

Bridgend Local Development Plan

Examination

<http://www.bridgend.gov.uk/ldpexamination>

Wednesday 9 January 2013 2.00pm

(*Start may be postponed if Session 10 has not concluded by 1pm)

Session 11 – Waste

Inspector's Agenda with Matters and Issues

[Figures in brackets () identify a Representor and their representation number eg 64.17 refers to Representor 64 and their Representation 17].

1. SP7 WASTE MANAGEMENT

- 1.1 SP7 makes provision for new waste treatment facilities to meet an identified need in the Regional Waste Plan (1st Review) to treat up to 228,000 tonnes of waste per annum. It identifies five favoured sites of which however only SP7(1) Heol-y-Splott, South Cornelly is not also allocated for other employment uses by Policy REG1. Paragraph 4.5.5 identifies SP7(1) as the most suitable site for waste facilities. SP7 also provides that other land allocated for B2 industrial use will also be permitted for waste treatment subject to meeting criteria in Policy ENV16.
- 1.2 Paragraph 4.5.1 identifies the need for between 3 and 4 new in-building sites totalling between 7.7-11.9ha. However it does not specify how much land is available on each of the identified sites.
- 1.3 Paragraph 4.5.4 refers to the Regional Waste Plan requirement for authorities to designate sites suitable for the provision of waste facilities to serve a regional rather than just local need.
- 1.4 The Welsh Government considers that the plan's employment site provisions (REG1, REG2) should complement policy SP7 and make it clear that waste treatment is an acceptable use on relevant employment sites. The background papers should demonstrate that there is sufficient land identified in the plan to accommodate both waste treatment and employment needs, and better explain/justify the lack of a specific allocation/s to provide for the disposal of inert waste (64.17).
- 1.5 The Council responds that Policy SP7 of the plan identifies 5 sites where new waste management facilities will be favoured. Whilst most of the sites listed lie within existing industrial estates, Land at Heol-y-Splott SP7(1) is specifically designated for waste management purposes and is not part of the general employment land supply. Paragraph 4.5.5 states that Heol-y-Splott is the most suitable site due to its location. Whilst specific sites are not allocated within the industrial estates listed in SP7(2-5) it is considered that the vacant parcels of land within these areas will be suitable for small-medium scale waste management facilities. Background Paper 9: Employment Land Supply

examines the availability of employment land generally across the County Borough for the LDP period. It is considered that as these waste management facilities would additionally be employment generators, their development would contribute to the employment land development figure and so would not materially dilute the availability of land for other employment purposes.

- 1.6 Background Paper 6: Waste (SD40) refers to a total of 56ha of land as available for waste (or other employment) use on several identified industrial sites with plot sizes of between 0.2ha and 2.5ha and suggests that there is therefore an over-provision of land against the identified needs. The Paper accepts that a regional scale facility would normally require a larger site but identifies an opportunity at the SP7 Heol-y-Splott site which has an area of about 4.5ha.
- 1.7 The Council's response to Representation 61.36 states that there is now planning permission for a waste management facility at Heol-y-Splott site (Ref P/11/409/FUL).
- 1.8 In written representations the Environment Agency Wales (EAW) comments that there does not appear to have been any detailed consideration as to which sites would be suitable for which types of waste treatment technologies; all of the RWP technology preferred options includes some form of energy from waste - it is unclear whether the sites identified in the policy SP7 lend themselves to such technologies and/or whether there is an energy or heat user co-located on the identified sites. The Council notes this as a comment. The Background Paper refers to the granting of an unimplemented permission for a biogas/AD facility on land adjoining Stormy Down airfield which would produce 2MW of energy.

Qn1a. As Policy REG1 suggests that the allocated employment sites are protected for industrial and business uses specified in that policy, which do not include waste treatment, should there be a cross reference in respect of those REG1 sites that are also proposed for waste treatment in Policy SP7 or which include B2 uses and may therefore be acceptable for waste treatment? If so could this be similar to the asterisk cross reference to Policy PLA3 and should it be explained in the supporting text to Policy REG1?

