Independent Examination of Surrey Waste Local Plan 2019-2033

Draft Matters and Issues

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Inspectors appointed by the Secretary of State

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Introduction

This document lists the Matters (topics) and Issues (points for consideration) that will form the basis for discussions during the Hearing Sessions and supply the context for any further written statements (see Examination Guidance Note paragraphs 29 – 37). Matters and Issues may change as the examination progresses, although participants will be given an opportunity to comment on any new issues that arise. If sufficient information is provided on any particular matters/issues, I may decide not to pursue them further in any depth.

References to the Plan are to the Submission version of the Surrey Waste Local Plan 2019-2033 (SWLP) dated January 2019, which is the version that is being examined. References to the Council are to Surrey County Council. Other references used are:

NPPF - National Planning Policy Framework 2019;
PBG - Planning Practice Guidance;

The questions below arise out of my initial reading of the Plan and the key evidential documents. I may have additional questions following further reading prior to the Hearings. If so, I will attempt to circulate them within a reasonable time of the Hearings.

All questions should be answered by the Council. Other participants may respond to issues relevant to points they have made in their earlier representations. Answers should be supported with reasons, unless exceptionally it is clear from the question that a simple yes or no answer is required. There may be some overlap between questions, in which case answers may be cross referenced as appropriate. Text that may be found in submitted evidence documents or within the Plan itself should not be repeated, but references (with page and paragraph numbers) to those documents should be provided where relevant. Responses to each Matter should be submitted as separate documents.

As per section 20(7C) of the Planning and Compulsory Purchase Act 2004, the Council has requested that I recommend whatever Main Modifications are required to make the SWLP legally compliant and sound. The need for any Main Modifications to the SWLP will be explored during the course of the Examination. Although the principle of making a modification will be dealt with at the Hearing sessions, the wording may not be finalised until later.

Participants are urged to read the Examination Guidance Note, which has been circulated, and which can be downloaded from the examination website:

Examination webpage
Matter 1. (a) Duty to Cooperate and (b) Legal Compliance

Issue: Has the DtC been met and does the SWLP meet all other relevant legislative requirements?

(a) Duty to Cooperate (DtC)

1. Is there evidence of a continuous process of engagement, collaboration and effective cooperation with neighbouring local authorities and other prescribed bodies, to ensure that the Plan provides for a suitable and sustainable network of waste management facilities, that clearly reflects identified strategic priorities, provides the land and infrastructure necessary to support current and projected future levels of waste management development, and plans effectively for issues with cross-boundary impacts?

2. While the duty to cooperate is not a duty to agree, is there evidence that the Council has made every effort to secure the necessary cooperation of district and borough planning authorities on waste matters? (PPG ID: 28-016-20141016) Does the evidence demonstrate that the Council has sought to address the main future waste management issues raised by neighbouring local authorities and other bodies?

3. What mechanisms will be put in place to ensure that there is future cooperation in relation to cross boundary issues that may arise as development within the Plan progresses?

(b) Other legal requirements

4. The evidence base and the plan generally makes reference to the NPPF 2018. Is the SWLP consistent with the NPPF 2019?

5. Has the Plan consultation complied with the Statement of Community Involvement and public consultation requirements in the LP Regs? Has the Plan been prepared in accordance with the published Local Development Scheme? Has engagement taken place in relation to any Neighbourhood Plans in preparation within the Plan area?

6. How have emerging plans that are being prepared elsewhere, including outside the county, such as the new London Plan, been taken into consideration in the preparation of the SWLP?

7. The SOCG (SWLP 21) refers, in para 7.3, to minimising conflict between policies, allocations and ILAS in SWLP and allocations and policies in other adopted and emerging development plans in area. What conflicts remain? How are these intended to be resolved?

   Equality and Health Impacts

8. The Health Impact Assessment (SWLP 13) and the Equality Impact Assessment (SWLP 14) consider the health impacts of the Plan and its
potential impact on those with relevant protected characteristics, as set out in s149 of the Equality Act 2010. In what way does the Plan seek to ensure that adverse health impacts would be avoided or mitigated, and due regard is had to the three aims of the Equality Act in relation to those who have a relevant protected characteristic?

*Sustainability Appraisal (SA)*

9. Does the SA comply with the provisions of the Environmental Assessment of Plans and Programmes Regulations 2004 (EA Regs) in identifying, describing and evaluating the likely significant effects on the environment of implementing the Plan, together with economic and social factors?

10. Is it clear how the SA influenced the final plan and how the Plan addresses the requirement for any mitigation measures? Has the inter-relationship of effects, including cumulative impacts, been addressed? Have the requirements for Strategic Environmental Assessment been met, including in respect of cumulative impacts?

11. Has an adequate site assessment process been undertaken? Is there adequate coverage of all reasonable alternatives and have they been similarly evaluated to the preferred option? Have outline reasons been given in the SA for selecting the alternatives dealt with and a description given of how the assessment was undertaken? Have reasons been given for rejecting alternatives?

