Surrey Waste Local Plan
Examination

Matters Statement: Matter 3 Sustainable Waste Management (Policies 1, 2, 3, 4, 5, 6, 7 and 8)

23 August 2019
**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?

**Council’s Response:**

How would the policies of the SWLP promote or deliver waste minimisation?

41.1 Mechanisms to promote or deliver waste minimisation are embedded in the Plan, principally in section 5.2 (sustainable waste management) and through policies 4 (sustainable construction and waste management in new development) and 13 (sustainable design). Section 5.2 details opportunities for waste prevention which occur throughout a product’s life-cycle, and actions which require Surrey County Council (the Council) and its partners to work together including: Introducing separate food waste collections; working with Government to introduce extended producer responsibility; communication campaigns to persuade residents to change their buying habits; and, reducing the capacity of residual waste bins to encourage residents to think about their patterns of consumption.

41.2 Policy 4 ensures that waste produced as part of waste development is limited to the minimum quantity necessary. Large scale developments require a ‘Site Waste Management Plan’ that sets out how waste produced during all stages of a development will be minimised and managed in a sustainable way.

41.3 Policy 13 ensures that waste development seeks to contribute to sustainable development including minimising the production of waste, and that consideration be given to the use of reused or recycled construction materials during the construction and operation of any facility.

41.4 Furthermore, Strategic Objective 8 (“to work closely with our partners such as Surrey Waste Partnership, District and Borough councils and other Waste Planning Authorities to deliver the Surrey Waste Local Plan”) ensures the Council and its partners will support initiatives that seek to meet local targets for prevention and re-use, recycling and recovery and will prioritise the development of facilities of types that sit towards the top of the waste hierarchy.
How will the policies of the SWLP be effective in promoting the management of waste further up the waste hierarchy?

41.5 The Vision and approach within the Plan encourage the sustainable management of waste in line with the waste hierarchy (which includes waste prevention). The Spatial Strategy (SWLP Part 1) encourages redevelopment of suitable sites in existing waste management use where improvement and diversification would lead to an increase in appropriate management capacity consistent with the waste hierarchy.

41.6 The Plan includes policies which provide for the development of capacity to manage waste in a manner that supports achievement of its goals, including the management of waste further up the waste hierarchy. Mechanisms to promote this approach have been embedded into the Plan, principally through Strategic Objective 2 (to encourage development which supports sustainable waste management at least in line with national targets for recycling, recovery and composting), and policies 1 (need for waste development), 2 (recycling and recovery - other than inert C,D&E and soil recycling facilities), 3 (recycling of inert construction, demolition and excavation waste), 4 (sustainable construction and waste management in new development) and 5 (recovery of inert waste to land). For example, policy 1 requires the WPA to plan to provide sufficient capacity to adequately manage forecast waste requirements in accordance with the waste hierarchy, and policy 3 ensures that the Plan promotes the recycling of inert material over the recovery of this material to land. Specific measures for minimising waste e.g. targets for decreasing food waste arisings, are therefore accounted for in the Plan within the assessment of waste capacity requirements.

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)?

Council’s Response:

42.1 Yes. The requirement in Policy 1(ii) is intended to ensure that waste management facilities are developed in Surrey which do not incentivise the management of waste further down the waste hierarchy by ‘other recovery’ which appears as a management preference below preparation for re-use and recycling. In order to make this assessment it will be necessary to reference the AMR (SWPS-03) as this
will provide an up to date assessment of the ‘other recovery’ capacity gap and so identify whether there is any additional need for this type of capacity within Surrey.

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?

Council’s Response:

Are the identified targets in Table 3 for the management of different waste streams justified and deliverable?

43.1 Yes. Footnotes 14, 15 and 16 of the SWLP Part 1 set out the sources of the recycling targets (i.e. Circular Economy package and the Revised Waste Framework Directive). Para. 1.4.2.9 specifically identifies why the target for C, D&E waste recycling is 80% for 2035.

