



Report to City of Wakefield Metropolitan District Council

by Elizabeth Hill BSc(Hons), BPhil,
MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 8000

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PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

REPORT ON THE EXAMINATION INTO THE WAKEFIELD WASTE DEVELOPMENT PLAN DOCUMENT

Document submitted for examination on 30 April 2009

Examination hearings held on 28 and 29 July 2009

File Ref: LDF849

ABBREVIATIONS

AA	Appropriate Assessment (under Habitats Regulations)
AMR	Annual Monitoring Report
CS	Wakefield Core Strategy
DPD	Development Plan Document
EA	Environment Agency
EH	English Heritage
FRA	Flood Risk Appraisal
GOYH	Government Office for Yorkshire and the Humber
HGV	Heavy goods vehicle
HWRC	Household Waste Recycling Centre
LDF	Local Development Framework
LDS	Local Development Scheme
LTP	West Yorkshire Local Transport Plan 2006/07-2010/11
PFI	Public Finance Initiative
PPG/PPS	Planning Policy Guidance/Planning Policy Statement
m	metres
mt	million tonnes
MBT	Mechanical Biological Treatment
MWMS	Wakefield Municipal Waste Management Strategy 2004
WTS	Waste Transfer Station
PPG2	Planning Policy Guidance Note 2: Green Belts
PPG15	Planning Policy Guidance Note 15: Planning and the Historic Environment
PPS10	Planning Policy Statement 10: Planning for Sustainable Waste Management
PPS12	Planning Policy Statement 12: Local Spatial Planning
PPS25	Planning Policy Statement 25: Planning and Flood Risk
RSS	The Yorkshire and Humber Plan - Regional Spatial Strategy to 2026
RTAB	Regional Technical Advisory Body
SA	Sustainability Appraisal
SAC	Special Area for Conservation
SFRA	Strategic Flood Risk Assessment
SCI	Statement of Community Involvement
tpa	tonnes per annum
UDP	Wakefield Unitary Development Plan First Alteration
WSE	Waste Strategy for England 2007

1 Introduction and Overall Conclusion

- 1.1 Under the terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004, the purpose of the independent examination of a development plan document (DPD) is to determine:
 - (a) whether it satisfies the requirements of s19 and s24(1) of the 2004 Act, the regulations under s17(7), and any regulations under s36 relating to the preparation of the document; and,
 - (b) whether it is sound.
- 1.2 This report contains my assessment of the Wakefield Waste DPD in terms of the above matters, along with my recommendations and the reasons for them, as required by s20(7) of the 2004 Act.
- 1.3 I am satisfied that the submitted DPD meets the requirements of the Act and Regulations. My role is also to consider the soundness of the submitted DPD in the terms of paragraph 4.52 of Planning Policy Statement 12: Local Spatial Planning (PPS12), that is, whether the DPD is justified, effective and consistent with national policy. In line with national policy, the starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The changes I have specified in this binding report are made only where there is a clear need to amend the document in the light of the legal requirements and/or the tests set out in PPS12. None of these changes should materially alter the substance of the overall plan and its policies, or undermine the sustainability appraisal and participatory processes already undertaken.
- 1.4 My report firstly considers the legal requirements, and then deals with the relevant matters and issues considered during the examination in terms of testing justification, effectiveness and consistency with national policy. My overall conclusion is that the DPD is sound, provided minor changes are made to Policy W6 to include more sustainable means of transport as a criterion for the assessment of planning applications for waste facilities.
- 1.5 I have also endorsed the Council's suggested minor changes to the DPD to update, clarify and correct the text.
- 1.6 This report sets out all the detailed changes required, including those suggested by the Council, to ensure that the plan meets the legal requirements and the tests in PPS12. The details of all the changes to make the plan sound are set out in Annex A. Other changes which I endorse are set out in Annex B.

2 Legal Requirements

Consistency with the Local Development Scheme

- 2.1 The DPD is contained within the Council's Local Development Scheme (LDS), dated September 2007. There, it is shown as having a submission date of March 2009. The DPD meets the role and content set out in the LDS, by providing the framework for the management and disposal of waste in the District, including site specific proposals for waste facilities and policies to guide the location of new waste-related development. It has generally been prepared in accordance with the timescale in the LDS. Therefore I consider that this requirement has been met.
- 2.2 There are no saved policies from Wakefield's Unitary Development Plan which are replaced by this DPD.

