

Spatial Strategy for Waste

**Hertfordshire Minerals and Waste
Local Plan 2040**

Hertfordshire County Council



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Table of Contents

1. Introduction	1
2. Context to the Development of a Spatial Strategy	1
3. Available Strategic Approaches and the Local Planning Context	2
<i>Options to identify locations</i>	<i>2</i>
<i>Previous Approach.....</i>	<i>3</i>
<i>Local Authority Collected Waste Spatial Strategy.....</i>	<i>5</i>
4. Considerations for the Proposed Spatial Strategy	6
<i>Development Patterns.....</i>	<i>6</i>
<i>Industry Interests.....</i>	<i>8</i>
<i>Assessment of Local and Regional Waste Needs</i>	<i>8</i>
5. The Proposed Spatial Strategy	11
6. Conclusion	12

1. Introduction

- 1.1. The purpose of this document is to give additional background information and justification on how the spatial strategy for waste in the Hertfordshire Minerals and Waste Local Plan (the Plan) has developed and how local context has been taken into consideration.
- 1.2. In relation to Hertfordshire, a spatial strategy has been developed for the Plan to give strategic direction to where waste facilities should be located and give more focus towards particular areas and locations for waste management development.

2. Context to the Development of a Spatial Strategy

- 2.1. The National Planning Policy for Waste (NPPW) states in paragraph 4 that Waste Planning Authorities (WPAs) should identify, in their Local Plans, sites and/or areas for new or enhanced waste management facilities in appropriate locations.
- 2.2. Furthermore, the Government's policy direction as established in the NPPW regarding identification of suitable sites and areas highlights the need to:
 - consider waste management alongside other spatial planning matters;
 - enable communities and businesses to take more responsibility for their own waste;
 - plan for the disposal of waste and the recovery of mixed municipal waste in line with the proximity principle;
 - recognise the relationship between catchment areas and economic viability;
 - support opportunities for co-location of waste management facilities together and with complementary activities; and
 - give priority to the re-use of previously-developed land, sites identified for employment uses, and redundant agricultural and forestry buildings and their curtilages.

3. Available Strategic Approaches and the Local Planning Context

Options to identify locations

- 3.1. There are a number of ways in which a local plan can identify locations for waste management development. Several options have been considered:
- a) Allocating specific sites – By far the clearest option for identifying locations for future waste management development is to allocate specific sites in the Plan for such use; this could be based on such sites being put forward by the industry and assessed as appropriate or through some other means.
 - b) Identification or designation of specific areas for development - This option works on the basis that certain types of locations, for example general industrial area locations, are appropriate in principle for waste management use. Such areas can be designated within the Plan and shown on the policies map.
 - c) Identification of broad areas of focus - This option is less geographically specific than an allocation or designation, both of which are shown on an Ordnance Survey map; this could be through broadly identifying on a non-OS based map favoured areas and locations for waste development or to describe such favoured locations in policy.
 - d) Identification of policy criteria - This could direct different types of waste management development to suitable locations, in appropriate (and specified) circumstances.
- 3.2. A Waste Spatial Strategy could comprise one or a combination of the options identified above.
- 3.3. An approach of not giving any geographical direction in the Plan and simply relying on a generic strategic policy on which applications for waste development would be determined is not considered appropriate. This is because it would effectively move the waste element of the Local Plan into being no more than guidance on what matters are to be addressed in determining a planning application, rather than giving any plan-wide steer on

where proposals should actually be directed to. In addition, such an option would not be consistent with national policy.

- 3.4. Each approach referenced in paragraph 0 above has positives and negatives and this is also dependent on how flexible an approach is planned to be taken to where facilities should be located, the particular circumstances of the plan area including constraints to, and opportunities for, development, the extent of the waste management capacity gaps and the expected quantum of development to be planned for.
- 3.5. However, as a minimum some form of spatial strategy should be set out in the Plan. Any more detailed locational identification within the Plan would then subsequently need to be in broad compliance with the spatial strategy.
- 3.6. Various policy alternatives relating to these options have been tested against the Plan's sustainability objectives through the Sustainability Appraisal (SA) process, in order to assess potential contribution towards achieving sustainability outcomes and addressing key issues.