43.2 For LACW, as explained in the response to Q19 (Matter 2) it should be noted that the Joint Municipal Waste Management Strategy (JMWMS) (SWPS-12) includes a bespoke ‘recycling and recovery’ target of 70% by 2019/20 which supports the inclusion of minimum target of 75% recycling by 2030 within the SWLP (see Table 3). The JMWMS 2019/20 target is higher than the circular economy target because it includes the diversion of particular waste types (e.g. street sweepings and non-clean wood) from landfill by a means that, whilst it does not constitute recycling, is considered to be the best management option for that particular waste type. This is further explained in Section 3 of the JMWMS (SWPS-12).

43.3 Para. 1.4.2.8 sets out why the Council considers that the targets for LACW and C&I recycling are deliverable which is based on the fact that Surrey has a history of good recycling performance and currently high rates of recycling. It should also be noted that these ambitious targets are in line with those set by other parts of the UK i.e. Wales and Scotland (both 70% by 2025).

43.4 Footnotes 17, 18 and 19 reference national and European food waste targets (i.e. Courtauld Agreement and Circular Economy package).

43.5 Footnote 20 references targets for waste disposed to landfill (Circular Economy package, desire for no waste to be sent to landfill).
Should reference also be made to waste management through other recovery methods?

43.6 No. There are no targets for other recovery contained in Table 3 because waste that is not managed through recycling and is not sent to landfill (both of which have targets) is assumed to be managed by other recovery methods (which can include energy recovery or recovery to land). This is stated in Para. 1.4.2.7. Targets for other recovery are therefore not considered necessary.

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)

Council’s Response:

44.1 The technological options are assessed in terms of the how they result in the management of waste at different levels of the waste hierarchy. There is no need to prescribe a specific technology for particular sites or facilities beyond that set out in Part 2 of the SWLP which notes that certain sites may be less suited to thermal treatment. This is consistent with NPPW which expects that: “In preparing their plans, waste planning authorities should:...identify the broad type or types of waste management facility that would be appropriately located on the allocated site or in the allocated area in line with the waste hierarchy, taking care to avoid stifling innovation”.

44.2 Further explanation is provided in paragraphs 5.2.2.1 and 5.2.2.2 of the SWLP.
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?

Council’s Response:

45.1 No. Any proposal should be considered against all policies of the SWLP and paragraph 5.2.2.5 provides a sufficient ‘signpost’ to a policy that may well be relevant if Policy 2 applies to a particular proposal. Cross referencing to other polices within the wording of policies has been kept to a minimum to help ensure the policies, and the SWLP in general are succinct. Paragraphs 1.1.1.5 makes the general point that it is necessary for proposals to be considered against all relevant policies of the development plan.

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?

Council’s Response:

46.1 Policy 2 provides clear direction as to the types of sites that might be suitable for accommodating additional recycling and recovery facilities however, a further reference to Policy 10 is considered appropriate as it is certain that this policy will need to be considered when proposals falling under Policy 2 come forward. Policy 1 is an overarching policy that needs to be considered against all proposals and additional cross referencing is not necessary as paragraph 1.1.1.5 makes the general point that it is necessary for proposals to be considered against all relevant policies of the development plan.

46.2 The text of the proposed modification to part A of the policy is set out below:
A. Planning permission for the development of recycling or recovery facilities (other than inert C, D & E and soil recycling facilities) and any associated development will be granted where:

i) The site is allocated in the Surrey Waste Local Plan for waste development (Policy 11a and Policy 11b).

ii) The activity involves the redevelopment of a site, or part of a site, in existing waste management use.

iii) The site is otherwise suitable for waste development when assessed against Policy 10 and other policies in the Plan.

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

Council’s Response:

47.1 Yes. The policy states that permission for co-location will be granted subject to certain caveats. Paragraph 5.2.2.7 specifically notes that benefits may arise from co-location and from this it can be taken that, subject to certain matters being taken into account, co-location is supported and encouraged.

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?

Council’s Response:

48.1 Yes. A modification is proposed as set out in the response to Q. 46.
Policy 3 – Recycling of inert construction, demolition and excavation waste

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?

Council’s Response:

49.1 Both the aims of recycling CD&E waste and the restoration of mineral sites are justified. The tension arises where CD&E waste which could be used for restoration purposes is recycled for use as aggregate. However not all CD&E waste is suitable for recycling, and excavation waste may only be suitable for recovery (mineral site restoration). Given the potential for export of excavation waste from London this tension can be managed - although site restoration may take longer than originally planned.

