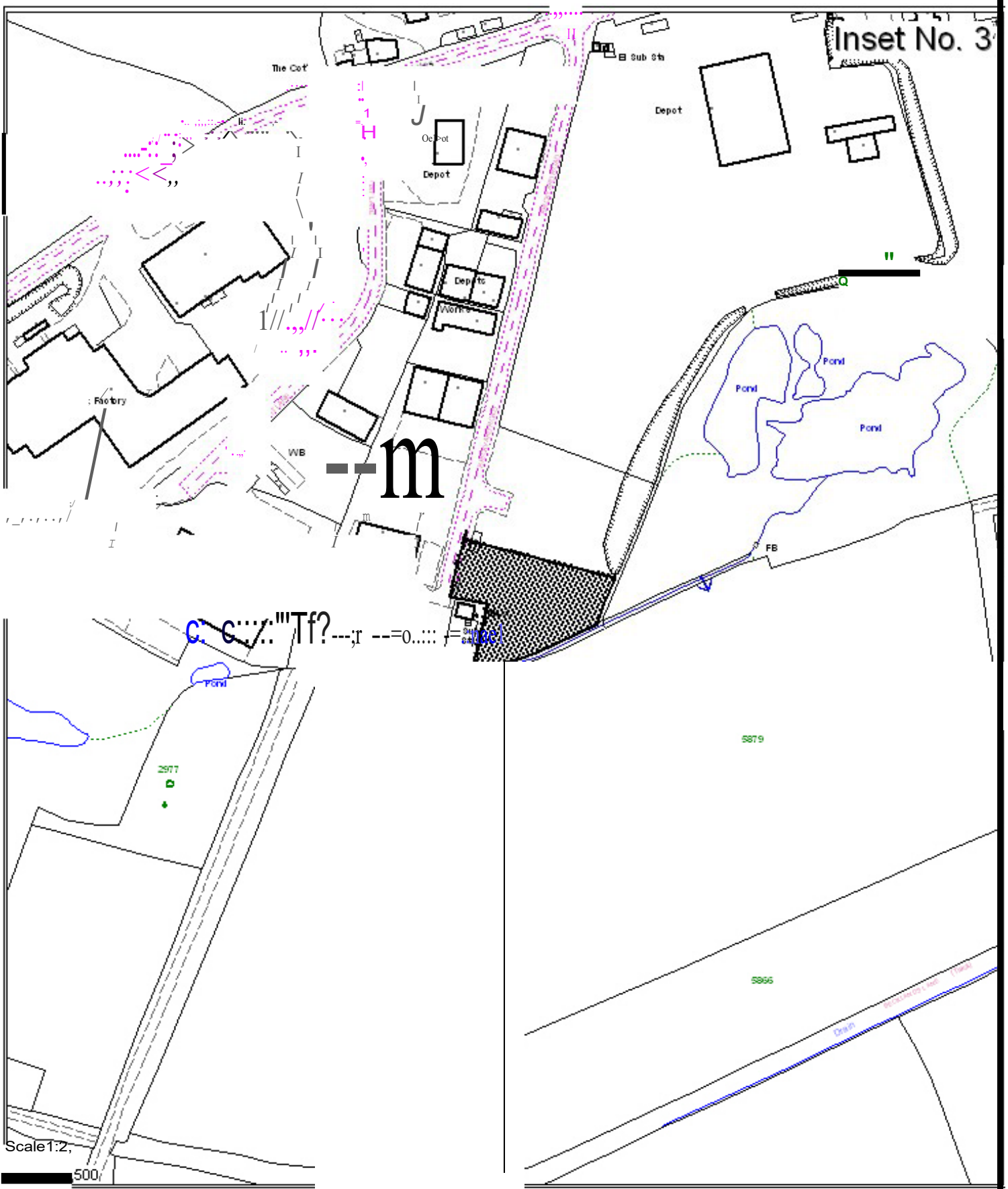
The area shown represents an overall envelope within which the site may be developed



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DATE:	.A.Just 2004
FILE NAME:	adopted inset maps...nset 2