*Habitats*

12. Have the requirements for appropriate assessment under the Habitats Regulations been met, having regard to relevant national policy and guidance?

13. Has the HRA satisfactorily considered all impact pathways, including noise and dust from construction? Is an addendum required to address these issues? A response from Natural England would be welcomed on this issue.

14. Is the potential need for Habitat Regulation Assessment (HRA) and Appropriate Assessment in respect of specific proposals clearly identified? Are required potential mitigation measures set out clearly within the SWLP?

15. Does the HRA process followed take account of the Wealden judgement (Wealden V SSCLG [2017] EWHC 351Admin) and potential “in combination” air quality impacts of traffic flows on relevant designated areas? Are the Councils content that the HRA screening undertaken in relation to the Plan is legally compliant in light of the recent CJEU judgement (Case C-323/17) in People over Wind, Peter Sweetman v Coillte Teoranta?
Climate change

16. Does the evidence demonstrate that the policies of the SWLP (taken as a whole) would contribute effectively to the mitigation of, and adaptation to, climate change?

Matter 2: Overall Assessment of Need

(Policy 1)

Issue: Whether the identified waste requirements are justified and based on a sound assessment of need?

Existing capacity

17. Is the evidence of existing waste management facilities robust and sufficiently detailed? Does it include details of location, type of facility, licence/permit details, capacity information including maximum capacity, waste sources, outputs, residues and destination, where appropriate? (PPG ID: 28-024-20141016)

18. Are details of existing major disposal and recovery installations clearly shown on the Policies Map? (PPG ID: 28-027-20141016 and 28-039-20141016)

19. How have the targets and needs included in the Joint Municipal Waste Management Strategy (JMWMS) been taken into account in the SWLP? What assessment has been made of the existing capacity of the network of community recycling centres (CRCs) and how this may change over the plan period?

20. In what circumstances may the capacity of existing waste management facilities change? What is the likelihood of this occurring? How has this been assessed?

21. How has the capacity of sites exempt from environmental permits been assessed? Is this capacity considered to be significant?

Forecast of waste arisings over the plan period

22. Waste arisings have been forecast at the end of the plan period and at specific points within it. Is it clear when new or replacement facilities are likely to be required during the plan period?

23. The Waste Needs Assessment April 2019 (WNA) (SWLP 8) details the factors that have informed forecasts of future local authority collected waste (LACW) arisings and the preparation of the growth profile? Do these factors clearly and robustly justify the chosen scenario?

24. The WNA also details the factors that have informed forecasts of future arisings in other wastes, including commercial and industrial (C&I),
construction, demolition and excavation (CD&E), hazardous waste, and other types of waste, and the preparation of the respective growth profiles. Are the chosen scenarios clearly justified and robust?

25. Given the number and scale of identified potential significant housing developments and major infrastructure projects that may come forward within the plan period, are the assumptions about CD&E waste arisings requiring off-site management realistic? Does the scenario for CD&E waste arisings provide for sufficient flexibility in waste management capacity provision?

**Future capacity**

26. Is the methodology used for calculating future capacity robust? The future capacity for recycling and other capacity (WNA, Table 25) indicates that the current capacity can be maintained across the lifetime of the plan. Is this assumption reasonable?

**Capacity gap**

27. How does the SWLP make provision for sufficient capacity across different types of waste management facility, to support the objective of encouraging the management of waste further up the waste hierarchy?

28. Does the SWLP identify a range of planned capacity for each type of waste? To be positively prepared, is it necessary for the identified capacity requirement to be included within Policy 1 – Need for Waste Development and clearly identified within the SWLP?

29. The WNA, paragraphs 4.2.2.2 - 4.2.2.6, identifies a potential need for additional recycling capacity towards the end of the plan period, a potential requirement for composting facilities, a need for additional Energy from Waste (EfW) capacity, readily available waste transfer stations (WTS) and materials recovery facilities (MRF), and a potential for increased capacity for anaerobic digestion. How does the SWLP address these requirements?

30. Is there a demonstrable need for specific additional capacity for dry mixed recyclables (DMR)?

31. In relation to the potential expansion of Heathrow Airport, reference is made to the potential closure and replacement of the Lakeside Energy from Waste (EfW) facility. How is it intended to manage the timing of this replacement and what measures would be put in place to address any gap in provision?

32. The WNA, paragraph 4.2.4.1 indicates that currently there is insufficient capacity for CD&E recycling in the later part of the plan period. Is the policy approach proposed to address this issue, with an absence of specific allocations, justified and robust, taking into account the future excavation waste arisings identified in the North London Boroughs SOCG (SWLP 27, paragraph 5.4)?
33. Reference is made, within the evidence base, to an intended review of CD&E recycling need and capacity as part of the proposed review of the Surrey Mineral Plan. Is this deferred approach to the assessment of need justified and is the SWLP justified and positively prepared in this regard?

