

EAST HERTS COUNCIL

ENVIRONMENT SCRUTINY COMMITTEE – 26 FEBRUARY 2008

REPORT BY EXECUTIVE MEMBER  
FOR PLANNING POLICY AND TRANSPORT

9. HERTFORDSHIRE WASTE DEVELOPMENT PLAN: WASTE CORE  
STRATEGY SUBMISSION STAGE CONSULTATION DOCUMENT  
JANUARY 2008

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WARD(S) AFFECTED: ALL

'D' RECOMMENDATION that, in respect of the Hertfordshire Waste Development Plan: Waste Core Strategy Submission Stage Consultation Document: January 2008, Hertfordshire County Council be advised that East Herts Council:

- supports the policies and related reasoned justification, and considers the document to be 'sound' in respect of all nine of the Government's Development Plan Document Tests of Soundness;
- considers that the Waste Core Strategy Vision could be improved by adding the following words, at the end of the last sentence of the first paragraph: 'harnessing waste where appropriate for energy production and minimising the carbon footprint of waste activities; and
- endorses the accompanying Sustainability Appraisal and Appropriate Assessment Reports.

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1.0 Purpose/Summary of Report

1.1 This report sets out a proposed East Herts Council response to Hertfordshire County Council's Consultation document relating to the Waste Development Plan: Waste Core Strategy Submission Document: January 2008. The Council's response will then be submitted to the County Council, prior to the end of the consultation period on 10 March 2008.

2.0 Contribution to the Council's Corporate Objectives

2.1 **What we build, where we build**

Priority: Care for and improve our natural and built environment.

## 2.2 **Shaping now, shaping the future**

Priority: Safeguard and enhance our unique mix of rural and urban communities, ensuring sustainable, economic and social opportunities including the continuation of effective development control and other measures.

## 3.0 Background

3.1 This East Herts Council Non-Key report is one of three which respond to three separate but concurrent Hertfordshire County Council Waste Development Plan Consultation Documents. The three Waste Development Plan Documents (DPD's) are at different stages of preparation:

- Core Strategy DPD – Submission Version
- Development Policies DPD – Preferred Options
- Site Specific Allocations DPD – Preferred Options

3.2 Hertfordshire County Council is in the process of preparing the Hertfordshire Waste Development Plan. This new Plan will replace the current Hertfordshire Waste Local Plan, adopted by the County Council in 1999.

3.3 HCC is the Minerals and Waste Planning Authority. The County Council will prepare a Minerals and Waste Development Framework for Hertfordshire, under the same process as East Herts Council will prepare a District-wide Local Development Framework (LDF). The Planning and Compulsory Purchase Act 2004 requires the County Council to prepare such documents, in order to deliver the spatial planning strategy for the future of minerals and waste planning in the County.

3.4 The new Waste Development Plan will comprise a portfolio of Development Plan Documents (DPD's):

- **Core Strategy DPD:** which sets out the spatial vision and strategic objectives for waste planning in the county. This document will contain the core policies needed to implement the overall objectives. The other waste development plan documents must be in conformity with it.

- **Development Policies DPD:** which will contain detailed generic development policies that will be used in the decision making for waste planning applications.
- **Site Specific Allocations DPD:** which will identify sites for waste management facilities based on an assessment of criteria. This document will include maps and planning briefs for the development of specific sites.

3.5 This Non-Key report deals with the first of the above documents – the Core Strategy DPD.

3.6 In a response to an earlier Waste Development Plan consultation in 2004, East Herts Council advised Hertfordshire County Council that it:

- ‘(i) acknowledges the need to deal with a greater proportion of the waste generated by the County within the County;
- (ii) generally supports the location of appropriate waste management facilities within the District but that such facilities must be appropriately and sensitively located.’

#### 4.0 Report

##### **Waste Core Strategy**

4.1 The Waste Core Strategy is required to set out the vision for waste planning in Hertfordshire up to 2020, with a view to providing the basis for a longer term spatial strategy that complements the County’s Waste Management Strategy to 2024. To deliver this vision, the document provides strategic objectives for the county; a spatial strategy; core policies; and a monitoring and implementation framework. The structure of the Core Strategy is outlined in **Appendix A** to this report on page 48. The spatial vision and the ten core policies can be found in **Appendices B and C** to this report respectively on pages 50 – 54.

