



# Draft Supplementary Planning Guidance Note

No.31 Areas of Search for New Waste Management Facilities



## Purpose

It is Flintshire County Council's intention to prepare and keep up to date a series of Supplementary Planning Guidance (SPG) Notes which will provide detailed guidance on a range of development issues and topics. The purposes of these Notes are:

- To assist the public and their agents in preparing planning proposals and to guide them in discussions with officers prior to the submission of planning applications,
- To guide officers in handling, and officers and councillors in deciding, planning applications, and
- To assist Inspectors in the determination of appeals

The overall aim is to improve the quality of new development and facilitate a consistent and transparent approach to decision making.

## Planning policies: the Flintshire context

### The Development Plan

Under planning legislation, the planning policies for each area should be set out formally in the Development Plan. Flintshire County Council, as the Local Planning Authority (LPA), has a legal duty to prepare and keep up to date a development plan for the County, and the Flintshire Unitary Development Plan was adopted in 2011. The UDP provides broad policies together with allocations of land for all the main uses such as housing, employment and retailing, and will help to shape the future of Flintshire in a physical and environmental sense as well as influencing it in economic and social terms. The Plan therefore seeks:

- To help the Council make rational and consistent decisions on planning applications by providing a policy framework consistent with national policy and
- To guide development to appropriate locations over the period up to 2015.

### The need for Supplementary Planning Guidance

Despite the Plan containing policies with which the Council can make consistent and transparent decisions on development proposals, it cannot in itself give all the detailed advice needed by officers and prospective applicants to guide proposals at the local level, such as house extensions or conversions of agricultural buildings. The Council's intention is to prepare a range of Supplementary Planning Guidance notes (SPG) to support the UDP by providing more detailed guidance on a range of topics and issues to help the interpretation and implementation of the policies and proposals in the UDP. The review of the Local Planning Guidance Notes will be undertaken on a phased basis and details of the available SPG's can be found on the Council's website. Where there is a need to refer to another SPG this will be clearly referenced. These SPG Notes are freely available from Planning Services, Directorate of Environment, County Hall, Mold, Flintshire CH7 6NF (telephone 01352 703228), at the Planning Services reception at County Hall and can be downloaded from the Planning Web pages [www.flintshire.gov.uk/planning](http://www.flintshire.gov.uk/planning)

## The status of Supplementary Planning Guidance

Supplementary planning guidance can be taken into account as a material consideration in the decision making process. The National Assembly will give substantial weight to SPG which derives out of and is consistent with the development plan. In accordance with National Assembly advice the Council's suite of SPG's has been the subject of public consultation and Council resolution. The draft of this SPG was approved for public consultation on \_\_\_\_\_ (Council Minute no. ). The SPG was the subject of a public consultation exercise between \_\_\_\_\_ and \_\_\_\_\_. The X comments submitted to the Council have been taken into account and where appropriate amendments have been incorporated into this final draft which was approved by the Council on \_\_\_\_\_ (Council Minute no.) for use as a material consideration in determining planning applications and appeals. A summary of the representations and the Council's response is set out in Appendix X.

**This document should therefore be afforded considerable weight as a material planning consideration.**

# No.31 Areas of Search for New Waste Management Facilities

## 1 - Background

1.1 - This is one of a series of Local Planning Guidance notes designed to explain and clarify the policies in the adopted Flintshire Unitary Development Plan (UDP). The guidance note will focus specifically on the interpretation and application of the Policy EWP6 Areas of Search for New Waste Management Facilities.

1.2 - The demanding requirements of the National Waste Strategy “Towards Zero Waste” and EU Directives have resulted in a shift from sending waste to landfill, to managing it in a more sustainable manner. This new approach requires waste to be reduced at source and then treated as resource through re-use, recycling, composting and energy recovery. This has inevitably resulted in the need for new waste management facilities that can process the various waste streams. Flintshire already accommodates a wide variety of waste management facilities within its borders. The purpose of policy EWP6 is to direct prospective developers to those sites within the County which the Local Planning Authority considers have the potential to accommodate waste management uses, thereby enabling communities and businesses to continue to realise the social and economic benefits that sustainable waste management can bring. The list of sites within the policy is not exhaustive and there may be other sites within the County which are more suitable for the waste management concerned.