34. The recovery of inert waste to land capacity is reliant on mineral sites coming forward during the plan period. How has the likelihood of this occurring been assessed? Reference is made, in footnote 9 of the SWLP, to planned sites yet to have planning permission or become operational. Is there a reasonable likelihood of these sites coming forward? How robust is the reliance on these sites to address the capacity gap in recovery to land for inert waste?

35. The WNA, paragraph 4.2.3.1, identifies a capacity gap for the disposal of non-inert waste to land towards the end of the plan period, following the scheduled closure of Patteson Court landfill in 2030. Does the evidence demonstrate that the SWLP would be effective in addressing the identified requirement for additional capacity without a specific allocation?

36. Is the absence of proposed sites for hazardous waste arisings justified? The SOCG with the North London Boroughs identifies the main waste export from north London to Surrey is hazardous waste, with existing landfill capacity in the wider south east declining. The existing landfill site at Patteson Court is due to close in 2030, but the SOCG indicates that the resulting waste management capacity required is expected to be provided elsewhere. (SOCG SWLP 27 paragraph 5.14) Is the plan positively prepared in this regard?

37. The WNA, paragraph 2.5.1.1, indicates that it is not considered necessary to make strategic provision for wastewater facilities within the SWLP and no further land is proposed to be allocated in this respect. Is the SWLP justified and positively prepared in this regard? How does this relate to the proposed allocation 5.1 (Land to the north east of Slyfield Industrial Estate, Guildford), which identifies the site as proposed to facilitate a replacement for the existing sewage treatment works, amongst other waste management facilities?

38. How would the policies of the SWLP ensure that new and existing sites can be developed to provide Surrey’s ongoing wastewater and associated sludge management requirements without adversely impacting the environment or the community? (WNA, paragraph 2.5.1.2)

39. How would the policies of the SWLP be effective in addressing the need for potential additional capacity in agricultural waste, anaerobic digestion, nuclear waste and radioactive waste, should that need arise?

40. Given the identified gaps in capacity, does the evidence demonstrate that the aim of Net Self-Sufficiency for Waste Management in Surrey is reasonably likely to be deliverable over the plan period? What assumptions have been made in this regard?
Matter 3: Sustainable Waste Management

(Policies 1, 2, 3, 4, 5, 6, 7 and 8)

Issue: Whether the approach to waste management is justified and soundly based?

Policy 1– Need for waste development

41. Having regard to the need identified, how would the policies of the SWLP promote or deliver waste minimisation? How will the policies of the SWLP be effective in promoting the management of waste further up the waste hierarchy?

42. Does the evidence demonstrate that the Policy 1 (ii) requirement is justified, for proposals for ‘other recovery’ capacity not to result in the requirement for such capacity being exceeded, as specified in the latest Annual Monitoring Report (AMR)?

43. Are the identified targets in Table 3 (paragraph 1.4.2.7) for the management of different waste streams justified and deliverable? For clarity and effectiveness, should reference also be made to waste management through other recovery methods?

44. How are the technological options for managing waste streams addressed by the SWLP? Are circumstances considered to exist where it would be appropriate to prescribe a specific technology for particular sites or facilities? If so, is this clearly justified? (PPG ID: 28-019-20141016)

Policy 2– Recycling and recovery (other than inert CD&E and soil recycling facilities)

45. To be effective and for clarity, should the specific wording of Policy 2 reflect the explanatory text at paragraph 5.2.2.5, to clarify that proposed improvements or extensions of existing operations are intended to be considered under Policy 8?

46. How will Policy 2 be effective in addressing the identified need for additional recycling and recovery facilities? Does the specific wording of the policy make it sufficiently clear that all development proposals, including those on allocated and existing waste management sites, will be assessed against other policies in the plan? In this regard, in relation to ‘other recovery’, should Policy 2 include a cross-reference to Policy 1?

47. Does the wording of Policy 2 make sufficient encouragement for colocation and is the SWLP positively prepared in this regard?

48. To be effective, positively prepared and for clarity, is it necessary for Policy 2 to clearly identify the proposed specific allocation under Policy 11b for a household waste MRF, to process dry mixed recyclable (DMR) wastes?
49. The SWLP, paragraph 5.2.3.7, recognises the tension that may exist between supporting the recycling of inert CD&E waste and encouraging the timely restoration of sites through recovery of this material to land. Is the potential impact of this approach on the restoration of former minerals sites justified, including those within the Green Belt?

50. Policy 3 (A) includes four criteria for assessing whether a proposal is acceptable. Is the Policy, as worded, sufficiently clear that each of the criteria are weighted equally?

51. Amongst other matters, Policy 3 makes provision for temporary CD&E waste recycling facilities within existing minerals sites, rather than permanent facilities at such locations. Given the identified capacity gap for the recycling of inert CD&E waste, is this justified?

52. The SWLP, paragraph 5.2.4.5, refers to the intention for large scale development, as defined in footnote 50, to be accompanied by a ‘Site Waste Management Plan.’ To be effective, is it necessary for Policy 4 to include a specific reference to this requirement? How is it intended that this requirement will be enforced?