4.2 The Core Strategy must meet the requirements of the East of England Plan and should reflect the guidance contained within Planning Policy Statement 10 (PPS10) Planning for Sustainable Waste Management.

4.3 A key principle of waste management is that waste should be dealt with as close as possible to where it is produced in order to minimise the environmental effects of transporting it long distances. Currently,

residual waste from East Herts is hauled to Ongar in Essex which is an expensive and environmentally detrimental exercise.

- 4.4 Indeed, there is currently an inadequate provision of facilities, easily accessible from East Herts, that can provide:
- disposal, processing or treatment of residual waste
  - reclamation of materials to sort co-mingled material or part sorted streams
  - processing of separated biodegradable waste.
- 4.5 The purpose of the Submission stage consultation is to assist in determining whether the document is sound, the presumption being that it is sound unless shown otherwise by the evidence considered at the subsequent examination, currently timetabled for summer 2008. The nine criteria against which a Development Plan is tested are listed in **Appendix D** to this report on page 55.
- 4.6 The policies and related reasoned justification contained within the Waste Core Strategy are considered worthy of support. The document is, therefore, considered to be 'sound' in respect of all nine of the Government's Development Plan Document Tests of Soundness.
- 4.7 It is considered that the Waste Core Strategy Vision could be improved by adding the following words, at the end of the last sentence of the first paragraph: 'harnessing waste where appropriate for energy production and minimising the carbon footprint of waste activities' (see Appendix B to this report for suggested additional wording shown by tracked changes).

### **Sustainability Appraisal and Appropriate Assessment**

- 4.8 All policies and proposals in Development Plan Documents must be subject to sustainability appraisal (SA), including strategic environmental assessment (SEA). This has been carried out at each production stage of the Core Strategy DPD and the conclusions have informed the current Submission Version spatial strategy and policies.
- 4.9 The SA was undertaken independently by Land Use Consultants (LUC), a consultancy engaged by the County Council. A summary of the conclusions of the SA report is contained in **Appendix E** to this report on page 56.
- 4.10 The overall conclusions of the SA/SEA are that:

- i) there is much to commend in the Core Strategy DPD (Submission Version);
  - ii) in general, the Core Strategy Objectives and Policies are likely to help the County meet the challenges in the predicted growth of waste arisings, in ways which will improve the quality of life for residents of the county, relative to a future without the DPD.
- 4.11 In addition to SA/SEA, where a land use plan either alone or in combination with other plans or projects is likely to have a significant effect on European nature conservation sites (Special Areas of Conservation and Special Protection Areas) an 'appropriate assessment' must be made of the implications of the plan for the site in relation to the conservation objectives for the site, in accordance with requirements of the European Habitats Directive.
- 4.12 There are a number of Special Protection Areas (SPA) and Special Areas of Conservation (SAC) in Hertfordshire, and so an appropriate assessment screening was carried out in order to establish whether a full appropriate assessment was needed. There are three European site designations in East Hertfordshire: Wormley-Hoddesdonpark Woods SAC, Lea Valley SPA and the Lea Valley Ramsar Site.
- 4.13 The Appropriate Assessment Screening report stated that in order to reduce the possibility of significant adverse impacts on sites of European Habitat Importance, the Core Strategy DPD should ensure that all of the objectives are fully met by the implementation of relevant policies.
- 4.14 Following the completion of the initial Appropriate Assessment Screening, an Appropriate Assessment Screening Report Addendum has been undertaken, to test whether the Core Strategy Preferred Options were likely to have a significant effect on any European nature conservation site. The Report identifies a number of potential impacts and the Core Strategy takes account of the findings and addresses recommendations within specific policy proposals.
- 4.15 The more specific recommendations set out within the Appropriate Assessment Screening are being addressed within the Development Policies and Site Specific Documents.
- 4.16 It is considered that East Herts Council accept the conclusions of the Sustainability Appraisal and Appropriate Assessment and generally endorse both reports.

