

PEAK DISTRICT NATIONAL PARK AUTHORITY

Local Development Framework – Evidence Base

**Peak District National Park Core Strategy
Submission Version**



**Waste Management
Background Paper**

(July 2010)

Table of Contents

Introduction	Page 2
National (and Former Regional) Policy Influences	Page 2
Relationship to the Municipal Waste Management Strategies and Neighbouring Local Development Frameworks Core Strategies	Page 4
Comparison of Waste Policy Approaches in Other National Parks in England	Page 10
Policy CC3 – Waste Management, Domestic, Industrial and Commercial Waste	Page 13
Policy CC4 – Waste Management, On Farm Anaerobic Digestion Of Agricultural Manure and Slurry	Page 16
Peak District National Park Local Plan Policies to Remain in Force	Page 19
Appendix 1 – Map Illustrating the Location of Waste Management Sites in the National Park	Page 22
Appendix 2 – List of Waste Management Sites within the Peak District National Park (as at April 2010)	Page 23

Introduction

1. This waste management topic paper provides explanatory background to the LDF Core Strategy waste policies within the climate change chapter. Much of the text has been used to explain our approach taken through the consultation draft documents (issues, refined options, preferred options stages) to explain the position the Authority has reached, along with additional information and explanation. This report is structured under the overall headings of the Policies CC3 and CC4 set out in the Core Strategy.

National (and Former Regional) Policy Influences

National Policy

2. There is extensive national policy on waste; much of this is set out in PPS10¹. It is the fundamental starting point of national policy that the Local Development Framework process should both inform and seek to help deliver the relevant Municipal Waste Management Strategies. It also placed most of the role and emphasis on the regional policy system to set out targets for waste management at a strategic level, which LDFs were then to deliver.
3. The withdrawal of the East Midlands Regional Plan along with all the other regional strategies in July 2010 has made the process of planning for waste management more complex. The advice from CLG in the letter from the Chief Planner dated the 6 July 2010 was as follows:
“Q16. How do we establish the need for waste management without Regional Strategy targets?”
Planning Authorities should continue to press ahead with their waste plans, and provide enough land for waste management facilities to support the sustainable management of waste (including the move away from disposal of waste by landfill). Data and information prepared by partners will continue to assist in this process. For the transitional period this will continue to be the data and information which has been collated by the local authority and industry and other public bodies who currently form the Regional Waste Technical Advisory Bodies. We intend for this function to be transferred to local authorities in due course.”
4. On the basis of this advice from CLG, it would appear that at present weight should still be attached to the waste targets set out in the former East Midlands Regional Plan which was based on the evidence base, advice and conclusions reached by the Regional Waste Technical Advisory Body.
5. The key principles underlying national policy in PPS10 include to: *“provide sufficient opportunities for new waste management facilities of the right type, in the right place and at the right time.”* The objectives set out in PPS10 include:
 - *“help deliver sustainable development through driving waste management up the waste hierarchy, addressing waste as a resource and looking to disposal as the last option, but one which must be adequately catered for; and*
 - *provide a framework in which communities take more responsibility for their own waste, and enable sufficient and timely provision of waste management facilities to meet the needs of their communities.”*
6. PPS10 goes on to then indicate specific advice for Core Strategies as follows: *“The core strategy of a waste planning authority should set out policies and proposals for waste management in line with the RSS and ensure sufficient opportunities for the provision of waste management facilities in appropriate locations including for waste disposal. The core*

¹ ODPM (2005) PPS10, Planning Policy Statement 10: Planning for Sustainable Waste Management, TSO

strategy should both inform and in turn be informed by any relevant municipal waste management strategy. It should look forward for a period of at least ten years from the date of adoption and should aim to look ahead to any longer-term time horizon that is set out in the RSS.”

(Former Regional Policy)

7. During the course of producing the previous consultation versions of this Core Strategy there was a requirement to be in general conformity with regional planning policy for the East Midlands². This former policy framework sought to exempt the Peak District National Park Authority from the need to provide sufficient waste management capacity to meet the needs of the area. The East Midlands Regional Plan along with all the other Regional Strategies was withdrawn by the Secretary of State using his legal reserve powers in July 2010. The former regional policy framework was as follows: “...*Waste Planning Authorities, with the exception of the Peak District National Park Authority, should make provision in their Waste Development Frameworks for waste management capacity equal to the amount of waste generated and requiring management in their areas, using the apportionment data set out in Appendix 4...*”
8. The former regional policy framework also went onto state: “...*In the Peak Sub-area, especially related to larger settlements outside the Peak District National Park, small-scale facilities serving the Sub-area's needs should be accommodated, where these would not have a significant adverse effect on the environment and local communities or conflict with the National Park's statutory purposes...*”
9. The Core Strategy was drawn up during a period when the East Midlands Regional Plan was in force and consultation was undertaken on the basis of this ‘exemption’ from the National Park needing to meet any specific target. To revise any approach at this late stage in the production of the plan would run the risk of introducing significant new issues into the Core Strategy at an advanced stage, where this may not have been included as any consultation option or issue at earlier stages. To revise the policy approach now would in the view of the National Park Authority therefore run the risk of being found unsound and would not be based upon the relevant evidence base which underpinned the targets set by the Regional Waste Technical Advisory Body.
10. The waste management policies are considered not only to be consistent with National Policy, but also take forward the approach of the former regional policy utilising the evidence base, and the conclusions of the public examination that underpinned the East Midlands Regional Plan. The former regional policy includes the figures which national policy in PPS10 indicate conformity should be to, and the transitional arrangements post the withdrawal of the regional plan as indicated in the Chief Planner’s letter are to still utilise these figures that were devised by the Regional Waste Technical Advisory Boards until new arrangements are put in place. Neighbouring Waste Planning Authorities have also been developing their waste management policies and strategies taking due cognisance of the need for them to plan for the capacity of the waste arising within the National Park in addition.
11. The Core Strategy is therefore focussed on working towards only supporting small scale facilities to serve local communities and the treatment of agricultural manure and slurry. The Core Strategy will therefore not seek to identify new sites for waste management facilities.