Compliance with the Statement of Community Involvement and Associated Regulations

- 2.3 The Council's Statement of Community Involvement (SCI) has been found to be sound by the Secretary of State and was formally adopted by the Council on 8 February 2006.
- 2.4 In preparing the DPD, the Pre-Submission Consultation Document shows that there have been 3 main stages of consultation – early community engagement with the sustainability scoping report (November 2007-January 2008), issues and options paper and sustainability appraisal scoping report (March–April 2008) and preferred options and their sustainability appraisals (August-October 2008). All the relevant interests, including the waste industry, local communities, neighbouring local authorities and other relevant stakeholders were consulted at these stages. In addition, other meetings and workshops were held with the community and other stakeholders.
- 2.5 Most of the sites allocated already have planning permission and there has been further consultation under this process. However, the site for commercial and industrial waste recovery at Welbeck does not yet have planning permission. CDP Ltd claim that this site, which is allocated under Policy W4 came forward late on in the DPD process and there was little opportunity for public comment on its proposed allocation. I comment on the site selection process in more detail below.
- 2.6 I am satisfied that the DPD was prepared in compliance with the minimum requirements set out in the 2004 Regulations. This test has therefore been met.

Sustainability Appraisal

- 2.7 Alongside the preparation of the DPD the Council has carried out a parallel process of sustainability appraisal (SA). I deal with more

general points made in this section and the application of SA to specific sites and the spatial strategy, below.

- 2.8 I consider that the SA has been carried out in accordance with the guidance in PPS12, using locally-determined objectives. The SA objectives used for the Wakefield Core Strategy (CS) were refined and developed to 16 objectives relevant to the Waste DPD. SA was used to evaluate the proposed allocations and policies throughout the DPD process, including the Welbeck commercial and industrial site, which came forward after the Preferred Options stage. The SA approach will continue to inform monitoring and will be reported in the Annual Monitoring Report. Therefore I am satisfied that the requirements in respect of SA have been met.
- 2.9 In accordance with the Habitats Directive, screening of the DPD was carried out at all stages of its preparation. There is only one designated European site, Denby Grange Colliery Ponds Special Area of Conservation (SAC), in the District and the screening has confirmed that there would be no adverse effect on the conservation objectives of the site or the integrity of these objectives. No proposed sites are within 2km of the buffer zone around the SAC and the development control policies in the DPD will ensure that waste management takes place in a sustainable manner in locations away from sensitive sites.
- 2.10 I am satisfied that the DPD has regard to national policy, including Planning Policy Statements/Guidance (PPS/PPG).
- 2.11 Local Government Yorkshire and Humber has said that the DPD is in general conformity with the approved Regional Spatial Strategy (RSS), the Yorkshire and Humber Plan, and I am satisfied that it is in general conformity with this plan.
- 2.12 I am satisfied that the DPD has had regard to the Wakefield Community Strategy 2006, Developing Knowledge Communities, where recycling remains a high priority in "Improving our Places".
- 2.13 I am satisfied that the DPD complies with the specific requirements of the 2004 Regulations (as amended) including the requirements in relation to: the publication of the prescribed documents; the availability of them for inspection and local advertisement; and, notification of DPD bodies.
- 2.14 Accordingly, I am satisfied that the legal requirements have all been met.

3. Justified, Effective and Consistent with National Policy

- 3.1 I turn now to the issues in respect of the soundness of the DPD.

Issue 1 – What provision does the DPD make for the management of waste within the District, having regard to national and regional strategic objectives for waste management.

