OXFORDSHIRE MINERALS AND WASTE LOCAL PLAN

PART 1 – CORE STRATEGY

CONSULTATION ON ADDITIONAL DOCUMENTS APRIL 2016

RESPONSE BY

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TO

SUPPLEMENT TO WASTE NEEDS ASSESSMENT

PRELIMINARY ASSESSMENT OF WASTE SITE NOMINATIONS TOPIC PAPER

SUSTAINABILITY APPRAISAL REPORT ADDENDUM

DEVELOPMENT OF THE WASTE SPATIAL STRATEGY TOPIC PAPER

DEVELOPMENT OF THE MINERALS SPATIAL STRATEGY TOPIC PAPER

ON BEHALF

OF

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CONTENTS PAGE NO.

APPENDICES

1.0 INTRODUCTION

1.1 These comments on the additional documents published in April 2016 in support of the Oxfordshire Minerals and Waste Local Plan, Part 1 – Core Strategy submitted for examination in December 2015 ("the 2015 Part 1 Submission Plan") have been prepared by Suzi Coyne of Suzi Coyne Planning, with expert advice on waste needs issues from Kirsten Berry of Hendeca Ltd and legal advice provided by Christopher Boyle QC of Landmark Chambers, and are made on behalf of David Einig Contracting Ltd.

1.2 Where appropriate, reference is also made in these comments to documents that were submitted with the 2015 Part 1 Submission Plan in December 2015 but had not previously been published.

1.3 These comments are to be read with reference to and support the representations reference no.: 115 of 30 September 2015 made on the 2015 Part 1 Submission Plan and the Sustainability Appraisal Report of the Plan. Indeed the information provided in the additional documents reinforces the objections and concerns raised in the representations reference 115 on the 2015 Part 1 Submission Plan and the Sustainability Appraisal.

1.4 The representations were restricted to the waste element of the 2015 Part 1 Submission Plan, though including mineral policy M1 regarding the contribution of alternatives to primary minerals from recycled aggregate (sourced from waste products). The main thrust of these representations was:

1. There should be recognition that considerable improvement can be made in recycling of CDE waste with the advances in technology that enable production of much higher quality recycled aggregate which can substitute for primary materials.
2. The CDE waste arisings have not been objectively assessed and the quantity that needs to be provided for has been significantly underestimated.
3. The proposed CDE waste recycling rates are not robust.
4. The available capacity for waste recycling has been over-estimated.
5. The combination of these factors will lead to a significant under delivery of recycled aggregate supply and recycling of CDE waste recycling.
6. The proposed locational strategy for new waste management facilities is unworkable and other policies for delivering the provision are overly restrictive and unrealistic.
7. Sites should be allocated now or sufficient land identified through a land availability study to demonstrate that the waste management needs of the county can be delivered.

1.5 The steps required in order for the 2015 Part 1 Submission Plan to be a sound plan are set out in the representations. The additional documents and new evidence does not remove the need for these, rather it reinforces the need.

2.0 **OVERVIEW**

2.1 The procedure for preparing a Waste Local Plan[1] involves establishing what the needs are and where it can go to, in order to be able to detail what the strategy can be. It is not possible to begin to select where the development is to go unless how much of what type has first been properly established.

2.2 The waste strategy in the 2015 Part 1 Submission Plan is to provide net self-sufficiency in managing the county's waste through increased re-use and recycling, treatment of residual waste and minimum landfill, with larger scale facilities at or close to Oxford and other large towns, to help communities take more responsibility for their own waste to minimise the distances waste needs to be moved within the county.

2.3 The key waste policies are summarised as follows:

M1: Maximisation of the contribution of recycled (and secondary) aggregate materials in meeting the demand for aggregate minerals in preference to primary aggregates.

W1: Provision for waste management facilities that allow net self-sufficiency in the management of the principal waste streams. Amounts of waste needing to be managed to be in the most recent Waste Needs Assessment and Annual Monitoring Reports.

W2: Provision for capacity to manage the principal waste streams for the maximum diversion of waste from landfill in line with targets at key years.

W3: Provision to meet the need and targets identified in policies W1 and W2 and additional capacity that cannot be met by existing facilities. Capacity requirements to be kept under review in the Annual Monitoring Reports.

W4: Larger scale waste recovery facilities for the principal waste streams to be located in in areas around Oxford, Bicester, Abingdon and Didcot as indicated on the Key Waste Diagram with small scale facilities elsewhere.

W5: Identification of priority locations for siting waste management facilities with presumption against use of green field land and development in the Green Belt unless there are very special circumstances.

2.4 There should have been a full set of evidence to support and explain the formulation of this strategy and policies as identified above, but this was not available either at the draft consultation stage in February 2014 or at the proposed submission stage in August 2015.

2.5 In addition the version of the Proposed Submission Plan that was approved by the Council in March 2015 is not the same in several respects as the 2015 Part 1 Submission Plan, and as yet there has been no sight of any authorisation for these changes where material.

[1] Although the 2015 Part 1 Submission Plan is also a Minerals Plan, the proposed provision for working primary minerals is not a subject of the representations that have been made

2.6 A new set of evidence has now been provided, which is said to provide further explanation and updated information.

2.7 The representations reference 115 of 30 September 2015 on the 2015 Part 1 Submission Plan set out the problems with the submission strategy and policies, and now these representations outline the further problems that the supplementary supporting documents present.

2.8 The Council needs to establish correctly what the quantum of waste arisings is and what capacity is needed. This has still not been done. There is therefore no sound basis for determining the strategy to ensure delivery of the development needs.

2.9 What needs to be done is to follow the steps set out below:

1. Correctly establish the annual volumes of waste arisings per waste stream including forecasts of future waste arisings.
2. Decide how each waste stream is to be managed proportionately and optimally in accordance with the Waste Hierarchy (waste recycling/recovery targets).
3. Accurately calculate the capacity of existing operational facilities by management type for each of the waste streams without any confusion between or overlapping of waste streams.
4. Determine what additional capacity is required per management type for each waste stream in order to deliver waste management needs.
5. Consider what scope there is for delivering additional capacity (i.e. assess the nature of options nominated in the call for sites and other potential locations).
6. Draw up a strategy to direct the preference for delivering the waste management needs, based on the feasibility of the available options.
7. Ensure flexibility if the strategy is failing to deliver the waste management needs.

2.10 Steps 1-4 are the first stage of plan preparation, which is concerned with quantifying the future sustainable waste management needs of the area and must be carried out in a rigorous manner. The next steps are then concerned with enabling delivery of the needs that have been identified at the first stage. It is important that Step 5 of assessing the potential capacity is undertaken first, so that selection of the spatial strategy (Step 6) is done on the basis of the available options. If alternatively the strategy is defined according to predetermined parameters or ideals before evaluating the nature of the potential land availability, then this restricts what the outcome can be. The strategy must make realistic provision, and there must be sufficient flexibility to ensure that the needs can be delivered.

2.11 Producing a Waste Local Plan should not be a particularly difficult process and an up-to-date one is very much needed for Oxfordshire. However, it must be a plan that works, not one that is based on ill informed and unrealistic assumptions about the nature of the waste management needs and what can be achieved.

3.0 APRIL 2016 SUPPLEMENT TO WASTE NEEDS ASSESSMENT

Chapter 1: Introduction

3.1 The introduction to this 2016 Supplement makes clear that BPP were contracted in January 2016 to undertake a review of baseline, forecasts and targets for commercial and industrial (C&I) waste and construction, demolition and excavation (CDE) waste, following their work carried out in February 2014 that formed part of the Minerals and Waste Core Strategy evidence base. It is said that BPP were in particular asked to produce 'managed waste' baselines estimates for C&I and CDE wastes using national methodologies that have emerged since the evidence base for the Waste Needs Assessment (WNA) was originally prepared, as alternatives to the 'point of production' waste arisings estimates in the WNA used to inform the 2015 Part 1 Submission Plan. BPP were then contracted in April 2016 to produce this 2016 supplement to the WNA incorporating the work commissioned in January 2016 and updating the August 2015 WNA "to ensure it is up-to-date and using the best available information."

3.2 The work that BPP carried out in February 2014 was a review of the 2012 WNA, that had been commissioned as a result of advice that the Council had received that there were deficiencies in the waste data underpinning the 2012 Proposed Submission Plan (see paragraph 19 of the Council's report to Council of 9 July 2013 recommending withdrawal of the Plan). The BPP reports published by the Council in February 2014 were under the project heading: Oxfordshire Waste Needs Assessment Afresh, and comprised 6 reports as follows:

- Executive Summary;
- Review of Municipal Solid Waste Forecasts for Oxfordshire;
- Baseline, Forecasts & Targets for Commercial and Industrial Waste Generated in Oxfordshire;
- Baseline, Forecasts & Targets for Construction, Demolition & Excavation Waste Generated in Oxfordshire;
- Estimate of Baseline, Forecasts & Flows for Hazardous Waste Arising in Oxfordshire; and
- Assessment of Production & Management of Agricultural Waste in Oxfordshire.

3.3 The Executive Summary made clear that BPP had been commissioned to undertake a critical review of the 2012 WNA, which had identified a number of weaknesses in the data and recommended further action to remedy the shortcoming, and that BPP were then commissioned to undertake the following tasks:

1. Critically review the forecasts for MSW[2] sourced from the Oxfordshire joint Municipal Waste Management Strategy.

[2] Municipal Solid Waste

2. Produce a robust baseline value for agricultural waste arisings within Oxfordshire and assess possible management needs.
3. Produce robust baseline value forecasts and suggested targets for C&I and CDE waste produced in Oxfordshire.
4. Produced robust baseline value, forecasts, assessment of flows and possible management needs for hazardous waste produced in Oxfordshire.
5. Undertake a rapid survey of operators of processing plant producing recycled product from CDE waste in Oxfordshire.

3.4 For C&I waste the baseline figure was given as 710,00 tpa. BPP had concluded that there was no evidence to support the 566,800 tpa figure (rounded to 570,000 tpa) adopted in the 2012 Proposed Submission Plan, which they stated indicated a drop that was not borne out by analysis of the trends, and that the BPP figure (of 710,000 tpa) was a closer fit to figures generated in the past and the change in business population in Oxfordshire Forecasts were for moderate growth, and the conclusion on recycling targets was for 65% by 2025 and 70% by the end of the Plan period, i.e. 2030. (Paragraphs 2.3.1 – 2.33 of the BPP 2014 Executive Summary).

3.5 For CDE waste the baseline figure was given as 1,360,000 tpa, which aligned closely with the 1,300,000 tpa figure in the 2012 Proposed Submission Plan and with the figure of 1,440,000 tpa in the original 2008/09 WNA. Forecasts were for a higher growth scenario, and to promote the movement of waste up the hierarchy recycling targets of 60% at 2020, rising to 65% at 2025, and 70% at 2030 were recommended. (Paragraphs 2.4.1 – 2.43 of the BPP 2014 Executive Summary).

3.6 At the February 2014 Consultation Draft Plan stage the BPP C&I and CDE waste baseline and recycling figures were adopted by the Council, though the growth rate scenarios were not – applying lower forecasts of waste arisings.

3.7 Subsequently for the 2015 Part 1 Submission Plan, whilst the BPP recommended growth rates were then adopted, the Council switched its view on CDE waste and did not accept the BPP baseline figures or the recycling targets. Despite the Council having commissioned BPP to produce a robust baseline value for CDE waste produced in Oxfordshire (see point 3 at paragraph 3.3 above), they decided to adopt an alternative ‘as managed’ figure based on a different methodology to the analysis in the BPP report. As set out at paragraphs 2.5.3 – 2.5.10 of the representations reference 115 of September 2015 made on the 2015 Part 1 Submission Plan, the alternative CDE ‘as managed’ figure also differed from 1,005,000 tpa in the version of the Submission Plan approved by Council in March 2015 to the 932,000 tpa in the Plan published for consultation in August 2015, using entirely different methodologies for arriving at the figures.

3.8 The differences between the work that BPP did for the WNA as part of the evidence base to inform the plan process and the figures that the Council decided

to use, is evident from Table 5 (waste required to be managed) and policy W2 (waste management targets) of the 2015 Part 1 Submission Plan.

3.9 The Council have now commissioned BPP to carry out a further review of the waste figures, resulting in this 2016 Supplement, which is new evidence that

- now employs different methods for estimating waste arisings to those used in preparation of the Plan;
- results in different outcomes to those presented in the Plan, concluding increased CDE and decreased C&I waste arisings; and
- there are other criticisms to be raised on the document as set out below.

3.10 There is a lack of clarity evident throughout the 2016 Supplement, where various statements, assumptions and decisions are made either with no explanation, or following a description so tortuous that even on re-reading little sense can be made of it. Consideration of the conclusions reached against the Plan content is also not helped by a change in the base date from 2012 (in the Plan) to 2014 in the 2016 Supplement.

3.11 Responding to the 2016 Supplement is not made any easier by the lack of paragraph numbers.

3.12 The purpose and status of the 2016 Supplement is not clear. It was prepared after the 2015 Part 1 Submission Plan, does not explain it and does not justify it. It is a completely new exercise, adopting new methodologies and approaches compared with the previous BPP reports, and reaching different conclusions to those in the Plan. If conclusions drawn from the 2016 Supplement now affect the 2015 Part 1 Submission Plan, then the appropriate plan making process has not been followed. To date we have seen none of the changes identified in the 2016 Supplement evident in the 2015 Part 1 Submission Plan, for example there has been no change to the baseline figures to those now identified in the 2016 Supplement, i.e.:

- From 710,000 tpa for C&I waste to 533,000 tpa, with clarification in the explanatory text that this is now an ‘as managed’ figure, rather than a ‘point of production’ waste arising figure; and
- From 932,000 tpa for C&D waste to 1,033,000 tpa.

3.13 It is noted that the 2016 Supplement was only commissioned in April of this year; this seems very late in the day considering the Examination timetable set, and additional to the items requested by the Inspector. Preparation of the Plan should be evidence led. It should have been there to inform the strategy not prepared as an afterthought to justify it (which it fails to do).

Chapter 2: Waste Policy

3.14 The first three paragraphs of Chapter 2 are concerned with the omission from previous WNAs of the current policy drive for waste collections to be source-

separated, as set out in Regulation 13 of The Waste (England and Wales) (Amendment) Regulations 2012 (SI: 2012 No. 1889).

3.15 This policy objective should not have been omitted from previous work. It has been in place for some time, not least as set out in Article 11 of the revised Waste Framework Directive (2008/98/EC).

3.16 In any event, the reporting of Regulation 13 within the 2016 Supplement has been poorly conflated. Regulation 13 (4) states:
"The duties in this regulation apply where separate collection—
(a) is necessary to ensure that waste undergoes recovery operations in accordance with Articles 4 and 13 of the Waste Framework Directive and to facilitate or improve recovery; and
(b) is technically, environmentally and economically practicable."

3.17 The 2016 Supplement does not make any reference to Regulation 13(4)(a), which requires one to consider whether such separate collection would be advantageous to achieving the waste hierarchy. It is agreed that such an action would generally be beneficial, but it may not be advantageous to collect each type of waste separately; the action of collecting recyclable materials separately from residual waste could be sufficient to meet Regulation 13(4)(a).

3.18 This is certainly the approach taken by many of the waste collection authorities within Oxfordshire. As an example Oxford City provides a separate collection for: dry recyclates (paper, glass, metals and plastics); green waste; food waste; and residual waste. Residents may use up to four receptacles; the dry recyclates are not each collected separately, and the food and green waste collections are mixed within the collection vehicle, though placed in separate containers by residents. Therefore compliance with the Regulations does not necessarily mean a reduction in the need for intermediate separation sites as stated at the first paragraph of Chapter 2.

3.19 Further, the 2016 Supplement suggests (first paragraph of Chapter 2) that the assessment of practicability may separately consider technical, environmental or economic (as indicated by the report's use of the word "or"). Regulation 13(4)(b) requires that these matters are considered together, using the word 'and'. The wording is taken directly from Article 11, which includes '*and appropriate to meet the necessary quality standards for the relevant recycling sectors*'.

3.20 This accurate reading, and real world application, of Regulation 13 is important in order to understand the implications of erroneously applying the policy, as is done within the 2016 Supplement.

3.21 The third paragraph in Chapter 2 concludes that, on the basis of this Regulation, and performance standard changes in the Environmental Permitting Regulations (the effects of which are not considered against any facilities operating in

Oxfordshire) "t*he achievement of targets for recycling should not necessarily mean that additional capacity needs to be built in the Plan Area*."

3.22 Such a conclusion is not substantiated, and no such evidence is provided. Instead, this is the start of a series of conclusions made throughout the 2016 Supplement that reveal an intention not to promote any further waste management development within the County.

3.23 The oversimplification of Regulation 13 in the 2016 Supplement is used to justify a position that suggests additional capacity need not be built within Oxfordshire, and consequently that the Plan does not need to provide a strategy for new waste management capacity.

3.24 The 2016 Supplement goes on to consider Article 16 of the Waste Framework Directive. On page 2 it seeks to deliver a very literal interpretation of Article 16, stating (second bullet in fourth paragraph) there is no need to provide capacity for the recovery of any waste other than that collected from private households, and (fourth paragraph) "*there is no legislative or national policy expectation that provision for the recovery of waste, other than mixed municipal waste (aka local authority collected waste - LACW) should be made with proximity as an overriding principle. Rather it should be a consideration within the wider issue of spatial distribution that may well extend beyond a single Plan Area boundary*."

3.25 The sixth paragraph of page 2, considers that as recovery capacity has already been provided for LACW; movements outside the Plan Area of (unspecified) wastes going for management are neither prohibited nor discouraged by national policy; and the Plan Area appears to be net self-sufficient in respect to flows of other wastes (into and out of the county), then OCC "*need not be overly concerned"*. The 2016 Supplement does not make clear what OCC need not be overly concerned about, but it is assumed to be the provision of a strategy for the sustainable management of wastes other than those collected from households.

3.26 Article 16 refers to "*waste disposal installations and of installations for the recovery of mixed municipal waste collected from private households, including where such collection also covers such waste from other producers*". This means the disposal of all wastes and the recovery of mixed municipal waste, which may include trade waste collections (emphasis added). Both disposal and recovery have to be read in the context of the revised Waste Framework Directive, which means there are no other methods of waste management; recovery incorporates recycling and other treatment, seeking implementation of the waste hierarchy. To apply Article 16 as strictly as it is within the 2016 Supplement fails to embrace the spirit of the Article, which is to deliver sustainable development. Enabling sustainable development is a key tenet of plan making, which appears to be being disregarded here.

3.27 The cross boundary analysis that is presented within the 2016 Supplement is addressed later in this representation. In short, however, it is considered that it fails to recognise that most waste imported to Oxfordshire is destined for landfill, which is the option of last resort. The approach set out in the 2016 Supplement indicates therefore that OCC is content to pursue a waste management strategy of landfill, which is contrary to the waste hierarchy and the basic principles of sustainable waste management.

3.28 The second paragraph on page 2 quotes the NPPW (paragraph 4, bullet 2). Combined with the NPPG advice in relation to the Duty to Cooperate (bullet at top of page 3) the 2016 Supplement erroneously makes these statements the tests for the proximity principle and self-sufficiency.

3.29 To be clear, the proximity principle is intended to deliver a network of waste management infrastructure, enabling waste to be managed in one of the nearest appropriate installations. On the other hand self-sufficiency is a proactive and positive approach to delivering an effective network of waste management facilities to provide opportunities within an administrative boundary, so as to enable enough capacity to manage the totality of waste arising within that area. Put simply 100 tonnes of arisings within Area A indicates that Area A should plan for capacity of 100 tonnes. Not all of that 100 tonnes may be managed within Area A, but the totality of the tonnage should be accounted for. Then, delivery of the proximity principle means that those 100 tonnes will be managed in one of the nearest appropriate installations.

3.30 The NPPW simply seeks to continue the proactive and positive policy approach to the delivery of waste management infrastructure formerly set out in PPS10. The policy is not saying that there is only a need for large facilities. It recognises that waste management facilities (as with any other development) need to operate efficiently and at a profit, and is seeking to avoid a situation commonly seen where an authority requires a separate need assessment with every application and then refuses consent simply on the basis of feedstock source.

3.31 The NPPW does not promote any deviation from either the proximity principle, in terms of location, or self-sufficiency. It encourages waste planning authorities to provide a framework in which communities and businesses take more responsibility for their own waste. The NPPW is not promoting an approach of local plan policy failing to provide for capacity within the plan area, and to suggest that it is doing so, as the 2016 Supplement does, is unjustified.

3.32 The second paragraph of page 3 does take this approach, stating that "*if waste is travelling outside the Plan Area for management that satisfies a recovery target then there is no need to provide for that capacity within the Plan Area providing that access to that capacity has been confirmed for the Plan period …".* The 2016 Supplement provides no evidence or confidence that such access has been confirmed or that any agreement on this point has been achieved with the

receiving authority/ies. Instead, it is using a literal application of Article 16 to avoid providing a strategy for waste management within Oxfordshire.

3.33 Reliance on the Duty to Co-operate should be subject to further scrutiny. There should be evidence on the following matters:

- Who is the Council working with to provide this capacity and what is their waste management strategy?
- How is it demonstrated that all waste travelling outside Oxfordshire is being managed appropriately?
- How is it demonstrated that this capacity will continue to be available?
- How is it demonstrated that policy is providing capacity for the totality of wastes arising within the Plan Area, such that net self-sufficiency is really achieved, and sustained.

3.34 The East Sussex example has also been seen in the West of England; where the Joint Waste Core Strategy provides opportunities for substantially more recovery (including recycling) capacity in lieu of landfill void. This approach is acceptable where the evidence demonstrates a paucity of landfill opportunities. Disposal is the option of last resort. Providing additional recovery capacity enables waste to move up the hierarchy and encourages sustainable development. Simply taking an approach that the waste can go elsewhere has quite a different outcome, because it does not necessarily deliver implementation of the waste hierarchy.

3.35 The statement at second paragraph, page 4 of the 2016 Supplement "*The existence of consented voids requiring restoration might be said to justify landfilling on wider sustainability grounds*" is misplaced and wholly unjustified. It is recognised that residents living close to a landfill facility may want to see it restored at the earliest opportunity. However, in sustainability terms the landfill void remaining in Oxfordshire should be regarded as a valuable resource for the future and appropriately husbanded. This is especially the case in a world where new landfill facilities are unlikely to be opened, as we are advised in the last sentence of that same paragraph. As a principle, sustainable development is not achieved through filling landfill void as quickly as possible. This is entirely contrary to the objectives of the Waste Framework Directive.

Chapter 3: Waste to be Managed

3.36 Section 3.1 of the 2016 Supplement relates to reviewing the 'Point of Production' Value for C&I waste.

Revisiting Historical Values

3.37 Section 3.1.1 refers to information reproduced from the BPP Report of February 2014. The reason for this is not made clear when the most recent WNA was in August 2015.

Accounting for Didcot Power Station

3.38 Section 3.1.2 considers the management of ash from the Didcot Power Station. The second paragraph concludes: "*it is clear that a substantial element of the value for this sector and hence overall estimate for Oxfordshire, was in fact attributable to power station ash."* It really is not clear how this conclusion is drawn from the information and explanation provided in the 2016 Supplement. This is a problem because the conclusions drawn from this analysis are used to consider C&I waste arisings. The lack of clarity means that the reader is unable to follow the assessment and there is consequently little credibility to the conclusions drawn within the 2016 Supplement.

3.39 Table 3 on page 7 is similarly not explained:

- Where does the tonnage of 20,000 assumed to be from other utility contributions (at row 3 heading) come from?
- Why is the ADAS 38% applied to the Defra 2009 arisings?
- How is this percentage any more appropriate than the EA Survey 30% or some other percentage?

The lack of explanation and clarity around Table 3 means that it is simply a calculation using a variety of information points. There is no credibility to the analysis presented.

3.40 The second paragraph under Table 3 discounts (an unexplained) 58,000 tonnes from the BPP 2011 estimate of 710,000. This action is not explained, and is particularly worrying when just a few months earlier (in the August 2015 WNA) the BPP estimate is said to have taken account of ash and to be the reliable estimate for C&I wastes. This discounting of tonnage is therefore not justified.

3.41 Table 4 on page 7 of the 2016 Supplement then presents a series of adjusted C&I waste arisings, with the commentary that follows, in the first paragraph at the top of page 8, reflecting on the 'cumulative growth rate' that is observed. Table 4 does not present growth rates. It is simply the presentation of poorly explained numbers compared against one another. The numbers are gained through adjusting (using an unclear method) tonnages from surveys (that may or may not be accurate).

3.42 Even if one is tempted to use these comparisons as a growth rate, the commentary fails to take into account the number of years that such 'growth' has been experienced, concluding that "*the plus 2.5% from the BPP 2011 baseline starts to look like* an *[sic] overly high value"* (first paragraph, page 8). There are just two years between the data taken from Defra and ADAS 2007. However there are four years between ADAS 2007 and BPP 2011. Over four years, a compound growth rate of 0.07% is required to get from 636,000 tonnes to 652,000 tonnes. If the BPP 2011 baseline is correct, and is appropriate to rely upon, this would appear to reflect the period of recession in terms of waste arisings. Footnote 5 is missing, so the reader cannot know the basis for the statement made.

3.43 The 2.5% is not a growth rate, but it could be used as a margin of error. Especially recognising the uncertainty around the information used to arrive at the figure, an outcome of 2.5% must sit within anyone's understanding of a reasonable marginal error. As clearly shown in Figure 2 on page 8 of the 2016 Supplement, the BPP adjusted figure of 652,000 sits within the range of both the ADAS and EA (2000) figures. It cannot be said to be an 'overly high value'. The adjusted Defra 2009 arising is the rogue figure, heavily, and inappropriately, influencing the consequent trend line.

3.44 In addition the data presented here is not then used further within the 2016 Supplement. It is not clear why it is included and what its purported purpose is. A number of sets of figures are presented and compared to each other but no consequences flow from it, and so it is meaningless.

3.45 The second paragraph on page 9 considers BPP estimates when a 21% discount is applied, in order to reflect the outcome of the difference between the estimate generated by the national survey of C&I waste in 2009 and the (national) value generated by the 2014 Defra 'as managed' method. Applying this discount to the "*BPP point of production value adjusted for Didcot (652,000tpa)"* means that ash tonnage is discounted twice. The tonnage of 652,000 is only achieved through discounting ash from Didcot; the 2014 Defra 'as managed' method purposefully removes waste from the power and utilities sectors in its method.

3.46 In any event, the analysis of ash undertaken across the four pages 6 to 9 does nothing to aid our understanding of C&I waste arisings. It is abandoned at page 9, when the 'as managed' approach to estimating arisings is commenced. The point of undertaking the analysis is not obvious.

Generating 'As Managed' Estimation

3.47 Section 3.1.3 seeks to generate an 'as managed' C&I waste arisings estimation using the 2014 Defra methodology for England, taking the EA Waste Data Interrorgator (WDI) as its initial data source, then applying further adjustments to take account of omissions and data not relevant to the exercise. This section is incredibly poorly explained, both:

- in terms of what actually has been undertaken (e.g. why is CDEW taken out at Table 1aii and again for Table 9? Did Table 1aii not account for all CDEW, and it so why not?); and
- in terms of referencing, including stating tonnages without sources (e.g. WasteDataFlow tonnages in Table 7, which are only explained at page 13) and using abbreviations that are not explained (e.g. M&M in Table 6 heading).

3.48 Clarity and avoiding spurious precision are key tenets of the evidence base, neither of which is achieved in this report.

3.49 Furthermore, there is no explanation as to the benefits of or reasons for an 'as managed' C&I waste baseline, rather than an arisings (or point of production) baseline. The representations reference 116 of 30 September 2015 made on the 2015 Part 1 Submission Plan make clear at paragraphs 2.5.11 - 2.5.14 why it is considered that an arisings figure is the appropriate one (for CDE waste, where that has not been the case already in the Plan). Whilst there is no objection in principle to applying this methodology to determine the outcome, it is just one, and it needs to be cross-checked against others. There needs to be a suite of methods to see what the broad picture is and comparative analysis to show how the other systems work. Notably also throughout the 2016 Supplement the figures that result from applying the methodology are referred to as "arisings" not "as managed" – see for example Tables 16, 17, 18, 19, 21, 22 and Figures 4, 5, 6. This introduces confusion and uncertainty about what the figures actually represent.

3.50 At the bottom of page 14, it is explained that all potential for agricultural waste is discounted from the WDI source figure. This is not an unreasonable assumption for the majority of agricultural waste, i.e. that which is natural and can be managed on site. However, this approach fails to incorporate consideration of the non-natural agricultural waste stream, which should be considered. Throughout the various WNAs, the tonnage of non-natural agricultural waste is reported as 11,500 tpa (albeit Table 6 indicates 33,698 and it is difficult to see how two thirds of that would originate as mining waste). This tonnage is generally included by plan making authorities as part of the C&I waste stream, but in the work published by Oxfordshire it is continually excluded. Even at 33,698 tonnes, this is not a substantial amount of waste, but it is still a waste stream that should be properly accommodated in plan making.

3.51 Pages 14 to 18 grapple with waste managed at exempt facilities. The analysis undertaken is, however, then discarded, because it is considered to have too many unknowns, so there seems to have been little point in including the exercise, as it is no longer relied upon within the 2016 Supplement.

Sense Check with DEFRA National Dataset

3.52 Section 3.1.4 provides an unintelligible explanation of the two Defra national datasets, which lead ultimately to the conclusion that the contribution that exemptions make to C&I waste arisings nationally is 19%.

3.53 Table 16 (page 18) is said to illustrate the two national data sets under the heading "Breakdown of National Estimate of C&I Arisings…..", and gives figures by category of "Permitted"; "Incineration"; "Hazardous" and "Exemptions". The details of the data source are not given and it is therefore entirely unclear what the figures in Table 16 actually are, or what they do or do not include. It would appear that they relate to numbers of sites or activities, as the figures are too small to be national tonnages. If that is the case there is no information as to the proportions that each category accounts for in terms of the national tonnage of C&I waste, and

the Table is therefore mislabelled as showing "C&I Arisings". If the figures are sites, they could be of any size throughput and will no doubt vary in size. We do not know what the tonnage capacity is for each of the categories, or the total national tonnage of C&I waste arisings from this data source. Nevertheless the 2016 Supplement takes these figures and although not directly translatable applies them to Oxfordshire tonnage figures.