53. Is the specific wording of Policy 4 justified and effective? How will the policy requirements be assessed? Are those requirements clearly identified and unambiguous? Is further guidance in these respects proposed? Is the encouragement in Policy 4 (iii) for on-site operational waste management facilities sufficiently positive? Should this be a requirement?

54. The explanatory text for Policy 5 refers to the use of inert waste for recovery to land being acceptable where the benefits of the development clearly outweigh any potential adverse impacts (in paragraph 5.2.5.4). However, Policy 5 (i) and paragraph 5.2.5.7 refer to significant benefits. How is the inconsistency in the wording used intended to be addressed?

55. In relation to Policy 6, does the evidence demonstrate that the SWLP is positively prepared in this regard? Given the scheduled closure of Patteson Court landfill site in 2030, how is the disposal of non-inert waste to land, including hazardous waste, proposed to be managed in the long-term? How would Policy 6 be effective in addressing the identified needs in this regard?
56. As worded, will the Policy 6 requirement for any new non-inert landfill to take account of existing capacity be effective? Is the policy sufficiently clear in how this requirement will be assessed? For effectiveness, should the policy specify a geographical area or locational proximity?

Policy 7 – Safeguarding

57. In Policy 7, is the phrase ‘in proximity to’ sufficiently precise? How is proximity defined? Is this clearly set out within the SWLP? Is the wording of the second part of the policy sufficiently clear, that it will only be necessary for the proposal to meet one of the specified criteria?

58. Given the spatial strategy, Policies 1 and 2, and the hierarchy of preference for the location of new waste management proposals, is the safeguarding of existing, permitted and allocated sites justified?

59. Does the evidence demonstrate that the Surrey Minerals & Waste Consultation Protocol will be effective in safeguarding existing, allocated and permitted waste facilities? What other collaborative measures and communication methods will be used to ensure effective working between the county council and district and borough councils in this regard? (SWLP, paragraph 5.2.7.7)

60. In relation to proposed allocation 5.1 (Land to the north east of Slyfield Industrial Estate, Guildford), how will the SWLP ensure that replacements are in place for the existing waste management sites before redevelopment occurs?

Policy 8 – Improvement or Extension of Existing Facilities

61. Paragraph 5.2.8.4 includes reference to taking account of the original reasons for time limited permissions, in the consideration of proposals for the improvement or extension of facilities with temporary permission. For clarity, to be effective and justified, should this be included within the wording of Policy 8?

62. To be justified, should the wording of Policy 8 refer to the type or quality of waste to be managed? Will the requirement for environment and local amenity improvements be readily achievable?
**Matter 4: Spatial Strategy (Policies 9, 10, 11a, 11b and 12)**

**Issue: Whether the spatial strategy and distribution of waste management provisions are soundly based?**

63. Is the proposed spatial strategy for the planned provision for new capacity justified and consistent with national planning policy and guidance, including in relation to the focus on towns and urban areas, the use of previously developed land, and impacts on the environment and amenity? Is the identified spatial hierarchy for the location of future waste management provision justified, clear and readily understandable? Do the policies of the plan, including Policies 2, 9 and 10, clearly support the delivery of the spatial strategy and the locational hierarchy?

64. Does the proposed distribution reflect a robust analysis of waste management needs, including for specific waste streams? What sources of data have been used for this analysis? How reliable and up-to-date are these sources? Does the evidence demonstrate that options for strategic approaches to locating facilities have been considered?

65. How does the spatial strategy and the proposed distribution of waste management facilities address the proximity principle and are strategic movements of waste justified? How have the transport implications for the proposed distribution of proposed allocated sites and ILAS been assessed? Is the distribution justified in this regard?

66. Does the SWLP include sufficient information on the location criteria for site identification? Does it meet European reporting requirements for waste management plans to show existing and proposed waste management sites on a geographical map, and/or include sufficiently precise locational criteria for identifying such sites? (PPG ID: 28-039-20141016)

**Policy 9 - Green Belt**

67. Is the spatial strategy consistent with national planning policy in respect of development within the Green Belt? To be effective, should the spatial strategy clearly indicate that allocated sites within the Green Belt would not be preferred to other suitable sites outside the Green Belt that may come forward in the future. For effectiveness, should the interrelationship between the Spatial Strategy, Policy 2, Policy 9 and Policy 10 be clearly explained within the Plan?

68. Is Policy 9 consistent with other adopted and emerging development plans within the area covered by the SWLP? Is the location of proposed allocations within the Green Belt justified? Does the evidence demonstrate an inability to identify sufficient, suitable, opportunities for waste management facilities on land outside the Green Belt?
69. Does the wording of Policy 9 make it sufficiently clear that, even for proposed allocations, to be considered acceptable, waste development in the Green Belt would need to demonstrate very special circumstances exist? To be consistent with national planning policy, should the policy refer to the factors identified as those that may contribute to ‘other considerations’? To be justified, should the policy clarify that those factors are indicative, with each proposal considered on its merits?