- 3.2 The RSS sets out the additional capacity required to manage municipal and commercial and industrial waste for the period to 2026, based on a Waste Arisings Forecast carried out in 2007, and apportioned by sub-region. Wakefield is identified as an area for significant future growth in both population and households. The predicted waste arisings as a result of this growth have been taken into account in the slightly higher forecasts by the Council for municipal waste in the DPD, which have been accepted by the Regional Technical Advisory Body (RTAB). In my view the revised rates in the DPD appear to be the more up-to-date and should form the basis for the need for new waste facilities.
- 3.3 The spatial vision is for Wakefield to be self-sufficient in waste management, exceeding national and regional targets, with the management of waste as close as possible to its point of production. The arisings in Wakefield in 2005 totalled about 1.5mt and the total deposits were 2.3mt. The statistics show that the District imports more waste, especially from Leeds, Bradford and Barnsley, than it exports. Over the DPD period these movements are likely to decline when surrounding Districts provide more facilities for waste management locally. The DPD takes into account cross-boundary waste movements, which are mapped as Fig 4 of the DPD.
- 3.4 In terms of capacity, to meet national targets set out in the Waste Strategy for England 2007 (WSE) and the RSS for municipal waste, there is a need for new recycling and composting capacity for at least 72,000tpa, with a further 50,000tpa required for recovery. In addition, the main landfill site at Welbeck at Normanton has planning permission only until 2018, which is a little short of the requirement in Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10), which says at least 10 years' capacity should be provided in waste DPDs.
- 3.5 The Council's Municipal Waste Management Strategy (MWMS) was published in 2004 and this identified the need for higher rates of recycling, with mechanical biological treatment (MBT) for the residual waste. A site search following on from the MWMS as part of a Public Finance Initiative (PFI) project led to the choice of site for a strategic waste management facility at South Kirkby and for improved Household Waste Recycling Centres (HWRCs) at the strategic site and Denby Dale Road, Wakefield; Flass Lane, Glasshoughton; and, land at Welbeck Landfill site, Normanton. All of these sites, including a temporary consent at Shaw Cross, Owl Lane to allow the refurbishment of Denby Dale Road, now have planning permission.

- 3.6 The proposed MBT plant at South Kirkby will be operational in 2011 and provide facilities for materials recycling, enclosed windrow composting and autoclaving with anaerobic digestion, leading to power generation. The details of the processes are still subject to an environmental permit being issued by the Environment Agency (EA). There is the potential for further capacity at the plant through the extension of hours, requiring further planning consent, and further space exists on, and adjacent to, the site for the physical expansion of the plant. Improvements to the HWRCs will add to the capacity for recycling. The combined effect of these measures would be sufficient for the Council to comply with the national and regional targets on resource recovery from municipal waste. In addition, it would go some way towards meeting the capacity needed for commercial and industrial waste.
- 3.7 Welbeck landfill site, which takes residual waste, does not currently have a 10 year life. However, at the hearing sessions, I heard that current rates of deposition have slowed. The MBT plant and the provision of other facilities would be likely to slow deposition rates further. The site currently takes waste from other areas and the provision of new waste facilities elsewhere in the region would also be likely to increase the life of the site. Although another planning consent would be required to extend its life, I am convinced that there is sufficient capacity at Welbeck to extend beyond the 10 year requirement set out in PPS10.
- 3.8 In addition, the EA records a small number of other landfill sites, both for inert and non-hazardous fill. These include a site at Hazel Lane, Hampole operated by Catplant which has further capacity within the DPD period. This site lies only partially within the District's boundary and the Council says that it will be covered in the joint waste planning document(s) for Barnsley, Doncaster and Rotherham. Nevertheless, these other landfill sites add to the capacity and flexibility of landfill within the District.
- 3.9 In terms of commercial and industrial waste, at least a further 76,000tpa of waste year would need to be recovered over the DPD period to meet targets above the 200,000tpa capacity provided in 2005. The South Kirkby site will have facilities for accepting commercial and industrial waste and a second site is allocated at Welbeck landfill site, the locational aspects of which are discussed below. The latter site would be capable of development for recycling, recovery or treatment. Together, the sites allocated would be capable of providing the additional capacity needed for commercial and industrial waste for the plan period.
- 3.10 The largest waste stream is that from construction and demolition works. The Council acknowledges that there is little information on this stream but nationally the need for it to be recycled on site or elsewhere is having a considerable impact on disposals. Policy W7 of the DPD specifically requires a waste management plan for all significant development proposals, including the minimisation of

waste production and the re-use and recycling of materials. Policies W5 and W6 of the DPD set out criteria for the location of any new waste facilities, including for the processing and disposal of this type of waste.