49.2 In Surrey, mineral sites are generally located in the Green Belt and in accordance with national policy, are not considered inappropriate development. The policy encouragement for the co-location of recycling facilities with mineral sites is therefore likely to introduce inappropriate development into the Green Belt. However, this needs to be weighed against the benefits of co-location. Recycling activities have similar impacts to minerals extraction and processing. There are also synergies in terms of being able to blend materials and reduce overall lorry movements. Hence, given the need for recycled aggregate and the difficulty of finding appropriate sites, co-location can often provide a good solution to the problem of finding suitable sites for CD&E recycling. This is subject to the life of the recycling operation being limited to that of the mineral extraction and subsequent site restoration.

49.3 Benefits of co-location also include attracting additional material that can be used for restoration purposes. However, as recycling processes become more efficient then there is likely to be relatively less material available for restoration purposes causing potential delay in the final restoration. However, any delay has to be weighed against the benefits of co-location. In any event, alternative sites outside of mineral operations would most probably also be in the Green Belt, given the lack of alternative urban sites, with the then likelihood of even less material being available for mineral site restoration.
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?

Council’s Response:

50.1 The policy deliberately does not indicate that there is any preference and so it has to be taken that each criteria is equally weighted.

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?

Council’s Response:

51.1 Temporary facilities have reliably provided capacity in the past and are expected to continue to do so in the future. See the document Approach to C, D & E Recycling (ED-04). However, more permanent facilities may be required in the longer term to address the potential capacity gap and the need for these will be assessed as part of the review of the Surrey Minerals Plan.

51.2 Temporary permissions for C, D & E recycling at mineral sites are associated with the timescale for mineral extraction and site restoration. Impacts on communities associated with mineral extraction are partly justified because of their temporary nature and the fact that sites will be restored in accordance with an approved scheme. Impacts from C, D & E recycling will not be dissimilar and have synergies with the site restoration process.

51.3 Furthermore, mineral sites are generally located in the Green Belt. The co-location of recycling facilities with mineral sites will help to demonstrate benefits that could outweigh harm to the Green Belt and any other harm, and thus amount to the very special circumstances required to allow the granting of temporary planning permission for recycling aligned to the timescale for working and restoring the site. Allocating sites for permanent C, D & E recycling would sever this time limited association. This is not considered to be justified for consideration as part of the SWLP given the absence of any need in the short-term and so this issue is more appropriately dealt with as part of the review of the Surrey Minerals Plan that will involve a comprehensive review of potential sites.
Policy 4 – Sustainable Construction and Waste Management in New Development

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?

Council’s Response:

Is it necessary for Policy 4 to include a specific reference to this requirement?

52.1 A specific reference in Policy 4 to the need for a Site Waste Management Plan would be helpful and to address this it is proposed to add a footnote to Policy 4 after ‘demonstrated’ with the content of paragraph 5.2.4.5. Paragraph 5.2.4.5 can then be deleted. How is it intended that this requirement will be enforced?

52.2 In general, site waste management plans will be something for boroughs and districts to require and it is proposed that this be included within the next update to the Consultation Protocol (SWPS-08) and Standing Advice Note – Sustainable Construction (SWPS-07).

52.3 Site waste management plans are usually produced for large scale development as a matter of course. We will seek to ensure that the site waste management plans requirement is also featured in district and borough local plans as these are developed.

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?

Council’s Response:
53.1 The NPPW states that:

*When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that ... the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal (Paragraph 8).*

53.2 A *Standing Advice Note - Sustainable Construction (SWPS-07)* has already been produced and will be updated.

53.3 This policy complements policies already contained in borough and district local plans.

53.4 The first sentence of Policy 4 (iii) refers to on-site waste management facilities. This has to be ‘as appropriate’ since most waste will need to be processed and managed off-site. The Policy could be strengthened, however, by dealing with the storage of waste (referred to in the second sentence of Policy 4(iii) as a separate bullet point: (see *Proposed Additional Modifications (SCCD-02)*).