4.17 The County Council has made copies of the documents available for public inspection at County Hall, Hertford, District and Borough Offices, and all libraries within Hertfordshire. The documents can also be viewed on the County Council's website at [www.hertsdirect.org/wasteplanningconsultation](http://www.hertsdirect.org/wasteplanningconsultation)

4.18 A set of documents has been placed in the East Herts Council Members lounge at Wallfields, Hertford.

## 5.0 Consultation

5.1 Given the cross-cutting nature of this document, internal consultation has taken place with the relevant Executive Members, and the Council's Planning Policy, Development Control, Environmental Health, Environmental Services and Property Teams.

## 6.0 Legal Implications

6.1 The Waste Core Strategy Development Plan Document, when finally adopted by the County Council will form part of the Minerals and Waste Development Framework for Hertfordshire, which forms part of the statutory Development Plan, along with the Regional Plan and the East Herts Local Development Framework. The Core Strategy Document will, therefore, be used for future waste and spatial planning, and in the determination of planning applications.

## 7.0 Financial Implications

7.1 Waste collection is one of this Council's statutory functions. The provision of waste management facilities has an effect on the financial arrangements for this service. The provision of further waste facilities within the County and within the District could assist in minimising waste collection costs and enable greater input to recycling schemes.

## 8.0 Human Resource Implications

8.1 There are no known human resource implications.

## 9.0 Risk Management Implications

- 9.1 There is a need for the County Council to provide a timely and robust Waste Development Plan, which provides a framework of waste planning policies and suitable waste sites.
- 9.2 Without such a Plan there is a risk that East Herts Council will either not be able to comply with the recently agreed Hertfordshire Waste Partnership Strategy to 2024, and meet Government targets, or will only be able to do so at a high financial cost to East Herts residents. This would have an impact on scheme implementation at a District level, with a consequential impact on District performance targets and costs, and potential serious impact on implementation of the Waste Partnership Strategy.

### Background Papers

Hertfordshire Waste Local Plan 1995-2005  
Hertfordshire County Council Waste Development Plan Documents –  
January 2008:

- Waste Core Strategy: Submission Version Document;
- Waste Development Policies: Preferred Options Document;
- Waste Site Allocations: Preferred Options Document;
- Relate Technical Appendices, Strategic Environmental Assessment (SEA)/Sustainability (SA) and Appropriate Assessment (AA) screening reports.

### Appendices

Appendix A – Waste Core Strategy – Structure (Pages 48 – 49)

Appendix B – Waste Core Strategy Vision (Page 50)

Appendix C – Waste Core Strategy – Policies (Pages 51 – 54)

Appendix D – Development Plan Document Tests of Soundness (Page 55)

Appendix E – Sustainability Appraisal Report – Summary of Conclusions (Page 56)

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## Structure of Waste Core Strategy

### **Chapter 1: Introduction**

- Minerals and Waste Development Framework
- Purpose of the Core Strategy
- Sustainability Appraisal and Appropriate Assessment
- Consultation/Community Engagement

### **Chapter 2: Background to Waste**

- Current situation
- Roles and Responsibilities

### **Chapter 3: Geographic Context**

- Settlement pattern
- Socio-economic context
- Transport and related pressures
- Environmental features and development pressures

### **Chapter 4: Core Strategy – Policy Drivers**

- European legislation
- National planning issues
- Regional policy
- Joint Municipal Waste Strategy
- Community Strategies
- Local Transport Plan

### **Chapter 5: Vision and Objectives**

- Vision
- Objectives

### **Chapter 6: Spatial Strategy and Strategic Policies**

- Introduction
- Provision of facilities
- Pressure for growth
- Predicted growth in waste
- Location of waste facilities
- Criteria for assessing locations
- Criteria for allocating sites
- Green Belt
- Safeguarding sites
- Sustainability and efficient use of resources
- Transport
- Energy Recovery
- Landfill
- Landraise



## Monitoring and Implementation

**Appendix A** Key Diagram

**Appendix B** Monitoring and Implementation

**Appendix C** Existing Waste Management Situation

**Appendix D** Glossary

**Appendix B**  
**Agenda Item 8**  
**Waste Core Strategy Vision**

By 2021 the Hertfordshire community will be waste conscious and aware, and the County Council and its partners will lead the country in its adoption, promotion and implementation of the waste hierarchy. Members of the general community, industry, local councils and the County Council alike place significant emphasis on waste reduction, reuse and recycling, with waste disposal to landfill minimised. A mix of established and newer emerging technologies are being embraced to ensure that Hertfordshire effectively manages its own waste within its own borders, harnessing waste where appropriate for energy production and minimising the carbon footprint of waste activities.

