

Report to Overview & Scrutiny Committee

Date of meeting: 21st July 2015

Portfolio: Planning Policy

Subject: Replacement Waste Local Plan – Revised Preferred Approach Consultation

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Committee Secretary: Adrian Hendry



Recommendations/Decisions Required:

- (1) The Overview and Scrutiny Committee is asked to consider the responses to the consultation set out in the Appendix to this report; and**
- (2) To express in the strongest possible terms this Council's deep dissatisfaction about the wholly inadequate time allowed for this consultation, particularly given the almost total lack of communication leading up to the consultation period;**
- (3) To object to the allocation of the Hastingwood site (W19) for open-air inert waste recycling on the grounds of (a) being contrary to one of the purposes of the Green Belt – preventing countryside encroachment, and (b) concerns about traffic capacity on and around Junction 7 of the M11; and**
- (4) To object to the identification of the Langston Road/Oakland (sic) Industrial Estate as an Area of Search, because this Council is promoting and supporting the development of a high-class retail park on part of the site, and waste management facilities are considered to be a wholly inappropriate neighbour for this development;**

Report:

Background

1. Essex County Council (ECC) and Southend Borough Council are Waste Planning Authorities (WPAs) and are required to prepare a Replacement Waste Local Plan (RWLP) under the Planning and Compulsory Purchase Act (2004) and the revised EU Waste Framework Directive (2010). The RWLP (programmed for adoption in December 2016) will replace the Essex Waste Plan 2001, and will cover the period up to 31 March 2032.
2. Sustainable waste management is a key challenge facing the WPAs. The "Waste Hierarchy" (the key principle of the Waste Framework Directive) prioritises waste prevention, re-use and recycling (including composting), before other types of recovery and then the last resort of disposal (ie landfill).
3. The WPAs originally prepared a Waste Development Document (WDD) which went on "Preferred Approach" consultation between November 2011 and January 2012. The consultation responses were considered at the meeting of the Safer, Cleaner and Greener Scrutiny Panel on 10th January 2012. Following this consultation, further preparation of the WDD was put on hold to focus on the preparation of the Minerals Local Plan (adopted in 2014).

4. There have been significant changes, and other issues, since the time of the WDD Preferred Approach consultation, and these have been taken into account in preparing the RWLP for the current consultation. These include:

- changes in national policy and guidance, and the removal of regional policy;
- updates on Waste Capacity Gap information;
- the preparation of a 2015 report (Review of Employment Land for Waste Management Facilities) to inform “Areas of Search”;
- a revised site assessment methodology which was developed and supported by a further Call for Sites exercise in 2014 which widened the pool of potential site allocations; and
- issues raised during the WDD Preferred Approach consultation in 2011.

5. The current consultation includes 3 main documents – (i) the Revised Preferred Approach, (ii) Areas of Search Assessment and Methodology, and (iii) Sites Assessment and Methodology Report (much of this work was carried out by Land Use Consultants). The consultation runs from 18 June to 30 July 2015 – a period of six weeks, but the lead-in time for this Committee has meant that officers have had only one week to familiarise themselves with lengthy and quite difficult documentation and to prepare this report. Officers believe that this is a wholly unreasonable approach by the WPAs, unfair to all consultees because of completely inadequate time to get to grips with a very important, but very complex, issue. The formal response by this Council to the consultation should emphasise the dissatisfaction that is shared by officers and Members. This is even more the case as the consultation documents make frequent reference to other evidence base documents (not formally included in the consultation) with requests that responses to the questions should include reference to (ie assuming familiarity with) evidence base documents where relevant. This is totally impossible in the time available. With future consultations, and with issues of this complexity, the Waste Planning Authorities must make full allowance for the lead-in period required by local authorities to prepare and publicise Committee reports.