- 3.11 More hazardous waste is imported into Wakefield than is produced in the District. The DPD acknowledges the need for regional planning for this type of waste, which includes low level radioactive waste, for example, from hospitals, using specialist operators. The Council is aware of at least 2 hazardous waste facilities in the District. The WSE seeks to limit hazardous waste arisings and provide for resource recovery as well as safe disposal of the waste which does arise. The DPD does not have any specific policy for hazardous waste and treatment and disposal would be subject to the other policies of the DPD, mainly W5 and W6, and other criteria-based development control policies. However, the latest EA data seems to show a decline in arisings in this type of waste and I consider that these policies would be sufficient for the evaluation of any new planning proposals for hazardous waste management coming forward.
- 3.12 The DPD has regard to agricultural waste, which is mainly managed on site with the exception of plastics, to which separate targets apply. Plastics waste will be treated through the existing facilities in the district for the recovery, treatment and disposal of such waste.
- 3.13 Table 5 of the DPD shows that 735,000tpa of sewage is treated by Yorkshire Water Services Ltd through a lagoon system. No further land or other requirements for waste water management were identified through the consultation process with the water company.
- 3.14 As such, I conclude that the DPD is justified, effective and consistent with national and regional policy for waste management and needs no further change in respect of this issue.

Issue 2 – Whether the DPD takes adequate account of the strategic objectives and spatial strategy of the RSS, the CS and other planning and policy documents.

- 3.15 The Wakefield CS was adopted in April 2009. Its spatial strategy reflects that of the RSS in concentrating growth in Wakefield, Castleford and Pontefract and, to a lesser extent, within the towns of Normanton, Featherstone, Knottingley, Hemsworth and South Elmsall/South Kirkby. Objective 4 of the DPD says that waste should be managed as close as possible to the point of production.
- 3.16 It was acknowledged at the hearing sessions that most of the municipal waste will be generated in the three larger towns and to a lesser extent in the other towns mentioned above. The DPD sets out a network of facilities in the form of HWRCs to serve local communities, including the areas for growth.

- 3.17 Although the MBT facility will be in South Kirkby, which is in the south-east of the District, it is within one of the areas selected for regeneration. I heard that about 140 jobs would be created, about half of which would be skilled. A link road from this area to the A1, which is likely to open in October 2009, will provide a route suitable for Heavy Goods Vehicles (HGVs) and then via the M62/M1 to Wakefield and other towns in the north of the District. Some bulking of municipal waste would be needed for transport by large HGVs but arrangements for this have been made in approved improvements to Denby Dale Road HWRC, which is already a waste transfer station. I was told at the hearing of the problems with air quality and congestion on the M1/M62/A1 roads. However, the increase in the number of traffic movements as a result of the development in comparison with overall movements would be small, as would the effect on air quality and congestion. Although the new treatment facility at South Kirkby would not be in a central position and would be away from the larger centres of population, I consider that adequate arrangements have been made to transport the waste to be processed to the site, including potential access by rail.
- 3.18 Welbeck landfill site would have a continued role in the central area of the District for landfill, together with the proposed new treatment centre for commercial and industrial waste and approved HWRC on the site.
- 3.19 At the hearing it was confirmed that the West Yorkshire Local Transport Plan Partnership's Plan (LTP) had been taken into account in allocating the sites. The LTP and the CS both require a more sustainable use of transport. At the hearing sessions, transport arrangements for allocated sites and the criteria for the development of further sites were discussed. A number of the allocated sites are suitable for access by rail or inland waterway. Nevertheless, such considerations also need to form part of the assessment of applications for waste management facilities, which is covered by Policy W6 of the DPD. I consider that the criteria for this policy should include access by inland waterways and rail. Without the addition of the criteria to Policy W6 the DPD would be unsound since it would not comply with the LTP and Policy CS9 of the CS.
- 3.20 I conclude that the submitted DPD is unsound since it does not currently comply with the CS and LTP on the movement of waste by means other than road transport.
- 3.21 The following changes are necessary to Policy W6 to make the DPD sound:

The Policy should be amended to include references to the potential for the movement of waste by inland waterways and rail, as set out in Annex A.

Issue 3 – Whether the site selection process has identified the most appropriate sites in all circumstances having considered reasonable alternatives and that their selection is founded on a robust and credible evidence base.

