

Policy Evidence Report

Policy 22: Water Recycling Sites

**Hertfordshire Minerals and Waste
Local Plan 2040**

Hertfordshire County Council



For information about this document please contact:

Minerals and Waste Planning Policy
Spatial Planning Unit
Hertfordshire County Council
Tel: +(44) 01992 556227
Email: MineralsandWaste@hertfordshire.gov.uk
hertfordshire.gov.uk/mwlp

Spatial Planning Unit CHN216
Hertfordshire County Council
County Hall
Hertford
SG13 8DN

If you require assistance interpreting or translating this document, please contact 0300 123 4040.

1. Introduction

- 1.1. Hertfordshire County Council is reviewing its adopted Minerals Local Plan, Waste Local Plan and supporting documents. These comprise the following documents (with adoption date):
 - Minerals Local Plan Review (March 2007)
 - Minerals Consultation Areas SPD (November 2007)
 - Waste Core Strategy and Development Management Policies DPD (November 2012)
 - Waste Site Allocations DPD (July 2014)
 - Employment Land Areas of Search SPD (November 2015)
- 1.2. The documents listed above are to be replaced by a single Minerals and Waste Local Plan (MWLP) covering the period to 2040. The new MWLP sets the overall spatial framework and development management policies for sustainable minerals and waste management development in Hertfordshire.
- 1.3. This Policy Evidence Report provides a context and justification for the creation of Policy 22: Water Recycling Sites in the emerging Minerals and Waste Local Plan. It also contains a reasoning for the changes made to the policy between the Draft Plan publication and the Proposed Submission Plan publication.

2. National Policy Context

- 2.1. The National Planning Policy Framework (NPPF 2023) and National Planning Practice Guidance (PPG) provide the basis of national planning policy.
- 2.2. The following points within the NPPF relate to Policy 22:
 - Paragraph 20 states: '*Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for ... b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat) ...*'.
 - Paragraph 157 states: '*The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change ...*'.
 - Paragraph 165 explains: '*Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere ...*'.

- Paragraph 167 states that *'plans should apply a sequential, risk-based approach to the location of development ... by: a) applying the sequential test and then, if necessary, the exception test ...'*
- Paragraph 173 states that *'when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:*
 - *a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
 - *b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;*
 - *c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
 - *d) any residual risk can be safely managed ...'*

2.3. The PPG section on Water supply, wastewater and water quality states:

- *'Plan-making may need to consider:*
 - *the sufficiency and capacity of wastewater infrastructure*
 - *the circumstances where wastewater from new development would not be expected to drain to a public sewer*
 - *the capacity of the environment to receive effluent from development in different parts of a strategic policy-making authority's area without preventing relevant statutory objectives being met'*

Paragraph: 007 Reference ID: 34-007-20140306

2.4. The PPG section on Waste states:

- *'Waste planning authorities should plan for the sustainable management of waste including ... Waste water'.*

Paragraph: 013 Reference ID: 28-013-20141016

2.5. The National Policy Statement for Waste Water (2012) states that *'waste water treatment infrastructure is essential for public health and a clean environment.'* The document also details the need for new waste water infrastructure and the requirements for proposals for new waste water facilities.

3. Local Context

3.1. The network of waste water facilities within Hertfordshire is vital in managing the waste water produced by the county's settlements and industry. With the large amount of

growth planned within the district and borough Local Plans, new waste water infrastructure will be required throughout the plan period to manage the increasing demand.

- 3.2. The district and boroughs within Hertfordshire, as part of their Local Plan preparation, produce Strategic Flood Risk Assessments, identifying the areas of flood zone across their respective plan areas.

4. Minerals & Waste Local Plan Policy

- 4.1. The Draft Minerals and Waste Local Plan was published for a Regulation 18 public consultation from 22 July to 30 September 2022. During the consultation period, members of the public, industry and other bodies were invited to comment on the policies within the Plan. This report shows the draft policy as published within the Draft Plan document, along with the main issues raised and the council's response to them.

Minerals and Waste Local Plan Draft Plan 2022

- 4.2. The Regulation 18 Draft Plan document included Policy 22: Water Recycling Sites. The policy read as follows:

Policy 22: Water Recycling Sites

Water Recycling Sites (WRS) are identified on the Policies Map as areas where existing Water Recycling Centres (WRCs) are located.

The Council will support in principle proposals for new, and improvements or extensions to existing WRCs, along with associated infrastructure (including renewable energy), in order to meet growth needs identified in the Development Plan or for operational efficiency.

Proposals for WRC development will only be supported where it can be clearly demonstrated that:

- a) there will be no increase in the risk of flooding to land or property;
- b) an appropriate watercourse is available and suitable to accept the discharge of treated water; and
- c) an assessment has been carried out of the likely impact the development may have on the amenity of users of any nearby land or property, including, where appropriate, any mitigation measures.

Proposals for new or extensions to existing WRCs must avoid land within Flood Zone 3, unless it can be clearly demonstrated through the application of sequential and exception

tests (as appropriate), along with an assessment of the benefits of the location weighed against the risks.

4.3. During the Regulation 18 consultation, 1 representation was made in relation to this policy. The main issue of this is summarised below:

- a) A reference should be added to the impacts of storm sewage overflows and improving water quality in local watercourses.

4.4. The council's response to the main issue is as follows:

- a) The suggested inclusion is beyond the scope of the policy and is more appropriately dealt with under Policy 21: Water Management.

5. Alternative Reasonable Options

5.1. The following reasonable alternative options have been considered (and fully assessed in the Sustainability Appraisal Report):

- Option 1 – No Policy. Rely on National Policy together Policy 3: Meeting Waste Management Needs, which can be applied generally to all types of waste management development including wastewater
- Option 2 – A dedicated policy supporting existing and new Water Recycling Centres, and providing criteria to ensure such development reduces the risk of flooding (preferred)

6. Conclusion

6.1. This Policy Evidence Report demonstrates the justification for the inclusion of this policy in the emerging Minerals and Waste Local Plan Proposed Submission Plan. It summarises the national policy context and local context, along with the main issues raised through previous consultation and how the council has addressed those issues.

6.2. Any representations received on this policy at the Regulation 19 consultation stage will be submitted alongside the Local Plan to the Secretary of State as part of the examination process.

6.3. This Policy Evidence Report was written to support the Proposed Submission Plan (Regulation 19) consultation. This report forms part of the Regulation 22 statement, as set out by the Town and Country Planning (Local Planning) (England) Regulations 2012.