3.54 This is not a statistically robust approach and there are other problems with the exercise that has been undertaken. The figures that result from applying the national data set percentages to Oxfordshire C&I waste 'as managed' tonnages are given in Table 17 on page 18. The resulting Table 17 figures cannot, however, be attributed to the sources given in the Table. In addition the individual categories produce different percentage proportions when compared back to the national data set after having derived a 19% quantity (of the total arisings) for exemptions, so the breakdown in Oxfordshire then does not reflect the national breakdown. It is suggested therefore that this has not been shown to be a robust method for arriving at a figure for the quantity of waste managed under exemptions.

Conclusions (C&I Waste to be Managed)

3.55 Section 3.2 (page 19) reports that the value arrived at (following the Defra as managed methodology for C&I waste) is just less than 415,000 tonnes, and that this is substantially lower than might be expected. There then follows a series of exercises which adjust the figure to account for such issues as underreporting, omissions and errors in the WDI, which lead to an overall revised total of 533,462 tonnes.

3.56 Section 3.3 (page 21) then provides the overall conclusion that national government made a decision to switch from a 'point of production' to an 'as managed' method to estimate C&I waste arisings, for the purposes of developing a more directly relevant method for EU reporting, and that this has a parallel with the needs of Plan making authorities. At the final paragraph on page 21 it is confirmed that there are considerable uncertainties associated with the 'as managed' value; that any value generated solely reliant on the WDI can be considered an underestimate; and that the workings of the 2016 Supplement suggest that as much as further third should be added.

3.57 In response to this it needs to be said, that the 2014 Defra 'as managed' method was required at a national level in order to provide waste statistics without relying on extensive surveys. It has credibility as the approach used to fulfil national policy preparation and reporting requirements. However, it is still a new method and is yet to gain credibility through testing over time. Further, it needs to be applied consistently, correctly and with clarity; unfortunately this has not been achieved through the 2016 Supplement.

3.58 In using this method, nearly 200,000 tonnes has been lost within the 2016 Supplement. The overall revised estimate of C&I waste is 533,462 tonnes (end of first paragraph on page 21). Tables 29 and 30 (pages 34 and 35) advise us that there are 1,003,000 tonnes of CDE waste in 2014. Figures 7, 8 and 9 (pages 42 and 44) indicate that in 2014 there was about 311,000 tonnes of LACW. Together this presents 1,847,462 tonnes of waste.

3.59 Table 39 on page 45 of the 2016 Supplement states that in 2014 there were 2,044,642 tonnes of waste arising in Oxon and managed in Oxon, some 197,180 tonnes more than that accounted for within the 2016 Supplement. This must be C&I waste. LACW tonnage is taken from the WasteDataFlow and is not affected by the 'as managed' method. The 'as managed' method used for CDEW concludes an increased tonnage within the 2016 Supplement than presented within the Plan, and is anyway shown to be reasonably consistent with 'the point of production' value (adjusted to be as managed) previously derived (see page 36).

3.60 Adding 'lost arisings' of 197,180 to the overall revised total of 533,462 gives a total of 730,642 tonnes, which is not so very different from the previous BPP 2011 estimate and the figure used in the Plan.

3.61 Table 39 also states that a further 395,944 tonnes of waste arising in Oxon was exported. This is also not captured by the 'as managed' method presented within the 2016 Supplement and may well include additional C&I wastes.

3.62 A number of different sources of C&I waste arisings have been used throughout the evidence base documents. Table 1 on page 5 of the 2016 Supplement presents the following:

1. Environment Agency (2000): 901,000
2. Environment Agency (2002/03): 766,000
3. Environment Agency (2002/03): 901,000
4. ADAS: 1,034,773
5. Defra: 566,800
6. SEWPAG (2010): 567,104
7. BPP: 710,000
8. SEWPAG (2012): 455,174

3.63 Table 1 (page 5 of the 2016 Supplement) presents a range of eight C&I waste arisings estimations that total 5,901,851 tonnes, and give an average of 737,731 tonnes.

3.64 Table 8 of the WNA August 2015 presents some other recent estimates of C&I waste arisings. From the list above it includes: 6. SEWPAG (2010); and 7. BPP. It also presents:

9. WNA (May 2012): 566,800; and
10. EA WDI: 471,929

3.65 Adding these estimates to the total above (paragraph 3.61) gives a new total of 6,940,580, which, over a range of 10 estimates, gives an average of 694,058 tonnes. This average is brought down by the introduction of 'as managed' tonnages, a phenomenon also experienced by Defra completing the national statistics.

3.66 Indeed, if the BPP 2011 C&I estimate of 710,000 tonnes is subjected to the 21% reduction experienced at the national level, would give an 'as managed' C&I waste arisings estimate of 561,000. Adding the 'lost arisings' explained in paragraphs 3.57 and 3.58 above would give a total of 758,180 tonnes of C&I waste arisings.

3.67 All of the evidence presented by the Council in preparation of the Plan indicates that C&I arisings in the order of at least 700,000 tpa must be occurring. The conclusion in the 2016 Supplement of just 534,000 tpa is not justified. Relying on this underestimation means that a robust waste management strategy will not be put in place.

C&I Waste Forecasts

3.68 Section 3.4 addresses C&I waste forecasts, and is entirely confused and unsystematic.

3.69 The national growth forecasts presented in Figure 3 on page 22 of the 2016 Supplement relate to both Municipal and C&I waste and apply over 10 years. In Figure 4 on page 23 these are applied to the new Oxfordshire as managed C&I waste figure over a period of 6 years (2014 to 2020). The reason for doing this is not clear, the plan period is to 2031, greatly in excess of the 6, 8 or 10 year horizons discussed on pages 22 to 24. It also means that the potential for growth appears alarming, as set out in Table 20 on page 24, which records growth of 8% and 30% achieved over the 6 year period, all of which are in excess of the 2.5% 'growth' over 4 years presented in Table 4 on page 7.

3.70 Within the third paragraph on page 24 another set of growth rates is introduced, based on a set of local forecasts produced by the Council for economic development. These comprise three forecasts: baseline; higher population growth; and policy driven. The commentary notes that economic activity is measured by employment in the forecasts, which is considered to be a less reliable indicator than GVA (gross valued added), which was used in the Defra forecasts. Figure 5 graphically presents the outcome of applying these growth rates to the 2016 Supplement overall revised total (page 21) of 534,462 tonnes at 2014. Strangely, the baseline growth rate (the lowest of the three) does better in Figure 5 than the higher population growth rate. This does not instil confidence in the analysis undertaken.

3.71 At Section 3.4.2 the two datasets are combined to produce a new set of forecast growth rates. The reasoning behind these rates is not explained, particularly in

relation to exploring the potential for an upper level of C&I waste growth. The upper rate relies on Defra Central to 2020, but then only OCC baseline to 2031. Use of policy driven might have been more appropriate, as presumably Council policy is intended to be delivered and local economic aspirations should be met. Failing to properly consider the extent of growth will constrain the ability to prepare a robust strategy for waste management.

3.72 Having gone to the effort of identifying a new current figure (534,462 based on 2014 data) the chosen growth rates are then applied to this (2014) figure but starting at 2011, as shown in Figure 6 on page 27. Again, why this is done is not explained.

3.73 The green line in Figure 6 is named the 'high' growth rate, this is assumed to be the growth rate named 'Upper' in Table 22. Applied, correctly, from 2014, this green line should follow the same trajectory as the blue line in Figure 4 on page 23 (Central Defra). Consequently, at 2014 it should start at 534,462 tonnes (relying upon the 2016 Supplement figures that are not agreed) rising to reach approximately 580,000 at 2020. Figure 6 shows the green line reaching 580,000 tonnes at about 2018, and continuing to rise to about 595,000 tonnes by 2020.

3.74 Section 3.4.3 provides conclusions on C&I waste "arisings". Whilst acknowledging in the first paragraph on page 27 that waste management capacity should be provided for, based on predicted levels that follow a positive growth path (to be consistent with NPPG advice), the second paragraph shies away from this approach. The result of the exercise carried out to determine the level of growth looks excessive, such that BPP conclude that it has to be 'moderated' for the early part of the plan period.

3.75 The outcome is that there has been a muddled analysis of the potential for growth, which has not produced the desired result, and so it has been completely ignored to select an arbitrary estimation of future required capacity.

3.76 The commitment to a rolling review on a 5-year cycle is to be welcomed, but it would be a more practical, effective and sustainable approach to arrive at a sound waste management strategy at the start of the Plan period.

3.77 Further, the practical application of a 5-year review must be questioned. The current Waste Plan has been in preparation for nearly 5 years since withdrawal of the 2012 Submission Document. No plan is in place and the Council has no better demonstration or justification of future waste infrastructure requirements. It is imperative that a positive and long-term strategy is put in place, based first on robust and reliable figures, which is then regularly reviewed such that future plan making is better informed and more readily executed.

C&I Waste Targets

3.78 Section 3.5 addresses proposed targets for the C&I waste stream. The second paragraph on page 28 states that a rolling year contract is the norm within the C&I sector, but in reality longer contracts are also used. Businesses require clarity on their future waste management arrangements and consequent costs and can benefit from longer term contracts. Further, the 2016 Supplement fails to recognise that LACW is not generally readily available to waste facility operators, as this waste stream is subject to complex procurement arrangements.

3.79 C&I waste may well go to landfill void if that is the cheapest option, which is one of the reasons why local waste plans should provide opportunities for growth and competition in recovery capacity, so enabling the waste hierarchy to be achieved.

3.80 Section 3.5.1 compares the proposed C&I waste targets with other authorities. There is no explanation given on why these authorities where chosen, i.e. what makes them relevant to be compared with Oxfordshire. Further, Table 26 on page 29 shows that there is actually little to compare amongst them anyway: only two of the authorities have management targets for 2031; only two separately identify recycling and recovery targets; baseline values are not presented for two authorities; and those same authorities seem to be based on former regional spatial strategy targets (this is what is assumed to be meant by the 'RSS' in the comment column). Critically, the West Sussex WLP, which is held up as an exemplar on page 30, is not included in Table 26. The reader knows nothing about it, other than the high level details provided in the text.

3.81 The BPP analysis that follows seems to be concerned both with the rate at which more ambitious management targets could be achieved and the potential for too much capacity to be provided. The role of a waste local plan is simple: to provide suitable opportunities for the forecast waste management requirement to be achieved. The likelihood of a facility being built and abandoned within the plan period is very low, because they require substantial capital investment that is not readily available. The waste management market, just like every market, is not going to bring forward a product (new capacity) that is not financially viable.

3.82 The 2016 Supplement refers in the second paragraph on page 30 to a "*number of instances in the South East*" where it is said that overproviding capacity has caused facilities to become unviable. The examples are limited to just two, neither of which is located in Oxfordshire, and no detail is given on the waste management previously undertaken, for how long the facility had operated, or why the facility has now closed.

3.83 The final paragraph on page 30 takes us back to the beginning, a misunderstanding of separate collection and misapplication of the objectives of the proximity principle and self-sufficiency. It is also a statement made without justification: Where is the evidence that such source segregation is happening in

Oxfordshire? Where is the evidence that district authorities are dealing with waste transfer stations as B2/B8 uses? Do the Districts' Local Plans contain suitable and adequate numbers of sites to enable this to happen?

3.84 Importantly, and sadly, this approach also results in an abrogation of Oxfordshire County Council's duty to prepare an effective Waste Local Plan that would deliver sustainable development.

3.85 Section 3.5.2 on page 31 is an interesting discussion of separate targets for dry recycling and composting/food waste from the C&I waste stream. But it presents no conclusions and seems to do little to move the debate forward.

CDE Waste Baseline

3.86 Section 3.6 of the 2016 Supplement is concerned with revisiting the CDE waste baseline, and explains that BPP defined a point of production baseline figure (in 2014), but that the Government no longer produces the relevant data down to sub-regional level, so it is not possible to reliably replicate the method previously used to generate a value for 2014.

3.87 Section 3.6.2 then introduces a new method for estimating CDE waste. This is one that was published by Defra in 2012 (so should have been available for previous waste needs assessments) but which was withdrawn by Defra in February 2015 (which makes it a curious method to follow now). A waste consultant source involved in production of the Defra methodologies has indicated that the reasons for its withdrawal from use are that it was quite complex, not very repeatable and only applicable at national level so could not be used at the regional level. (See email correspondence and withdrawn methodology at **Appendix 1**).

3.88 Nevertheless a modified version of the methodology is then applied to reach a revised CDE waste baseline "arisings' figure for 2014 of 1,033,435 tonnes (page 35). Notwithstanding the fact that the methodology has been withdrawn there are also a number of concerns about the way it has been applied and modified in the 2016 Supplement.

Concern No. 1:

3.89 Given that there is a figure in Table 6 on page 11 of the 2016 Supplement for the volume of CDE waste recorded in the WDI in 2014, it is uncertain why this is not taken as the starting point. Instead a process of extrapolating various aspects of the CDE waste management elements in the WDI and adjusting them is followed. It is acknowledged that this is akin to the method used in the withdrawn Defra methodology, but it is an overly complicated approach (and no doubt contributed to the reasons for withdrawal of the method). It would be much simpler to start with the headline CDE waste value in the WDI at 2014 (as identified for the C&I waste calculations) and then calculate a value for waste managed under exemptions and other means such as the CL:AIRE protocol (see paragraphs 2.5.21 - 2.5.23 of the

representations reference 115 of 30 September 2015 made on the 2015 Part 1 Submission Plan).

Concern No. 2:

3.90 The methodology is adjusted in the 2016 Supplement from calculating a value for waste disposed of under exemptions to waste managed at formerly exempt sites – see row 4 of Table 39 on pages 34 and 35. The justification for changing from the Defra methodology is the post 2010 change to activities that were permissible as exemptions. The Defra methodology is however dated March 2012, so these changes were already in place and would have been taken into account at that time, so there is no justification for deviating from the process on this basis for 2014.

Concern No. 3:

3.91 The value for recycled aggregate given at row 5 of Table 39 of 337,000 tonnes is said to be taken from the LAA (Local Aggregates Assessment). However this figure cannot be ascertained from the LAA. The relevant data in the LAA is for both secondary and recycled aggregate and only goes up to 2013, where the figure is given as 422,000 tonnes. At that point the only secondary source (of Didcot Power Station ash) had ceased, so this would have been only recycled aggregate, and the LAA adds the caveat that the 2013 survey only had a 70% response rate, so the Council estimate it to be higher at actually around 470,000 tonnes (see Table 3.17, and paragraph 3.58 page 39 of the LAA 2014). The value for recycled aggregate applied following the (adjusted) Defra methodology is therefore significantly lower than it should be.

3.92 Section 3.6.5 reiterates that as with C&I an ‘as managed’ baseline can only be relied upon to the extent that the data sets accurately present management flows; that if the WDI is not capturing all flows then reliance on it runs the risk of under estimating and under providing. In addition other factors are referred to (e.g. reliance on estimates of figures not captured by the WDI, and the uncertain nature of on site management of demolition waste) which cast doubt on the reliability of an ‘as managed’ estimate. In light of these misgivings and the fact that the methodology relied upon has been withdrawn by the Government as it is not considered fit for purpose, it is very concerning that such credence is placed in the 2016 Supplement on the selected approach for determining a CDE waste baseline figure.

3.93 A simple cross-check of the robustness of the selected approach is to take the volume of CDE waste recorded in the WDI in 2014 of 1,037,641 tonnes (from Table 6 on page 11 of the 2016 Supplement) and then add a factor of 30% to account for exempt sites, as assumed at paragraph 3.37 of the August 2015 WNA (notwithstanding that this percentage is not considered adequate in accounting for all waste managed outside the permitting system – see paragraph 3.89 above). This calculation would give a total of 1,348,933 tonnes, which is significantly higher

than the revised CDE waste baseline as managed figure for 2014 of 1,033,435 tonnes (page 35 of the 2016 Supplement).

3.94 Section 3.6.6 compares the approaches taken by other waste planning authorities in estimating CDE waste baseline figures. Again, why they authorities are comparable is not explained, and in any event BPP conclude in the first paragraph on page 38 that "*the methods selected are less than transparent* …" and "*in reality few WPAs are applying the national 'as managed' methodology at present meaning there is little basis for direct comparison*." Since the methodology has been withdrawn from use this is probably just as well, as it is not a relevant, meaningful or robust approach.

3.95 Despite these problems, the 'comparison' used to seek further credibility is through analysis with construction orders, for a period of 4 years the selection of which is not explained. The analysis is so un-insightful that no conclusion is actually drawn.

3.96 The one conclusion that is clear, is that no greater reliance can be placed on an 'as managed waste' baseline estimate, than a 'point of production' baseline estimate. Indeed less reliance can actually be placed on it, given that the methodology has been withdrawn, and it would be far more appropriate to determine a 'point of production' baseline because so much of the waste arisings are not captured by an 'as managed' figure.

CDE Waste Landfill Diversion Targets

3.97 Section 3.6.7 provides discussion of the targets recommended by BPP in 2014 and the different ones applied in the 2015 Part 1 Submission Plan, but no firm conclusions or further recommendations are made, and Section 3.6.8 comprises a table comparing selected authorities and their waste management targets. Again, the 2016 Supplement does not explain why these authorities are comparable, does not include the previous exemplar West Sussex, and fails to draw any conclusions from the analysis anyway.

Chapter 4: Cross Boundary Movement of Waste

3.98 The third paragraph on page 45 concludes that "*Oxfordshire has made significant strides in providing additional capacity and is making an ever-increasing contribution to the management of out of plan area waste"*. The 2016 Supplement does not enlighten the reader on the identity of the new facilities that have been approved to enable this outcome to be achieved. Indeed the difference could simply be accounted for by improved recording through the WDI, and that being so, demonstrates the unreliable nature of the EA waste returns in accounting for waste arisings. According to point 2 on page 45 of the 2016 Supplement they appear to show that the generation of waste in Oxfordshire has increased hugely between 2013 and 2014 – the quantity of managed Oxfordshire waste increasing from 1.2 mt to 2.0 mt. This increase differs vastly from the predicted growth rates

for (C&I) waste considered to be appropriate by BPP (section 3.4.2 of the 2016 Supplement).

3.99 Considering the data reported in the various WNAs and reports it is possible to see that the conclusion that Oxfordshire is making an ever-increasing contribution to the management of out of plan area waste is also not justified. Table 3.1 below presents the import and export data gained from the 2016 Supplement and the August 2015 WNA.

Table 3.1: Oxfordshire Waste Imports and Exports 2011 - 2014

Year	Export (tonnes)	Import (tonnes)	Net Import (tonnes)	Reference
2011	341,255	862,335	521,080	Export: WNA, August 2015, Table 26, page 57 Import: WNA, August 2015, Table 22, page 52
2012	354,373	594,472	240,099	
2013	382,541	670,443	287,902	
2014	395,944	878,508	482,564	2016 Supplement, Table 39, page 45

3.100 What this data actually shows is that export remains fairly constant at 340,000 to 395,000 tonnes per year, whereas import is subject to much greater fluctuation; net import is generally reducing. It is not therefore the case that Oxfordshire is importing much, or increasingly, more waste.

3.101 Moreover the figures do not help to show how the waste is managed. They do not indicate for what purpose waste is being imported to Oxfordshire and it could be for landfill. The figure of an increase from 2013 to 2014 of 1.0 mt of waste managed at Oxfordshire facilities is a total quantity (point 1 on page 45). The manner in which the increase is managed is not apparent from the document, and the conclusion cannot be drawn that it means that more recycling capacity has been established.

3.102 The conclusion in the first paragraph on page 46 of the 2016 Supplement that Oxfordshire could export up to 2.5 million tonnes of waste per year is also not quite so straightforward. Firstly, it is a reflection of current waste management, not incorporating consideration of future requirements or preferred waste management routes. The statement is heavily reliant on Oxfordshire continuing to provide substantial landfill capacity; disposal is the option of last resort with other management routes higher in the waste hierarchy preferred.

3.103 An ‘as managed’ methodology and conclusions as to the net self-sufficiency of Oxfordshire is not simply concerned with determining the data for waste managed in the county, allowing for imports and exports, adding any other estimates for management routes that are not recorded, and determining whether there is sufficient available capacity to deal with the county’s “arisings”. It must also

consider the different waste streams and how they are managed with a view to implementing the waste hierarchy.

3.104 The Waste Plan may have little control over what waste is managed in any one facility, but it has great potential to influence where facilities are located and what type of development is encouraged. Through providing the right facilities in the right places, the Plan can enable waste to be managed in the right manner.

Chapter 5: Waste Management Capacity

3.105 Section 5.1 is concerned with maximum capacity versus actual capacity and the first paragraph on page 48 states that the validity of the argument of the difference between the two must be based on an assessment of actual inputs to sites, the most reliable source of information for which is the WDI – providing the site is permitted. The second paragraph then states that a comprehensive methodology was developed by OCC where data relating to the historical performance of each site taken from the WDI was considered against the site limits where they existed and operational restrictions. In the third paragraph two examples are given in Table 40 of sites where site input limits were exceeded when compared to the WDI input data for 2014, and this is said to confirm that the values used in the WNA (the WNA values) are reasonable.

3.106 In the first instance, in relation to both of these sites it is not the case that either of them has exceeded their site "limits". The information that has been provided for site throughputs and recycling capacities on the Council's Waste Site Profile Forms, which it is assumed is the basis of the methodology developed by the Council to arrive at the WNA values, is at **Appendix 2**.

3.107 For Slape Hill Quarry, the throughput of the site has been given as 25,000 tpa with an estimated recycling capacity of 20,000 tpa (the WNA value). The WDI, however, records the material received at the site, and this will of course be higher than the quantity that is recycled. The site having received 24,322 tonnes in 2014 did not exceed its "site input limit" and was recycling to full potential (of about 20,000 tpa).

3.108 For Dix Pit, the site is allowed to receive 100,000 tpa according to the planning permission. (The environmental permit provides for 250,000 tpa). Approximately 98% of the incoming waste can be recycled, giving a 98,000 tpa maximum recycling capacity (the WNA value). This site operates to absolute maximum capacity and the operator would very much like to increase its capacity, but has been discouraged from doing so by the Council, due to concerns about the amenity impact of the additional traffic that would be generated. Notably the WDI input value (i.e. waste received at the site – before being recycled) given in Table 40 of 99,510 tonnes for 2014 is less than the site limit (of 100,000 tpa) imposed by the planning permission.

3.109 Secondly, there is no argument that the WNA has not used the correct values for maximum capacity of a site, but it is not accepted that maximum capacity equates to actual capacity as per the headline of this section, or rather more appropriately, actual recycling levels which are what is required to be enhanced, in order to promote movement up the waste hierarchy and achieve sustainable development. The two examples, which happen to be sites that are currently operating to full capacity are not representative of and do not reflect the wider picture.

3.110 The fourth paragraph on page 48 accepts that inputs fall below the theoretical limits due to a number of factors, but only points to one of these, suggesting that in the case of recycling facilities the limiting factor is the availability of material. The occasion of BPP's survey of recycled aggregate facilities is cited and that operators said "they could produce more given the supply of feedstock". However, this comment by operators does not necessarily lead to the conclusion that there is insufficient material arising in order to recycle anymore as seems to be implied. It could relate to not being able to source the right kind of material to suit their facility, because they do not have the necessary technology to process all types of CDE waste, or it could be that they are restricted by site limits, which do not allow them to receive more feedstock (as in the case of the Dix Pit site above).

3.111 Table 3.2 below sets out a number of other examples, which show the position according to the Council's Waste Site Profile Forms (which provided the potential site capacities that are the basis for the WNA values) in relation to WDI input values or other information on actual volumes of material processed or more recent WDI records where the site was not subject to an environmental permit at the date of the forms. It should also be noted that as explained at paragraph 3.107 above, WDI inputs are for volumes of material received at the site not the quantity of material actually recycled. Where other information on volumes is provided this is the amount recycled. Copies of the Waste Site Profile Forms and other relevant supporting information are at **Appendix 2**.

Table 3.2: Further Examples Between WNA Values & WDI Input/Recycling Levels

Site	WNA Table	WNA Value (tpa)	WDI Input (tpa) & date
Worton Farm	A12/4	60,000	55,536 (2012)
Slape Hill	A12/4	20,000	18,965 (2012)[1]
Brize Norton X-fer	A12/4	12,000	11,250 (2006)
Worton Farm	A12/7	48,000	24,257 (2012)
Old Brickworks Farm	A12/7	40,000	0 (The site is not operational and has no environmental permit)
Playhatch Quarry	A12/7	65,000	30,000 (2009)
New Wintles Farm	A12/7	110,000	21,047 (2014)

[1] The recorded WDI inputs were actually as little 423 tonnes for 2012, but this was assumed to be an error in reporting and the figures adjusted to include the waste inputs identified as CDE (not C&I).

3.112 Table 3.2 demonstrates as set out at paragraphs 2.7.3 – 2.7.7 of the representations reference 115 of 30 September 2015 on the 2015 Part 1 Submission Plan that existing available site capacities do not equate to actual recycling levels because sites do not always operate to full capacity.

3.113 Making the assumption therefore, that providing merely for the volume of additional recycling capacity equivalent to the difference between the existing available recycling capacity and the identified need is all that is necessary, is not a robust approach. An adjustment to the theoretical site capacities must be made to allow for the difference between actual and potential recycling performance, or an allowance for more sites to be provided must be built in.

Conclusions on the Evidence Base

3.114 As stated at paragraph 3.1 above BPP were commissioned not only to produce 'managed waste' baselines estimates for C&I and CDE wastes, but also to review forecasts and targets for these waste streams. There is, however, no consideration of forecasts whatsoever for CDE waste in the 2016 Supplement. This is a significant omission, because at the very least the Plan's existing growth rates need to be applied to the revised CDE baseline (of 1,033,435 tonnes at page 35) to determine what the quantities of CDE waste are that would need to be managed in the future according to the revised baseline, and then to assess what consequences this has for capacity requirement. The 2016 Supplement does not therefore fulfil its brief.

3.115 The 2016 Supplement places great reliance on an 'as managed' approach to estimate waste baseline figures. However, as considered at paragraph 3.57, the 'as managed' approach does not give an accurate picture. It is not a means used to estimate LACW and it has been withdrawn for use with CDE waste. At the very least, the review work should be subject to sensitivity analysis using point of production data.

3.116 Further, in looking back over previous WNAs published as part of the evidence base for the Plan, it is clear that the one consistent feature has been variation in estimating baseline arisings, forecasting future arisings, and predicting future waste management requirements.

3.117 This is particularly the case for C&I and CDE waste streams, which is not surprising as these are the least well reported. Oxfordshire's reliance on inconsistent and untested approaches is not the answer.

3.118 The most startling variation seen in the most recent assessments is the decrease in forecast capacity requirements, which, as already established, is not based on any more credible evidence than previous assessments.

Overall Conclusion

3.119 The 2016 Supplement defines different figures on a different basis to those used in the 2015 Part 1 Submission Plan. The selected methodologies are not robust because they do not take account of 'un-captured' waste, or waste and treatment types, as they are overarching global estimations not designed to be used at the local scale, and do not assist in determining how net self-sufficiency can be sustainably achieved in managing the county's waste. BPP or the Council have not used the selected methods before and they have not been used to arrive at the figures in the 2015 Part 1 Submission Plan.

3.120 The 2016 Supplement does not provide a sound evidence base, and it is not at all clear what status it should be given and how it should be applied or is relevant to the 2015 Part 1 Submission Plan. Plan preparation should be evidence led, but this is evidence produced after the event and does not support Plan.

4.0 PRELIMINARY ASSESSMENT OF WASTE SITE OPTIONS TOPIC PAPER APRIL 2016

Chapter 1: The Introduction

4.1 Paragraphs 7.30 and 7.31 of the 2015 Part 1 Submission Plan state that potential sites have informed the options, which in turn have informed the strategy to guide the location of new facilities. That assessment has, however, either not been produced or if it was intended to be provided as part of the additional documents published in April 2016 topic paper it has not been done, because this preliminary assessment of waste site options does not inform the spatial strategy.

4.2 Paragraph 7.31 of the 2015 Part 1 Submission Plan says that a preliminary assessment of sites shows that the waste planning strategy is potentially capable of being delivered. Yet this April 2016 topic paper claims that its objectives are to determine whether the nominations will enable the waste strategy to be delivered. The objectives of the assessment of sites are set out at paragraph 1.1 of the topic paper and are:

- To assess the likely deliverability of the sites nominated for inclusion in the MWLP, through consultation with operators and by carrying out an assessment of the sites against a number of planning criteria.
- To identify sites which are unlikely to deliver capacity over the period of the plan.
- To use findings from objectives 1 and 2 to determine whether the nominations will enable the waste spatial strategy in the Minerals and Waste Local Plan: Part 1 – Core Strategy to deliver the needed waste capacity over the plan period.

4.3 However and furthermore the assessment it undertakes does not accord with the strategy contained in the plan; the quantum of available sites that do accord with the strategy would not meet the required capacity, and the required additional capacity is being underplayed. Consequently the strategy would unquestionably not deliver even what is said by the Council to be needed, let alone the larger need identified by the representations reference 115 of 30 September 2015 made on the 2015 Part 1 Submission Plan (paragraphs 2.7.9 – 2.7.13). Even on their own figures the Council's assessment shows that for C&I waste the strategy would not provide enough capacity.

4.4 Since publication of the 2015 Part 1 Submission Plan the purpose of the waste sites assessment has changed from: being about informing the establishment of the waste spatial strategy and showing that it is deliverable, to: determining whether the present waste spatial strategy can be delivered.

4.5 This approach of the topic paper is quite alarming, because as stated at paragraphs 173 and 182 of the NPPF the Plan should be deliverable. This entails demonstrating that the selected strategy is based on evidence that has informed

and shaped it (NPPG ID: 12-014-2010306) not selecting a strategy and then seeing whether the evidence can be made to fit with it.

4.6 To produce a topic paper after the plan has been submitted to assess whether it is deliverable does not demonstrate that the plan has been prepared on the basis of a strategy which seeks to meet objectively assessed development requirements. Specifically in relation to waste, the NPPW requires (paragraph 2) that in preparing local plans waste planning authorities should ensure that the planned provision of new capacity and its spatial distribution is based on robust analysis of best available data and information and an appraisal of options. This has evidently not been the case with the 2015 Part 1 Submission Plan, and the outcome is that the strategy as drafted is not the most appropriate and would fail to deliver.

Chapter 2: Preliminary Site Assessment Methodology

4.7 Paragraphs 2.1 - 2.3 of the topic paper clarify that the call for sites was first made in 2006 then again in 2008, and in 2015 a review was conducted to confirm the nominations, with several being withdrawn and new nominations received. As a consequence the Council have had the information needed to assist in informing the nature of the waste spatial strategy for quite some considerable time.