² GOEM (2009) East Midlands Regional Plan, Policy 38, TSO

Relationship to the Municipal Waste Management Strategies and Neighbouring Local Development Frameworks Core Strategies

12. The National Park Authority is the Waste Planning Authority for all of its area; however it is neither the Waste Collection Authority nor the Waste Disposal Authority (*often collectively referred to as Waste Management Authorities*). This makes it different to other waste planning authorities (County or Unitary Councils) which are the waste collection authority in addition. This limits the ability of the National Park Authority to implement much of national policy in relation to waste management. The Local Authorities covering the National Park are shown in the figure below and as detailed in the table.

<i>Yorkshire and the Humber</i>		
Waste Disposal Authority	Waste Collection Authority	Waste Collection and Waste Disposal Authority (<i>often collectively referred to as Waste Management Authority</i>)
		Kirklees Metropolitan Borough Council
		Barnsley Metropolitan Borough Council
		Sheffield City Council
<i>East Midlands</i>		
Waste Disposal Authority	Waste Collection Authority	Waste Collection and Waste Disposal Authority (<i>often collectively referred to as Waste Management Authority</i>)
Derbyshire County Council	North East Derbyshire District Council; and High Peak Borough Council; and Derbyshire Dales District Council	
<i>West Midlands</i>		
Waste Disposal Authority	Waste Collection Authority	Waste Collection and Waste Disposal Authority (<i>often collectively referred to as Waste Management Authority</i>)
Staffordshire County Council	Staffordshire Moorlands District Council	
<i>North West</i>		
Waste Disposal Authority	Waste Collection Authority	Waste Collection and Waste Disposal Authority (<i>often collectively referred to as Waste Management Authority</i>)
		Cheshire East Council
		Greater Manchester Waste Disposal Authority (Covers Oldham)

13. The relevant municipal waste management strategies covering the National Park are therefore:

- Kirklees Municipal Waste Management Strategy (2006);
- Barnsley Municipal Waste Management Strategy (2007);
- Sheffield Waste Management Strategy (2009);
- Derbyshire Joint Municipal Waste Management Strategy (2006);
- Staffordshire and Stoke on Trent Joint Municipal Waste Management Strategy (2007);

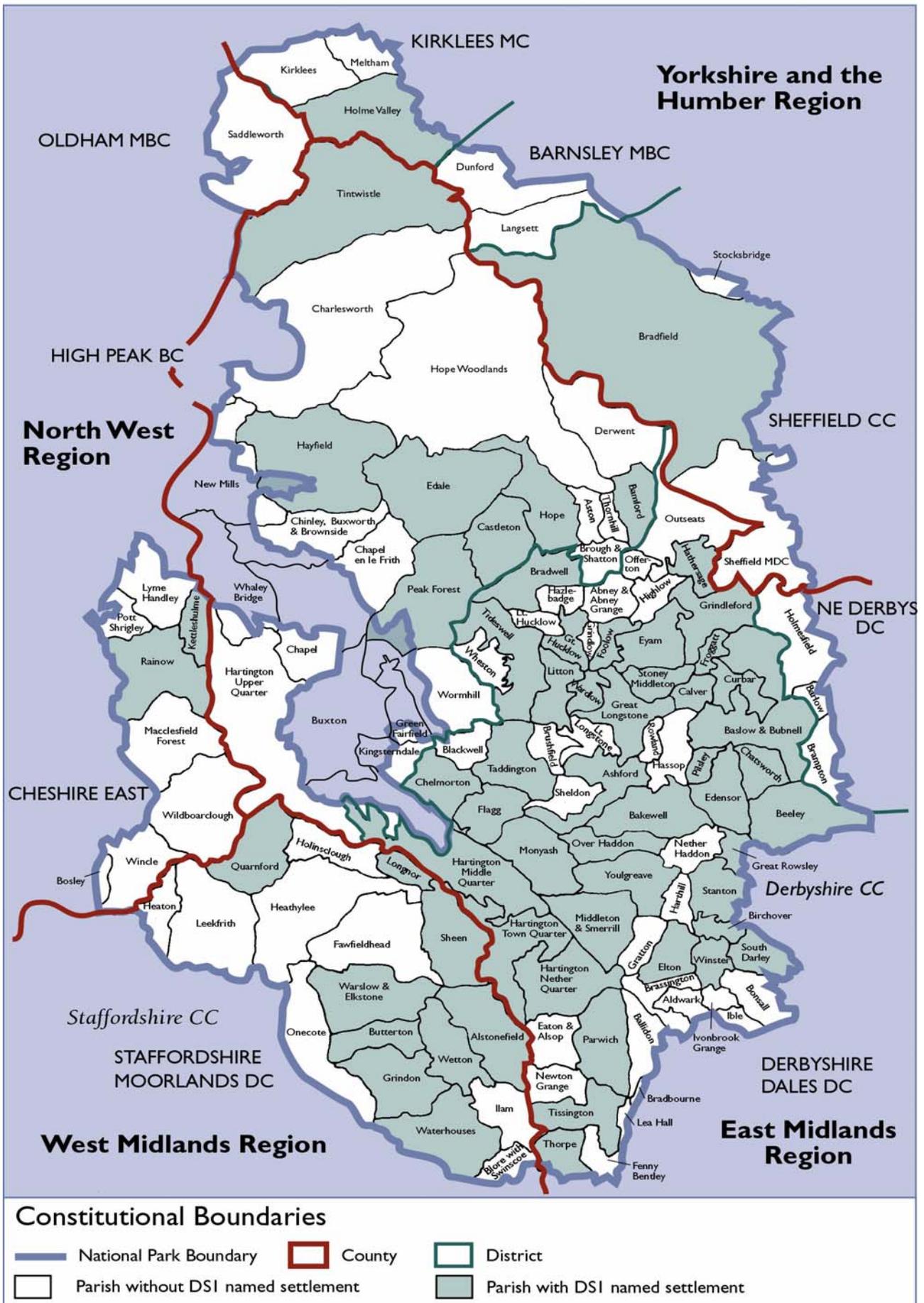
- Cheshire Consolidated Joint Municipal Waste Management Strategy (2007); and
- Greater Manchester Municipal Waste Management Strategy (2007) (Covers Oldham)



