

## Kirklees Local Plan Examination

### Stage 2 - Minerals and Waste Sections

#### MATTERS, ISSUES AND QUESTIONS (MIQs)

##### Council Response

#### MATTER 13: WASTE POLICIES

- 1.1 This statement sets out the council's responses in relation to the Inspector's matters and issues Matter 13 –Waste Policies. All the documents referred to in this statement are referenced within the main body of the statement.

**Issue: Whether the waste policies provide sufficient guidance to ensure the management of waste over the Plan period in accordance with the principles of sustainable development?**

- a) **The allocation of the strategic waste management site W1 is targeted at the recycling of Local Authority Collected Waste. However, there is also a need for capacity for Commercial & Industrial waste recycling. Has sufficient capacity in terms of appropriate sites been included in the Plan for recycling in order to ensure the management of waste in accordance with the waste hierarchy?**
- 1.2 Yes see answer to point (a) Matter 12, it is proposed to include more detailed information in the plan to show how this need can be met through the area allocations. The areas offer more flexibility and allow development to come forward when and where it is needed.
- 1.3 NPPW allows for both sites and areas to be included in the Local Plan. However, waste site allocations can only be used for waste development. If development does not come forward in these locations, the land is effectively sterilised from other income generating uses until the plan is reviewed. Allocating areas removes these risks and provides an indication to waste operators which locations across the plan areas are considered suitable for waste development, without the safeguarding solely for waste use.
- b) **Policy PLP44. Explain how the policy ensures that there are a broad range of locations which can provide new facilities for a variety of technologies?**
- 1.4 The council has not actively identified specific sites as no operator has made representation for promoting a waste site facility. In view of this, the council considers it to be prudent and flexible to ensure opportunities for new waste management technologies through a positive policy approach under policy PLP44.
- 1.5 Policy PLP44 New Waste Management Facilities (SD1) is a criteria based policy against which proposals for new waste management facilities will be considered, requiring them to be sustainably and sequentially located avoiding significant adverse impacts on surrounding uses.

- 1.6 The council considers the sequential approach set out in Policy PLP44 meets the requirements of the National Planning Policy for Waste (NE44, paragraph 5) by prioritising sites specifically allocated for waste management purposes and encouraging the development of facilities on suitable employment sites to reduce significant adverse impacts on the surrounding area, followed by sustainable locations within vacant previously developed land.
- 1.7 Due to the nature of these sites the opportunity to facilitate a variety of technologies can be accommodated. The co-location with existing waste management facilities, or with other industrial processes, allows for the implementation of technologies that would not cause a conflict with established uses in the area. Due to the varied scale and geographic spread of sites the Council can ensure that locations meet the needs of an area and can direct development to appropriate locations to reduce adverse impacts.
- 1.8 Site W1 is the only allocated waste management site in the Local Plan and relates to criteria a) of policy PLP44. This site is strategically important to Kirklees' waste needs, particularly in relation to LACW waste. Located at Emerald/Vine Street, site W1 includes land already in use for the management of LACW waste and includes facilities such as the energy from waste plant. The allocation also enables the operations to extend into vacant land. This opportunity will allow for the remodelling of the site to ensure new technologies can be accommodated and more efficient processes can be adopted to ensure the Council can proactively bring LACW waste up the waste hierarchy and work towards the EU waste recycling target of 40% - although it is acknowledged this would not be achieved during the plan period.
- 1.9 Potential locations for waste operators include allocated employment sites and Priority Employment Areas. These are shown on the local plan policies maps (SD3).
- 1.10 Together these are distributed throughout the district representing a diverse geographical spread which is reflective of the different characters and needs of north and south Kirklees.
- c) Policy PLP46. The policy allows for the use of quarry sites if no other means of managing the waste is available. How much capacity is available externally to the District and is this likely to be able to fulfil the needs of the District for the Plan period? If sites are required within the District, should this policy contain criteria for their development?**
- 1.11 The Yorkshire and Humber Waste Position Statement February 2016 (CR20) indicates that at the end of 2014 the Yorkshire and Humber region had approximately 92 million cubic metres of landfill capacity of which over 31 million cubic meters was available in West Yorkshire (CR20, table 9). Based on landfill deposits in the Yorkshire and Humber region in 2014 of 4.3mt this equates to around 21 years capacity.
- 1.12 Based on the outcomes of the Kirklees waste needs assessment (LE106, page 33, Table 7) the Council is forecast to have a landfill capacity gap of 48,957 for C&I, 12,394 for LACW and 7,289 for hazardous waste. In total this equates to 68,640 tonnes per annum. This reflects the Council's chosen growth and recycling scenario.