4.8 Again at paragraph 2.5 of the topic paper it is stated that the purpose of the preliminary assessment is to assess whether the capacity requirement is potentially able to be delivered over the course of the plan, confirming that it has not been done in order to inform the spatial planning strategy (contrary to what is said to be the case at paragraphs 7.30 and 7.31 of the 2015 Part 1 Submission Plan).

4.9 Paragraphs 2.6 to 2.22 of the topic paper set out the criteria that have been used to assess the suitability of the nominated sites, using a traffic light approach of red (not acceptable), amber (may be acceptable), and green (acceptable). This is called a RAG (Red, Amber, Green) Assessment. The results of the RAG Assessment are then shown for each site in a table at Appendix 2 to the topic paper.

4.10 What is immediately evident from column No. 4 of the RAG Assessment table, is that there are sites with a capacity in excess of 20,000 tpa, which score an amber against the criterion of their location in respect of policy W4. Given that this policy determines the locations, as shown on the Key Waste Diagram, for such size facilities (with smaller sized facilities being allowed elsewhere), there should be no amber scoring. Rather like the case with Green Belt, the site is either located within the area identified under policy W4 and therefore it should be scored green, or it is not, and therefore should score red. Many of the larger scale site nominations which fall outside the areas identified on the Key Waste Diagram are given an amber - not red – score, and including notably two sites (Site 005 Playhatch, and Site 250 Broughton Pogges) which are some distance away at

32km and 15km from the edge of the nearest of the permitted areas. This needs correcting, as has been done in the revised RAG Assessment A at **Appendix 3** to this response.

4.11 From considering paragraphs 2.8 to 2.11 of the topic paper, however, it is apparent that the Council are considering that policy W4 should not be read at face value, but that other factors such as proximity to centres of population and good access could determine that a larger site's location could be suitable even if not within the areas identified on the Key Waste Diagram under policy W4.

4.12 However, this approach is not appropriate. If the policy is to be applied in that manner it is not one that provides any certainty about what the outcome of a development proposal would be, and is therefore contrary to the NPPF that plans should provide a practical framework within which planning decisions can be made with a high degree of predictability (1st core planning principle at paragraph 17), and that Local Plans should set out the opportunities for development and clear policies on what will or will not be permitted and where. Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan (paragraph 154).[3] Applicants have been having to deal with a position in Oxfordshire for a long time now where they are entirely uncertain about how their proposals will be determined, and are extremely concerned that this position is rectified by having an up-to-date plan in place. It would seem, however, that this uncertainty of outcome is intended to be continued in the 2015 Part 1 Submission Plan, because there is no clarity or certainty as to how the policy will be applied.

Chapter 3: Summary of Assessment Results

4.13 This section provides a summary of conclusions in relation to the individual sites. There are number of factual errors, which are identified below:

Category 3 (Recycling/Transfer – MSW/C&I)

- Site 002 Prospect Farm, Chilton: This site is said to be nominated for a small scale facility. However, it is the case that the nomination is for additional capacity to an already existing site and overall it would therefore be a large scale site. (The same site is also nominated for 43,000 tpa inert waste recycling under category 6). The nomination should therefore score red in relation to policy W4 and the AONB. The site is at a landfill, but is nominated for permanent use, and therefore should score red as greenfield (policy W5), because provision would not be made for restoration.
- Site 006 Childrey Quarry, Childrey: The site is said to be regarded as greenfield and therefore not acceptable. This assessment demonstrates that the Council does intend to rule out the use of greenfield land, even though there is no national policy presumption against its use (see commentary at paragraph 6.69 – 6.71 below). The site scores red, without any assessment

[3] See also additional comments on this issue at paragraphs 6.48 – 6.55 below.

being made as to whether it might be a “suitable and sustainable option”. In addition the proposed nomination is in any event for the use of a redundant agricultural building (and immediate curtilage) at the site, so is a ‘priority use’. This further goes to show the internal conflict within policy W5.

- Site 023 Alkerton Landfill and Civic Amenity: This site is at a landfill, but nominated for a permanent use and therefore should score red as greenfield (policy W5), because provision would not be made for restoration.
- Site 236 Dix Pit Complex (Con Rec): The site is at a landfill, but is nominated for a permanent use and therefore should score red as greenfield (policy W5), because provision would not be made for restoration.
- Site 276 Oday Hill, Sutton Wick: The site is at a landfill, but is nominated for a permanent use and therefore should score red as greenfield (policy W5), because provision would not be made for restoration.

Category 5 (Composting/Biological Treatment)

- Site 226 Dewars Farm, Ardley: The site is at a quarry, but is nominated for a permanent use and should therefore score red as greenfield (policy W5), because provision would not be made for restoration.

Category 6 (Inert Waste Recycling/Transfer)

- Site 002 Prospect Farm, Chilton: The same comments in relation to the AONB and loss of a greenfield site apply as under Category 3.
- Site 005 Playhatch Quarry, Playhatch: This site is said to be nominated for a non-strategic facility. However, it is the case that the nomination is for additional capacity to an already existing site and overall it would therefore be a strategic site.
- Site 006 Childrey Quarry, Childrey: The same comments are made as under Category 3.
- Site 007 Greenhill Farm Quarry, Bletchingdon: This site should score red as a greenfield site in accordance with the notation in the table that it is a restored quarry.
- Site 021 Greensands, East Hendred: This is a greenfield site and should score red according to policy W5, also to be consistent with other assessments e.g. Site 225 Cedars Lane, Benson.
- Site 121 Old Brickworks Farm, Bletchingdon: This is a recycling site with a temporary permission nominated for a permanent use and should therefore score red as greenfield (policy W5), because provision would not be made for restoration.
- Site 236 Dix Pit Complex (Con Rec): The same comments are made as under Category 3.
- Site 248 Thrupp Lane, Radley: The site is at a mineral working, but is nominated for a permanent use and therefore should score red as greenfield (policy W5), because provision would not be made for restoration.
- Site 276 Oday Hill, Sutton Wick: The same comments are made as under Category 3.
- Site 277 Nixey Hole, Chalgrove: This is nominated for infilling not for inert waste recycling, and should be removed from the list.

4.14 These errors are corrected in the revised version of the RAG Assessment B at **Appendix 3** to this response.

Chapter 4: Conclusion

4.15 The conclusion states that the preliminary site assessment shows that a sufficient amount of additional sites for waste management are available and potentially deliverable in order to meet the need for waste management capacity over the plan period for Category 4 (residual waste treatment), Category 5 (composting/ biological treatment) and Category 6 (inert waste recycling), but that a potential shortfall over the plan period of 155,700 tpa capacity of non-hazardous waste recycling (Category 3) has been identified. That is not the case, because for the reasons set out at sections 2.5 – 2.7 of the representations reference 115 of 30 September 2015 made on the 2015 Part 1 Submission Plan the waste arisings and required capacity figures are not agreed, therefore the position is actually worse.

4.16 Moreover, notwithstanding the criticism raised about the lack of robustness of the identified figures for additional capacity said to be required for the plan period (see section 2.7 of the representations reference no.: 115 of 30 September 2015 made on the 2015 Part 1 Submission Plan), even on the basis of the Council's own figures, the topic paper shows that the proposed strategy will <u>not</u> deliver the county's waste management needs, i.e. for non-hazardous waste recycling. The proposed strategy must therefore be altered in order to be ensure that the required development can be provided.

4.17 The further statement made that it is likely that at least some of the sites within the excess inert waste recycling capacity "would be suitable and could become available for provision of non-hazardous waste recycling facilities" is entirely without foundation and demonstrates a fundamental misunderstanding of the nature of the development that is being planned for. Inert waste recycling is a completely distinct type of operation to that of non-hazardous waste recycling, with entirely different needs in respect of infrastructure, expertise, markets and business knowledge. An analogy would be to suggest that the site of a mineral processing plant would be suitable for a non-hazardous waste processing facility. If a site nomination was suitable or intended for non-hazardous waste recycling, then that possibility would have been identified as required on the forms, and in response to subsequent consultation on site profiles by the Council. In any event such a statement does not provide the positivity and predictability that a Local Plan is expected to provide (1st core planning principle, paragraph 17 of the NPPF).

4.18 The results of the preliminary assessment in terms of the potential capacity (that is said to be identified) against the required capacity is set out for each waste category 3,4, 5 and 6 in a table at chapter 4 of the topic paper.

4.19 Given the issues identified at paragraphs 4.10 – 4.12 above that some sites have been given a green or amber scoring even when their locations do not comply with policy W4, the chapter 4 table has been reproduced, as shown in Table 4.1 below following a correction of these sites to give them a red scoring. (See Revised RAG Assessment A at **Appendix 3** for details).

4.20 There are grave concerns about the manner in which the Council have determined the volume of waste arisings, existing capacity and required capacity for the reasons set out at Sections 2.5 - 27 of the representations reference 115 of 30 September 2015 made on the 2015 Part 1 Submission Plan. Nevertheless, the plan's required capacity figure has been used in Table 4.1 below.

Table 4.1: Topic Paper Capacity Table with Corrected Policy W4 Scoring

	"Required" Capacity (tpa)	Topic Paper Potential Capacity (tpa)	Corrected Potential Capacity (tpa)
Category 3 (Non-hazardous waste recycling – MSW/C&I)	316,300	160,600	63,600
Category 4 (Residual Waste Treatment)	0	150,000	0
Category 5 (Composting/ biological treatment)	0	45,000	45,000
Category 6 (Inert Waste Recycling)	120,400	1,375,000	220,000

4.21 Table 4.1 now shows that there is in fact only 63,600 tpa of potential MSW/C&I waste recycling capacity that would comply with the locational strategy identified under policy W4. This means that the shortfall of MSW/C&I waste recycling capacity, even on the basis of the Council's own calculations of the required capacity, instead of 155,700 tpa would actually be in the order of as much as 252,700 tpa.

4.22 Table 4.1 also shows that there would only be about 220,000 tpa of inert waste recycling capacity compared to 1,375,00 tpa. Furthermore 115,000 tpa of this would not still be available at 2031 (the point at which the plan identifies a shortfall in this type of capacity occurring). This comprises:

- 100,000 tpa at Site 010 Sutton Courtenay, nominated until 2030; and
- 15,000 tpa at Site 020b Wicklesham Quarry, nominated until 2026

Therefore there would only be 105,000 tpa of potential capacity giving a shortfall also for inert waste recycling of 15,400 tpa – according to the Council's own figures.

4.23 Table 4.1 only takes into account the changes required to properly reflect the actual terms of policy W4. If the further presumption against the use of greenfield land in policy W5 is also applied, and the missed identification of Childrey Quarry

as a priority use is corrected (see paragraph 4.13 above), the figures reduce still further to 17,600 tpa for MSW/C&I waste recycling capacity and 10,000 tpa for inert waste recycling capacity at 2031. This is because Site 276 Oday Hill, Sutton Wick, (with 50,000 tpa for MWS/C&I waste and 100,000 tpa for inert waste) is a nomination for a permanent facility at a mineral working, where provision for restoration has been made through development control procedures, and so would entail the loss of a greenfield site. The relevant quantities (4,000 for MWS/C&I waste and 5,000 tpa for inert waste) for Childrey Quarry then need to be included (whereas the Council's assessment excludes them). In addition Category 5 (composting/ biological treatment) reduces to zero, as Site 226 Dewars Farm, Ardley would, like Oday Hill, entail the loss of a greenfield site.

4.24 Table 4.2 below shows these further corrections taking into account both the policy W4 and W5 factors (see Revised RAG Assessment A at **Appendix 3** for details) and the fact that the temporary site nominations identified at paragraph 4.22 above will no longer be available by the end of the plan period.

Table 4.2: Topic Paper Capacity Table with Corrected Policy W4 and W5 Scoring and Accounting for Temporary Nominations

	"Required" Capacity (tpa)	Topic Paper Potential Capacity (tpa)	Corrected Potential Capacity (tpa)
Category 3 (Non-hazardous waste recycling – MSW/C&I)	316,300	160,600	17,600
Category 4 (Residual Waste Treatment)	0	150,000	0
Category 5 (Composting/ biological treatment)	0	45,000	0
Category 6 (Inert Waste Recycling)	120,400	1,375,000	10,000

4.25 Table 4.2 therefore shows that the waste recycling shortfall even on the basis of the Council's own calculations of the required capacity, would be:

- 298,700 tpa for MSW/C&I waste; and
- 110,400 tpa for inert waste.

4.26 All of this demonstrates that the proposed waste spatial strategy does not work and will not deliver the required waste management capacity (even on the basis of the Council's own significant underestimate of the nature of this requirement). This position has occurred because the spatial strategy was not formulated following any assessment of what would be feasible through sites nominated for waste management or of any other potential land, i.e. step 5 of the process identified at paragraph 2.8 above. Although this exercise was said to have been done at paragraphs 7.30 and 7.31 of the 2015 Part 1 Submission Plan, it is not available in this topic paper and has evidently not been carried out.

4.27 Moreover, and what is not apparent from the exercises done to support the preliminary site assessment, none of the potential capacity is within the Oxford area as shown on the Key Waste Diagram and therefore none of it serves to assist the re-balancing of the distribution of waste management facilities (paragraph 5.37 of the 2015 Part 1 Submission Plan) or to meet the unmet waste management needs of Oxford. It is unfortunate that Appendix 1 of the topic paper showing the location of the nominated sites does not clearly show their location in relation to the Key Waste Diagram areas, to provide some transparency as to the position. Drawing no.: 202MWCS/6 at **Appendix 4** to this response shows the location of all site nominations for the recycling, treatment and recovery facilities of the principal waste streams and the Key Waste Diagram areas.

4.28 This topic paper raises some very concerning issues regarding the now changed purpose of the preliminary site assessment from informing the spatial strategy to determining whether it can be delivered, the unclear application of policy W4, and lack of any analysis of the spatial distribution of the potential facilities. Nevertheless even as it is, what is perhaps most concerning is that the preliminary waste sites assessment actually shows that the chosen spatial strategy cannot be delivered, and therefore confirms that the proposed strategy is unsound.

5.0 SUSTAINABILITY APPRAISAL REPORT ADDENDUM APRIL 2016

Chapter 1: Background

5.1 The background to the Sustainability Appraisal (SA) Addendum explains that its purpose is to provide information in relation to the representations that were received on the 2015 Submission SA Report during the period of consultation that ended on 30 September 2015, and to provide clarification in relation to other issues raised by the inspector, but that it does not add any new assessment or findings to those previously published in the SA documents, which are identified at paragraph 2.3 of the SA Addendum as follows:

- Minerals and Waste Issues and Options Interim SA Report June 2006
- Minerals and Waste Preferred Options SA Report February 2007
- Minerals Spatial Strategy Options SA Report May 2010
- Revised Minerals Spatial Strategy Options September 2010
- Aggregate Apportionment Options SA Report July 2011
- Minerals Preferred Strategy August 2011
- Waste Spatial Strategy Options SA Report August 2011
- Draft Waste Planning Strategy SA Report September 2011
- Aggregates Apportionment Options SA Addendum Report March 2012
- Proposed Submission Core Strategy SA Report March 2012
- Consultation Draft Local Plan SA Report February 2014
- Proposed Submission Local Plan SA Report August 2015

The background further explains that the SA Addendum its to be read alongside the August 2015 SA Report.

5.2 This stated purpose of the SA Addendum is surprising, not least, because by definition an addendum is something added to the original document – either by way of new information or correction, but also because the 2015 Part 1 Submission Plan is now a new plan, so the SA reports relating to the 2012 Proposed Submission Plan are not an SA of the current plan.

5.3 The Council's letter of 4 February 2016 stated that the SA Addendum would be such an addendum document as the courts have endorsed, in the case of Cogent Land LLP v Rochford District Council and Bellway Homes Ltd [2012] EWHC 2542 (Admin), as capable of curing defects in an SA report. In the 'Cogent' case, it is apparent that the addendum was a new exercise providing a more detailed appraisal of the alternatives (see for example, paragraphs 47, 50, and 95 98 and 111 of the judgment). It was not a document purely reiterating the assessment work that had been done, but supplemented and improved the content of the original report. As is evident from the first point at paragraph 95 of the judgment the inspector appointed to inspect the plan had specifically advised that the Addendum was not to be undertaken as an exercise to justify a predetermined strategy. The SA Addendum of April 2016 relating to the 2015 Part 1 Submission Plan is evidently not of the type as endorsed by the court in the 'Cogent' case.

Chapter 2: Consultation

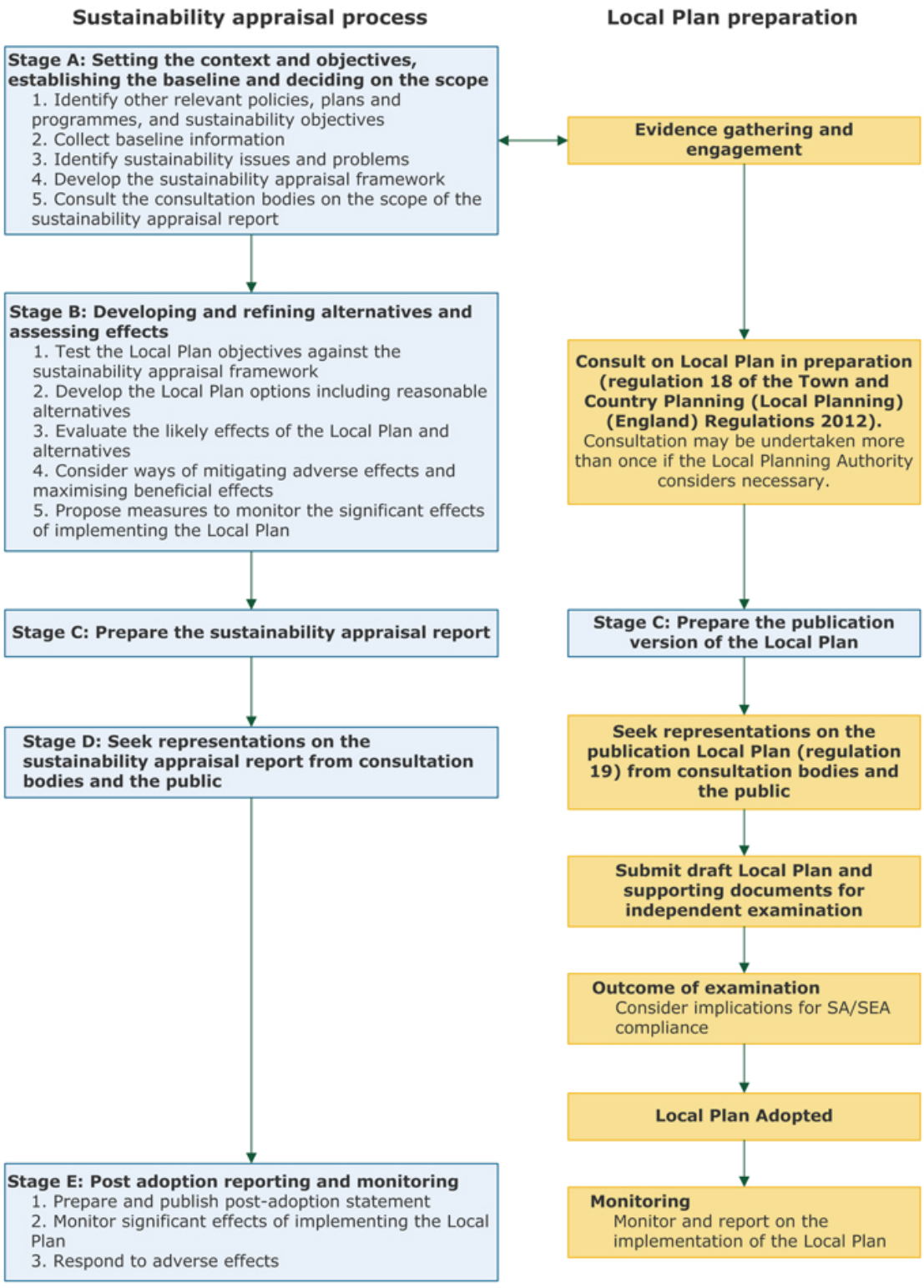
5.4 The consultation stages of the SA of the previous (now withdrawn) 2012 Proposed Submission Plan and of the 2015 Part 1 Submission Plan, together with a response to representation no. 115 are set out in chapter 2 of the SA Addendum. Towards the end of section 2.3 (page 3) it is stated that given the large amount of information provided in the various SA reports it was not possible to provide all the information in the 2015 Submission SA Report, and that instead cross-referencing was made, the most notable in relation to the representation received is Section 5.1 of the SA Report, which provides a summary of the options considered throughout the plan development up to 2012, with reasons being provided for selecting the preferred options/rejecting alternative options (emphasis added).

5.5 It is noted that there is no account anywhere of the alternatives considered and the reasons for selecting/rejecting those alternatives after the 2012 Proposed Submission Plan was withdrawn and the new Consultation Draft Plan was published in February 2014. Yet it was a new plan for which the SA process requires options including reasonable alternatives and evaluation of the likely effects of the Local Plan and alternatives to be identified. The NPPG clearly sets out the SA process in respect of the stages of Local Plan preparation in a diagram (paragraph ID: 11-013-20140306), which is reproduced below as Figure 5.1. Stage B is the Local Plan Regulation 18 stage, or in the case of the current plan, the 2014 Consultation Draft Plan.

5.6 The SA report that accompanied that plan did not include any reasonable alternatives or any evaluation of them. It purely assessed the Vision, Planning Objectives and policies against the SA objectives. It would not be adequate to maintain that the SA requirements had been complied with by cross-reference to alternatives considered in previous plan versions, because this was a wholly new plan, and it was the preferred approach of this plan which needed to be assessed in the same level against all the reasonable alternatives (NPPG paragraph ID: 018-20140306).

5.7 At the very least, the new plan needed to be assessed against the old plan, setting out the differences. Each time a change is made to a policy a number of different options arise, including not making the change, and these need to be explained, compared and evaluated. Perhaps the most fundamental difference between the old plan and the new one was that the 2014 Consultation Draft was to be a single plan with no site allocations, it then changed again by the time of the 2015 Part 1 Submission Plan to be a two part plan with site allocations reserved for a later stage. At no point have the reasons for these two very differing approaches been explained, nor have the differing consequences of them been considered in the SA process, or whether the strategy the Part 1 Plan choses is capable of being delivered by the Part 2 document.

Figure 5.1: Sustainability Appraisal Process



5.8 There are also a significant number of differences between the old plan and the new one as identified below in Table 5.1 below. Given the numerous changes the table is restricted to the Minerals and Waste Planning Strategy policies for the principal waste streams and does not include the Common Core Policies.

Table 5.1: Differences Between Policies of 2012 Plan and 2014/2015 Plan

	Old Plan	**New Plan - Differences**	
Policy	2012 Proposed Submission Plan	2014 Consultation Draft Plan – Stage B	2015 Part 1 Submission Plan – Stage D
M1	Provision for minimum 0.9 mtpa of alternative aggregates from CDE waste recycling, road planings, rail ballast and ash recovery at permanent facilities (not location specific) and temporary facilities at aggregate quarries and inert waste landfill sites.	No target figure set. Facilities to be granted in line with W5 and W6 and temporary permissions at aggregate quarries and inert waste landfill sites.	Additional provision for secondary aggregates to be supplied from outside Oxfordshire. Transport from sources distant to Oxfordshire to be by rail where practicable. Sites for alternative aggregate to be safeguarded under policy W11 and identified in Part 2 Plan.
M2	Provision for landbanks: 7 years at 1.01 mtpa sand and gravel and 0.25 mtpa soft sand; 10 years at 0.63 mtpa for crushed rock.	Provision to be made in accordance with most recent LAA. A broad balance in annual production of sand and gravel to be sought between western and southern Oxfordshire.	Broad balance in production of sand and gravel requirement removed.
M3	Principal locations shown as very broad areas on figure of Oxfordshire for: Sand and gravel - existing areas of Lower Windrush Valley, Eynsham/ Cassington/ Yarnton, Sutton Courtenay, Caversham, and a new area at Cholsey; Within first two areas working only permitted if no increase in extraction level or traffic and no changes to water levels of Oxford Meadows SAC; Soft sand - east and south east of Faringdon, north and south of A420 west of Abingdon, and Duns Tew; Crushed rock - north of Bicester east of the River Cherwell, south of the A40 near Burford, and east and south east of Faringdon Additional ironstone	Split to 2 policies M3 – Precisely delineated areas of search on 6 figures for: Sand and gravel at existing areas and new areas in Thames Valley (Oxford to Goring Gap). Soft sand at Corallian Ridge between Oxford and Faringdon; and Duns Tew to Tackley; Areas for crushed rock not shown on a plan and Bicester area now north west. M4 – Permission to be granted for aggregate working in the M3 areas. Sand and gravel balance to comply with M2. Corallian Ridge working not to change water levels in Cothill Fen SAC. No more than 3 operational workings in West Oxfordshire. Working in Caversham to be extension or	Now 3 policies. M3 –Strategic resource areas identified on key diagram of Oxfordshire. Extent of areas differ from 2014 plan as do descriptions of areas for sand and gravel. M4 – Specific sites to be identified in Part 2 Plan within M3 areas according to following criteria (where new): Quantity/quality of gravel; Priority for extensions to quarries; Restoration potential; Accessibility of primary road network; Reduction of journey distance; More sustainable movement of materials; No adverse effect on heritage sites; Suitability in terms of: - local bio/geodiversity; - landscape character; - water environment;

	working in exchange for revocation of permitted workable reserves. Preference to extension to existing soft sand and crushed rock quarries. No working outside identified areas unless need cannot be met. No working to be permitted in AONBs.	replacement of existing quarry. Thames Valley working to be extension to Sutton Courtenay or a new quarry	- agricultural land; - transport network; - sensitive land uses; - residential amenity; - setting of settlements Cumulative impact. M5 – Permission to be granted for working within locations identified under M4.
M4	Existing rail depots for importing aggregates to be safeguarded and further aggregates rail depots encouraged outside Green Belt.	Now M5 – Permission to be granted for new aggregate rail depots at locations with suitable access to advisory lorry route and safeguarded as identified in the AMR.	Now M6.
M5	Extensions to existing and new quarries for building stone to be permitted where local need is demonstrated. Clay working permitted with sand and gravel working in Lower Windrush Valley, Eynsham/ Cassington/ Yarnton and Sutton Courtenay. Chalk, fullers earth, oil, gas, coal or any other mineral not currently worked to be considered in light of national and other planning polices.	Now M6 - Clay working permitted with sand and gravel working in all M3 areas. Small scale chalk extraction for agricultural & industrial use permitted, but not aggregate unless most sustainable option. Fuller's earth working permitted if national need demonstrated. Oil and gas exploration permitted. Commercial oil and gas production supported with full appraisal and location is most suitable.	Now M7.
M6	Mineral safeguarding areas to be defined on maps for proven resources of sand and gravel; existing and M3 areas for soft sand, limestone, and ironstone; and for fuller's earth, where development will not be permitted unless outweighed by need or mineral extracted first.	Now M7 - Safeguarding areas for soft sand and limestone to be M3 areas and fuller's earth area defined as Baulking – Fernham. No ironstone area to be safeguarded. Minerals Consultation Areas to be drawn up and updated in the AMR when necessary.	Now M8.
M7	Mineral workings to be restored in high quality timely manner and to appropriate after-use in	Now M8 - After-use should aim for net gain in biodiversity and should take into account bird	Now M10 – Restoration must not lead to any likely increase in recreational pressure on a SAC.

	accordance with site allocations strategy. Permission not to be granted without satisfactory restoration proposals. Extended management period beyond aftercare sought. Restoration should be to agriculture where best and most versatile land. Provision for increased flood storage when in floodplain. Biodiversity, geodiversity and/or local amenity uses to be incorporated as appropriate.	strike risk and aviation safety. Need to restore best and most versatile land to agriculture removed.	
M9	-	-	Safeguarding of existing infrastructure supporting supply of minerals in Oxfordshire.
W1	Provision to be made for Oxfordshire to be self-sufficient and to provide for facilities to manage 370,000 tpa of MSW, 640 tpa of C&I waste and 1.3 mtpa of CDE waste,	Net self-sufficiency also for agricultural waste. Hazardous, radioactive and water/sewage waste provision in accordance with other policies. No specification of volumes to be managed – to be in AMR.	Net self-sufficiency provision for agricultural waste removed. Volumes to be managed in Waste Needs Assessment or AMR.
W2	Provision to be made for declining amount of residual non-hazardous waste from London and elsewhere outside Oxfordshire at landfill sites. New facilities for treatment of residual non-hazardous waste from outside Oxfordshire not to be permitted unless no prospect of a site nearer to the source	Provision also to be made for disposal of inert waste from elsewhere. Facilities for recovery of waste from outside Oxfordshire need to show that they make reasonable contribution to Oxfordshire needs.	No policy - though see policy W6 below for landfill provision.
W3	Provision to be made for waste to be managed in accordance with targets to allow maximum diversion of waste from landfill.	CDE waste recycling targets increased from 60% at 2025 and 2030 to 65% and 70%. Proposals required to demonstrate that waste cannot be managed higher up the waste hierarchy.	Now W2 – Plan period changed from 2030 to 2031 and base year from 2010 to 2012. MSW food treatment/composting targets reduced from 28%-32% and dry recycling increased to

			33% between 2012 and 2020. CDE waste recycling targets reduced to 60% at 2026 and 2031.
W4	Provision to be made for additional waste management capacity according to guideline figures.	Provision for additional facilities to take account of the capacity required to be in the AMR. No figures given in the plan. Recovery facilities encouraged and capacity for residual waste treatment only permitted if not impeding achievement of other waste targets.	Now W3 – Provision to be made in line with W1, W2, W4, W5 and W6.
W5	Strategic facilities to be located in a broad area around Bicester, Oxford, Abingdon and Didcot as identified on key diagram (elliptical shape). Facilities to serve more local needs well related to Witney/ Carterton, Wantage/ Grove and Banbury and small scale facilities elsewhere. Recovery facilities encouraged and particular provision for: MSW recycling centre at Banbury; MSW transfer stations in south and west of the county; C&I and CDE recycling plants. Additional residual treatment plants only permitted if need shown.	Facilities to serve more local needs now defined as non-strategic. Particular provision element of policy removed. Residual waste treatment policy now in W4.	Now W4 – Strategic facilities to be located in newly defined areas on Key Waste Diagram at or close to Bicester, Oxford, Abingdon and Didcot. Carterton removed as location for non-strategic facilities. Specific sites to meet W3 to be allocated in Part 2 Plan following assessment against W5.
W6	Priority to be given to siting facilities on land already in permanent waste management of industrial use; previously developed, derelict or underused; existing agricultural buildings and curtilages; waste water treatment works.	Active mineral working added to priority land uses. Reference to AONBs removed.	Now W5 – Active landfill site added to priority land uses. Compliance with policy M10 for restoration of temporary facilities. Facilities not permitted on greenfield land unless most suitable and sustainable location. Waste development not

	Facilities not permitted on greenfield land unless overriding need. Facilities may be permitted in Green Belt with very special circumstances which may include serving need in Oxford and no reasonable alternative elsewhere. Only small scale facilities permitted in AONBs.		permitted in Green Belt unless very special circumstances apply.
W7	Priority to be given to inert waste that cannot be recycled as infill at active and unrestored quarries. Disposal of inert waste not permitted elsewhere unless overall environmental benefit. New non-hazardous landfill sites not permitted with existing capacity husbanded and lifetime extended where necessary.		Now W8 – Provision to be made for disposal of non-hazardous waste from Oxfordshire and elsewhere (Including London and Berkshire) at existing landfill sites. Landfill gas and leachate management facilities permitted where required and environmental benefit.