Waste management facilities will be sized and located sensibly, so that they reduce the impact of road transport and meet the needs of communities, business and the environment. As the Key Centres for Development and Change are the focus for future growth in Hertfordshire, sufficient waste management facilities will be located as close as practicable to these centres to ensure new communities deal with their own waste.

### **WCS Policy 1: Overall Provision**

The Waste Planning Authority will seek to secure a network of waste management facilities that make adequate provision for waste requiring management in Hertfordshire, including the requirements of the sub regional waste management apportionments.

### **WCS Policy 2: General criteria based policy for assessing planning applications for waste management facilities**

All proposals for waste management facilities will be permitted provided that:

- the siting and scale of the development is appropriate to the location of the proposal, and
- the proposed method and scheme of working would minimise the environmental and health impacts of the proposal, and
- there would not be an unacceptable adverse environmental impact, and
- there would not be an unacceptable adverse cumulative impact on the local area, and
- the landscaping and screening has been designed to effectively mitigate the impact of the proposal, and
- where appropriate, adequate provision is made for the restoration, aftercare and management of the site to an agreed after-use, and
- proposed transport links are adequate to serve the development, and

Subject to proposals meeting the above criteria, priority will be given to:

- proposals for the expansion of existing waste management facilities and proposals on previously developed land and;
- proposals which include measures for involving the local community, including site specific liaison meetings.

When proposing facilities lower down in the waste hierarchy, applicants will be expected to demonstrate how their proposals integrate a sustainable approach to waste management in Hertfordshire, taking account of opportunities for treatment further up the hierarchy.

### **WCS Policy 3 Allocation of Areas of Search and specific sites**

Areas of Search and specific sites will be allocated in accordance with the following site selection principles:

- An approach that considers sites sequentially in terms of the following locations:
  - a) industrial/employment sites, particularly those in urban areas, and to any other suitable urban sites; followed by
  - b) sites close to Hertfordshire's urban areas and/or easily accessible by the strategic road network.
- Within this sequential approach the following principles will be applied:
  - i) priority will be given to previously developed, contaminated, derelict or disturbed and; redundant agricultural buildings and their curtilages; mineral workings and land in waste management use;
  - ii) land outside the Green Belt will be considered before sites within the Green Belt;
  - iii) Areas of Outstanding Natural Beauty and sites with international and national nature conservation designations will be avoided;
  - iv) The protection and enhancement of Hertfordshire's local and environmental assets.
- For larger scale development and/or development that results in significant traffic generation, priority will be given to locations well served by the strategic road network or accessible means of transport.

#### **WCS Policy 4 Green Belt**

Applications for waste management facilities within the Green Belt will not be permitted unless there are special circumstances which may make a location in the Green Belt appropriate. In considering proposals within the Green Belt the following criteria will be taken into account:

- i) The lack of alternative suitable non-Green Belt sites;
- ii) The need to find locations as close as practicable to the source of waste;
- iii) The availability of sustainable transport connections;
- iv) The site characteristics;
- v) Any specific locational advantages of the proposed site;
- vi) The wider economic and environmental benefits of sustainable waste management, including the need for a range of sites.

#### **WCS Policy 5 Safeguarding existing sites**

The Waste Planning Authority will seek to safeguard existing land used for the re-use, recovery, recycling, transfer or disposal of waste and will

normally oppose development proposals which would prevent or prejudice the use of this land for those purposes unless suitable alternative provision is made.

Specific sites to be safeguarded will be identified in the Waste Site Allocations Development Plan Document together with any site where permanent planning permission is subsequently granted. Incompatible development within 250 metres of existing landfill sites or within 50 metres of the waste operations will not be supported.

### **WCS Policy 6 Sustainable Design, Construction and Demolition**

New development, including waste management facilities, should facilitate the efficient use of resources by addressing the principles of sustainable design, construction and demolition outlined in the regional policy.