14. The broad approach being pursued by the seven relevant Municipal Waste Management Strategies can be summarised as follows:

Municipal Waste Management Strategy	Overall Strategic Approach
<i>Yorkshire and the Humber</i>	
Kirklees	Operates in collaboration with SITA an Energy from Waste Plant in Huddersfield for 136,000 tonnes of waste per annum (about half of their waste arisings), together with a Materials Recycling Facility in Huddersfield dealing with 27,000 tonnes per annum of dry recyclables, there is also a Waste Transfer Station in Dewsbury with capacity for 150,000 tonnes per annum. They also utilise a large composting facility operated by Yorkshire Water in Dewsbury, and a number of Household Waste Recycling Centres. There is no current landfill facilities operated within the Borough. No waste management facilities exist within the National Park part of the Borough. The existing facilities operating were identified as being sufficient to cater for the waste arising from the whole Borough for the foreseeable future.
Barnsley	The strategy identifies a need for additional waste treatment facilities, the preferred option being the use of a new In-Vessel Compositing Facility and a new Energy From Waste Facility to deal with all residual waste. The alternative approach considered as the ‘fall-back’ position would be for a Mechanical Biological Treatment – Refuse Derived Fuel plant in lieu of an Energy From Waste Facility. The aim to deliver this through the Joint Waste Core Strategy for Barnsley, Doncaster and Rotherham for which consultation is underway. No waste management facilities exist within the National Park part of the Borough, nor are any planned for the National Park area.
Sheffield	Proposes to introduce a new wider kerbside recycling service and a garden waste collection service to increase recycling to a level of 45%. They also propose a new processing facility for Incinerator Ash from their Energy From Waste Facility. Sheffield is also promoting investment from the private sector in Anaerobic Digestion facilities and to continue the operation of the Veolia Energy Recovery Facility which has a capacity of 225,000 tonnes per annum. The existing Materials Recycling Facility is highly efficient recycling 98% of material collected from the kerbside. No waste management facilities exist within the National Park part of the City nor are any planned for the National Park area.
<i>East Midlands</i>	
Derbyshire	<p>The proposed strategy is based on a number of key elements as follows:</p> <ul style="list-style-type: none"> • A partnership approach between all councils to achieve the visions of this municipal waste strategy; • Introduction of waste minimisation schemes to reduce the growth in waste arisings; Ultimately, it is intended that zero growth in waste arisings will be achieved; • Continued support to and promotion of the benefits of home composting and other waste minimisation schemes; • Support to local and regional schemes that encourage and develop local recycling, composting and reprocessing capacity; • Continued introduction/expansion of the kerbside collection of dry recyclable and organic (compostable) materials; • Enhancement of the Household Waste and Recycling Centre (HWRC) Provision • Provision of Materials Recycling Facilities (MRFs) to deal with recyclable materials as required; • Development of a number of in-vessel composting facilities;

	<ul style="list-style-type: none"> • Continued use of open windrow composting for green waste. • Provision of sufficient residual waste handling capacity to treat residual waste. • Provision of sufficient landfill capacity to receive treatment residues and other non-recyclable waste. <p>The strategy considers 6 options overall identifying 3 options as being the best practical environmental options. These would need somewhere in the region of 20 to 30 new facilities of varying sizes to deliver the treatment necessary. The strategy focuses upon utilising the towns and urban areas across the County.</p>
<i>West Midlands</i>	
Staffordshire	<p>This strategy aims to recycle some 50% of waste with treatment being undertaken ultimately for all of the remainder. The strategy proposes the continuation of the use of the Energy From Waste Facility in Stoke on Trent which has a capacity of 180,000 tonnes per annum, the need for further residual waste treatment facilities is identified, with the preferred option being an Autoclave and Energy From Waste Facility with a potential capacity of around 260,000 tonnes per annum. No waste management facilities exist within the National Park part of the County nor are any planned for the National Park area.</p>
<i>North West</i>	
Cheshire East	<p>The Cheshire Strategy pre-dates the Local Government reorganisation in the County and the establishment of the two new Unitary Councils, however the overall approach is still material. The preferred approach for residual waste would be through one or two Mechanical Biological Treatment – Refuse Derived Fuel plant(s) supplemented if necessary by a small Energy From Waste Facility the procurement process for such facilities is underway and they are expected to be operational by 2012. No waste management facilities exist within the National Park part of the City nor are any planned for the National Park area.</p>
Greater Manchester	<p>This strategy covers the whole urban conurbation, and the National Park part of the area only encompasses one single sparsely populated parish of Saddleworth Moor. Greater Manchester has procured a whole range of new treatment facilities for residual waste which are all coming on stream now.</p>



