Local Plan Document

East Sussex, South Downs and Brighton & Hove
Waste and Minerals Local Plan

Waste and Minerals Plan

Adopted 19 February 2013

East Sussex County Council

South Downs National Park Authority

Brighton & Hove City Council

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Foreword

The foreword is currently being updated and will be added here once finalised.

Introduction

What is the Waste and Minerals Plan?

The Waste and Minerals Plan sets out the strategic policy decisions for waste and minerals in the Plan Area. This Plan forms part of the 'Development Plan' covering East Sussex, part of the South Downs and Brighton & Hove. The Plan Area is shown in Map 1 below:

Map 1 Location of the Plan Area

This Plan replaces the majority of waste and minerals planning policy contained in the East Sussex and Brighton & Hove Waste Local Plan (2006), and Minerals Local Plan (1999). You can see the list of which policies have been replaced in each document in Section 9. Policies not replaced by this document continue to be saved and are set out in Section 8.

The total new development plan document (known as the Waste and Minerals Local Plan) will be made up of:

- The Plan (this document); and
- A waste and minerals sites document.

The sites document will use the policies set out in this Plan to identify the most suitable areas for waste and minerals development.

The table below summarises the key stages of the Plan's preparation. Preparation of the sites document will take place in accordance with the timetables in Authorities' Development Schemes.

Key dates for the Waste & Minerals Plan

Stage	Date
Preferred Strategy consultation	21 October 2009 to 25 January 2010
Draft Plan consultation	27 October 2011 to 8 December 2011
Formal ('Regulation 27') consultation on the soundness of the Plan	24 February to 24 April 2012
Submission of the Plan to Government	Summer 2012
Public Examination	Autumn 2012
Consultation on Main Modification	12 October to 9 November 2012
Adoption	February 2013

This Plan and associated documentation including the Information Papers listed below is available on the following website: http://consult.eastsussex.gov.uk.

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Information Papers

The Plan is supported by ten Information Papers which provide explanatory information related to the key issues addressed, and are signposted where appropriate. These are:

Introduction

Information Paper 1 -	The Future Need for Waste Management
Information Paper 2 -	The Future Need for Minerals Production and Management
Information Paper 3 -	Sustainable Waste Management
Information Paper 4 -	Waste Management Methods and Technologies
Information Paper 5 -	Land Disposal
Information Paper 6 -	Spatial Portrait of East Sussex, Brighton & Hove and the South Downs
Information Paper 7 -	Hazardous & Radioactive Waste
Information Paper 8 -	Transportation of Waste and Minerals
Information Paper 9 -	Climate Change and Waste and Minerals
Information Paper 10 -	Waste Water and Sewage Sludge

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Document Guide

1 Context

Policy Context

Policy Background

1.1 The Plan takes account of international, national, regional and local policies relevant to waste and minerals. A list of all the plans and policies that were considered during the preparation of the Plan is included in the Sustainability Appraisal[1]The key plans and policies which have influenced the approach taken in the Plan are highlighted below. Other relevant directives, national and regional policies and strategies are explained in more detail in our background Information Papers which can be found on the Authorities' website.

1.2 In particular there is an increasing emphasis on the importance of mitigating and adapting to climate change. This is present at all levels from international agreements that the Government has signed up to on behalf of the UK, to the local level where the Sustainable Community Strategies for East Sussex and for Brighton & Hove have commitments to reducing carbon emissions.

European Legislation and Strategies

1.3 A number of European Union (EU) Directives provide important context for planning for waste and minerals. Two Directives in particular emphasise the need to change the way that waste is dealt with. These are the Waste Framework Directive (2006/12/EC and revisions in 2008/98/EC), which aims at reducing the amounts of waste requiring treatment and at encouraging the use of waste as a resource; and the Landfill Directive (1999/31/EC) which requires substantial reductions in the quantities of biodegradable waste that is landfilled, and encourages diversion of non-recyclable and non-reuseable waste to other methods of treatment. In September 2011, the EU published a communication entitled 'Road Map to a Resource Efficient Europe' which adds to its policy framework seeking to achieve more sustainable use of resources.

National Policies and Strategies

1.4 National planning policies are set out in the 'National Planning Policy Framework' (NPPF). The NPPF was published in March 2012 and amalgamates all national planning policy into a single document, replacing the previous series of Planning Policy Statements (PPSs), and Planning Policy Guidance Notes, as well as most of the Minerals Policy Statements (MPSs) and Minerals Policy Guidance Notes. Technical Guidance to the NPPF covering minerals policy and flood risk was also published in March 2012. However, the NPPF does not contain specific waste policies, since national waste planning policy will be published alongside the future National Waste Management Plan for England. Planning Policy Statement 10 'Planning for Sustainable Waste Management' (PPS10, as revised March 2011) therefore remains in force until this time.

1.5 The 'Waste Strategy for England 2007' puts into effect the requirements of the Waste Framework and Landfill Directives at a national level by identifying a series of objectives and targets and the role of stakeholders, such as the waste industry and local authorities, in delivering those targets. It also emphasises the importance of moving the treatment of waste

1 Sustainability Appraisal Report - Submission Waste and Minerals Plan, June 2012

away from landfill and up the 'waste hierarchy'. The Waste Strategy Annual Progress Report 2008/9 and the Government Review of Waste Policy in England 2011 provide subsequent updates and have also been taken into account.

Regional Policies and Guidance

1.6 The Plan Area is within the South East region, so the Regional Spatial Strategy (RSS) for the South East, the 'South East Plan', published by the Government in 2009, is part of the statutory development plan which must be taken into account when making planning decisions.

1.7 The Government has since stated its intention to abolish RSSs via the Localism Act (2011) but until such time the Plan must continue to be in 'general conformity' with the South East Plan. The South East Plan includes policies about the amount of provision the plan should make for waste treatment and disposal and for mineral production, as well as targets for reducing the amount of waste sent to landfill and allocations for the management of residual waste from London.

1.8 The South Downs National Park Planning Authority has had planning powers since April 2011 and as such is now a partner to the total new development plan document.

Local Policies and Strategies

1.9 The Plan has taken into account local policies and strategies. In the Plan Area those of most direct relevance were:

1.10 The East Sussex and Brighton & Hove Waste Local Plan (2006) provided a relatively up-to-date background to many of the issues that are considered in this Plan, and the Plan took account of its content because it was part of the statutory development plan. It provided the detailed policy framework for waste management including site allocations. The site allocation policies for built waste facilities have been 'saved' until they are replaced by relevant policies in the Waste and Minerals Sites Plan (See Section 8).

1.11 The East Sussex and Brighton & Hove Minerals Local Plan (1999) was also part of the statutory development plan, and set out the detailed policy framework for minerals extraction and production including site allocations. Certain policies have been 'saved' until they are replaced by relevant policies in the Waste and Minerals Sites Plan (See Section 8).

1.12 As Waste Disposal Authorities the County Council and the City Council have each prepared a Municipal Waste Management Strategy (MWMS). The East Sussex MWMS has been prepared with and agreed by the District and Borough Councils in East Sussex, and includes the areas of National Park because the Park Authority is not a waste collection or disposal authority. Those strategies explain how household and other waste collected by the Councils will be managed over the next 20 years. Each is supported by an action plan statement to explain how the strategies' policies will be delivered. The strategies do not consider specific sites for new waste management facilities because that is dealt with through the planning process and the Waste and Minerals Plans.

1.13 Associated with the Municipal Waste Management Strategies is the Integrated Waste Management Contract that the County Council and City Council jointly have with Veolia Environmental Services South Downs Ltd. The contract, which runs until 2033, involves the

1 Context

operation, development, and construction of a network of strategically placed facilities to increase recycling, composting, and recovery and to reduce the amount of local authority collected waste going to landfill.

1.14 There are Sustainable Community Strategies for East Sussex and for Brighton & Hove, which both include the areas covered by the National Park. These set out the vision and priorities of local stakeholders and communities to improve the environment and quality of life in the area, and relevant objectives have been taken into account in the preparation of this Plan. The district and borough councils in East Sussex also have their own strategies, and the National Park Authority will in due course have a Management Plan for the Park area that will set out the strategic framework and priorities for the South Downs. The National Park Local Plan will set out the planning policies for the area. In addition, the Waste and Minerals Plan will also help achieve the local target for 'zero waste' set by Brighton & Hove under the One Planet approach[2].

1.15 Local Transport Plans are in place for East Sussex and for Brighton & Hove which both include the areas covered by the National Park, and cover the period 2011-2026. These are statutory transport plans that help deliver national and local government priorities. The Local Transport Plan for East Sussex identifies the Bexhill/Hastings Link Road[3] and the Newhaven Port Access Road as priorities - both of these would help move waste and minerals. The Brighton & Hove Local Transport Plan highlights that incoming freight movement is already high due to the City being a regional commercial centre. Access to Shoreham Port is currently under review as part of wider regeneration proposals for the Shoreham/South Portslade area, and if it is improved it could offer better freight access from the Port to the A27.

1.16 The Environment Strategy for East Sussex sets out how both the natural and built environment within the County will be protected and enhanced.

1.17 The district and borough councils in East Sussex, Brighton & Hove City Council, and the South Downs National Park Authority are preparing their own Local Plans. To date none have reached adoption. Care is being taken to avoid any material conflict between the Waste and Minerals Plan and district and borough local plans.

Cross-boundary and Partnership Working

1.18 The minerals and waste planning authorities which border the Plan Area are also preparing their own waste and minerals plans, which the Plan needs to take into account. Of those only Surrey County Council has an adopted plan, and neither that nor any of the emerging plans of other authorities contain any specific proposals that would impact directly on the Plan Area, however the Authorities will continue to work closely with adjoining authorities to take these matters into account. For further details see the Local Strategy Statement section of this document.

2 The One Planet approach defines 'zero waste' as reducing waste, reusing where possible, and ultimately sending zero waste to landfill

3 Funding for the Bexhill/Hastings Link Road was confirmed in principle by government in March 2012

Waste & Minerals Context

Waste and Minerals: What are they?

1.19 **Waste** is generally defined as materials and goods we discard because we no longer want or need them. Many different types of solid and liquid waste are produced in the Plan Area and the Plan applies to them all.

1.20 **Minerals** are natural substances including metals, rocks, and hydrocarbons (solid and liquid) that are extracted from the earth by mining, quarrying and pumping. They are used in a wide range of applications related to construction, manufacturing, agriculture and energy supply. Mineral resources that may be available in the Plan Area in workable quantities include sand and gravel, chalk, clay, gypsum, and searches have been made for oil and gas.

Waste in the Plan Area

1.21 Around 1.75 million tonnes of solid waste are handled in the Plan Area each year. The main types are:

- **Local Authority Collected Waste (LACW)** is waste that is collected by local authorities. Generally it is from households (from doorstep collections and Household Waste Recycling Sites), from street cleansing, and from public parks and gardens.[4] The current production of over 365,000 tonnes per annum makes up about 21% of all wastes in the Plan Area.
- ***Commercial and Industrial Waste (C&I)*** from shops, food outlets, businesses, and manufacturing activities makes up about 27% of wastes in the Plan Area. It is difficult to get an accurate picture of how much C&I waste is produced because there are no requirements on producers of this waste to submit data for statistical purposes. It is estimated that around 475,000 tonnes of C&I waste was produced in 2008/9.
- ***Construction, Demolition and Excavation Waste (CDEW)*** is produced from building activity. The amount that arises fluctuates considerably due to economic and social factors, with increases during periods of high development and construction. An accurate figure for arisings is difficult to obtain and best estimates suggest that around 906,000 tonnes was produced in 2008/9.
- ***Other wastes*** include hazardous waste (around 19,000 tonnes per year), low level radioactive waste, liquid waste (other than wastewater), and wastes arising from the agricultural sector. Hazardous waste makes up approximately 1% of the total waste stream and altogether these wastes make up only a small proportion of the wastes generated in the Plan Area, although they still need to be planned for and often require specialist treatment facilities with even tighter environmental controls.

(Source: Information Paper 1: The Future Need for Waste Management Facilities)

4 Previously recorded as Municipal Solid Waste.

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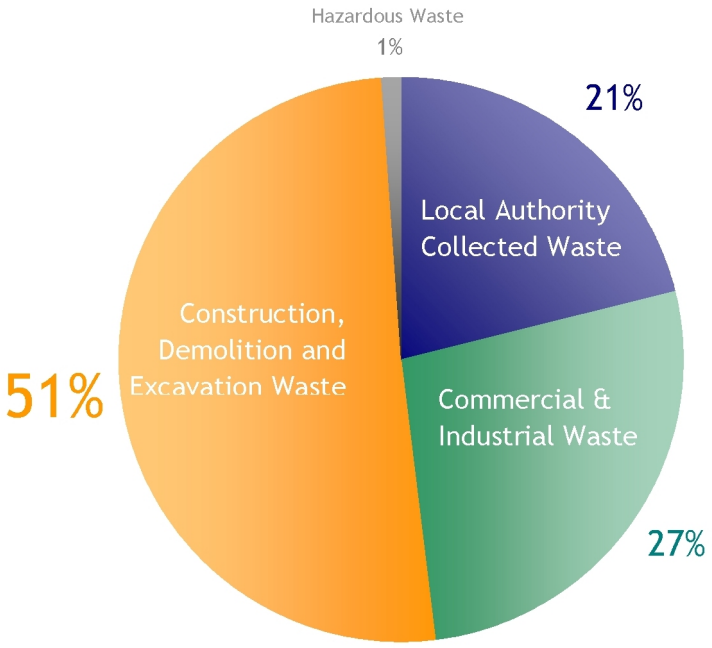
Figure 1 Waste Arisings in the Plan Area



1.22 A summary of current levels of recycling and recovery for these waste streams is provided in Paragraph 2.78.

1.23 As well as solid waste, the Plan is concerned with the management of waste water, which comprises the water and solids that flow to a waste water treatment works operated by a water company. There are 32 waste water treatment works within the Plan Area treating 60 million cubic metres of waste water each year.

Existing Waste Management in the Plan Area

1.24 Although progress has been made towards more sustainable management of waste , in particular with the recent development of new facilities for managing LACW by recycling, composting and energy recovery, a significant proportion of solid waste produced by businesses and industry is still landfilled (see Table 1 below). This is unsustainable. Landfilling waste prevents it from being used as a resource (e.g. as a raw material produced from a recycling process); it is likely to be the least environmentally acceptable waste management option and landfill costs are rising steeply.

Table 1 - Current Management of Waste in the Plan Area

	Recycling	Other Recovery	Landfill
LACW	39%[(5)]	60%	1%
C&I	67%	4%	29%
CDEW	45%	40%	15%

5 LACW recycling includes re-use and composting

1.25 The current total capacity of facilities managing waste in East Sussex and Brighton & Hove is set out in Table 2 below. This table identifies nine different types of activity which represent the key differences between the ways in which waste is managed.

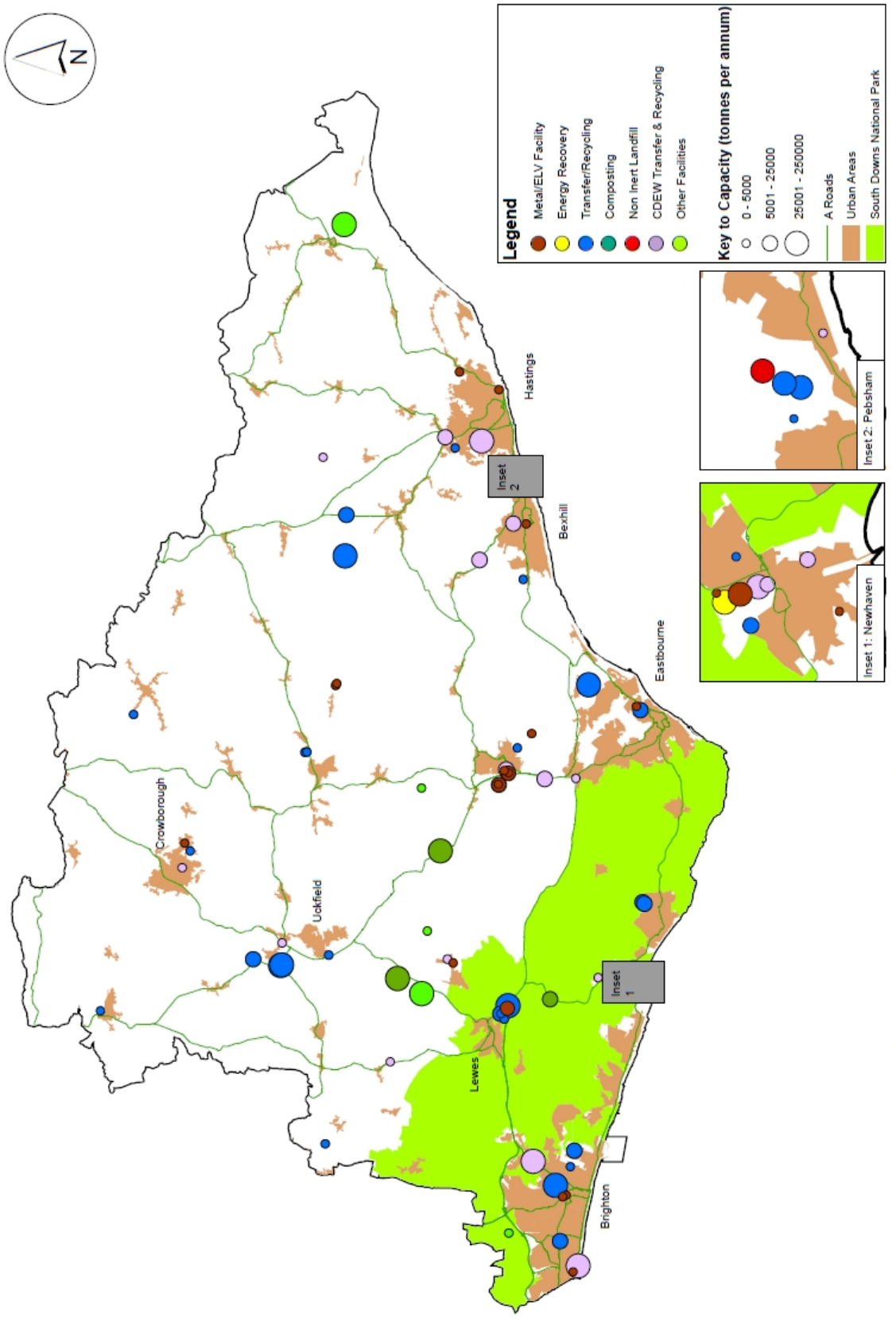
Table 2 Waste Management Capacity in the Plan area 2010/11

Type of activity	Total Capacity (tonnes per annum) (6)(7)(8)(9)
Recycling and Composting (excluding bulk metals)	490,000
Bulk Metals Recycling (e.g. Scrapyards)	441,000
CDEW Recycling	630,000
Other Recovery	210,000
ERF Residues Treatment	0
Total Hazardous Treatment	61,000
Non-hazardous Landfill	150,000 (total void space in cubic metres)(10)
Hazardous Landfill	0 (cubic metres)
Inert Landfill	15,000 (total void space in cubic metres) (not including sites exempt from EA permit)

1.26 Map 2 below illustrates the various locations across the Plan Area where waste is being managed.

6 Utilisation of capacity out of the Plan Area not included
7 See Information Paper 1 for further details
8 Other Recovery includes Newhaven ERF
9 Unused capacity at existing sites included
10 Reported in January 2012

1 Context



Map 1: Locations of Existing Permitted Waste Management Sites Within the Plan Area

1.27 Some waste is exported to other areas for management including non-inert waste to landfill.

1.28 Further details about the production of different types of waste and existing waste management capacity[11] in the Plan Area are set out in Information Paper 1, and details of the different types of waste management processes are set out in Information Paper 4.

Minerals in the Plan Area

Aggregates

1.29 Aggregates (sand, gravel, and crushed rock) are important for the improvement of infrastructure and buildings.

1.30 Historically there has been low levels of extraction of 'land-won' sand and gravel in East Sussex, and imports of aggregates dredged from the seabed (known as marine aggregates) and crushed rock have been important in meeting local construction needs. Whilst there are several permitted sites for land-won aggregates, there are only two working aggregate sites. One of these sites produces building sand and it is located in an area now within the South Downs National Park[12].

Chalk

1.31 There are no active chalk quarries in East Sussex. Chalk for agricultural use has recently been supplied by imports.

Clay

1.32 Clay is extracted in East Sussex for brick and tile manufacture, and also more recently for flood defences. There are currently four active sites, at Aldershaw Farm, Sedlescombe near Battle; Chailey Brickworks; Hastings Brickworks; and Ashdown Brickworks. There is also an extant planning permission for a new brickworks and clay pit at Horam, as well as several dormant and inactive sites in East Sussex.

Gypsum

1.33 Gypsum is an important raw material for the construction industry, and is used in plaster and plasterboard, cement and other industrial processes. The resource near Robertsbridge in East Sussex is the largest deposit in the UK. Desulphogypsum (DSG), a by-product from coal fired power stations, can be used as an alternative to gypsum and has been used at the plasterboard plant.

Oil and Gas

1.34 Exploration for oil and gas took place in East Sussex in the 1980s although no commercially viable resources were found. There is currently no exploitation of oil or gas in East Sussex although there are several licences for exploration.

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11 Existing capacity includes the capacity of non-operational facilities where there is a reasonable prospect of that capacity being developed, rather than necessarily being in place.

12 See Information Paper 2, and Waste and Minerals Monitoring Reports.

1 Context

Recycled and Secondary Aggregates

1.35 Supplies of land-won aggregates in the Plan Area are augmented by secondary aggregates and recycled materials alongside marine imports. In 2010 there were 17 sites in the Plan Area which recycled aggregates, producing about 310,000 tonnes of recycled aggregates.

Wharves and Railheads

1.36 Marine aggregates are imported through the ports of Newhaven, Rye and Shoreham. The capacity for receiving and processing marine-dredged and other aggregates through the three ports is over 3 million tonnes per annum (mtpa)[13] but actual throughput has been much lower.

1.37 Scrap metal is exported by sea from a dedicated facility within Newhaven Port.

1.38 Bottom ash produced by the Newhaven Energy Recovery Facility is transported by rail to a processing facility in Brentford, west London.

1.39 The only rail movement of minerals is DSG to the processing facility at Robertsbridge.

13 SEERA Aggregates Monitoring Report 2005

Snapshot of the Plan Area

1.40 The characteristics of the Plan Area affect how waste is generated and the demand for minerals. An overview of the key characteristics is detailed below[14].

Protected Environments

1.41 Large parts of the Plan Area are subject to environmental protection. Two thirds of the area is covered by the South Downs National Park and the High Weald Area of Outstanding Natural Beauty, and other tracts of land are also designated as being of international and national environmental importance. These include the large Ramsar site at Pevensey Levels, Special Areas of Conservation, Special Protection Areas, Sites of Special Scientific Interest and ancient woodlands. The statutory sites are complimented by a suite of locally designated sites of importance for their wildlife and/or geology (Sites of Nature Conservation Importance and Regionally Important Geological and Geomorphological Sites). These areas need to be protected in order to maintain the rich and varied landscape character and biodiversity within the Plan Area.

Population and Households

1.42 The area had a total population of approximately 768,000 in 2009, of which about two thirds live in East Sussex and the remainder in Brighton & Hove. Approximately 29,000 people live within the South Downs National Park area. Over the period 2009-2026, the number of households in East Sussex is likely to increase by 10.5%, which is faster than the expected growth of the population of 5.2% for the same period. This is because the average household size is expected to decrease from 2.16 persons per household in 2011 to 2.06 persons per household in 2026.

1.43 Elderly people make up a significant percentage of the population of East Sussex, with one in four residents being over pensionable age (65 for men and 60 for women). The County has the highest percentage of very elderly residents of any county in England (those aged over 85). Brighton & Hove has an unusual age distribution with a bulge of residents aged 20-44 years, partially due to an estimated 40,000 students attending the two universities. It also has relatively high numbers of residents aged 85 years or more.

1.44 East Sussex experiences the highest levels of deprivation of all the counties in the South East, with 13% of the county's areas being ranked within the 20% most deprived in England. The most significant levels of deprivation are concentrated in the coastal towns. Hastings is the most deprived local authority area in the region and now also ranks amongst the 20 most deprived areas in the country. Brighton & Hove also has high levels of deprivation in a number of neighbourhoods, with 12 per cent of the city's areas are in the ten per cent most deprived in England.

1.45 The increase in population and households could lead to an increase in waste arisings, even if the average waste generated per household decreases. Demand for minerals may increase to enable the construction industry to meet the demand for new residential development and infrastructure needed to support it.

14 More detailed information is available in 'Information Paper 6 - Spatial Portrait of East Sussex, South Downs and Brighton & Hove.

1 Context

Settlement Pattern

1.46 The settlement pattern of East Sussex and Brighton & Hove is characterised by large urban areas along the coast, and a hinterland of smaller towns and villages, many of which are of historic interest. The largest urban area is Brighton & Hove, home to approximately a third of the total population of the area. Eastbourne, Bexhill and Hastings are also coastal towns with significant populations. These larger urban areas are the main source of waste arisings within the Plan Area.

1.47 Lewes is a significant settlement within the South Downs National Park, and there are also a number of smaller villages.

