

Report to	Planning Committee
Date	13 February 2020
By	Director of Planning
Title of Report	Update on the progress of the review of the West Sussex Waste Plan
Purpose of Report	To update Planning Committee on progress of the West Sussex Waste Plan Review

Recommendation:

The Committee is asked to recommend that the National Park Authority:

- 1. Agree that an update to the West Sussex Waste Plan is not required at this time, but that a further Review will begin in 2020**
- 2. Note that a summary of the review process and the decisions will be published on the website hosted by West Sussex County Council**

I. Introduction and Summary

- I.1 The West Sussex Waste Plan (WSWP)¹ was prepared by West Sussex County Council in partnership with the South Downs National Park Authority (SDNPA) and adopted in 2014 and covers the period to 2031.
- I.2 The National Planning Policy Framework (2019) requires that Local Plans should be reviewed to assess whether they require updating at least once every five years². The WSWP was adopted in 2014 and therefore a Review was required to be undertaken in 2019 (**Appendix I**).
- I.3 A recent update to the Planning Practice Guidance suggests that if a local planning authority decides not to update their policies, they should publish the reasons within 5 years of the adoption date of the plan³.
- I.4 Each Authority involved in the preparation on the WSWP must publish the decision.
- I.5 The review of the WSWP has identified that, since adoption of the Plan in April 2014, there have been no substantive changes in national or local circumstances and the policies have generally performed as expected. They are still considered to be consistent with national policy, relevant and effective, and working to achieve the vision and strategic objectives of the Plan.

¹ <https://www.westsussex.gov.uk/about-the-council/policies-and-reports/environment-planning-and-waste-policy-and-reports/minerals-and-waste-policy/waste-local-plan/>

² https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/740441/National_Planning_Policy_Framework_web_accessible_version.pdf

³ Planning Practice Guidance (Paragraph: 051 Reference ID: 61-051-20180913) (Revision date: 13 09 2018): <https://www.gov.uk/guidance/plan-making>

- 1.6 Therefore, the overall conclusion is that the West Sussex Waste Local Plan 2014 is still effective and relevant and it does not need to be updated.
- 1.7 The purpose of this paper is to provide a summary of the assessment process and to ask the Committee to agree that the full assessment be published in due course.

2. Findings of the Review

- 2.1 The Review assesses each policy to determine its effectiveness based on the data contained within the relevant Monitoring Reports⁴ produced since the adoption of the Plan.

West Sussex Waste Local Plan (2014)

- 2.2 The West Sussex Waste Local Plan (WSWP) provides a basis for making consistent decisions about planning applications for waste management facilities. Formally adopted by both authorities in April 2014, the plan covers the period to 2031 and is the most up-to-date statement of land use planning policy for waste in West Sussex. The Plan sets out four key areas which were prepared in order to help shape the future of waste management in West Sussex:
- A vision and strategic objectives for sustainable waste management
 - Nine policies to achieve the strategic objectives for the management of different waste types (Policies 1-9)
 - Thirteen development management policies to ensure no unacceptable harm to the environment, economy or communities of West Sussex (Policies 11-23)
 - Six site allocations to help us meet the need for new facilities (Policy 10).
- 2.3 One of the key elements of the Plan is set out in the vision, and is to aspire to have zero waste going to landfill by 2031.
- 2.4 The policies and site-specific allocations in the Plan have been implemented through the development management functions of both authorities since the Plan's adoption. Some policies are also implemented by the district and borough councils within the Plan area, as the WSWP forms part of the statutory Development Plan for the county.
- 2.5 The Plan is monitored on an on-going basis. Each policy of the Plan contains trends, targets and intervention triggers, which are reported on annually in the Monitoring Report covering the previous financial year.
- 2.6 Chapter 5 of the monitoring reports provide information on waste activity during the reporting year, including waste arisings, how waste was managed, the capacity of the facilities in West Sussex, whether there are capacity shortfalls (against the targets set out in the WSWP), as well as the status of the sites allocated through Policy W10. Appendix E of the monitoring reports set out how the policies are performing against the baseline (2013/14) and anticipated targets.
- 2.7 The main conclusions from this review are as follows:
- The shortfalls in waste management capacity identified in Policy W1 have fallen as permissions have been granted and that the remaining shortfall (of circa 140,000 tonnes) can be met by the two remaining allocations.
 - The updated demand forecasts show that by 2031, waste arisings may be 194,000 tonnes higher than initially forecasted (high growth scenario). However, the vast majority of this is likely to be CD&E waste. CD&E waste continues to be managed via a combination of permanent and temporary recycling sites, as well as inert recovery projects (landscape engineering, or quarry/sandpit restorations), for which the WLP did not make allocations as these site types come forward on an ad hoc basis. This view remains unchanged and is supported by the changes in capacity seen since adoption of the WLP.
 - No safeguarded waste sites have been lost.