Qn1b. As SP7 and its supporting text does not mention that 4 of the identified waste sites are also allocated for employment uses, should there be a cross reference to Policy REG1?

Qn1c. May Policy REG2 hinder the conversion of industrial land on the SP7 sites or other B2 sites to waste treatment facilities?

Qn1d. How is the paragraph 4.5.1 identification of a need for 3 to 4 in-building facilities on sites totalling up to 11.9ha reconciled with the Background Paper identification of available sites that are as small as 0.2ha? If the 4.5ha Heol-y-Splott site is fully developed there could be a residual need for 2 to 3 facilities averaging 2.5-3.7ha? Are sites of sufficient size likely to be available on the identified land?

Qn1e. Paragraph 4.5.4 refers to the requirement to designate sites suitable for regional facilities but the plan does not do so. As the Background Paper at paragraph 3.4 identifies Heol-y-Splott as possibly the only suitable site should paragraph 4.5.5 be amended to make this clear?

Qn1f. What is the scale of the waste management facility permitted at Heol-y-Splott and does that affect its suitability for a regional facility?

Qn1g. Apart from the Stormy Down site, has any consideration been given to whether any of the identified waste sites are suitable for the production of energy from waste in accordance with Regional Waste Plan First Revision objectives?

2. ENV14 INERT WASTE & ENV16 COMMERCIAL AND INDUSTRIAL WASTE

2.1 Policy ENV14 is a criteria based policy for proposals for sites for inert waste but no new sites are allocated. The Background Paper offers an explanation as to why no site for inert waste has been identified in the Plan. This recognises that there is a need for landfill notwithstanding the growth of recycling facilities but comments that a site search has revealed no suitable sites. It confirms that there is no suitable site with planning permission and comments that the nearest deposit facility at Maendy in Rhondda Cynon Taff has limited capacity as it is an active stone quarry. The Countryside Council for Wales states that unless a statement is added to the plan stating that the plan should be read as a whole, CCW recommend that an additional criterion is added to both Policies to state that proposals will also be required to meet other relevant LDP policies (to meet Test of Soundness CE1) (54.58).

Qn2a. Will Policy ENV14 be sufficient to meet the acknowledged need for inert waste disposal?

2.2 The Countryside Council for Wales states that unless a statement is added to the plan stating that the plan should be read as a whole, CCW recommend that an additional criterion is added to both Policies to state that proposals will also be required to meet other relevant LDP policies (to meet Test of Soundness CE1) (54.58).

2.3 The Council responds that it is intrinsic that the LDP in its totality will be used by the Council to guide and manage development, providing a basis for consistent development. As part of the Plan-led system, the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications for development must be in accordance with the Development Plan unless material considerations indicate otherwise. It is therefore implicit, within what a development plan is and its purpose in accordance with the Act, that regard should be made to the whole Plan, including all its Policies. The statement is therefore superfluous.

Qn2b. Similar issues have arisen in earlier sessions. Is CCW content that the Plan is to be read as a whole and that the amendment is not needed?

- 2.4 The Countryside Council for Wales states that to provide clarity to plan users/prospective developers the allocations SP7 (1), Waste treatment facility at Heol y Splott, South Cornelly and SP7(3) should specify that a project level HRA will be required in relation to Kenfig/ Cynffig SAC. (To meet tests of soundness CE1 and CE2) (54.61).
- 2.5 The Council has declined to amend the Plan but has prepared Background Paper 10 'Delivery & Implementation' which includes relevant references under 'Other Issues/Comments' for these sites. This paper is an intended precursor of an online LDP site database to accompany the Annual Monitoring Report. The references appear under SP7(1) Land at Heol y Splott and under REG1(37) Village Farm Industrial Estate.

Qn2c. Has the Background Paper suitably addressed the Representor's concerns?

Qn2d. Unless there are cross references between Policies REG1 and SP7 would an SP7(3) waste facility developer be aware of all relevant considerations for the REG1(37) site including the potential impact on the SAC?

Qn2e. Will the online database include cross references when sites feature in several allocation policies?

1 November 2012