Geology

1.48 The South Downs National Park is formed by a line of hills and vales extending along the coast westwards from Eastbourne. It is a unique, open, rolling landscape dissected by major river valleys cut by the Ouse and Cuckmere. Limited quarrying of chalk for agricultural purposes is long established and has had a noticeable impact on the landscape, especially along the scarp slope and around Lewes.

1.49 The High Weald covers much of the northern, central and eastern parts of the Plan area. It is a faulted structure comprising clays and sandstones (collectively known as the Hastings Beds). This varied and extensively eroded geology has produced an attractive and sensitive landscape, most of which is within the High Weald Area of Outstanding Natural Beauty.

1.50 The Low Weald is a gently undulating clay vale which separates the High Weald from the Chalk Downs to the south.

1.51 The Coastal Marshes are located between Eastbourne and Bexhill, and in the Rye Bay/Camber area either side of the Rother estuary. Inundated by the sea in recent geological times, these areas comprise large flat sheets of alluvium, extending inland over the Pevensey Levels and Romney Marsh.

Economy

1.52 The structure of the economy of the Plan Area affects the nature of commercial and industrial waste arisings and the need for particular minerals.

1.53 The East Sussex economy is dominated by service industries. In 2009, 85% of jobs in the county were in the service sector, 7% in manufacturing, 7% in construction and 1% in agriculture, fishing, mining and utilities. One-third of all people who work in East Sussex are employed in public administration, education or health. Wholesale and retail trade; and accommodation and food service activities account for 27% of people who work in the county. In Brighton & Hove the employment structure is dominated by higher value sectors such as health, business & public administration, professional, scientific & technical sectors & education.

1.54 The economy in East Sussex is characterised by its high number of small businesses. The average business had just over seven employees in 2008. In East Sussex, three-quarters of businesses employ five or less people, while 88% of local companies employ 10 or fewer people. The situation is similar in Brighton & Hove, with 86.4% of businesses employing less than ten people in 2010.

1.55 Tourism and the conference trade is a key element in the local economy, contributing around 10 million visitors per annum and significantly increasing the amount of waste to be managed.

1.56 The South Downs within the Plan Area has a predominantly rural economy, with the exception of the busy market town of Lewes.

1.57 Two Local Enterprise Partnerships (LEPs) cover the Plan Area. The 'Coast to Capital' LEP includes Brighton & Hove, while East Sussex is part of a LEP that also covers Kent and Essex. LEPs are partnerships between local authorities and businesses that aim to drive economic growth and job creation.

Transport

1.58 Road infrastructure in the Plan Area is not of a high standard. There are no motorways, and the trunk road network is predominantly single carriageway. Key trunk roads are at or near capacity, or will be by 2026 if the anticipated growth in vehicle movements materialises. Although waste and minerals traffic movements account for only a small percentage of the total, the inadequacy of the network is a consideration in planning for new development.

1.59 The rail network in the area links the main coastal towns and onwards into Kent and West Sussex as well as providing connections north to London. Branch lines serve Seaford and Uckfield. The only freight movement is gypsum from the mine at Robertsbridge. There are no other waste or minerals rail linked sites, although a number of facilities are located adjacent to the railway with the potential for the use of rail in the future.

1.60 There are ports at Newhaven, Shoreham and Rye. Newhaven is the only port that retains the potential for a rail connection. In 2009 approximately 1.14 million tonnes of aggregates per annum were imported through Shoreham Port (covering Brighton & Hove and West Sussex), and 249,000 tonnes were imported through Newhaven and Rye ports together.

2 Overarching Strategy

The Overarching Strategy sets out what we want to achieve.

Vision

2.1 The Vision for managing waste and minerals seeks to address the key issues facing the Plan Area and take into account of the views of local communities and other stakeholders.

2.2 There are a number of broadly-expressed aims in the Vision to support the delivery of national and regional planning policies. The broad aims are then developed in more detail in the Objectives section of this document, the policies, and the Implementation section.

2.3 The Vision has been updated since the Preferred Strategy consultation document to take account of updates to relevant national and regional policy as well as consultation responses and further Sustainability Appraisal work.

Vision for the Plan Area to 2030

By 2030 the environmental footprint, in particular greenhouse gas emissions, associated with the production and management of waste and minerals in the Plan Area will have been significantly reduced.

Reductions in waste arisings will have occurred and the efficient production and use of materials will have been maximised. Most waste will be reused, recycled to provide goods or raw materials, or processed to provide energy (heat or power), with as little as possible being disposed of because it is the least sustainable option and because the environmental characteristics of the Plan Area mean that opportunities for disposal to land are severely restricted.

Facilities needed to manage waste and produce minerals will be designed, located, and operated to ensure that the area's built and natural heritage are preserved and even enhanced - from its exceptional countryside, which includes part of the South Downs National Park, the Heritage Coast, the High Weald AONB including Ashdown Forest, the Low Weald, and the Levels at Pevensey and Rye, to its distinctive and varied built environment which includes seaside towns and a city with grand Regency architecture as well as scattered Weald and downland villages.

The production of secondary materials will be maximised but where primary minerals are essential to meet the need for new development, both locally and the needs of the wider South-East region, the extraction and use of aggregates, clay, chalk, and gypsum, will take place in an efficient manner that protects the environment and local communities.

New planning applications for waste or minerals development will take into account concerns and interests of host communities, and seek to capture benefits for the local community.

Objectives

2.4 The following Objectives set out the actions that are needed in order for the Vision to become reality. They have been updated since the Preferred Strategy consultation document to take account of updates to relevant national and regional policy as well as consultation responses and further Sustainability Appraisal work.

2.5 To help show how the Objectives will be delivered, the relevant Plan policies are listed alongside each one. Details of how progress will be measured and monitored is set out in the Implementation and Monitoring section.

Strategic Objectives

SO1: To achieve declining rates of growth of all wastes, to reduce the amount of waste produced, and to drive the management of waste up the hierarchy by reusing and recycling waste material into new products and recovering energy from materials that cannot effectively be recycled.

Relevant policies and delivery strategy: WMP 3, 3a, 3b, 3c, 3d, 4, 5, 6, 7a, 7b

SO2: To achieve prudent and efficient use of minerals, having regard to the market demand and supply restrictions in the Plan Area, and to recognise waste as a resource in order to reduce local demands on water, energy, land, and primary raw materials including soil and minerals.

Relevant policies and delivery strategy: WMP 2, 3c, 3d, 4, 11, 12, 13, 14, 15, 16, 19, 23a, 23b, 24a, 24b, 26, 27, 28b

SO3: To make timely provision for sufficient facilities for the sustainable management of waste (including waste water) and production of minerals to meet forecast requirements for the Plan Area, in order to contribute as far as practicable to regional and national requirements for waste management and support the production of nationally and regionally important minerals.

Relevant policies and delivery strategy: WMP 3, 3a, 3b, 4, 9a, 9b, 10, 11, 12, 13, 14, 15, 16, 21, 22

SO4: To protect and enhance the environment, communities and human health through minimising harmful emissions to air (including greenhouse gases), water and land; minimising the use of natural resources (including greenfield sites); minimising impacts on protected habitats, designated landscapes, geological sites and heritage sites; and areas which have landscape character and quality which is sensitive to development including the South Downs National Park; and through ensuring high quality mitigation, compensation and restoration to appropriate after-uses. Account will be taken of local landscape character and distinctiveness.

Relevant policies and delivery strategy: WMP 2, 7a, 7b, 17, 18, 19, 20, 23a, 23b, 25, 26, 27, 28a, 28b

2 Overarching Strategy

SO5: To manage waste and minerals at an appropriate scale, taking account of the distribution of waste sources and the limitations on the availability of suitable land in the Plan Area, as close to the sources as practicable in order to encourage communities to take more responsibility for the waste they create and to minimise the transport of waste and minerals *whilst still moving up the waste hierarchy*. Use the most sustainable and practicable mode where it is necessary to transport waste or minerals.

Relevant policies and delivery strategy: WMP 3e, 5, 8, 18, 19, 21, 22, 26

SO6: To ensure that sustainable waste management objectives are considered in all plans, strategies and proposals in the Plan Area, and that the design, construction and operation of all new development promotes sustainable waste management.

Relevant policies and delivery strategy: WMP 3a, 3d, 21

SO7: In recognition of limited capacity for disposal to land in the Plan Area, to dispose of waste to land as a last resort and seek appropriate after-use of land disposal sites to achieve conservation and enhancement of the environment.

Relevant policies and delivery strategy: WMP 3, 3b, 5, 8, 8a, 8b, 8c, 17

SO8: To ensure facilities are designed, located and operated in a manner that takes the implications of climate change, and in particular rising sea levels, into account.

Relevant policies and delivery strategy: WMP 7a, 7b, 24a, 28a

Overarching Strategy 2

Local Strategy Statement- Approach to Key 'Larger than Local' Matters

Introduction

2.6 Waste and mineral planning authorities in preparing their plans are very conscious of the need to address the implications of their proposals on their neighbours in the wider area. Waste and mineral planning authorities are also further motivated to address these issues in order to have a coherent approach if the current regional plan framework were to be removed.

2.7 Additionally, the trend in waste management and the production of minerals is to cater for markets that cross administrative boundaries, and in the case of certain waste activities deal with waste over considerable distances.

2.8 This Local Strategy Statement is intended to give guidance on how the Authorities have approached 'larger than local' issues. There is be an intention to gain consensus with our neighbouring authorities on this Statement.

Context

2.9 The management of waste and production of minerals involves activities which frequently span a geographical area which extends beyond the boundary of a single waste and minerals planning authority. Waste that is produced in one area is often managed in another; minerals can only be produced where they exist and so it is incumbent on the authorities responsible for planning to consider needs elsewhere. In light of this, waste and minerals planning authorities need to plan with an eye on how facilities in their area currently provide for a need which extends beyond the needs of the population and businesses which exist (or might exist in future) in their own area and how future needs may be met.

2.10 National and regional policy provides a framework which ensures that these 'larger than local' matters are taken into account in local planning policy[15]. The Localism Act 2011 includes a 'Duty to Cooperate' which is intended to facilitate this process.

2.11 In the South East, regional planning policy (known as 'Regional Spatial Strategy') currently exists in the form of the 'South East Plan' (SEP)[16].

2.12 Regulations provided by the Localism Act 2011 will revoke Regional Spatial Strategies although its is uncertain exactly when these will come into force. Currently though, the SEP is still part of the development for the Plan Area and needs to be considered.

2.13 The removal of a regional framework within which to plan could mean that authorities would generally have much looser requirements affecting their contribution to regional needs for waste management or minerals (as set out in the RSS). However it is clear that because of the 'larger than local' nature of waste management and minerals production activities, if the Authorities were to completely ignore demands which extend beyond their boundaries then future requirements for minerals or waste management would be affected. The National

15 See National Planning Policy Framework, paragraph 182.
16 available at http://webarchive.nationalarchives.gov.uk/20100528142817/http://www.gos.gov.uk/gose/planning/regionalPlanning/815640/

2 Overarching Strategy

Planning Policy Framework (NPPF) indicates a test of soundness that the Plan should be positively prepared. This includes planning for unmet requirements from neighbouring authorities where this is reasonable to do so and consistent with achieving sustainable development[17].

2.14 The NPPF states that mineral planning authorities should plan for a steady and adequate supply of aggregates by preparing a LAA based on a rolling average of 10 years sales data and other relevant local information, and an assessment of all supply options including marine dredged, secondary and recycled sources. The advice of the relevant Aggregate Working Party should be taken into account when preparing the LAA.

2.15 The Authorities consider that the requirement to produce a Local Aggregates Assessment set out within the NPPF is difficult to achieve in the Plan Area as there are limited sites producing material and therefore a lot of data is covered by confidentiality agreements. Relevant data has been used as evidence in support of the Plan and the majority of this information is summarised in IP2 and set out in the Authorities Monitoring Report.

2.16 In light of this, the Authorities have considered how the local planning policies in this Plan will impact on regional and national needs and are putting forward proposals to deal with these issues. Appropriate evidence has been prepared. This Local Strategy Statement indicates where there is deviation from regional policy and where the Plan Area has a role to play in making provision to meet these needs, or, conversely, where the population and businesses are, and could be, reliant on facilities beyond the Plan Area.

2.17 It is intended that in clearly setting out these matters, this will provide a focus for future co-operation with waste and minerals planning policy authorities elsewhere.

2.18 The key matters to be considered have been identified as follows:

Waste

a. Provision of waste management capacity requirement;
b. LACW recycling targets;
c. Sub-regional self-sufficiency;
d. London's waste;
e. Strategic management of hazardous waste.

Minerals

a. Provision and use of aggregates (sharp sand and gravel, and soft sand).

2.19 All of the above matters and the Authorities' planning policy approach (as set out elsewhere in this document) are considered below.

17 See paragraph 182 of the NPPF.

LSS for waste issues

Provision of Waste Management Capacity Requirements Within the Plan Area

2.20 *Regional requirement:* Policy W7 of the SEP sets out estimates of MSW and C&I waste tonnages that are required to be managed in each area. In doing so the SEP acknowledges that the figures provided should be used as a benchmark and that more recent data should be used where this is available.

2.21 *The issue:* The estimates set out in the SEP have been tested by evidence gathered locally and found to be too high.

2.22 *Approach:* The provision of waste management capacity will be based on more recent evidence which has been gathered locally. This evidence is considered to be more robust and therefore offers a more accurate assessment of requirements. Policy has been included specifically to allow for the safeguarding and development of capacity in line with these local estimates of requirements subject to the exceptions below. It is considered that land is available for the development of net capacity within the Plan Area and this Plan envisages that this will be sufficient to meet locally defined need.

MSW Recycling Targets

2.23 *Regional Requirement:* Policy W6 of the SEP expects that authorities will plan to meet certain targets for waste recycling. The policy sets higher than national targets for recycling and composting of MSW for 2015 onwards.

2.24 *The issue:* The target for MSW recycling is considered ambitious and would be challenging to achieve across the Plan Area. This is due to several factors including:

- The proportion of the waste stream that contains materials which are practicably recyclable;
- The practical ability of households living in compact accommodation to separate and store wastes for recycling;
- The degree of behaviour change required to ensure the separation of large quantities of recyclable wastes from the waste stream;
- Resource constraints.

2.25 *Approach:* Minimum targets for MSW recycling are set in the Plan which are considered achievable. In any event the Plan seeks management of waste in accordance with the Waste Hierarchy and would therefore encourage proposals which would mean that these targets could be exceeded. Furthermore, targets in the Plan for MSW recycling mirror national targets. Associated planning policy is set out in Policy WMP 3.

Sub-regional Self-sufficiency - Land Disposal Outside the Plan Area

2.26 *Regional Requirement:* In Policy W4 the SEP states: *'Waste planning authorities (WPAs) will plan for net self-sufficiency through provision for management capacity equivalent to the amount of waste arising and requiring management within their*

2 Overarching Strategy

boundaries.' This means that local authority waste planning policy should be developed in a manner which allows for the development of an amount of waste management capacity (including land disposal capacity) equivalent to the requirements for that capacity resulting from waste produced in their area. In addition Policy W13 states that *"Waste development documents should provide for continuing but declining landfill capacity."*

2.27 *The issue:* A significant proportion of non-inert waste requiring land disposal is currently managed at landfill sites beyond the Plan Area and, if current patterns of waste management continue, it is expected that the existing land disposal capacity in the Plan Area will run out in 2013. Whilst some waste will still require management by land disposal, no realistic opportunity exists for the development of new land disposal capacity in the Plan Area within the period of the Plan.

2.28 *Approach:* This is set out in detail in Section 3. Essentially, while the Authorities expect residual waste to continue to be exported for management at land disposal facilities beyond the Plan Area, they will seek to reduce, and compensate for, this in a number of ways as follows:

- Seek a reduction in arisings of waste in the first place;
- Rapidly increase the diversion of waste from landfill by planning for very high levels of recovery early in the plan period;
- Have flexibility in the Plan to allow additional overall recovery capacity equivalent to the amount of waste that could potentially be exported to landfill outside the Plan Area.

2.29 Landfill capacity has been identified in other areas of the South East and beyond.[18] The distance waste will travel to landfill will be largely governed by market forces, a key one of which is landfill gate fees.

2.30 It should also be noted that the Coalition Government Waste Policy Review (June 2011) supports this approach where it states: *"There is no requirement for individual authorities to be self sufficient in terms of waste infrastructure and transporting waste to existing infrastructure to deliver the best environmental solution should not be considered a barrier."* This approach is also consistent with guidance included in the PPS10 Companion Guide[19].

2.31 Associated planning policy is set out under Policy WMP 5 of this document.

Waste from London

2.32 *Regional Requirement:* Policy W3 of the SEP apportions an amount of residual waste from London for landfill disposal in East Sussex and Brighton & Hove. This apportionment is based on approach of essentially spreading the burden across all authorities in the South East. This reflects the lack of the land disposal facilities and

18 see Review of Future Waste Management Capacity Requirements, 2011 and 'Landfill, Landraise and Surcharging in East Sussex and Brighton & Hove' study

19 See Box 10, Section 6, PPS10 Companion Guide

opportunities for the development of such facilities in the heavily urbanised Greater London conurbation. The apportionment for East Sussex and Brighton & Hove is 1.06 million tonnes over the period 2006 to 2016 and 0.59 million tonnes from 2016 to 2025[20].

2.33 *The issue:* As described above and in Section 3 of this Plan, there is very little opportunity for the disposal of residual waste in the Plan Area and in any event it is doubtful that there would be any demand for such development.

2.34 *Approach:* It is the Authorities' view that London's waste will follow existing permissions and contracts which have influenced the historic pattern of management. A separate study[21] has been carried out which considers this matter in relation to the Plan Area and concludes that it is not appropriate to plan for the management of residual waste from London. There are important factors which justify this position which include the following:

- extreme lack of suitable areas for land disposal;
- generally poor transport links, especially in the east of the Plan Area;
- no history of waste being exported from London for management in the Plan Area;
- no indication from the waste industry that waste will travel from London for management in the Plan Area in the future.

2.35 As a result the Authorities do not intend to plan for the disposal of residual waste from London as required in Policy W3. It is considered that other areas are better placed to do this for the following reasons:

- the amount of land disposal capacity available and opportunities for future capacity in these areas;
- an established history of managing waste from London;
- their closer proximity to the sources of waste;
- the suitability of transport networks that would allow for the export of waste to these areas.

Strategic Management of Hazardous Waste

2.36 *Regional requirement:* The SEP anticipates a need for a small number of large-scale specialist facilities for hazardous waste streams within region (see Policy W15). It also identifies a need for facilities for large volumes of source separated material, merchant recycling, complex phase separation, plasma/vitrification, and solidification. To deal with this the SEP expects that *"Waste development documents should identify a range of sites and/or identify criteria for the determination of large-scale specialist facilities."*

2.37 *The issue:* There are very few opportunities for the development of large scale waste management facilities in the Plan Area. The Plan Area does not include major areas of industrial land where such large scale hazardous waste management facilities are typically located.

20 Policies W3 and W4, South East Plan
21 Residual Waste from London Study, Scott Wilson, September 2009

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2.38 *Approach:* Some hazardous waste streams will continue to be exported for management beyond the Plan Area. Flyash from the ERF has been specifically identified as a new hazardous waste stream that requires management and it is considered that due to the small quantities it will not be viable to develop capacity for its management within the Plan Area and this material will therefore be exported for management. Where viable the need for the development of capacity for the management of some specific hazardous waste streams is acknowledged. In addition, there are already existing facilities within the Plan Area which make a regional or national contribution to the management of specific hazardous waste streams, for example organic chemicals, plasterboard wastes and WEEE, and the approach is to safeguard these facilities in order to avoid an unequal burden of hazardous waste management being placed on other areas. Associated planning policy is set out in Policy WMP 9 of this document.

LSS for minerals issues

Provision and Use of Aggregates

A) Sharp Sand and Gravel

2.39 *Regional Requirement:* Policy M1 of the South East Plan set out an aspiration that mineral demand would not increase beyond 2016 levels and detailed appropriate apportionments for local authority areas to meet this aspiration. Policy M3 set out a level of contribution - the apportionment - for each authority in the South East and this was then reviewed in 2009/2010. The revised level of apportionment was set out in the Secretary of State's Proposed Modifications, and this increased the apportionment for the Plan Area to 0.1 mtpa.

2.40 *The issue:* There is a limited amount of natural aggregate resource in East Sussex and the resource is constrained by the local environment.

2.41 *Approach:* The Authorities have always maintained that the Plan Area is a special case (as set out in the first part of Section 4) and this approach is confirmed by the SoS Proposed Modifications to Policy M3 of the South East Plan. The revised level of apportionment - increasing from 0.01mtpa to 0.1 mtpa - can be met through existing permissions in the Plan Area. This level of provision was agreed with other authorities in the South East, subject to local environmental testing, and will continue to be monitored through the South East England Aggregates Working Party (SEEAWP).

B) Soft Sand

2.42 *Regional Requirement:* The SoS Proposed Modifications advised that authorities should show a specific proportion of the apportionment for soft sand.

2.43 *The issue:* The soft sand within East Sussex and the 'larger than local' area is primarily within the South Downs National Park.

2.44 *Approach:* The SDNPA is working with East Sussex County Council, West Sussex County Council and Hampshire County Council, to find an acceptable solution across the wider area.

Other matters

2.45 It should be noted that there are instances where the Authorities' approach in this Plan meets and exceeds regional policy requirements set out in the SEP. This is most notably in relation to:-

2 Overarching Strategy

Targets for Diversion from Landfill (SEP Policy W5)

2.46 The Authorities' policies in this Plan would achieve a diversion rate of 94% in 2025 compared to the 86% target in the SEP.

Recycled and Secondary Aggregates (SEP Policy M2)

2.47 The SEP policy expects recycled and secondary aggregate provision to reach 0.5mtpa by 2016 within the Plan Area. The definition of recycled and secondary aggregate includes road planings, pulverised fuel ash, waste glass and scrap metal. Background work indicates that at present the best estimate is around 240,000 tonnes per annum of recycled aggregate for the Plan Area.

2.48 Around 10,000 tonnes of waste bricks are produced per annum and it is anticipated that 58,000 tonnes of bottom ash will be produced per annum from the Newhaven Energy Recovery Facility. This gives a total estimated figure of around 310,000tpa. Adding this to glass and tyre waste, the Authorities currently have capacity for 0.63 mtpa of CDEW recycling.

Other Minerals (SEP Policy M4)

2.49 The Gyspum resource in East Sussex serves a larger than local demand for plasterboard in the South East and the current permission extends through to the latter part of the plan period.

Presumption in Favour of Sustainable Development (WMP1)

Purpose of Policy WMP 1

To ensure that decisions are taken in line with the presumption in favour of sustainable development as set out in the National Planning Policy Framework (NPPF).

2.50 The Government published in March 2012 its National Planning Policy Framework (NPPF) which sets out its planning policies for England and how these are expected to be applied.

2.51 At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF requires that policies in Local Plans should follow the approach of the presumption in favour of sustainable development.

2.52 The Waste and Minerals Plan is based on the principles of sustainable development. This is demonstrated in the Vision and Objectives, and the policies which seek sustainable solutions.

2.53 Planning law requires planning decisions to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF states that it does not change the statutory status of the development plan as the starting point for decision making.

2.54 In order to ensure that the presumption is taken into account in the Authorities approach to waste and minerals development, the following policy has been included in the Plan:

Policy WMP 1

The Authorities will take a positive approach to waste and minerals development that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Waste and minerals development that accord with policies in this Plan and subsequent Plans will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the proposal or the relevant policies are out of date at the time of making the decision, then the Authorities will grant permission unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in that Framework indicate that development should be restricted[22].

Minerals and Waste Development Affecting the South Downs National Park (WMP2)

Purpose of Policy WMP 2

To ensure development is sustainable and appropriate to the purposes and duties of the South Downs National Park Authority.

2.55 The South Downs National Park is one of the most recent national parks to receive designation in England and the South Downs National Park Authority (SDNPA) took up its statutory responsibilities in April 2011. The South Downs National Park covers an area of 1600km^2 and stretches from Eastbourne in the East to Winchester in the West. Although over 85% of the area is farmed, it has a population of over 108,000 people and includes the towns of Lewes, Midhurst and Petersfield. When in place, the South Downs National Park Management Plan will provide a statement of the SDNPA policy for managing and carrying out its functions in relation to the Park and will reflect Park purposes.

2.56 National Parks have the highest status of protection in relation to landscape and scenic beauty and this will be given great weight in decisions. The South Downs National Park has the following statutory purposes:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the area; and
- To promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public.

2.57 If there is a conflict between the two purposes, the first takes precedence. In pursuing these purposes the SDNPA also has a duty to seek to foster the economic and social well-being of local communities within the National Park.

22 For example, those policies relating to land within a National Park, an Area of Outstanding Natural Beauty; sites protected under the Birds and Habitats Directives and/or as Sites of Special Scientific Interest; designated heritage assets; and locations at risk of flooding or coastal erosion.

Minerals and Waste Development in the South Downs National Park

2.58 National Parks have the highest status of protection in terms of landscape and scenic beauty. Great weight, therefore, must be given towards the protection of the natural beauty of the landscape, together with conservation of wildlife and cultural heritage, when making planning decisions.

2.59 National planning policy for minerals and waste development in the countryside and rural areas relates to "major development" within nationally designated areas including National Parks. Within the context of national policy, the winning and working of minerals and waste development generally constitutes major development whereby due to the nature, character and scale of some proposals, there is the potential to adversely impact upon recreational opportunities and the natural beauty of the National Park.