- 3.22 Most of the sites allocated in the DPD were selected as part of exercises for the Waste PFI Project Management Team to identify sites suitable for a strategic management facility of about 50,000tpa capacity and a network of sites for HWRCs. The size and number of sites necessary was determined from the ODPM publication: Planning for Waste Management Facilities: A Research Study, 2004. A sieve technique was used with a number of criteria, which were not weighted, but took into account the locational guidance set out in Annex E and other sections of PPS10. All of the sites, with the exception of proposed commercial and industrial waste facility at Welbeck, which was assessed at a later stage of the DPD process, were tested at all stages of plan preparation through sustainability appraisal.
- 3.23 In terms of the site search for a strategic facility as part of the PFI project, the original shortlist of 7 sites was first reduced down to 2 sites and eventually the site at South Kirkby was chosen, on the basis of its access to the primary road network. The alternative site at Wheldale Colliery has worse road access, through Castleford town centre and residential areas, and the Council concluded that this would have an adverse effect on regeneration objectives for this settlement. South Kirkby now has planning permission for an MBT facility for 240,000tpa, capable of expansion, and forms part of a business park with planning permission for B2 and B8 uses, which could include resource recovery.
- 3.24 I heard at the hearing sessions that there was concern by local people that the use of the South Kirkby site for waste might deter high quality uses on the wider employment site at South Kirkby. However, the current permission for the business park would not preclude uses other than waste processing, although the site is currently being marketed as a recycling business park. The DPD is neutral on the technology to be used on the site, but the current permission is for MBT and, as I heard that the Council's policy is against waste incineration, this should allay some of local residents' residual fears expressed by their councillor about the use of the site for waste purposes.
- 3.25 In seeking a network of HWRC sites the PFI study sought to maximise coverage of the District using a 15 minute travel time to facilities. In addition to the existing HWRC site at Welbeck and the new site to be co-located at South Kirkby, sites at Denby Dale Road, which has potential for ecological enhancement, and Flass Lane, Glasshoughton were identified. These sites have all been granted planning permission and I consider that an accessible,

deliverable network of household waste recycling facilities has been established through the allocations in the DPD.

- 3.26 The site for commercial and industrial recycling, composting and recovery at Welbeck emerged later in the DPD process. However, the capacity gap discussed above shows that a facility for commercial and industrial waste would be needed, especially towards the end of the DPD period when a rise in municipal waste would mean that capacity would be taken up at the South Kirkby facility. It would also provide the flexibility necessary in the DPD. Welbeck landfill site had originally been discounted in the PFI studies and the early plan preparation stage since it lies in the Green Belt, which I deal with below. The Council say that none of the other alternative sites are suitable, including Woolley Edge which has a peripheral location in the District, and for reasons of access set out above, the site at Welbeck was preferable to that at Wheldale Colliery, despite the former site's location in the Green Belt.
- 3.27 Although emerging later, the Welbeck site had been the subject of public consultation throughout the DPD process as a landfill site and the proposed facility would act principally as a front-end treatment plant for the landfill. The specific commercial and industrial waste facility has been the subject of public consultation in the submission document and the objector has had the opportunity to put their views to me at the hearing.
- 3.28 In addition, both the DPD and the PFI site search projects had regard to the Strategic Flood Risk Assessment (SFRA) 2005, which was updated in November 2008. With the exception of Shaw Cross/Owl Lane site which has a temporary planning consent, all of the sites with planning consent have also had a full Flood Risk Assessment (FRA) carried out.
- 3.29 Therefore I conclude that the site selection process identified the most appropriate sites in all circumstances having considered reasonable alternatives and that their selection is founded on a robust and credible evidence base. As such, the submitted DPD is sound and no further change is needed in respect of this issue.

Issue 4: Commercial and industrial site at Welbeck

- 3.30 The proposed development on land at Welbeck landfill site would include commercial and industrial waste recycling, composting and recovery facilities. By its nature, the development would be likely to include a large new building, which would be inappropriate development in the Green Belt as defined in paragraph 3.4 of Planning Policy Guidance Note 2: Green Belt (PPG2).
- 3.31 As such, the issue in terms of this allocation is:

Whether the harm by reason of inappropriateness of the likely development on the site, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify its allocation.