15. The broad approach being pursued by the seven relevant Waste Core Strategies (or similar) of these Authorities is aimed at delivering their Municipal Waste Management Strategies outside of the National Park boundary for all the waste arising from their whole collection and disposal area including the National Park. These neighbouring Core Strategies have been prepared or commenced preparation against the context of the former regional policy framework which exempted the National Park Authority from needing to provide waste management facilities sufficient to meet the waste arising from the area.
16. The approaches in some of these neighbouring Core Strategies are of the most significance to the Peak District National Park Core Strategy. Those covering Kirklees, Barnsley, Sheffield, Cheshire East and Oldham are considered to be of little direct relevance due to the approach being advocated in their respective Municipal Waste Management Strategies, and the sparsely populated nature of the handful of parishes these Authorities cover within the National Park as Waste Collection and Disposal Authorities. There are no major waste arisings in these Authorities parts of the National Park which come from non-household sources, consequently the Municipal Waste Management Strategies effectively deal with all the waste arisings from these parts of the National Park.
17. Staffordshire has potentially more relevance as it covers a larger geographical area than the others mentioned above, and Derbyshire obviously has the most relevance due to interrelationship between the National Park and the hinterland towns of Glossop, Buxton, Chesterfield, Ashbourne and Matlock which are all within the Derby and Derbyshire Joint Waste Core Strategy area. The Staffordshire and Derbyshire plans can be summarised as follows:

Core Strategy	Overall Strategic Approach
<i>East Midlands</i>	
Derbyshire	<p>The Derby & Derbyshire Waste Core is in the early stages of production, with consultation having been undertaken on an options report called 'Big Choices' in 2010.</p> <p>The Core Strategy indicated: <i>"The homes and businesses of Derby and Derbyshire produce two million tonnes of waste every year. About half of it is recycled or used in some beneficial way. The other half is sent to landfill sites, in Derbyshire and elsewhere. Much of it travels long distances before it is treated or landfilled."</i></p> <p>The plan identifies that at present there are not enough sites in the City and County to deal with the waste arising over the next 20 years or so. The plan goes onto identify that proposals in North-Western Derbyshire should be limited to small-scale facilities only to meet the areas needs in order to avoid impacts on the National Park, the plan does not identify the need for any facilities within the National Park.</p> <p>The Core Strategy asks questions on: Treatment Methods; Distribution of Development; Role of Urban v Rural; Possibility of Resource Recovery Parks; plus any other Local Challenges. As the plan is at such an early stage it does not propose any definitive solutions at this time.</p> <p>The PDNPA indicated in consultation response that: <i>"it considers that any locational choice should confirm to the principles set out in Policy 38 of the East Midlands Regional Plan which supports a focus on development within the Peak Sub Area being especially related to the larger settlements outside of the National Park. However if any rural facilities are planned for or are to be permitted through the emerging LDF policies, then the scale, type and nature of any facilities being permitted in areas close to the National Park, would need</i></p>

	<p><i>great care to be taken to respect the landscape and visual setting of the National Park.</i>” Clarity was also sought that the needs assessment was based upon all the waste arising across the whole waste disposal area, as whilst it appears to be the position it was not completely explicit on this point.</p> <p>The emerging Core Strategy does not in any way rely upon any capacity being provided within the Peak District National Park Core Strategy.</p>
<p>West Midlands</p>	
<p>Staffordshire</p>	<p>The emerging Staffordshire and Stoke on Trent Joint Waste Core Strategy will cover a period to 2026, it was approved for consultation purposes in July 2010 and public consultation is expected to be undertaken in August 2010.</p> <p>The Core Strategy states: <i>“Given the modest capacity gap (in terms of having sufficient waste management facilities and capacity by 2025/26 to manage an equivalent tonnage of waste to that produced within Staffordshire and Stoke-on-Trent) and given evidence that concludes there is no requirement to identify sites for major strategic waste facilities, it is proposed not to identify specific sites but rather to base the Strategy on the identification of broad locations.”</i></p> <p>Staffordshire contains some 246 existing waste management facilities which are largely clustered close to the main towns from where the main waste arises. The Staffordshire Moorlands District area contains: 1 x Aggregates Recycling Facility; 3 x Household Waste Recycling Centres; 4 x Waste Transfer Facilities; 9 x Materials Recycling Facilities and 3 Organic Treatment Facilities. Some green waste and food waste is currently managed at in-vessel compositing facilities cross border at Etwall and Ashbourne in Derbyshire.</p> <p>The Core Strategy sets out a need for a number of additional facilities to meet the future waste arisings from Stoke on Trent and Staffordshire, this is based on the statement: <i>“We will have supported new facilities of a regional and sub-regional scale in or close to the North Staffordshire conurbation; the large settlements of Stafford, Burton upon Trent, Cannock, Lichfield, Rugeley and Tamworth. We will also have supported new facilities to meet the needs of local communities in or close to Burntwood, Kidsgrove, Cheslyn Hay & Great Wyrley, Biddulph, Leek, Stone, Uttoxeter, Wombourne, Cheadle, Codsall & Bilbrook, Perton, Penkridge and Kinver.”</i> None of these raise any issues for the National Park, nor does the emerging Core Strategy in any way rely upon any capacity being provided within the Peak District National Park Core Strategy.</p>

Comparison of Waste Policy Approaches in Other National Parks in England

18. In summary the other National Parks in England have developed an approach towards waste in their Core Strategy and other Development Plan Documents (DPDs) as follows:

Adopted Plans (With Waste Content)

Broads Authority

The Core Strategy DPD was adopted in September 2007; it addresses waste as part of an overall environmental protection policy CS7. It seeks to protect the environment by ensuring all development addresses impacts on waste, with opportunities sought for incorporating measures to achieve resource efficiency, for re-use and recycling.