6. The consultation documents can be read online:

Revised Preferred Approach –

http://consult.essexcc.gov.uk/portal/replacement_waste_local_plan/rwlp_revised_preferred_approach_2?pointId=3110906

Areas of Search Assessment and Methodology –

http://consult.essexcc.gov.uk/portal/replacement_waste_local_plan/rwlp_areas_of_search_assessment_and_methodology_1

Sites Assessment and Methodology Report –

http://consult.essexcc.gov.uk/portal/replacement_waste_local_plan/rwlp_revised_preferred_approach

Other Evidence Base documents -

<http://www.essex.gov.uk/Environment%20Planning/Planning/Minerals-Waste-Planning-Team/Planning-Policy/Pages/RWLP-documents-and-supporting-evidence.aspx>

7. At this Council’s request, a meeting had been held on 1st June involving officers from this and Harlow Councils and officers from the County representing the Waste Planning Authorities. EFDC and Harlow officers stated that the WPAs had failed to comply with the Duty to Co-operate, but even at this meeting the WPAs were unwilling to share any details of their proposals, site assessments and other options which had been considered – all the detail would only become publicly available on the first day of the consultation period.

8. The WPAs have indicated that there will be another round of “formal public consultation in October/November 2015” on the Pre-Submission version of the Plan, but this stage is not normally an opportunity for further comments, as it tends to be restricted to representations concerning soundness, ie the Planning Inspectorate should not be expecting

further changes or challenges to the content of the Plan at this late stage of preparation.

9. The Appendix to this report lists the consultation questions with the draft responses proposed by officers.

10. Waste in the plan area is divided into 3 categories – (a) Non-hazardous; (b) Construction, Demolition and Excavation (CD&E) waste; and (c) Hazardous:

- (a) is split into two types – organic, including compostable material, and non-organic which includes recyclables such as glass and plastic. It is made up of (i) Local Authority Collected Waste (LACW) – ie waste from households (less than 20% of the total waste produced in the plan area) and some commercial properties, including public bins and public spaces or gardens; and (ii) commercial and industrial waste, including packaging and food waste;
- (b) is the largest source of waste in the plan area. It is biologically stable and does not undergo any significant physical, chemical or biological transformations. Excavation waste usually consists of soils and stones which cannot otherwise be used beneficially;
- (c) includes low-level radioactive waste (normally from medical and educational establishments), wastewater (sewage) from houses, commercial properties, industry and agricultural activities, and other agricultural waste although knowledge of the latter is very limited because of limitations on data collection, and the existence of many permitted development rights. Hazardous waste can pose substantial or potential threats to public health and the environment if it is improperly treated, stored, transported or disposed of.

11. Ongoing economic growth, including regeneration, construction and development, and population growth will mean that there will be an increase in the amount of waste that will be generated in the Plan area by 2032, even taking into account waste minimisation measures and changes in construction practices. The forecast includes allowance for an annually decreasing proportion of waste from London – the 2015 London Plan states that the Greater London area will be managing 100% of its waste by 2026.

12. National planning guidance on waste management includes the principle of self-sufficiency, ie providing enough capacity to handle the projected amount of waste expected to arise in the plan area. “Net self-sufficiency” recognises that there will always be some cross-boundary movement of waste, as it is usually logical to take waste to the nearest appropriate facility, even if this is outside the administrative boundary.

13. The WPAs have to monitor the waste capacity of the Plan area. Their Annual Monitoring Report will identify whether the Plan is delivering the required capacity.

Core Strategy

14. This includes the Vision Statement, eight Strategic Objectives, the Overall Spatial Strategy, the Need for Waste Management Facilities and Safeguarding & Waste Consultation Zones, all with supporting consultation questions.

15. Vision Statement - this in line with the Waste Hierarchy and the principle of net self-sufficiency, although the latter will not apply to reactive hazardous waste or low-level radioactive waste as it is not considered practical to provide for such specialist facilities within the Plan area. The Vision supports the location, design and operation of new facilities such that potential adverse impacts on the general amenity of local communities, the natural environment, and the landscape and townscape of the plan area are all minimised. It also encourages the co-location of complementary waste facilities and non-waste developments (including housing) to facilitate synergies in waste management (including energy), but recognising the potential risks of cumulative impacts.