2.60 Major minerals and waste development (including quarry restoration) can have significant adverse impacts upon such areas of natural beauty together with the recreational opportunities that they provide. In line with national policy[(ibid)], major minerals and waste development must not be permitted within National Parks except in exceptional circumstances. Applications for such within a National Park must be demonstrated to be in the public interest and, meet the assessment needs of considering the need for the development; the cost of and scope for developing alternative sites elsewhere; and any detrimental effect on the environment, landscape and recreational opportunities. Minerals and waste development can also have positive effects on the environment through restoration and aftercare (Policy WMP17 addresses restoration requirements in detail).

2.61 Other minerals and waste development which is ancillary to a main minerals and waste operation (e.g. weighbridge, offices, haul road and minor amendments) would not normally be considered as major development. It would be expected however that such proposals have regard for and consideration of National Park purposes and ensure that great weight is given to the conservation of the landscape and natural beauty, conservation of wildlife, cultural heritage and recreational opportunities.

2.62 Quarries and quarrying operations have the potential to impact heavily upon the landscape and surrounding environment, therefore the setting of any proposed development within the context of the National Park is also an important consideration.

2.63 Minerals and waste development not considered to be major should be carefully assessed. Weight should be given towards conservation of the landscape's natural beauty, the conservation of wildlife and cultural heritage and the need to avoid adverse impact upon recreational opportunities within these areas.

Minerals Found Within the National Park

2.64 **Soft sand**: There are existing mineral resources within the National Park where it falls within the Plan Area. The Folkstone Bed formation runs through the length of the National Park between Hampshire, West Sussex and East Sussex. Within the Plan Area, the formation runs eastwards from Ditchling. Associated with this formation is soft sand for which there are current operational reserves within the National Park (Stanton's Farm Quarry).

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2.65 **Chalk:** Chalk is also found within the National Park, however there are no operational sites at present and the remaining reserves are not significant in quantity. Historically chalk from sites within the National Park (e.g. Filching Quarry) was required for the cement manufacturing industry, construction fill and for agricultural lime, however following its decline, the need for chalk has reduced. At present there is a satisfactory supply of chalk from outside the Plan Area. Should there be any future demand from within the Plan Area however, it is unlikely that extensions to existing sites within the National Park would be considered favourably.

Policy WMP2

Minerals and waste development affecting the South Downs National Park

a) Minerals and waste development in the South Downs National Park should demonstrate that it contributes to the sustainable development of the area.

b) Major minerals and waste development in the South Downs National Park should not take place except in exceptional circumstances, where it can be demonstrated to be in the public interest[(23)]. In this respect, consideration will be given to:

i. the need for the development, including in terms of any national considerations; and
ii. the impact of permitting or refusing the development upon the local economy; and
iii. the cost of and scope for developing outside the designated area or meeting the need in another way; and
iv. any detrimental effect on the environment, landscape and/or recreational opportunities and the extent to which it could be satisfactorily mitigated.

Development will only be in the public interest if the outcomes of i-iv above gives sufficient reason/s to override the potential damage to the natural beauty, cultural heritage, wildlife or quiet enjoyment of the National Park.

c) Extensions to existing soft sand quarries or new quarry proposals in the National Park need to conform with (b) above and additionally demonstrate that the need could not be practically achieved by extraction in adjoining Counties.

d) Small-scale waste management facilities for local needs should not be precluded from the National Park and should meet the requirements of Policy WMP 7a.

e) Proposals for the backfilling of redundant quarries within the National Park need to conform with (b) above and additionally demonstrate net long term benefits to the National Park and that they meet Policy WMP 8b criteria (a) to (e).

23 In the case of minerals and waste proposals, all applications are defined by the Town and Country Planning (Development Management Procedure) Order 2010 as 'major'. However, for the purpose of this policy, major minerals and waste development is development that by reason of its scale, character or nature, has the potential to have a serious adverse impact on the natural beauty, wildlife, cultural heritage and recreational opportunities provided by the South Downs National Park. The potential for significant impacts on the National Park will be dependent on the individual characteristics of each case.

Implementing the Waste Hierarchy (WMP3a -3e)

2.66 The production and management of waste requires inputs of material and energy resources. Primary, naturally occurring resources are finite and in some cases are nearing exhaustion. In addition, the consequences of waste management may include emissions of pollutants which can have an irreversible detrimental impact on the environment. 'Sustainable' waste management is about ensuring that the production and management of waste takes place in a way which means that the opportunities for future generations to thrive and flourish are not constrained by these negative impacts.

2.67 For some time the need for 'sustainable' waste management has been recognised nationally and internationally[24] and the concept has been articulated in a management approach known as the 'waste hierarchy'. The waste hierarchy represents a ranking of different ways of dealing with waste, in a manner that gives a broad indication of their relative environmental benefits and disbenefits. The hierarchy therefore acts as a guide to be used when assessing different waste management options.

2.68 The waste hierarchy is a key principle in this Plan which is consistent with government planning guidance on sustainable waste management[25] stating that planning strategies should: *"help deliver sustainable development through driving waste management up the waste hierarchy, addressing waste as a resource and looking to disposal as the last option but one which must be adequately catered for."*

24 EU Waste Framework Directive (2008/98/EC), Waste Strategy 2007; Review of Waste Policies, 2011
25 Planning Policy Statement 10: Planning for Sustainable Waste Management

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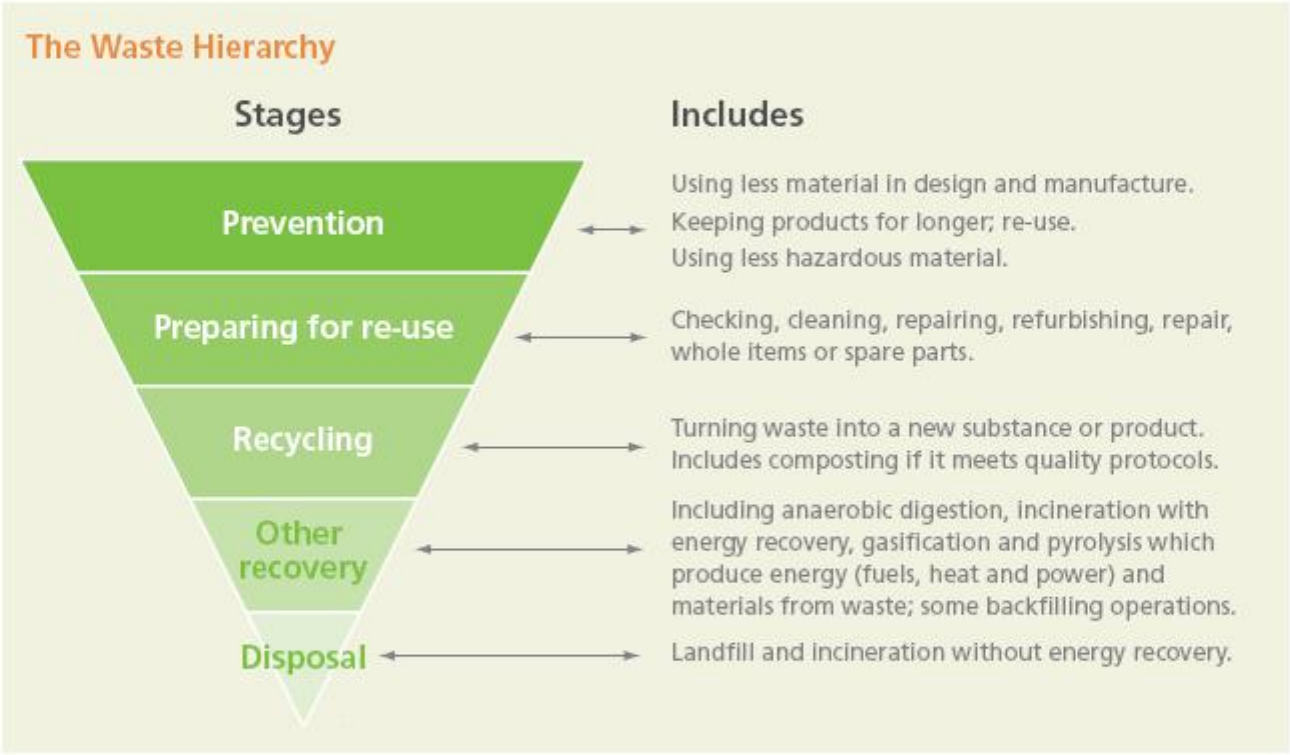
Figure 1 Waste Hierarchy [26]

Source: Government Review of Waste Policy, (Defra, 2011)



2.69 Moving waste up the hierarchy is generally consistent with reducing the impacts of climate change as usually fewer greenhouse gas emissions are produced as options further up the hierarchy are pursued[27]. However in some cases it is possible that some options for managing waste will have fewer climate change impacts than other options higher up the waste hierarchy. It is important therefore, that overall climate change impacts are taken into account alongside the waste hierarchy when considering waste management proposals. Climate change considerations are also dealt with by Policies WMP 24a and WMP 24b.

2.70 This Plan implements the waste hierarchy in a number of key ways which are set out below and summarised as follows:

1. Providing support for strategies and activities which seek to minimise waste or prevent it from occurring (Policies WMP 3a and WMP 3d);
2. providing overarching support for businesses and activities which involve the re-use of materials or utilise materials which have been derived from waste (Policy WMP 3a);
3. setting minimum targets for recycling and recovering waste (Policy WMP 3b);
4. quantifying the need for the development of additional recycling and recovery infrastructure (Policies WMP 5);

26 N.B. Since the publication of the Preferred Strategy, the Government published an update to Planning Policy Statement 10: *Planning for Sustainable Waste Management* (PPS10) to ensure that it incorporates the new waste hierarchy set out in the revised Waste Framework Directive. The revised Directive seeks to increase the use of waste as a resource (e.g. for fuel) and to place greater emphasis on the prevention and recycling of waste, while protecting human health and the environment. It includes a new waste hierarchy which differs from the previous version in how it defines re-use of materials and in how it distinguishes between recycling and other recovery.

27 See Information Paper 9, Climate Change

5. encouraging the inclusion of recycling infrastructure in new developments (Policy WMP 3e);
6. promoting the capture and use of waste as a resource in the form of materials and energy (Policies WMP 3b and WMP 3d); and,
7. keeping the requirements for the disposal of waste to a minimum and placing strict constraints on the development of new land disposal capacity (Policies WMP 3b, WMP 8a and WMP 8b)

2.71 Each of these is considered in more detail as follows:

Waste Prevention and Re-use

Purpose of Policy WMP 3a

To prevent waste occurring in order to reduce the amount of waste treatment capacity needed. To provide commitment to contributing to wider strategies about waste awareness and sustainable resource use.

To facilitate movement to the upper tiers in the waste hierarchy, and particularly to increase preparation for re-use, which will involve industries and developments beyond waste management facilities.

For development management authorities, this policy provides a clear framework for ensuring that sustainable waste management is taken into account in planning decisions about non-waste developments.

2.72 The most effective way to deal with waste is to prevent it occurring in the first place. Waste prevention means that the materials do not enter the waste stream and do not require treatment at a waste facility.

2.73 The Plan has limited influence in preventing waste being produced as the planning system can only intervene once a planning application has been submitted. However, the amount of waste management capacity that needs to be planned for is affected by the success of waste prevention initiatives.

2.74 The approaches taken are:

- to work with stakeholders to support other waste management/collection initiatives and schemes which extend beyond the remit of the planning system, both at local and national level. These include Municipal Waste Management Strategies and waste awareness promotion with businesses and the construction industry;
- to encourage the prevention of waste during the construction and demolition phases of development. This approach is implemented by Policy WMP 3d.

2.75 The new category of 'preparing for re-use' reflects that some products or materials may need to be checked, cleaned, or repaired so that they can be re-used, but do not need full processing or treatment at a waste facility. Although this activity is an important part of moving up the waste hierarchy, such activities fall outside of the definition of a waste

management activity and associated developments are considered by district and borough planning authorities in East Sussex, however this Plan does provide broad policy support for such activities.

Policy WMP 3a

Promoting Waste Prevention, Re-use and Waste Awareness

To maximise waste prevention and re-use, the authorities will work with stakeholders and delivery partners to:

a. promote strategies for waste prevention, re-use and waste awareness;
b. develop more detailed action plans and policies;
c. encourage developments that involve the preparation of materials for re-use.

Support will be given to non-waste management developments which involve the utilisation of materials, or energy, derived from waste as a resource.

Recycling[28] and Other Recovery

Purpose of Policy WMP 3b

Purpose

To encourage the development of new waste recycling and recovery infrastructure which ensures waste which has been produced is managed as far up the waste hierarchy as possible and in a manner which minimises the production of greenhouse gases.

2.76 This Plan includes challenging targets for recycling and other recovery of waste. These targets are considered to be achievable and are based on the following:

- recent government signals about the future direction of waste management and the development of sustainable waste management infrastructure in England[29];
- the level of economic drivers increasingly impacting on decisions affecting the management of waste, in particular the increasing costs of landfill due to Landfill Tax;
- the increasing lack of existing, and potential future, capacity for land disposal;
- a recognition that waste imported into the Plan Area for management should also be managed in accordance with the waste hierarchy.

28 Recycling includes composting
29 See 'Review of Waste Policies', DEFRA, 2011

2.77 The achievement of these targets is dependent on the safeguarding and provision of sufficient appropriate waste management capacity. Policy WMP 5 sets out the indicative additional requirements for such infrastructure during the Plan period and Policy WMP 6 addresses safeguarding.

2.78 Within the Plan Area efforts to recycle and recover waste have been taking place for some time and examples of this are given below:

- ***LACW:*** In the case of household waste, several significant recycling and recovery facilities have been constructed which have enabled the diversion of the majority of this waste from landfill. The commencement of operations at the Newhaven Energy Recovery Facility in late 2011 means the level of diversion of household waste from landfill is now close to 100%.

- ***C&I:*** An analysis of C&I waste suggests that approximately 67% of this waste currently arising in the Plan Area is 'recycled' (this includes other treatments including composting) and 4% is reused. The relatively high proportion of commercial businesses compared to industrial businesses (around 85% and 15% respectively) in the Plan Area, means that higher levels of recycling may be achieved in East Sussex, South Downs and Brighton and Hove compared to other areas which have a greater proportion of businesses in the industrial sector.

- ***CDEW:*** While there is no single collated dataset for levels of recycling or reuse of CDEW, the data which is available suggests that recycling of CDEW is around 45%. Furthermore it is estimated that around 40% of CDEW is diverted from landfill by alternative methods which do not require dedicated management facilities, for example via use in major construction projects where soil arising from excavation is used in landscaping or engineering works on the site of production or elsewhere. Many leading contractors are already setting high landfill diversion levels for CDEW. An example of what can be achieved is the development of the Olympic Park which is exceeding targets to reuse or recycle 90% of demolition waste and meeting a 90% landfill diversion target for construction waste.

2.79 Some waste will be managed in the Plan Area which is produced beyond the area and it is expected that facilities proposed to do this will form part of an expanded network of facilities needed to deliver the recycling and recovery targets set out in this Plan.

2.80 The Plan does not specify the technology that could be used to recover waste because solutions will be delivered by commercial organisations whose choice of appropriate technologies will depend on a range of factors which include: the availability of evolving technology; performance; affordability; and compliance with relevant environmental controls.

2.81 The policies of this Plan are intended to ensure that recovery facilities are developed to an appropriate scale to avoid waste that could practicably be managed by processes further up the waste hierarchy being diverted into them. Recovery targets set out in tables 3, 4 and 5 below for LACW, C&I waste and CDEW respectively. It is anticipated that these targets will be achieved as a result of a combination of the following factors:

- Government policy and legislation intended to reduce reliance on landfill.

2 Overarching Strategy

- Government incentives intended to divert waste from landfill and increase landfill e.g. landfill tax and incentives related to the production of energy from waste e.g. Renewable Heat Incentive.
- The lack of availability of landfill locally and the subsequent need to develop alternatives.
- The make-up of waste arisings and their ability to be recovered.

Policy WMP 3b

Turning Waste into a Resource

Development proposals should demonstrate that they will contribute to the implementation of the waste hierarchy by indicating how the waste could be managed in the priority order of the hierarchy.

Proposals for the management of waste shall be permitted which are able to demonstrate the following:

1. That:

- the waste to be managed cannot reasonably be managed by a process which is further up the waste hierarchy; and,
- the proposed process is an option which delivers the best overall environmental outcome;

And,

2. The operation of the facility will:

- contribute to meeting or exceeding the targets set out in Tables 3, 4 and 5; and,
- not displace the management of waste which is already managed, or likely to be managed, by a process which is further up the waste hierarchy than that being proposed, unless the proposal would result in fewer greenhouse gas emissions overall;

All proposals shall be considered in the context of the generic development management policies of this Plan and the wider Development Plan for the Plan Area.

2.82 Proposals should set out how they contribute to the supply of renewable, decentralised, or low carbon energy sources, and the Government objectives of contributing to the EU2020 renewable energy target.

2.83 Consideration will be given to preparing guidance for developers which sets out how this policy will be implemented.

2.84 ***Local Authority Collected Waste***[30]

30 Taken to mean waste that is collected by, or on behalf of, a local authority, from households, public parks and gardens and street cleansing; or waste delivered by households to household waste sites.

Table 3 Targets for the Management of Local Authority Collected Waste in the Plan Area

Year[1]	Recycling[2]	Overall Recovery[3]
2015/16	45%	98%
2020/21	50%	98%
2025/26	55%	98%

1. Targets shall apply to the average achieved during the target year.
2. Recycling includes composting.
3. Overall recovery target is the total percentage of waste diverted away from land disposal and includes re-use, recycling and composting.

2.85 *Commercial and Industrial Waste*[31]

Table 4 Targets for the Management of C&I Waste in the Plan Area

Year	Recycling	Overall Recovery
2015/16	70%	95%
2020/21	70%	98%
2025/26	70%	98%

2.86 *Construction, Demolition and Excavation Waste*

Table 5 Targets for the Management of CDEW in the Plan Area

Year	Recycling	Overall Recovery
2015/16	50%	98%
2020/21	50%	98%
2025/26	50%	98%

2.87 The achievement of these targets will be measured as the proportion of waste managed in the Plan Area which is managed by recycling and recovery at facilities located in the Plan Area.

2.88 Similar targets to 2025/26 will be applied in the years immediately after 2026.

Landfill Mining

2.89 Landfill mining involves the extraction of waste previously deposited into land disposal sites for further processing. Recyclable materials excavated can be processed into new materials, and energy can be recovered from non-recyclable matter. Following the excavation of waste, sites can either be restored or used for the further disposal of residual waste in the

31 *Commercial and Industrial waste is waste produced by businesses and establishments and includes that collected from businesses and establishments by local authorities*

future. There are currently no significant landfill mining operations in the UK, however the shortage of landfill void capacity and increasing commodity prices may make such developments more attractive to developers in the future.

2.90 The composition of waste deposited in old landfill sites is often unknown, and less restrictive environmental standards in the past can mean that sites contain asbestos or other hazardous wastes. Proposals for landfill mining would require a permit from the Environment Agency which will ensure the protection of the environment and human health.

2.91 Any proposals submitted that involve landfill mining will be determined using criteria contained in Policies WMP2, WMP7a, WMP8a, WMP8c, WMP17, WMP18, WMP20 and development management policies.

Production of Energy from Waste (EfW)

Purpose of Policy WMP 3c

To recognise that energy recovery is lower in the waste hierarchy than other processes so proposals will need to be justified accordingly, and ensure that where energy recovery does take place, the capture of heat and/or energy from those processes should be in the most sustainable and efficient manner possible. This includes taking into account the EU Waste Framework Directive as well as Government policy about increasing use of renewable energy and decentralised power sources, and more broadly about mitigating against climate change.

2.92 The production of energy from waste is well established and makes a significant contribution to reducing the need for land disposal. Furthermore, energy derived from waste will contribute to the UK's target of obtaining 15% of its energy from renewable resources by 2020 [32]. The Councils' Energy from Waste facility in Newhaven manages up to 210,000 tonnes per annum of non-inert waste and generates 16,500MW of electricity every year.

2.93 The combustion of waste, or fuel produced from waste, without energy recovery ranks alongside disposal at the bottom of the waste hierarchy[33]. Combined Heat and Power (CHP) can provide an important benefit to a community where such a facility is located and this is covered further in Policy WMP 20 - Community Involvement and Benefits.

2.94 Development associated with the capture of landfill gas and its utilisation as a fuel has its own particular planning considerations and is dealt with separately under the Land Disposal Policy.

2.95 The Environment Agency is responsible for regulating any emissions from waste management facilities which produce energy from waste. When permitting such facilities the Environment Agency also consider the energy efficiency of the proposed process.

32 The 2009 EU Renewable Energy Directive

33 Annex II of the revised Waste Framework Directive sets out a list of waste management operations that can be classed as recovery. One of these is the use of waste principally as a fuel or other means to generate energy – referenced as 'R1'. The Annex includes an energy efficiency threshold, which incineration plants dedicated to treating local authority collected waste must achieve, or surpass, in order to be defined as an R1 operation.

Policy WMP 3c

Production of Energy from Waste

Proposals for waste management facilities primarily intended to recover energy from waste will only be permitted if it can be demonstrated that appropriate capture of energy will take place in accordance with the EU Waste Framework Directive.

Applicants should demonstrate that the feasibility of recovering heat for local use has been thoroughly considered and, where appropriate, methods for doing so have been incorporated into the development.

Proposals should set out how they contribute to the supply of renewable, decentralised, or low carbon energy sources, and the Government objectives of contributing to the EU2020 renewable energy target.

Minimising and Managing Waste during Construction, Demolition and Excavation

Purpose of Policy WMP 3d

To ensure that the waste hierarchy is taken into account during construction and demolition activities associated with all new development which require planning permission (not just those that involve the management of waste).

To encourage architects, project funders, and contractors to minimise waste through the life-cycle of a project by 'designing out waste'.

This policy can be implemented by all planning authorities in the Plan Area.

2.96 Where planning permission is required, this Plan can influence how waste is generated and managed during construction, demolition and excavation activities. This is particularly important as it is the largest waste stream within the Plan Area.

2.97 The Site Waste Management Plans Regulations (SWMP) 2008 make it a legal requirement for all construction projects in England over £300,000 to have a SWMP, with a more detailed plan required for projects over £500,000[34].

2.98 The authorities in the Plan Area will continue to work with builders and contractors, to implement the Site Waste Management Plan Regulations 2008 and improve overall awareness of the potential benefits of more sustainable waste management.

34 Further details can be found on the NetRegs website and WRAP website.

2 Overarching Strategy

2.99 It is possible for all those involved in a development, including architects, designers and contractors to minimise waste through the life-cycle of a project by 'designing out waste'[35]. This will contribute to reducing the level of waste arising, the number of waste management facilities required, and the requirement for providing new resources such as primary aggregate.

2.100 A number of European and government initiatives have produced methods for calculating and dealing with CDEW and proposals should aim to achieve or exceed the benchmarking levels of landfill diversion by:

- considering CDEW within all stages of development, starting at the design stage [36];
- making best use of the guidance and benchmarking tools available [37].

2.101 In order to implement this approach locally, the Councils adopted a Construction & Demolition Waste Supplementary Planning Document (SPD) in 2006. The SPD was adopted in advance of the Site Waste Management Plan Regulations, and was wider in scope as it required Waste Minimisation Statements to be provided for development with a value of under £300,000.

2.102 Following the implementation of the Site Waste Management Plan Regulations, Brighton and Hove City Council has updated its approach to dealing with Site Waste Management Plans through the use of a toolkit for developers. The project is funded to roll-out across the South-East and brings together planning policy, development management, building control and enforcement with local small and medium size enterprises to improve knowledge and awareness of the issues around construction waste. East Sussex County Council is currently adapting the toolkit to work with its consultants and contractors in implementing the ESCC Corporate Sustainable Buildings policy.

2.103 Defra is undertaking a review of the Site Waste Management Plan Regulations and following this we will update the SPD, taking account of the outcome of the review to support the reduction of construction waste in the Plan Area.

Policy WMP 3d

Minimising and Managing Waste During Construction, Demolition and Excavation

When assessing development proposals, all planning authorities will consider how the applicant proposes to minimise the waste arising from construction, demolition and excavation works in order to maximise the sustainable management of waste and in particular, to minimise the need for landfill capacity.

All development proposals will be expected to:

a. Demonstrate how the durability of the construction has been maximised[38];
b. minimise the waste arising from construction, demolition and excavation activities;

35 See Information Paper 3 - Sustainable Waste Management for further information
36 Designing out Waste: A design team guide for buildings
37 www.wrap.org.uk
38 E.g. Through use of durable materials which minimise requirements for refurbishment and extend the life of the development

c. move the management of CDEW waste as far up the waste hierarchy as practicable;
d. take account of relevant legislation, the guidance within the Construction & Demolition Waste SPD (including any subsequent updates); and
e. demonstrate how they will monitor progress within the lifetime of the construction phase of the development.

Temporary waste facilities on construction sites:

Major construction sites or development areas (such as housing developments) should provide temporary waste management facilities to separate and where appropriate recycle Construction, Demolition and Excavation Waste.

Where space on site allows, development should be phased to encourage re-use of recycled material and also to minimise the transport of waste materials from the site and the import of new materials. Temporary screening banks may be needed around any onsite processing facility to minimise the impacts on adjoining areas and on completed parts of the development. Where these are to be retained as permanent features they must be designed to conserve and enhance local landscape character.