Previous Approach

- 3.7. In relation to moving forward with any more detailed locational identification beyond a spatial strategy, some of this was dependent on the interest of agents/developers/waste industry on putting sites forward for consideration as allocations in the Plan.
- 3.8. An initial process for finding sites for potential inclusion within the Plan involved a Call for Sites exercise which was undertaken from 28 July 2018 to 16 September 2018. This exercise involved requesting landowners, industry or other interested parties to put forward any sites (i.e. potential parcels of land) which may be suitable for future waste management facilities and as such may have potential to be identified within the Plan. Twelve sites were submitted in response to the Call for Sites exercise.
- 3.9. In addition to assessing the twelve sites submitted in response to the Call for Sites exercise, the Waste Planning Authority (WPA) also re-assessed the eight Allocated Sites and five Strategic Safeguarded Sites which are identified in the currently adopted Waste Local Plan (adopted 2012 & 2014).
- 3.10. The sites within the adopted Waste Local Plan and the twelve sites submitted in response to the Call for Sites exercise were assessed by

Hertfordshire County Council officers. The assessments incorporated the technical expertise of colleagues within the Environment & Infrastructure Department and external advice from the Environment Agency to assess their suitability for future waste management purposes.

- 3.11. It was important for the WPA to re-assess these sites in line with the current waste management needs of the county and to take into account any changes to the sites (i.e. eight Allocated Sites and five Strategic Sites). In principle, these sites were considered to have potential for future waste management facilities and this further desk-based assessment was carried out to check whether there have been any changes which would affect their potential.
- 3.12. Such changes may include recent housing developments or housing allocations in the District/Borough Local Plans close to the site/ road network, changes/new archaeological finds, new ecological designations, ownership issues and other issues such as access which may affect the sites' deliverability.
- 3.13. The results of the assessments undertaken on the twelve sites submitted in response to the Call for Sites exercise revealed that many of the sites raised concerns with regards to highways issues and the majority of them were located within the Green Belt.
- 3.14. Additionally, it was concluded that there were some issues of significant concern on several sites and minor issues of concern on all of the sites and that the identification of all or some of the sites still would not provide sufficient additional capacity to meet the identified gaps in waste management capacity over the plan period. This led to the conclusion that it would not be suitable to identify any of the sites submitted as part of the Call for Sites exercise.
- 3.15. The results of the assessments undertaken on the eight Allocated Sites and five Strategic Sites (as identified in the adopted Waste Local Plan) confirmed that four out of the five Strategic Sites continue to play a vital role in the management of Local Authority Collected Waste. It was found that some of the Allocated Sites may still be suitable in principle for waste management uses, but were no longer suitable for identification in the Waste Local Plan due to issues of deliverability.

Local Authority Collected Waste Spatial Strategy

- 3.16. Hertfordshire County Council, as the Waste Disposal Authority (WDA), developed a Local Authority Collected Waste (LACW) Spatial Strategy (updated May 2021) which aims to provide a cost-effective and efficient service for the compliant treatment of waste arising in Hertfordshire, whilst contributing to the Sustainable Hertfordshire Strategy in response to the Council's 2019 Climate Change Emergency declaration.
- 3.17. This strategy does not represent a formal policy position but seeks to provide context and direction for relevant decision makers when considering the activities and functions of the WDA.
- 3.18. The principal area of change within the updated LACW Spatial Strategy highlights the need and desired locations for the development of two new Waste Transfer Stations in the east and north of the county as well as the redevelopment of the Waterdale Waste Transfer Station.
- 3.19. The WDA recognised this as being required to ensure the future resilience and efficiency of Hertfordshire's waste disposal/treatment arrangements in the light of the Secretary of State's decision in 2019 to refuse permission for an in-county energy from waste facility.
- 3.20. In addition to the LACW Spatial Strategy, the WDA also prepared a Recycling Centre Annex (April 2019) which assessed the operation and suitability of the existing network of 17 Recycling Centres (RCs) in Hertfordshire. The Annex concluded that the current network of 17 RCs is largely not expected to be fit for purpose and/or be capable of sustaining service delivery for the plan period.
- 3.21. The existing operation suggests that an improved network of more fit-for-purpose and strategically located RCs, designed to serve larger catchment areas, could provide a more effective and efficient service. The RCs should be easy to travel to, be larger and more flexible than the existing centres, enable increased segregation of waste types and provide an improved customer experience including meeting improved reuse ambitions.
- 3.22. Alongside these requirements it is imperative that the design of all future developments to the network of facilities are in line with the Sustainable Herts Action Plan 2020, which was produced in response to the Climate Change Emergency that was declared by the County Council in 2019.