5.9 Nowhere does the SA report of either the 2014 Consultation Draft Plan, or the 2015 Part 1 Submission Plan, or now the SA Addendum, explain how these differences were derived, no alternatives were identified and no reasons given for the selection of the options to be taken forward. There has therefore been a fundamental failure to comply with the SA process for the current plan.

Chapter 3: Pre-Examination Hearing Questions

5.10 Table 1 at chapter 3 of the SA Addendum summarises the queries raised by the inspector appointed to examine the plan and provides a response/clarification.

5.11 The inspector's queries are identified as follows:

1. The spatial strategies for minerals and waste as identified on the Key Diagrams differ between the withdrawn Core Strategy (March 2012) and the Submission Core Strategy however there is no analysis in the sustainability reports to explain what reasonable alternatives were considered and why the strategies being pursued were selected.
2. Document 2.2 Section 5.6/Table 5-1 suggests that options for the different mineral types were on the basis of different apportionments, not different spatial strategies.
3. What is set out in the plan did not begin to emerge until the final options addendum. This was when the reduced working in West Oxfordshire was first

considered as a response to consultation. It is not clear which of the three options (1a, 1b and 1c) was chosen and it is not clear what option 1a is. It is also not clear whether what is in the Plan is any of these in any event since the names given to what are now strategic resource areas are different to those used in the March 2012 addendum.

4. For waste there does not appear to have been different spatial strategies for all the principal waste streams.

5.12 The responses given in the SA Addendum can be summarised as follows:

1. The alternatives considered for the minerals and the waste spatial strategies are broadly in line with the previous stages, and that the SA has assessed the strategies at each stage;
2. Whilst it was not made clear in the relevant section/table the assessment at that stage in the planning process also considered the broad areas for sand and gravel along with three spatial options
3. It is not the case that the strategy did not begin to emerge until the final options addendum; the process developed from 2007 to 2015 as summarised in the Development of the Minerals Spatial Strategy topic paper and the sheets at Appendix 2 to the SA Addendum.
4. Section 5.7 and Section C.6 of Appendix C of the SA Report summarise the August 2011 SA Report that considered spatial strategy options for all the key waste streams.

5.13 In the first instance these responses in the SA Addendum to the inspector's queries do not answer the question as to what reasonable alternatives were considered. Assessing strategies in isolation does not satisfy the SA requirements that meaningful comparisons of reasonable alternatives are made, to ensure that the preferred approach is the most appropriate.

5.14 Secondly, it is not the case that the currently proposed waste spatial strategy is broadly the same as in previous stages. As set out at paragraphs 6.20 – 6.31 below, it has changed quite significantly from its first iteration in 2010 to now. There has, however, been no evaluation of the different approaches in comparison to each other to determine which of them is the most sustainable option. In addition there has been no consideration of alternative options, such as the examples identified at paragraph 6.60 below.

Chapter 4: Consideration of Alternatives

5.15 This chapter is introduced in the first paragraph with a quote from Government guidance of the SA process of Local Plans, which confirms that the SA report must outline the reasons for selecting alternatives, rejecting options and selecting the preferred approach in light of the alternatives. The next sentence in the same paragraph (NPPG ID: 11-018-20140306) is not quoted, and states that (the SA) should provide conclusions on the overall sustainability of the different alternatives,

including those selected as the preferred approach in the Local Plan. This has simply not been done in the SA report.

5.16 Moreover, it is the case that reasonable alternative options need to be considered for all aspects of the plan. The NPPG makes clear (ID: 11-018-20140306): "Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in its plan. They must be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made. The alternatives must be realistic and deliverable."

5.17 Section 4.2 of the SA Addendum explains that the individual policies of the 2015 Part 1 Submission Plan are summarised in Table 2, "along with, where applicable, a summary of the options that were considered and the reasons for selecting the policy over the alternatives that were considered." The emphasis to "where applicable" has been added to this statement, because there should not be any reason to have this proviso, because reasonable alternatives must be considered for all policies, yet this has clearly not been done.

5.18 Furthermore, whilst in those circumstances where there are different options identified against a policy in Table 2 only the reasons for selecting the final policy are given, not any reasons for rejecting the alternatives, and there are no conclusions on the overall sustainability of the different alternatives, as required by the NPPG (ID" 11-018-20140306). Appendix 3 of the SA Addendum, which only refers to options considered up until 2012, also does not give clear reasons for rejecting alternatives (where they are considered) and provides no conclusions on the overall sustainability of the different alternatives.

5.19 There is a further Appendix 2 to the SA Addendum, which provides Spatial Strategy Sheets, which are said to describe the development of the minerals and waste spatial strategies. On closer inspection of these sheets, it is apparent that for the minerals strategy they broadly indicate the evolution of the strategies up until 2012, but there is no onwards flow from 2012 to 2014 and then 2015, with quite different scenarios presented and no evidence of any comparison of the new preferred approach with the alternatives previously being pursued, or any reasons given as to why they were no longer being pursued. In addition it is noted that the commentary to the sand and gravel strategy for the February 2014 Consultation Draft refers to some effects being more appropriately considered at the site allocations stage, yet that at that point in time there was not to be a site allocations plan.

5.20 With regard to the waste spatial strategy, it can be seen that Option A for recycling C&I waste was not selected in 2011 to go forward to the Waste Planning Consultation Draft of September 2011, yet it became part of the preferred strategy in the 2012 Proposed Submission Plan. No reasons are given for this change in approach, or for the subsequent additional changes, and no analysis on a comparable basis of the new preferred option with the previous one, or any

reasons given as to why it was no longer being pursued. The strategy is purely assessed in isolation with no consideration of other options at all.

5.21 Turning now to the content of Table 2, comments on a few of the entries are made by way of example below, which go to demonstrate that the SA Addendum does not correct the defects previously raised in respect of the SA Report.

Policy M1:
It is said that two options for the target for the provision of recycled and secondary aggregates were considered. However, there is no explanation of what these targets are or where the comparative analysis of them can be found. In addition the originally preferred option of a target has now been dropped in favour of the option of no target at all. The reasons for this approach is that it helps maximise the contribution of recycled and secondary aggregates to demand for aggregate mineral in Oxfordshire. However, if there had been a proper analysis of the previous option with the current one it would have revealed that this is not the case; the previous target would have done much more to maximise the contribution from this source of aggregate and would have been the more sustainable option. This is because recycling of CDE waste is the principal means by which alternative aggregates will be sourced and, on the basis of the planned volumes of arisings and recycling targets of this waste, the Plan only provides for at very best case scenario 735,000 tpa of recycled and secondary aggregate, which is significantly lower than the previously preferred provision level of a minimum of 900,000 tpa (see Section 2.3 of the representations reference 115 on the 2015 Part 1 Submission Plan).

Policy W3:
No reasonable alternatives for MSW and C&I waste recycling targets are identified. In respect of CDE waste there is commentary about changing from one target to another, but there is no explanation as to what these were, why they were selected, how the different options were assessed and compared in the same level of detail as the alternative chosen to take forward, or why the option chosen to go forward was selected and/or the other option was rejected in terms of the likely significant effects on the environment.

Policy W4:
It is simply said that various spatial options were considered, but it does not outline what they were, why they were selected, how the different options were assessed and compared in the same level of detail as the alternative chosen to take forward, or why the other options were rejected. The reasons given for selection of the final policy are that the broad areas are well located in proximity to the main sources of waste and transport routes, avoiding constraints, and provide flexibility for sufficient suitable sites to meet the requirements. As has been identified at Sections 4.0 of this response above, the Council's evidence base show, however, that the strategy will not meet the requirements.

5.22 Even where it is a case in Table 2 of the SA Addendum that alternatives have been selected, there has been no explanation of the reasons for selecting them as required by Annex I (h) of the Directive. It was confirmed in the Heard v. Broadland District Council, South Norfolk District Council, Norwich City Council [2012] EWHC 344 (admin) case, that without explanation of the reasons for selecting the alternatives dealt with, it was difficult to see whether or not the choice of alternatives was deficient (paragraphs 61 and 66) and that an outline of the reasons for the selection of the options to be taken forward for assessment at each of the stages is required (paragraph 67).

5.23 At page 12 of the SA Addendum it is concluded that there has been extensive and detailed consideration of options throughout the development of the Minerals and Waste Local Plan Core Strategy. There is no dispute that consideration of different options were carried out up until 2012, (though it is not agreed that this was thorough and complied to the full extent with the requirements of the SEA Directive or national planning policy guidance for the reasons given above). Nevertheless what happened after that date when the 2012 Proposed Submission Plan was withdrawn, was that a new Plan was set in preparation and there is no evidence either within the SA Report of the 2014 Consultation Draft Plan or the 2015 Part 1 Submission Plan that there was compliance with the fundamental requirements of the SEA Directive that:

"Where an environmental assessment is required under Article 3(1), an environmental report shall be prepared in which the likely significant effects on the environment of implementing the plan or programme, and reasonable alternatives taking into account the objectives and geographical scope of the plan or programme, are identified, described and evaluated."

There is no account of the alternatives considered and the reasons for selecting/rejecting any alternatives and no conclusions on the overall sustainability of different alternatives identified, described or evaluated in the SA reports relating to the new Plan, and this failure to comply with the requirements of the Directive is not now corrected by the SA Addendum.

5.24 The SA Addendum does not provide any additional evidence to enable any alternative conclusion to be drawn to that made in the representations reference 115 of 30 September 2015 on the SA report of August 2015. It remains the case that the requirements of the SA process have not been met in the plan-making process of the Oxfordshire Minerals and Waste Local Plan and the 2015 Part 1 Submission Plan is not legally compliant. In addition the Plan is not sound, because it cannot be said that it is the most appropriate strategy when considered against the alternatives based on proportionate evidence.

5.25 The SA of the 2015 Part 1 Submission Plan is not adequate for the requirements of the SEA Directive/Regulations, and therefore to adopt the Plan with the SA in its current form would be unsound and unlawful.

6.0 DEVELOPMENT OF THE WASTE SPATIAL STRATEGY TOPIC PAPER APRIL 2016

Chapter 1: The Introduction

6.1 At the start of the paper the introduction confirms (paragraph 1.2) that the (existing) waste spatial strategy is provided in policies W3, W4 and W5 and illustrated in a Key Diagram in the Core Strategy. It is noted that this is the first version of the Waste Spatial Strategy Topic Paper[4]; that there has been no topic paper evolving over the course of the Plan preparation, to record and keep track with how the waste spatial strategy has developed.

Chapter 2: Policy Background

6.2 The next section, Policy Background, then purports (paragraph 2.1) to set out the national and other policy relevant to the waste spatial strategy. Unfortunately, however, there are a number of significant inaccuracies and omissions in the policy account that then ensues. It is not proposed to detail all of the errors in reporting the policy background, but the key matters are identified below.

NPPF:

6.3 The core planning principles (paragraph 17) of the National Planning Policy Framework (NPPF) are summarised at paragraph 2.4. There are a number of errors in the way the principles have been summarised.

- 1st principle: This is identified as planning to "be led by up to date development plans". However, this is far too much of a short hand for this principle, which is actually about planning being genuinely led by plans, not just that are up-to-date, but that also provide a practical framework within which planning decisions can be made with a high degree of predictability (emphasis added).
- 3rd principle: The summary fails to point out the NPPF requirement that every effort should be made to objectively identify and then meet the housing, business and other development needs of an area (emphasis added).

6.4 Paragraph 2.5 of the topic paper provides a summary of paragraph 157 of the NPPF. At the outset it needs to be said that this paragraph refers to what a Local Plan should do, not as stated in the topic paper "A planning strategy". This difference is important, because in this case the Plan is being produced in two parts, so some of the items listed in paragraph 157 of the NPPF may only be relevant or necessary at the Part 2 Plan stage rather than the Part 1 Plan.

6.5 There is then only one further reference from the NPPF, relating to paragraph 173 and the need for plans to be viable and deliverable.

[4] Last sentence of box titled General Background to Topic Papers on page 1

6.6 However, there are other key aspects of the NPPF that are very relevant to the development of the waste spatial strategy, and should have been referred to. These include:

- Paragraph 154: Local Plans should be aspirational but realistic. They should address the implications of economic, social and environmental change. Local Plans should set out the opportunities for development and clear policies on what will or will not be permitted and where. Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan (emphasis added).
- Paragraph 158: Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.
- Paragraph 180: In two tier areas, county and district authorities should cooperate with each other on relevant issues.

NPPW:

6.7 The policy background section then deals with the National Planning Policy for Waste (NPPW) from paragraphs 2.7 – 2.10. As with the NPPF there is a key aspect of this policy that is not referred to and should be, as follows:

- 1st bullet point of paragraph 2: ensure that the planned provision of new capacity and its spatial distribution is based on robust analysis of best available data and information, and an appraisal of options.

6.8 Furthermore there is inaccurate reporting (at paragraph 2.8 of the topic paper) of the bullet points at paragraph 4 of the NPPW, as follows:

- The way that the 1st bullet point is summarised does not make it clear that this is a requirement in relation to allocated sites or areas only.
- The summary of the 2nd bullet point does not include the important reference that this relates to disposal of waste and recovery of mixed municipal waste only. This is an important distinction to make, because the "proximity principle" in the Waste (England and Wales) Regulations 2011 relates only to disposal of waste and recovery of local authority collected waste, not to other methods of waste management or types of waste. However, of course the desire (and policy objective) to manage all wastes as near to their arising as possible is still enshrined in the NPPW's ambition that planning provides "a framework in which communities are engaged with and take more responsibility for their own waste" (3rd bullet point of paragraph 1), and in ensuring developments that generate significant movement are located where the need to travel will be minimised (paragraph 34 of the NPPF).
- The summary of the 4th bullet point fails to make reference to the foremost issue that a range of broad locations including industrial sites should be considered – as well as looking for opportunities to co-locate waste management facilities together and with complementary activities (emphasis added).

NPPG:

6.9 Turning to the references to the National Planning Practice Guidance (NPPG) from paragraphs 2.11 – 2.17 of the topic paper, there is similar misrepresentation.

6.10 At paragraph 2.12, as with the summary of the 2nd bullet point of paragraph 4 of the NPPW, there is reference to the 'proximity principle' and the fact that it does not require using the absolute closest facility to the exclusion of all other considerations, but no explanation that this only relates to disposal of waste and recovery of local authority collected waste. The NPPG paragraphs to which reference is made (ID 28-006-2014106 and 007) advise on the role of waste planning in meeting European obligations, (not preparing local plans) and cross-refer to the 2011 Regulations where the circumstances of the proximity principle are set out. The account in the topic paper should make this clear, rather than implying as it does that the guidance relates to all waste.

6.11 At paragraph 2.13 the account of the NPPG continues with consideration of the paragraphs of the Waste Section that deal with preparing local plans. The fact that authorities are expected to work collaboratively under the duty to cooperate is mentioned, but it is implied that this is only necessary where is it not possible to identify sufficient (site) opportunities. The NPPG, however, makes the clear statement (ID 28-016-020141016): "Integrated working between county and district planning authorities is critical to the preparation of Local Plans, and that while the duty to cooperate is not a duty to agree, waste planning authorities should make every effort to secure the necessary cooperation on waste matters." The NPPG then continues (ID 28-017-020141016) to say that the "duty to cooperate will be particularly important where waste planning authorities are unable to identify sufficient, suitable, opportunities for waste management facilities – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies in the National Planning Policy Framework, including the special protection given to the Green Belt." It is apparent from the wording of the guidance that this is not the only time collaborative working is required, though it would be an important aspect of it. The NPPG also adds: "Effective cooperation will also be important in ensuring the planned provision of new capacity and its spatial distribution is based on robust analysis of waste management needs including for specific waste streams." – a matter not recounted in the topic paper.

6.12 Paragraph 2.16 of the topic paper relates to paragraphs ID 28-038-, -039- and 040-201241016 of the NPPG and provides a confused and misleading account of the actual guidance set out here. They are all under the overall heading "Identifying suitable sites and areas" and govern in the most part the requirements for allocating specific sites, so are not directly relevant to this Plan, which does not contain site allocations.

6.13 The first NPPG paragraph of the group, 038, is headed "What flexibility should waste planning authorities plan for when allocating sites?" (emphasis added), and

is the last one to be referred to (not the first) at paragraph 2.16 of the topic paper. Even so much of its content that could be pertinent to the spatial strategy in order to ensure that the Part 2 Plan would be deliverable is not quoted. For example, the fact that the guidance advises against rigidly capping development proposals at the level that may be put forward through the Local Plan and that the waste planning authority should also consider timing, marketability to the waste management industry, and deliverability issues, are not reported in the topic paper.

6.14 The next NPPG paragraph 039, is headed "What information on the location of waste management facilities should be included in Local Plans?" and the text explains that Local Plans should include clearly defined locations and/or areas of search, to be clearly identified on an Adopted Policies Map, and that such measures should meet European reporting requirements for waste management plans to show existing and proposed waste management sites on a geographical map, and/or include sufficiently precise locational criteria for identifying such sites. In the circumstances where the plan in question is not to contain site allocations and does not propose an adopted policies map, as is the case here, this guidance can only apply at this stage to existing sites, with proposed sites and their mapping being reserved for the Part 2 site allocations stage.

6.15 The final NPPG paragraph of the group, 040, is headed (and is concerned with) "When is it acceptable for waste planning authorities to identify areas rather than specific sites?" (emphasis added). This is not a case where the waste planning authority is identifying areas instead of specific sites. The 2015 Part 1 Submission Plan makes clear (at paragraph 1.4) that the Part 2 Plan will allocate specific sites. Notwithstanding that the advice relates to the sites allocations stage, the topic paper also does not properly convey the intention of the guidance. The topic paper at paragraph 2.16 recites the NPPG guidance as: "Identifying areas (as opposed to sites) may be preferable in some cases". However, what it actually says is "There may be occasions when a waste planning authority will wish to identify particular areas as suitable for waste management to provide for more flexibility for the market." The example is then given of particular industrial estates where the waste planning authority is satisfied that any of a number of individual sites would be suitable for waste management. In other words it is about the circumstance of there being a distinct area with more than one site that would be suitable, where the authority could consider identifying the whole area rather than just one site within it.

6.16 Finally, the topic paper makes reference at paragraph 2.17 to the NPPG guidance (at ID 28-41-20141016) relating to the issue of giving priority to the use of suitable brownfield sites and helpfully confirms that greenfield allocations need not be entirely ruled out. Unfortunately, however, the statement at the beginning of paragraph 2.17 of the topic paper that this gives "guidance on the NPPF requirement that priority is given to the development of previously developed land" is a misinterpretation of NPPF policy. The NPPF policy in relation to previously developed land is at paragraph 111 (and the 8th bullet point of paragraph 17),

which states: “Planning polices and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land)”. This does not specify that brownfield land must always be used, or as a priority, for proposed development, but rather that land in general is used effectively by re-using land previously developed. This must presuppose firstly that there is sufficient brownfield land available and then that the proposed use is the most effective use for it. As stated at this paragraph, 041, of the NPPG on Waste not all brownfield sites will be suitable for the range of waste management facilities required to support the Local Plan - a matter not repeated in the topic paper.

6.17 It also could not be that the reference at paragraph 2.17 of the topic paper was intended to be to the NPPW, rather than the NPPF, because the NPPW requires priority to be given not just to the re-use of previously developed land, but also to sites identified for employment uses - which could be greenfield, and redundant agricultural and forestry building and their curtilages, which are greenfield. In other words there is no priority in the NPPW to the use of brownfield land only, and so it is incorrect for the topic paper to be implying that there is a requirement in National planning guidance to give priority to the development of previously developed land only. What National planning policy actually does is to encourage the effective use of land and recognises that a range of different types of sites will be necessary depending on the nature of the proposed development.

6.18 Consequently it is not very surprising that the strategy is all awry, because the Council have not understood or reported the policy background properly.

Chapter 3: Development of the Waste Spatial Strategy

6.19 It is said at paragraph 3.1 of the topic paper that much of the work took place in the period leading up to the (now withdrawn) Minerals and Waste Core Strategy in October 2012 and laid the foundation for the refinement of the spatial strategy in the current plan.

Events of 2010- 2011

6.20 It is apparent from paragraph 3.31 that the first iteration of the spatial strategy to be considered by the Minerals Waste Plan Working Group was in March 2010 and comprised identifying areas around the larger towns of Oxford, Banbury, Bicester, Witney, Abingdon, Didcot and Wantage/Grove, and also around the smaller towns of Chipping Norton, Carterton, Thame, Faringdon, Wallingford and Henley. A distance of 5 km to the larger towns and 2km to the smaller towns was chosen, which as the footnote to this paragraph makes clear was based on discussions with OCC Highways and Transport Officers, and was initially measured from the edge of the built up area and then later refined to distance from the town centre. The diagram at Figure 3 of the topic paper (page 26) appears to demarcate these differences within the overall shaded areas to the towns.

6.21 The Minerals Waste Plan Working Group then considered a revised strategy on 9 May 2011 (see paragraphs 3.38 and 3.39 of the topic paper). This strategy essentially provided for specific types of facilities at the towns previously identified, but with no provision for recycling of MSW/C&I waste at Oxford, Witney, Carterton, Wantage/Grove or Wallingford. It was at this point that the first version of current policy W5 (then W6) providing criteria for the siting of waste management facilities was also introduced. The spatial strategy had been selected as a result of considering a number of options, which had been compared and scored in terms of their compatibility with the Plan objectives (see Appendix 6 of the topic paper). Paragraph 3.38 of the topic paper clarifies that the options continued to be focussed on locating facilities within 5km of the larger towns and 2km of the smaller towns. The proposed strategy was endorsed by the Working Group and recommended for presentation to Cabinet.

6.22 An excerpt from the report to Cabinet of May 2011 titled "Preferred Waste Planning Strategy" is at Appendix 7 of the topic paper. This report states under the heading "How we Propose to Provide for Waste Management in Oxfordshire" (page 91 of the report) that:

- "the overall emphasis is to provide for the potential provision of a range of additional waste management facilities well related to existing facilities and within or close to the large and small towns in Oxfordshire." (paragraph 80); and
- "assessment of the options, including sustainability appraisal and strategic environmental assessment has not yet been carried out, and where a view is given on preferred strategy this is an initial view only." (paragraph 81).

The report also states under the heading "Proposed Waste Planning Policies" (page 97 of the report) that:

- "Broad locations that are suitable for strategic waste facilities are identified in the key diagram (to be prepared). Waste management facilities will be permitted on suitable sites within these broad locations." (paragraph 104).

6.23 Cabinet approved the strategy on this basis, and the form it took is as identified in the September 2011 Consultation Draft Plan (see paragraph 3.41 and Figure 6, page 31, of the topic paper).

Consultation Draft 2011

6.24 The consultation draft strategy was discussed at a Minerals and Waste Stakeholder Forum in September 2011 and the results of the Forum discussion reported to the Minerals and Waste Plan Working Group on 21 December 2011. Paragraphs 3.46 and 3.47 of the topic paper state that the following issues were raised:

- Concern at the presumption for only one facility to be developed in each town as this could be anti-competitive;
- Questioning of the need for a second residual waste treatment plant;

- Questioning of the number of options chosen and how this had lead to the strategy;
- Greater need for facilities in Oxford;
- Facilities in Oxford should be avoided;
- Strategy lacked detail;
- Strategy was too prescriptive and provided little flexibility; and
- Confusion as to the inclusion of small towns in the spatial strategy.

6.25 With regard to the latter point of the small towns, the topic paper also says (end of paragraph 3.47) that "most commenting thought that they should not feature". However, the report of the Minerals and Waste Stakeholder Forum, which summarises the discussion that took place, (see **Appendix 5** of this response) makes no mention of this issue whatsoever. On the contrary it identifies a concern that other areas had not been identified, such as former defence land proposed to be developed in Cherwell (Upper Heyford). In light of the matters that were discussed at the Minerals and Waste Stakeholder Forum in September 2011, which do not include any reference to or confusion about the inclusion of the smaller towns in the proposed strategy, the members of the Minerals and Waste Plan Working Group on 21 December 2011 were misled in being advised that the response to consultation at the Forum was that smaller towns should not feature in the spatial strategy, as that is not the case.

Proposed Submission 2012

6.26 Paragraph 3.48 of the topic paper then states that the Minerals and Waste Plan Working Group met in February 2012 to discuss the comments that had been made, and it was felt necessary to differentiate between locations for larger strategic facilities and smaller facilities, focussing strategic facilities close to the growth towns with non-strategic on the other main towns, and much smaller facilities in more rural areas. This was the first point at which the demarcation of sizes of facilities was introduced, defining strategic as having a capacity in excess of 50,000 tpa. As identified at paragraph 3.49 of the topic paper this was then the strategy agreed by Cabinet in March 2012 to be taken forward in the 2012 Proposed Submission Plan.

6.27 The revised spatial strategy was shown on the Key Waste Diagram, also reproduced as Figure 7 on page 34 of the topic paper. It identified a long curving shaped area stretching from Didcot in the south to Bicester in the north encompassing Abingdon and Oxford for strategic facilities. The diagram also defined areas around Banbury, Witney, Carterton and Wantage/Grove for the location of non-strategic facilities. The identification of the other smaller towns as locations for waste management provision had been removed.

6.28 As reported at paragraph 3.55 of the topic paper there were a number of objections to the selected spatial strategy. The key point was that the areas were too narrowly drawn or not needed. This representation was a continuation of the

concern that had been raised at the Minerals and Waste Stakeholder Forum September in 2011 that the strategy was inflexible, which had also been reported to Cabinet in March 2012 (see paragraph 24 of Appendix 8 to the topic paper), but was not acted upon, as the strategy was made more inflexible by removing the options of the smaller towns.

6.29 An additional point made as identified at paragraph 3.56 of the topic paper, was that it was difficult to judge the appropriateness of the strategy not knowing how many facilities of what size were required and with the Core Strategy leaving site identification for a later stage.

Consultation Draft 2014

6.30 Following the withdrawal of the 2012 Proposed Submission Plan in 2013 a new Consultation Draft Plan was published in February 2014 with the same spatial strategy – the only exception being changes to the wording of policy W5 to remove reference to specific types of facilities. It needs to be noted that at this point in time there was no intention to allocate any sites at a later stage.

Submission Plan 2015

6.31 As identified at paragraph 3.66 of the topic paper, similar comment was made to the Draft Plan as had been made on the 2012 Proposed Submission Plan. In other words representations were still being made that the strategy was inflexible, too narrowly drawn or not needed. Nevertheless the Council's response has been, as now further developed in the 2015 Part 1 Submission Plan to restrict the spatial strategy still further, by removing Carterton as an identified area and to draw the area relating to Oxford even more tightly.

6.32 The Council's justification of the current approach to the spatial strategy is set out at paragraphs 3.72 to 3.83 of the topic paper, within which there are a number of assumptions and statements that need to be challenged.

Issue 1: 20,000 tpa as Suitable Size of Facilities in Rural Areas

6.33 Paragraph 3.72 of the topic paper says that the throughputs that apply to strategic, non-strategic and small scale facilities have been informed by analysis of the county's existing waste management facilities, and that Appendix 11 to the topic paper provides details of the various recycling, recovery and treatment facilities for the main waste streams. It is then said that nearly 52% of the facilities in the rural areas have a capacity throughput of less than 20,000 tpa and this appears to be a suitable threshold for a 'small scale' facility.

6.34 In the first instance this is a meaningless exercise, because the question of scale is not limited to capacity, but relates to a number of factors including the type of waste managed, the size of site required (which may vary significantly for sites of

the same throughput but handling different waste types), the nature of the operations carried out and the degree of impact they cause.

6.35 Nevertheless, in considering the information provided in the table at Appendix 11 it is apparent that there is a fundamental and significant error in the analysis. This is that sites, which are in the Green Belt, have been identified as being within the strategic areas identified under policy W4 (and not rural areas). However, this cannot be the case, as the Green Belt is not included in the locations identified on the Key Waste Diagram. Paragraphs 3.76 and 3.80 of the topic paper make very clear that whilst previously the strategic area washed over the Green Belt the reverse is now the case; that the Council believes that it would be inappropriate for any Green Belt land to be identified as appropriate for any form of waste development; and that the areas must be drawn in a way that excludes Green Belt land. Therefore the information in the table at Appendix 11 needs to be corrected to exclude these sites from the broad areas[5] identified under policy W4, and include them as part of the rural areas calculation.

6.36 There are also other matters in relation to the analysis, which demonstrate that it has not been done in a robust manner. Paragraph 3.72 of the topic paper says that the main waste streams have been considered. This is an important factor, because it is only the principal waste streams that are to be provided for under the spatial strategy, which is provided in polices W3, W4 and W5 – see paragraph 1.2 of the topic paper. Policy W3 clarifies that the principal waste streams are identified in policy W1, where they are given as: municipal solid waste (MSW), commercial and industrial (C&I) waste and construction, demolition and excavation (CDE) waste. Policy W1 also makes clear that provision of facilities for hazardous waste, agricultural waste, radioactive waste and waste water/sewage sludge will be made in accordance with policies W7, W8, W9 and W10. However, it is evident from the table at Appendix 11 of the topic paper that these other waste streams have been included in the assessment, when they should not have been. The analysis therefore also needs to be corrected to exclude sites that do not manage the principal waste streams.

6.37 In addition, scrap yards have been included in the analysis. It is accepted that metal would be within the C&I waste stream, but these are specialist facilities handling end of life vehicles and other metals that on the whole have already been collected and transferred by other waste recovery facilities. They are not representative of the type of facilities that the waste spatial strategy is seeking to provide for. They also tend to be small scale – of the 21 in the list in the table at Appendix 11 of the topic paper, 18 (or 86%) fall within the <20,000 tpa and 10 of them (or 48%) have very small capacities of 1,000 tpa or less. As a consequence their inclusion in the analysis is likely to exaggerate the number of smaller facilities.