Waste Management in New Development

Purpose of Policy WMP 3e

To ensure that new developments take place in a manner which allows for the convenient sustainable management of waste. For example the policy will ensure that, where appropriate, space is made available for the storage and collection of separated recyclable materials e.g. bring banks.

It is envisaged that this policy will be implemented by all planning authorities in the Plan Area.

2.104 The layout and design of the built environment can affect the ease with which recyclable wastes can be captured and collected. The provision of convenient facilities within new development can make recycling and re-use of waste easier to carry out. Different types of development will require different solutions, for example bring banks for recyclable materials and composting facilities for green waste. Examples of the types of development that can benefit from the provision of such facilities are:

- residential development;
- retail development;
- major industrial/commercial development;
- new car parks; and
- community facilities (e.g. schools).

2.105 Opportunities may also exist in smaller scale developments in rural or more isolated areas which are in locations which are poorly served by existing recycling facilities.

2 Overarching Strategy

Policy WMP 3e

Waste Management in New Development

Proposals for new developments (housing, retail, commercial and industrial uses) should identify the location and provision of facilities and infrastructure intended to allow for the efficient management of waste within the overall site plan. This includes provision for waste collection and separation (including communal facilities), and for allowing proper manoeuvring of waste collection vehicles.

All new development proposals should facilitate the convenient separation and collection of household and business waste, as appropriate; as well as ensuring ease of access for waste collection.

Sustainable Provision and Use of Minerals (WMP4)

Purpose of Policy WMP 4

To deliver the sustainable use and production of minerals using the minerals hierarchy, for example by promoting secondary and recycled materials.

2.106 Historically to support economic growth, the policies of the minerals development plan have concentrated on responding to commercial demand through the release of primary reserves when required, however consumption of non-primary minerals is now usually seen as more sustainable than extraction of minerals from the ground. The Plan will seek to encourage resources to be used more sustainably by reducing the overall dependence on primary resources by facilitating, where practicable, the production and use of alternatives within the Plan Area. Policy WMP 3a sets out the way in which waste will be prevented and reused and awareness raised on this issue. Non primary materials may also arise during the extraction of primary minerals, for example overburden materials may be put to a specific use in place of some other primary mineral.

2.107 National policy is aimed at supporting sustainable growth whilst encouraging the recycling of suitable materials to minimise the requirement for new primary extraction. However some flexibility must be retained because the availability and specification of secondary materials are not uniform, and therefore can be less reliable than primary sources. Not all primary minerals can be replaced by alternatives and relative distribution can affect sustainability. The utilisation of alternatives could be therefore limited.

2.108 An ancillary Government objective for aggregates is to use marine dredged sand and gravel to the extent that environmentally acceptable sources can be identified within the principles of sustainable development. Permission to exploit this type of resource was previously a decision for DCLG and is now taken through the Marine Management Organisation.

2.109 The Government publishes National and Regional Guidelines for Aggregate Provision which have been apportioned to local mineral planning authority level in the Regional Spatial Strategy. Government advice is that the Mineral Planning Authority should make provision for their apportionments in preparing local planning documents. This includes testing the apportionment against need and environmental constraints. Mineral Planning Authorities should use the landbank of 7 years supply related to the apportionment as an indicator as to when new permissions are likely to be needed.

2.110 Another important element of delivering a sustainable approach to minerals management is to encourage a modal shift in the transportation of minerals. The movement of minerals by water and rail is encouraged in Policy WMP 18.

2 Overarching Strategy

Policy WMP 4

Sustainable Provision and Use of Minerals in the Plan Area

Proposals for minerals development shall be assessed against the following overarching principles in terms of the contribution they make to sustainable provision and use of minerals in the Plan Area:

a. To make provision for a steady supply of minerals in accordance with national policies;

b. To support development that produces secondary materials (that can be used as an alternative to primary materials) and/or utilises reused or recycled materials;

c. Allowing primary mineral production only where it is demonstrated the need cannot be met by sources of alternative materials, and that there is evidence of viable resources; and

d. Only allocating further mineral resources if needed to meet our agreed share of national requirements unless material considerations indicate otherwise.

Policies to deliver waste management for the plan period

Provision of Built Waste Facilities (WMP5)

Purpose of Policy WMP 5

To identify the future need for recycling and recovery facilities, and avoid any adverse effects that over-provision of capacity could bring.

To provide flexibility in the Plan to demonstrate 'net self sufficiency' by allowing for additional recovery capacity of an amount equivalent to that amount that is identified as needing to be exported for disposal to land.

3.1 Estimating future requirements for waste management facilities is not easy and many factors need to be taken into account - for example: population and household growth; economic fluctuations; and changes in waste creation, management and disposal. For this reason low and high waste growth scenarios that represent the lower and upper range of what is likely to happen have been considered.

3.2 The outcome of this work is set out in Table 6 below which shows the amount of non-hazardous waste[39] that will need to be managed over the Plan period[40].

Table 6 Estimated Quantity of Waste to be Managed in the Plan Area (tonnes)

	2015/16		2020/21		2025/26	
	Min	*Max*	*Min*	*Max*	*Min*	*Max*
LACW	361,000	392,000	356,000	414,000	352,000	437,000
C&I	429,000	478,000	420,000	481,000	412,000	483,000
CDEW	853,000	879,000	832,000	924,000	811,000	971,000

3.3 Similar quantities are anticipated in the years immediately after 2025/26.

39 Specific provision for hazardous waste is dealt with by Policy WMP 9a
40 Source: Information Paper 1

3 Providing for Waste

3.4 It should be noted that the South East Plan[41] includes 'benchmark' quantities of waste that it anticipated will need to be managed in the Plan Area but recognises the need for local testing of this data. Our Waste Data Report[42] considered the SEP data but local data was used to put forward estimates that are considered to more accurately reflect the likely growth in waste arisings to 2025/26 as set out in Table 6 above (also see LSS Statement in Section 2).

Need for Recycling and Recovery Capacity

3.5 Estimating the need for new waste management facilities involves identifying the existing capacity to manage waste and comparing that with how much capacity we expect to require in the future.

3.6 Because LACW and C&I wastes are of a similar composition they could be managed (by recycling or other forms of recovery[43]) at the same facility. The identification of future need for such facilities able to manage LACW and C&I wastes has therefore involved combining the data for these two waste streams. In addition the recovery of much of the non-inert element of CDEW could take place at a facility recovering LACW and/or C&I waste and so this has also been included in the estimate of overall requirements for recovery capacity[44].

3.7 By applying this Plan's targets for the management of waste (as set out in Section 2), to the amounts of waste that arise under the low and high waste growth scenarios, total management demand is estimated. By then subtracting existing capacity (see Table 2 in Section 1), it is possible to calculate future capacity shortfalls.

3.8 Table 7 below shows the resulting future management capacity shortfalls:

Table 7 Estimated Capacity Shortfalls not accounting for export of waste for land disposal (shown in brackets) and including equivalent provision for net self sufficiency

	Recycling and Composting capacity (tonnes per annum)		Recovery capacity (tonnes per annum)	
Year	Minimum	Maximum	Minimum	Maximum
2015/16	(0) 0	(7,000) 80,000	(36,000) 60,000	(130,000) 200,000
2020/21	(0) 0	(49,000) 120,000	(47,000) 80,000	(146,000) 220,000
2026/27	(0) 30,000	(92,000) 170,000	(24,000) 60,000	(149,000) 220,000

41 The South East Plan sets out policies for the area of 'East Sussex and Brighton & Hove', however the area referred to also includes the area now designated as the South Downs National Park, so references to the South East Plan targets also apply to that area

42 Review of Future Waste Management Requirements, AEA, October 2011

43 'other forms of recovery' refers to waste treatment processes such as anaerobic digestion, energy recovery via direct combustion, gasification, pyrolysis or other technologies. These processes can recover value from waste, for instance by recovering energy or compost, in addition they can reduce the mass of the waste and stabilise it prior to disposal.

44 Review of Future Waste Management Requirements, AEA, October 2011

Providing For Net Self Sufficiency

In Policy WMP 8 consideration is given to meeting the need for land disposal and this suggests it is likely that the capacity shortfall for land disposal will be met by existing permitted sites outside of the Plan Area. In order to comply with the South East Plan policy for net self-sufficiency (see LSS section) a capacity shortfall has been estimated to additionally cover the equivalent to the amount of waste that could potentially be exported out of the Plan Area for land disposal. The total Plan Area need for recycling and recovery capacity and the additional requirements arising from matching the potential exported waste are combined in Policy WMP 5 below. It is unlikely that all the additional requirements would ever be implemented and the 'need' rapidly declines in the first five years, but the policy provides flexibility in the Plan to demonstrate compliance with South East Plan Policy W4.

The projected capacity gap estimate shown in Table 7 above suggests:

- That based on the expected requirement to meet Plan targets, the additional recycling capacity requirement by 2026/27 could be between 30,000 and 170,000 tonnes per annum; and
- demand for recovery capacity is in excess of existing capacity and this is likely to continue throughout the Plan period. The recovery capacity demand takes account of the new Newhaven ERF, however, by 2026/27, a capacity deficit will still exist of between 60,000 and 220,000 tonnes per annum.

In addition the data modelling[45] suggests that there is currently sufficient capacity for bulk metal recycling and inert CDEW recycling during the Plan period.

Policy for Provision of Built Waste Facilities

Policy WMP 5

Provision of Built Waste Facilities to Ensure Net Self-Sufficiency

Provision will be made for a sustainable network of waste recycling, composting and other recovery facilities in the Plan Area sufficient to at least meet the indicative waste management capacities set out in the following tables, which includes an amount equivalent to the requirement for land disposal capacity beyond the Plan Area.

	Recycling[46] and composting capacity (tonnes per annum)	
Year	Minimum	Maximum
2015/16	0	80,000
2020/21	0	120,000
2026/27	30,000	170,000

45 Review of Future Waste Management Requirements, AEA, October 2011

46 Recycling capacity does not include transfer capacity where unsorted materials are simply bulked up or capacity for recycling of bulk metals

3 Providing for Waste

The development of further recycling capacity above that shown in the table above will reduce the need for additional other recovery capacity and may be needed for market reasons. The development of recycling capacity in preference to other recovery capacity will be permitted in accordance with Policy WMP 3b.

	Other Recovery capacity (tonnes per annum)	
Year	Minimum	Maximum
2015/16	60,000	200,000
2020/21	80,000	220,000
2026/27	60,000	220,000

Applications for additional recovery capacity, above that shown in the table above, would need to demonstrate that the proposal reduced disposal to land requirements of waste arisings in the Plan Area.

3.9 Similar provision would be needed in the years immediately after 2025/26. Capacity requirements will be monitored in the Authorities Monitoring Reports. An indication of the additional number of strategic facilities needed to meet the above shortfalls is shown in Table 8.

3.10 The distinction between between 'small' and 'large' scale strategic facilities is to take account of the fact that facilities of different sizes could be developed which depend not only on the amount of waste needing to be managed, but also on the fact that particular locations are better suited to facilities of a certain size[47].

3.11 It should be noted that some capacity requirements could, and almost certainly will, be met at small-scale non strategic facilities. This is especially likely in the Plan Area due to the limited land available for strategic scale facilities.

Table 8 Potential Indicative Number of Strategic Built Waste Facilities to Ensure Net Self-Sufficiency[48]

	Recycling and composting		Recovery	
Year	Small (min/max)	Large (min/max)	Small (min/max)	Large (min/max)
2015/16	0/5	0/1	1/4	1/2
2020/21	0/8	0/2	2/4	1/2

47 It is important to note the limitations associated with providing an indication of the number of facilities required which are due to wide variation in scenarios involving technology choice and other factors

48 Assumes the following indicative facility capacities: small strategic recycling = 15,000 tonnes per annum (tpa), and large strategic recycling = 50,000 tpa; small strategic recovery = 50,000 tpa, large strategic recovery = 100,000 to 150,000 tpa. For further information see 'Defining Strategic Waste Management Facilities Study'.

	Recycling and composting		Recovery	
2026/27	2/11	1/3	1/4	1/2

3.12 Waste growth and the effect of changes to the production and management of waste in the Plan Area will be monitored and reported annually. The forecasts that are used to produce capacity requirement figures will be reviewed at least every five years and the associated strategic location allocations will be revised if necessary in updates to relevant planning policy documents for the Plan Area.

3.13 Specific provision for hazardous waste is dealt with by Policy WMP 9a.

Opportunities for Built Waste Facilities

3.14 Given the estimated strategic requirement to meet the need for new capacity as described above, a network of strategic locations needs to be identified in a separate Waste and Minerals Sites Plan. This will be produced after the adoption of this Plan and will comprise a number of locations which allows for contingency if maximum estimates of need are realised.

3.15 The size of the shortfalls is not great and in reality only a few new strategic sites are required. Until the Waste and Minerals Sites Plan is adopted, the allocations for strategic non-land disposal facilities that are identified in the Waste Local Plan will not be replaced. This approach will provide some certainty in the interim period regarding land which could be developed in order that the high waste recycling and recovery targets early on in the Plan period can be achieved.

3.16 In order to provide some guidance, 'areas of focus' have been identified for built waste facilities (see WMP 7a and Waste Key Diagram). The definition of 'areas of focus' is given in more detail below. A range of facilities could be developed within these areas and the detailed identification of suitable sites will be undertaken through the Waste and Minerals Sites Plan.

Overarching Strategy for Built Waste Facilities

The overarching strategy for provision of built waste facilities in the Plan Area is as follows:

1. Safeguard capacity at existing waste facilities as appropriate (see Policy WMP 6)

2. Allow for appropriate expansion and alteration of existing facilities (see Policy WMP 22)

3. Identify broad areas of focus for recycling and recovery facilities within which a network of sites will be identified in the Waste and Minerals Sites Plan. The areas of focus reflect proximity to waste arisings, accessibility to A class roads and railways, and exclude flood risk areas and valued environments (see Sustainable Locations for Waste Development and Policies WMP 7a and WMP 7b, and the Waste Key Diagram)

3 Providing for Waste

4. At this stage not replace the following Waste Local Plan policies[49] (and the issues and constraints included on the associated inset plans):

- WLP7 Site Specific Allocation for Road to Rail Transfers, which identifies Sackville Coalyard, Hove;
- WLP8 Site Specific Allocations for Material Recovery Facilities/Waste Transfer Stations, which identifies sites at:
    - Hangleton Bottom
    - Hollingdean Depot (this area has been partially developed for a MRF and WTS)
    - Bellbrook Industrial Estate
    - Land at Tutts Barn
    - Pebsham
- WLP9 Site Specific Allocation for Energy from Waste and Materials Recovery Facilities, which identifies North Quay (this area has been partially developed for an Energy Recovery Facility)

5. In the subsequent Waste and Minerals Sites Plan, sufficient sites will be identified to meet the capacity gap identified in Policy WMP4. This will be undertaken following adoption of the Plan. It will involve a call for sites and a review of the saved site allocations identified in paragraph 4 above. The assessment of sites will consider constraints and there will be public consultation on the Waste and Minerals Sites Document.

49 Current Waste Local Plan 2006 allocations set out in Policies WLP7 and WLP8 and WLP9 are saved until such time as replaced by an adopted Waste and Minerals Sites Plan. (timetable set out in the Authorities' Development Schemes).

Safeguarding Waste Sites (WMP6)

Purpose of Policy WMP 6

To safeguard existing waste management facilities as appropriate.

To safeguard certain areas in order to support the delivery of waste management facilities in the most appropriate locations.

To safeguard Waste Local Plan site-specific allocations for waste management facilities.

3.17 The Plan needs to provide guidance as to where new waste facilities should be located. This will be comprehensively examined in the Sites Plan. In the interim to provide assistance to the implementation of waste planning policies, existing site-specific allocations for new built waste facilities in the Waste Local Plan will be retained.

3.18 There are existing facilities in the Plan Area that are currently making an important contribution to the sustainable management of waste and movement up the waste hierarchy, and may continue to offer an important service during the Plan period and beyond. The contribution currently made by these facilities, and that which they could make in future, is taken into account when estimating how much additional waste management capacity is needed (Policy WMP 5) so it is important to protect the capacity for handling waste.

3.19 The difficulties associated with establishing new waste facilities also mean it is important to protect land to facilitate delivery of facilities on new sites. This is necessary because the types of sites that are required for modern built waste treatment facilities are increasingly under pressure from other forms of (higher value) development. There is direct competition for sites on industrial land from other employment uses, and also indirect pressures from encroachment of more sensitive land uses such as residential.

3.20 Land currently used for waste management will usually be safeguarded against development for non-waste uses. In cases of planning applications for non-waste uses, the Authorities will not support these where it would result in the loss of or adversely impact upon an existing waste site, or where the loss would hinder implementation of the Plan and potential development of new facilities.

3.21 The policy takes into account the following circumstances where protection might be needed for sites for waste uses:

- Land currently used for waste management which is under pressure for development for non-waste uses;
- Existing waste facilities which are under pressure from potential future sensitive developments nearby (identify a "consultation area");

3 Providing for Waste

- Recognise that existing capacity at transfer stations and bulking facilities may need to be safeguarded to help to minimise the impact of transport, particularly of bulky CDEW materials; and
- To provide general support for proposals for expansion/alteration within existing waste sites where it reduces transport or amenity impacts.

3.22 In exceptional circumstances there may be an opportunity to relocate a particular existing waste site that is causing adverse effects such that its cessation at that location is considered preferable, in terms of the Objectives of the Plan, to its continued operation. There may be exceptions where the capacity provided by an existing waste site is no longer needed to meet identified needs, and consequently redevelopment for alternative uses may be considered. In this case the Authorities will require it to be demonstrated that the loss of the waste management use will not detract from the achievement of the Plan's objectives.

Policy WMP 6

Safeguarding Waste Sites

To ensure waste management capacity in the Plan Area is maintained and enhanced, waste management sites as described below will be safeguarded unless it is demonstrated that alternative capacity is permitted and delivered elsewhere within the Plan Area, or unless it is demonstrated that the waste management provision is no longer needed to meet either local or strategic needs:

a. Existing waste management sites (waste facilities plus supporting infrastructure) with permanent planning permission;

b. Sites that have planning permission for waste management use but have not yet been developed for that purpose;

c. Sites allocated for waste uses in any extant development plan document except as indicated in section 9[50].

Development proposals which would prevent or prejudice those sites for waste management uses will be resisted.

Waste Consultation Areas[51] will be identified in the Waste and Minerals Sites Plan to help ensure that existing and allocated sites for strategic waste management facilities are protected from development that would prejudice an existing or future waste management use.

50 Currently saved allocations specified in Policies WLP7, WLP8 and WLP9 from the Waste Local Plan 2006 will continue to be saved pending review and assessment as part of the preparation of Waste and Minerals Sites Plan

51 Waste Consultation Areas (WCAs) are intended to be a tool for use by Planning Authorities in considering development proposals that could prejudice an existing or allocated waste management site. WCAs will normally include a distance of 250 metres around any such site.

Sustainable Locations for Waste Development (WMP7a, 7b)

Purpose of Policy WMP 7

To identify broad areas (Areas of Focus) within the Plan Area within which the best opportunities for locating waste recycling and recovery facilities are more likely to be found.

The Areas of Focus identified in this policy, and shown on the Waste Key Diagram, will guide preparation of the Waste and Minerals Sites Plan.

3.23 In order to meet the capacity requirements identified in Policies WMP 5 and to facilitate the strategy of minimal disposal to land, a number of waste recovery facilities will be needed in the Plan Area during the Plan period. Some of the requirements might be met by adapting or extending operations within an existing site, however it is likely that some new facilities will also be needed. National policy requires local planning policy to give a clear indication to industry about the areas where development might be acceptable and to provide flexibility to allow for responses to changes in circumstances.

3.24 This policy relates to waste treatment facilities, i.e. facilities involved in processes in the waste hierarchy excluding land disposal. Transfer facilities are included because they play a fundamental part in moving waste to and from the facilities referred to in this policy, and increasingly waste transfer is being integrated with waste processing (such as that which takes place at MRFs) at the same site and so there is less distinction between them. Land disposal is covered separately in Policy WMP 8.

3.25 Compared to other parts of the South East, sites for waste development in the Plan Area are more difficult to identify because of the nature of the built and natural environments (see Snapshot section for further explanation). So to ensure movement up the waste hierarchy is achieved in the Plan Area it is important that local planning policy gives a clear indication of the most appropriate areas whilst avoiding setting the constraints too narrowly.

3.26 This policy identifies areas ('Areas of Focus') where the best opportunities for the development of waste recycling and recovery facilities are most likely to be found. Areas of Focus indicate broadly the areas where the greatest sustainability benefits are likely to be achievable based on the application of national and regional policy. However this policy recognises that there may be sites which are acceptable in principle but are beyond the Areas of Focus. For example, there may be sites just outside of the Areas of Focus where there may be overriding sustainability reasons for permitting development, such as supporting movement up the waste hierarchy or their being well-related to the strategic road network. The policy therefore does not precisely define boundaries, and the overall sustainability benefits of proposals will be considered on their merits.

3.27 Consideration of locations within the Areas of Focus also needs to be balanced with ensuring the Plan is deliverable, and as such the Plan considers economic viability which is often influenced by economies of scale.

3 Providing for Waste

3.28 To allow for greater flexibility the Areas of Focus are a looser interpretation of the Areas of Search identified in the Preferred Strategy which were developed from a sequential and logical approach using criteria from national and regional policy and the Sustainability Appraisal.

3.29 The Areas of Focus are those where the greatest sustainability benefits are likely to be achieved regarding new waste development or extensions to existing sites as they are more likely to be close to:

- waste arisings
- better transport network
- complementary industries and waste development, for potential co-location benefits (for more detail about co-location see Policy WMP 19)
- existing facilities where there is scope for physical site extension (for detail about alterations within the site boundary of existing facilities see Policy WMP 22)

3.30 The Areas of Focus therefore reflect the fact that the majority of the population and businesses in the Plan Area are located along the coastal strip so this is where the main proportion of the largest waste streams (C&I, CDEW, and LACW wastes) is either currently generated or likely to be in the future according to predicted growth areas in LDFs (although further work on strategic housing and employment sites is being undertaken so the Plan needs to be flexible to accommodate the projected growth). The Areas also reflect the road, rail and water transport connections within the Plan Area[52].

3.31 Parts of the Plan Area outside the Areas of Focus are generally more rural and less densely populated and therefore it is likely that less waste is generated and there are fewer opportunities for maximising sustainability. Much of these areas are also covered by landscape designations of the AONB and the SDNP. There may be some need for waste management facilities in the areas outside of the Areas of Focus and the Plan is flexible enough to consider such proposals.

3.32 It is considered that there is a range of potential sites that could be deliverable within the Areas of Focus over the Plan period. No specific sites for strategic waste facilities have been identified in this Plan but the Areas of Focus and the locational criteria are sufficiently precise to enable developers to assess where they would be likely to receive permission if other relevant considerations are satisfied. Specific sites will be identified later in the Waste and Minerals Sites Plan, and any allocations would follow the strategy set out in this Plan. Some initial consideration of sites was carried out in a background study supporting the Preferred Strategy and this work will be reviewed during the preparation of the Waste and Minerals Sites Plan, but this does not represent any preference or determine whether a site should be allocated for waste development[53].

3.33 Few proposals for large-scale facilities are anticipated due to the lack of available large sites and the relatively low tonnages of waste arisings locally compared to other parts of the country.

52 See Information Paper 8 - Transportation of Waste and Minerals
53 For more information see 'Sustainable Locations for Waste Development - Update of Evidence' (2011) Background Paper

3.34 Sensitivity testing and a thorough analysis of sites will be needed to inform any site allocations or to accompany a planning application.

Development within the South Downs National Park and Areas of Outstanding Natural Beauty

3.35 The Areas of Focus exclude the South Downs National Park (SDNP) because it is anticipated that the majority of waste development will happen outside of the Park. However in accordance with national and regional policy, waste management facilities should not be precluded from designated areas such as the High Weald AONB and the SDNP. Smaller scale developments for local needs might be needed within the National Park and could, in principle, be delivered without compromising the purposes of the National Park by locating on sites such as industrial estates within the town of Lewes.

Policy WMP 7a

Sustainable Locations for Waste Development (excluding land disposal)

Sites for additional waste recycling and recovery facilities and physical extensions to existing, should be sought within the broad Areas of Focus indicated on the Key Diagram inset plan. The sites identified in the Waste and Minerals Sites Plan will also conform to the strategy set out here.

Proposals should demonstrate how they will balance the need to be located close to waste arisings, moving waste management up the waste hierarchy, and minimising adverse impacts on communities and the environment.

Proposals for development will only be considered outside of the Areas of Focus if it can be demonstrated that:

a. There are no suitable sites available within the Areas of Focus to meet identified needs, or they are small-scale facilities / extensions to existing facilities predominantly to meet smaller, more localised needs only[54]; and
b. The development will contribute to moving waste management up the waste hierarchy and minimising greenhouse gas emissions; and
c. They are well related to the relevant main treatment facilities within the Plan Area.

The South Downs National Park and the High Weald Area of Outstanding Natural Beauty

Small-scale facilities should not be precluded from the SDNP and High Weald Area of Outstanding Natural Beauty where the development is for local needs[55] and where it would not compromise the objectives of the designation.

54 Smaller, localised facilities can be essential in helping to provide local solutions for collecting, sorting, bulking, and transferring and treating wastes in complementing the waste treatment provided at more strategic larger-scale facilities.