## 2 - Policy EWP 6

2.1 - Policy EWP6, of the Flintshire UDP identifies a number of locations in which proposals for new waste management facilities should ideally be located. These are identified on the Main Proposals Map and Settlement Inset Plans of the UDP and listed within the Policy as: Ewloe Barn Industrial Estate, Parry's Quarry & Pinfold Lane Quarry, Alltami; Springhill Quarry, Bagillt; Mount Pleasant Road (North), Buckley; Former Power Station, Connah's Quay; Crumps Yard, Dock Road, Connah's Quay; Land to the East of Shotton Paper, Deeside Industrial Park; Land adjacent Green Waste Composting Site, Greenfield Business Park; Adjacent Mostyn Docks, Mostyn; Parc Bychan Quarry, Rhosesmor; River Lane, Saltney; Prince William Avenue, Sandycroft; and Deeside Development Zone.

2.2 - The area of search policy identifies sites which are, in principle, suitable for waste management activities, subject to proposals that come forward meeting other relevant plan policies, particularly EWP7 and EWP8. This policy ensures that there is sufficient land identified within Flintshire to meet the likely future needs over the Plan period.

2.3 - This policy seeks to guide development to locations which have the potential to accommodate waste management facilities. The locations quoted within the policy include working and disused mineral excavation sites; low quality employment allocations; and the Deeside Development Zone. The locations have been the subject of examination and are considered to have characteristics which are suitable to accommodate a waste management facility. The locations specified are not formal allocations for waste management developments but are intended as preferred areas of search (in planning terms) for such facilities.

2.4 - Policy EWP6 does not preclude the development of waste management facilities in locations not specifically identified in the policy as long as the proposed waste management facility would accord with the other relevant policies within the Flintshire Unitary Development Plan, specifically Policies EWP7 and EWP8. Policies EWP 6, EWP 7 and EWP 8 are included within appendix 1 of this document

### 3 - Justification Statement

3.1 - The reasoned justification of policy EWP 6 states that “all proposals for new waste facilities should be accompanied by a statement justifying the proposal.” The complexity of the justification will depend upon the nature and scale of the proposal and applicants are advised to contact the Local Planning Authority for advice prior to submitting an application, particularly in relation to large scale schemes over 1ha. Applicants should note that they will also be required to meet the requirements of policies EWP 7 and EWP 8 and, where the proposed development requires Environmental Impact Assessment (EIA) the requirements of The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended) Schedule 4, Part 1(2). Applicants may wish to consider these requirements alongside the requirements of policy EWP 6.

3.2 - Sites under 1ha: An assessment to justify the location’s suitability should accompany the application. Factors which may influence the suitability of a site may include size, catchment area that the waste will be drawn from and so on. Appendix 2 provides further guidance on the matters that should be taken into account when producing the justification statement for small sites (less than 1ha). Applicants should clearly set out why the site is suitable for the proposed use, taking into account the requirements of policy EWP 7.

3.3 - Sites over 1ha: An assessment which evaluates whether the site is the best option for the proposed use should accompany the application, having regard to the list of locations in the policy and being considerate of other sites within the County not specifically identified within policy EWP 6. Applicants are advised to refer to sites/areas identified within policy EWP 6 and under policies EM1 General Employment Land Allocations and EM3 Development Zones and Principal Employment Areas, taking into account the area that the facility is intended to serve and the requirements of the waste management use concerned. This does not mean that a comprehensive search of all allocated B2 employment sites across the entire County needs to be undertaken, but that consideration is given to the suitability of sites within the catchment that the facility is intended to serve and whether there are sites which are more ideally suited to such a use. For sites over 1ha, applicants will be expected to demonstrate that they have made a reasonable attempt to identify whether their site

is the best for the proposed use. For example, evidence that assistance has been sought from relevant organisations will be required. Information regarding commercial property and land available throughout the County is held by the Council's Business Development Team, who can be contacted on 01352 703055. A list of commercial agents can also be found on the Flintshire County Council website: [www.flintshire.gov.uk](http://www.flintshire.gov.uk). The Welsh Government also provides support to businesses looking to locate in Wales through their Business Wales website: [www.business.wales.gov.uk](http://www.business.wales.gov.uk). Appendix 2 provides further guidance on the matters that should be taken into account when producing the justification statement for large sites (one hectare or more).

3.4 - Sites which are outside the development boundary and on greenfield land will require evidence of a comprehensive search for sites and are unlikely to be permitted unless it can be demonstrated that there are no suitable sites either within the development boundary or within brownfield sites, or that the nature and/or scale of the proposed use is such that it needs to be located outside the development boundary.