[5] The heading to the final column to the table at Appendix 11 of the topic paper also seems to apply only to consideration of whether the sites fall within a strategic area, but from consideration of the entries it is apparent that the question actually relates to all the Key Waste Diagram areas.

6.38 The exercise has been re-done below correcting the errors relating to Green Belt site and the principal waste streams but retaining the scrapyards in the interests of consistency with the Council's approach, and a revised list of sites is provided at **Appendix 6** to this response. As a result Table 11 of the topic paper should in fact be as Table 6.1 below.

Table 6.1: Revised Table 11 of the Waste Spatial Strategy Topic Paper – Rural Areas

	Facility Capacity (tonnes per annum)					
	<10,000	<20,000	<30,000	<40,000	<50,000	Total
No.	23	27	37	45	51	58
%	40%	47%	64%	78%	88%	

6.39 This shows that actually 47% of facilities in rural areas have a capacity of less than 20,000 tpa, or that 53% have a capacity greater than 20,000 tpa. Therefore it is not the case that 20,000 tpa is a suitable threshold for a 'small scale' facility, even on the Council's own conclusions that capacity (alone) is the measure for determining what a small scale facility is.

6.40 A further revision of Table 11 below provides the break down of existing facilities excluding the scrap yards to remove the distortion that they introduce, as shown in Table 6.2 below.

Table 6.2: Revised Table 11 of the Waste Spatial Strategy Topic Paper excluding scrapyards – Rural Areas

	Facility Capacity (tonnes per annum)					
	<10,000	<20,000	<30,000	<40,000	<50,000	Total
No.	15	18	27	34	40	47
%	32%	38%	57%	72%	85%	

6.41 This table now shows that only 38% of facilities in rural areas have a capacity of less than 20,000 tpa, or that 62% have a capacity greater than 20,000 tpa, and reinforces the point that the capacity of waste sites in rural areas is not a good measure for determining what a small scale facility is.

6.42 Furthermore, although the exercise is said to show what appears to be a "suitable threshold for a 'small scale' facility" (end of paragraph 3.72 of the topic paper), it does not do this. All it does is provide an indication of the distribution of size of facilities in the rural areas, and that roughly half of them are less then 20,000 tpa in size.

6.43 If the same exercise is done for the non-rural areas this shows, as provided in Table 6.3 (excluding scrapyards for the distortion they introduce) below, that in urban areas an even higher percentage of the waste facilities at 63% have a

capacity of 20,000 tpa or less and only 39% have a capacity of more than 20,000 tpa. The predominance for small-scale facilities is therefore not exclusive to rural areas.

Table 6.3: Breakdown of Waste Management Facilities (excluding scrapyards) in the Key Waste Diagram (Non-Rural) Areas by Size

	Facility Capacity (tonnes per annum)					
	<10,000	<20,000	<30,000	<40,000	<50,000	Total
No.	7	13	13	13	15	21
%	33%	61%	62%	62%	71%	

6.44 A final analysis to confirm the point that the size of facilities is not a function of whether they are in a rural area or not and that roughly half of waste management facilities in Oxfordshire have a capacity of more than 20,000 tpa regardless of location is shown in Table 6.4 and Table 6.5 below. Table 6.4 includes all waste management facilities at any location and Table 6.5 does the same exercise excluding scrapyards.

Table 6.4: Breakdown of All Waste Management Facilities in Any Location by Size

	Facility Capacity (tonnes per annum)					
	<10,000	<20,000	<30,000	<40,000	<50,000	Total
No.	37	49	60	68	76	89
%	42%	55%	67%	76%	85%	

Table 6.5: Breakdown of Waste Management Facilities Excluding Scrapyards in Any Location by Size

	Facility Capacity (tonnes per annum)					
	<10,000	<20,000	<30,000	<40,000	<50,000	Total
No.	22	31	40	47	55	68
%	32%	46%	59%	69%	81%	

6.45 The above analysis demonstrates that there should not be a policy cap in this way on the sizes of sites. In addition it is the case that very large facilities will need to be located in rural areas, because suitable land with the appropriate distance to sensitive receptors is not available for them in any urban areas in Oxfordshire. The alterations to the Plan as suggested at paragraph 2.8.48 – 2.8.49 of the representations reference no.: 115 of 30 September 2015 made on the 2015 Part 1 Submission Plan would provide for this to happen whilst maintaining a responsible and sustainable basis to the strategy.

Issue 2: Proportion of County Population in the Key Waste Diagram Areas

6.46 Paragraph 3.75 of the topic paper states that 37% of the county (population) lies within the strategic area and a further 14% in the remaining larger towns. The

inference of this is that the areas identified in the spatial strategy relate to more than half the county's population. However, this analysis fails to recognise that for 23% of this – the Oxford area – no potential sites have been proposed to come forward in the period of over 10 years since the first call for sites. The deliverability of the spatial strategy is therefore dependent on areas with only 28% of the county's population and also dispersed at some distance from the main generator of waste - not only in terms of population, but also as by far the major economic and cultural focus of the county.

6.47 This means that the strategy would not assist the re-balancing of the distribution of waste management facilities (paragraph 5.37 of the 2015 Part 1 Submission Plan), or meet the unmet waste management needs of Oxford, and would not help communities take more responsibility for their own waste to minimise the distances waste needs to be moved within the county. The strategy does not therefore comply with paragraph 3.6 c) of the Waste Planning Vision or Waste Planning Objectives iv and v.

Issue 3: Ambiguous Application of Policy W4

6.48 Paragraph 3.81 of the topic paper says that in response to calls for greater flexibility in the definition of the areas, paragraphs 5.33 and 5.34 of the supporting text provide an element of flexibility, confirming that these boundaries are not to be applied rigidly where good access to a large town can be provided via one of the main lorry routes. This paragraph of the topic paper then also goes on to say that the use of zones 5km from the main towns (and 10km from Oxford) derives from the work undertaken by ERM in 2007 and discussion with County Council Transport Planners, plus that the Highways Agency supported a 5km zone in 2010. There are a number of comments that need to be made in respect of these statements.

Comment No. 1:

6.49 It is not at all clear that the explanatory text says or "confirms" that the boundaries are not to be applied too rigidly. At the most it could be interpreted as there may be a case where a site could exceptionally be granted outside the identified areas – where material considerations might indicate otherwise. However, the reader would not ordinarily understand the text to mean that the boundaries, or distances to the towns, were not set, because that would be directly contradictory to the terms of the policy. It should also be noted that the expectations of the Council's members in approving the initial form of the strategy of identifying broad locations on a key diagram (see paragraph 6.22 above) was that this was for the purposes of defining areas <u>within</u> which suitable sites for waste management facilities would be permitted.

6.50 There is established case law that a plain reading of the policy should provide the developer and public with a clear understanding of how the planning authority intend to approach decision making. Cherkley Campaign Ltd v Mole Valley District

Council and Longshot Cherkley Court Ltd [2013] EWHC 2582 (Admin) confirms that the explanatory text is "not in itself a policy or part of a policy, it does not have the force of policy and it cannot trump the policy" (paragraph 16 of the judgment). In addition Tesco Store Ltd v Dundee City Council [2012] UKSC 13 reinforces that the meaning of the development plan is not a matter to be determined by the planning authority and that policy should be interpreted objectively in accordance with the language used (paragraph 18 of the judgement).

6.51 If the Council is intending that the boundaries defined under policy W4 should move about and are not fixed, then this would not be a lawful application of the policy, and would not provide the required practical framework within which planning decisions can be made with a high degree of predictability (1st core planning principle at paragraph 17 of the NPPF). It also begs the question that if the boundaries are not to be applied, what is their purpose and why have them? Given these comments at paragraph 3.81 of the topic paper, there can be absolutely no clarity or certainty as to how they will be applied.

6.52 Just one example of the unpredictability with which this policy is likely to be interpreted is demonstrated by the fact that the entry for the Lakeside Park – Ethos site is identified (correctly) as not within a Key Waste Diagram area in the Table at Appendix 11 to this topic paper, yet the same site (nominated for more waste management activity – Site 103) is identified in Appendix 2 of the Preliminary Assessment of Waste Site Options as having an amber score under location, i.e. potentially compliant with policy W4. (There are other examples of sites that have been assessed in a similar fashion between the two tables).

6.53 Another example, showing how arbitrarily the judgment of what is "good access to a large town …. via one of the main lorry routes" is likely to be made, is given by the scoring that Site 007 Greenhill Farm, Bletchingdon receives in the Council's RAG Assessment at Appendix 2 to the Preliminary Assessment of Waste Site Nominations. The RAG Assessment notes that Site 007 is slightly over 10km from Oxford and just over 1km to the A4095 and therefore scores red against policy W4. The site is in fact only about 40 metres from the A4095. In addition other sites in the RAG Assessment that are at further distances from Oxford (e.g. Site 018 Holloway Farm) or, as already mentioned at paragraph 4.10 above, Site 005 Playhatch and Site 250 Broughton Pogges, which are some considerable distance from the edge of the nearest of the Key Waste Diagram areas, and not close to the Oxford lorry route, have been coded amber. These obviously inconsistent approaches do not give any confidence that policy W4 will provide the practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as required by the NPPF (1st core planning principle paragraph 17).

6.54 Applicants have been having to deal with a position in Oxfordshire for a long time now where they are entirely uncertain about how their proposals will be determined, and are extremely concerned that this position is rectified. It would

seem that the Plan as drafted would, however, sustain this uncertainty of outcome, contrary to the requirement that it should set out the opportunities for development and clear policies on what will or will not be permitted and where; and that only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan (paragraph 154 of the NPPF).

6.55 The explanatory text to policy W4 must therefore be altered so that it is consistent with the terms of policy W4, ideally as per the alterations identified at paragraphs 2.8.48 - 2.8.51 of the representations reference 115 of 30 September 2015 made on the 2015 Part 1 Submission. Alternatively the Council must produce an alternative policy W4 that is less restrictive.

Comment No. 2:

6.56 Contrary to what is stated at paragraph 3.81 of the topic paper, the distances used in the ERM study of 2007 were not 5km from the main towns and 10km from Oxford, but were 10km and 15km respectively. Appendix 5 to the topic paper is an excerpt from the ERM report and the first paragraph confirms that 10km was used to the towns (to avoid excessive journey times) and 15km in the case of Oxford, "because of the city's greater size and because most of the area within 10km of Oxford is Green Belt". In addition ERM were looking for a location for a strategic facility from the wide list identified in the Waste Sites Issues and Options Consultations, which included existing, potential and speculative sites, and land in other uses. Arguably therefore the distances could actually have been drawn more closely as there were more options than just the nominated sites, but ERM must have considered these distances to provide the appropriate flexibility whilst still meeting the need to be close to the main sources of waste arisings.

6.57 There is no issue whatsoever with the Council's intention that the spatial strategy should seek to manage waste close to its source, but the definition of how close this should be must be viable, so that the ambition can be delivered. Para 7.30 of the 2015 Part 1 Submission Plan states that the nominated sites and others have informed the spatial planning strategy, but this is plainly not the case. There is no mention or evidence that can be found in the topic paper of an objective assessment of which of the nominated sites (with a capacity of more than 20,000 tpa), or of other sites (such as those prioritised in policy W5) fall in the areas identified on the Waste Key Diagram to determine whether it is deliverable. The table at Appendix 11 of the topic paper was produced for the purposes of identifying sizes of sites in the rural areas, not for identifying the number and or nature of the potential sites to meet the strategy, and in any event as has been identified above the exercise has not properly recorded the sites' location in accordance with the strategy.

6.58 Of particular concern, and given and the Council's own findings (at paragraph 5.37 of the Plan) "that pressures for other forms of development suggest that Oxford is unlikely to be able to provide the balance of waste management capacity in the

other districts", there has been no objective assessment by the Council of whether nominated or other sites would be available within the extent of a radius of 10km to Oxford excluding the Green Belt.

6.59 As stated at paragraphs 2.8.8, 2.8.14 and 2.8.21 of representations reference 115 of 30 September 2015 made on the 2015 Part 1 Submission Plan and as demonstrated on the map at Appendix 1 to that representation there are no potential sites in Oxford or within the gaps identified in the Green Belt on the Key Waste Diagram. This demonstrates that the prospect of the area identified for delivering sites to meet the waste management needs of Oxford close to the source is extremely remote and therefore the strategy is not viable. Therefore the waste spatial strategy needs to be changed in order that it will be able to deliver the waste management needs of the county.

Issue 4: Lack of Consideration of Alternative Options

6.60 There has been no consideration of alternative options, such as drawing the radius wider to encompass land beyond the Green Belt; not to have any rigidly defined area; or to identify areas beyond the Green Belt that would be suitable where there are nominated sites proposing to serve the Oxford market[6], or other suitable sites according with the priorities of policy W5, and where there would be good access to the main lorry routes. Rather, the strategy has been entirely driven from the start on the basis of arbitrary distances determined by discussions with highways officers, and the measurement changing from the centre of town to from the edge of town without any clear reasoning or justification, and not on the basis of what could be achieved or what might be deliverable within those distances.

6.61 This approach is entirely contrary to government policy which requires that the Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area (paragraph 158 of the NPPF); that the Plan should be deliverable (paragraph 173 of the NPPF); and that planned provision of new capacity and its spatial distribution is based on robust analysis of best available data and information, and an appraisal of options (paragraph 2 of the NPPW). The NPPG also clarifies at ID: 10-005-20140306 that development of plan policies should be iterative – with draft policies tested against the likely ability of the market to deliver the plan's polices and revised as part of a dynamic process.

6.62 This has not been the case with the proposed waste spatial strategy, and provides the main underlying reason why the strategy does not work, which is that the Council have failed to take into account the comments they have repeatedly received at the 2011, 2012, and 2014 stages of the Plan that it was too prescriptive and lacked flexibility (see paragraphs 6.24, 6.28 and 6.31 above) yet the strategy has continued into the 2015 Part 1 Submission Plan on an even more restricted

[6] The catchment area was a question on the site nomination forms and the relevant sites are therefore easily discernible from the information provided to the Council.

basis. The Council has not considered real alternative options on the basis of the relevant evidence about the prospects of what would be achievable, or properly appraised the draft policies to determine whether they will deliver the plan objectives. This process needs to be followed, and on the basis what would actually be possible, is likely to result in a very different form of strategy to the one proposed.

Issue 5: Lack of Compliance with the Duty to Co-operate on Relevant Issues

6.63 There is also no mention or evidence of compliance with the duty to co-operate with the District Councils in the topic papers in terms of the viability of the spatial strategy for meeting Oxford's waste management needs. This requirement is significant because of the considerable predicament that Oxford is facing in meeting its needs within its present confines.

6.64 The Oxford City Core Strategy adopted in 2011 identifies a number of 'issues and challenges' for planning in Oxford[7] as follows.

"As an attractive city situated in an economically buoyant part of the country, Oxford faces many development pressures. These include:

- *a huge demand for market housing;*
- *a pressing need for affordable housing;*
- *enabling key employment sectors such as education, healthcare and R&D to continue to flourish;*
- *enabling the development needed to maintain the city's role as an important regional centre for retail, leisure and cultural activities;*
- *day to day needs of Oxford residents.*

All of this is set in the context of a scarcity of available land. Development is restricted by policy constraints, such as Green Belt which encircles and extends into the city; and administrative constraints, arising from Oxford's tightly drawn boundaries. There are also intrinsic constraints such as extensive areas of flood plain within the river valleys of the Thames and Cherwell; areas of nature conservation importance; and the city's outstanding architectural heritage. The latter constrains development in a three-dimensional sense, since the need to protect Oxford's unique skyline makes tall buildings inappropriate in some parts of the city."

At paragraph 3.4.1 the Oxford Core Strategy then states (that given these constraints) *"it will never be possible to meet all the city's housing and employment needs. Housing need and demand far exceeds the amount of available and suitable land within Oxford, and employment uses struggle to compete against housing developers."*

6.65 As a result of this the Oxfordshire Districts are having to consider how they will provide for Oxford's unmet need in their Local Plans. To this end Cherwell District Council recently published a partial review of their Local Plan (adopted in July 2015) for consultation in January 2016. The document confirms at paragraph 1.3

[7] Paragraphs 1.3.1-1.3.3 of the Oxford Core Strategy 2026

and 1.4: “All of Oxfordshire’s rural district Councils, together with the County Council, have accepted that Oxford cannot fully meet its own housing needs principally because the city is a compact, urban area surrounded by designated ‘Green Belt’.“ and “The Oxfordshire Councils have collectively committed to consider the extent of Oxford’s unmet need and how that need might be sustainably distributed to the neighbouring districts so that this can be tested through their respective Local Plans.”

6.66 The Cherwell Local Plan Review confirms (at paragraph 2.19) that there is a clear link between housing need and employment growth, as well other supporting infrastructure. Given that, as identified above, Oxford is unlikely to be able to meet its housing needs, and the fact that employment uses struggle to compete against housing developers, there is really very little prospect that suitable and viable locations for new waste management site will be found within the city confines. It is very important therefore in the light of all this that the County Council asks the specific question of the District Councils neighbouring the city as to whether suitable sites would be available in their areas to assist the re-balancing of the distribution of waste management facilities to the Oxford area as shown on the Key Waste Diagram.

6.67 The references in the Council’s Statement on Compliance with the Duty to Co-operate December 2015 to discussions with the Oxfordshire District Councils are at paragraphs 6.1 – 6.3, and indicate that this very pertinent issue has not been a matter that has been explored. The scarcity of locations for waste management in the city and the possible opportunities arising from development of the Oxford Core Strategy and the Housing Site Allocations Plan (emphasis added) have been discussed, but there has been no discussion with the adjoining Districts about meeting Oxford’s unmet need for waste management provision.

6.68 It is therefore apparent that the national planning policy requiring integrated working between county and district planning authorities, which is critical to the preparation of Local Plans working (NPPG ID 28-016-020141016), and for county and district authorities to cooperate with each other on relevant issues has not been properly complied with. In addition the effective cooperation to ensure the planned provision of new capacity and its spatial distribution is based on robust analysis of waste management needs, as required by the NPPG (ID 28-017-020141016) has not taken place. This needs to be rectified and effective co-operation with the districts undertaken to explore the options for a viable spatial strategy that can meet Oxford’s waste management needs in a sustainable way.

Issue 6: Presumption Against Use of Greenfield Land

6.69 The Council also provides from paragraphs 3.84 to 3.92 of the topic paper a justification to policy W5 (on siting of waste management facilities) in light of representations made on the 2015 Part 1 Submission Plan. At paragraphs 3.86 and 3.87 of the topic paper the representations made about the inappropriate

inclusion of a presumption against the use of greenfield (see Section 2.9 of representations reference 116 of 30 September 2015) have been misreported and clearly continue to be misunderstood. Simply put, the thrust of the objection is that there is no presumption against the use of greenfield land in National planning policy, and to have it in policy W5 introduces a conflict within the policy, because the policy also gives priority to the use of a form of greenfield land. Policy W5 explicitly says that "waste management facilities will not be permitted on greenfield land" – unless it can be shown that they are the most suitable and sustainable option.

6.70 Contrary to what is said in the final sentence of paragraph 3.87 of the topic paper the policy does therefore impose a ban on its use, whereas it should rather more be a case of encouraging the use of brownfield land. Nowhere does the NPPF or the NPPW contain a presumption against the use of greenfield land; both are concerned with enabling the most effective use of land – whether brownfield or greenfield.

6.71 The identified internal conflict within policy W5 also introduces uncertainty about what is required by the policy: whilst priority is given to agricultural buildings and their curtilages, would development proposals at these locations also need to show that they were the most suitable and sustainable option in order to meet the later requirement of the policy? The drafting of policy W5 is therefore not consistent with National planning policy both in terms of promoting the effective use of land (paragraph 111 of the NPPF) and policies needing to provide a clear indication of how a decision maker should react to a development proposal (paragraph 154 of the NPPF). Paragraphs 2.9.16 – 2.9.19 of representations reference 115 of 30 September 2015 made on the 2015 Part 1 Submission Plan provide a practical solution to this issue, which does not undermine the desire to encourage use of suitable brownfield land, and it is considered that this solution should be adopted in order to remove the conflict in policy W5 as currently drafted.

Issue 7: Green Belt

6.72 Paragraph 3.92 states that the approach taken to Green Belt land has changed from that of the Draft Plan in line with comment made by the Oxford Green Belt Network, and that a recent appeal decision illustrates the importance of protecting the Green Belt from inappropriate development. There is no dispute that great importance should be attached to the Green Belt and that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Contrary to the view taken by the Council at paragraph 3.77 of the topic paper it is considered that this position has not changed since the publication of the NPPW; that PPS10 did not obviate the need to demonstrate very special circumstances, it simply recognised that some types of waste facilities had locational needs that could contribute to very special circumstances. The NPPW is no different in this respect. It states at paragraph 6 in relation to Green Belt that local planning authorities should recognise the particular

locational needs of some types of waste management facilities when preparing their Local Plan.

6.73 The Council has not followed this advice whatsoever, but has simply determined that Green Belt should be excluded from the waste locational strategy, without first considering the scope for delivering the additional capacity required – Step 5 of the Waste Local Plan process identified at paragraph 2.8 above.

6.74 Paragraph 6 of the NPPW makes clear that waste planning authorities should work collaboratively with other planning authorities and should first look for suitable sites and areas outside the Green Belt for waste management (emphasis added). It follows that if having considered the available options and found that there are insufficient sites outside the Green Belt, as has been demonstrated at Section 4.0 above, then locations within the Green Belt should not have been automatically ruled out, and the Council should be working with the District Councils to determine where waste management sites to meet the unmet needs of Oxford and the central Oxfordshire area can go.

6.75 This is an exercise, as identified at paragraphs 6.63 – 6.68 above that the Council has not carried out, and which they should have done before setting their proposed strategy. It needs to be done now.

Chapter 4: Conclusions

6.76 Paragraph 4.1 of this final chapter of the topic paper concludes that the development of the strategy has had regard to changes in national policy, comments and representations made and the outcomes of sustainability appraisal at the different stages of plan preparation. However, as has been identified in these comments on the topic paper, the evidence does not support that being the case.

6.77 Objection has been made at the various stages of the Plan regarding:

- The lack of viability and deliverability of the proposed strategy in meeting Oxford's waste management needs in a sustainable way; that Oxford or other central areas excluded from the Green Belt cannot provide the necessary sites and that the needs of Oxford and the central Oxfordshire area would have to be met therefore at some considerable distance away - see paragraphs 2.8.18 – 2.8.26 of the representations reference 115 of 30 September 2015 made on the 2015 Part 1 Submission Plan.
- The general over restrictiveness of the proposed spatial strategy (see paragraphs 7.24, 7.28 and 7.31 above), because it is so prescriptive and is further constrained by site criteria, all of which significantly reduces the site options and means that it would not achieve the waste planning objective of communities taking more responsibility for their own waste and minimising the distances waste needs to be transported; in fact the strategy would have the effect of increasing carbon emissions – see Sections 2.1, 2.8 and 2.9 of the

representations reference 115 of 30 September 2015 made on the 2015 Part 1 Submission Plan.

- The lack of any objective assessment during development of the strategy to determine whether it would actually achieve the desired objective of providing the additional capacity required in a sustainable manner, and then to use the findings in informing and refining the shape of strategy - see Sections 2.1 and 2.8 of the representations reference 115 of 30 September 2015 made on the 2015 Part 1 Submission Plan.

No counter evidence to these objections has been provided in the topic papers now produced.

6.78 This approach is contrary to the advice in the NPPG that a collaborative approach involving the business community, developers, landowners and other interested parties to improve understanding of deliverability and viability (ID: 10-004-20140306), is necessary and that the plan should be realistic about what can be achieved, and to do so the planning authority must pay careful attention to providing an adequate supply of land and ensuring that the requirements of the plan as a whole will not prejudice the viability of development (ID: 12-018-20140306).

6.79 Furthermore it has not been shown that the development of the strategy has been properly informed by sustainability appraisal. Contrary to the NPPG advice, there has been no comparison of reasonable alternatives including the preferred approach and assessment of these against the baseline environmental, economic and social characteristics of the area and the likely situation if the Plan were not to be adopted, nor any evidence of an iterative process with the proposals being revised to take account of the appraisal findings of the reasonable alternatives at the various stages of the plan preparation. (ID: 11-018-20140306). Further detailed comments on this issue are provided in response to the Sustainability Appraisal Report Addendum at Section 5.0 above.

6.80 Paragraph 4.2 of the topic paper draws attention to a table at Appendix 14 of the topic paper, which is said to show how the waste policies align with the waste issues and planning objectives. It is evident from the table that there are a number of inaccuracies within it, for example:

- waste planning objective 4: the assumption is, that as policy W4 expects larger scale facilities to be close to the main sources of waste (specified urban areas) and communities that are large waste producers to accommodate facilities in or nearby their areas, waste miles travelled will be minimised. However, as demonstrated above the waste spatial strategy cannot achieve this in relation to Oxford's needs.
- waste planning objective 5: the comment is made that safeguarding of existing facilities suggests there is an existing broadly equal pattern of distribution across the Oxfordshire districts. However, this is plainly not the case, as set out at paragraph 5.37 and Table 10 of the Plan – the district of Oxford has only 0.8% of the county's total waste management capacity.

6.81 For comparison purposes a similar exercise has been carried out at section 2.13 of the representations reference 115 of 30 September 2015 made on the 2015 Part 1 Submission Plan. This summarises the key reasons why the planning objectives of the Plan will not be fulfilled by the proposed waste spatial strategy. The reasons are that the proposed waste spatial strategy will not provide adequate provision for waste management capacity to allow Oxfordshire to be net-self sufficient and that any potential sites will have to be located in areas some distance from the main source of waste, which will not allow communities to take more responsibility for their own waste, will increase miles that waste needs to travel, causing higher carbon emissions, more congestion and more nuisance to local communities, rather than reducing these effects.

7.0 DEVELOPMENT OF THE MINERALS SPATIAL STRATEGY TOPIC PAPER APRIL 2016

Chapter 1: The Introduction

7.1 The introduction to the topic paper explains that it addresses all the aggregate minerals spatial strategy elements of the submitted Core Strategy and is in two parts, covering secondary and recycled materials (M1) and land-won aggregate provision and working (policies M2 & M3). These comments on the topic paper relate only to the first part on secondary and recycled materials.

Chapter 2: Development of Policy M1: Provision for secondary and recycled aggregates

Events of 2006 - 2007

7.2 Paragraph 2.1.1 of the topic paper explains that the (issues and options) consultation paper included provision for the supply of recycled and secondary aggregate and where aggregate recycling facilities should be included.

7.3 Paragraph 2.2.1 explains that the preferred option published in February 2007 for the location of recycled aggregate facilities was two layers of sequential approach involving priority to:

- urban areas, followed by urban fringe, then rural areas; and
- previously developed land, followed by temporary mineral and wastes site, then greenfield sites

and that objection was received to the policy, in particular from the Government for the South East (GOSE) advising that it did not take a sufficiently spatial approach.

Consultation Draft 2011

7.4 Paragraph 2.4.1 of the topic paper clarifies that policy M1 in the 2011 Consultation Draft Plan included a target for provision of secondary and recycled aggregate facilities in line with the identified provision in the South East Plan and that the former sequential approach was no longer proposed as this was too prescriptive. Paragraph 2.4.3 further states that the locational strategy for aggregate recycling facilities was to be found at policy W5 in the counterpart waste planning strategy, which provided for permanent aggregate recycling plants at or close to Oxford and the large and smaller towns and temporary plants at landfill and quarry sites across the county.

7.5 As identified at paragraph 2.5.4 of the topic paper the responses to the Consultation Draft 2011 questioned the deliverability of policy W5.

Proposed Submission 2012

7.6 There was no change to policy M1 in the 2012 Proposed Submission Plan, as confirmed at paragraph 2.6.1 of the topic paper. With regard to the spatial strategy

paragraph 2.6.2 of the topic paper records that the supporting text to policy M1 noted that provision was to be made through policy W5.

7.7 Paragraph 2.7.1 of the topic paper identifies that representations were made on policy M1 in relation to the proposed level of provision (of 0.9mtpa) but does not recount any of the representations received in relation to the proposed strategy. Since this topic paper is concerned with the proposed minerals spatial strategy, this is a significant omission and is inadequate.

Consultation Draft 2014

7.8 Paragraph 2.9.1 of the topic paper states that policy M1 essentially included the same policy content as in the previous 2012 version of the Core Strategy, but it did not include a figure for the level of provision to be made. There is no commentary or explanation in the topic paper as to the approach taken at this stage to the spatial strategy, and the reporting of responses received refer only to the removal of the target figure. Again as with the comments on the 2012 Proposed Submission Plan, since this topic paper is concerned with the proposed minerals spatial strategy, this is a significant omission and is inadequate.

Submission Plan 2015

7.9 The process of revisions then made to the Core Strategy is set out at paragraph 2.10.1 of the topic paper. This is said to include having regard to the representations received, national planning policy guidance and the Oxfordshire Local Aggregates Assessment (LAA), and was changed to provide more detail on sources of recycled and secondary materials and where facilities should be located. It actually only provides more detail on secondary materials from outside Oxfordshire (emphasis added), not recycled sources, as these were already identified in the previous version of policy M1 in the 2014 Consultation Draft Plan. (See Appendix 1a of the topic paper for various versions of policy M1). It is the case that policy M1 now includes provision for aggregate recycling facilities to be at aggregate quarries and inert waste landfill sites at locations that meet the criteria in policies W4, W5 (and C1-C11), rather being in the supporting text.

The topic paper does not explain how the current approach has been arrived at or what processes have been involved in arriving at the spatial strategy. As with the comments that have been made on the Development of the Waste Spatial Strategy Topic Paper at Section 6.0 above there has been no objective assessment of potential site options, no evaluation of reasonable alternatives, and no collaborative approach involving the business community, developers, landowners and other interested parties to inform the strategy proposed by policies W4 and W5. As a result it is not viable or deliverable, is too restrictive and lacks sufficient flexibility. No evidence has been provided in the topic papers now produced to demonstrate that this is not the case.

From: Kirsten Berry [mailto:kirsten@hendeca.co.uk]
Sent: 01 June 2016 15:17
To: Nigel Naisbitt
Subject: RE: SCC Critical Friend support

Great, thank you. I has been used by Oxfordshire in preparing its waste policy, bizarrely as it has been withdrawn!