53.5 The text of the proposed modification to the policy is set out below:

<table>
<thead>
<tr>
<th>Policy 4 – Sustainable Construction and Waste Management in New Development</th>
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<tbody>
<tr>
<td>Planning permission for any development will be granted where it has been demonstrated that:</td>
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<tr>
<td>i) The waste generated during construction, demolition and excavation phase of development is limited to the minimum quantity necessary.</td>
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<tr>
<td>ii) Opportunities for re-use and for the recycling of construction, demolition and excavation residues and waste on site are maximised</td>
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<tr>
<td>iii) On-site facilities to manage the waste arising during the operation of the development of an appropriate type and scale have been considered as part of the development.</td>
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<tr>
<td>iv) <strong>Integrated storage to facilitate reuse and recycling of waste is incorporated in the development.</strong></td>
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Policy 5 – Recovery of inert waste to land

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?

Council’s Response:
54.1 It is agreed that there is an inconsistency in the text between paragraph 5.2.5.4 and Policy 5 (i) and paragraph 5.2.5.7. To correct the inconsistency a modification is proposed to paragraph 5.2.5.4 as set out below:

| 5.2.5.4 Proposals involving the use of inert waste for recovery to land will be acceptable where the benefits of the development clearly outweigh any potential adverse impacts as set out by Policy 5 below. In light of the fact that inert waste readily lends itself to being put to a beneficial use, the disposal of inert waste to land is considered unacceptable. |

**Policy 6 – Disposal of non-inert waste to land**

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?

**Council’s Response:**

In relation to Policy 6, does the evidence demonstrate that the SWLP is positively prepared in this regard?

55.1 Yes. The latest assessment of waste needs as set out in Section 1 of the SWLP (see Table 5) estimates that the existing non-inert waste landfill capacity (at Patteson Court Landfill) will last well into the plan period with planning permission until 2027. The SWLP recognises, at paragraph 5.2.6.1, that while landfill requirements will continue to decline significantly there will still be a need for this form of waste management. In light of this the plan needs to provide specific policy to allow the assessment of the suitability of related proposals and such policy is provided as Policy 6. Policy 6 is worded positively in that it allows for planning permission to be granted for non-inert landfill subject to proposals demonstrating that matters which affect the suitability of landfill have been addressed. Non-inert landfill results in the disposal of waste which is a category of waste management at the bottom of the waste hierarchy and it is therefore important that the policy reflects this by only allowing for development of landfill intended to manage waste that cannot be managed at other levels of the waste hierarchy. In light of the waste hierarchy it is also important that number of available landfills is kept to a minimum to avoid the
risk that landfilling is incentivised due to an oversupply in the market resulting in reduced gates fees. The policy is therefore worded in a manner to promote the management of waste further up the waste hierarchy.

55.2 While the allocation of a replacement landfill site in Surrey would provide additional certainty that capacity will come forward to meet needs at the end of the plan period, no sites were promoted for this purpose despite the Council proactively seeking land for such allocation (See Regulation 22 Consultation Statement (SWLP1) (paragraphs 5.2.3 and 9.3.13 to 9.3.15)). The Council is therefore not in a position to allocate a replacement site in the SWLP.

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?

55.3 In the long term it is considered that the disposal of non-inert waste to land will occur at a landfill developed for this purpose within Surrey and/or at site(s) outside of the county. As stated above, Policy 6 allows for new landfill capacity to be developed within the county but at the same time, due to the general decline in demand for landfill, any capacity outside of the county will serve a wider area that could include Surrey. Indeed, this is currently the case as the source of inputs of waste to Patteson Court are distributed over a wide area including East Sussex and West Sussex.

55.4 The current, and future, regional pattern of non-inert landfill is reflected in a ‘Joint Position Statement’ on ‘Non-hazardous Landfill in the South East of England’ (Ref. SWPS-01) which specifically recognises the issue of declining non-inert landfill across the south east and notes that: “The number of non-hazardous landfill facilities is declining across the South East of England and consequently the remaining available void space. As a result, those facilities remaining may now be accepting waste from a wider area than originally envisaged.”

55.5 It is considered that Policy 6 will allow for new landfill to come forward in the event that a need is demonstrated that justifies the management of waste at the bottom of the waste hierarchy and does not incentivise the management of waste by this route. The SWLP approach of providing for Non-inert waste landfill is specifically noted and accepted within the Statements of Common Ground with Buckinghamshire County Council (SOCG-07), Kent County Council (SOCG-03), West Sussex County Council (SOCG-05), East Sussex County Council (SOCG-04), the North London Boroughs (SOCG-02) and Hampshire County Council (SOCG06).
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?