3.5 - There is a potential overlap between the information that is required to demonstrate compliance with policy EWP 7 and the information that is required to demonstrate compliance with policy EWP6. All waste applications will need to show how they have addressed the requirements of policy EWP 7 and these can be included alongside the requirements of policy EWP 6. Advice regarding the requirements of policy EWP 7 will be issued following the review of national waste planning policy.

# Appendix 1 - Policies EWP 6, EWP 7 and EWP 8 of the adopted Flintshire UDP

## **EWP 6: Areas of Search for New Waste Management Facilities**

Proposals for new waste management facilities should ideally be located within the following locations: Ewloe Barn Industrial Estate, Parry's Quarry & Pinfold Lane Quarry, Alltami; Springhill Quarry, Bagillt; Mount Pleasant Road (North), Buckley; Former Power Station, Connah's Quay; Crumps Yard, Dock Road, Connah's Quay; Land to the East of Shotton Paper, Deeside Industrial Park; Land adjacent Green Waste Composting Site, Greenfield Business Park; Adjacent Mostyn Docks, Mostyn; Parc Bychan Quarry, Rhosesmor; River Lane, Saltney; Prince William Avenue, Sandycroft; and Deeside Development Zone.

Where a proposal is made for the development of a site within any of the locations identified, as listed above, then permission will be granted subject to that proposal meeting other relevant plan policies, particularly EWP7 & EWP8.

## **EWP7 Managing Waste Sustainably**

Proposals for new waste management facilities will be rigorously tested to ensure that:

- a. the facilities proposed are required to meet an identified need within the Regional Waste Plan;
- c. facilities seek to treat and/or dispose of waste as close to the generation source as practically possible;
- d. the proposal considers the potential to transport waste by means other than road; and
- e. facilities should treat and/or dispose of waste using the best practical environmental option.

## **EWP8 Control of Waste Development and Operations**

Proposals for new waste management facilities will be permitted provided the following criteria are met:

- a. the development does not either directly or indirectly have a significant adverse impact on recognised features of the landscape, sites of nature conservation value, and/or sites/localities of historic archaeological and/or architectural importance;
- b. the development does not detrimentally affect the health and amenity of neighbouring land users;
- c. measures are included within the proposals to mitigate any adverse impacts including appropriate landscaping and screening, and the safeguarding or repositioning of public rights of way;
- d. a detailed scheme of restoration is submitted together with a proposal for an appropriate and beneficial after-use;
- e. The development does not have a significant adverse impact on water courses, air and soil quality and on flora and fauna; and
- f. The development and any associated traffic does not result in unacceptable disturbance to local communities, through noise, smell, vibration, smoke or air pollution.

## Appendix 2 - Factors to consider for inclusion in the justification statement

### All sites:

Requirements of the land use:

The needs of the proposal will affect the site search that is undertaken. There is no need to consider sites which are too small, or which are too far away from the area that the facility is intended to serve. Sites which are too big may also be unsuitable if the site is not available as smaller lots. Factors which will influence the suitability of a site may include:

- Size
- Catchment area
- Requirement for a building / ability to accommodate a building
- An appropriate building for the intended operation i.e. ability to enter with a vehicle and tip if required
- Requirement for external storage areas (outdoor storage of waste should be located away from sensitive receptors)
- Outdoor processing (noisy activities may need to be located away from sensitive receptors)
- Access requirements (road, rail etc)
- Proximity to users of the end product

### Sites over 1ha

In addition to the factors to be considered above, large proposals (sites over 1ha) should also consider the following within their justification:

#### Constraints associated with sites:

There is no such thing as an 'ideal' site, though some sites may be more suited to particular types of waste management use than others and some constraints may be more of an issue than others. It is important that you demonstrate that you have considered the issues associated with the proposal site and considered whether there are sites which are more suitable, taking into account constraints at those sites. Information regarding constraints can be obtained from the Local Planning Authority on request. The Unitary Development Plan maps are also useful to identify any land use constraints affecting a site. For example:

- Flood risk – advice on flooding can be obtained from the Natural Resources Wales website: [www.naturalresourceswales.gov.uk](http://www.naturalresourceswales.gov.uk).
- Geology – the level of information required will depend upon the nature of the application.
- Landscape
- Proximity of sensitive receptors
- Transport infrastructure serving a site

Note: The factors and constraints identified above are not comprehensive and will not apply to all sites. Applicants are advised to contact the Local Planning Authority for advice prior to submitting an application.