

Policy Evidence Report

Policy 22: Water Recycling Sites

**Hertfordshire Minerals and Waste
Local Plan 2040**

Hertfordshire County Council



Supporting Regulation 22(c)(iii)(iv)

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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 will set 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.

2. National Policy Context

- 2.1. The National Planning Policy Framework (NPPF 2021) 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 152 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 159 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 161 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 167 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 are 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. Prior to the publication of the emerging MWLP, the Council was preparing separate Minerals and Waste Plans, which were at differing stages of production. The emerging Minerals Local Plan (MLP) was published for a Regulation 19 Proposed Submission consultation in 2019, and the emerging Waste Local Plan (WLP) was published for a Regulation 18 Draft Plan consultation in 2021. These emerging Plans have now been brought together into a single MWLP.
- 4.2. The Policy which this Evidence Report relates to, Policy 22: Water Recycling Sites is, a new policy within the MWLP and therefore does not therefore have a comparable policy within either the MLP or WLP.

5. Alternative Reasonable Options

- 5.1. The following 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 Draft 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 18 consultation stage will be carefully considered by the county council and used to inform any changes to the policy wording as appropriate.
- 6.3. This Policy Evidence Report was written to support the Draft Plan (Regulation 18) consultation. The next iteration of this report, to be published in support of the Proposed Submission (Regulation 19) version of the Plan, will summarise the main

issues arising from the Regulation 18 consultation and will form part of the Regulation 22 statement, as set out by the Town and Country Planning (Local Planning) (England) Regulations 2012.