Council’s Response:

56.1 Clause ii) requires proposals to demonstrate that the need provided for by a proposed site ‘cannot be met at existing permitted sites’. As explained in paragraph 5.2.6.5, an assessment of whether needs can or cannot be met at existing sites may take into account the distance that waste would be required to travel to be managed at such sites. It may be that waste cannot be managed at an existing site because the distance it would need to be transported would mean that management at that site would not be practical. However, what constitutes a practical distance cannot be prescribed as factors affecting this distance are likely to change over the plan period. For example, if a landfill were to be developed with a railhead then it may be that it would be practical for waste to be transported to that site over greater distances than would be the case if the site were only accessible by road. Examples of waste being transported by rail to landfill include:

- Brentford to Oxfordshire (approximately 50 miles)
- Hillingdon to Calvert (Buckinghamshire) (c 40 miles)
- Dagenham to Calvert (Buckinghamshire) (c 70 miles)
- Hendon to Stewartby (Bedfordshire) (c 40 miles)

56.2 Other factors affecting practicalities related to transport are changes in levels of road congestion and fuel prices. For hazardous wastes requiring landfill, a further consideration is the possibility that the waste cannot be managed at existing sites because this is not allowed under the Environmental Permit as the site has not been engineered to a level that would allow the safe disposal of such waste. In light of this it is considered that, a slight modification to Policy, addition of the word ‘practically’ in clause ii), would help improve its effectiveness as set out below:

Policy 6 - Disposal of Non-inert Waste to Land
Planning permission for development involving disposal of non-inert waste to land will be granted where:
i) The waste to be disposed of is the residue of a treatment process and cannot practicably and reasonably be re-used, recycled or recovered.

ii) There is a clearly established need for the additional waste disposal to land capacity which cannot **practically** be met at existing permitted sites.

iii) Best practice measures are included to ensure maximum practicable recovery of energy from landfill gas.

iv) The resulting final landform, landscaping and after-uses are sympathetically designed and enhance the natural environment.

In the case of landraise proposals for non-inert waste, in addition to the requirements (i) to (iv) above, permission will only be granted if all existing permitted land disposal and mineral working sites have been investigated and eliminated as unsuitable for non-inert waste disposal.
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?

Council’s Response:

Is the phrase ‘in proximity to’ sufficiently precise? How is proximity defined? Is this clearly set out within the SWLP?

57.1 The consultation protocol (SWPS-08) sets out what is meant by ‘in proximity to’. That is wholly or partly within 250 metres of the site boundary of a strategic waste management site. Is the wording of the second part of the policy sufficiently clear, that is will only be necessary for the proposal to meet one of the specified criteria?

57.2 The wording of the second half of the policy can be clarified by adding the word ‘either’ before the colon and the word ‘or’ between the options.

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?

Council’s Response:

58.1 Yes. Clauses i) and ii) in the second part of Policy 7 (which is proposed to be modified to be part ‘B’ of the policy – see Proposed Additional Modifications (SCCD-02)) allow for the redevelopment of existing, permitted and allocated sites where:

i) The waste capacity and/or safeguarded site is not required, and,

1 Defined in the Consultation Protocol (SWPS-08) as any allocated site within the Surrey Waste Plan 2008, with a treatment capacity greater than 20,000 tpa or part of a strategic waste management network (such as CRCs).
ii) The need for the non-waste development overrides the need for safeguarding.

58.2 It follows that an assessment of whether either of these clauses apply will need to involve an assessment of how the existing, permitted or allocated site is contributing to the strategy and requirements for waste management anticipated by the SWLP. To understand what the strategy and requirements are, reference will need to be had to the spatial strategy and Policies 1 and 2, and the hierarchy of preference for the location of new waste management proposals.

58.3 This is explained by paragraph 5.2.7.2 that states: “The safeguarding sites\(^2\) in existing waste use in addition to those with planning permission and/or allocated for waste development, will ensure that the need for existing or planned waste management infrastructure is taken into account when decisions are made on new development by all planning authorities in Surrey.” Clearly the “need for existing or planned waste management infrastructure” is determined by the SWLP which includes the spatial strategy, Policies 1 and 2, and the hierarchy of preference for the location of new waste management proposals.