- 3.32 In addition to its inappropriateness, any building on the site would also enclose land which is currently open and would be harmful to the openness of the Green Belt, which paragraph 1.4 of PPG2 says is its most important attribute.
- 3.33 However, paragraph 7.34 of the Companion Guide to PPS10 says that decision makers are required to recognise the particular locational needs of some types of waste management when defining Green Belt boundaries. Paragraph 8.17 of PPS10 says that the circumstances for permitting such development need to be capable of being described as very special. The CS retains the existing Green Belt boundary within the District and in this case the Council is seeking to have the Green Belt continue to wash over the site in order to tightly control any development on it.
- 3.34 In terms of other considerations, the analysis of the level of commercial and industrial waste being managed in the District and its likely growth over the DPD period set out above demonstrates a clear need for a further commercial and industrial waste processing facility.
- 3.35 The Welbeck site is already used for waste management purposes as a large landfill/landraising site with an energy recovery plant, which fulfils a regional role for commercial and industrial waste, an HWRC and a small composting area. The co-location of the existing waste facilities with the proposal would be an advantage and would accord with the guidance in paragraph 20 of PPS10. There would be sustainability benefits in that commercial and industrial waste would be processed in the facility, improving recycling and recovery rates from the imported waste. The landfill site will continue as an allocation for the disposal of residual waste in accordance with Policy W8 of the DPD and the proposed facility would extend its life by reducing the amount of deposition. At some future time the landfill would be finished and restored to an agreed landform and afteruses but this would not be for a considerable period, especially if this development were to take place.
- 3.36 The long-term shape and position of the landfill would partially screen the building and the impact on the openness of the Green Belt could be reduced by developing on the lower parts of the site. In addition, it might also be possible to ensure, through the positioning of the building and other landscaping works, that any adverse impact on the setting of Newland Preceptory, a scheduled monument, could be minimised. The DPD takes such matters into account and paragraph 5.7 indicates the areas of the site which would not be suitable for built development.

- 3.37 The edges of the landfill area at Welbeck lie within Zones 2, 3a and 3b of the floodplain of the River Calder as defined by the EA. However, most of the site allocated for the commercial and industrial waste facility lies within Zone 1 and is at low risk of flooding. Annex D of Planning Policy Statement 25: Planning and Flood Risk (PPS25) says that such areas are appropriate for all types of land use.
- 3.38 No details have been put forward on the effects of traffic generation but the facility would be designed to be the “front end” of the existing operation and any increase in traffic generation would be likely to be limited and might be offset by a reduction in municipal waste brought to the site. In any event, traffic links to the site via the Normanton by-pass are good and are away from existing settlements.
- 3.39 The site selection process has been set out above and the Council have taken a sequential approach to site appraisal. I have already concluded, above, that there were no other suitable sites for this use available. Finally, there have been no objections to the inclusion in the DPD of either the site for the commercial and industrial facility or the continued use of the landfill site from surrounding residents.
- 3.40 I consider that the other considerations in this case would clearly outweigh the harm by reason of inappropriateness of the likely development on the site and to the openness of the Green Belt, which, in any event, would be capable of mitigation. Therefore I conclude that there would be very special circumstances which would allow the allocation of this site in the Green Belt, in accordance with paragraph 3.2 of PPG2.
- 3.41 As such, the submitted DPD is sound and no further change is needed in respect of this issue.

Issue 5 – Whether the DPD has clear mechanisms for implementation and monitoring and is sufficiently flexible to cope with changing circumstances.

- 3.42 The Council say that all of the sites allocated are current waste sites or are the subject of interest from waste companies. As such, the Council considers that they are all viable and capable of being implemented. Sufficient capacity has been allocated in the DPD to meet identified needs and there is flexibility within the allocations, since the processing/recovery facility at South Kirkby is capable of expansion and this will be supplemented later in the plan period by the facility at Welbeck.
- 3.43 A number of the statistics provided in the DPD are estimates, for example, the amount of construction and demolition waste, hazardous waste and agricultural waste. These statistics need to be

kept under review and updated through the Annual Monitoring Report (AMR), when further data becomes available. Similarly, the landfill deposition rates at Welbeck need to be kept under review following the opening of the other facilities, in order to maintain an accurate assessment of its life and the need for further planning consents.