4. Considerations for the Proposed Spatial Strategy

- 4.1. The development of a sustainable waste management network requires a range of facilities aligned with the different levels of the waste hierarchy, including facilities for the preparation of wastes for re-use and recycling and other recovery as well as facilities for the disposal of residual wastes (including residues arising from the treatment of waste).
- 4.2. Ideally facilities should be directed to locations where investment, and links to existing land uses and infrastructure networks, can be optimised, in order to support sustainable economic growth and development of sustainable communities. This may include the co-location of waste management facilities, or co-location with other compatible uses such as mineral development, industrial development, or specialist uses such as medical or research sites. However, the waste industry may also come forward with proposals that comply more with their business plan or business opportunities, which may place more or less importance on these considerations.
- 4.3. Whatever option is taken forward there would need to be some form of spatial strategy to indicate where waste management development should be focused. Whether that is taken forward through the identification of specific locations, including making specific allocations in the Plan, depends on how much direction is sought through the Plan and how flexible the Plan should be in responding to the needs and requirements of the waste industry; which is often led by making the most of opportunities that present themselves, including the availability of specific units or pieces of land that may become available.

Development Patterns

- 4.4. Hertfordshire is a 'two tier' authority area. This means that the ten District and Borough Councils (known as the Waste Collection Authorities) are responsible for collecting waste from households (LACW) as well as from some businesses (C&I). The County Council is responsible for managing that waste, in its role as Waste Disposal Authority (WDA).
- 4.5. The distribution of the network of waste management facilities, including the scale and catchment area of individual facilities, should relate to Hertfordshire's locational hierarchy, the general development strategy of the

local plans prepared by the Districts/Boroughs, relationships with areas of growth and the constraints brought about through AONB¹ and Green Belt designation.

- 4.6. Ideally facilities should be directed to locations where investment and links to existing land uses, and infrastructure networks can be optimised, in order to support sustainable economic growth and development of sustainable communities.
- 4.7. All ten District and Borough Local Plans allocate sites for housing and employment development. It is therefore considered that these areas will experience significant planned growth over the plan period as proposals come forward on the allocated sites. The allocated sites are often within or as an extension to an existing settlement. Any new developments that are carried out will cause expansion of the settlement, potentially increasing the local population and/or economic activity.
- 4.8. An area experiencing growth will inherently experience an increase in the amount of waste generated, whether this is LACW (as a result of a growing population), C&I (as a result of increased economic activity) or CD&E (Construction, Demolition and Excavation) waste (as a result of new developments). In order to manage the increasing amount of waste, new waste management capacity will likely be needed. This could be through the expansion of existing facilities or the creation of new waste management sites.
- 4.9. The Proximity Principle states that waste should be managed at the nearest appropriate facility to the source². Therefore, as a settlement experiences growth, local waste management capacity must also increase in order to manage the increasing amount of waste. This could be through the expansion of existing facilities or the creation of new waste management sites.
- 4.10. There would also be opportunities for waste development that is appropriate for an urban location to be sited within identified settlements, generally speaking on an industrial estate (where present) or in a new development area at the edge of the settlement. This would predominantly cover B2 (general industry) and B8 (storage and distribution) employment land areas

¹ Area of Outstanding Natural Beauty

² The Waste (England and Wales) Regulations 2011, Schedule 1, Part 1, Paragraph 4

as such locations would have the benefit of the waste use likely being more compatible with its surroundings, being in most cases of a similar nature to existing activities. Proposals would need to be commensurate with the population of the urban area and the nature/scale of the employment land.

- 4.11. Employment land can be identified based upon employment areas designated within District and Borough Local Plans that contain B2 and B8 Use Classes as they are considered to be compatible with waste management uses³.

Industry Interests

- 4.12. As mentioned in paragraphs 3.8 - 0, to inform options and assess such interest in identifying specific sites for waste development there was a Call for Sites exercise undertaken where the industry, landowners and agents were requested to put forward sites for potential waste uses to be included as.
- 4.13. The sites were assessed to not be adequate for allocation within the Plan. An additional question is whether the allocation of sites is an appropriate response; or whether to allow sites to come forward depending on what opportunities the market provides, and subject to plan policy. However, regardless, the Plan should give direction through a spatial strategy.

Assessment of Local and Regional Waste Needs

- 4.14. In the case of Hertfordshire's waste arisings and waste management capacity, the Waste Needs Assessment (WNA) (June 2022), which has been prepared to support the preparation of the Plan has concluded that minimal capacity gaps are anticipated in some of the broad waste management methods over the plan period. These capacity gaps are generally smaller than those identified though previous capacity gap work undertaken and used in the assessment of sites following the Call for Sites exercise.