55 Smaller, localised, facilities are generally considered to include: local recycling facilities e.g. businesses collecting, storing, sorting and bulking waste materials prior to their transfer to waste processing sites; local scale materials recycling facilities which collect, sort, and bulk recyclable materials prior to transfer; waste transfer stations where waste is bulked up and transferred in larger loads to a waste recovery or disposal facility; scrap yards and inert

3 Providing for Waste

In addition to the criteria above, proposals for development within the SDNP will need to demonstrate that they do not compromise the statutory purposes and duty of the designation.

3.36 Detailed criteria to manage the potential impacts of development is covered in the development management policies later in this document.

3.37 Proposals will also be subject to the relevant statutory pollution control regulatory frameworks.

More Detailed Criteria for Sites

3.38 The following policy sets out criteria for sites which should be taken into account in addition to the Areas of Focus indicated above and in addition to the siting criteria in national policy.

3.39 The policy is flexible enough to facilitate development to make use of the best sites that may become available during the Plan period. It recognises that with modern design and operational techniques waste management facilities can increasingly be accommodated in general industrial areas as a B2 use class, and even more so with the revised waste hierarchy which includes 'preparation for reuse'.

3.40 Proposals for extensions to operations at existing sites will also need to comply with Policy WMP 22, and proposals involving co-location should conform with Policy WMP 19. Proposals on any kind of site will also need to meet the specific criteria in the development management policies.

Policy WMP 7b

More Detailed Criteria for Waste Development

In addition to the preferences for locations for waste development indicated in Policy WMP 7a, before other locations are considered preference will be given to proposals for development on land meeting one or more of the following criteria:

a. General industrial land including general industrial estates;
b. Employment land (B2/B8 uses);
c. Previously-developed land;
d. Land already in waste management uses.

Built waste development at mineral workings or landfill sites may also be acceptable but will usually be restricted to temporary permissions reflecting the lifespan of the minerals operation or landfill site.[56]

waste and aggregates recycling facilities serving the needs of a particular local area; Local scale composting e.g. on farms or small waste management sites receiving inputs from limited sources; or Household Waste Recycling Sites

56 The lifespan of a site may, but does not necessarily, include restoration phases.

Land Disposal (WMP8a-8c)

Purpose of Policy WMP 8

To identify the need for land disposal of non-inert and inert waste. To provide a policy approach if such applications are submitted and to ensure that landfill gas produced by land disposal facilities is captured and used as a fuel.

Land Disposal of Non-Inert Waste

Context

3.41 Broadly speaking there are two options for land disposal: landfill and landraise. Traditionally, disposal to land has involved restoration of old mineral quarries by landfilling with waste. Landraising is an alternative solution that involves depositing waste on a greenfield site above existing land levels using engineered containment methods.

3.42 When managed by land disposal, 'non-inert' waste will decompose to produce landfill gas and leachate which has to be carefully controlled to avoid pollution.

3.43 The disposal of waste is at the bottom of the waste hierarchy and this means that all other solutions for the management of waste must be considered beforehand. National policy expects waste planning authorities to consider land disposal as the waste management option of last resort but recognises that it is one 'which must be adequately catered for'[57].

3.44 It is possible that the provision of land disposal capacity could inhibit the management of waste further up the hierarchy as, if disposal capacity is plentiful, it could be utilised before proper consideration has been given to other more sustainable options. Therefore, the Authorities will rigorously pursue adherence to the waste hierarchy through Policy WMP 3b of this Plan.

3.45 In order to discourage land disposal, the Government is making it less economically viable by imposing a tax on every tonne of waste that is disposed of to land. This is £2.00 for inert waste and currently £64.00 for non-inert waste. The tax on non-inert waste will increase by £8.00 every year until it reaches at least £80.00 by 1 April 2014. Amongst other things, this means that now, for a non-inert waste land disposal site to be economically viable, it must have a capacity of at least 1 million cubic metres and receive waste at a rate of no less than 150,000 tonnes per year.

3.46 Some waste has been difficult or costly to separate and has been disposed of to land. These wastes are usually different materials combined together in a way which means they cannot be practically or viably recycled or recovered.

57 PPS10 Key Planning Objectives. Also note that the Government's recent Review of Waste Policy notes that Landfill should be the waste management option of last resort and only for wastes where there is no better use. The review also suggests that there may be a case for banning certain materials (wood, textiles, biodegradable waste) from landfill.

3 Providing for Waste

Need for Land Disposal

3.47 In the Plan Area, non-inert waste that cannot be practically recycled or recovered will continue to be produced, however, for the reasons above and those set out in Policy WMP 3b of this Plan, the annual quantity of non-inert waste requiring land disposal is expected to diminish rapidly. The forecast requirements for non-inert land disposal are set out in Table 10 below.

Table 9 Forecast Requirements for Non-Inert Land Disposal

	Year							
	2011/12		2015/16		2020/21		2025/26	
	Min	Max	Min	Max	Min	Max	Min	Max
Forecast annual requirements (tonnes)	284,000	342,000	41,000	159,000	28,000	113,000	28,000	107,000
Forecast total cumulative volume requirements from 2011/12 (cubic metres)	284,000	342,000	680,000	1,128,000	846,000	1,787,000	986,000	2,335,000

London's Waste

The South East Plan Policies W3 and W4, expect that capacity for the final disposal of residual waste[58] from London should, where appropriate, be provided in counties in the South East. The apportionment for East Sussex and Brighton & Hove is 1.06 million tonnes from 2006-2016 and 0.59 million tonnes from 2016 to 2025.

The County Council and City Council have consistently contested these policies considering that the approach was not justified and the disposal of London's waste in the area was unlikely to happen.

A detailed local study has been undertaken[59]. This has concluded on the basis of current infrastructure, there is no real prospect of waste travelling to East Sussex and there is no realistic expectation that appropriate land disposal capacity would be available.

Given these constraints and the poor proximity to London, it is not considered appropriate for the Authorities to provide for the landfill provision for waste from London as per policy W4 of the South East Plan, which negates the need to allocate the apportionment.

58 Residual waste is the waste remaining after materials have been recovered from a waste stream by re-use, recycling, composting or some other recovery process

59 Residual Waste from London Study, 2009

3.48 The Authorities have reviewed the initial appraisal of the Areas of Search for land raise and landfill, and the overall conclusion is that there is no real prospect for a land raise site in the Low Weald nor a realistic expectation that Ashdown Brickworks could provide capacity within the Plan period. Therefore no Areas of Search are put forward in the Plan.

Previous Opportunities for land disposal

3.49 The Preferred Strategy put forward six Areas of Search for land disposal - five areas for landraise in the Low Weald [60] and one for landfill at Ashdown Brickworks, based on a consultant's study[61].

Landraise

3.50 The Authorities have reviewed the initial appraisal of the Areas of Search for landraise, taking into account additional information from the responses to the Preferred Strategy consultation. The re-assessment also considered availability and potential operational impacts in terms of highways, environment and amenity.

3.51 This review found that all the Areas of Search were subject to further constraints not initially identified during the assessment by the consultants. The additional information led to a re-categorisation of all the initial Areas of Search which indicates that the potential for development of a landraise site in any of the areas is at best limited, with constraints that appear difficult to overcome[62].

3.52 The overall conclusion is therefore that there is no real prospect for a landraise site in the Low Weald and no Areas of Search have been put forward in the Plan.

Landfill

3.53 The actual non-inert landfill capacity currently available in the Plan Area is estimated to be approximately 150,000m^3[63] and, as can be seen in Table 9, this is insufficient to cater for the requirements of the Plan Area. Indeed, since the closure of Beddingham Landfill in 2009, there has been insufficient landfill capacity within the Plan Area to meet existing needs.

3.54 Any opportunities for developing new landfill capacity in the Plan Area are restricted to existing mineral quarries, however, such sites are very few in number and their locations and geology may not be compatible with modern environmental protection policy and they may therefore be unsuitable for landfill. Ashdown Brickworks had been considered in the Preferred Strategy as the only mineral excavation site that might offer any possible potential for landfilling during the Plan period.[64] There is no realistic expectation that Ashdown Brickworks could provide capacity within the Plan period and consequently the location is not proposed as an Area of Search in the Plan (see below).

60 Newick/Piltdown, Golden Cross, Hellingly, Ripe, Halland
61 Strategic Waste Recovery Facility and Land Disposal Area Identification Study: Draft Report, 2009
62 See 'Landfill, Landraise and Surcharging in East Sussex and Brighton & Hove' study
63 As at January 2012. This capacity exists at Pebsham but provides significantly less than one year's total non-inert land disposal requirements for the Plan Area
64 See 'Landfill, Landraise and Surcharging in East Sussex and Brighton & Hove' study.

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Ashdown Brickworks

Ashdown Brickworks is a large clay void located to the north-west of Bexhill which is allocated in the Waste Local Plan for non-inert landfill (Policy WLP10b). Although this site had been identified as offering potential for the development as a landfill for some time, no proposals have come forward. This situation has continued into the current period during which considerable quantities of waste are being transported to existing landfill sites beyond the Plan Area and the closure of Pebsham Landfill has become imminent. In any event, infill of the site at a rate that would be economically viable is dependent on the development of the 'Bexhill Hastings Link Road' (BHLR) and a separate 'Country Avenue'. Funding of the BHLR was confirmed in principle in March 2012, however it remains highly unlikely that the whole connection to the A269 would be constructed before at least the mid 2020s. In these circumstances it is therefore considered that landfill at this site could not be delivered during the period of this Plan.

As demand for landfill will be at a very low ebb by the 2020s, it is not proposed to save the site specific allocation in the Waste Local Plan at Ashdown Brickworks.

Land Disposal beyond the Plan Area

3.55 Traditionally waste will travel considerable distances to utilise existing permissions for landfill e.g. Bristol's waste has been going to Buckinghamshire since the 1980s, Manchester's waste goes to Scunthorpe. Rail is sometimes used to facilitate longer distance movements. In 2009, for the Plan Area, over 50% of waste requiring landfill was exported.

3.56 There is a reasonable expectation that this trend will continue. Within a reasonable distance of the Plan Area there are other permitted sites for landfill with capacity where waste requiring disposal could be accommodated. Longer term prospects also exist in the wider South East region and beyond [(65)]. Whilst this pressure would be significant over the next 5 years, proportions of waste requiring land disposal beyond 2016 are more minimal.

Overarching Strategy for Land Disposal

Taking the above matters into account, the Authorities' strategy for non-inert land disposal is as follows:

1) Reduce the need for land disposal by reducing the amount of waste produced in the first place (Policies WMP 3a and WMP 3d).

2) Making provision for increased recovery of waste (Policy WMP 3b).

3) Safeguarding existing permitted land disposal capacity at Pebsham Landfill (Policy WMP 6).

65 See 'Landfill, Landraise and Surcharging in East Sussex and Brighton & Hove' study.

4) Recognising that an amount of non-inert waste will still need to be disposed of to land and that this will be achieved utilising existing planning permissions outside the Plan Area (see Local Strategy Statement).

5) Planning for flexibility in the provision of capacity for recycling and recovery equivalent to the amount of waste that could be potentially exported out of the Plan Area for land disposal (Policy WMP 5).

3.57 Whilst not proposing any new provision for land disposal, the following policy (WMP 8a) would be used if such an application is submitted.

Policies for Land Disposal

3.58 Current capacity at Pebsham needs to be safeguarded and this will be achieved through Policy WMP 6. This is limited to the spare capacity permitted under RR/525/CM.

3.59 Although it is not expected or proposed, a proposal for a new landfill or landraise site could be put forward. It is important, therefore, that there is a policy to assess such an application which takes into account need, and impacts on local communities and the environment.

Policy WMP 8a

Land Disposal of Non-Inert Waste

Proposals for the disposal of non-inert waste to land will only be considered as a last resort where it is demonstrated that:

a. the waste to be disposed of cannot be managed in a manner which is defined further up the waste hierarchy; and,
b. there is a clearly established need for the additional waste disposal to land capacity which cannot be met at existing permitted sites either within, or at an appropriate distance beyond, the Plan Area; and
c. it does not pose an unacceptable risk to the environment, including ground and surface waters, landscape character and visual amenity; and
d. it can be demonstrated that it will not give rise to unacceptable implications for communities through adverse impacts on amenity or highway infrastructure; and,
e. the proposals form part of an engineering operation such as the restoration and/or stabilisation of a mineral void; and,
f. the resulting final landform, landscape and after-uses enhance the environment and are sympathetic to the land uses, nature conservation and amenity interests of the site and surrounding area, including landscape character and visual amenity.

3 Providing for Waste

In the case of landraise proposals for non-inert waste on greenfield sites, in addition to the requirements (a) to (f) above, permission will only be granted if all existing permitted land disposal and mineral working sites and appropriate previously developed sites within, and at an appropriate distance beyond the Plan Area, have been investigated and eliminated as unsuitable for non-inert waste disposal.

Land Disposal of Inert Waste

3.60 Inert waste can more easily be put to beneficial use and in the past has been utilised on sites that do not need a permit from the Environment Agency. Information Paper 1 has considered the landfill diversion potential of this form of waste and ultimately identifies that close to 100% rates can be achieved.

3.61 Waste that consists only of inert materials (soil, stones, concrete etc.) can be more readily recovered and utilised in engineering operations. Inert waste that cannot be recycled into new products (e.g. crushed concrete for use as aggregate) can be deposited on land for a specific use, for example, large quantities can be used as a bulk material in the construction of acoustic barriers and ground moulding to form landscape areas. In some cases inert waste can also be used in the restoration of mineral quarries. It is likely that such activities will be require a standard permit from the Environment Agency.

3.62 Some on-site processing (e.g screening) of inert materials associated with the main activity of depositing the material on land may be appropriate, however this should not result in the main activity associated with the deposit of the material being prolonged. Any such ancillary processing activity will be considered against relevant polices of this Plan.

3.63 It is possible that low level use of inert waste materials which is a necessary part of a development will constitute an engineering operation rather than a waste management operation and in such cases proposals for such development will be considered by the District or Borough Council planning authority rather than the County Council in the two tier part of the Plan Area. In such cases the use of inert waste will be ancillary to the development and usually of such a nature as to qualify for an exemption from the need for an Environmental Permit. However it may still be appropriate for such activities to be dealt with by the Waste Planning Authorities and any decision by a District or Borough Council planning authority to deal with an application involving significant amounts of waste materials should be made in consultation with the County Council as Waste Planning Authority. In such cases advice should be sought from the relevant District or Borough Council planning authority in the first instance.

3.64 Engineering operations using waste material associated with agricultural developments may constitute 'permitted development' meaning that express planning permission is not required.[66]

3.65 The limited requirements for the land disposal of semi inert waste have been incorporated in the overall figures in Table 9. This is waste derived from processing Construction, Demolition and Excavation waste and, while the majority of this is inert, it contains small amounts of non-inert materials and it therefore needs to be managed as a non inert waste. The most common form of management is as an engineering material (e.g. Daily

66 See The Town and Country Planning (General Permitted Development) Order 1995 (Part 6)

Cover) at non-inert land disposal sites. A rapid decline in the need for disposal of this material is anticipated over the next 5 years and the estimated min and max annual requirements by 2025/26 are 16,000 tonnes and 49,000 tonnes respectively.

3.66 In the event of an application being received solely for inert waste land disposal, the proposal would be considered against policy WMP 8b and parts of WMP 8a.

Policy WMP 8b

Deposit of Inert Waste on Land for Beneficial Uses

Proposals for the deposit of only inert waste on land will be permitted, subject to other policies of the Development Plan for the area, where relevant, where it is demonstrated that the proposal:

a. conforms with Policy WMP 8a (a, c, d); and
b. is an engineering operation such as that which forms part of a comprehensive scheme for restoration of suitable previously developed land or minerals sites; or
c. significantly enhances other development or its setting; or
d. would result in appropriate measurable improvement to the use or operation of agricultural and/or forestry land; and
e. the resulting final landform, landscape and afteruse enhances the environment and is sympathetic to the land uses, landscape, visual amenity and nature conservation interests of the site and the surrounding area including its landscape character; and the minimum volume of inert material is used to achieve necessary improvements; and
f. where appropriate, the proposal includes ancillary on-site facilities for the recovery of the waste which can be managed by methods further up the waste hierarchy.

Management of Landfill Gas

3.67 Landfill gas is produced as biodegradable waste materials deposited in a land disposal facility decompose. The gas produced needs to be carefully managed as it consists mainly of methane which is flammable and a potent greenhouse gas.

3.68 The Landfill Directive requires operators of landfill sites taking biodegradable waste to capture the landfill gas produced and dispose of it, preferably by utilising it (e.g. converting to electricity) or, where that is not possible, by flaring it in approved equipment.

3.69 Care must be taken to ensure that development associated with the capture of landfill gas does not unacceptably prejudice the restoration of a site. In practice the gas management operations will continue after the land disposal operations are complete, but the gradual decomposition of the waste will eventually mean that the amount of landfill gas produced is insufficient to require capture. The built development should therefore be temporary in nature and be removed from the site when it becomes redundant.

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3.70 Many landfill sites in the Plan Area that were completed in the past did not incorporate controls for landfill gas. Some of these closed sites are owned and managed by East Sussex County Council and Brighton & Hove City Council. These sites may still be producing landfill gas which is controlled to ensure that it does not pose any risk of explosion or fire that could be caused by a build up of methane. However, in cases where there is no fire or explosion risk, landfill gas may still be released which will make a contribution to climate change as a greenhouse gas. Opportunities to control these releases should therefore be maximised, e.g. when further development at these sites takes place.

Policy WMP 8c

Management of Landfill Gas

Subject to other polices in the Plan, proposals for the disposal of non-inert waste and for the development of closed landfills generally, will only be permitted where it is demonstrated that:

a. the development includes measures to prevent the release of landfill gas that is produced by deposited waste; and,
b. for new proposals, landfill gas will be captured and used to produce the maximum amount of useful energy in the form of heat and/or electricity; and,
c. for closed landfills, where landfill gas is present in sufficient quantities it will be captured and used, as appropriate, to produce the maximum amount of useful energy in the form of heat and/or electricity; and
d. landfill gas will be managed in a manner that minimises risk to human health and the environment; and
e. in the case of proposals associated with planned or existing land disposal, they are planned in such a way as to minimise conflict with the restoration and after-use proposed for the site.

The Councils will control emissions of landfill gas from those closed land disposal sites that they are responsible for managing in order to minimise any risk to human health and the environment (e.g. from explosions risk or fires) and will seek to control emissions in order to minimise any climate change impacts.

Land Disposal of Hazardous Waste

3.71 For certain hazardous wastes, land disposal offers one of the only solutions for its management. Examples include asbestos and low level and very low-level radioactive waste. However these wastes are produced in relatively small quantities in the Plan Area and are of a scale which by themselves do not justify the need for the development of separate land disposal capacity. Hazardous waste arisings in the Plan Area requiring disposal to land will be exported to specialist facilities elsewhere in the country. Policy WMP 9 of this Plan provides separate policies on the management of hazardous waste.

Hazardous and Low Level Radioactive Waste (WMP9a, 9b)

Hazardous Waste

Purpose of Policy WMP 9a

This policy is intended to ensure that:

a. capacity for the management of hazardous waste which makes a locally, regionally or nationally significant contribution will be safeguarded;
b. the established important contribution made by the Plan Area to national and regional requirements for the management of certain hazardous wastes can continue;
c. the proportion of hazardous waste imports to the Plan Area, relative to exports, does not increase beyond the existing level; and
d. additional capacity can be developed, where required, for the management of certain types of hazardous waste arising from within the Plan Area.

3.72 It is not appropriate for hazardous waste management capacity to be developed for every type of hazardous waste stream arising in the Plan Area. In most cases, the development of such capacity is unlikely to be commercially viable due to the small quantities involved. It often makes more sense for the waste to be exported to existing facilities elsewhere, or to areas where it makes more commercial sense for such a facility to be developed, due to proximity to a larger quantity of arisings.

3.73 However, where it is considered viable, the development of hazardous waste management capacity should be permitted in order to comply with the national planning objectives[67] of ensuring that waste is managed at one of the nearest appropriate installations and that communities take more responsibility for the waste that they produce. Taking this into account, a revised assessment of viability[68] suggests the following capacity could be developed in the Plan Area:

- Treatment or incineration capacity (including thermal treatment technologies) for healthcare wastes[69];
- Expansion of existing treatment facilities or the introduction of novel treatment technologies for oil wastes;
- Treatment capacity for contaminated soils arising from construction, demolition and excavation where this is delivered via mobile treatment plant which can be moved close to the source of production.

3.74 In addition, existing facilities within the Plan Area which make a regional or national contribution to the management of specific hazardous waste streams, for example organic chemicals, plasterboard wastes and WEEE, should be safeguarded in order to avoid an unequal burden of hazardous waste management being placed on other areas.

67 See Planning Policy Statement 10: Planning For Sustainable Waste Management
68 See updated Information Paper 7 - Hazardous Waste
69 The need for this additional capacity in future is dependent on the implementation of a planning permission granted for such a facility in Eastbourne

3 Providing for Waste

3.75 Residues from the Newhaven Energy Recovery Facility include bottom ash and flue gas treatment residues. Bottom ash may be classed as inert waste and recycled as an aggregate material in construction. Flue gas treatment residues (flyash) are classed as hazardous waste and must be managed accordingly, however they are produced in such small quantities, that the development of a facility for their management in the Plan Area is unlikely to be viable. Such wastes are therefore most likely to be exported from the Plan Area for management at a regional or pan-regional facility.

3.76 The Authorities will continue to provide management capacity for an amount of hazardous waste equivalent to that produced within its borders, and the existing capacity needed to achieve this will be safeguarded, particularly where it fulfils a national capacity requirement. This commitment reflects and acknowledges the Authorities' current position as a net importer of hazardous waste, while at the same time taking a proactive approach to management provision, which would otherwise be left solely to market forces.

3.77 The Authorities will therefore continue to provide for the management of an amount of hazardous waste in the Plan Area which is at least equivalent to that exported for management elsewhere.

3.78 In relation to identifying sites for new hazardous waste management capacity, this will follow the same criteria as applied to other waste management facilities as set out in Policy WMP 6.

3.79 In addition, development of new facilities or extension of existing facilities for the management of hazardous waste will need to meet the regulatory requirements specified in the permitting regulations[70] in order to control environmental impacts associated with the processes and with the hazardous nature of the materials being handled. Such permitting issues will be regulated by the Environment Agency.

Policy WMP 9a

Hazardous Waste

Existing capacity for the management of hazardous waste will be safeguarded, where this capacity makes a local, regional or nationally significant contribution to the management of specific hazardous waste streams.

Permission will be granted for proposals for the development of additional hazardous waste management capacity where it can be demonstrated that:

a. any proposal for the development of capacity for managing imported hazardous waste will not result in the overall hazardous waste management capacity utilised for imports, exceeding the quantity of hazardous waste exported from the Plan Area; or
b. subject to any reassessment of the need for certain types of management capacity which has been undertaken and published, or in some other way approved, by the

70 Currently The Environmental Permitting Regulations (England and Wales) 2010

Authorities, the proposal provides additional capacity for the management of hazardous waste in the following ways:

- Treatment or incineration capacity (including thermal treatment technologies) for healthcare wastes. The need for this additional capacity in future is dependent on the implementation of a planning permission granted for such a facility in Eastbourne
- Expansion of existing treatment facilities or the introduction of novel treatment technologies for oil wastes;
- Treatment capacity for contaminated soils arising from construction, demolition and excavation where this is delivered via mobile treatment plant which can be moved close to the source of production.

3.80 The safeguarding of existing hazardous waste management capacity will also be considered against Policy WMP 6.

Low Level Radioactive Waste

Purpose of Policy WMP 9b

This policy is intended to ensure that:

a. where viable, Low Level Radioactive Waste (LLW) management capacity is provided in the Plan Area such that LLW can be managed close to its source of production;
b. in particular, the development of LLW incineration capacity, if incorporated as part of a wider scheme for the Plan Area, can be supported;
c. additional capacity could be provided to manage LLW from beyond the Plan Area but only where this would help achieve 'net self-sufficiency'; and
d. where additional capacity is developed for the management of LLW from beyond the Plan Area, that this capacity makes a significant contribution to the management of LLW arising within the Area.

3.81 Radioactive waste is divided into three main categories, Low Level (LLW), Intermediate Level (ILW) or High Level (HLW), according to how much radiation it contains and the amount of heat produced during the decay of this radioactivity. ILW and HLW are beyond the scope of this Plan. Radioactive waste may arise from both nuclear and non-nuclear activities, as sources of radiation are used across the defence, power generation, medical and manufacturing sectors, as well as at research establishments. More information about the definition of radioactive waste can be found in Information Paper 7.

3.82 Low level (LLW) and very low level (VLLW) radioactive wastes have hazardous properties which require a specialist waste management approach.

3.83 The Government position on the management of non-nuclear industry low level radioactive waste is set out in its 'Strategy for the management of solid low level radioactive waste from the non-nuclear industry in the United Kingdom' which was published in March 2012. This Strategy identifies that the disposal network available to the non-nuclear industry

for radioactive waste is 'fragile' and non-existent in some parts of the country. In response to this situation the Government strategy is to strengthen the robustness of disposal arrangements for the non-nuclear industry by conserving existing disposal routes and seeking the development or expansion of other appropriate routes as necessary.