See the draft response to question 1 in the Appendix.

16. Strategic Objectives – these add more detail to the Vision Statement and encourage co-ordinated working with partner organisations to promote and maximise waste prevention measures. In particular they support the reduction of greenhouse gas emissions through minimising (i) the need for landfill, and (ii) waste transport, and by locating new waste facilities in proximity to key growth centres (this includes Harlow).

See the draft response to question 2 in the Appendix.

17. Overall Spatial Strategy – this proposes that new waste development should be principally directed towards the key urban centres of Basildon, Chelmsford, Colchester, Harlow and Southend, ensuring that the majority of waste arising is managed and treated close to its source. A site at Hastingwood, adjoining Junction 7 of the M11, has been selected for open-air inert CD & E waste recycling, on the grounds that it is in reasonable proximity to Harlow. At the meeting with County Council officers on 1st June (see para 6 above), planning officers from this and Harlow Councils expressed strong concern about the selection of this site on the grounds of (i) location within the Green Belt and (ii) traffic capacity concerns at this junction, which will only be compounded by housing growth that will need to be accommodated in emerging Local Plans. A pre-application meeting in June 2014 with development management officers concluded that very special circumstances would need to be shown to justify such a development in the Green Belt.

See the draft response to question 3 in the Appendix.

18. All the proposed preferred sites have been allocated and safeguarded as they are required to meet the forecasted need up to 2032. If additional sites are needed beyond these site allocations, “Areas of Search” have been designated around suitable industrial estates where waste management facilities could be supported in principle.

See the draft response to question 4 in the Appendix.

19. The Need for Waste Management Facilities – this is based on the Waste Capacity Gap report. The WPAs will support proposals, on allocated sites and subject to them meeting other policies within the RWLP, to meet the shortfall capacity for:

- (i) biological treatment for non-hazardous waste (up to 309,000 tonnes per annum) – no such sites have been identified in this district;
- (ii) recovery of inert waste (up to 1.27 million tonnes per annum) – the Hastingwood site is one of the sites identified for this purpose;
- (iii) disposal of inert waste to landfill (up to 256,000 cubic metres per annum) – no sites identified in this district, but the site assessment process has not been able to identify sufficient sites to support recovery of 1.27 million tonnes per annum of CD&E waste, hence the need to identify landfill sites; and
- (iv) disposal of stable non-reactive hazardous waste (up to 50,000 tonnes per annum) – no sites identified in the district.

See again the draft response to question 4 in the Appendix.

20. Safeguarding & Waste Consultation Zones - all strategic sites that have been identified for a future waste use will be safeguarded for that purpose, as part of the RWLP process, up to the point where the facility for which the site is being safeguarded is delivered. Safeguarding will be implemented through establishing Waste Consultation Zones covering and extending around the allocated sites. Once the RWLP is adopted, the Waste Consultation Zones will be included in the Policy Maps of new Local Plans. If new development proposals within these zones come forward, this will trigger consultation

between the local planning authority and the Waste Planning Authority. The consultation zones will normally extend for up to 250 metres beyond the boundary of safeguarded sites, but this will vary according to individual circumstances. This process is designed to try and ensure that none of the strategic waste management sites are lost to other forms of development. If this were to occur, there would be a requirement to locate alternative and equivalent facilities elsewhere in the Plan area.

See the draft response to question 5 in the Appendix.

Strategic Site Allocations

21. This section of the RWLP deals with strategic site allocations for Local Authority Collected Waste (LACW), Biological Treatment, Inert Waste Recycling, Additional Capacity for Built Waste Management, three types of Waste Disposal (Inert, Non-hazardous and Hazardous) and Landraising. The overall Preferred Approach is to have a hierarchy based on strategic sites, Areas of Search and unallocated sites – the latter two being primarily for local waste requirements.