70. The evidence indicates that sites within the Green Belt allocated in the current Waste Local Plan, such as former Weylands STW, have faced issues with their proposed development, due in part to their location within the Green Belt. Given this, what confidence does the Council have that the proposed allocations are likely to be effective in delivering waste development?

**Matter 5: Allocations and ILAS (Policies 10, 11a, 11b, 12)**

**Issue: Whether the Industrial Land Areas of Search (ILAS) and the allocations are soundly based and provide sufficient flexibility to meet the identified needs of the area for the management of waste?**

*Policy 10 – Areas suitable for development of waste management facilities*

71. Does Policy 10 clearly identify the hierarchical preference for the location of new facilities? Does the policy clearly indicate a preference for development on sites outside the Green Belt, including allocated sites?

72. Given that allocated sites within the Green Belt would not be preferred to other suitable sites outside the Green Belt that may come forward in the future, what is the purpose of the proposed allocations and how effective would they be in delivering the required capacity for waste management facilities?

73. For clarity and effectiveness, should Policy 10, or the related supporting text, include explicit reference to the need for proposals to comply with other policies of the SWLP, including Policy 1 and Policy 14?

74. Does the evidence demonstrate that the land identified in Policy 10 would provide sufficient opportunity to meet the identified capacity requirement for waste management provision? If so, is this clearly identified within the SWLP? What constraints have been identified to the deliverability of proposed provision? Are these constraints capable of resolution?
**Policy 10, Policy 11a – Strategic Waste Allocations, and Policy 11b – Allocation of a Site for a Household Waste Materials Recycling Facility**

75. Does the SWLP clearly identify the type or types of waste management facility that would be appropriately located on the proposed allocations or ILAS? Does the SWLP include details of the capacity of proposed future strategic waste allocations?

76. Does the evidence clearly demonstrate how the ILAS and proposed allocated sites were selected? Is this selection process open and transparent? Is the choice of sites and the ILAS justified, including in relation to the proximity principle?

77. Would the sites identified and the ILAS be effective in meeting the identified waste capacity needs? Does the evidence demonstrate that the sites are deliverable? Are they available, suitable and achievable? Is there clear landowner support for the allocation or ILAS identification? Do the sites have operator involvement?

**ILAS**

78. The findings of the Delivery of Waste Management Capacity in Surrey 2008-2017 (SWLP 11) indicate limited capacity for industrial estates and other industrial and employment land to deliver waste management infrastructure (3% of capacity). Given these findings, why does the Council consider the ILAS to be a robust and effective delivery mechanism for new waste management infrastructure?

79. How has the issue of potential for conversion of industrial units to residential use under The Town and Country Planning (General Permitted Development) (England) Order 2015 been assessed? What effect will this have on the potential distribution of development?

80. The key environmental sensitivities for proposed ILAS do not include considerations such as noise and odour. Have these aspects been considered? Is the Council satisfied that such potential constraints would not prevent delivery of waste management facilities on the site?

81. ILAS 4.1 Brooklands Industrial Park, Wintersells Road Industrial Park and Byfleet Industrial Estate: is the description of the location of the site in relation to the M25 motorway correct? The column identifying current uses refers only to Area A, is this correct?

82. ILAS 4.7 Land at Burnt Common warehouse, London Road, Send: the description refers to the emerging Guildford Local Plan. Are any changes required to the description, or the proposed identification of the site as an ILAS, following the recent adoption of this plan.
**Allocations**

*Policy 11a – Strategic Waste Allocations*

83. Four of the proposed site allocations are within 250 metres of housing. Does the evidence demonstrate that these proposed allocations are justified and reasonably likely to be effective in delivering the facilities required, having regard to Policy 14 and the need for proposals to avoid significant adverse impacts on communities and the environments?

*Site A(i) - Land to the north east of Slyfield Industrial Estate, Guildford (Part 2 Allocation 5.1)*

84. Evidence indicates that the site is largely required for the relocation of the existing Guildford STW and other existing waste facilities. To be effective and positively prepared, should clarification be provided in Policy 11a to this effect? Without such clarification, would there be an inconsistency with the current reference in the policy, to meeting identified shortfalls in waste management capacity?

85. The key development issues for the site, identified within Part 2 of the SWLP, include European sites (Special Protection Area, Special Area of Conservation), a Site of Special Scientific Interest, a site of nature conservation importance, a local nature reserve, ancient woodland and the potential for hosting reptiles. How have the impacts of the proposed allocation on these sites and protected species been assessed? Are the findings of this assessment clear and robust? Do they support the allocation of the site?

86. How has the proposed allocation considered the potential for cumulative impacts, including in relation to traffic movements and air quality, associated with the proposed development of the waste management facility, together with other development nearby?

87. How have the potential transport impacts of the proposed allocation been assessed, including cumulative impacts of this proposal and other proposed development nearby? Would the development of the proposed allocation have a significant adverse impact on the safety and capacity of the local and strategic highway network? What improvements to the highway network would be required to support a medium-large scale facility?