- 3.44 The AMR will monitor the effects of the DPD policies against indicators and targets, including the objectives of the SA. Where key policy targets are not met, the monitoring section of the DPD says that a review might then be triggered. In addition, strategic objectives will be used to monitor Policy CS15 of the CS, which covers matters such as the capacity of new waste sites, recovery capacity, landfill deposition rates and the total level of municipal waste.
- 3.45 Therefore, I conclude that the DPD is sound as submitted in respect of this issue.

4. Proposals Maps

- 4.1 Appendix A of the DPD is an A4 plan of the District with the proposed sites shown. This is not a key diagram but, since the DPD is not a CS, this is not essential. Although there was some discussion about the level of detail which is shown on this plan, the more detailed boundaries of the allocated sites can be seen on the plans in Appendix B, particularly the flood risk maps. Therefore I consider that no change is needed to the plan at Appendix A.
- 4.2 Appendix B of the DPD includes maps which show the sites in more detail. For each allocated site there is an Interim Proposals Map Extract, which shows the site superimposed on the Unitary Development Plan (UDP) Proposals Map, and a Flood Risk Map. Although the boundary of the waste sites can be clearly seen on the flood risk maps, they are more difficult to see on the Interim Proposals Maps since there are a number of other overlays on them. Nevertheless, they represent the development plan Proposals Map as at March 2009. The Council say that a new Proposals Map will be produced once their Site Allocations DPD, which will be the last of their DPDs, is adopted.

5. Other changes

- 5.1 I have considered other minor changes suggested by the Council and I have endorsed them for the sake of clarity and the updating of the DPD. These changes are set out in Annex B.

6. Overall Conclusions

- 6.1 I conclude that, with the changes I recommend, the Wakefield Waste DPD satisfies the requirements of s20(5) of the 2004 Act and meets the tests of soundness in PPS12.

E A Hill
INSPECTOR

Annex A

Schedule of recommended changes

The following Schedule sets out the change which I consider is necessary to make the DPD sound. It includes my recommendation described in paragraph 3.21, above.

Change to Policies section

Policy W 6

Assessing Applications for Waste Management Facilities

Proposals for waste management facilities will be permitted where it can be demonstrated that:

- a. there would be no unacceptable adverse environmental, social or economic effects, particularly in relation to urban regeneration, economic development, environmental improvement, and growth priorities;*
- b. there is no unacceptable adverse effect on surface or groundwater. In the floodplain, proposals should not adversely affect groundwater levels or water quality, impede flood flows, reduce capacity of flood storage or existing flood defence structures;*
- c. adequate means of controlling noise, dust, litter, odours, vermin and other emissions are incorporated in the scheme, such that there would be no unacceptable adverse effects on the amenity of sensitive receptors;*
- d. development would be of a scale, form and character appropriate to its location and landscape setting, and not be visually intrusive in terms of height and size;*
- e. there is a high quality of design, particularly in relation to site layout, external appearance of built structures, screening, boundary treatment, and landscaping to ensure that the development is well screened and integrated with the surrounding area and uses;*
- f. safe and convenient access to the strategic road, **inland waterway or rail networks** can be achieved and it can be demonstrated that the network has adequate capacity to accommodate any additional ~~vehicles~~ **traffic movements** generated by the proposed development;*
- g. adequate space can be provided on site to ensure that vehicles can enter, wait, unload and leave safely;*
- h. there is a defined requirement for a facility in the local area and that proposals are in accordance with the waste hierarchy;*
- i. where appropriate, details of progressive restoration to a suitable after-use are provided; and*
- j. where appropriate provision is made to recover energy.*

Planning conditions and, where necessary, legal agreements will be used as appropriate to ensure mitigation measures are put in place to manage any effects associated with traffic, noise, odour, visual impact, flooding, dust, air quality and other potential effects.

Annex B

Changes suggested by the Council and endorsed for the sake of clarity and updating

The following Schedule sets out the changes which the Council have suggested to improve clarity and to remove sections of the DPD which refer to the consultation procedures for the submitted DPD.