³ Examples of such waste facilities include household waste recycling centres, waste transfer stations, end of life vehicle recovery sites, Waste electrical and electronic equipment (WEEE) treatment etc.

Table 1 - WNA Capacity Gap Summary (million tonnes per annum)

Broad management method		2020	2025	2030	2035	2040
Preparing for re-use and recycling	Materials recycling (LAC, C&I)	0.271	0.219	0.137	0.050	0.027
	Composting (LAC, C&I)	-0.005	-0.050	-0.079	-0.110	-0.120
	Inert recycling (CD&E)	-0.045	0.026	0.009	0.008	0.028
Other Recovery	Treatment & energy recovery (LAC, C&I)	0.111	-0.010	-0.036	0.001	-0.021
	Soil treatment (CD&E)	0.008	0.006	0.006	0.006	0.008
	Inert recovery (CD&E)	0.547	0.488	0.277	-0.638	-0.582
	Hazardous recovery & treatment	0.039	0.038	0.036	0.034	0.031
Disposal	Non-hazardous (LAC, C&I, CD&E)	-0.500	-0.280	-0.109	-0.097	-0.079
	Hazardous Incineration	-0.001	-0.001	-0.001	-0.001	-0.001
	Hazardous landfill	-0.004	-0.008	-0.009	-0.009	-0.010

4.15. Table 1 above, taken from the WNA (June 2022), anticipates small gaps in some of the broad waste management methods by the end of the plan period, with all gaps being below 0.1Mtpa (million tonnes per annum), with the exception of composting and inert recovery. This provides further justification for the departure from allocating sites for waste development in the MWLP.

4.16. Hazardous arisings sent to incineration and hazardous landfill are small amounts currently exported to facilities outside of Hertfordshire. These waste streams requiring management at specialist waste facilities are considered to be managed by wider geographical markets and there is currently no evidence to warrant development of facilities for the management of hazardous wastes within the plan area.

4.17. With regards to CD&E waste managed via inert recovery, it is anticipated that mineral extraction sites allocated within the Plan will require inert waste material for restoration use, thus filling anticipated gaps for inert recovery.

4.18. The other significant capacity gap is in relation to residual non-hazardous waste which is currently exported to facilities outside of the county. As Hertfordshire aims towards achieving recycling rates of 65% of LAC waste by 2035 and no LAC waste sent to landfill by 2030, it is projected for residual non-hazardous waste requiring disposal to reach less than 0.1Mtpa by the end of the plan period.

- 4.19. LAC waste management is subject to commercial contracts that determine current and future management methods and rates. In May 2020 the procurement of long-term (10 to 15 years duration) residual waste treatment/disposal contracts was agreed by Cabinet, to follow on from existing contracts and taking the management of this waste stream to roughly 2039, nearly to the end of the plan period.
- 4.20. This means the WDA will be reliant on regional, or potentially national, treatment and disposal facilities depending on available capacity and cost with competition for the use of facilities from other authorities and waste management companies. To facilitate a solution, it has been necessary to ensure a robust network of waste transfer stations in the county.
- 4.21. In accordance with the Council's Sustainability Action Plan, the tendering opportunity for longer term contracts will prevent the use of landfill as a direct route for treatment of Hertfordshire's residual LAC Waste. Given that current short-term waste contracts end in 2023 and that Hertfordshire has no non-hazardous landfill of its own, the Council's target of zero LAC waste to landfill by 2030 is achievable through the provision of waste contracts for alternative means of final waste disposal.
- 4.22. The Wider South East Residual Capacity Study⁴ (WSE study) estimates that if a recycling target of 65% by 2035 is achieved then, without relying on available landfill, there will be a shortfall of capacity for non-hazardous residual treatment of approximately 0.86Mtpa for the whole Wider South East (consisting of 28 WPAs and all WPAs in London).
- 4.23. The WSE study also notes that within the Wider South East there is a residual non-hazardous waste management capacity not built out (i.e. consented or consent applied for ('other recovery')) of 1Mtpa that will potentially eliminate the non-hazardous residual treatment capacity shortfall, although this would affect the possibility of achieving a 65% recycling rate for municipal waste.
- 4.24. Given the findings of the WSE study it is considered justified to assume, at this point in time, provision for non-hazardous residual waste can be met by

⁴ Consisting of the Report on Residual Non-Hazardous Waste Treatment Capacity in the South East (Cool Planet Resources, May 2021) and the Report on Landfill and Residual Treatment Capacity in the Wider South East of England (Sacks Consulting, May 2021)

the wider region and is unlikely to require allocation of specific sites within the Plan. This position will be kept under review.