88. Is the Council confident that the development of the site would be able to meet the requirements of Policy 14 of the SWLP, including in relation to potential impacts on the environment and local communities, such as those relating to flood risk and contamination? How has this been assessed?
89. A number of potential constraints have been identified for the proposed allocation in Part 2 of the SWLP. Is there a reasonable prospect that these constraints are capable of resolution?

*Site B(i) – Former Weylands sewage treatment works, Walton-on-Thames (Part 2 Allocation 5.2)*

90. Evidence from a representor suggests that the site is unlikely to come forward for development. How has the likely availability of the site been assessed? If the site is unlikely to be available, is the allocation justified and how effective is it likely to be in addressing the capacity needs identified?

91. The key development issues for the site, identified within Part 2 of the SWLP, include European sites (Special Protection Areas, Special Areas of Conservation, Ramsar site), a Site of Special Scientific Interest, a site of nature conservation importance, and a local nature reserve. How have the impacts of the proposed allocation on these sites been assessed? Are the findings of this assessment clear and robust? Do they support the allocation of the site?

92. How has the proposed allocation considered the potential for cumulative impacts, including in relation to traffic movements and air quality, associated with the proposed development of the waste management facility, together with other development nearby?

93. How have the potential transport impacts of the proposed allocation been assessed, including cumulative impacts of this proposal and other proposed development nearby? Would the development of the proposed allocation have a significant adverse impact on the safety and capacity of the local and strategic highway network? What improvements to the highway network would be required to support a medium-large scale facility?

94. Is the Council confident that the development of the site would be able to meet the requirements of Policy 14 of the SWLP, including in relation to potential impacts on the environment and local communities, such as those relating to water resources, flood risk, contamination, visual impact, noise, odour, vibration, fumes and dust? How has this been assessed?

95. A number of potential constraints have been identified for the proposed allocation in Part 2 of the SWLP. Is there a reasonable prospect that these constraints are capable of resolution?
96. The key development issues for the site, identified within Part 2 of the SWLP, include European sites (Special Protection Area, Special Area of Conservation), Sites of Special Scientific Interest, a site of nature conservation importance, a national nature reserve, and a local nature reserve. How have the impacts of the proposed allocation on these sites been assessed? Are the findings of this assessment clear and robust? Do they support the allocation of the site?

97. How has the proposed allocation considered the potential for cumulative impacts, including in relation to traffic movements and air quality, associated with the proposed development of the waste management facility?

98. How have the potential transport impacts of the proposed allocation been assessed, including cumulative impacts of this proposal and other proposed development nearby? Would the development of the proposed allocation have a significant adverse impact on the safety and capacity of the local and strategic highway network? What improvements to the highway network would be required to support a medium-large sized facility?

99. Is the Council confident that the development of the site would be able to meet the requirements of Policy 14 of the SWLP, including in relation to potential impacts on the environment and local communities, such as those relating to noise, odour and dust? How has this been assessed?

100. A number of potential constraints have been identified for the proposed allocation in Part 2 of the SWLP. Is there a reasonable prospect that these constraints are capable of resolution?

Site B(iii) – Oakleaf Farm, Horton Lane, Stanwell Moor (Part 2 Allocation 5.4)

101. Does the site description and indicative area shown in Part 2 accurately reflect the current extent and characteristics of the site, including the existing MRF building and the bund around the wider site? For clarity and effectiveness, should the description and indicative site area be amended to include these elements?

102. The key development issues for the site, identified within Part 2 of the SWLP, include European sites (Special Protection Area, Ramsar site, Special Area of Conservation), Sites of Special Scientific Interest, and two sites of nature conservation importance. How have the impacts of the proposed allocation on these sites been assessed? Are the findings of this assessment clear and robust? Do they support the allocation of the site?
103. How has the proposed allocation considered the potential for cumulative impacts, including in relation to traffic movements and air quality, associated with the proposed development of the waste management facility, together with other development nearby?

104. How have the potential transport impacts of the proposed allocation been assessed, including cumulative impacts of this proposal and other proposed development nearby? Would the development of the proposed allocation have a significant adverse impact on the safety and capacity of the local and strategic highway network? What improvements to the highway network would be required to support a medium - large sized facility?

105. Is the Council confident that the development of the site would be able to meet the requirements of Policy 14 of the SWLP, including in relation to potential impacts on the environment, aerodrome safeguarding, and local communities, such as those relating to visual impact, public rights of way, noise, dust, and fumes? How has this been assessed?

106. A number of potential constraints have been identified for the proposed allocation in Part 2 of the SWLP. Is there a reasonable prospect that these constraints are capable of resolution?

   *Site C(i) – Land at Lambs Business Park, Terra Cotta Road, South Godstone (Part 2 Allocation 5.5)*

107. The key development issues for the site, identified within Part 2 of the SWLP, include a European site (Special Area of Conservation), a Site of Special Scientific Interest, two sites of nature conservation importance, areas of ancient woodland and the potential presence of protected species (Great Crested Newts). How have the impacts of the proposed allocation on these sites and protected species been assessed? Are the findings of this assessment clear and robust? Do they support the allocation of the site?