3.84 This position reflects a policy statement on LLW management published by Government in March 2007, which stressed the need to minimise the amount of LLW created and effectively utilise existing disposal routes, including the LLW repository near Drigg in Cumbria, controlled burial and incineration. The Government is also examining future arrangements for the management of 'higher activity' radioactive waste.

3.85 The issues associated with the management of LLW are different from those presented by other waste streams and so it is necessary to give this matter specific attention. The approach taken has been informed by a review of the Plan Area need and supply for Low Level Radioactive Waste (LLW) management capacity[71]. The key information from this review is presented in Information Paper 7 and it has been established that:

- There are no nuclear sources of LLW within the Plan Area and none identified for the future;
- Small volumes of LLW are produced from non-nuclear sector sources associated with research activity at the University of Sussex and medical applications in hospitals, and similar levels are anticipated to be produced in the future;
- The majority of releases from non-nuclear sources are associated with wastewater managed through permitted discharges at individual sites. Such releases will be for material produced at these sites and as such no imported LLW would be expected to be managed by this route;
- Some LLW is transferred at the point of its production for incineration, however, actual incineration capacity is currently only available in the wider South East/London area. It is understood that the transfer capacity is sufficient given the amount of material being sent for incineration;
- It is unlikely that a separate incineration facility for LLW would be developed specifically for LLW arising in the Plan Area due to the small quantity which is produced. However such capacity might be developed if it formed part of a scheme for the management of other wastes e.g. Incineration of healthcare wastes;
- Any loss of existing LLW management capacity could lead to restrictions being imposed on the activities which involve the production of LLW.
- No landfill site in the Plan Area is currently authorised to accept LLW/Very Low Level Radioactive Waste (VLLW) streams. Given the limited opportunity for additional landfill capacity to be developed in the Plan Area, and the low volume of LLW produced in the Area, it is unlikely that landfill capacity for LLW/VLLW will be developed during the plan period; and
- Other LLW treatment facilities which facilitate recycling and reuse do not currently exist in the Plan Area and are unlikely to be developed during the Plan period, again this is due to the small quantities produced in the Plan Area.

3.86 In light of the above, the Authorities consider that:

71 See Low Level Radioactive Waste - Review of The Future Management Needs, Study by URS Scott Wilson, September 2011

- It is not appropriate for waste management capacity to be developed in the Plan Area for LLW from nuclear sources, unless a nuclear facility which would produce LLW was developed within or near the Plan Area in the future.

- Where it is considered viable, for example as part of a facility developed primarily for the management of other waste streams, the development of LLW waste management capacity could be permitted in order to comply with the principles of ensuring that waste is managed as close to its source as is practicable and within the community in which it was produced.

- Additional capacity for managing LLW from non-nuclear sources could be provided if there was a significant increase in the volume of LLW produced in the Plan Area which would make such a facility commercially viable, or, the additional capacity could be delivered as part of a wider scheme for the Plan Area.

- Existing facilities within the Plan Area which address LLW in wastewater, and for transfer for incineration, will be safeguarded, in order to avoid an unequal burden of LLW waste management being placed on other areas. The safeguarding of existing capacity for the management of LLW is provided for in this Plan by Policy WMP 6 (Safeguarding Waste Sites).

- The need to safeguard existing provision, and provide support for the development of any additional capacity is acknowledged on a basis of 'net self-sufficiency'. 'Net self-sufficiency' in this instance is defined as 'providing for the management in-area of an amount of LLW/VLLW radioactive waste equivalent to that produced within the Area's borders'.

3.87 The identification of any sites for new LLW waste management capacity will follow the same criteria applied to other waste management facilities as set out in Policy WMP 7.

3.88 It should be noted that the Government is examining future arrangements for the management of 'higher activity' radioactive waste although the management of such wastes is beyond the scope of this Plan.

Policy WMP 9b

Low Level Radioactive Waste

Subject to other policies of this Plan, permission will be granted for proposals for the development of additional LLW waste management capacity where it can be demonstrated that the proposal will be make a significant contribution to the management of LLW produced in the Plan Area.

Implementation of this policy may be subject to any reassessment of the need for certain types of management capacity which has been undertaken and published by the Authorities.

3.89 To support the delivery of this policy, and as more data becomes available to more definitively establish trends, the authorities will consider requirements of any future emerging LLW waste streams.

Management of Waste Water and Sewage Sludge (WMP10)

Purpose of Policy WMP 10

To allow for new waste water treatment capacity to be developed as appropriate.

To provide additional waste water treatment works capacity in the Hailsham area and additional sewage sludge treatment capacity in the period up to 2026, in accordance with identified needs.

Appropriate sites for both types of facilities will be considered in more detail in the Waste and Minerals Sites Plan.

3.90 Infrastructure for waste water and sewage sludge is essential for protecting local environments and the people living within them. The need to manage waste water and sewage sludge is driven by the need to improve environmental standards and the need to provide adequate facilities to service development proposals. The capacity to be able to deal with the required amount of waste water and sewage sludge is set by examining the environmental limits and the anticipated levels of development. Appropriate sites can be difficult to identify, as they need to be within reach of the populations they serve, but still minimising their impact on those communities.

3.91 The choices about potential locations for new waste water treatment works are more limited than for other types of waste sites. Ideally, treatment works need to be close to the areas they serve, as well as being near to a suitable watercourse into which the treated water can be discharged. This also has to be balanced with environmental constraints, particularly the capacity (physical and environmental) of receiving waters as well as impacts on communities including residential areas.

3.92 The Authorities will work with the water industry, the local authorities and the environmental agencies to determine where future capacity or changes to capacity are anticipated. At the time of preparation of this Plan, the districts and boroughs of East Sussex are anticipating development levels at or below those set out in the South East Plan. Southern Water is studying potential solutions to challenges in the Wealden and Eastbourne catchments and the Environment Agency is conducting a Review of Consents as part of implementing the Habitats Regulations.

3.93 The key issues identified are:

- The need for additional treatment to serve planned levels of development in Eastbourne;
- The need for additional treatment to serve existing and planned levels of development in the Wealden area;

- The need for additional levels of treatment at Shoreham to meet the requirements of the new Marine Directive[72]; and
- The need to examine ongoing environmental improvements relating to discharges to the Pevensey Levels.

3.94 An increase in treatment capacity over the longer term is likely to be necessary regardless of planned increases in housing numbers. This is particularly true in the Eastbourne and Hailsham catchment. To enable continuing improvements in water quality, there will need to be an increase in treatment capacity and the levels of treatment stages.

Policy WMP 10

Management of Waste Water and Sewage Sludge

Proposals for the provision of new wastewater management, treatment and disposal facilities will be supported where the development is a necessary extension or replacement of existing infrastructure, and where it is demonstrated that development is required to:

a. meet the relevant environmental standards;
b. improve the operational efficiency of wastewater and sewage sludge management principally to serve the needs of the Plan Area; or
c. enable planned development to be taken forward.

3.95 Parts of the Plan Area contain sensitive water bodies, such as the Pevensey Levels, as well as a number of areas where abstraction for drinking water must be protected. The siting of new waste water treatment plants or extensions to existing plants could impact on existing or proposed housing development and this will be carefully considered through the application of the development management policies set out in this document.

3.96 Some of the additional need for waste water treatment can be managed within existing sites in the short term, but towards the end of the Plan period it is likely that extensions and further sites will be required. In addition to the criteria in the policy, proposals should feed in to local housing proposals and the relevant local Infrastructure Delivery Plans.

3.97 Proposals for new or substantial additional treatment should come forward through joint discussion and planning between the local authorities, water companies, waste planning authority and environmental regulators.

3.98 There is also a need to develop alternative and additional treatment options for sewage sludge as demand for existing uses is declining. This issue will be assessed within the Waste and Minerals Sites Plan.

72 Although outside the plan area, additional capacity might be located within Brighton and Hove

4 Providing for Minerals

Policies to deliver mineral resource for the plan period

Provision of Aggregates (WMP11)

Purpose of Policy WMP 11

To account for the proposed government apportionment for aggregates in order to assess the need for any further allocations of primary aggregates production.

4.1 Minerals make an important contribution to the development of the economy. It is important that there is an adequate supply of aggregate materials to serve the building industry and the construction of necessary infrastructure.

4.2 Minerals though can only be dug where they naturally occur and therefore a balance is needed with the protection of the environment and the potential impact upon communities.

4.3 East Sussex and Brighton & Hove have historically low levels of land-won aggregates production and has relied heavily on imports in recent years to meet construction demands. Whilst several permitted sites exist, at the moment there are only two working land-won aggregates sites.

4.4 Currently, an apportionment, which is shared between East Sussex and Brighton and Hove is shown in the South East Plan.

4.5 Current guidance for local authorities is to use the figures from the Secretary of State's Proposed Changes to the Review of Policy M3 of the South East Plan, unless there is local evidence which supports a different case. As part of the review process, the Councils[73] requested to be treated as a special case, arguing that the methodology for the subregional allocation needs to recognise the particular circumstances of the plan area:

- low production;
- remote reserves; and
- a high dependence on marine landings

4.6 The apportionment for East Sussex increased in the Secretary of State's (SoS) Proposed Modifications from 0.01 to 0.1 million tonnes per annum. This figure can currently be met through existing planning permissions.

4.7 The SoS changes propose a general recommendation to divide the landbank into separate provision for sharp sand and gravel, and soft sand where possible and appropriate. However, the soft sand resource in East Sussex is particularly constrained and production has been intermittent. This means that the Authorities are not proposing a separate soft sand apportionment for the Plan Area.

4.8 The SoS recognised that a significant part of the soft sand resources in the region is within the South Downs National Park. The recommendation is for Hampshire, West Sussex and East Sussex to consider the potential for meeting requirements initially from outside and then within the National Park. Joint consideration is needed and this is covered in Policy WMP 2.

4.9 The detail of how we will meet the revised apportionment figure is set out below.

Land-won Reserves at Existing Sites

4.10 The Stanton's Farm quarry works a limited exposure of the Folkestone Beds and produces soft sand for mortar and building sand, as well as some coarse sand for concrete. Extraction began in 2007 and the current permission expires in 2015[74] with an annual potential production of around 40,000 tpa. Stanton's Farm fulfils a strategic role as the natural quality of the soft sand worked in the Folkestone beds is not replicated elsewhere and there are currently no suitable alternative or substitute materials available.

4.11 The Folkestone Beds run through East Sussex, West Sussex and Hampshire and current extraction sites are mostly within the South Downs National Park. The SDNPA will work together with these Authorities on a strategy for the sustainable extraction of soft sand. The South Downs National Park is currently undertaking a study to assess the potential resource across the Park, and alternative sources outside the SDNPA boundary.

4.12 The reserves approved at Scotney Court, near Lydd on the Kent border, total over 4 million tonnes. The deposit is mainly gravel and some sharp sand, but no soft sand. Extraction has crossed the border into East Sussex from Kent and the extraction rate is predicted to be around 0.3mtpa through the plan period. The Scotney Court workings also include other permitted sites (Scotney Court extension and Wall Farm). The reserves at Lydd serve both East Sussex and Kent, and the amount travelling to each County is estimated to be around 50%.

4.13 The planning authorities are required to provide a 'landbank' in a rolling seven year period to meet this apportionment level through the Plan period. This can be achieved through current permissions

Table 10 Landbank/Reserve Requirement for Aggregates

Annual Allocation/reserve	Total allocation
0.1 mtpa , minimum 7 year equivalent landbank	0.8 million tonnes to 2017 1.7 million tonnes to 2026

74 10 years after development commenced.

4 Providing for Minerals

Table 11 Estimated Reserves

Site	Dates of extraction (estimated)	Estimated Reserve (tonnes)
Stanton's Farm (Building Sand)	Up to 2017(1)	120,000
Scotney Court, Lydd Quarry	2011 - 2013(2)	750,000
Scotney Court extension and Wall Farm, Lydd Quarry	2013 - 2026(3)	3,230,000
Total Coarse Aggregates		**4,100,000**

1. Current permission expires in 2016
2. Extraction commenced in 2011 not 2014 as previously expected
3. Subject to further HRA. Assumes average annual extraction rate of 270,000 tonnes.

4.14 Although the total amount of aggregate estimated in the above table is over 4 million tonnes, it is expected that around 50% of the reserve at Lydd Quarry will serve the Kent market. If this is taken into account there is at least a total of around 2.1 million tonnes for the amount of reserves expected to serve the Plan Area, which is still above the apportionment requirement. (75)

Marine Landings

4.15 Sand, gravel and crushed rock are landed by small vessels to the wharves at Newhaven, Rye and Shoreham port. Although some wharves have been mothballed and others are falling into disrepair, there is still a market for this material in the Plan Area, and it is still economically viable for operators to continue to import materials through the existing wharves.

4.16 Although some of the older inshore beds are no longer worked, substantial marine aggregates remain along the South Coast and within the eastern English Channel. Only a small fraction of the area licensed for extraction by the Department for Communities and Local Government(76) has been worked so far. Much of this resource is landed by larger vessels to wharves in the Thames, bypassing the smaller wharves along the Sussex coast.

4.17 The principal constraint on the level of marine landings during the Plan period is not considered to be the level of marine reserves but the security of port access (loss of wharves to other uses), channel and berth restrictions, vessel availability and investment in modern wharf infrastructure. The British Marine Aggregate Producers Association (BMAPA) maintain that there is a long term future for smaller vessels to import to smaller wharves and local operators have indicated that this is the case in East Sussex. On this basis, there is sufficient wharf capacity to make significant landings for the foreseeable future.

75 This is calculated as the full resource available at Stanton's Farm plus half the reserve from the permitted sites at Lydd Quarry within the boundary of East Sussex.

76 Licences are now issued by the Marine Management Organisation

4.18 The importation of crushed rock from the UK or further afield is limited by wharf capacity and market forces. As there is no availability of this material from within the Plan Area, landings directly reflect demand. Crushed rock can be landed to non-specialist wharves, improving flexibility within port areas[77].

4.19 The overall approach will be that, over the Plan period, the local need for aggregates will be met through existing land-won aggregate permissions, marine landings and increasingly through production of secondary and recycled aggregates as set out in Policy WMP 4 (the overarching policy for minerals) and supported by Policy WMP 14 (mineral safeguarding), Policy WMP 15 (wharves and railheads) and Policy WMP 3 (waste minimisation/construction, demolition and excavation waste).

4.20 Levels of aggregate production will be monitored yearly and this policy will be reviewed to ensure that aggregates resources are brought forward to meet local need in a sustainable way. The Mineral Planning Authorities will consider the potential of sites to contribute to the apportionment within the Waste and Minerals Sites Plan, in consultation with neighbouring authorities, landowners and local communities.

Policy WMP 11

Provision of Aggregates

The Authorities will maintain provision for the production of land won aggregates at a rate of 0.10mtpa throughout the Plan period. [78]

The Mineral Planning Authorities will maintain a landbank of at least 7 years of planning permission for the extraction of sand and gravel.

77 As the method of landing crushed rock is simpler than landing marine aggregates there is less attraction to move to larger vessels to reduce costs and crushed rock does not require specialist handing equipment

78 If it appears that the provision for the production of land-won aggregates is not being maintained, a specific review of Policy WMP11 will be carried out. This would cover the possibility of identifying further feasible reserves. If this is not possible the Authorities will consider other options with adjoining Minerals Planning Authorities and the Marine Management Organisation

4 Providing for Minerals

Provision of Gypsum (WMP12)

Purpose of Policy WMP 12

To safeguard and maintain supplies to and from the British Gypsum works throughout the Plan period.

4.21 Gypsum is used for plaster and plasterboard products, in cement production and other industrial processes. The gypsum resource in the Plan Area is the largest deposit in the UK and the only economic source of gypsum in the South East. British Gypsum Ltd mine and process gypsum at their site near Robertsbridge where there is a plasterboard plant. Mined gypsum is currently exported for cement production.

4.22 Desulphogypsum (DSG), a by-product from the flue gas desulphurisation (FGD) programme at coal fired power stations, is an alternative to mined gypsum and is imported to the British Gypsum works for use in the plasterboard plant. DSG availability is linked to the Government's energy policy and other factors. Compliance with a European Directive means that a significant number of older coal-fired plants with retrofitted FGD pollution abatement equipment will close during the next decade. Increased use of alternative energy supplies such as biomass, gas and nuclear will also impact on the amount of DSG being produced. Less quantities of DSG may therefore be available in the future. Several years ago British Gypsum Ltd concluded that by 2020 there would be no DSG available and supplies would become critically low during this decade. However, at present in the UK, there is an excess capacity of DSG being produced by coal fired power stations. As a result of the downturn in the economy there is more DSG available than British Gypsum can currently use. In January 2012 a planning application for "provision of a strategic DSG storage area and associated development for a period of 10 years, with subsequent restoration to locally occurring habitats and landscape features, through the importation of soils" was granted.

4.23 At the same time demand for a range of products including cement production has grown and the company has invested in increasing output from their mines to partly substitute DSG with mined gypsum, as well as imports of pure gypsum from overseas (such as the natural gypsum currently imported from Spain). British Gypsum Ltd expects that recycled gypsum recovered from construction sites and construction and demolition waste will also play an increasing role and reduce pressure on natural resources. Recycling facilities at the site can provide some 20% of total feedstock for plasterboard manufacture.

4.24 Regional policies require that a permitted reserve of gypsum sufficient to last at least 20 years at current production rates should be maintained throughout the Plan period in East Sussex. Current reserves are estimated to meet this requirement. The issue is how to ensure that adequate supplies of gypsum are available to serve the plasterboard factory and for other uses in the region.

4.25 British Gypsum Ltd estimate that, even taking into account the previous highest peak of production (1 million tonnes per annum), they have at least 20 years supply (15-20 million tonnes) of gypsum in the ground, as at January 2008. The safeguarding of the Robertsbridge

works, rail access and underground reserves is covered through Policies WMP 14 and 15, and the use and encouragement for transporting imports into and exports out of the site in a sustainable way is covered under Policy WMP 18.

Policy WMP 12

Provision of Gypsum

Reserves of at least 20 years of current production rates for mined gypsum will be maintained through the Plan period. The use of DSG and other alternative sources of gypsum will be supported to increase supply for the plasterboard factory and to safeguard and extend the lifetime of reserves of mined gypsum.

4 Providing for Minerals

Provision of Clay (WMP13)

Purpose of Policy WMP 13

To safeguard and maintain sufficient supplies of clay for brick and tile manufacture.

4.26 Clay is used in the manufacture of bricks, tiles and other construction materials. It occurs in the High Weald (Weald and Wadhurst Clay) and the Low Weald (Gault Clay).

4.27 There are nine permitted clay sites in the Plan Area, but at present, clay working and associated manufacturing takes place at four sites: Aldershaw Farm, Sedlescombe; Chailey Brickworks; Hastings Brickworks, Guestling; and Ashdown Brickworks, Bexhill. Ashdown and Chailey are large-scale works producing many millions of bricks and tiles per annum, while Aldershaw Farm and Hastings Brickworks manufacture more specialised bricks on a smaller scale. There is an extant planning permission for a large-scale new brick works and clay pit proposal at Horam, but the works have not yet been constructed. There are several other dormant and inactive sites in East Sussex, but there are no clay sites in the rest of the Plan Area. Some of the existing clay sites are within or close to designated sites, including the High Weald AONB.

4.28 Reserves at Aldershaw Farm are now low and further reserves need to be identified if production is to continue in the future.

4.29 National policy requires Minerals Planning Authorities to safeguard brick clay resources, and to identify a stock of permitted reserves to support the levels at manufacturing plants. A 25 year supply is generally considered to be a level that reflects the considerable investment required to maintain and improve brickworks. For small scale manufacture, the South East Plan considered that a future land-bank of a lesser period than 25 years may be appropriate.

4.30 Previous national policy indicated that clay should be extracted as close as practicable to the brickworks that it supplies. High quality reserves should be safeguarded for brick and tile manufacture.

4.31 The Plan supports primary mineral production only where it is demonstrated the need cannot be met by sources of alternative materials. It is anticipated that overarching policies will guide the consideration of the majority of planning applications affecting clay extraction and brickworks.

4.32 There is no evidence at present to suggest that there will be further demand from existing brickworks to import clay to supplement resources. It appears instead that any necessary additional resources would be likely to be sought from proposed extensions to, or the extraction of further resources from, existing sites. If, notwithstanding the evidence, a proposal to import clay were put forward, it is anticipated that this would be assessed under national policy, overarching Policy WMP 4 of this Plan and development management policies, particularly those relating to traffic and amenity. The in-principle support of continued production at existing brickworks given by the clay policy would be material in the consideration of such a proposal.

4.33 It is unlikely that a proposal to extend extraction at a brickworks with more than 25 years reserves remaining would be supported, unless material circumstances indicate otherwise. This level of reserve would generally exceed national guidance where appropriate account should be taken of the possibilities of re-use and recycling suitable materials to minimise the requirement for new primary extraction.

4.34 In addition to brick making, clay is also used for flood defence works. East Sussex County Council has considered a small number of planning applications for the export of clay from existing brickworks for this purpose over five years ago. If clay from brickworks were to be required for this purpose, it could impact on the amount of clay available for brick-making, and hence the numbers of years of reserves left at existing sites. However, while this was previously identified as an issue, recent discussions with the Environment Agency have suggested that although there is an ongoing need for clay for flood defence purposes, it does not appear likely that clay would be sourced from existing brickworks and associated extraction sites. There is the possibility to source clay from other parts of the resource. In the event that a proposal comes forward to extract clay for flood defences it is anticipated that this would be assessed under Policy WMP 4 and the development management policies.

Policy WMP 13

Provision of Clay

In order to sustain the manufacture of brick, tile and clay products in the Plan Area, continued production at existing brickworks will be supported, subject to other policies of the plan.

Proposals for extensions to clay workings will be supported, subject to other policies of the plan, where it can be shown that the levels of permitted reserve at that site is insufficient to maintain brick and tile production for at least 25 years.

At existing clay sites, recycling of clay products, and stockpiling of clay waste materials on site for re-use in brick and tile manufacture will be supported. Any proposal for the use of clay from existing brickmaking sites for flood defences will need to demonstrate that the clay could not be sourced from other parts of the resource.

4 Providing for Minerals

Safeguarding Mineral Resources (WMP14)

Purpose of Policy WMP 14

To set out how mineral resources will be safeguarded by identifying Mineral Safeguarding Areas (areas of known resources) and Mineral Consultation Areas (areas where the district or borough council should notify the Authorities of any alternative development proposals). Identifying Consultation Areas does not necessarily imply that the resource will be worked.

4.35 The Authorities have a duty to safeguard mineral resources for future generations as well as to ensure the timely supply of minerals to the market. Land-won resource is limited in the Plan Area so this policy will be complemented by policies promoting recycled aggregates and supporting movement of minerals by rail and sea.

4.36 National policy requires MPAs to prevent mineral resources being unnecessarily sterilised. Sterilisation of known or potential resources would reduce the ability and flexibility to supply future demand. However, it is also important to find a balance between protecting mineral resources for the future and allowing for necessary development of some of those areas.

4.37 The British Geological Survey (BGS) have issued updated guidance for Mineral Safeguarding and this allows for Authorities to provide a framework for safeguarding within a Plan, followed by more detail within a sites DPD. This is the approach the Authorities will take in this Plan Area. The methodology sets out mineral safeguarding areas (where there is a known viable resource) and minerals consultation areas (where the MPA would wish to be consulted by the relevant local planning authority on proposed development in the area) and these will be detailed within the Waste and Minerals Sites Plan.

4.38 Minerals Consultation Areas need to be identified where the District and Borough Councils will notify the Authorities of any alternative development proposals. The Mineral Safeguarding Areas and Minerals Consultation Areas will be set out in the Waste and Minerals Sites Plan and be informed by available information on geological resource and the current permitted sites within the Plan Area.

4.39 No strategic need for chalk extraction has been identified, therefore no areas have been identified to safeguard chalk resource within the Plan Area at this time. The need for chalk to supply cement manufacture was identified as an issue within the South East Plan, however there are no cement works in the Plan Area, and there is no demand for chalk from within the area to serve existing facilities elsewhere. Most of the chalk resource in the Plan Area is located within the South Downs National Park and any proposals for development in this area would need to satisfy Policy WMP 2.

4.40 Chalk at Tarring Neville quarry is of a particular grade and was previously used to serve a local artex works. Both the quarry and works have now closed, demand for this type of resource has dwindled and the Authorities do not see a need to safeguard the resource.

4.41 The Waste and Minerals Sites Plan will include consideration of non-strategic resources within the plan area as well as the potential for future working at each of the currently permitted sites.

Existing Mineral Safeguarding Areas and Mineral Consultation Areas for land-won minerals resources within the Plan Area

Gypsum:

- Brightling Mine/Robertsbridge Works, Mountfield

Sand and Gravel:

- Stanton's Farm, Novington
- Scotney Court Farm, Jury's Gap Road, Camber, near Lydd
- Scotney Court Extension and Wall Farm, Jury's Gap Road, Camber, near Lydd

Clay:

- Ashdown Brickworks, Bexhill
- Little Standard Hill Farm, Ninfield
- Chailey Brickworks, Chailey
- Hastings Brickworks, Guestling
- Aldershaw Farm, near Hastings
- Horam Brickworks, Horam

4.42 Background studies were commissioned to assess the current amounts of reserves held within East Sussex and Brighton & Hove. Using this information in combination with the regional study into South East resources has provided the basis for the assertion that the Councils can meet the apportionment figure and the seven year landbank through existing permitted reserves. Mineral reserves that are key to delivering the Plan (mainly those required to meet the apportionment in the South East Plan) can therefore be identified for safeguarding. In the case of all other resources, background work has identified where they are located (see maps 17, 18, 19 in the Issues & Options consultation document). The Plan will be subject to periodic review to ensure adequate resources are safeguarded.