58.4 To ensure the point above is clear in the SWLP it is proposed that an additional modification be made to paragraph 5.2.7.2 as follows:

5.2.7.2 The safeguarding of sites in existing waste use in addition to those with planning permission and/or allocated for waste development, will ensure that the need for existing or planned waste management infrastructure is taken into account when decisions are made on new development by all planning authorities in Surrey. Considerations of the need for any existing site will take into account how well the management of waste at that site is consistent with the strategic objectives, spatial strategy and policies of this Plan.

\(^2\) Note need for an additional modification in the form of the addition of the word ‘of’ between ‘safeguarding and ‘sites’.
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)

Council’s Response:

Does the evidence demonstrate that the Surrey Minerals & Waste Consultation Protocol will be effective in safeguarding existing, allocated and permitted waste facilities?

59.1 The protocol (SWPS-08) is working well. In 2018 some 40 consultations were received from boroughs and districts relating to planning applications that raised safeguarding issues.

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?

59.2 The districts and boroughs have safeguarding and consultation information on their digital maps including consultation zones for strategic waste sites.

59.3 The Council is proactive in arranging visits to districts and boroughs to highlight safeguarding and policy implementation issues.

59.4 A recent example is joint work with Reigate and Banstead Borough Council to safeguard the Patteson Court landfill site from housing development as part of the development of their Local Plan. The Inspector examining the Reigate and Banstead Local Plan has recently recommended a Main Modification to ensure that landfill operations are substantially completed before residential development on the adjoining site takes place (this is currently expected to be by 2027).

3 Defined in the Consultation Protocol (SWPS-08) as any allocated site within the Surrey Waste Plan 2008, with a treatment capacity greater than 20,000 tpa or part of a strategic waste management network (such as CRCs). The same definition is carried forward to the SWLP.
Council’s Response:

60.1 By applying Safeguarding policy (Policy 7) the Council would object to any planning application resulting in loss of waste management capacity in a situation where no alternative planning permission for replacement capacity was in place (in accordance with - Policy 7 B(iii) – Safeguarding). Clearly a new wastewater treatment works will need to be in place as provided for by Policy 11a before the existing one is decommissioned.

Policy 8 – Improvements 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?

Council’s Response:

61.1 The Council agree and propose the following modification to the wording of Policy 8:

“… to the environment and local amenity result. Proposals for the improvement or extension (physical or temporal) of facilities with temporary planning permission should take account of the original reason(s) for the permission being time limited and not result in development (or extensions to time) that would undermine them.”
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?

Council’s Response:

To be justified, should the wording of Policy 8 refer to the type or quality of waste to be 
managed?

62.1 Paragraph 5.2.8.3 notes that proposals should be consistent with other policies of 
this Plan and so this would require consideration of waste types, however an 
additional modification to Policy 8 is proposed to provide additional clarity as set out 
below. This modification is intended to further clarify the fact that any improvement 
or extension that leads to a change in waste management capacity should be 
consistent with the Plan’s objectives regarding the provision of waste management 
capacity within Surrey.

62.2 Proposed modification to Policy 8:

Planning permission for the improvement or extension (physical or temporal) of existing 
waste management facilities will be granted where:

i) **Any resulting change to the type and/or quantity of waste managed at the** 
   **site is consistent with this Plan’s requirements for the management of waste** 
   **and that the quantity of waste to be managed is equal to or greater than the** 
   **quantity of waste currently managed on site.**

ii) Benefits to the environment and local amenity will result.

Will the requirement for environment and local amenity improvements be readily 
achievable?

62.3 As any improvement or extension must be consistent with other policies of the Plan 
as explained in paragraph 5.2.8.3), permission will only be granted under this policy 
if the proposal demonstrates that benefits to the environment and local amenity 
would result. Furthermore, an improvement or extension of an existing facility offers 
an opportunity to improve the existing situation with regard to the impacts (positive 
and adverse) already resulting from the existing facility. Benefits to the environment 
will be assessed in the widest sense and so if, for example, it is shown that the 
proposal results in a general improvement in the sustainability of waste 
management resulting from the improvement or extension then this would qualify.