108. How has the proposed allocation considered the potential for cumulative impacts, including in relation to traffic movements and air quality, associated with the proposed development of the waste management facility, together with other development nearby?

109. How have the likely landscape and visual impacts of the potential development options of the proposed allocation been assessed, including in relation to the historic landscape? Are the findings of this assessment clear and robust? Do they support the allocation of the site?
110. How have the potential transport impacts of the proposed allocation been assessed, including cumulative impacts of this proposal and other proposed development nearby? Would the development proposed have a significant adverse impact on the safety and capacity of the local and strategic highway network? What improvements to the highway network would be required to support a small, medium or large sized facility? Does the evidence demonstrate that the use of rail sidings to support the proposed development of the site is feasible and reasonably likely?

111. Is the Council confident that the development of the site would be able to meet the requirements of Policy 14 of the SWLP, including in relation to potential impacts on the environment and local communities, such as those relating to flood risk, public rights of way, contamination, water resources, noise, illumination, fumes and odour? How has this been assessed?

112. A number of potential constraints have been identified for the proposed allocation in Part 2 of the SWLP. Is there a reasonable prospect that these constraints are capable of resolution?

Policy 11b – Allocation of a Site for a Household Waste Materials Recycling Facility (Part 2 Allocation 5.6)

113. Would the proposed allocation meet the identified need for specific additional capacity for DMR? Taking into account the proposed allocations in Policy 11a, does the evidence demonstrate that the proposed Policy 11b allocation is necessary to meet that need?

114. The site is not previously developed land (PDL), is within the Green Belt, and contains areas of ancient woodland. Does the evidence demonstrate that the allocation of the site is justified and would be preferable to reasonable alternative allocations when considered in relation to the locational hierarchy of the spatial strategy for waste management facilities?

115. In other respects, in comparison to other reasonable alternative sites, is the proposed site allocation justified, clear and robust, including in relation to the proximity principle, and its location in relation to the Strategic Road Network (SRN)?

116. For clarity and effectiveness, should the wording of the policy clearly indicate a requirement for compliance with other policies within the SWLP and include a cross-reference to Policy 9, on development within the Green Belt?

117. The evidence indicates that the site is allocated in the current Waste Local Plan 2008. What assessment has been undertaken of why
the site has not previously come forward for development? Is the site reasonably likely to be deliverable within the plan period?

118. The key development issues for the site, identified within Part 2 of the SWLP, include a number of European sites (Special Protection Areas, Special Areas of Conservation, Ramsar site), a Site of Special Scientific Interest and a local nature reserve. How have the impacts of the proposed allocation on these sites been assessed? Are the findings of this assessment clear and robust? Do they support the allocation of the site?

119. How has the proposed allocation considered the potential for cumulative impacts, including in relation to traffic movements and air quality, associated with the proposed development of the waste management facility, together with other development nearby?

120. How have the potential transport impacts of the proposed allocation been assessed, including cumulative impacts of this proposal and other proposed development nearby? Would the development proposed have a significant adverse impact on the safety and capacity of the local and strategic highway network? What improvements to the highway network would be required to support a small - medium size facility?

121. Is the Council confident that the development of the site would be able to meet the requirements of Policy 14 of the SWLP, including in relation to the potential impacts on areas of ancient woodland, the potential archaeological importance of the site, other aspects of the environment, and local communities? How has this been assessed?

122. A number of potential constraints have been identified for the proposed allocation in Part 2 of the SWLP. Is there a reasonable prospect that these constraints are capable of resolution?

Policy 12 – Wastewaster Treatment Works

123. Policy 12 (ii) refers to the use of biogas as an energy source. The policy wording indicates the biogas will be recovered ‘as appropriate’. This is not referred to within the supporting text. Is the policy wording sufficiently precise? To be justified and effective, should the policy specify when such recovery would be expected?
Matter 6: Design and the Environment (Policies 13, 14)

Issue: Whether sufficient opportunities are provided to protect and enhance the natural, built and historic environment and minimise any adverse impact of waste development on communities?

Policy 13 – Sustainable design

124. Is the wording of Policy 13 sufficiently clear and effective? How is relevant best practice defined? Does this refer to the design and operation of the facility? How will this be assessed?

125. Is the policy consistent with national policy, in its requirement for the maximisation of heat recovery and recovery of energy from the waste activity?

Policy 14 – Development Management

126. Does the SWLP clearly explain the relationship with other elements of the development plan within the county, including the need to comply with the policy requirements of other plans, unless material considerations indicate otherwise, as well as those of the SWLP?

127. Does the specific wording of Policy 14 clearly indicate how the potential impacts of a waste management proposal would be assessed? Is the extent, type and methodology of assessment that will be required to support development proposals, where relevant, clearly and consistently set out within the SWLP, such as site-specific flood risk assessments, heritage impact assessments, ecological assessments, noise impact assessments, air quality assessments etc?