- 1.13 On this basis the landfill capacity within the Yorkshire and Humber region demonstrates that sufficient external landfill capacity will continue to be available for the duration of the plan at the regional and sub-regional level to address the Council's shortfall.
- 1.14 It should also be noted that through the Councils Duty to Co-operate (DTC) discussions some landfill is being sent to other waste planning authorities outside of the Yorkshire and Humber region. Based on these discussions it has been confirmed that Kirklees Council can continue to rely on this external capacity for the duration of the Local Plan period. The Duty to Co-operate statement (SD14) covers this issue in more detail at pages 22-24, paragraphs 5.35-5.38.
- 1.15 In determining applications, new waste management facilities will be assessed in the context of the plan as a whole including the waste policies in chapter 16 of the Strategies and Policies document (SD1) and particularly policy PLP44. Policy PLP44 would be applied to ensure opportunities to bring waste up the waste hierarchy are not missed. Therefore applicants will need to justify use of an appropriate alternative site. This would include landfill opportunities. However, policy PLP46 would need to be applied in determining the locational requirements for landfill. Part 2 criteria a - o under policy PLP44 would then apply. In view of this the Council does not therefore consider the need to include the same criteria in policy PLP46.

**d) Is the Council content that appropriate provision has been made for the management of all types of wastes arising, including the external management of specialist waste?**

- 1.14 The council consider that appropriate provision has been made for the management of all types of wastes arising, including the external management of specialist waste.
- 1.15 The following three waste streams make up the majority of waste in Kirklees:-
- With regard to local authority collected waste (LACW)
  - Material generated by the construction industry – construction, demolition and excavation waste (CD&E) – surplus capacity
  - Waste from business activities commercial and industrial waste (C&I)
- 1.16 The Waste Technical Paper (BP, Table 3) sets out the identified capacity gaps for each waste management type and the council's response to address the deficiency in capacity taking account of the recommendations made in the Waste Needs Assessment (LE106).

***Specialised waste***

- 1.17 A total of 32,537 tonnes of hazardous waste was recorded as arising in Kirklees in 2014 (LE105, Table 9, page 23). Kirklees is a net importer of hazardous waste having imported 120,640 tonnes, exported 24,867 tonnes in 2014 and managed 7,669 tonnes locally within the district (LE105, Table 10 & Table 13).
- 1.18 The Waste Needs Assessment identifies a small shortfall of between 6,000 to 7,000 tonnes in hazardous landfill capacity towards the end of the plan (LE106, paragraph 6.5.7) should the existing landfill sites at Bradley Park, Huddersfield and Thornhill

Quarry, Dewsbury cease operating. This small capacity is unlikely to be sufficient to justify the inclusion of a new landfill site as it is unlikely to be economically viable. Subsequently the council has established through duty to co-operate discussions that the Council can continue to rely on external capacity.

- 1.19 Policy PLP44 New Waste Management Facilities sets out the criteria for sites proposed for the management of new waste facilities covers management of hazardous waste.
- 1.20 The main facilities for the local management of hazardous waste are existing landfill sites at Bradley Park, Huddersfield and Thornhill Quarry, Dewsbury. The limited demand for capacity means there is no requirement during most of the plan period. However, both these facilities have time-limited permissions and it is not known whether applications to extend operations will be sought or granted. The projected capacity shortage following closure of both facilities is small ranging from 6,000 to 7,000 tonnes (LE106, paragraph 6.5.7).
- 1.21 If no further time extension is possible it will be necessary to use facilities in other authorities unless additional local sites can be identified (LE105, paragraph 6.5.8). Through the Council's DTC discussions, it has been established that the external capacity already being relied upon by Kirklees can continue for the duration of the plan period. This would provide sufficient capacity to address the potential gap in the event of the closure of the two landfill sites located in Kirklees. The Duty to Co-operate statement (SD14) covers this issue in more detail at pages 22-24, paragraphs 5.35-5.38. The small quantities and diverse management requirements for handling these wastes mean that local facilities handling only small quantities of waste are unlikely to be economically viable (LE105, paragraph 6.5.9). Consequently the plan cannot make specific provision for such facilities but may identify any suitable allocated sites in the event that a future planning application is submitted.
- 1.22 In relation to capacity for specialised treatment of agricultural waste, facilities are already available locally in Dewsbury and Huddersfield and it is not anticipated that additional capacity will be needed (LE105, paragraph 6.6.5).
- 1.23 All other specialised waste can be treated within Kirklees – wastewater/sewage sludge/low level radioactive waste.