Dartmoor

The Core Strategy DPD was adopted in June 2008; section 5.15 addresses waste development as part of the overall prudent use of resources. Policy COR23 addresses waste development, it can be summarised as stating:

Proposals for the management of waste arising from within the Dartmoor National Park, including that generated by new development, will be considered in accordance with the waste hierarchy. Wherever possible, waste should be managed on the site where it arises. No waste disposal sites will be permitted unless there are significant environmental benefits for the Dartmoor National Park to be derived from their provision.

The Dartmoor NPA will also be producing a Minerals and Waste DPD; however production on this has not started yet.

North Yorkshire Moors

The Core Strategy and Development Policies DPD was adopted in November 2008; Core Policy F deals with waste, it can be summarised as follows:

- *Supports development of small scale waste facilities where these contribute towards meeting the targets of the waste management authorities;*
- *Also supporting the manage waste predominantly generated from communities allowing waste to be managed as close as possible to its source.*

Northumberland

The Core Strategy and Development Policies DPD were adopted in March 2009; Policy 26 addresses waste management, it can be summarised as follows:

- *Only supports waste management facilities to deal with waste that is generated from communities within the National Park provided that it is for recycling, composting or energy recovery from waste, with other facilities being considered as major development.*
- *It also focuses upon waste minimisation measures and the avoidance of waste from prudent reuse of existing buildings.*

Plans Still in Preparation (With Waste Content)

Exmoor

No document in the Exmoor Local Development Framework has yet been published for consultation.

Lake District

The Core Strategy was submitted to the Secretary of State for public examination in January 2010, the hearings of the examination started in May 2010, and no report has yet been issued. Policy CS31 deals with waste management, it indicates:

- *Support for applications for waste management facilities that are of a scale and type appropriate to their location in the National Park that accommodates waste from the immediate area.*
- *It also proposes to minimise construction and demolition waste by re-using existing building material on site.*
- *The plan also allocates a number of sites which have been identified as being necessary in the waste management strategy.*

South Downs

The South Downs National Park only came into existence in April 2010 and consequently no policies in any plan have yet been formulated taking into account this designation.

Yorkshire Dales

An Issues and Options version of the Minerals and Waste DPD was produced for public consultation in June 2007; no further progress has taken place since that time. Given that the document was at such an early stage it did not set out any policy position.

Adopted Joint Plans (With Waste Content)

New Forest

The New Forest National Park is covered by the Hampshire, Portsmouth, Southampton and New Forest Minerals and Waste Core Strategy, and as such the issues addressed are not purely focussed upon the National Park but the wider sub-region. This document is not therefore a good comparative to consider.

19. In looking at the adopted Core Strategy policies in other National Parks the four adopted plans are reasonable comparisons to utilise in analysis, as is the Lake District which is well advanced. In considering a comparative analysis with the four other National Parks with adopted Core Strategies the approach can be broadly summarised as being supportive of local facilities only to meet the needs of the communities within the National Park, with no specific targets set out or allocations made (except for the Lake District where the allocations are part of the proposals set out in their municipal waste strategy). The general approach pursued by the Peak District Core Strategy is therefore considered to be in line with the strategic approaches pursued in the other National Parks with adopted plans against the same national planning policy framework.

Policy CC3 – Waste Management, Domestic, Industrial and Commercial Waste

- 20. The overall waste strategy for the National Park needs to be in accord with national policy and reflect the potential flexibility required over the plan period to allow small scale proposals to meet the needs of local communities where the relevant policy circumstances are met.
- 21. The policy is generally restrictive, not allocating any further land or allowing waste disposal facilities. Whilst the National Park Authority is a Waste Planning Authority, the waste disposal function for the majority (geographic and population wise) of the National Park falls under the remit of Derbyshire County Council, with the other Authorities doing similar for their areas. The Joint Municipal Waste Management Strategy³, produced by the Waste Disposal Authority in collaboration with the Waste Collection Authorities (the District Councils), notes that the Derbyshire Dales and High Peak areas give rise to 20% of the municipal waste in the County. It identifies National Park designation and the geographical nature of the area as barriers to the local provision of facilities. The issues set out in the other relevant waste strategies were highlighted earlier and although not highlighted here are equally as important.