Proposals for new development should incorporate the following:

- construction and demolition methods that minimise waste generation and re-use/recycle materials, as far as practicable on site;
- design principles and construction methods that minimise the use of primary aggregates and encourage the use of high quality building materials made from recycled and secondary sources;
- design and layout principles that reduce the amount of waste produced and allow for the effective sorting, recycling and composting of waste where appropriate.

### **WCS Policy 7 Transport**

Proposals which include the transport of waste to or from a waste management facility by non-road transport such as water or rail will be supported.

Where road transport is required, waste should be transported via primary or distributor roads (as defined in the County Council's Local Transport Plan).

Proposals should have regard to the existing highway capacity and potential transport infrastructure to support the sustainable movement of waste.

### **WCS Policy 8 Energy Recovery**

Preference will be given to technologies for treatment of residual waste which have an energy dimension. In considering such proposals the Waste Planning Authority will give particular regard to balancing the need for the development with the protection of the environment and health.

### **WCS Policy 9 Sustainable residual waste disposal**

The County Council will seek to secure the management of waste further up the waste hierarchy. Landfill will only be permitted as a last resort, where it can be demonstrated that there are no other suitable means of disposal and/or it can be demonstrated that disposal of waste is necessary to achieve restoration proposals for mineral voids, subject to satisfactory environmental, health and amenity protection. Proposals for Landfill Gas Utilisation will be encouraged.

### **WCS Policy 10 Landraise**

In the absence of a suitable alternative, disposal of waste by raising the level of land will only be permitted where it can be demonstrated that it will not give rise to unacceptable environmental and landscape effects, as set out in the Development Policies Development Plan Document.

Where it would assist in the preparation of land for other approved development proposals or where land is derelict or degraded landraise may be acceptable, subject to relevant policies in the Development Plan.

The Core Strategy must comply with the following nine Tests of Soundness.

1. The Strategy has been prepared in accordance with the Local Development Scheme;
2. The Strategy has been prepared in compliance with the Statement of Community Involvement;
3. The DPD has been subjected to a Sustainability Appraisal;
4. The DPD is a spatial plan which is consistent with national planning policy and in general conformity with the Regional Spatial Strategy. It has properly had regard to any other relevant plans, policies and strategies relating to the area or to adjoining areas;
5. The DPD has had regard to the authority's community strategy;
6. The strategies/policies/allocations in the Strategy are coherent and consistent within and between Development Plan Documents prepared by the authority and by neighbouring authorities, where cross boundary issues are relevant;
7. The strategies/policies/allocations represent the most appropriate in all circumstances, having considered the relevant alternatives, and they are founded on a robust and credible evidence base;
8. There are clear mechanisms for implementation and monitoring;
9. The Strategy is reasonably flexible to enable it to deal with changing circumstances.

1. There is much to commend in the Core Strategy DPD (Submission version), which has clearly been prepared with sustainability principles in mind. The growth in waste arisings predicted during the plan period poses a range of significant challenges for Hertfordshire County, especially with regard to managing impacts on the natural environment and cultural heritage, sustainable use of resources, climate change and local health and amenity. In general, the Core Strategy Objectives and Policies are likely to help the county meet these challenges in ways which will improve the quality of life for residents of the county relative to a future without the DPD.
  
2. A number of negative effects were identified during the SA, which mainly relate to effects on the environment (both natural and cultural) and local amenity during both construction and operation of waste management facilities, and particularly in association with waste transport. The severity of these impacts will depend very much on the exact location of the proposed development and its proximity to sensitive receptors, as well as the waste management technology used. Specific sites will be allocated for waste development through the Site Allocations DPD. The SA team provided advice during the development of the site selection methodology for the preparation of that DPD, thus, it is considered that in selecting the allocated sites, the Council has sought to minimise the potential sustainability effects of waste development in Hertfordshire. The Waste Development Policies DPD also provides an opportunity for the County to define policies which pursue best practice in terms of waste management technologies and transport with an aim of avoiding adverse impacts and maximising benefits. Both of these additional DPDs are now at the Preferred Options stage, and separate SA Reports have been prepared for them.