If it is readily to hand that would be good, but not to worry if it is buried

Kirsten Berry

Director

t: 0773 8833 854

e: kirsten@hendeca.co.uk

hendeca

Company number: 9601610
Registered address: Harvestway House, 28 High Street, Witney, Oxfordshire, OX28 6RA

---- On Wed, 01 Jun 2016 15:14:02 +0100 **Nigel Naisbitt <nigelnaisbitt@naisbittrm.com>**wrote ----

> If I remember correctly it was a combination of issues:
>
> 1. It was quite complex
> 2. Not very repeatable
> 3. Only applicable at the national level so could not be used at the regional level
>
> I think I may have a copy of the method somewhere – if you want me to dig it out?
>
> Nigel

Nigel Naisbitt, MCIWM

Director

Tel: 07584 215018

e-mail: nigelnaisbitt@naisbittrm.com

web: www.naisbittresourcemanagement.com

From: Kirsten Berry [mailto:kirsten@hendeca.co.uk]
Sent: 01 June 2016 15:04
To: Nigel Naisbitt
Subject: RE: SCC Critical Friend support

Hi ...

A quick questions for you ... I see Defra had an 'as managed' method for CDEW published in 2012, but withdrawn last year ... do you know why?

Kirsten Berry

Director

t: 0773 8833 854

e: kirsten@hendeca.co.uk

Company number: 9601610
Registered address: Harvestway House, 28 High Street, Witney, Oxfordshire, OX28 6RA

Methodology for estimating annual waste generation from the Construction, Demolition and Excavation (CD&E) Sectors in England

Background

The revised Waste Framework Directive (rWFD) requires that all Member States recover a minimum of 70 per cent of the waste generated from the C&D industry by 2020. The first reporting towards this target is expected in 2013, and every 3 years until 2020. It is thought that the UK is currently meeting, or indeed exceeding, this target; however we currently lack the evidence to reliably demonstrate this.

Moreover, under the EU Waste Statistics Regulation, Defra is required to report biennial statistics demonstrating the generation of waste (by weight) from each sector across the UK, including the CD&E sector. Until now, this responsibility has been met by overarching estimates and high level extrapolations from pre-existing surveys, however this is unlikely to provide the level of detail required by the rWFD for 2020, and does not include recovery data. These combined pressures have generated a genuine and urgent need to better understand the waste generation and management activities of the CD&E sectors through the collation and analysis of robust and detailed data sources[1]. We hope that this methodology will provide time series data to monitor progress towards European targets and a baseline methodology for measuring CD&E waste arisings across the UK.

Methodology

The methodology described here is designed to resolve the existing data gap and meet our data reporting needs to the European Commission. It uses existing data sources and adapted methodologies to estimate the amount of waste generated in 2010 by the CD&E sectors. It then applies existing Strategic Forum for Construction (SFfC) landfill estimates to calculate the proportion of this waste that is recovered.

In order to estimate total waste arisings from the sectors, data needs to be gathered on the amount of waste that is sent to four key treatment/disposal routes:

- Waste dealt with by transfer and treatment facilities.
- Waste sent to landfill sites.
- Waste disposed of under exemptions.
- Waste recycled as aggregate.

Assuming that C&D Waste Arisings =

$\sum$ *(Inputs – Outputs to transfer and treatment facilities) + Landfilled + Exemptions + Aggregate*

[1] Previously DCLG (and its predecessor dept's) commissioned regular national surveys into CDEW, however the last of these was in 2005. Since that time, WRAP has commissioned one further survey in 2008, published in 2010.

The weight of waste material dealt with via these four treatment/disposal routes is estimated using different methodologies and different data sources. These are outlined in more detail below. Furthermore, the methods developed enable separate estimates of C&D waste arisings and E waste arisings, in order to meet differing reporting requirements.

Waste dealt with by transfer and treatment facilities

This part of the method is based upon a formula developed by SEPA[2] which estimates that waste dealt with by transfer/treatment facilities can be accounted for by estimating the total C&D waste received by treatment and transfer stations (chapter 17 inputs) minus the total C&D waste that leaves the treatment and transfer stations (chapter 17 outputs). This methodology has been adapted to include additional waste codes deriving from the sector as identified by SFfC (including parts of chapters 21, 22, 24 and 26).

This method does not account for Chapter 19 wastes (mixed wastes) that have been generated from C&D activities and reclassified as they pass through treatment and transfer stations, but as it deals with arisings only, this omission will not affect the accuracy of the methodology and it avoids double counting waste that has been recoded.

Data sources:	Chapter 17 inputs	EA site returns
	Chapter 17 outputs	EA site returns

Waste sent to landfill sites

This method is based on that developed by the SFfC[3]. It combines existing up-to-date data sources with well developed assumptions. It assumes that the total C&D waste landfilled can be calculated by summing the total CD&E waste sent directly to landfill with the total CD&E waste sent to landfill from transfer and treatment stations (usually recoded as Chapter 19).

The pressing challenge for this methodology is how to estimate that waste which has been sent to landfill from transfer and treatment stations, but has been recoded (as Chapter 19), and so is no longer identified as a Chapter 17 waste. For this purpose, SFfC have developed a methodology to calculate the average proportion of all mixed waste that stems from the C&D sector. This enables a factor to be applied to the mixed waste total in order to estimate the tonnage of Chapter 19 waste that derives from CD&E activities.

Data sources:	Landfill inputs	EA landfill operator returns

Waste disposed of under exemptions

Since no in-depth data reporting is required for waste disposed of under exemptions, an estimate has been made using WRAP's 2008 estimate and adjusting it for 2009 and 2010 based on the change in construction activity output for these years. All waste dealt with under exemptions is likely to be uncontaminated soil and stones from excavation processes.

[2] SEPA (2011) 'Detailed methodology for estimating construction and demolition waste arisings in Scotland (2008)'
[3] SFfC (2010) 'Measuring CD&E waste to landfill in England – A methodology' http://www.strategicforum.org.uk/pdf/Waste_report_4_draft_22-3-10V4.pdf

To further complicate matters, Paragraph 9 and 19 exemptions that used to be available to sites dealing with CD&E waste have been replaced by U1 exemptions and Standard Permits. This transition period is likely to cause complications as sites move from Paragraph 9 and 19 exemptions to U1 Exemptions or Standard Permits, but this issue should be resolved and improved data available by the first expected reporting milestone in 2013.

Data sources:	Waste disposed under exemptions	WRAP 2008 survey
	Construction output	ONS data adjusted by SFfC

Waste recycled as aggregate

For the purposes of this methodology, aggregate includes soils that are screened and recycled. The Mineral Products Association (MPA) collate data from their members on the generation of recycled or secondary aggregate produced from C&D materials, such as hardcore and crushed bricks and stone. For this reason, MPA figures are used as an estimate of the total aggregate generated from the C&D sector in 2010. This figure includes material that is crushed and reused on site.

The tonnage of screened and recycled soils has been estimated by applying the ratio of recycled aggregate to recycled soils that was obtained during WRAP's 2008 study.

Data sources:	Recycled aggregate	MPA data
	Recycled soils	MPA data plus WRAP ratios

Total arisings and the proportion recycled/recovered

By totalling the figures generated from the four calculations above, the total CD&E waste arisings can be estimated.

From the total waste arisings, SFfC estimates for the total CD&E waste landfilled annually can be subtracted. This gives an indication of the amount of waste from the CD&E sectors that is being recovered/recycled annually.

Feedback and acknowledgements

This methodology has been developed in consultation with colleagues in the SFfC Waste Subgroup, SEPA, MPA and others.

We would welcome any comments from users.

Waste Statistics Team
Defra
Area 6F
Ergon House
17 Smith Square
London
SW1P 3JR
Tel: 08459 33 55 77
Email: wasteprogramme@defra.gsi.gov.uk

From: **Woodcock, Naomi - Environment & Economy** Naomi.Woodcock@Oxfordshire.gov.uk
Subject: RE: Oxfordshire Waste Management Review – Slape Hill Quarry
Date: 22 October 2014 08:37
To: suzi coyne suzi.coyne@ntlworld.com

Hi Suzi,

Thank you for your comments and amendments to the Slape Hill Quarry profiles. I will update our records accordingly.
We will close the CDE recycling/transfer profile as the facility is no longer operational.

Regards,

Naomi Woodcock
Planning Policy Officer

Oxfordshire County Council
Speedwell House
Speedwell Street
Oxford
OX1 1NE

Tel: 01865 815708
Fax: 01865 815085

Working Hours: 7.30 am-3.00 pm – Monday, Tuesday, Wednesday.

From: suzi coyne [mailto:suzi.coyne@ntlworld.com]
Sent: 13 October 2014 15:13
To: Woodcock, Naomi - Environment & Economy
Cc: Chris Sheehan; Tara Sheehan
Subject: Re: Oxfordshire Waste Management Review – Slape Hill Quarry

Hi Naomi

Many thanks for sending the info through. I have to say the figures for the EA returns look very odd, i.e. the MWS/C&I figures for both skip waste facility and landfill look way too low. I'm wondering whether there are other returns that have not been included/have been missed. I notice that the ones I have from back in 2007 give the permit type as A14, (not A16 as on the records you sent through). This is not a straightforward site, as the landfilled waste is treated through the skip facility first - but that still doesn't account for the low figures - hence my feeling that something is missing. Anyway, I don't think it all matters too much, as the rest is all fine for the skip waste recycling facility - subject to the minor updates I've made to reflect the current position, now that there is no aggregate recycling at the site. The landfill site profile is also fine as you sent through, i.e. I have no amendments.

Given that the aggregate recycling is no longer operational at the site, I don't think there should be a CDE recycling/transfer profile for the site. These wastes would now be accounted for by the Dix Pit profile (replacement site) and/or included in the skip waste recycling profile. Indeed the CDE figures on the EA returns are applicable to the skip waste site, not the CDE recycling element, because that functioned under an exemption and there were no EA returns for it. Whilst some of the CDE skip waste was put through the aggregate recycling process

for it. Whilst some of the CDE skip waste was put through the aggregate recycling process, not all of it was - some of it was landfilled and soils were used for restoration purposes. I have attached an updated version of the CDE recycling profile - essentially removing the EA return figures, which should be under the skip waste recycling profile, but would be grateful for confirmation that the the CDE recycling/transfer profile for the site will actually be deleted.

Hope that helps.

I'm very happy to discuss further if need be.

Best regards
Suzi

On 6 Oct 2014, at 08:58, suzi coyne <suzi.coyne@ntlworld.com> wrote:

Hi Naomi

Sorry for the delay - I took a last minute holiday last week (just back today), and didn't get around to looking at the profiles/info again before I went away. I'll endeavour to look at them and get back to you and Poulomee on Worton Farm also, this week.

Best regards
Suzi

On 1 Oct 2014, at 14:58, Woodcock, Naomi - Environment & Economy <Naomi.Woodcock@Oxfordshire.gov.uk> wrote:

Hello Suzi,

Further to my email of 23 September 2014, I was wondering whether you are happy with the draft site profile forms for Slape Hill Quarry.

Kind Regards,

Naomi Woodcock
Planning Policy Officer

Oxfordshire County Council
Speedwell House
Speedwell Street
Oxford
OX1 1NE

Tel: 01865 815708
Fax: 01865 815085

Working Hours: 7.30 am-3.00 pm – Monday, Tuesday, Wednesday.

From: Woodcock, Naomi - Environment & Economy
Sent: 23 September 2014 20:05
To: 'suzi coyne'
Subject: RE: Oxfordshire Waste Management Review – Slape Hill Quarry

Dear Suzi,

As requested, please find attached a copy of the EA data for Slape Hill Quarry for 2010 – 2012. I have also included details of the void.

Regards,

Naomi Woodcock

From: suzi coyne [mailto:suzi.coyne@ntlworld.com]
Sent: 22 September 2014 11:20
To: Woodcock, Naomi - Environment & Economy
Cc: Basu, Poulomee - Environment & Economy
Subject: Re: Oxfordshire Waste Management Review – Slape Hill Quarry

Hi Naomi

That would be great. Many thanks.

I wonder, would Poulomee be available at that time also? I have left her a message, too - about the Worton Farm sites (similar issues, though also other matters), and perhaps I can talk to her afterwards?

Best regards
Suzi

On 17 Sep 2014, at 20:23, Woodcock, Naomi - Environment & Economy <Naomi.Woodcock@Oxfordshire.gov.uk> wrote:

Dear Suzi,

Sorry I missed your call about the site profile forms for Slape Hill Quarry. I wont be back in the office now until next week Tuesday as I work part time. Would it be convenient for me to call you then? If so, would 9:15 be a good time?

Kind Regards,

Naomi Woodcock
Planning Policy Officer

Oxfordshire County Council
Speedwell House
Speedwell Street
Oxford
OX1 1NE

OXFORDSHIRE COUNTY COUNCIL
WASTE SITE PROFILE DOCUMENT
DRAFT

SECTION 1: SITE DETAILS

Site No. 004 **Facility No.** iii **Site Area** 4ha	**Operator:** J Sheehan (Oxford) Ltd **Site Location:** Slape Hill Quarry Glympton Woodstock Oxfordshire OX20 1HR **Grid Ref:** SP 423 196	**Contact :** Mr C Sheehan Knightsbridge Farm Yarnton Oxford OX5 1PH **Phone:** 01865 379 931 **Email:**
Facility: MSW/C&I/CDE Recycling or Transfer		**Waste Type:** C&I/CDE

SECTION 2: AGENT DETAILS

Contact Name: Suzi Coyne **Company Name:** Suzi Coyne Planning **Phone:** 01865 453747 **Email:** suzi.coyne@ntlworld.com	**Address:** 60 Blenheim Drive Oxford OX2 8DQ

SECTION 3: ENVIRONMENT AGENCY (E.A.) DATA

EA EPR Ref. 86136 /EP3499EP		**E.A. Code:** A16
E.A. Exempt Para:		**Licensed capacity:** 74,999
Exemption Reference (if applicable)**:**		**Voidspace** (Landfill only) **Amount:**
Exemption Expiry Date:		**Date:**
Past annual throughputs (tonnes):		
2002: 55,595	**2006:** 46,859	**2010:** 20,389
2003:	**2007:**	**2011** 17,842
2004:	**2008:**	**2012:** 18,965
2005: 55,408	**2009:**	**2013:**

suzi coyne 13/10/2014 14:53
Comment [1]: According to the Waste Management Facilities Categories list this should be A11 or A14 – like M&M skip waste facility?

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SECTION 4: INFORMATION SUPPLIED BY OPERATOR

FOR AN EXISTING FACILITY	**Throughput (tonnes)**		
Date Information Provided: 27/01/2009: Site Nomination 27/01/2010: Letter 11/02/2014: Planning Statement	**2006** 25,000 **2007** 25,000		**2010** **2011**
Voidspace (Landfill only)	**2008**		**2012**
Amount:	**2009**		**2013**
Date:	**Likely Capacity**	**Throughput**	**Recycling Rate** (if applicable)

		25,000	80%

POSSIBLE NEW DEVELOPMENT OR EXPANSION	Brief description: Skip waste recycling – Continued use till 2018. 114 lorry movements per day.		
Date Information Provided: 11/02/2014 (MW.0015/14)	**Likely Capacity**	**Throughput** 35, 000 (C&I 25,000 and C& D 10,000)	**Recycling Rate** (if applicable) 80% (C&I 20,000 C&D 8,000)

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SECTION 5: RELEVANT PLANNING PERMISSIONS

Ref	Development	Date Issued	Status and Duration	Relevant planning restrictions (e.g. capacity, vehicle movements etc)
1103/95	Recycling of CD and C&I waste	Approved 09/07/1998	Temporary 09/07/2008	3. Site Layout requirements
W2000/1146	Variation of conditions (1103/95)	Appeal 04/12/2003	Temporary 09/07/2008	3. Restriction on area of recycling activity
08/1235/P/CM	Recycling and transfer of imported materials	Approved 08/06/2009	Temporary 20/05/2014	
MW.0015/14	S.73 application (to vary condition 1 of planning permission no. 08/1235/P/CM) to extend time period to 20th May 2019	Approved 16/04/2014	Temporary 20/05/2019	No change

SECTION 6: PLANNING APPLICATIONS PENDING DETERMINATION

Ref	Development	Date submitted	Proposed Duration	Comments (including any anticipated additional capacity)

SECTION 7: OCC ASSESSMENT

COMMENT (EXISTING FACILITY)
The facility was first approved in 1998 for a limited period and currently has temporary consent to operate until 2019. The operator advises though that the landowner has only granted an extension of the lease until May 2018, and that the site will not continue to operate after that date, with a replacement facility being sought elsewhere. From the information supplied by the Environment Agency, the site's throughput in 2005

and 2006 was in the order of 50,000 tonnes; this is believed to have been mixed skip waste (i.e. this also included inert material). According to the EA records the amount of C&I waste appears to have dropped considerably and has not exceeded 500 tonnes in the three years to 2012.

Information supplied by the operator in 2010 indicated that C&I waste going through the facility in 2005 and 2006 was about 25,000 tpa with a recycling rate of 80%. The planning statement (MW.0015/14) stated that the facility's throughput is approximately 35,000 tpa of mixed waste (with a recycling rate of 80%). Most of that which is inert waste (reported to be about 10,000 tonnes in 2010) is now taken to the operator's new facility at Stanton Harcourt for recycling.

Although according to the EA records the amount of C&I waste going through the facility has not exceeded 500 tonnes recently, the operator has advised that the capacity of the facility to sort C&I waste is 25,000 tpa. The site license allows for this and there are no planning restrictions that would limit the facility to a lower capacity level. The operator's assessed capacity is therefore not considered unreasonable: indeed the amount of waste handled in 2005 suggests that capacity could be greater. Taking account of the recent low throughput, the operator's assessed capacity (25,000 tpa) should be used for the limited period of the permission.

There are no planning applications pending determination.

The outcome of the assessment is summarised below.

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Facility Category: 3			
Capacity	**Throughput:** 25,000 (tpa)	**Recycling** (if applicable) 80% (i.e. 20,000 tpa)	**Voidspace:**
Planning Status: Operational		**Duration** Temporary until 2018	

suzi coyne 13/10/2014 14:07
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COMMENT (POSSIBLE DEVELOPMENT OR EXPANSION)
In 2009 the operator nominated the site with a view to continuing works until 2018. In April 2014 planning permission was granted to extend the period of the works until May 2019, so this nomination will no longer be considered further. There appears no likelihood of capacity increasing in the foreseeable future.

Facility Category:			
Capacity	**Throughput:** None	**Recycling** (if applicable)	**Voidspace:**

Officer: Naomi Woodcock	**Date: 03/06/2014**

OXFORDSHIRE COUNTY COUNCIL WASTE SITE PROFILE DOCUMENT
BASELINE - REVISED

SECTION 1: SITE DETAILS

Site No. 236 **Facility No.** (i) **Site Area** 4.4 ha	**Operator:** Controlled Reclamation (Oxford) Ltd. **Site Location:** Dix Pit Complex Stanton Harcourt Oxfordshire OX29 5BB **Grid Ref: SP 403 050**	**Contact :** Mr. Chris Sheehan Knightsbridge Farm, Yarnton, Oxford, OX5 1PH **Phone:** 01865 379931 **Email:**
Facility: 6. CDE Waste Recycling /Transfer		**Waste Type: CDE waste**

SECTION 2: AGENT DETAILS

Contact Name: Suzi Coyne **Company Name:** Suzi Coyne Planning **Phone:** 01865 453747 **Email:** suzi.coyne@ntlworld.com	**Address:** 60 Blenheim Drive Oxford OX2 8DQ

SECTION 3: ENVIRONMENT AGENCY (E.A.) DATA

EA License No. FB3430DD (103944)		**E.A. Code:** S0906: Inert and excavation WTS with treatment
E.A. Exempt Para: N/A		**Licensed capacity:**
Exemption Reference (if applicable)**:** n/a **Exemption Expiry Date:** n/a		**Voidspace** (Landfill only) **Amount:** **Date:**
Past annual throughputs (tonnes):		
2002:	**2006:**	**2010:**
2003:	**2007:**	**2011:**
2004:	**2008:**	**2012:** 61,247 tonnes
2005:	**2009:**	**2013:** 118,534 tonnes*

***** This figure includes restoration soils for the landfill site

SECTION **4: INFORMATION SUPPLIED BY OPERATOR**

FOR AN EXISTING FACILITY	**Throughput (tonnes)**		
Date Information Provided:	**2006:**		**2010:**
	2007:		**2011:**
Voidspace (Landfill only)	**2008**		**2012:**
	2009		**2013:**
	Likely Capacity	**Throughput**	**Recycling Rate** n/a

POSSIBLE NEW DEVELOPMENT OR EXPANSION	**Brief description:** The site was nominated in 2009 as an aggregate recycling and skip waste transfer & recycling facility. The wastes to be handled included C&D as well as C&I wastes from Oxford and West Oxfordshire areas.		
Date Information Provided:	**Likely Capacity** 100,000 – C&D waste	**Throughput**	**Recycling Rate (if applicable)**

27/11/2009	35,000 – C&I waste		90,000 – C&D waste (90%) 30,000 – C&I waste (86%)

SECTION 5: RELEVANT PLANNING PERMISSIONS

Ref	**Development**	**Date Issued**	**Status & Duration**	**Relevant planning restrictions** (e.g. capacity, vehicle movements etc.)
09/0330/P/CM	Installation of a recycled aggregate recycling plant	Refused 28/09/09	N/A	N/A
APP/U3100/A/10/2125146 MW.0091/09	Installation and use of processing plant for making recycled aggregate from construction and demolition waste	Approved on Appeal 23/03/11	Superseded	2. Development to commence by 23/03/2014 3. Development is for a limited time period, expiring by 31/12/2029 4. Site to be restored by 31/12/2030 7. Time limits 8. No more than 100,000 tonnes of waste to be imported into the site per year 27. If unused for more than 24 months, the plant and the related infrastructure (including stockpiled materials) shall be removed within 6 months, and the site restored.
MW.0184/12	Erection of workshop, open storage bays and security fencing, extension of site area, re-location of site entrance, and revisions to planning permission no: MW.0091/09 to provide for re-location of site office and weighbridge, revised configuration of recycling plant, and surface water drainage	Approved 21/03/13	Active	2. Development to commence by 21/03/2016 3.Development is time limited to 31/12/2029 4.Site fully restored to a state suitable for agricultural use by 31/12/2030 6. Time limits 7. No more than 100,000 tonnes of waste to be imported on site per year.
MW.0003/14	Extension to site area of aggregate recycling facility for processing and stockpiling waste materials and recycled products and variation of conditions 1 and 15 of planning permission MW.0184/12 to provide for revisions to the approved site fencing, landscaping and drainage system	Refused 12/12/14, now subject to appeal	N/A	N/A

MW. 0136/ 14	Application for a Certificate of Lawfulness for Proposed Use or Development (CLoPUD) for proposed B2 (General Industrial) use for the erection of a new covered bay.	Approved 29/01/15	N/A	N/A
MW. 0069/ 13	Continuation of permission MW.0184/12 without complying with Condition 14 (lighting scheme)	Approved 07/05/201 3	Active	2. Time limited to 31/12/2029, restoration by 31/12/2030. 5. Time limits 6. No more than 100,000 tonnes of waste to be imported to site in a year 20. If the waste processing plant ceases to be used for more than 24 months, it will be removed from site within 6 months.

SECTION 6: PLANNING APPLICATIONS PENDING DETERMINATION

Ref	**Development**	**Date submitted**	**Proposed Duration**	**Comments** (including any anticipated additional capacity)

SECTION 7: OCC ASSESSMENT

COMMENT (EXISTING FACILITY)
The site comprises restored parts of Stanton Harcourt 2 landfill and a former municipal landfill. Stanton Harcourt 2 has been a non-hazardous waste landfill facility associated with former sand and gravel workings to the west of Stanton Harcourt village. A recycled aggregate recycling plant is built on the former municipal landfill, located at the south west end of Stanton Harcourt 2 landfill. Planning permission for the aggregate recycling plant was refused by OCC in 2009, but approved on appeal in 2011. Some modifications and minor additions to the approval were allowed in March 2013 and 2015.The permission allows the site to be operational until December 2029 and restored within a year. It restricts the waste imported on site to 100,000 tonnes per annum. EA data (for 2013) indicates that the site is accepting wastes at or above this tonnage i.e. 118,534 tonnes. However, the operator states that throughput of the aggregate recycling facility has not exceeded 100,000 tpa because soils were being imported to restore the adjoining landfill site and these were recorded via the aggregate recycling facility weighbridge and site office (as the landfill site office and weighbridge had been removed). The operator states the volume of processed (recycled) material was 49,000 tonnes in 2013 and 96,500 in 2014. The process incorporates a wash plant and produces very little (no more than 2%) material that is not recyclate. The site's current recycling capacity is set at 98,000 tpa, as this has been acknowledged by the operator. The outcome of the assessment is summarised below.
Facility Category: 6. CDE Waste Recycling /Transfer

Capacity	**Throughput:** 100,000 tpa	**Recycling** (if applicable) 98,000 tpa	**Voidspace:**
Planning Status: Operational		**Duration** Temporary (2029)	

COMMENT (POSSIBLE DEVELOPMENT OR EXPANSION)
The site was originally nominated for use as an aggregate recycling as well as a skip waste transfer & recycling facility; processing both CDE and C&I waste streams. Planning permission has since been granted for the aggregate recycling facility. An application for a physical expansion of the facility was recently refused. It has been acknowledged by the operator that the purpose of the site extension was not to increase the capacity of the facility, and was required for current operational reasons. The current throughput limitation is now close to being reached and the operator is considering making a planning application to increase the site's capacity by a further 75,000 tpa. The skip waste recycling facility is still proposed to take place - on the adjoining former inert landfill site (see profile iii).

Facility Category: 6. CDE Waste Recycling /Transfer			
Capacity	**Throughput:** 75,000 tpa	**Recycling** (if applicable) 75,000 tpa	**Voidspace**

Officer: Trevor Brown /Poulomee Basu	**Date:21/04/2015**

OXFORDSHIRE COUNTY COUNCIL WASTE SITE PROFILE DOCUMENT
DRAFT

SECTION 1: SITE DETAILS

Site No. 009 **Facility No.** (iii) **Site Area** 1.7 ha	**Operator:** M&M Skip Hire Ltd. **Site Location:** Cresswell Field, Worton Farm Yarnton, Witney, Oxfordshire, OX29 4EB **Grid Ref:** SP 470 113	**Contact :** Mr. Mark Griggs M&M Skip Hire Ltd. Worton Park, Cassington, Witney, Oxon, OX29 4SU **Phone:** 01865 880559 **Email:** mark@mmskiphire.co.uk
Facility: (6) CDE Waste Recycling /Transfer		**Waste Type:** CDE

SECTION 2: AGENT DETAILS

Contact Name: Suzi Coyne **Company Name:** Suzi Coyne Planning **Phone:** 01865 453747 **Email:** suzi.coyne@ntlworld.com	**Address:** 60 Blenheim Drive Oxford OX2 8DQ

SECTION 3: ENVIRONMENT AGENCY (E.A.) DATA

EA License No. EPR/FB3633AL		**E.A. Code:**
E.A. Exempt Para:		**Licensed capacity: 75,000**
Exemption Reference (if applicable)**:** n/a		**Voidspace** (Landfill only) **Amount:** n/a **Date:** n/a
Exemption Expiry Date: n/a		
Past annual throughputs (tonnes):		
2002:	**2006:**	**2010:**
2003:	**2007:**	**2011:**
2004:	**2008:**	**2012:** 24256.76
2005:	**2009:**	**2013:**

SECTION 4: INFORMATION SUPPLIED BY OPERATOR

FOR AN EXISTING FACILITY	**Throughput (tonnes)**		
Date Information Provided: 11/12/2009 28/01/2009 26/01/2010	**2006:** 25,000		**2010:**
	2007: 30,000		**2011:**
Voidspace (Landfill only) **Amount:** **Date:**	**2008**		**2012:**
	2009		**2013**
	Likely Capacity	**Throughput** 50,000 tpa	**Recycling Rate** 48,000 tpa

POSSIBLE NEW DEVELOPMENT OR EXPANSION	**Brief description:** Permanent aggregate recycling facility.		
Date Information Provided: 28/01/2009 26/01/2010	**Likely Capacity**	**Throughput** 50,000	**Recycling Rate (if applicable)** 48,000

SECTION 5: RELEVANT PLANNING PERMISSIONS

Ref	**Development**	**Date Issued**	**Status and Duration**	**Relevant planning restrictions** (e.g. capacity, vehicle movements etc.)
CHS498/93 (1138/93)	Extension to existing building to provide for recycling, sorting, recovery, and transfer of waste.	Approved 23/03/95		1. Time limited to 31/12/10. 8. Hours of use restricted.
1057/95 & 95/01245/ CM	Mothballing for defunct railway turntable to allow for improved circulation space.	Approved 25/10/95		3. Time limited to 31/12/10.
95/01636/ CM	Recycling of construction and demolition waste including screening, provision of weighbridge, site office and ancillary works.	Approved 21/02/96		3. Time limited to 31/12/10. 10. Hours of use restricted.
8.5/4711/ 5.7	Waste recycling facility	Approved 20/05/2005		Permitted till 31st Dec 2010. No change in capacity
06/01491/ CM	Recycling of construction and demolition waste and vehicle parking area at Cresswell Field, Worton Farm.	Approved 14/09/06		2. Time limited to 31/12/12. 5. Hours of use restricted.
09/00585/ CM MW.0108. 09	Alteration and Extension to make permanent the existing Waste Transfer Station	Approved 29/12/09		2. Commencement by 29/12/12. 3. Hours of use restriction.
MW.0071/ 11	Extension to C&D recycling facility - Use of part of mineral processing plant site for storage and recycling of materials excavated from local site construction works	Approved on 21/05/2012		Approximately 130,000 tonnes of material to be imported over a period of about three months. 2. Temporary facility

				till 30/04/2013 4. import of material to cease by 31/05/2012

SECTION 6: PLANNING APPLICATIONS PENDING DETERMINATION

Ref	**Development**	**Date submitted**	**Proposed Duration**	**Comments** (including any anticipated additional capacity)
None				

SECTION 7: OCC ASSESSMENT

COMMENT (EXISTING FACILITY)

The CDE waste recycling/transfer station is part of a waste management site that contains a number of separate facilities, although some linkages between each exist (see also profiles ii, iii and site plan). The purpose of this profile is to assess the capacity of the transfer station to manage CDE waste.

That part of the transfer station that recycles CDE waste moved in 2007 to the Creswell Field from a more cramped location within the general area of the transfer station. To facilitate the relocation to Cresswell Field, a new planning permission was sought and obtained; initially this required the facility to be removed by the end of 2012. An application to make the facility permanent (09/0058/CM) was subsequently approved in December 2009.