Outside the Identified Areas

4.43 Minerals development outside identified areas will only be supported where there is a demonstrable local need for the economic mineral and a thorough assessment of alternative sites has been undertaken to ensure any environmental impact is avoided, minimised and mitigated. This does not preclude small scale or temporary operations which may be appropriate even in more sensitive areas, subject to meeting criteria set out in the development management policies.

4 Providing for Minerals

Policy WMP 14

Safeguarding Mineral Resources

The Authorities will safeguard areas for land-won resource to ensure viable resources are not sterilised. The Authorities will identify Mineral Safeguarding Areas and Mineral Consultation Areas in the Waste and Minerals Sites Plan, and expect to be consulted on any proposal for major development that would have a significant impact on current or future operations.

In addition, other non-strategic mineral resources that might need protection will be identified through the Plan review process and in the Waste and Minerals Sites Plan. This will allow a viability assessment to be made around additional resource need over the plan period.[79]

79 This is likely to include potential resources identified in the previous Minerals Local Plan

Safeguarding Railheads and Wharves (WMP15)

Purpose of Policy WMP 15

To safeguard railheads, wharves and rail sidings for existing and future mineral imports and processing. In particular to safeguard overall mineral wharf capacity in ports subject to no net loss of capacity, and to encourage co-location with processing capacity.

4.44 National policies require Mineral Planning Authorities (MPAs) to assess the need for existing, planned and potential wharf and rail facilities to be safeguarded and to encourage and promote the use of sustainable transport modes for the movement of minerals. Sustaining imports of marine aggregates through local wharves is particularly important in the Plan because of the scarcity of land based mineral resources in this area. Recent case law has also established that MPAs should not only safeguard existing wharfs but consider the potential for future operations.

4.45 The adopted Minerals Local Plan identifies 'mineral consultation areas' to achieve safeguarding, where the MPA must be consulted by districts and boroughs before development which might affect important resources, including wharves, can be granted planning permission.

4.46 Marine borne aggregates are currently imported at the Ports of Rye, Newhaven and Shoreham. Material for the plasterboard factory at Robertsbridge is imported by rail. However, all movements of aggregates within the Plan Area are currently made by road. This is due to the lack of suitable rail linked sites and the relatively short distances involved. There are currently no active chalk sites in the Plan Area and more recently chalk has been imported by road from West Sussex. Clay resources are linked to brickworks and none of these sites are close to rail facilities or ports to transport bricks within or out of the Plan Area. More detailed support for a modal shift in transportation of minerals is covered in Policy WMP 18.

4.47 There are currently several strategies being put forward by other organisations which concern the port areas at Shoreham, Rye and Newhaven. The Authorities will seek to ensure safeguarding of wharf capacity as part of any development at the ports.

4.48 Proposals for other uses at ports would need to demonstrate that sufficient alternative mineral wharf capacity (tonnage) is deliverable and available to meet needs in the Plan Area for the plan period before the Authorities would accede to alternative development of the site. Proposals for new residential, business or amenity development in proximity to aggregate wharves should be assessed to ensure the impact of existing operations is fully addressed. The safeguarding arrangements would apply to all existing permitted, planned and potential sites regardless of whether they are currently in use.

4.49 Brighton & Hove City Council, Adur District Council and West Sussex County Council are currently drafting a Joint Area Action Plan (JAAP) that will set out the future vision and development policies for the Shoreham Harbour regeneration area in order to guide investment and planning decisions. In October 2010 the Shoreham Port Authority adopted a Port Masterplan setting out the Port's plans for future growth. The Masterplan has been subject to public consultation and was endorsed by the above three local authorities.

4 Providing for Minerals

4.50 ShorehamPort is partly within West Sussex, so landings at wharves in the West Sussex part may also help meet demand in the western part of the Plan Area. On that basis provision of equivalent capacity (tonnage) of minerals wharfage within either part of ShorehamPort may be acceptable subject to similar safeguarding by West Sussex County Council as Minerals Planning Authority. Future joint working by authorities on the JAAP will address these issues.

4.51 Co-location with processing capacity at railheads and wharves will reduce road based transport movements although there are implications for space requirements within the operational port.

Policy WMP 15

Safeguarding railheads and wharves

Existing, planned and potential railhead and minerals wharf facilities (including rail sidings) and their consequential capacity will be safeguarded in order to contribute towards meeting local and regional supply for aggregates and other minerals as well as supporting modal shift in the transport of minerals. The need for railheads and minerals wharves will be monitored.

Capacity for landing, processing and handling and associated storage of minerals at wharves in Shoreham, Newhaven and Rye Ports will be safeguarded. Alternative use proposals would need to demonstrate that there is no net loss of capacity for handling minerals within a port.

Local planning authorities will be expected to consult the minerals planning authorities on proposals for non-minerals development.

The Authorities will support the co-location of railheads and minerals wharves with processing capacity subject to it being demonstrated that this does not adversely affect space requirements for operational use.

Oil and Gas (WMP16)

Purpose of Policy WMP 16

To provide a policy framework for any potential oil and gas exploration, appraisal and production.

4.52 National policy, set out in the White Paper on energy[80] highlights the UK's current dependence on energy supplies from outside of the UK and the need to reduce that reliance. Goverment policy for Energy Infrastructure is set out in a series of National Policy Statements published in 2011. The 14th round of licensing will begin following the completion of the Strategic Environmental Assessment, carried out on the licensing regime in 2010[81].

4.53 The National Planning Policy Framework sets out criteria for minerals planning authorities when planning for on-shore oil and gas development. For onshore hydrocarbons in the Plan Area, the main constraints are the sensitive natural environment the potential resource is located in, and the limited capacity on the surrounding road network. Applicants should have regard to national policy when considering proposals for each potential development stage.

4.54 Exploration for oil and gas in East Sussex took place during the 1980s, partly in areas now considered environmentally sensitive, although no commercial finds were made.

4.55 The Plan seeks to facilitate potentially viable oil and gas reserves. Exploration is a more temporary activity and applications will be considered on their individual merits subject to environmental safeguards and consideration of amenity impacts. Directional drilling may be necessary to avoid harm to sensitive areas.

4.56 The areas currently licensed for exploration are within the High Weald AONB and Ashdown Forest. Although there has been no active demand for the exploration in East Sussex, there has been some recent exploration within West Sussex where oil has been found and is now subject to further testing. Any planning application would need to demonstrate that the environmental impacts have been fully considered.

4.57 Improvements to the methods used to explore and extract oil and gas could make any potential reserves increasingly economically viable in the future, although DECC has noted that the market and incentives in the UK are much less than those in the US due to oil and gas rights being held by the Crown, unlike other minerals. Shale gas exploration has started in other areas of the UK, although the initial results will be confidential until 2014.

4.58 In view of the constraints on energy resources, the local environmental sensitivities and the general uncertainty in the energy market as we move towards more sustainable energy provision, the Plan seeks to ensure that potentially viable oil and or gas reserves can be explored in a sustainable way.

80 Energy white paper: meeting the energy challenge, 2007
81 Strategic Environmental Assessment for a 14th and Subsequent Onshore Oil & Gas Licensing Rounds, 2010

4 Providing for Minerals

4.59 Commercial extraction of oil and gas would have more long term implications and suitable mitigation would need to reflect the greater prospect of harm.

4.60 Although the Authorities acknowledge that a number of licences from BERR are currently held for areas within East Sussex, no areas of search will be identified within the Plan because future technology advances may facilitate acceptable forms of development in areas where development using existing technologies would currently be unacceptable.

4.61 Each phase of development (exploration, appraisal and production) will be assessed on their merits, without prejudice to future working.

Policy WMP 16

A) Exploration for Oil and Gas

The Authorities will support proposals for the exploration for oil and gas where it can be demonstrated that there is no less sensitive location that could be utilised and that there is no unacceptable adverse impact on the environment or local amenity.

B) Appraisal for Extraction

Site identification for the extraction of oil or gas should meet the requirements of the policy framework of the Plan, having demonstrated the following sequence:

i. an area of search, with alternative sites, indicating consideration of sites outside sensitive areas or features including the High Weald AONB and South Downs National Park;
ii. avoidance of environmental harm; and
iii. mitigation and compensation of environmental harm.

C) Production

In addition, when considering the merits of any extraction proposal, the Authorities will assess

i. how the oil and gas will be transported from site; and
ii. how additional impacts of production will be avoided, and
iii. the potential for acceptable mitigation, where impacts cannot be avoided

in addition to other policies within the Plan, including those relating to site restoration and the potential for community benefit.

Policies that apply to waste and minerals development as well as development determined by other planning authorities

Restoration (WMP17)

Purpose of Policy WMP 17

To secure appropriate restoration of mineral workings and waste sites. Restoration should seek environmental and amenity benefits reflecting local circumstances and relevant landscape and biodiversity objectives. Proposed afteruses are likely to require ongoing management.

Need for restoration

5.1 Large areas of the Plan Area are subject to environmental protection and are of international and national importance. The need for high quality restoration is therefore essential to maintain the rich and varied landscape and wildlife character within the Plan Area. National policy requires authorities to protect and seek to enhance the overall quality of the environment once minerals extraction has ceased through high standards of restoration, and to safeguard the long-term potential of land for a wide range of after-uses. Restoration of land used for waste management may also be necessary and this is especially so for land disposal and other temporary activities.

5.2 The restoration of mineral extraction and processing, and land disposal sites can provide unique opportunities for a variety of after-uses including nature conservation, agriculture, commercial redevelopment, leisure and tourism. It may also be used as a mechanism to address poor land quality or despoilt land from former workings. The Authorities have a duty to conserve and enhance the natural beauty and wildlife of the South Downs National Park and have a duty to encourage biodiversity under the Natural Environment and Rural Communities Act. Restoration can be targeted to meet specific Biodiversity Action Plan target habitats and species, which in the long term can offset the impact of a temporary mineral or waste operation phase. Such initiatives should be considered on a case by case basis, the Plan sets out policies to ensure appropriate and sustainable site restoration and aftercare.

Minerals

5.3 Development approval for some mineral sites was granted over 50 years ago. Some sites have naturally re-vegetated and are now important for their biodiversity and geodiversity and restarting working of such sites may cause significant harm. The Environment Act 1995 introduced procedures for old mineral planning permissions to be reviewed, and for planning permission conditions for all sites to be updated every 15 years. Applications for revised planning conditions are also subject to Environmental Impact Assessment procedures.

5 Overarching Policies

5.4 The 1995 Act also allows the MPAs to formally extinguish planning permission on sites that have not been the subject of substantial working since 1982 and where resumption is unlikely. As compensation may be liable to the owner/operator where a restriction on working rights (but not restoration) is involved, negotiation and voluntary surrender may be more appropriate.

5.5 Registered dormant sites remain on the planning register, but cannot be worked unless a new set of planning conditions are approved. The MPAs are required to follow formal proceedings to revoke a mineral permission and thus delete it from the list of sites, and sterilise any mineral reserves remaining. There are a small number of historical mineral permissions in the Plan Area which fall into this category. Therefore, the Plan considers a system of review to be initiated for inactive or dormant sites, including obtaining restoration obligations where necessary to achieve a successful conclusion on site.

5.6 Policy WMP 23b requires sustainable restoration proposals to be submitted with minerals applications, and other development management policies set out criteria for assessing restoration requirements for new proposals and old minerals sites.

Waste

5.7 It is expected that land developed for temporary waste management facilities, especially in rural areas will be restored to a use that is appropriate to and in keeping with the setting and features of the area. Restoration plans will not normally be expected to be submitted with proposals for built waste management facilities intended to have permanent operations.

Policy WMP 17

Restoration

Proposals for minerals extraction, land disposal and minerals and waste processing should include a scheme for progressive restoration and aftercare to the highest standard which is appropriate to the agreed after-use and which can be achieved in an acceptable timescale. Restoration, after-use and aftercare arrangements should maximise the potential benefits, enhancements and opportunities, particularly for agriculture, landscape and biodiversity.

All proposals should:

a. be sensitive to and in keeping with local landscape character and distinctiveness;
b. demonstrate how proposed habitat restoration and creation plans can assist in achieving Biodiversity Action Plan targets;
c. demonstrate how the amenity value of the restored site could be realised;
d. include details of ongoing aftercare arrangements which aim to support and achieve the proposed after-use; and
e. meet the requirements of policies WMP 28a on flooding, WMP 28b water resources and water quality, WMP 24a climate change, WMP 25 amenity, and WMP 27 on the environment and environmental enhancements.

Restoration obligations will be secured where required.

Inactive and dormant sites will be reviewed. Appropriate action will be considered if it was demonstrated that reopening sites would result in an unacceptable adverse impact.

5 Overarching Policies

Transport - Road, Rail and Water (WMP18)

Purpose of Policy WMP 18

To minimise the environmental and amenity effects of the transport of waste and minerals by promoting rail and water transport as an alternative to road transport.

Detailed, site-specific, transport impacts are covered by Policy WMP 26.

5.8 Although waste and minerals related transport activity comprises a very small proportion of total road traffic in the Plan Area, the Plan seeks to minimise its environmental and amenity impacts. Seeking to locate new waste facilities close to waste sources and co-locating of complementary activities on minerals and waste sites can help to achieve this.

5.9 National policy encourages modal shift to transport waste or minerals by rail or water rather than by road. Currently, the only rail freight movement in the Plan Area is to the British Gypsum site at Robertsbridge although there is now planning permission to facilitate the removal of bottom ash from the ERF at Newhaven by rail. The only movements by water are imports of marine aggregates. There are currently no other waste or minerals rail-linked sites, or movements by rail into or out of the Plan Area.

5.10 Part of the reason for this is that waste and minerals sites are not necessarily well located to take advantage of more sustainable methods of transport. Furthermore, where sites adjoin railway lines, such as at Newhaven and Hollingdean, there can be prohibitive costs involved with re-instating or providing modern railheads. For the use of rail or water to be economically viable, larger volumes of materials and/or longer distances than at present are likely to be required. The Plan must therefore be realistic about what is achievable.

5.11 However, waste management is becoming a more specialised and higher value industry, with new facilities increasingly serving catchment areas larger than administrative boundaries. Recycling and recovery of waste should not be constrained by the relatively arbitrary nature of administrative boundaries where there are over-riding sustainability reasons for transporting materials. Where longer distances are involved, the potential for the use of sustainable modes of transport being economically viable increases. Increasing cross-border movements of waste may therefore result in more opportunities for the use of rail and water transport.

5.12 For the reasons set out above the opportunities for using rail or water within the Plan Area are limited. However, the Plan should anticipate potential changes to commercial activity in the future. Existing facilities for the movement of waste and minerals by rail and water are safeguarded under Policy WMP 15.

5.13 The trends in terms of movement of minerals are different because sand and gravel usually does not travel more than 30 miles to serve local markets. Options for the locations of minerals production sites are limited because minerals can only be worked where they occur, however processing of recycled minerals is more flexible and is dealt with by the policies for waste management.

5.14 Transport will be taken into account when assessing the overall acceptability of waste and minerals development proposals. Proposals will be expected to demonstrate that they have considered the most efficient and sustainable means of moving materials and are flexible enough to take account of changes over time. The more detailed, site-specific aspects of transport are dealt with in Policy WMP 26.

Policy WMP 18

Transport - Road, Rail and Water

Waste and minerals development should seek to minimise transport movements and prefer non-road modes of transport subject to the practicalities pertaining to individual cases.

Proposals for waste and minerals development should demonstrate:

a. how movements relate to waste and minerals sources;
b. how opportunities for alternative methods of transport have been evaluated;
c. how access to the strategic highway network is suitable and how impacts on road safety and congestion have been addressed; and
d. what measures have been incorporated including mitigation to avoid unacceptable harm to the environment and local communities.

The Authorities will seek to maximise the use of existing railheads and rail links. Proposals which will enable waste and/or minerals to be carried on the rail network or by water will be permitted, subject to other policies of the Plan where relevant, and where it is demonstrated that this would achieve overall environmental benefits.

Co-location of Complementary Facilities (WMP19)

Purpose of Policy WMP 19

To encourage co-location of complementary waste or minerals processing facilities and associated industries, where this would offer either operational or cost efficiencies or transport benefits.

5.15 Co-locating complementary activities for waste or minerals management and associated activities can have operational, transport and environmental benefits as well as supporting movement up the waste hierarchy, and is encouraged in national policy[82].

5.16 'Co-location' is considered to be having more than one waste or minerals processing facility in such close proximity with a related process that tangible benefits from the developments are realised. Such benefits could include:

82 PPS10 paragraph 20

- reducing the distance that waste or related products need to be transported;
- allowing flexible, integrated facilities to be developed;
- assisting in the separation of waste for different types of recovery on one site;
- helping to maximise the amount of resource recovery that can take place;
- providing the necessary waste capacities to enable necessary economies of scale;
- to encourage investment in businesses associated both with waste recovery and reprocessing as part of an economically sustainable approach to facility provision; and
- making efficient use of limited site availability.

5.17 Co-location will only be supported where it offers clear sustainability benefits. In the Plan Area the current co-location of facilities has tended to be relatively small scale because of nature of available sites. Industrial estates may offer opportunities for waste management facilities to locate close to facilities producing the final recycled or reprocessed products, such as a paper mill. Areas of major new development such as urban extensions may also offer opportunities for co-location.

Policy WMP 19

Co-location of Complementary Facilities

The Authorities will encourage opportunities to co-locate facilities provided this does not cause unacceptable impacts on the environment or communities.

Any proposal involving co-location must:

a. address the likely cumulative impacts of the proposal to ensure that overall effects on communities and the environment are within acceptable limits including noise, transport movements, and emissions to air;
b. take into account the locational strategies and Areas of Focus identified elsewhere in the Plan.

Proposals for co-locating ancillary uses at landfill sites should be tied to the life of time-limited operations of the landfill site.

Community Involvement and Benefits (WMP20)

Purpose of Policy WMP 20

To encourage developers to take a more proactive approach and engage with local communities as early as possible to help avoid misunderstandings and reduce anxiety related to waste or minerals-related developments, and also to ensure that where there are potential benefits for the community, that those benefits are realised by people living or working close by.

The policy aims to readdress a perceived lack of engagement between host communities and developers/the waste and minerals industry in the submission of planning applications for waste or minerals developments. It seeks not only to reduce negative experiences of communities but actually to secure positive benefits for host communities.

5.18 Public perception of perceived impacts and risks to health and wellbeing can be major barrier to the delivery of waste management infrastructure, leading to significant delays in the planning process. The impacts of minerals developments can also raise concern. The Plan seeks to encourage waste recovery facilities efficiently related to the sources of waste. Inevitably this can lead to locations in urban areas and perceptions by communities of potential bad-neighbour development. If developers engage early with communities and provide information to alleviate any concerns then it could foster better relationships to understand the real consequences of the development and how it would impact during construction and the operation of a facility. The relevant authority's Statement of Community Involvement provides guidance on engaging with communities during the planning process.

5.19 National planning policy encourages that communities should take responsibility for their own waste and for local scale facilities, such as household waste recycling sites, it can be simpler to make this link. The Authorities would encourage applicants to engage with the potential host communities at an early stage in order to address community concerns about any perceived risks.

5.20 This policy also recognises that waste facilities of a more specialised nature, and sites for mineral extraction or processing, often serve 'communities' of a much greater scale, potentially to meet regional or national needs. Such developments tend to be larger in scale, and often involve more advanced waste management technologies. In those cases the Authorities would additionally encourage applicants to focus on any potential benefits of the development, such as generation of decentralised energy (via heat or power provision from the facility), enhancement of the local environment, or jobs for local people.

5.21 Community involvement can provide mutual benefits, for example communities may have local knowledge about traffic and biodiversity issues. The design and appearance of a development can also go some way towards making a development more accepted by communities.

5 Overarching Policies

Policy WMP 20

Community Involvement and Benefits

Applicants should demonstrate how host communities have been involved in the development of the proposal, taking into account best practice, and show how their concerns have been addressed. Subject to agreement with the minerals and waste planning authority, this policy may not apply to some proposals involving small non-strategic facilities, minor extensions or alterations to existing facilities.

Applicants should investigate concerns of those communities and provide information about any perceived risks held by them.

For communities hosting strategic waste or minerals developments which serve a much wider area, the proposal should set out the tangible benefits to the local host community.

Opportunities for Sustainable Waste Management and Minerals Production in Other Developments (WMP 21)

Purpose of Policy WMP 21

To ensure that objectives of sustainable waste management and minerals production are considered in the preparation and determination of non-waste and minerals applications, where appropriate.

This policy is concerned with maximising opportunities for improving the sustainable management and transport of waste that has already been produced - prevention of waste is dealt with elsewhere in this Plan.

This policy is not intended to address the management of waste arising from construction and demolition which is dealt with separately by Policy WMP 3d.

It is envisaged that this policy will be implemented by all planning authorities in the Plan Area.

5.22 Proposals for major non-waste or non-minerals development are often devised without considering how they could incorporate elements to improve the management of waste and production of minerals in the area. As there are significant constraints to the use of land in the Plan Area which affect the location and nature of major developments, proposals received for major non-waste or non-minerals development should therefore consider how they could help contribute to meeting the Plan's objectives for sustainable waste management and minerals production.

5.23 Examples of such opportunities include:

- Proposals for transport infrastructure such as the development of a railhead for the transport of materials and goods other than for waste and minerals. Such a proposal might become more viable if opportunities for transporting waste and minerals are also considered; and
- development of a power generating facility might consider use of fuel derived from waste materials.

5.24 In line with the principles of development management this broad spatial policy is intended to encourage developers to consider opportunities for sustainable waste management and minerals production in significant non-waste and minerals developments at the planning stage of such schemes e.g within masterplans, development briefs or pre-application discussions.

5.25 The suggested thresholds for development where this policy would apply are taken from the thresholds for major development set out in Regulation[83].

83 Statutory Instruments 2010 No. 2184 The Town and Country Planning (Development Management Procedure) Order 2010 (as amended)

5 Overarching Policies

5.26 Major development is currently defined in Regulation as including:

- the development of 10 or more dwellings or sites of more than 0.5 ha if the number is not given;
- for all other uses, where the floor space will be 1,000 square metres or more or the site is 1ha or more.

5.27 These thresholds, along with the requirement for Environmental Impact Assessment, will form the basis of further guidance to be prepared by the Authorities in discussion with District and Borough Councils.

Policy WMP 21

Opportunities for Sustainable Waste Management and Minerals Production in Other Developments

In all proposals for large scale non waste and minerals development[(84)]:

a. applicants should show how opportunities for accommodating strategic sustainable waste management and minerals production as described in this Plan have been considered; and,
b. in determining such proposals, Local Planning Authorities should pursue opportunities for meeting the objectives of sustainable waste management and minerals production as set out in this Plan.

84 'large scale' non-waste or non-mineral developments will be defined by their size and nature and will include development requiring Environmental Impact Assessment. Guidance will be provided and developments are likely to include the following: 1) Development of housing defined by number of units and/or floor area (square metres); 2) Development of industrial facilities defined by developed area (hectares); 3) Agricultural developments defined by developed area (hectares); 4) Development involving the generation of heat and/or power defined by energy produced (MW); 5) District heating schemes; 6) Distribution centres. N.B. This is not intended to be an exhaustive list.

Expansion and Alterations within the Site Boundary of Existing Waste Facilities (WMP22)

Purpose of Policy WMP 22

To enable expansions of capacity or alterations to operations within existing waste management facilities.

5.28 Waste facilities may over time require modifications to improve their efficiency or to meet changes in appropriate environmental and other standards. Development linked to existing facilities is generally supported by national policy. For these reasons this policy encourages alterations within facilities where it will support more sustainable waste management and movement of waste up the waste hierarchy as set out by other polices and objectives of this Plan.

5.29 Proposals will also need to take into account the potential impacts on the environment, transport, and amenity, as set out in policies and objectives of this Plan, and to be consistent with the policy about sustainable locations for waste development.

Policy WMP 22

Increased Operational Capacity within the Site Boundary of Existing Waste Facilities[85]

Proposals for increased operational capacity within the site boundary of existing waste management facilities will be supported in principle where it is demonstrated that:

a. the development is required to meet current environmental standards including improving energy efficiency; or
b. the development is required to improve the operational efficiency of the facility, including the efficiency with which the facility uses or generates energy; and
c. the development would contribute towards meeting the Objectives of the Plan.

85 Policy WMP 22 does not relate to extension to the physical boundaries of existing sites (site extensions). Such proposals will be assessed under Policy WMP 7a (Sustainable Locations for Waste Development). The use of the word in policy WMP 22 relates to, for example, increasing the amount of waste managed at a site without extending the site boundary.

6 Development Management Policies

The following development management policies address locally specific matters that are to be considered in planning proposals.

They do not seek to reiterate the detail of national policy but give a local context and interpretation of national policies. They provide a suite of policies for use in determining waste and minerals applications

Design and Operation of Built Waste Facilities (WMP23a, 23b)

Purpose of Policy WMP 23

To provide guidance about more detailed design and operational aspects for built waste facilities, and to support the spatial policies regarding waste facilities. It focuses on non-functional components of waste facilities and does not seek to address issues associated with technical design, but recognises that the interface between the two is important.