5. The Proposed Spatial Strategy

- 5.1. Following on from the considerations above, including the opportunities and constraints to the location of waste management facilities in Hertfordshire, it has been concluded that the spatial strategy for the Plan should comprise a combined approach which will provide a broad spatial guidance coupled with policy criteria which will direct proposals to suitable locations; and which will include the identification of locations and settlements, such as employment land, or scenarios, where waste management use would in principle be acceptable.
- 5.2. In considering the broad spatial direction to be provided, the key locations in the plan area are considered to be the settlements anticipating growth identified within the ten District and Borough adopted and emerging Local Plans. It is acknowledged that there are limitations in respect of many of the settlements which coincide with Green Belt and AONB designations. It is also concluded that development at each urban location should be commensurate with their population and the proposed scale of growth.
- 5.3. The proposed spatial strategy for waste management in Hertfordshire therefore is as follows:
 - Support proposals which meet an identified need and move waste up the waste hierarchy
 - Support in principle waste development on existing waste management sites, sites allocated for employment uses, or existing employment land within the main settlements likely to experience growth over the plan period
 - Provide additional restrictions / requirements for certain waste management methods
- 5.4. Owing to the nature of employment land, designated for B2/B8 uses, waste management facilities are potentially compatible in these areas. To enable such proposals to come forward in these areas, a criteria-based policy approach has been applied, rather than identifying specific employment areas for this purpose.

- 5.5. This method offers greater flexibility for changing circumstances throughout the plan period and strengthens the policy basis of the Plan, ensuring that all eventualities for waste development can be accommodated.
- 5.6. Hertfordshire moves waste within the county and to other local authorities outside of the county. This is due to the limited type of facilities and landfill within the county. As such, Hertfordshire is encouraging flexibility in the approach to new waste technology that will allow the county to deal with the equivalent of its own waste arisings.
- 5.7. Such an approach also reflects the fact that, for certain specialist waste streams, including hazardous waste for landfill and Low Level Radioactive (LLR) waste requiring management at specialist wastewater treatment facilities or other specialist facilities, wider geographical markets for waste management exist. Similar considerations apply to final re-processing capacity for many types of recyclate, which are often exported to nationally or regionally significant facilities receiving waste from a wide range of sources.

6. Conclusion

- 6.1. Returning to the reference to national guidance in paragraphs 0 and 2.2, it is considered that through the identification of an overall spatial strategy for waste that the Plan meets the requirements of national policy and guidance. It does this in the following manner:
- Waste planning authorities should identify, in their Local Plans, sites and/or areas for new or enhanced waste management facilities in appropriate locations - *A spatial strategy for waste has been identified which identifies preferred locations.*
 - Consider waste management alongside other spatial planning matters - *The development of the spatial strategy is in line with the growth and investment agenda of partners, the strategies and emerging strategies of the (non-minerals and waste) local plans and the overall settlement/location hierarchy and constraints (e.g. Green Belt, AONB) of Hertfordshire.*
 - Enable communities and businesses to take more responsibility for their own waste - *The spatial strategy and the identification of*

settlements within this seeks to balance provision; in addition new strategic development areas anticipating growth will be expected to incorporate waste management facilities to enable communities and businesses to take more responsibility for managing their own waste.

- *Plan for the disposal of waste and the recovery of mixed municipal waste in line with the proximity principle - The Waste Needs Assessment associated with the Plan has assessed the requirements for disposal against the permitted capacity and, although it is currently insufficient to accommodate Hertfordshire's municipal waste management needs over the plan period, shortfalls in capacity will reduce significantly as recycling rates increase and residual waste management will be met by the wider South East region leading to an overprovision which will still allow for some of London's waste to come into the plan area. Proposals will have to demonstrate that they support the waste hierarchy; and by focussing waste management development at the existing or planned employment areas such development will be in line with the proximity principle.*
- *Recognise the relationship between catchment areas and economic viability; support opportunities for co-location of waste management facilities together and with complementary activities - the opportunity to co-locate waste management facilities together and with complementary activities will be supported particularly where relating to employment land, waste management sites, and mineral extraction and processing sites.*
- *Give priority to the re-use of previously developed land, sites identified for employment uses, and redundant agricultural and forestry buildings and their curtilages - Substantial weight will be given to the use of suitable brownfield land within identified urban areas. Waste management proposals located on farm holdings for agricultural waste recycling and recovery generated by that farm will be supported.*