The CDE recycling facility previously operated under a paragraph 13 exemption, but as of 2012 it became a licensed facility.

As an exempt facility, the EA did not record inert waste received at Cresswell Field. Some, though not all of the inert waste received at the skip waste transfer station (see profile i) would have been transferred to Cresswell Field.

The operator advises that the facility took in 30,000 tonnes of inert waste in 2007 and of this 25,000 tonnes came from the transfer station. The EA records for the site, now it is operating under a permit, of 25,257 tonnes in 2012 confirm that it is currently operating within this capacity.

The operator has advised that the facility could manage 50,000 tpa.

There is good reason for the activity to operate throughout the plan period. There is a permanent planning permission and the operator has submitted a nomination for the site to be included in the Minerals and Waste Local Plan.

There are no planning applications pending determination. The outcome of the assessment is summarised below.

Facility Category: (6) CDE Waste Recycling /Transfer

Capacity	**Throughput:** 50,000 tpa	**Recycling** (if applicable) 48,000 tpa	**Voidspace:**

Planning Status:	**Duration**
Operational	Permanent

COMMENT (POSSIBLE DEVELOPMENT OR EXPANSION)			
Nominated for a permanent aggregate recycling facility. Permission has since been granted and this nomination will no longer be acted upon. Possible increase in capacity to be dependent on monitoring annual throughput.			
Facility Category:			
Capacity	**Throughput:**	**Recycling** (if applicable)	**Voidspace:**

Officer: Trevor Brown / Poulomee Basu	**Date:31/10/2014**

OXFORDSHIRE COUNTY COUNCIL WASTE SITE PROFILE DOCUMENT
DRAFT

SECTION 1: SITE DETAILS

Site No. 009 **Facility No.** (i) **Site Area** 1.9 ha	**Operator:** M&M Skip Hire Ltd. **Site Location:** Worton Farm Transfer Station, Yarnton, Witney, Oxfordshire, OX29 4EB **Grid Ref: SP 471 113**	**Contact :** Mr. Mark Griggs M&M Skip Hire Ltd. Worton Park, Cassington, Witney, Oxon, OX29 4SU **Phone:** 01865 880559 **Email:** mark@mmskiphire.co.uk
Facility: (3) Recycling or Transfer		**Waste Type: C&I/CDE**

SECTION 2: AGENT DETAILS

Contact Name: Suzi Coyne **Company Name:** Suzi Coyne Planning **Phone:** 01865 453747 **Email:** suzi.coyne@ntlworld.com	**Address:** 60 Blenheim Drive Oxford OX2 8DQ

SECTION 3: ENVIRONMENT AGENCY (E.A.) DATA

EA License No. EPR/BP3097ET/V002		**E.A. Code:** A11
E.A. Exempt Para: n/a		**Licensed capacity:** 75,000 tpa
Exemption Reference (if applicable)**:** n/a **Exemption Expiry Date:** n/a		**Voidspace** (Landfill only) **Amount:** n/a **Date:** n/a
Past annual throughputs (tonnes):		
2002:	**2006:** 67,937 tonnes	**2010:** 63,381 tonnes
2003:	**2007:**	**2011:** 79,015 tonnes
2004:	**2008:**	**2012:** 55,536 tonnes
2005: 65,630 tonnes	**2009:**	**2013:**

SECTION 4: INFORMATION SUPPLIED BY OPERATOR

FOR AN EXISTING FACILITY	**Throughput (tonnes)**		
Date Information Provided: 28/01/2009 26/01/2010	**2006:** 60,000 **2007:** 60,000		**2010:** **2011:**
Voidspace (Landfill only) **Amount:** **Date:**	**2008** **2009**		**2012:** **2013**
	Likely Capacity	**Throughput** 70,000	**Recycling Rate** (if applicable) 60,000

POSSIBLE NEW DEVELOPMENT OR EXPANSION	**Brief description:** Retention of Waste Transfer and Recycling facility (mixed waste) on a permanent basis.		
Date Information Provided: 26/01/2010	**Likely Capacity**	**Throughput** 70,000	**Recycling Rate (if applicable)** 60,000

SECTION 5: RELEVANT PLANNING PERMISSIONS

Ref	**Development**	**Date Issued**	**Status and Duration**	**Relevant planning restrictions** (e.g. capacity, vehicle movements etc.)
CHS498/93 (1138/93)	Extension to existing building to provide for recycling, sorting, recovery, and transfer of waste.	Approved 23/03/95		1. Time limited to 31/12/10. 8. Hours of use restricted.
1057/95 & 95/01245/ CM	Mothballing for defunct railway turntable to allow for improved circulation space.	Approved 25/10/95		3. Time limited to 31/12/10.
95/01636/ CM	Recycling of construction and demolition waste including screening, provision of weighbridge, site office and ancillary works.	Approved 21/02/96		3. Time limited to 31/12/10. 10. Hours of use restricted.
06/01491/ CM	Recycling of construction and demolition waste and vehicle parking area at Cresswell Field, Worton Farm.	Approved 14/09/06		2. Time limited to 31/12/12. 5. Hours of use restricted.
09/00585/ CM	Alteration and Extension to make permanent the existing Waste Transfer Station	Approved 29/12/09		2. Commencement by 29/12/12. 3. Hours of use restriction.
MW.0116/11	Construction of storage bays and other new infrastructure	Approved 16/11/11		2. Commencement by 16/11/2014

Poulomee.Basu 31/10/2014 16:34
Comment [1]: Added commencement date

SECTION 6: PLANNING APPLICATIONS PENDING DETERMINATION

Ref	**Development**	**Date submitted**	**Proposed Duration**	**Comments** (including any anticipated additional capacity)
None				

SECTION 7: OCC ASSESSMENT

COMMENT (EXISTING FACILITY)

The transfer station is part of a waste management site that contains a number of separate facilities, although some linkages between each exist (see also profiles ii, iii and site plan). The purpose of this profile is to assess the capacity of the transfer station to manage C&I /CDE waste.

The operator has advised that the transfer station handles mostly C&I & CDE waste. Some of the CDE waste that is sorted being sent to the adjoining CDE recycling facility (see profile iii). The facility was temporary (to 2010) and is centred on a converted agricultural building that has been extended to accommodate the activity. An application to make the facility permanent was approved in December 2009.

The operator believes the facility is capable of handling 120,000 tpa of waste of which about 70,000 would be C&I waste. At full capacity the anticipated amounts recycled by waste stream could be 60,000 tonnes for C&I wastes. This is within the EA licensed capacity limit of 75,000 tpa.

The facility has been operating at or near to its capacity. That apparently dropped off in recent years but may increase again as the economy recovers from recession. Returns published by the EA indicate that the facility receives considerably more inert waste than non-hazardous waste, so the balance of activity may have shifted recently.

There is no reason to suggest that the current waste activity will not continue to operate throughout the plan period. There is a permanent planning permission.

There are no planning applications pending determination. The outcome of the assessment is summarised below.

Poulomee.Basu 31/10/2014 16:34

Comment [2]: Suzy, you changed this to '70,000 tpa of waste', and the phrase about C&I waste was deleted.

I have retained our original text.as this bit is talking about overall capacity of the site. The figure 120,000 tpa (C&I + C&D) is taken from your letter dated 26.01.2010.

However it should be noted that the C&I throughput to be used for the purposes of the MWLP remains 70,000 tpa (60,000 tpa recycling) and that hasn't been changed.

Facility Category: (3) Recycling or Transfer			
Capacity	**Throughput:** 70,000 tpa	**Recycling** (if applicable) 60,000 tpa	**Voidspace:**
Planning Status: Operational		**Duration** Permanent	

COMMENT (POSSIBLE DEVELOPMENT OR EXPANSION)			
Nominated for retention of Waste Transfer and Recycling facility (mixed waste) on a permanent basis. Planning permission has since been granted for this and the nomination is no longer relevant. The operator also submitted a nomination for a biomass gasification facility with a capacity of 15,000 tonnes processing waste wood in January 2009, although this is no longer being pursued. However, the additional waste management activities on land beyond AD facility (10ii) are still proposed.			
Facility Category:			
Capacity	**Throughput:** 20,000	**Recycling** (if applicable) 20,000	**Voidspace:**

Officer: Trevor Brown /Poulomee Basu	**Date:31/10/2014**

OXFORDSHIRE COUNTY COUNCIL
WASTE SITE PROFILE
(Base Document)

SECTION 1: SITE DETAILS

Site No. 149	**Operator:** B&E Waste Transfer Station **Site Location:** 115 Brize Norton Road Minster Lovell Oxfordshire, OX29 0SQ **Grid Ref:** SP 313 098	**Contact :** Mr. D. & Mrs. S. Ebsworth 115 Brize Norton Road, Minster Lovell, Oxfordshire OX29 0SQ. **Phone:** 01993 775571 **Email:**
Facility: MSW/ C&I Recycling or Transfer		**Waste Type: C&I/CDE**

SECTION 2: AGENT DETAILS

Contact Name: Suzi Coyne **Company Name:** Suzi Coyne Planning **Phone:** 01865 453747 **Email:** suzi.coyne@ntlworld.com	**Address:** 60 Blenheim Drive Oxford OX2 8DQ

SECTION 3: ENVIRONMENT AGENCY (E.A.) DATA

E.A. Licence no.	86223	**E.A. Exempt Para.**		**E.A. Code**	**A11**
Licensed capacity : 25,000 tpa		**Throughput:** **2002** -5,249 tpa **2005** -9,726 tpa **2006** -11,250 tpa		**Voidspace (Landfill only)** **Amount:** **Date:**	

SECTION 4: NOMINATION DATA

Nomination made?	**Throughput**			
YES	**2006**	10,000 – C&I 5,000 – C&D	**2007**	11,000 – C&I 6,000 – C&D
	Additional info (if any):			
Site Area: 0.3 Ha	**Amount Recycled (if any)**			
	2006	12,500 tpa	**2007**	14,000 tpa
	Operator's assessed capacity			15,000 tpa
	Date (if relevant)			
Nominated for: Continued operation of Waste Transfer & Recycling facility (C&I and C&D)				

SECTION 5: PLANNING PERMISSIONS

Ref	Development	Date	Conditions of relevance to MWDF
1270/94	The construction of storage/ transfer shed for proposed waste transfer station at 115 Brize Norton Road, Minster Lovell.	Approved 06/01/95	1. Hours of use restriction.
08/0220/P/CM	Extension of existing waste recycling facility to accommodate new plant, building, vehicle parking/ skip storage area and weighbridge at 115 Brize Norton Road, Minster Lovell, Oxfordshire	Approved 05/01/09	3. Hours of use restrictions.

SECTION 6: PLANNING DATA

AONB No	**SSSI*** Yes	**SAC**** No
Green Belt No	**Flood Zone** (s/t SFRA study) No	**Houses***** –Brize Norton Road
Access: B4477 (Brize Norton Road)		
Town(s) (within 10km): Carterton / Witney		

* If within 1km of SSSI delete No
** If within 2km of SAC, delete No
*** If within 100m delete No

SECTION 7: INITIAL ASSESSMENT

COMMENT

This commercial waste facility operates from a yard situated behind residential properties fronting Brize Norton Road (B4477). Access from the road is taken between nos. 115 and 117, making this effectively a backland location. However, the activity appears to be tolerated by neighbours, and has recently been allowed to be improved (with planning permission) through the addition of a weighbridge and new recycling equipment.

About 30% of the waste handled appears to be inert, and the recycling statistics provided with the nomination suggest that a good proportion is recycled in some way. The amounts appear to be relatively small and the operator confirms that no secondary and recycled aggregate is produced at the site (hard material being taken for recycling elsewhere). Whilst some recycling/separation of inert wastes probably take place, the amounts are sufficiently small as to not require separate accounting. Existing capacity should therefore be measured as MSW/C&I waste recycling/transfer.

The operator advises that the capacity of the site is lower than that indicated by

the waste license, and EA throughput figures suggest this is the case. There is a high level of recycling, suggesting that the capacity to be allocated to the recycling needs to be met by the MWDF should only be marginally lower than suggested by the operator (15,000 tpa). Recycling capacity is assessed at 12,000 tpa (as agreed by the operator). Having been nominated for inclusion in the MWDF, there seems no reason to suggest that the existing facility will not continue to operate at its current capacity for the period to 2030. Consideration may therefore be given to safeguarding the facility.
Facility Category 3 **MSW/ C&I Recycling or Transfer**
Capacity to be used for the purpose of the Plan: **12,000 tpa**
Planning Status: **Permanent**

Officer: R.P/TB	**Date: 15.03.2011**

S:\SPED\15.1.2 Minerals & Waste\3 M&W Development Framework\8 Waste Management\3 Site Details\West Oxfordshire\Brize Norton\Revisions to Final

OXFORDSHIRE COUNTY COUNCIL
WASTE SITE PROFILE
(Base Document)

SECTION 1: SITE DETAILS

Site No.	**Operator:**	**Contact :**
121	Old Brickworks Farm (R. Miller) **Site Location:** Old Brickworks Farm, Bletchingdon, Oxon, OX5 3DT **Grid Ref:** SP 518 158	Mr R. Miller Old Brickworks Farm, Bletchingdon, Oxon, OX5 3DT **Phone:** 01869 350445 **Email:**
Facility: (ii) Inert Landfill		**Waste Type: CDE**

SECTION 2: AGENT DETAILS

Contact Name: Suzi Coyne **Company Name:** Suzi Coyne Planning **Phone:** 01865 453 747 **Email:** suzi.coyne@ntlword.com	**Address:** 60 Blenheim Drive Oxford OX2 8DQ

SECTION 3: ENVIRONMENT AGENCY (E.A.) DATA

E.A. Licence no.		**E.A. Exempt Para.**	**9**	**E.A. Code**	**A5**
Licensed capacity :		**Throughput:** **2002** - **2005** - **2006** -		**Voidspace (Landfill only)** **Amount:** **Date:**	

SECTION 4: NOMINATION DATA

Nomination made?	**Throughput**			
YES	**2006**		**2007**	
	Additional info (if any): In 2009, the void remained at 45,000 m3; the lifetime of the facility could extend to 2024.			
Site Area:	**Amount Recycled (if any)**			
8.0 Ha	**2006**		**2007**	
	Operator's assessed capacity			45,000 m3

	Date (if relevant)	2009
Nominated for: Extend the permitted capacity of the inert landfill for up to 15 years and develop permanent waste recycling facility (C&D waste).		

SECTION 5: PLANNING PERMISSIONS

Ref	Development	Date	Conditions of relevance to MWDF
02/01204/CM	Construction waste recycling and deposit of inert material.	Approved 12/11/02	1. Time limited to 31/12/17. 4. Hours of use restricted. 6. Inert waste only

SECTION 6: PLANNING DATA

AONB No	**SSSI*** No	**SAC**** No
Green Belt Yes	**Flood Zone** (s/t SFRA study) No	**Houses***** –Field Barn Farm
Access: A34 (via B4027)		
Town(s) (within 10km): Bicester/ Kidlington/ Oxford		

* If within 1km of SSSI delete No
** If within 2km of SAC, delete No
*** If within 100m delete No

SECTION 7: INITIAL ASSESSMENT

COMMENT
This is the site of a former borrow pit which has not been properly restored. It is situated close to the north bound carriageway of the A34 with access to the trunk road via the grade separated junction at Islip. The site lies within the Green Belt. Permission was granted for the site to be restored in November 2002 using imported fill. The permission also allows for a recycling operation to be established for the lifetime of the restoration project (see profile i). The borrow pit has a void of about 100,000 cubic metres and the permission allows for almost half of this to be filled with inert material to produce a profiled landform. The 1990 Planning Act gave 5 years for this permission to be commenced; permission for the operation extends to the end of 2017, and any remaining materials and buildings have to be removed within a further 12 month period. The permission has been activated (see previous monitoring history), but it is understood that very little progress has been made to date. It was originally proposed that the void be filled at a rate of 3,000 m3 per annum, but the operator now suggests the approved project may not be able to be completed before 2024. The present borrow pit can therefore still contribute 45,000 m3 inert landfill capacity to the Plan's waste needs (as confirmed below). The operator advises that this will be filled at a rate of 3,000 m3 per annum using only residual material from the recycling facility.

The existing waste site (see plan) has also been nominated for an extension (of some 4.4 ha) to allow for further clay extraction and a subsequent increase in the amount of inert material to be used in the restoration of the extended area (a further 100,000 m3). The rate of fill would be increased in this event and further material imported: the project would still be completed within an expected 15 year period. The nomination will be assessed in the generation and consideration of the options which will lead to the development of the preferred Waste Strategy and subsequent site allocations.
Facility Category 2 **Inert Landfill**
Capacity to be used for the purpose of the Plan: **45,000 m3**
Planning Status: Temporary (2017)

Officer: R.P/TB	**Date: 15.03.2011**

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Suzi Coyne Planning

60 Blenheim Drive
Oxford, OX2 7LE
Telephone: 01865-453747
Mobile: 07779-099560
Fax: 01865-453763
e-mail: suzi.coyne@ntlworld.com

Raakhee Patel
Planning Policy Officer
Oxfordshire County Council
Environment & Economy
Speedwell House
Speedwell Street
Oxford
OX1 1NE

27th January 2010

Dear Raakhee

Oxfordshire Minerals and Waste Development Framework
Waste Management Capacity and Site Details Review
Site 005 – Playhatch Quarry, Playhatch
Facility: CDE Waste Recycling/Transfer

Thank you for your letter dated 8 December 2009, inviting comments on the draft profile for the above site in existing waste management use. I have the following comments to make on behalf of the site operators Grabloader Ltd.

The 2nd paragraph of Section 7 does not properly reflect the position and requires some clarification, which also provides a response to question 1 in your letter.

A waste management licence (now re-termed an environmental permit) was issued on 03/03/1995 with an annual limit of 20,000 tonnes. On 15 January 1994 an exemption from waste management licensing was registered under paragraph 13. This meant that the aggregate recycling element of operations was no longer covered by the waste licence, and that the soil recycling (for which there is no exemption provision, when it is taken off site) is now the only activity subject to the 20,000 tonnes limit.

The site therefore operates under both an environmental permit and the registration of an exempt waste operation. The only limits on tonnages in relation to a paragraph 13 exemption are that:

- the total amount manufactured on any day cannot exceed 500 tonnes; and
- the total quantity stored (at any point in time) cannot exceed 50,000 tonnes for road planings and 20,000 tonnes for other materials.

The Environment Agency figures only relate to waste returns (recording throughput) submitted further to the licence/permit requirements. They are not required for exempt activities. The quantity stated on the profile for 2005 would therefore relate to soil only. I

believe there was a period of time in about 2004 - 2005 that Hanson Recycling & Demolition were using the site in preference to their site in Reading and I estimate that throughput at that time was at the rate of about 40,000 tonnes per annum.

In response to question 3 in your letter throughput for 2009 was 34,000 tonnes of which about 30,000 tonnes was recycled. As you are aware the current operator has only been on site since August 2008 and is still in the process of establishing the business.

With regard to the "Capacity to be used for the purpose of the Plan" in Section 7 (and Section 4 – Operator's assessed capacity) 70,000 tpa would be correct for throughput, but recycling capacity should be about 65,000 tpa.

Finally, further to question 2 of your letter, please find attached as requested a site plan, drawing number P099m/06. This is the same one as originally submitted in November 2005, and shows the boundary of the planning permission (P05/E0024/CM). I would confirm that the proposed increase in the capacity of the facility would be served by the existing access arrangement.

I hope this response is helpful, and would like to thank you for the opportunity to comment. If you would like to discuss the profile further I would be very happy to do so.

Yours sincerely

[redacted]

Suzi Coyne

Copy to: Grabloader Ltd., Highbrook, Lambwood Hill, Grazeley, Reading, Berkshire RG7 1JN

Summary of New Wintles Farm Waste Returns 2014

	Mobile plant	Treatment
Jan - Mar 2014	390	3876
Apr - Jun 2014	1228	5462
Jul - Sep 2014	1450	4102
Oct - Dec 2014	1416.5	3122.5
Year Total for Activity	4484.5	16562.5
Total Waste Inputs		**21047**

Info: Your form has been successfully submitted

Waste Tonnage Return Form

Use this form to tell us the type and quantity of controlled waste you have processed at each facility on your site over the last quarter. Please read through the whole form and guidance notes before you start filling anything in

- The period the return covers **01/01/2014** to **31/03/2014**
- Your return must be submitted after **31/03/2014** and before **30/04/2014**
- You may breach the terms of your permit if you do not comply with these dates. This could lead to enforcement action
- You must complete all fields marked with an *

Contact Details

Return Contact Name:* **Annabella McKenna**
Position:* **Administrator**
Telephone:* **01993 700124**
Email:* **office@mckenna-environmental.com**

Permit Details

Permit Number **105383**

Site Details

Site: **Mc Kenna Environmental Limited S R 2010 No 11**
Type of Facility: **SR2010 No11 : Mobile plant treatment for soil <75,000 tpd**
If the above details are not correct, please contact the Environment Agency's National Operator Returns team on : 08708 506 506

Return Details

Are you operating a landfill:* ○Yes ◉No
Are you submitting a nil return?:* ○Yes ◉No
Weighbridge used?: ○Yes ◉No

Waste Received on Site

Waste received for this return

	Origin	EWC Code	Disposal or Recovery	Municipal Source	Degradable	State	From Another Activity	Amount	Pre-treatment	Info
○	Oxfordshire	170504	D08.01	yes	no	SO		90.000		

○	Oxford	170504	D08.01	yes	no	SO	300.000
						Total:	390.000

Waste Removed from Site

Waste removed for this return

	Destination	EWC Code	Municipal Source	State	Disposal or Recovery	Amount (tonnes)	Info
○							
						Total:	0.000

Declaration

I certify that the information in this return is correct to the best of my knowledge and belief.:* ◉Yes ○No

Data Protection Act 1998

The information you provide will be used by the Environment Agency to enable it to fulfil its regulatory and planning responsibilities. For full information on how the data in this form will be used please see the guidance notes.

creating a better place

Author: The Environment Agency | enquiries@environment-agency.gov.uk

Last updated: 03 February 2010

Info: Your form has been successfully submitted

Waste Tonnage Return Form

Use this form to tell us the type and quantity of controlled waste you have processed at each facility on your site over the last quarter. Please read through the whole form and guidance notes before you start filling anything in

- The period the return covers **01/01/2014** to **31/03/2014**
- Your return must be submitted after **31/03/2014** and before **30/04/2014**
- You may breach the terms of your permit if you do not comply with these dates. This could lead to enforcement action
- You must complete all fields marked with an *

Contact Details

Return Contact Name:* **Annabella McKenna**
Position:* **Administrator**
Telephone:* **01993 700124**
Email:* **office@mckenna-environmental.com**

Permit Details

Permit Number **103965**

Site Details

Site: **Mc Kenna Environmental Limited Aggregate Recycling Facility New Wintles Farm, Lower Road, Eynsham, Oxfordshire OX29 4EG**
Type of Facility: **S0906 : Inert and excavation WTS with treatment**
If the above details are not correct, please contact the Environment Agency's National Operator Returns team on : 08708 506 506

Return Details

Are you operating a landfill:* ○Yes ◉No
Are you submitting a nil return?:* ○Yes ◉No
Weighbridge used?: ○Yes ◉No

Waste Received on Site

Waste received for this return

Origin	EWC Code	Disposal or Recovery	Municipal Source	Degradable	State	From Another Activity	Amount	Pre-treatment	Info

○	Oxford	170101	D08.01	yes	no	SO	936.000
○	Oxford	170102	D08.01	yes	no	SO	105.000
○	Oxford	170107	D08.01	yes	no	SO	906.000
○	Oxford	170302	D08.01	yes	no	SO	120.000
○	Oxfordshire	170101	D08.01	yes	no	SO	846.000
○	Oxfordshire	170102	D08.01	yes	no	SO	72.000
○	Oxfordshire	170107	D08.01	yes	no	SO	552.000
○	Oxfordshire	170302	D08.01	yes	no	SO	339.000
						Total:	3876.000

Waste Removed from Site

Waste removed for this return

	Destination	EWC Code	Municipal Source	State	Disposal or Recovery	Amount (tonnes)	Info
○							
					Total:	0.000	

Declaration

I certify that the information in this return is correct to the best of my knowledge and belief.:* ◉Yes ○No

Data Protection Act 1998

The information you provide will be used by the Environment Agency to enable it to fulfil its regulatory and planning responsibilities. For full information on how the data in this form will be used please see the guidance notes.

creating a better place

Author: The Environment Agency | enquiries@environment-agency.gov.u

Last updated: 03 February 201

A A A Contact us

Info: Your form has been successfully submitted

Waste Tonnage Return Form

Use this form to tell us the type and quantity of controlled waste you have processed at each facility on your site over the last quarter. Please read through the whole form and guidance notes before you start filling anything in

The period the return covers **01/04/2014** to **30/06/2014**

Your return must be submitted after **30/06/2014** and before **31/07/2014**

You may breach the terms of your permit if you do not comply with these dates. This could lead to enforcement action

You must complete all fields marked with an *

Contact Details

Return Contact Name:* Annabella McKenna
Position:* Administrator
Telephone:* 01993 700124
Email:* office@mckenna-environmental.com

Permit Details

Permit Number **105383**

Site Details

Site: **Mc Kenna Environmental Limited S R 2010 No 11**
Type of Facility: **SR2010 No11 : Mobile plant treatment for soil <75,000 tpd**
If the above details are not correct, please contact the Environment Agency's National Operator Returns team on : 08708 506 506

Return Details

Are you operating a landfill:* ◯Yes ◉No
Are you submitting a nil return?:* ◯Yes ◉No
Weighbridge used?: ◯Yes ◉No

Waste Received on Site

Waste received for this return

Origin	EWC Code	Disposal or Recovery	Municipal Source	Degradable	State	From Another Activity	Amount	Pre-treatment	Info
◯ Oxford	170504	D08.01	yes	no	SO		583.000		
◯ Oxfordshire	170504	D08.01	yes	no	SO		645.000		
						Total:	1228.000		

Waste Removed from Site

Waste removed for this return

A A A Contact us

Info: Your form has been successfully submitted

Waste Tonnage Return Form

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Return Details

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Are you submitting a nil return?:* ○Yes ◉No
Weighbridge used?: ○Yes ◉No

Waste Received on Site

Waste received for this return

Origin	EWC Code	Disposal or Recovery	Municipal Source	Degradable	State	From Another Activity	Amount	Pre-treatment	Info
○ Oxfordshire	170101	D08.01	yes	no	SO		1932.000		
○ Oxfordshire	170102	D08.01	yes	no	SO		63.000		
○ Oxfordshire	170107	D08.01	yes	no	SO		264.000		
○ Oxford	170101	D08.01	yes	no	SO		1841.000		
○ Oxford	170102	D08.01	yes	no	SO		63.000		
○ Oxford	170107	D08.01	yes	no	SO		1002.000		
○ Oxford	170302	D08.01	yes	no	SO		297.000		
						Total:	5462.000		

Info: Your form has been successfully submitted

Waste Tonnage Return Form

Use this form to tell us the type and quantity of controlled waste you have processed at each facility on your site over the last quarter. Please read through the whole form and guidance notes before you start filling anything in

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Your return must be submitted after **30/09/2014** and before **31/10/2014**

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Are you submitting a nil return?:* ◯Yes ◉No
Weighbridge used?: ◯Yes ◉No

Waste Received on Site

Waste received for this return

Origin	EWC Code	Disposal or Recovery	Municipal Source	Degradable	State	From Another Activity	Amount	Pre-treatment	Info
◯ Oxford	170504	D08.01	yes	no	SO		607.000		
◯ Oxford	170107	D08.01	yes	no	SO		24.000		
◯ Oxfordshire	170504	D08.01	yes	no	SO		819.000		
						Total:	1450.000		

Waste Removed from Site

Waste removed for this return

Info: Your form has been successfully submitted

Waste Tonnage Return Form

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Position:* Administrator
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Return Details

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Are you submitting a nil return?:* ◯Yes ◉No
Weighbridge used?: ◯Yes ◉No

Waste Received on Site

Waste received for this return

Origin	EWC Code	Disposal or Recovery	Municipal Source	Degradable	State	From Another Activity	Amount	Pre-treatment	Info
◯ Oxford	170101	D08.01	yes	no	SO		1424.000		
◯ Oxford	170102	D08.01	yes	no	SO		54.000		
◯ Oxford	170107	D08.01	yes	no	SO		224.000		
◯ Oxford	170302	D08.01	yes	no	SO		644.000		
◯ Oxfordshire	170101	D08.01	yes	no	SO		1326.000		
◯ Oxfordshire	170102	D08.01	yes	no	SO		34.000		
◯ Oxfordshire	170302	D08.01	yes	no	SO		396.000		
						Total:	4102.000		

Info: Your form has been saved

Waste Tonnage Return Form

Use this form to tell us the type and quantity of controlled waste you have processed at each facility on your site over the last quarter. Please read through the whole form and guidance notes before you start filling anything in

The period the return covers **01/10/2014** to **31/12/2014**

Your return must be submitted after **31/12/2014** and before **31/01/2015**

You may breach the terms of your permit if you do not comply with these dates. This could lead to enforcement action

You must complete all fields marked with an *

Permit Info | Waste Received | Waste Removed | Declaration

Waste Received on Site

Waste received for this return

	Origin	EWC Code	Disposal or Recovery	Municipal Source	Degradable	State	From Another Activity	Amount	Pre-treatment	Info
◉	Oxford	170107	D08.01	yes	no	SO		7.500		
○	Oxford	170504	D08.01	yes	no	SO		535.000		
○	Oxfordshire	170504	D08.01	yes	no	SO		859.000		
○	Wiltshire	170504	D08.01	yes	no	SO		15.000		
							Total:	1416.500		

Waste Received Entry

Origin: District

District:* Oxford

EWC Code:* (170107) - mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 1

Disposal or Recovery:* (D08.01) - Mechanical-Biological treatment

Municipal Source: ◉ Yes ○ No

Degradable: ○ Yes ◉ No

State:* (SO) - Solid

From Another Activity: Start Typing for Suggestions

Amount:* 7.500 (tonnes)

Pre-treatment: Start Typing for Suggestions

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Author: The Environment Agency | enquiries@environment-agency.gov.uk

Last updated: 03 January 2014

Info: Your form has been successfully submitted

Waste Tonnage Return Form

Use this form to tell us the type and quantity of controlled waste you have processed at each facility on your site over the last quarter. Please read through the whole form and guidance notes before you start filling anything in

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You may breach the terms of your permit if you do not comply with these dates. This could lead to enforcement action