128. For effectiveness, should Policy 14 make reference to the high potential for waste management proposals to be EIA development (as specified in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017)? Is the role of screening and scoping under those Regulations made sufficiently clear within paragraph 5.4.2.3 of the SWLP?

129. Is the Policy 14 requirement to avoid significant adverse impacts consistent with the legal duties and national planning policy requirements for Areas of Outstanding Natural Beauty (AONBs), biodiversity and protected European and international sites, the special interest features of nationally designated sites, irreplaceable habitats, and protected species, listed buildings and their settings, Conservation Areas and other nationally and locally important designated and non-designated heritage assets, including Scheduled Monuments and their settings, and areas of archaeological potential?
130. Policy 14 B(i)(a) includes reference to dust and vibration. For clarity and effectiveness, should these considerations also be included within paragraphs 5.4.2.6 and 5.4.2.7?

131. In relation to the assessment of flood risk, to be consistent with national policy, should the use of the word ‘proposed’ replace ‘necessary’ in paragraph 5.4.2.14? To support the effective delivery of development, should paragraph 5.4.2.16 include a short explanation for the reason why early discussion is advocated?

132. In relation to biodiversity, for effectiveness, should paragraph 5.4.2.30 be explicit that any mitigation, or compensation, would need to be considered suitable? In paragraph 5.4.2.33, for consistency with national policy, should the phrase ‘minimise the risk of significant adverse impacts’ be replaced with ‘avoid the risk of adverse impacts’? For effectiveness, should Policy 14 include the requirement, referred to in paragraph 5.4.2.34, for development to provide net gains in biodiversity and the network of Biodiversity Opportunity Areas (BOAs), referred to in paragraph 5.4.2.35?

133. To be consistent and effective, should the wording of paragraph 5.4.2.48, on aerodrome safeguarding, be amended to reflect the need identified in Policy 14 to assess the position and heights of buildings and associated structures?

Matter 7: Transport and connectivity (Policy 15)

Issue: Whether the policies and proposals of the SWLP demonstrate that options for sustainable transport are supported and waste movement by road is minimised as far as practicable?

134. How has the potential cumulative impact of transport movements on the strategic road network (SRN) been assessed? What impact will the policies and proposals of the SWLP have in this regard?

135. How are any adverse impacts on the SRN and local roads proposed to be minimised? How does Policy 15 ensure that this will be effectively managed and controlled? To be effective, should the policy refer to the potential need for Traffic Management Plans and Transport Assessments to support development proposals? Similarly, should the supporting text clearly identify the extent, type and method of assessment required?

136. Is the wording of Policy 15 B(vi) consistent with paragraph 109 of the NPPF, where it seeks to avoid unacceptable impacts on highway safety, or severe residual cumulative impacts on the road network?
137. Proposed allocations A(i), B(i), B(ii) and B(ii) (Part 2 sites 5.1, site 5.2, site 5.3 and site 5.4) have identified a need or a potential need for highway improvements to facilitate delivery of the development proposed. Is there a reasonable prospect that these improvements will be delivered, including in relation to viability, feasibility and potential impacts on the SRN? What is the anticipated timescale for this work?

**Matter 8: Community engagement, delivery, monitoring and review**

*(Policy 16)*

**Issue: Whether the provisions for community engagement, delivery and monitoring are effective and adequately identify triggers for review?**

138. Is Policy 16 sufficiently clear and robust? To be positively prepared, effective and justified in relation to the Council’s validation requirements, should the policy require pre-application submission community engagement for development proposals that are likely to have substantial community interest? Is substantial defined? Is clear guidance provided within the SWLP of the ‘suitable proportionate steps’ expected?

139. For effectiveness, should Policy 16 refer to the support for the establishment of liaison groups, to address issues that may arise from the operation on larger waste management developments?

140. Does the SWLP demonstrate a commitment to on-going collaborative and joint working, which will actively support the implementation of its policies and proposals and the delivery of its objectives? How will the co-ordination of strategic capacity provision be achieved? (SWLP, paragraph 3.7.1.3)

141. Does the SWLP include policies that would steer the timing of land releases? Should the SWLP include an indicative delivery trajectory, with identified timescales for facilities to be provided? How will the development of facilities of types that sit towards the top of the waste hierarchy be prioritised? (SWLP, paragraph 3.7.1.2)

142. Is monitoring proposed to take place in line with the requirements identified in the PPG? (PPG ID: 28-054-20141016) Are the indicators and targets for each policy sufficiently precise and consistent with these requirements?

143. What measures are in place to ensure that the SWLP can respond flexibly to changing circumstances that might arise through emerging plans being prepared elsewhere, particularly on issues with cross-boundary impacts? Are suitable arrangements in place for reviews of the
SWLP at appropriate times? Are the potential triggers for such reviews clearly identified?

144. Does the Plan provide flexibility? What contingency arrangements and alternative strategies have been considered if development identified in the Plan does not proceed, or the rate of development anticipated is not met, including in relation to the provision of infrastructure?

145. Is there a need to identify a reserve of potential future development sites, should the proposed allocated sites in the Plan not come forward for development as anticipated?