22. Local Authority Collected Waste (LACW) - six transfer facilities have been granted planning permission (one of these is in the Templefields Industrial Estate in Harlow). Once constructed, these will accept waste from Waste Collection Authority (WCA) vehicles and bulk up the waste, ready for transportation to the Courtauld Road materials recovery facility in Basildon (this Council is a WCA). It is expected that all of the transfer facilities will be constructed by summer 2015. The preferred approach for the RWLP is to allocate the six sites. This would ensure their continued contribution, and if needed re-configuration or intensification, throughout the Plan period.

See the draft response to question 6 in the Appendix.

23. Biological Treatment – this uses micro-organisms to break down organic waste. The products of the process vary from compost to biogas which can be used to generate heat and electricity. The Site Assessment and Methodology Report (see para 5 above) recommends that six sites in the County are suitable for allocation, two in Basildon, one in Chelmsford and three in Colchester. Officers are aware that the Lea Valley Glasshouse Industry is keen to make use of biogas sources for heat and electricity. While there are Green Belt implications, officers believe that the WPAs should at least be liaising with the Industry to investigate the potential for biological treatment of waste to serve some of the energy needs of the Industry in the future.

See the draft response to question 7 in the Appendix.

24. A significant number of sites could accommodate either biological treatment or inert recycling, but not enough sites had been submitted for consideration to accommodate the entirety of need for both forms of waste management. The WPAs have decided to allocate enough sites to meet the projected biological recovery capacity need, with the remainder of acceptable sites to come forward as inert recycling. There will be a need to landfill a proportion of the remaining waste and it was felt to be better for this to be inert rather than biological. The latter can lead to methane production (a significant greenhouse gas), and can become associated with vermin if sites are poorly managed.

25. Inert Waste Recycling - the selection of the Hastingwood site for open-air inert waste recycling does raise concerns with this Council, as has been described above. The WPAs appointed Land Use Consultants (LUC) to carry out site assessments and make recommendations on which sites should be included in the RWLP. The Hastingwood site was initially held back from more detailed consideration because it is in the Green Belt but, in order to reduce even further the amount of inert waste going to landfill, it was considered necessary to reconsider some of the sites which had been held back (primarily for Green Belt

and/or transport reasons). LUC argue that the selection of this site is not, in fact, contrary to Green Belt objectives because:

- (a) the site adjoins an existing waste operation associated with a County Council highway depot;
- (b) the location, sandwiched between three roads (the M11, the A414 and the B1393), would not constitute significant encroachment in the countryside or compromise the openness of the Green Belt; and
- (c) the development would not cause unrestricted sprawl of Harlow or increase the likelihood of Harlow merging into another town.

See the draft response to question 8 in the Appendix.

26. The Hastingwood site is included in the updated Strategic Land Availability Assessment (SLAA) report prepared by Nathaniel Lichfield & Partners in November 2014 as part of the Evidence Base for the new Local Plan. Its potential as an employment site was considered. The conclusion is that “The site is potentially suitable but outside current policy in the Green Belt. About 20% of the site is in a buffer zone for high pressure gas pipelines, so capacity has been reduced accordingly. The availability of the site is unknown.”

27. The site also forms a very small part of a parcel of land considered in Stage One of the Green Belt Review. This report has yet to be considered by Cabinet as another of the Local Plan’s Evidence Base documents. The overall conclusion for this much larger parcel of land is that it makes a relatively strong contribution to the third purpose of the Green Belt, ie to assist in safeguarding the countryside from encroachment.

28. Additional Capacity for Built Waste Management - The Waste Development Document (WDD), see para 3 above, proposed three Integrated Waste Management Facilities (IWMF) to encourage as much recovery and recycling as possible to minimise the need for landfill. These were located in Basildon (Courtauld Road), Braintree (Rivenhall) and Colchester (Stanway). Permission for the latter expired in May 2015, so it has been removed from the RWLP. The Rivenhall site has had permission renewed until March 2016, but it is still not operational. The Courtauld Road site (also known as the Tovi EcoPark) is therefore the only IWMF currently operating in the County. The RWLP will allocate reserve sites (called Opportunity Site Allocations) which could accommodate built waste management facilities to support the opportunity to divert waste away from landfill. None of the opportunity sites are located in this district.