General

1. Delete Contents page chapter headings and paras 1.25 to 1.34 and its sub-heading which deal with consultation procedures on the submitted DPD.

Contents page:

~~What Happens Next?—14~~

~~How Do I Get Involved? 12~~

Paras 1.25 to 1.34 and sub headings - delete

2. Para 3.27. Delete the word “Current” at the start of the paragraph and insert “The 2005” to clarify the period to which reference is made.

3.27 ~~Current~~ **The 2005** levels of recycling and composting in Wakefield are around 24% or 40 000 tonnes per year.

3. Paragraph 5.1 refers to the protection of the site at South Kirkby from other development which might prejudice its waste management function. This matter is already covered in Policy W2 and needs no further explanation. I endorse the change suggested by the Council.

5.1 Delete last sentence: ~~Given the site's importance in meeting the district's future municipal waste needs, it will be safeguarded from other future development which may prejudice its waste management function.~~

4. Paras 6.9, 6.10, 6.11 and 6.13. Delete references to “policies W6 and W7” and insert “policies W5 and W6” to correct the policy numbers to those in the submitted DPD.

Construction, Demolition and Excavation Waste

6.9 Last sentence. No specific sites have been identified for the management of construction, demolition and excavation waste in the district and criteria against which proposals may be considered are set

out in policies ~~W6~~ **W5** and ~~W7~~ **W6**, as well as those in the Core Strategy and other relevant Local Development Framework documents.

Hazardous Waste

6.10 Penultimate sentence. No specific sites have been identified for the management of hazardous waste in the district and criteria against which proposals may be considered are contained within the policies ~~W6~~ **W5** and ~~W7~~ **W6**, as well as those in the Core Strategy and other relevant Local Development Framework documents.

Agricultural Waste

6.11 Last sentence. No specific sites have been identified for the management of agricultural waste in the district and criteria against which proposals will be considered are set in policies ~~W6~~ **W5** and ~~W7~~ **W6**, as well as those in the Core Strategy and other relevant Local Development Framework documents.

6.13 Penultimate sentence. With the exception of those sites identified in policies W2 and W4, no further sites are allocated. However, applications for residual waste management facilities will be considered against policies ~~W6~~ **W5** and ~~W7~~ **W6** as well as those in the Core Strategy and other relevant Local Development Framework documents.

Policies

Policy W 2

Strategic Municipal Waste Management Facility

In accordance with the Core Strategy a strategic waste management facility for municipal waste will be developed at:

*a. South Kirkby Business Park (**part**), South Kirkby (map reference WS M1).*

Other development within / adjacent to this site will not be permitted if it would prevent or restrict the extent to which ~~the site~~ it may be used for waste management purposes.

Policy W 3

Household Waste Recycling Facilities

In accordance with the Core Strategy household waste recycling facilities / waste transfer stations will be developed at the following locations:

- a. South Kirkby Business Park (**part**), South Kirkby (map reference WS M1);
- b. Denby Dale Road , Wakefield (map reference WS M2);
- c. Flass Lane , Glasshoughton (map reference WS M3); and
- d. Welbeck landfill site (**part**), Normanton (map reference WS M4).

*Other development within / adjacent to these sites will not be permitted if it would prevent or restrict the extent to which ~~the sites~~ **they** may be used for waste management purposes.*

Policy W 4

Commercial and Industrial Waste Recovery Facilities

In accordance with the Core Strategy provision is made for the development of commercial and industrial waste recycling, composting and recovery facilities at the following locations:

- a. South Kirkby Business Park (**part**), South Kirkby (map reference WS M1); and
- b. Welbeck landfill site (**part**), Normanton (map reference WS C18).

*Other development within / adjacent to these sites will not be permitted if it would prevent or restrict the extent to which ~~the sites~~ **they** may be used for waste management purposes.*

Policy W 8

Managing Residual Waste

To meet capacity needs priority will be given to the development of facilities to manage / dispose of residual waste at existing waste management sites within the district.

In accordance with the Core Strategy landfill capacity will be safeguarded as a means of final disposal of residual waste at:

- a. Welbeck landfill site, Normanton (map reference WS R1).

*Other development within / adjacent to this site will not be permitted if it would prevent or restrict the extent to which ~~the site~~ **it** may be used for waste management purposes.*