22. In terms of scope of proportional coverage of the National Park, the various Authorities cover the number of parishes as follows:

<u>Waste Disposal Authorities</u>	<u>Number of Parishes/Areas (or Parts)</u>
Kirklees	3 Parishes (2%)
Barnsley	2 Parishes (2%)
Sheffield	3 Parishes (2%)
Derbyshire	92 Parishes (73%)
Staffordshire	17 Parishes (13%)
Cheshire East	8 Parishes (6%)
Oldham	1 Parish (1%)

- 23. Facilities for the disposal of domestic, industrial and commercial waste are considered to be broadly incompatible with national park purposes because of their adverse environmental impacts and the fact that major development in a National Park is contrary to national policy in PPS7 and the English National Parks Circular 2010⁴. The small and dispersed population means that they would not be viable operations unless waste is imported. Policy therefore presumes against new waste facilities within the National Park and no sites will be allocated, this is in line with former regional policy that exempted the National Park Authority from having to set targets to provide facilities to meet the waste arising within the area. Specialised processing sites such as commercial composting and recycling plants are also likely to be inappropriate development, because of the likely landscape impacts and potential for air, land and water contamination.
- 24. The National Park Authority recognises, however, that its communities must make more sustainable use of resources and therefore measures which encourage recycling and responsible waste disposal will be facilitated where appropriate. Local, very small scale community-based waste projects which deal exclusively with the waste arising from that individual community may be supported, in line with regional policy. However, this will only be permitted with appropriate safeguards to ensure that no waste is imported from outside the local community (defined as the immediate and adjoining parishes to the proposed site), and also to ensure that there will be no significant adverse impact on the environment, the community, and National Park purposes. Landscape and environmental impacts are likely to be greater in the open countryside outside settlements where this type of development is unlikely to be acceptable.

³ SLR Consulting (2006) Derbyshire Joint Municipal Waste Strategy

⁴ Defra (2010) English National Parks and the Broads, UK Government Vision and Circular 2010, Paragraph 31, TSO

25. The policy also addresses proposals for small scale anaerobic digestion (AD) plants dealing with a mixed waste stream and serving local communities provided they are in accordance with the relevant Municipal Waste Strategy. Proposals for AD plants dealing only with agricultural manure and slurry and crops grown for the purpose are dealt with in Policy CC4.

Alternative Options Outside the National Park

26. The effect of applying the former regional policy⁵ has been to highlight the role of the urban areas around the National Park. It set the context around which the Core Strategy was developed, and how the Core Strategies of the neighbouring areas are being developed. The former regional policy set out the following priority for the Peak Sub Area: *“The Peak Sub-area has a high quality environment, which includes the Peak District National Park and many internationally and nationally designated sites of nature conservation. This quality and the smaller settlement size across the Sub-area make it inappropriate and unsustainable for the Sub-area to make a significant contribution to the provision of waste management infrastructure in the regional context. There is also limited commercial and industrial development within the National Park. However opportunities may arise, especially related to the larger settlements outside the National Park to accommodate small-scale facilities serving the Sub-area’s needs. Where these would not have a significant adverse effect on the environment and local communities, a positive planning approach should be adopted. This should be considered through the policies in the Derbyshire Waste Development Framework, the Peak District National Park Local Development Framework and through the development control process.”*
27. The former regional policy 38 went onto state: *“...Waste Planning Authorities, with the exception of the Peak District National Park Authority, should make provision in their Waste Development Frameworks for waste management capacity equal to the amount of waste generated and requiring management in their areas, using the apportionment data set out in Appendix 4, subject to further research and analysis as part of the annual monitoring process and recognition of the particular operational and locational requirements of individual waste process technologies...In the Peak Sub-area, especially related to larger settlements outside the Peak District National Park, small-scale facilities serving the Sub-area's needs should be accommodated, where these would not have a significant adverse effect on the environment and local communities or conflict with the National Park's statutory purposes...”*

Role in the National Park

28. There is extensive national policy on the provision of waste management facilities in PPS10. It does not however clearly set out what role a National Park Authority should or shouldn't pursue, unlike other national policy it does not identify any clear policy stance for designated areas. Paragraph 18 of PPS10 makes it clear that Core Strategy should set out to implement the waste capacity to meet the targets set out in the Regional Strategy. The regional strategy has now been withdrawn and as such the waste targets within them have been withdrawn by inference. The Chief Planner's letter⁶ issued on the withdrawal of the regional strategy indicates that Authorities should still utilise these figures that were devised by the Regional Waste Technical Advisory Boards until new arrangements are put in place. Neighbouring Waste Planning Authorities have also been developing their waste management policies and strategies taking due cognisance of the need for them to plan for the capacity of the waste arising within the National Park in addition. The Core Strategy has therefore been devised on this basis, i.e. meeting a nil target.

⁵ CLG (2009) East Midlands Regional Plan, Policy 38, TSO

⁶ CLG (2010) Revocation of Regional Strategies Letter from Chief Planner 6 July 2010

29. There remains no case for granting major planning permissions for waste management facilities in the National Park, and there is no case for allocating land or promoting specific facilities to meet targets.
30. The approach pursued by the National Park Authority has been consulted upon throughout the process of the earlier stages of the plan. There has been no comments made from any of the waste disposal or waste collection authorities expressing any concerns about the overall stance being adopted, i.e. that no waste management capacity target exists. The only waste authority making comment has been Derbyshire County Council who were broadly supportive of the policy stance adopted, recognising the scope for community related facilities and welcoming the linkage between the Core Strategy and the Derby and Derbyshire Joint Municipal Waste Management Strategy.
31. The proposed policy position which was based fundamentally upon former regional policy does not therefore appear to cause any undue concerns for other waste authorities both within and around the National Park.
32. The evidence base utilised to inform and develop the former regional policy was examined independently at public examination and the Secretary of State issued the final regional strategy in 2009. It can therefore be inferred that the Secretary of State supported the evidence base and policy rationale which set out this unique 'exemption' role for the Peak District National Park in the East Midlands. The National Park Authority considers that this former policy stance was developed under the same national planning policy framework, namely PPS10 and it was designed to address the similar timeframe to the Core Strategy, and as such the same restrictive approach of policy remains valid.
33. The policy continues to promote the need to deal with construction and demolition waste on site where possible and practical, this has been a long-standing approach of local and national policy.
34. This overall policy stance is supported by the Sustainability Appraisal of the Core Strategy, to propose any major policy shift at this late stage resulting from the loss of the former regional strategy would introduce matters beyond the scope of previous consultations would could risk unsoundness in the plan, and introduce a policy approach outside the remit of the Sustainability Appraisal which concluded that the current restrictive policy approach was broadly positive when assessed against the sustainability objectives.