See the draft response to question 9 in the Appendix.

29. Inert Waste Disposal - new landfill sites are considered to be required to dispose of inert waste arising from the limited available inert waste recycling capacity (see also para 20 above). The RWLP proposes five additional sites for inert landfill, none of which are in this district.

See the draft response to question 10 in the Appendix.

30. Non-hazardous Waste Disposal – this type of waste may undergo significant physical, chemical or biological change once landfilled – eg food waste. The Capacity Gap Report, which is part of the evidence base for the RWLP, concluded that there is adequate capacity for non-hazardous waste disposal throughout the Plan period, and therefore no further strategic site allocations will be made.

See the draft response to question 11 in the Appendix.

31. Hazardous Waste Disposal - some non-hazardous landfill sites are able to take certain Stable Non-Reactive Hazardous Wastes (SNRHW) within a designated area. Roxwell landfill (in Chelmsford City District), the only such site in the Plan area, closed following

completion in April 2014. This means that, currently, there is no landfill void space for SNRHW in the County, and all such waste is being disposed of at sites outside the Plan area. A site in Uttlesford District, submitted as part of the 2014 Call for Sites exercise, is considered to be suitable for SNRHW and is therefore allocated in the RWLP.

See the draft response to question 12 in the Appendix.

32. Landraising – this may be an integral part of an engineering project for highways provision, or for recreational, habitat creation or nature conservation purposes. It is also a key factor in coastal defence works in the east of the County. Proposals for landraising for its own sake continue to come forward in the Plan area, even though there are existing mineral sites in need of restoration that struggle to receive sufficient inert infill material. After meeting recycling and recovery targets, the RWLP proposes that the use of inert materials for landfill should be prioritised on mineral extraction sites in need of restoration before the waste is used for landraising, unless there is a demonstrable need for landraising to take place. There are no such mineral sites in this district.

See the draft response to question 13 in the Appendix.

Areas of Search and Locational Criteria

33. Areas of Search - while they offer less certainty than direct site allocations, the draft RWLP suggests that “Areas of Search” and “locational criteria” will offer flexibility to accommodate changes in demand from the waste industry. The Areas of Search will offer less certainty than site allocations in respect of what type of waste facility will come forward but they should establish, in principle, where the WPAs could support additional waste facilities being developed. The focus of the areas of search has been on sites identified in Local Plans for B2 (General Industry) and B8 (Storage or Distribution) uses, on the grounds that many waste processing activities are similar to processes which take place on industrial estates.

See the draft response to question 14 in the Appendix.

34. Initially eighteen B2/B8 areas in this district were identified, but the methodology used by the WPAs narrowed this down to one – the Langston Road/Oakwood Hill estate in Loughton. The conclusions of the study (included in the Areas of Search Assessment and Methodology consultation document) are that “The employment land area meets the criteria for selection as an Area of Search for the potential location of waste management facilities. The area has good access, however enclosed thermal and open air waste management facilities should not be located in the western or northern portions of their area where residential dwellings are located within 250m.” Officers believe that the statement about “good access” is questionable at least. There are frequent heavy tailbacks of traffic from the Rolls Park junction at peak travel times, and the Langston Road estate and Epping Forest College can also generate significant amounts of traffic at particular times of day. These issues are well known to Highways Officers in the County Council.

35. There is no mention of the long-term intention of this Council to develop a retail park on part of the Langston Road estate – this would appear to be an indication of the complete lack of consultation and co-operation which has blighted this consultation exercise (see paras 5 and 7 above). It is obviously the intention of this Council to attract quality and well-known retailers to act as magnets/catalysts for the proposed retail park, and officers believe that a waste management facility, however well-managed, would therefore be entirely inappropriate in this location.

36. There is a specific question relating to this site which asks “Do you support the identification of Langston Road and Oakland (sic) as an Area of Search?” Officers recommend that the answer should be “No” for the reasons outlined in paras 33 and 34

above. All the questions in this document are separate to those included in Appendix 1, which relate to the Revised Preferred Approach consultation document.