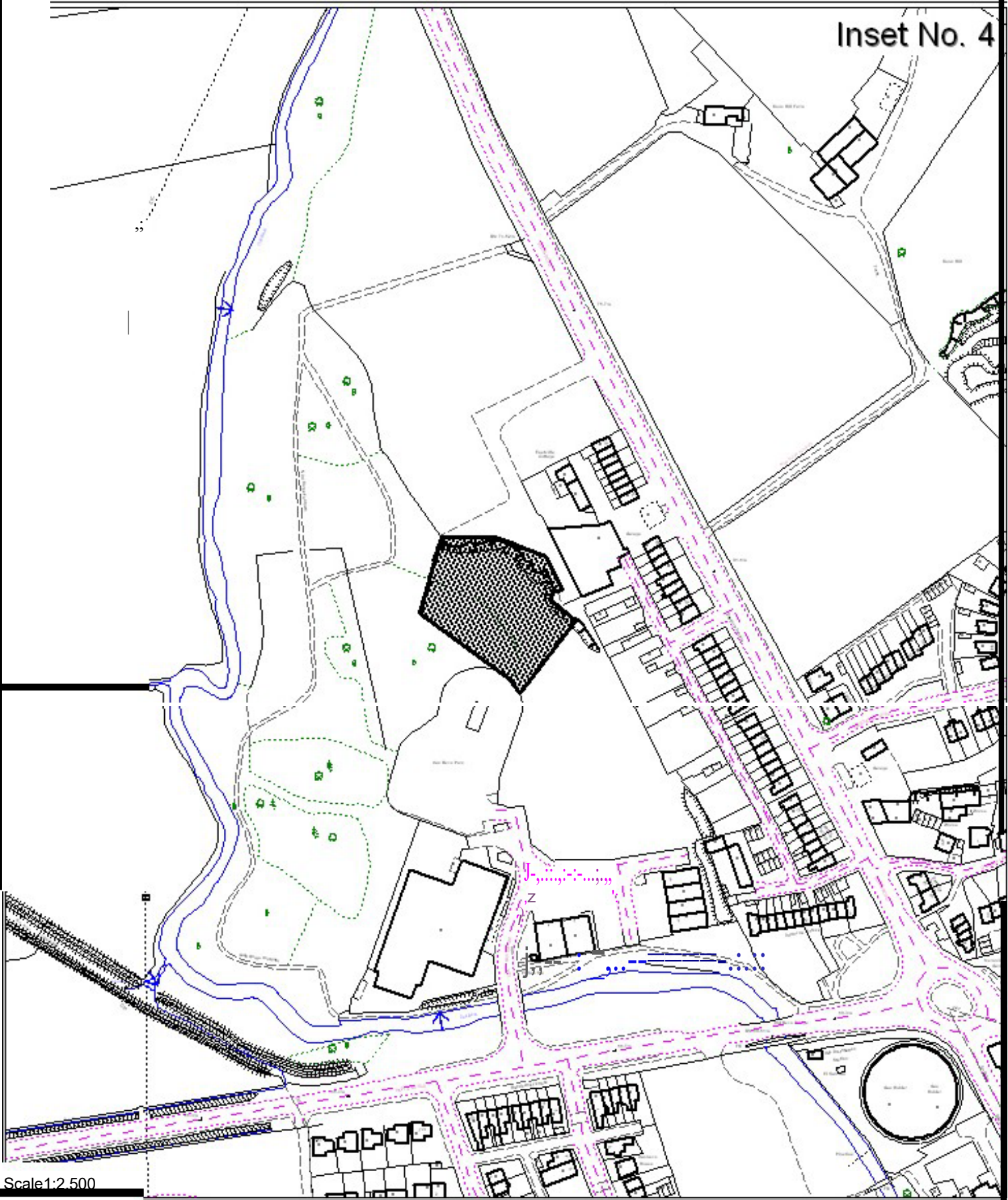
**Brickyard Road, Bar Lane, Boroughbridge**

**(iL&J)** Household Waste and Recycling Centre



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Scale 1:2,500

### Oak Beck Park, Sipton Road, Harrogate

**fij** Household Waste and Recycling Centre



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FILE NAME:	adopted inset maps-.nset 4