Policy CC4 – Waste Management, On Farm Anaerobic Digestion of Agricultural Manure and Slurry

35. Agricultural waste is a particular issue given the rural nature of the National Park and the fact that it is a Nitrate Vulnerable Zone (NVZ)⁷. Policies seek to protect the environment and help farmers to manage agricultural waste. Small-scale waste management facilities on farms may be permitted provided that waste arises from the farm or farms concerned, and provided that any development can be accommodated without harm to the valued characteristics or other established uses of the area. Agricultural waste is not an area where former regional policy set out any specific target for the waste stream, however the Regional Waste Strategy produced that pre-dated the East Midlands Regional Plan did identify agricultural waste as an issue pertinent to the rural parts of the region.
36. Agricultural waste (animal faeces, urine, manure, slurry and spoiled straw) will not ordinarily present significant issues for disposal. Most is distributed naturally around pasture and moorland, or collected from barns and agricultural sheds and managed in slurry pits. Alternatively, it is composted on the farm, and subsequently spread on the land as a natural fertiliser. Restrictions on spreading may increase the need for either more storage facilities, or for treatment by methods such as anaerobic digestion and the spreading of digestate on the land holding. For NVZs, guidance is given by Defra and the Environment Agency on the storage of organic manure based on the requirements of the Nitrate Pollution Prevention Regulations⁸. There is also a Code of Good Agricultural Practice for farmers, growers and land managers⁹. Development of new farm waste equipment such as pits or tanks are normally permitted development, but in some circumstances will require planning permission, usually because of proximity to housing or highways. The Environment Agency advises that manure and slurry used in an anaerobic digestion process is waste, and that waste regulatory controls therefore apply. Any biogas produced from manure and slurry is also considered to be waste and is also subject to waste regulatory controls
37. This policy is specifically aimed at promoting anaerobic digestion which is a particular form of waste management; it can protect the environment by processing animal faeces, urine, manure, slurry and spoiled straw into digestate for spreading on the land. Single on-farm units are more likely to be acceptable in terms of scale in the designated landscape. However, policy CC4 recognises that farms in close proximity may wish to group together to achieve functional and economic viability and ensure that there is sufficient feedstock for the digestion process. This will be permitted provided that a comparative analysis of single on-farm proposals shows that a shared facility is beneficial. Anaerobic digestate produced from waste material from individual farms or from groups of farms, where environmental impact is satisfactorily addressed, can also generate biogas for use as a fuel. Regulations¹⁰ specify the type and volume which can be classed as an exempt waste operation at premises used for agriculture, and the procedures to register an exemption. The legislation and procedures do not form part of the planning application process. If any proposal put forward for a scheme was of a scale to be considered major development then the policy presumption against such development in PPS7 would apply.
38. Anaerobic digester proposals dealing with a mixed waste stream including agricultural waste or manure and slurry are dealt with under management of commercial and industrial waste in CC3

Alternative Options Outside the National Park

⁷ Defra (2009) Guidance for farmers in Nitrate Vulnerable Zones, Storage of Organic Manure

⁸ OPSI (2008) The Nitrate Pollution Prevention Regulations (SI 2349)

⁹ Defra (2009) Protecting Our Water, Soil and Air: A Code of Good Agricultural Practice for farmers, growers and land managers

¹⁰ HMSO (2009) Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations

39. The treatment of agricultural waste is not an activity which is suited to be carried out in the urban areas surrounding the National Park boundary. The treatment of agricultural waste at source has been a long-standing successful method which the policy aims to facilitate the continuation of through the use of modern technology. There has been no consideration of alternative methods of disposal or treatment for agricultural waste outside of the National Park.
40. There is however a desire for cost efficiency reasons to utilise anaerobic digestion plants for the treatment of mixed waste streams, i.e. domestic, green, kitchen, commercial or industrial waste along with agricultural waste. The National Park Authority considers, as set out under Policy CC3, that there are alternative options for treating this waste outside of the National Park and as such there is no necessity for such waste to be treated within the National Park, except as permitted under the scope of Policy CC3.