⁴ Hampshire Minerals & Waste Plan – Monitoring Reports (2013-2017):
<https://www.hants.gov.uk/landplanningandenvironment/strategic-planning/hampshire-mineralswaste-plan>

- There is an upward trend for facilities being built on brownfield land.
- Inert waste continues to be managed higher up the waste hierarchy, with recycling and recovery being the main management method.
- Although non-hazardous landfill capacity has depleted to zero, an allocation for further landfill remains in the Plan, and the Authorities, through the Duty to Cooperate, continue to monitor the situation in the South East.
- In general, the development management policies are working effectively.
- There is some concern about Policy W15. However, at this time, it is considered that the exclusion of reference to ‘setting’ within the policy does not preclude it from consideration when making planning decisions because it is referenced in national policy. Therefore, the policy it is still considered to be relevant and effective.

2.8 Therefore, the overall conclusion is that the West Sussex Waste Local Plan 2014 is still effective and relevant and it does not need to be updated.

2.9 One of the key issues in the Review for the SDNPA is the move towards the circular economy and more local facilities for managing waste through re-use and recycling. The SDNPA will monitor how well the demand for these types of facilities are managed through the existing planning policy framework. Due to the nature of waste development it is crucial that the SDNPA works with the three County Waste Planning Authorities (West Sussex, East Sussex, and the Hampshire Authorities) and Brighton & Hove City Council on waste policy in the future.

3. Next Steps and Timetable

3.1 The findings of the Review of the WSWP needs to be published⁵ and it is proposed to do this by making the report available on the West Sussex County Council website.

3.2 Further Reviews will take place on a five year basis until a new West Sussex Waste Local Plan is prepared. The WSWP will also be monitored on a yearly basis.

4. **Other Implications**

Implication	Yes/No
Will further decisions be required by another committee/full authority	Yes. If Planning Committee agree the recommendation it will require further consideration by the NPA. Future Reviews or Waste Plans will return to PC and NPA for approval as appropriate.
Does the proposal raise any Resource implications?	The cost of preparing the WSWP is shared on a proportional basis by WSCC and SDNPA. The costs for all joint waste and minerals planning work in West Sussex are reviewed on a yearly basis.
Has due regard been taken of the South Downs National Park Authority’s equality duty as contained within the Equality Act 2010?	Due regard, where relevant, has been taken of the South Downs National Park Authority’s equality duty as contained within the Equalities Act 2010. An Equality Impact Report (EIR) was prepared by WSCC to support the Review Assessment.
Are there any Human Rights implications arising from the proposal?	The WSWP Review has been considered in light of statute and case law and any interference with an individual’s human rights is

⁵ Planning Practice Guidance (Paragraph: 051 Reference ID: 61-051-20180913) (Revision date: 13 09 2018): <https://www.gov.uk/guidance/plan-making>

	considered to be proportionate to the aims sought to be realised.
Are there any Crime & Disorder implications arising from the proposal?	It is considered that the proposal does not raise any crime and disorder implications.
Are there any Health & Safety implications arising from the proposal?	It is considered that the proposal does not raise any health and safety implications.
Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability Strategy:	A Sustainability Appraisal (SA/SEA) was prepared to inform the preparation of the WSWP in 2014.

5. Risks Associated with the Proposed Decision

Risk	Likelihood	Impact	Mitigation
The Review assessment is out of date and not adequate	Low	High	The Authorities will monitor the WSWP on a yearly basis and Review as appropriate.

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Appendices: I. West Sussex Waste Plan Review (2019)

SDNPA Consultees Legal Services; Director of Planning

External Consultees None

Background Documents Appendix I: West Sussex Waste Plan Review (2019)