37. The Areas of Search Assessment and Methodology document identifies another 34 sites in the County as being potentially suitable for waste management facilities. Two of these are in Harlow – the Pinnacles/Roydonbury and the Templefields Industrial Estates. Harlow Council will no doubt comment on the identical questions relating to these two sites, but there could be traffic implications for Roydon if the Pinnacles/Roydonbury Estate was ultimately selected as a suitable site.

38. Locational Criteria – Enclosed Waste Facilities - in line with paras 18 and 21 above, the RWLP proposes a sequential approach to the location of new enclosed waste facilities. These can be noisy and are often unsightly so they need to be located within industrial or equivalent areas. So, after the allocated sites, then the Areas of Search, the listed other potential locations are:

- B2/B8 industrial estates, not already included as Areas of Search;
- existing permitted waste management sites or in association with other waste management development;
- existing areas of hardstanding and/or degraded, contaminated or derelict land;
- within redundant farm land and buildings (in the case of in-vessel composting);
- as part of a hospital complex in the case of clinical waste treatment facilities; and
- where heat can be supplied to a district heat network or direct to commercial or industrial users of heat.

Officers are concerned that there is no direct mention of potential impact on the Green Belt or the countryside, and this is reflected in the draft response to question 15 in the Appendix. There are additional, more technically specific criteria for facilities which enable the provision of energy from waste.

39. Locational Criteria – Open Facilities – this category includes open waste recycling facilities and “open windrow composting (OWC)”. The latter is described as “where the organic waste is shredded into fine particles before being piled into open linear heaps known as windrows, which are approximately three metres high and four to six metres across.” This method is apparently used at Ashlyns Organic Farm near North Weald. The first choice of location for open facilities is on sites allocated for inert waste recycling or already used for OWC. After these, the other location options are:

- B2/B8 industrial estates, not already included as Areas of Search;
- existing areas of hardstanding and/or degraded, contaminated or derelict land;
- existing open waste management sites or in association with other waste management development;
- mineral and landfill sites where material is used in conjunction with restoration, where the additional proposed waste operations are temporary, linked to the completion of the mineral/landfill operation;
- within redundant farm land and buildings, in the case of OWC;
- at demolition and construction sites where materials are to be used on the construction project on that site.

As there is no definition or description of “open waste recycling”, officers are again concerned about possible adverse impacts on the Green Belt and the open countryside, so the answer to question 16 in the Appendix repeats the response to question 15.

40. Locational Criteria – Intermediate, Low and Very Low Level Radioactive Waste Facilities – there is no requirement to make further provision for this waste stream, as there is adequate forecast capacity within the Nuclear Licensed Areas at Bradwell.

See the draft response to question 17 in the Appendix.

41. Locational Criteria – Landfill – inert wastes are uneconomic to transport long distances, so it is appropriate for the RWLP to ensure that sites are not concentrated within any one part of the Plan area. Preferred locations for new inert landfill void space have been primarily identified in the Minerals Local Plan 2014. Other criteria address non-hazardous and hazardous landfill and include proximity to residential development and being able to demonstrate capture of landfill gas. No landfill sites are identified in this district so the draft response to question 18 in the Appendix reflects this.

Development Management Policies

42. Mitigating and Adapting to Climate Change – the RWLP proposes that applicants should show that new waste facilities will minimise their potential contribution to climate change by reducing greenhouse gas emissions, incorporating energy and water efficient design measures and be adaptable to future climatic conditions. This would include avoiding development in areas of fluvial and coastal flood risk, and preventing increased pressure on natural resources such as water. These are now accepted as pretty generic approaches to addressing this complex issue. The draft answer to question 19 supports the principles in the RWLP Preferred Approach.