Role in the National Park

41. There is extensive national policy on the provision of waste management facilities in PPS10. It does not however clearly set out what role a National Park Authority should or shouldn't pursue, unlike other national policy it does not identify any clear policy stance for designated areas.
42. Paragraph 18 of PPS10 makes it clear that Core Strategy should set out to implement the waste capacity to meet the targets set out in the Regional Strategy; paragraph 8 of PPS10 indicates that these targets should cover commercial & industrial and municipal waste arisings. There is no mention within PPS10 of any need to tackle agricultural waste as a waste stream. However as a rural area this is considered to be a locally distinctive issue which needs to be addressed through the Core Strategy.
43. The Regional Waste Technical Advisory Boards has not set out any target for such waste for the National Park or indeed anywhere in the region.
44. The approach pursued by the National Park Authority has been consulted upon throughout the process of the earlier stages of the plan. There have been no comments made from any of the waste disposal or waste collection authorities expressing any views on the issue of agricultural waste. There is no linkage between the Core Strategy and the Derby and Derbyshire Joint Municipal Waste Management Strategy or any of the other waste strategies on this issue, as they do not deal with agricultural waste.
45. The evidence base utilised to inform and develop the former regional waste strategy was supported by an evidence base and policy rationale which set out this issue as being relevant to the rural parts of the region. The National Park Authority considers that this former policy stance was developed under the same national planning policy framework, namely PPS10 and it was designed to address the similar timeframe to the Core Strategy, and as such the policy issue remains valid to be considered.
46. The policy stance pursued has been seen by some of those responding to earlier consultations on the plan as being too restrictive, with the priority attached to small-scale single on farm digesters and limited to agricultural waste as being unreasonable. This policy issue cannot however be seen in isolation, it must be viewed against the general thrust of the former regional policy and the stance now being pursued in Policy CC3, which is why the National Park Authority has made it clear that applications for anaerobic digestion plants for mixed waste streams will be viewed against the policy framework of CC3 as kitchen and green waste fall within the definition of municipal/domestic or commercial waste.
47. The National Park Authority is keen to ensure that any waste facilities provided within the National Park boundary do not meet the waste arising from outside of the National Park, particularly the towns, cities and other urban areas which lie in the immediate hinterland of

the National Park. This is a very clear locally distinctive issue which is particularly relevant to the Peak District more than any other National Park. The policies are designed to allow for this greater degree of scrutiny which is supported by a number of consultees including the Campaign for National Parks.

48. This policy stance is supported by the Sustainability Appraisal of the Core Strategy; to propose any policy shift at this late stage would risk introducing matters beyond the scope of previous consultations would could risk unsoundness in the plan, and introduce a policy approach outside the remit of the current Sustainability Appraisal. The appraisal concluded that the current limited policy approach was broadly positive when assessed against the sustainability objectives. However the assessment did indicate in commentary that the safeguards imposed were vital to ensure that negative effects from possible developments could be avoided.

Peak District National Park Local Plan – Policies to Remain in Force

49. The following is a schedule detailing which policies from the existing Peak District National Park Local Plan are due to be replaced by the Core Strategy policies and those that will remain in force.

<u>New Peak District National Park Core Strategy Policies</u>	<u>Peak District Local Plan Policies To Be Retained To Supplement New Core Strategy Policies</u>	<u>Peak District Local Plan Policies Being Replaced In Full By New Core Strategy Policies</u>	<u>Peak District Local Plan Policies That Have Already Expired Having Not Been Saved Previously</u>
CC3: Waste Management, Domestic, Industrial and Commercial Waste	LW2 (Assessing and minimising the environmental impact of waste management facilities)	LW3 (Reclamation of waste sites to an acceptable after-use) LW4(Household waste recycling centres) LW5 (Recycling of construction and demolition waste) LW6 (Waste transfer stations and waste processing facilities) LW7 (Disposal of waste from construction or restoration projects) LW8 (Disposal of domestic, commercial, industrial and other non-inert waste by landfill at new sites) LW9 (Disposal of inert, domestic, commercial, industrial and other non-inert waste by landraising)	

<u>New Peak District National Park Core Strategy Policies</u>	<u>Peak District Local Plan Policies To Be Retained To Supplement New Core Strategy Policies</u>	<u>Peak District Local Plan Policies Being Replaced In Full By New Core Strategy Policies</u>	<u>Peak District Local Plan Policies That Have Already Expired Having Not Been Saved Previously</u>
CC4: Waste Management, On Farm Anaerobic Digestion of Agricultural Manure and Slurry	LW2 (Assessing and minimising the environmental impact of waste management facilities) LC13 (Agricultural or forestry operational development)		
			LW1 (Sustainable waste management)

PEAK DISTRICT NATIONAL PARK AUTHORITY

Local Development Framework – Evidence Base

**Peak District National Park Core Strategy
Submission Version**



**Waste Management
Background Paper
Appendices**

(July 2010)

Appendix 1 – Location of Waste Management Sites in the National Park

Waste Management Sites Within the National Park (As at 2003)



The sites above were those in operation at the time of the Peak District National Park Local Plan in 2003, see the list in Appendix 2 to see those that are still in operation as at 2010.

Appendix 2 – List of Waste Management Sites within the Peak District National Park¹¹ (as at April 2010)

<u>Site Name</u>	<u>Date of Latest Permission</u>	<u>Expiry Date</u>	<u>Site Status</u>	<u>Aftercare Due Date (if known)</u>
Blakedon Hollow Dam	1999	2014	Active	2021
Custard Fields	2001	2003	Restored In Aftercare	2011
Outlands Head	1999	2008	Awaiting Restoration	
Friden Tip	1950		Awaiting Restoration	
Calton Hill	1976	2003	Restored In Aftercare	
Tideslow Rake	2001	2006	Awaiting Restoration	

¹¹ Source of data is from the Peak District National Park internal working database of waste management sites

***Waste Planning Team
Planning Services***

***Peak District National Park Authority
Aldern House
Baslow Road
Bakewell
Derbyshire
DE45 1AE***

***Tel: 01629 816000
Fax: 01629 816310***

Email: customer.service@peakdistrict.gov.uk

Website: www.peakdistrict.gov.uk

***Peak District National Park Core Strategy
Waste Management Background Paper
Date of Production – July 2010***