You must complete all fields marked with an *

Contact Details

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Position:* Administrator
Telephone:* 01993 700124
Email:* office@mckenna-environmental.com

Permit Details

Permit Number **103965**

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If the above details are not correct, please contact the Environment Agency's National Operator Returns team on : 08708 506 506

Return Details

Are you operating a landfill:* ○ Yes ◉ No
Are you submitting a nil return?:* ○ Yes ◉ No
Weighbridge used?: ○ Yes ◉ No

Waste Received on Site

Waste received for this return

Origin	EWC Code	Disposal or Recovery	Municipal Source	Degradable	State	From Another Activity	Amount	Pre-treatment	Info
○ Oxford	170101	D08.01	yes	no	SO		1266.000		
○ Oxford	170102	D08.01	yes	no	SO		36.000		
○ Oxford	170107	D08.01	yes	no	SO		7.500		
○ Oxford	170302	D08.01	yes	no	SO		120.000		
○ Oxfordshire	170101	D08.01	yes	no	SO		853.000		
○ Oxfordshire	170102	D08.01	yes	no	SO		18.000		
○ Oxfordshire	170302	D08.01	yes	no	SO		822.000		
						Total:	3122.500		

REVISED RAG ASSESSMENT A - Correct Application of Policy W4

APPENDIX 3

Category	Site No.	Description	Capacity (tpa)	Policy W4	Green Belt	AONB	Greenfield or 'priority use'	Floodzone	Groundwater Sensitivity	Groundwater vulnerability	SAC	SSSI	Local Designations	Archaeological Assets	Heritage Assets	Residential Amenity	RAG
Cat 3	002	Prospect Farm, Chilton	17,000														
Cat 3	006	Childrey Quarry	4,000														
Cat 3	009B	Worton Farm South of AD site	75,000														
Cat 3	009C	Worton Farm X-fer Extension	0														
Cat 3	009D	Worton Farm West of AD site	20,000														
Cat 3	023	Alkerton Landfill	50,000														
Cat 3	180	Elmwood Farm, Black Bourton	13,600														
Cat 3	236	Con Rec, Dix Pit	30,000														
Cat 3	250	Broughton Poggs Business Park	50,000														
Cat 3	261	Knightsbridge Farm, Yarnton	30,000														
Cat 3	276	Oday Hill, Sutton Wick	50,000														
Cat 4	023	Alkerton Landfill	150,000														
Cat 4	103	Lakeside Industrial Estate, Standlake	150,000														
Cat 4	138	Woodside, Old London Road, Ewelme	150,000														
Cat 4	217	Culham No. 4 Site, Clifton Hampden	200,000														
Cat 5	226	Dewars Farm, Ardley	45,000														
Cat 5	249A	High Cogges Farm, Witney	10,000														
Cat 5	249B	High Cogges Farm, Witney	10,000														
Cat 6	001	Shipton Hill, Fullbrook	5,000														
Cat 6	002	Prospect Farm, Chilton	43,000														
Cat 6	005	Playhatch Quarry	30,000														
Cat 6	006	Childrey Quarry	5,000														
Cat 6	007	Greenhill Farm Quarry, Bletchingdon	28,000														
Cat 6	008B	New Wintles Farm, Eynsham	200,000														
Cat 6	009A	Worton Farm, Cresswell Field	250,000														
Cat 6	010	Sutton Courtenay Landfill	100,000														
Cat 6	018	Holloway Farm, Milton Common	98,000														
Cat 6	020B	Wicklesham Quarry, Faringdon	15,000														
Cat 6	021	Greensands, East Hendred	40,000														
Cat 6	026	Whitehill Quarry, Burford	30,000														
Cat 6	103	Lakeside Industrial Estate, Standlake	270,000														
Cat 6	121	Old Brickworks Farm, Bletchingdon	48,000														
Cat 6	225	Cedars Lane, Benson	30,000														
Cat 6	236	Con Rec, Dix Pit	165,000														
Cat 6	245	Challow Marsh Farm, West Challow	20,000														
Cat 6	248	Thrupp Lane, Radley	100,000														
Cat 6	262	Lower Heath Farm, Cottisford	50,000														
Cat 6	265	Wiideaton Quary	40,000														
Cat 6	274	Moor End Farm, Thame	90,000														
Cat 6	276	Oday Hill, Sutton Wick	100,000														
Cat 6	277	Nixey Hole, Chalgrove	20,000														
Cat 6	278	Adj B4100, Baynards Green	200,000														
Cat 6	279	R/o Ford Garage, Rycote Lane, Thame	70,000														
Cat 6	280	Oxford Shooting Ground, Enstone Airfield	110,000														

REVISED RAG ASSESSMENT B - Correct Application of Policy W4 and Policy W5

Category	Site No.	Description	Capacity (tpa)	Policy W4	Green Belt	AONB	Greenfield or 'priority use'	Floodzone	Groundwater Sensitivity	Groundwater vulnerability	SAC	SSSI	Local Designations	Archaeological Assets	Heritage Assets	Residential Amenity	RAG
Cat 3	002	Prospect Farm, Chilton	17,000														
Cat 3	006	Childrey Quarry	4,000														
Cat 3	009B	Worton Farm South of AD site	75,000														
Cat 3	009C	Worton Farm X-fer Extension	0														
Cat 3	009D	Worton Farm West of AD site	20,000														
Cat 3	023	Alkerton Landfill	50,000														
Cat 3	180	Elmwood Farm, Black Bourton	13,600														
Cat 3	236	Con Rec, Dix Pit	30,000														
Cat 3	250	Broughton Poggs Business Park	50,000														
Cat 3	261	Knightsbridge Farm, Yarnton	30,000														
Cat 3	276	Oday Hill, Sutton Wick	50,000														
Cat 4	023	Alkerton Landfill	150,000														
Cat 4	103	Lakeside Industrial Estate, Standlake	150,000														
Cat 4	138	Woodside, Old London Road, Ewelme	150,000														
Cat 4	217	Culham No. 4 Site, Clifton Hampden	200,000														
Cat 5	226	Dewars Farm, Ardley	45,000														
Cat 5	249A	High Cogges Farm, Witney	10,000														
Cat 5	249B	High Cogges Farm, Witney	10,000														
Cat 6	001	Shipton Hill, Fullbrook	5,000														
Cat 6	002	Prospect Farm, Chilton	43,000														
Cat 6	005	Playhatch Quarry	30,000														
Cat 6	006	Childrey Quarry	5,000														
Cat 6	007	Greenhill Farm Quarry, Bletchingdon	28,000														
Cat 6	008B	New Wintles Farm, Eynsham	200,000														
Cat 6	009A	Worton Farm, Cresswell Field	250,000														
Cat 6	010	Sutton Courtenay Landfill	100,000														
Cat 6	018	Holloway Farm, Milton Common	98,000														
Cat 6	020B	Wicklesham Quarry, Faringdon	15,000														
Cat 6	021	Greensands, East Hendred	40,000														
Cat 6	026	Whitehill Quarry, Burford	30,000														
Cat 6	103	Lakeside Industrial Estate, Standlake	270,000														
Cat 6	121	Old Brickworks Farm, Bletchingdon	48,000														
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Cat 6	236	Con Rec, Dix Pit	165,000														
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Cat 6	248	Thrupp Lane, Radley	100,000														
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Cat 6	265	Wiideaton Quary	40,000														
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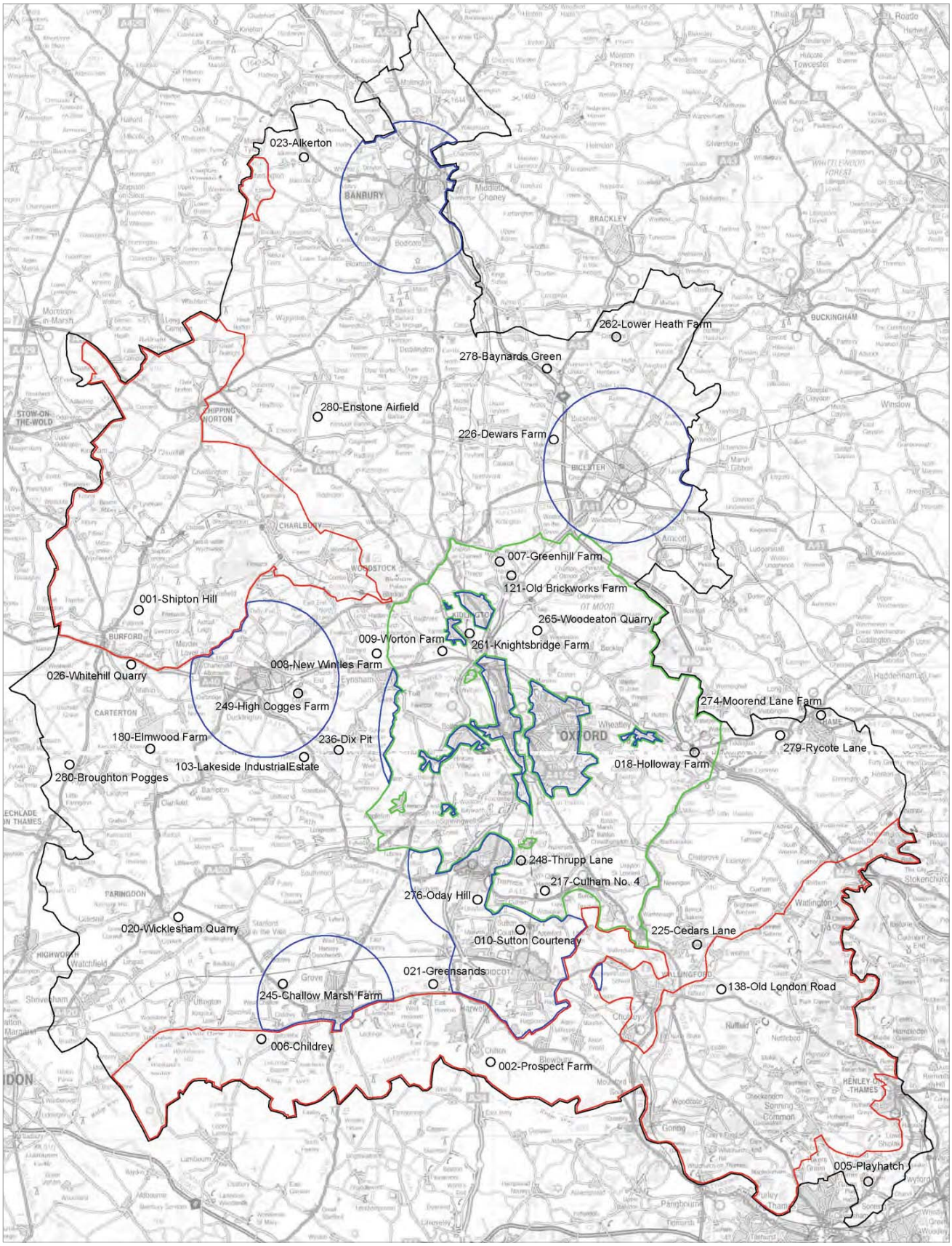
Cat 6	276	Oday Hill, Sutton Wick	100,000														
Cat 6	278	Adj B4100, Baynards Green	200,000														
Cat 6	279	R/o Ford Garage, Rycote Lane, Thame	70,000														
Cat 6	280	Oxford Shooting Ground, Enstone Airfield	110,000														



Project: Response to Consultation on Oxfordshire Minerals and Waste Core Strategy Additional Documents April 2016

Suzi Coyne Planning

60 Blenheim Drive
Oxford, OX2 8DQ
Tel.: 01865 453747
Mob: 07779 099560

email: suzi.coyne@ntlworld.com

Title:
Location of Site Nominations for Principal Waste Stream Recycling, Treatment and Recovery facilities

Drawing No.:	202MWCS/6
Scale:	1:25,000 @ A3
Drawn By:	Suzi Coyne
Date:	June 2016

Legend:

- Areas for Waste Management Facilities with Capacity in Excess of 20,000 tpa
- AONBs
- Green Belt

Oxfordshire Minerals and Waste Development Framework

Report of the Draft Waste Planning Strategy Consultation Meeting

29th September 2011

By Proteus Public Relations

Final Report – 11th October 2011

1. Introduction

The latest meeting of the Waste Forum, which took place on 29th September 2011 at Oxford Town Hall, was held to discuss and review the proposals in the Draft Waste Planning Strategy consultation document. Present at the meeting were:

Proteus Public Relations

Paul Davison	Chairman
John Johnson	Recorder

Oxfordshire County Council

Peter Day	Minerals and Waste Policy Team Leader
Lois Partridge	Minerals and Waste Planning Policy Officer
Trevor Brown	Minerals and Waste Planning Policy Officer
Rob Dance	Planning Implementation Group Manager

Forum Members

Andrew Wood	Friends of the Earth
Cathy Harrison	Environment Agency
Charles Mathew	Stanton Harcourt Parish Council
Chris Sheehan	Sheehan Group
Colin Woodward	Sutton Courtenay Parish Council
David Peckford	Cherwell District Council
Grant Scott	Viridor
James Irvine	Agrivert
Mark Recchia	Banbury Town Council
Matt Bates	Oxford City Council
Miles Thompson	South Oxfordshire District Council
Nick Hards	Didcot Town Council
Stewart Mitchell	Grundon

Apologies

Graham Mundy	Grove Town Council
John Beech	CPRE
Vincent Doyle	Waste Recycling Group

The agenda for the meeting is set out in Appendix A.

Meeting Format

The meeting ran as follows:

- Presentation from Oxfordshire County Council on development and content of the draft Waste strategy
- Group discussions on aspects of the strategy, namely:
  - Vision and objectives
  - Strategy for waste facilities
  - Waste policies and core policies
  - Group's main issues
- Review of group discussion
- Summary and close.

2. OCC Waste Presentation

Peter Day of OCC opened the forum by delivering a brief summary of the development and current status of the draft strategy, outlining the vision and objectives of the strategy and polices for waste facilities, core policies and next steps. The key points on the consultation are as follows:

- The draft Waste Strategy is open to an eight week public consultation, running from 5 September to 31 October 2011. Documents are available on the Oxfordshire County Council website, in libraries and in County and District Council offices.
- Once the consultation period has ended, the need for amendments will be considered in response to the comments and the strategy will be progressed to the proposed submission document.
- If major changes to the strategy are needed, then further consultation may be required.
- Once finalised, the document will need to be agreed by a full meeting of the County Council. It will then be published for further representations and then submitted to the government for independent examination by a planning inspector.

Forum members were then given an opportunity to give their views on the points covered in Peter's presentation. The following is a summary of the points raised:

- One forum member queried when a document containing site specific plans would be released. Peter Day responded that the Minerals and Waste Policy team will not have the available capacity to produce the document until after the public examination of the Core Strategy, in approximately one year's time. Subsequently, the question was raised as to how OCC have produced the document thus far, without knowing exactly where facilities will be installed. Peter responded stating that general locations have been proposed based on an assessment of waste

management needs, with new facilities being located near to where they will be needed.

- One forum member questioned the draft strategy's approach to commercial and industrial waste. Taking into account the planned incinerator at Ardley, it was queried as to whether the county's waste arising was sufficient for a new facility. Peter Day responded stating that the Ardley incinerator has a capacity of 300,000 tpa – it is expected to handle approximately 120,000 tpa of municipal waste from Oxfordshire, leaving approximately 180,000 tpa available for commercial and industrial waste. It has been estimated that 90,000 tpa of this would come from Oxfordshire and 90,000 tpa from outside the county. This would leave about 180,000 tpa of commercial and industrial waste produced in Oxfordshire to be dealt with, therefore requiring an additional facility to handle this waste.

- One forum member questioned why OCC were effectively putting a cap on facility development in certain towns – the fact that a town already has one facility doesn't mean that another should not be built there. Peter Day responded that the draft strategy did not seek to impose a cap on waste management facilities that would move waste up the hierarchy, but aimed to ensure sufficient capacity of facilities where they will be needed. Applications for additional facilities could be considered under Policy W6. For economic reasons the industry is likely to be self-regulating such that there would not be an oversupply of waste facilities.

- One forum member raised a concern that the draft strategy's objectives are contradictory – the plan has outlined provision for facilities that would have a handling capacity greater than that required for Oxfordshire alone (and will therefore be able to process waste from neighbouring counties), yet the vision outlines the objective of the county remaining largely self-sufficient. It was questioned as to whether this would lead to the movement of waste, both within Oxfordshire and between counties, in order to get the most favourable price. Peter Day responded that the strategy aims to deal with Oxfordshire's waste but also makes provision for some waste from London and elsewhere, at a declining rate.

- One forum member highlighted that South Oxfordshire currently has a recycling rate of 70%. It could therefore be postulated that the amount of C&I waste produced is going to reduce and that the required capacity would therefore be reduced. Peter Day responded stating that this could be the case, but estimates of requirements can only be made on current evidence.

3. Group exercise

Following Peter's presentation and the group feedback, Paul Davison explained the objective of the group exercise was to identify the views of individuals, sectors of the group and the group as a whole on the proposals in the Draft Waste Planning Strategy consultation document.

Forum members were split into small working groups and asked to discuss and comment on the following:

- Vision and objectives
- Strategy for mineral working
- Minerals policies and core policies
- Group's main issues

Having discussed the issues in small groups, a nominated representative then reported the group's comments back to the forum. The raised issues are detailed below.

Vision and objectives

Group 1

- The group felt that the vision and objectives reflected existing policy and had no major concerns.
- It was felt that the Plan needs to be achievable and within control. The ability of Oxfordshire to be self-sufficient in handling its waste was questioned, in particular that all of Oxfordshire's C&I waste cannot be managed by treatment.

Group 2

- The group felt that the vision should be to minimise waste produced. It was felt that the Plan is providing for more waste than will be produced by Oxfordshire, which is a concern. More emphasis needs to be placed on 'self-sufficiency'.
- Although it was appreciated that it was not possible to mention site-specifics at this stage, requirements were made for the Plan to be more specific about setting targets.
- The group wanted safeguards for the development on Green Belt land and confirmation of who would decide if development in such locations can take place.

Group 3

- It was felt that the vision and objectives needed to be more spatially specific and relevant to Oxfordshire.
- Waste reduction should be referred to in the vision.
- The group suggested that the vision and objectives should make greater reference to waste arisings.

Strategy

Group 1

- It was felt that the strategy was overly prescriptive, restrictive and excluded further capacity.
- It was felt that the strategy was too constrained by location, implying that a town that already has a facility would not require another. This may result in the movement of waste around the county.

Group 2

- The group felt that when restoring land after temporary permission, imagination was required. The group wanted a range of solutions, rather than restoring the land back to as it was before. Each site has its own particular needs for aftercare.
- The group would like it to be made clear in the strategy that dialogue is taking place with industry and the public.
- The group were concerned by the disturbance caused to local residents by the extended opening times of waste management centres. The group would like more notification of extended opening/operating hours and the opportunity to object.

Group 3

- The group questioned figure 4 which highlighted the growth areas of Bicester, Oxford, Wantage and Grove and Didcot. It was commented that significant growth was also forecast for Banbury, Carterton and Upper Heyford.

Policy

Group 1

- The group felt that the Policy should define what is needed where, but shouldn't restrict the development of a second facility and induce a monopoly. This would result in the movement of waste around the county. It was also suggested that a facility could be built between two towns and would serve them both, but would not meet the criteria of the Waste Plan.
- The group were supportive of the flexibility of policy regarding development in Green Belt land.

Group 2

- In relation to Policy W5, the group supported the development of a household waste recycling centre in Banbury. It was felt that the centre should be as close to the town as possible.
- The group wanted confirmation of discussions with neighbouring counties and consideration of facilities across the county border.
- The group questioned whether there were any land assets held by OCC that could be considered as potential development sites.

- The group questioned the policy of developing one centralised facility to cover a large area, and suggested the development of two or three smaller sites that would be more accessible. The group felt that the policy needed to make clear that the Plan was considering more than one facility.
- The group were concerned that the key diagram does not make clear the locations of the new municipal waste transfer stations.
- The group felt that the Green Belt limit was acceptable, but suggested that there are a number of possible sites in Oxford and the Oxford Green Belt that could be considered.
- The group wanted to see confirmation that temporary sites would close on deadline and that the deadline would not continue to be extended, as has been previously seen.
- The group wanted confirmation that development agreements in AONB sites would be honoured and felt that the figure provided in W5 4.56 was too high.
- The group were concerned that the figures for the estimated waste to be managed were increasing, despite objectives to work to reducing waste arising as in the waste hierarchy.

Group 3

- The group were concerned that the policy could be more readable and concise. It was felt that the technical terminology used could be improved upon.
- The group were concerned about the generic nature of the Policy and felt that terms such as ‘in the area of’ and ‘large/small’ developments could be better defined. It was felt that paragraph 4 in Policy W6 was very specific to administrative Oxford, and felt that it should reference wider urban area. In addition the group would like to see comment regarding timing of development implementation.
- The group felt that the strategy had not identified a number of other development location opportunities, such as the former defence land at Graven Hill, Bicester and defence land at Cherwell.
- The group supported the ambitious targets for waste reduction and diversion from landfill that go further than that in the South East Plan.
- The group felt that Policy W7 should make stronger reference to restoration, referencing previous issues of over-filling.

4. Summary

On completion of the group exercise, Paul Davison summarised the group's main issues. One major concern that arose from the meeting was regarding the outline contained in the draft strategy for facilities to handle a greater capacity than required by Oxfordshire. The group stated that this was in contradiction to the Plan's vision of being self-sufficient. Concern was also expressed that the strategy does not fit in line with the waste hierarchy, which suggests that a move should be made towards waste reduction. Examples were provided of South Oxfordshire's high rate of recycling and how, if replicated, a reduced capacity would be required.

Although it was appreciated that site specifics cannot be detailed at this time, forum members found it difficult to comment on developments when only given approximate locations. Concerns were raised over the fact that the strategy presumed the development of only one facility in each town. It was therefore suggested that OCC were inducing a monopoly scenario for development.

5. Next steps

Following on from the consultation meeting, the forum's responses will be logged and analysed, together with all other responses to the consultation, and reported to the County Council's Cabinet. The need for any amendments in response to the comments will be considered and the strategy will be progressed to the proposed submission document. If major changes to the strategy are needed then further consultation may be required. After agreement by a full meeting of the County Council, the finalised document will then be published for further representations and then submitted to the government for independent public examination by a planning inspector.

APPENDIX A – Agenda

DRAFT Waste Planning Strategy
Consultation with Stakeholders Group

Agenda

Date	**29 September 2011**
Time	**1.45pm**
Location	**Town Hall, Oxford**

Presentation BY OCC

1. Current status of draft strategy and objectives and timetable of consultation
2. OCC responsibilities and obligations
3. Vision and objective
4. Previous consultation input
5. Draft strategy
6. Core policies
7. Implementation
8. Questions

Group discussions

Vision and strategy
Policies and implementation
Group's main issues

9. Review group discussions
10. Summary and close

Appendix B - Feedback form results summary

Feedback forms were issued to all forum members who attended the consultation workshops, in order to gather feedback on the format of the session. Three forms were returned from the minerals session and twelve from the waste session.
The following conclusions can be drawn from the feedback forms:

- When asked if the workshop was helpful in providing information on OCC's revised Minerals/Waste Strategy options;
    - 17 respondents said yes
    - 0 said no
    - Comments included '*useful to hear other points of view'*, '*rather dry presentation but it was informative*' and '*very well structured with diverse and useful views expressed*'.

- When asked if the forum member felt that they had an opportunity to express their views in the workshop;
    - 17 respondents said yes
    - 0 said no
    - Comments included '*time was limited*', '*would have preferred to see debate with officers or open discussion with other attendees*' and *'still not sure if views are being heard and taken into account by wider audience'.*

- When asked if it was helpful to have independent facilitators to run the workshop on OCC's behalf;
    - 14 respondents said yes
    - 3 said no. Of those that so no, opinion was that it might not have been necessary for the numbers involved
    - Comments included '*Not a huge amount of facilitation needed*', '*Proteus has consistently performed well in these meetings and control them and encourage them in a positive manner*', '*maybe not necessary'* and *'it avoided the risk of 'us and them' issues*'.

- Respondents were then asked to rate certain aspects of the workshop. The following responses were given:

    - **Presentation**
        - 4 members thought that it was very good
        - 7 thought that it was good
        - 4 thought that it was neither good nor poor

- **Venue**
  - 1 member thought that the venue was very good
  - 10 thought that it was good
  - 5 thought that it was neither good nor poor.

- **Format of workshop**
  - 2 members thought that it was very good
  - 11 thought that it was good
  - 2 thought that it was neither good nor poor.

- **Information provided**
  - 4 members thought that it was very good
  - 12 thought that it was good
  - 1 thought that it was neither good nor poor.

- **Relevance to you**
  - 5 members thought that it was very good
  - 8 thought that it was good
  - 2 thought that it was neither good nor poor
  - 1 member thought that it was poor.

- **Group discussions**
  - 3 members thought that it was very good
  - 11 thought that it was good
  - 2 thought that it was neither good nor poor.

Location of Sites with Correct Application of Policy W4

APPENDIX 6

Description	Annual Throughput	Size	Within Key Waste Diagram Area?
CDE Recycling			
Worton Farm	48,000	Non-strategic	No
Shipton Quarry	150,000	Strategic	No
NW Corner of TW Depot	20,000	Non-strategic	No
Old Brickworks Farm	40,000	Non-strategic	No
Newlands Farm	32,000	Non-strategic	No
Ferris Hill Farm	25,000	Non-strategic	No
Playhatch Quarry	65,000	Strategic	No
Ewelme No 2	16,000	Small-scale	No
Rumbolds Pit	20,000	Non-strategic	No
Hundridge Farm	5,000	Small-scale	No
Prospect Farm	35,000	Non-strategic	No
Sutton Courtenay	85,000	Strategic	Yes (Didcot/Abingdon)
Appleford Sidings	100,000	Strategic	Yes (Didcot/Abingdon)
Tubney Wood	8,000	Small-scale	No
Grove Industrial Park	40,000	Non-strategic	No
Shellingford Quarry	30,000	Non-strategic	No
Upwood Quarry	8,000	Small-scale	No
Swannybrook Farm	20,000	Non-strategic	No
Shipton Hill	9,000	Small-scale	No
New Wintles Farm	110,000	Strategic	No
Gill Mill	120,000	Strategic	Yes (Witney)
Laeside Park - Ethos	25,000	Non-strategic	No
Sandfields Farm	9,600	Small-scale	No
Dix Pit	98,000	Strategic	No
Lakeside Industrial Park	2,000	Small-scale	No
Rear of Cemex Batching Plant	40,000	Non-strategic	No
Burford Quarry	500	Small-scale	No
MSW/C&I Recycling			
Worton Farm	60,000	Strategic	No
Finmere Quarry	90,000	Strategic	No
Ardley Landfill	10,000	Small-scale	Yes (Bicester)
Alkerton Landfill	6,500	Small-scale	No
Banbury Transfer Station	9,000	Small-scale	Yes (Banbury)
Charlett Tyre Yard	1,000	Small-scale	Yes (Oxford)
Allotment Land - Thorpe Mead	60,000	Strategic	Yes (Banbury)
Thorpe Lane Depot	100	Small-scale	Yes (Banbury)
Redbridge Waste Centre	15,600	Small-scale	Yes (Oxford)
Cowley Marsh Depot	3,000	Small-scale	Yes (Oxford)
Ewelme No 2	20,000	Non-strategic	No
Oakley Wood	9,900	Small-scale	No
Phillips Tyre Depot	1,500	Small-scale	No
Prospect Farm	35,000	Non-strategic	No
Sutton Courtenay	98,000	Strategic	Yes (Didcot/Abingdon)
Grov Industial Park	5,000	Small-scale	Yes (Wantage)
Hill Farm	10,000	Small-scale	Yes (Didcot/Abingdon)
Culham No. 1	50,000	Non-strategic	No
Drayton WRRC	12,400	Small-scale	Yes (Didcot/Abingdon)
Stanford in the Vale HWRC	7,600	Small-scale	No
Milton Park	500	Small-scale	Yes (Didcot/Abingdon)
Dix Pit	14,100	Small-scale	No
Slape Hill Quarry	20,000	Non-strategic	No
Worsham Quarry	12,000	Small-scale	No
Sandfields farm	3,000	Small-scale	No
Brize Norton X-fer	12,000	Small-scale	Yes (Witney)
Elmwood Farm	1,400	Small-scale	No
Downs Road	15,000	Small-scale	Yes (Witney)
Manor Farm	200	Small-scale	No
Unit 1 Enstone Airfield	30,000	Non-strategic	No
Lakeside Industrial Park	23,000	Non-strategic	No
Composting/Biological Treatment			
Worton Farm	45,000	Non-strategic	No
Ashgrove Farm	35,000	Non-strategic	No
Banbury STW	40,000	Non-strategic	Yes (Banbury)
Battle Farm	73,500	Strategic	No
Upper Farm	33,000	Non-strategic	No
Sutton Courtenay	40,000	Non-strategic	Yes (Didcot/Abingdon)
Glebe Farm	5,000	Small-scale	No
Church Lane	100	Small-scale	No
Showell Farm	21,000	Non-strategic	No
Metal Recycling			
Varney's Garage	600	Small-scale	No
Thorpe Mead	300	Small-scale	Yes (Banbury)
Newlands Farm	50,000	Non-strategic	No
Windmill Nursery	10,000	Small-scale	Yes (Bicester)
Jackdaw Lane	1,000	Small-scale	Yes (Oxford)
Berinsfield Car Breakers	1,000	Small-scale	No
Milton Pools	1,000	Small-scale	No
Mains Motors	10,000	Small-scale	No
Greenwoods	300	Small-scale	No
Menlo Industrial Park	25,000	Non-strategic	No
Ford Yard Menmarsh Road	2,000	Small-scale	No
The Metal Yard	2,000	Small-scale	No
Sutton Wick Lane	1,000	Small-scale	Yes (Abingdon)
Whitecross Metals	25,000	Non-strategic	Yes (Abingdon)
Quelches Orchard	5,000	Small-scale	Yes (Wantage)
Roadside Farm	5,000	Small-scale	Yes (Wantage)
Old Railway Halt	7,500	Small-scale	Yes (Wantage)
Claridges Car Breakers	1,000	Small-scale	No
T&B Motors, Westend	1,000	Small-scale	Yes (Witney)
Sturt Farm	1,000	Small-scale	No
Ridling Lane Scrap Yard	15,000	Small-scale	Yes (Witney)
Residual Waste Treatment			
Ardley Landfill	300,000	Strategic	Yes (Bicester)