43. Transportation of Waste – the RWLP states that this should be as “sustainable” as practicable, and can involve location of waste management facilities as close as possible to where waste arises, opportunities to transport by rail and water, suitability of access into and out of any site, and the nature of the roads that vehicles carrying waste are using. It is accepted that the majority of waste transport will be by road, so the preferred approach is to mitigate potential adverse effects by directing HGV traffic onto appropriate roads/routes so as to create as little an impact on transportation infrastructure as possible. This should help to protect the safety and efficiency of the highway network and minimise situations where lorries will directly impact on local residential amenity. Officers believe that this is fine in theory, but it ultimately depends on the location of the waste source and the siting of the waste management facilities. The choice of Hastingwood as an inert waste recycling site does seem to go against the principles of the approach, and the proposed Vision for the Plan, given the long-standing traffic capacity issues experienced at Junction 7 of the M11. The draft response to question 20 in the Appendix reflects these views.

44. General Considerations for all Waste Management Development Proposals – the consultation Plan lists a number of issues which could potentially be adversely affected by waste development proposals. Most are obvious, but some slightly less so. They are (i) pollution, including air, light, water and noise; (ii) amenity; (iii) health; (iv) flooding, water resources and water quality; (v) visual and landscape impact, including the openness of the Green Belt; (vi) biodiversity and geological conservation; (vii) heritage assets; (viii) recreation and rights of way network; (ix) land and soil resources; (x) potential hazard to aircraft from bird strike (open air facilities); and (xi) cumulative impacts. Some aspects of pollution will be addressed in the issue of permits by the Pollution Control Authority, and most of the rest can be dealt with by planning conditions, including hours of operation of facilities. These are again mainly standard planning issues and this is reflected in the draft answer to question 21 in the Appendix.

45. Mining of Waste – as of now the consultation Plan acknowledges that landfill mining and reclamation are unlikely to be feasible or viable on a large scale, mainly due to the significant economic, social and environmental issues that may need to be overcome at historic landfill sites. This may change as technologies develop so, to cover the eventuality that mining of waste may become economic, the RWLP proposes that this should be permitted only where (a) the site is shown to be endangering, or has the potential to endanger, human health or the environment, and/or (b) removal of waste is required to

facilitate major infrastructure projects.

See the draft answer to question 22 in the Appendix.

Implementation, Monitoring and Review

46. The draft Plan lists eleven indicators intended to inform the monitoring process and to provide the basis for the Annual Monitoring Report. These will integrate with national indicators and targets, and, if these change, the monitoring framework will need to be amended. Inputs will be required from local planning authorities and the Environment Agency as well as the WPAs.

See the draft answers to question 23 (two parts) in the Appendix.

Has the draft RWLP missed anything?

47. This is the subject of the last question (24) in this part of the consultation. Officers believe that the Plan should at least acknowledge and investigate the desire or need of the Lea Valley Glasshouse Industry for alternative sources of electricity and heat from the waste industry. While the consultation document does include a glossary, the Submission version of the Plan should ensure that this is far more comprehensive – there are several acronyms which do not appear to be explained anywhere, although this again may be due to the very limited period officers have had to read the documents and prepare this report.

Reason for decision: It is crucial to respond to this consultation, because it is a very important land use issue in any event, and the proposals (i) adversely affect an important site owned by the Council, and (ii) conflict with one of the purposes of including land in the Green Belt.

Options considered and rejected: Not to respond to the consultation.

Consultation undertaken: Informal internal with other planning policy officers. The consultation period imposed by the Waste Planning Authorities is wholly inadequate and unreasonable.

Resource implications:

Budget provision: The consultation response has been prepared using internal resources.

Personnel: As above

Land: The draft Plan directly affects one of the Council's major land holdings – Langston Road Industrial Estate.

Community Plan/BVPP reference:

Relevant statutory powers: The Planning and Compulsory Purchase Act 2004;

The EU Waste Framework Directive 2010;

The Town and Country Planning (Local Planning) (England) Regulations 2012

Background papers: Replacement Waste Local Plan: revised Preferred Approach (June 2015);

Sites Assessment and Methodology Report (June 2015);

Areas of Search Assessment and Methodology (June 2015)

Environmental/Human Rights Act/Crime and Disorder Act Implications:

Key Decision reference: (if required)