The policy also links with the Community Involvement policy (WMP 20), about involving host communities in the design of facilities, with the Climate Change policy (WMP 24) which seeks design aspects which contribute to minimising greenhouse gas emissions, and with the Resource and Energy policy (WMP 24b).

6.1 The lack of large industrial areas in the Plan Area means that there are few sites where waste facilities can 'blend in' with functional industrial buildings, increasing the need for them to be designed to have a positive impact on landscapes and townscapes. Modern waste management facilities are often light industrial in nature, and distinctively designed facilities can contribute positively to the built environment. New facilities should not only be as attractive and/or unobtrusive as possible but should incorporate other elements of sustainable design - they need not be bad neighbours. They should be developed and designed in consultation with local communities (see Policy WMP 20 - Community Involvement and Benefits), taking account of the site and adjoining neighbourhoods.

6.2 The development of waste facilities in the Plan Area should embrace all aspects of good design practice. Good design is not about replicating what has been done elsewhere, it needs to embrace the local context of the site - including scale, mass, layout, materials, energy efficiency, as well as more intangible aspects of aesthetics and good place making. They need to reflect the special qualities of the East Sussex, South Downs and Brighton & Hove area.

6.3 For buildings associated with minerals operations there may be less scope for statement designs however measures can be taken to improve the visual appearance of such developments. Community involvement in the design process is encouraged. Landscape planting will also be an important facet.

6.4 All proposals should demonstrate how they have considered using reused or recycled construction materials, such as secondary or recycled aggregates in order to reduce pressure on natural resources, as identified in Policy WMP 3d.

Urban Sites

6.5 Urban locations can be appropriate for a range of waste management facilities particularly those which are enclosed. There may be opportunities within established commercial and industrial areas, or in new areas of growth such as urban extensions.

6.6 Sites in urban areas are more likely to be close to residential areas so consideration of the effect of a facility's operations on residential amenity would need to be considered.

6.7 By its nature minerals extraction is unlikely to take place in urban areas, however some minerals processing and storage/transfer may be undertaken in built-up areas.

Urban Fringe / New Development Sites

6.8 The urban fringe and major new development sites such as urban extensions or regeneration areas can provide opportunities for waste management facilities to be integrated into development from the outset as well as being close to where waste arises.

6.9 As above, consideration of the effect on residential amenity may need to be considered. Integrating waste facilities with new development can provide greater opportunities to utilise CHP, as the necessary infrastructure can be constructed in tandem, reducing the costs and engineering challenges involved in retrofitting.

Rural Sites

6.10 Proposals for waste or minerals facilities in rural locations should reflect the scale and design of nearby buildings although there may also be instances where, in a similar way to the urban areas, a more innovative design would be appropriate. Local distinctiveness in terms of landscape character and architectural design will be an important consideration and there are likely to be planting requirements. Opportunities may also exist to reuse existing buildings.

6.11 Landscape design will also need to be considered to screen low level activity (such as car parks) around the facility to reduce visibility and to enhance biodiversity value. Areas for any external storage of materials, gatehouses and weighbridges should also be screened to avoid an incongruous 'industrial' appearance.

6.12 In appropriate circumstances, access roads should be appropriately surfaced to prevent local roads becoming dirty or dusty and further management measures may also be required.

Energy Efficiency and Sustainable Construction

6.13 Opportunities exist to increase the sustainability of buildings used for waste or minerals management including minimising carbon emissions from energy use through the life of the building. For example, maximising use of daylight, heat recovery systems, and high levels of insulation. Feasibility of the generation of renewable energy should also be considered.

6 Development Management Policies

6.14 Consideration should also be given to using reused or recycled construction materials. Local supply options should also be investigated to minimise travel distances. Also see Policy 3 (Sustainable Provision and Use of Minerals), and Policy WMP 24 (Climate Change).

Policy WMP 23a

Design Principles for Built Waste Facilities

All buildings associated with waste and minerals developments should be of a scale, form and character appropriate to its location and incorporate innovative design, where appropriate, and allow sufficient space for the effective sorting, recycling, recovery and storage of waste.

Opportunities should be taken to provide efficient separation from more sensitive land uses and where possible mitigation measures should integrate existing environmental assets and maximise opportunities for appropriate habitat creation.

Urban locations:

a. design should complement the existing or planned scale and built form of the local area and take account of local landscape character and distinctiveness;

Urban fringe/new development sites:

a. design should complement the planned scale and built form of the local area and/or the new development area, and take account of local landscape character and distinctiveness; and,
b. waste management should be considered in the initial masterplan; and,
c. masterplans should consider separation from more sensitive land uses.

Rural locations:

a. buildings should reflect the nearby built form or reuse redundant farm buildings;
b. design should take account of local landscape character and distinctiveness;
c. site locations should allow sufficient space for quality landscape treatment; and
d. site design should minimise views to operational areas, particularly external storage and parking and other elements that present a more 'industrial' appearance.

6.15 Design considerations covered by other development management policies or the pollution control regime:

- Transport/access
- Noise
- Air quality
- Water
- Pest control
- Security

Operation of sites

6.16 To minimise the environmental impact of site operations, and where applicable to secure optimum conditions for the proposed after-use, development proposals should usually be accompanied by a detailed working programme to show how the site will be designed and operated. This will also help to clarify and provide more certainty for local communities about how some of the more detailed concerns, such as proximity to operations, will be dealt with. This may not be necessary for small scale operations and some changes of use.

6.17 Off-site impacts, such as lorry routeing, are covered in other development management policies.

Policy WMP 23b

Operation of Sites

Proposals for waste management, mineral extraction / processing, and associated activities should be accompanied by a working programme for the proposed operation which includes arrangements as applicable for the scale and nature of the operation, for:

a. site preparation;
b. phasing of workings/construction;
c. plant and machinery to be used;
d. location of site roads, material storage areas, buildings and provision of screening of working areas and cleaning of vehicles;
e. protection of existing features of cultural and landscape significance;
f. a mitigation/compensation scheme for any other environmental impacts and enhancements; and
g. a landscaping scheme for the operational life of the site to include a means of screening the proposed development, including planting, with native species where appropriate,to maximise opportunities for habitat creation and supported by a management plan.

Proposals for mineral extraction should additionally set out the arrangements for:

a. stripping, storage and re-spreading of soils;
b. appropriate stockpiling;
c. the order and direction of workings and methods of extraction; and
d. a scheme for progressive restoration and aftercare to the highest standard which is appropriate to the agreed after-use and which can be achieved in an acceptable timescale.

6 Development Management Policies

Climate Change, Resource and Energy Use (WMP24a, 24b)

Purpose of Policy WMP 24

To set out how waste and minerals developments should seek to mitigate and adapt to climate change.

It supplements the guidance about climate change set out in the National Planning Policy Framework because a) the Plan Area is coastal so climate change is a particular concern, and b) national policy about design is not specific to waste or minerals developments.

Proposals for waste and minerals development should set out how they will minimise greenhouse gas emissions, either through design, construction or operations.

Diversion of waste from landfill and movement up the waste hierarchy also contributes to mitigating climate change - this is covered in Policy WMP 3 Implementing the Waste Hierarchy. Policy WMP 24 deals with the more detailed aspects of how waste or minerals operations themselves can take measures to mitigate and adapt to the impacts of climate change.

6.18 Tackling climate change is a Government priority and the Authorities are committed to addressing it. The impacts of climate change in the South East of England may be more severe than in other parts of the UK. As the main urban settlements are located along the coast, rising sea levels associated with higher than average temperatures could be a particular issue in the Plan Area.

6.19 Addressing climate change includes 'mitigation' measures to reduce future greenhouse gas emissions, and also 'adaptation' measures to help reduce the potential impacts of the changes we are already seeing in the climate, such as sea level rise or changes in average temperatures.

6.20 Waste and minerals developments can contribute to mitigating climate change in several ways, and proposals for managing waste or minerals must address the challenges of climate change in accordance with national policy[86]. At the broad level the diversion of waste from landfill and movement up the waste hierarchy contributes to mitigating climate change. This includes recovery of energy from waste to contribute towards renewable energy production and decentralised energy via anaerobic digestion or CHP operations.

6.21 Developments can also help to reduce greenhouse gas emissions by careful design, construction, and operation of facilities. This policy deals with those, more detailed, aspects of how waste or minerals operations themselves can take measures to mitigate and adapt to the impacts of a changing climate. Measures could include use of sustainable transport or low emission vehicles, use of renewable sources to power the facility, or choosing a location away from areas of high flood risk. The capture and use of energy recovered from the treatment of waste is covered in Policy WMP 3c.

86 National Planning Policy Framework, Section 10

6.22 It is acknowledged that where development proposals fall under the remit of Environmental Impact Assessment Regulations then some information about climate change will be provided via that mechanism. Further guidance on the implementation of this Policy will be published.

Policy WMP 24a

Climate Change

Proposals for minerals or waste management, including restoration proposals, must take account of climate change for the lifetime of the development from construction through to operation and decommissioning.

Measures should be incorporated to minimise greenhouse gas emissions ('mitigation') and to allow flexibility for future adaptation to the impacts of climate change ('adaptation'), which may include some or all of the following:

a. locating and designing the facility, and designing transport related to the development, in ways that seek to minimise greenhouse gas emissions;
b. incorporating carbon off-setting measures;
c. Use of renewable, decentralised, or low carbon energy sources to power the facility;
d. incorporating measures to minimise flood risk associated with the development; and
e. measures to minimise waste materials generated from operational processes.

The information supplied and the measures to be incorporated into the design should be appropriate to the scale and nature of the proposals. It is likely therefore that larger scale proposals may be expected to show more detailed mitigation and adaptation measures and provide more information than smaller-scale permissions or proposals for temporary waste facilities.

Policy WMP 24b

Resource and Energy Use

Proposals should incorporate carbon offset measures and should be designed in such a way as to minimise greenhouse gas emissions. Applicants should demonstrate that during operation of any facility:

a. energy (including heat) will be obtained from decentralised renewable or low carbon sources where possible (although on-site generation of energy should not prejudice the movement of waste up the waste hierarchy); and
b. measures will be taken to minimise waste from operational processes and maximise energy efficiency.

6 Development Management Policies

General Amenity (WMP25)

Purpose of Policy WMP 25

To protect local communities from the potential negative impacts of waste and minerals development such as those resulting from noise, dust, fumes, windblown litter, and visual intrusion.

6.23 Careful design, layout and landscaping of developments can often avoid, overcome, minimise, or reduce such impacts to an acceptable extent, and if necessary then mitigation measures can also be integrated into a planning permission to ensure that neighbouring amenities are not adversely affected, such as dust and noise suppression techniques or control of working hours. Measures will vary depending on the location of the site and the likely impacts of the specific operation.

6.24 This policy seeks to ensure that all aspects of amenity are fully considered in proposals in order to protect amenity of those living and working nearby to waste developments. The requirements of this policy are designed to complement the controls of other regulatory authorities such as the Environment Agency and the District or Borough Council Environmental Health function.

6.25 Waste and minerals developments have the potential to impact on air quality and specific assessments may therefore be needed to determine whether the development is likely to have a detrimental impact. Such assessments may be required for the construction and post construction (use) phases and should follow national guidance[87]. Air quality assessments should also take into account local guidance prepared by the Sussex Air Quality Partnership[88].

Policy WMP 25

General Amenity

All proposals should ensure:

a. there is no unacceptable effect on the standard of amenity appropriate to the established, permitted or allocated land uses of the local and host communities likely to be affected by the development including transport links;

b. there is no significant adverse impact on air quality or the local acoustic environment;

87 National guidance currently includes Air Quality Strategy for England, Air Quality (England) Regulations and national planning policy.

88 It is expected that such guidance will be published later in 2013.

c. adequate means of controlling noise, dust, litter, odours and other emissions, including those arising from traffic generated by the development, are secured;

d. there is no unacceptable effect on the recreational or tourist use of an area, or the use of existing public access or rights of way.

Where proposals require an Environmental Impact Assessment, applicants should consider the potential impacts on human health.

6 Development Management Policies

Traffic Impacts (WMP26)

Purpose of Policy WMP 26

To ensure that proposals fully address the site-specific issues related to road transport and traffic of waste or minerals developments.

This policy links with WMP 18 Transport - Road, Rail and Water.

6.26 Road transport is important in the Plan Area for the transport of waste and minerals. The majority of waste and minerals are transported by road and this is anticipated to remain so during the Plan period because of the lack of viable alternative options. Therefore it is important that proposals fully consider the implications on local road networks.

6.27 Waste and minerals management can cause significant additional traffic due to the high level of lorry movements. For waste facilities that are used by the public (e.g. Household Waste Recycling Sites), car-borne journeys can also be high. Furthermore in many areas the local road networks are at or nearing capacity. Traffic concerns have been frequently raised by residents in previous consultations, with a particular concern being operational vehicles using inadequate rural roads. Applicants should submit a comprehensive Traffic Impact Assessment for major proposals.

Policy WMP 26

Traffic Impacts

Proposals will be permitted where:

a. access arrangements are appropriate or could be made suitable for the volume and nature of traffic generated by the proposal;
b. no unacceptable safety hazards for other road users, including cyclists and pedestrians, would be generated;
c. the level of traffic generated would not exceed the capacity of the local road network;
d. no unacceptable adverse impact upon existing highway conditions in terms of traffic congestion and parking would arise;
e. there are suitable arrangements for on site vehicle manoeuvring, parking and loading/unloading areas; and
f. adverse traffic impacts that would arise from the proposal can be satisfactorily mitigated by routeing controls or other highway improvements.

Consideration of these matters should take into account existing and other planned development.

Environment and Environmental Enhancement (WMP27)

Purpose of Policy WMP 27

To protect and enhance the built and natural environment including:

- Natural assets;
- Biodiversity;
- Landscapes;
- Historic environment;
- Geology and geomorphology;
- Heritage assets; and
- Landscape character.

This policy also links with the policy about design of built facilities.

6.28 The Plan Area has a range of natural and built features which are recognised for their environmental quality, a number of which are formally recognised via international, national, or local level designations.

6.29 Within the existing policy hierarchy, sites or features designated at a national or international level receive statutory protection via legislation. Others designated at a more local level carry less policy weight in decision-making, although the Authorities recognise that such features are an important part of the local environment.

Policy WMP 27

Environment and Environmental Enhancement

a) To conserve and enhance the local character and environment of the Plan Area, permission will not be granted where the development would have a significant adverse impact on the following sites :

- South Downs National Park (see Policy WMP 2);
- High Weald AONB;
- Listed Buildings;
- Scheduled Monuments;
- Conservation areas;
- Registered Parks and Gardens;
- Registered Battlefields;
- Designated wreck sites;
- Significant Heritage Assets;
- High quality agricultural land;
- other sites recognised for their cultural heritage and historic significance.

6 Development Management Policies

These assets should be protected and where appropriate, enhanced.

b) Environmental enhancement - biodiversity and habitat creation

To conserve and enhance the local natural environment, the Authorities will maximise opportunities for increasing biodiversity and habitat creation. Permission will not be granted where the development would have a significant adverse impact on sites of national and local importance for nature conservation including:

- Sites of Special Scientific Interest;
- Local sites, identified for their biodiversity interest, including Sites of Nature Conservation Importance and Local Nature Reserves;
- Areas of significance for geodiversity and geomorphology, including local sites and Regionally Important Geological and Geomorphological Sites;
- Ancient woodlands;
- Land managed under an agri-environment agreement.

C) International Designations

These sites and protected species have statutory protection. Any development with a negative assessment of the implications of the proposal would need to demonstrate imperative reasons of overriding public interest.

International Designations: Special Areas of Conservation, Special Protection Areas and Ramsar sites;

In order to assess whether a proposal will have likely significant effects on a designated site, the following criteria will be used to help determine where a project level Habitats Regulation Assessment is required with a planning application:

Pathway	**Screening Distance**
Air Quality - Energy from Waste	10km from a European Site
Air Quality - Landfill Gas Flares	1km from a European Site
Air Quality - Biopathogens	1km from a European Site
Air Quality - Dust	500 m from a European Site
Air Quality - Vehicle exhaust emissions	200 m from a European Site
Water quality and flow	No standard distance (use Source/Pathway/Receptor approach)
Disturbance (noise/visual)	1km from a European Site supporting disturbance sensitive species/populations

Pathway	Screening Distance
Gull/corvid predation (non-inert landfill only)	5km from European site supporting sensitive ground-nesting breeding species (e.g. Terns)
Coastal squeeze	No standard distance -evaluate on case by case basis

Any waste or minerals development that is likely to result in an increase of more than 200 Heavy Duty Vehicles per day[89] on any road that lies within 200m of a European site will be subject to HRA screening to evaluate air quality impacts. It will be necessary for the applicant to demonstrate that either:

- The increased traffic will not lead to an increase in nitrogen deposition within all European sites that lie within 200m that constitutes more than 1% of the critical load for the most sensitive habitat within the site; or
- If the increase in deposition will be greater than 1% of the critical load it will nonetheless be so small that no adverse effect on the interest features and integrity of the European site will result.

The protection of bird species within designated areas includes protection against predation and disturbance. In order to adequately assess the potential impacts of a proposal, applicants will be required to:

- Undertake a project level Appropriate Assessment to determine whether adverse disturbance effects would result on the SPA. This may require bespoke surveys potentially over several years and covering both the minerals/waste site location and the SPA itself;
- If necessary, introduce noise control measures to the satisfaction of the local authority and Natural England in order to render any disturbance impacts negligible; and
- Introduce regular monitoring (frequency, duration and details to be agreed with the local authority and Natural England) to ensure that the effectiveness of any control measures that are introduced is evaluated and additional/alternative measures deployed as necessary.
- If it is not possible for the application to demonstrate that any noise or disturbance impacts cannot be adequately mitigated then permission will be refused.

6.30 Proposals will be expected to assess these issues within any Environmental Statement, particularly if there are known features in the vicinity of the application site.

6.31 Where appropriate, the Authorities will attach planning conditions to permissions that provide for notification, evaluation and (if confirmed) recording of important natural or archaeological features that may be encountered including retrieval and placing in recognised national collections.

89 The Design Manual for Roads and Bridges (Volume 11, Section 3, Part 1) regarding air quality environmental impact assessment from roads indicates that if the increases in traffic will amount to less than 200 HDV movements per day the development can be scoped out of further assessment.

6 Development Management Policies

6.32 Agreements for restoration, after-care and after-use will be flexible to allow for active conservation of any interest, as they are discovered, throughout the life of the planning permission.

Flooding, Water Quality and Water Resources (WMP28a, 28b)

Purpose of Policy WMP 28

To ensure that flood risk and potential impacts on groundwater and water quality are taken into consideration in determining waste and minerals development proposals.

6.33 The strategy for locating waste management developments has been informed by the Environment Agency Flood Risk Areas and relevant national policy, as set out in Policy WMP 7 (Sustainable Locations for Waste Development). Any sites used for managing hazardous waste and landfill sites are classified as particularly vulnerable in terms of flood risk in national policy [90].

6.34 For mineral extraction the issues are different because mineral resources can only be worked where they are found. Furthermore sand and gravel workings are classified in national policy as 'water compatible' and therefore may be acceptable in areas of flood risk where other developments would not be acceptable.

6.35 Guidance on this matter is set out in the Technical Guidance to the National Planning Policy Framework and is also monitored and regulated by the Environment Agency through the Permitting regime.

6.36 The overarching objective of the South East River Basin Management Plan (RBMP)[91] is to prevent the deterioration and take opportunities to improve the status of all waterbodies. Additionally, the chalk of the South Downs gives rise to specific local issues related to water abstraction. The Authorities will seek to protect and enhance local water quality and supply through policy WMP28b.

6.37 Any works or activity taking place below the Mean High Water Springs may require a marine license from the Marine Management Organisation.

Policy WMP 28a

Flood Risk

Development will only be permitted if it can be demonstrated that a proposal:

a. adequately provides for the implications of flood risk in that it would not increase the risk of flooding on the site or elsewhere and where possible reduce the risk of flooding overall;
b. is not detrimental to the integrity of sea, tide or fluvial flood defences or river channels;
c. would not impede access for future maintenance or improvements of flood defences;

90 Table 2 - Technical Guidance to the National Planning Policy Framework
91 River Basin Management Plans have been prepared in response to the EU Water Framework Directive

6 Development Management Policies

d. has no significant adverse impact on the nature conservation and amenity value of rivers, wetlands or the marine environment; and
e. has appropriate measures in place to reduce surface water run-off, including the provision of sustainable drainage systems (SUDS); and
f. would not require any additional protection from flood or erosion such that it would be in contravention of the existing Shoreline Management Plans and/or Catchment Flood Management Plans.

Development proposed in areas of flood risk (flood zones 2, 3a, or 3b) must apply the Sequential Test and where applicable the Exceptions Tests, as set out in national policy and carry out a site level Flood Risk Assessment. Proposals should also take into account recommendations in the Strategic Flood Risk Assessment for East Sussex and Brighton & Hove, or for the relevant district/borough council, whichever is more recent.

Policy WMP 28b

Water Resources and Water Quality

To protect the quality and quantity of water resources in the natural environment of the Plan Area, including groundwater abstraction areas within the chalk of the South Downs, the Authorities will not grant permission for proposals which:

a. cause unacceptable risk to the quality and quantity of surface and groundwater (including reservoirs);

b. cause changes to groundwater and surface water levels which would result in unacceptable adverse impacts on

   i. adjoining land;

   ii. the quality of groundwater resources or potential groundwater resources; and

   iii. the potential yield of groundwater resources, river flows or natural habitats.

Work beneath the water-table will not be permitted unless there is a comprehensive groundwater management scheme agreed for the construction, operation and restoration of the proposal.

6.38 In addition to the policies above, proposals will be subject to environmental regulation[92] through the Environment Agency. Groundwater is classified into Source Protection Zones 1, 2 and 3.

92 including Regulation 5 of the Landfill (England and Wales) Regulations 2002 and Environment Agency's Groundwater Protection: Policy and Practice (GP3)

6.39 Applications for both waste and minerals operations within Source Protection Zones should be accompanied by a hydrological assessment. Waste operations and working for minerals are not usually considered compatible within SPZ1.

Implementation and monitoring tables

How will we implement the policies and monitor the effectiveness of the Plan

7.1 Monitoring and reporting on the implementation of the policies in the Plan is important to establish whether they are being successful in achieving their aims. Monitoring also allows corrective action to be taken if the aims of the Plan are not being met.

7.2 The Plan is founded on a vision, and there are objectives (see section 2) that need to be met to ensure that the vision is realised. The delivery strategy for meeting the objectives is based on a framework of policies which are linked to an implementation plan, as set out in the table below. The policies and implementation plan include 'SMART' (Specific, Measurable, Achievable, Relevant and Time bound) targets, which can be monitored

7.3 Performance of the policies will be evaluated yearly, and ongoing dialogue with key delivery partners including District and Borough Councils, the waste and minerals industry, community groups and the Environment Agency will take place on an annual basis, to review progress against the implementation strategy and reported via the Annual Monitoring Report (AMR). The AMR will also consider the monitoring requirements identified in the sustainability appraisal report.

7.4 A report on the AMR will be taken to the relevant Members for their consideration, will include recommendations for necessary corrective actions to address missed targets.

Policy	Delivery Body/Mechanism	Key Delivery Partners	Delivery Target (how much, when, where)	Delivery Indicator
WMP1 - Presumption in favour of sustainable development	ESCC, BHCC, SDNPA	Applicants Statutory consultees	Maintain existing or improve performance of policies listed below (where possible).	Monitored through the overall performance of the indicators listed below.
WMP2 - Minerals and waste development affecting the South Downs National Park	ESCC, BHCC, SDNPA	Planning authorities supporting the SDNPA to determine planning applications Waste industry Minerals industry Natural England	All proposals for new waste or minerals development to have regard for the purposes of the SDNP designation. No significant increase in the extent of waste management or minerals production in the SDNP.	High quality design of development relating to waste or minerals developments. Capacity of existing and new waste management or minerals production facilities in the SDNP.

Policy	Delivery Body/Mechanism	Key Delivery Partners	Delivery Target (how much, when, where)	Delivery Indicator
WMP3a - Promoting waste prevention, re-use and waste awareness	ESCC, BHCC, SDNPA Preparation of appropriate action plans for waste awareness and prevention strategies, including Municipal Waste Management Strategies and possible Commercial and Industrial waste strategies. Work with local planning authorities to encourage non-waste developments to take place in a manner which prevents waste.	District/Borough councils Waste operators Waste Collection Authorities Waste Disposal Authorities Businesses (waste producers) Community groups or other organisations involved in waste prevention or sustainable resource use.	Within two years of adoption of this Plan, commence background work to inform the preparation of strategies or action plan. Increased number of non-waste developments in the Plan Area which directly involve or support the preparation of materials for re-use, or which use materials or energy derived from waste.	Data on LACW and C&I waste growth, and total waste volumes. Strategies or action plans produced, and formally recognised by the Authorities. Data about local businesses involved in preparing materials for re-use or manufacturing using materials derived from waste.
WMP3b - Turning waste into a resource	ESCC, BHCC, SDNPA Clear explanation from developers about how proposed facility supports movement up the waste hierarchy. Development of capacity allowing management of waste further up the waste hierarchy.	Waste industry	100% development proposals to contribute to movement up the waste hierarchy for waste arising, and waste being managed, within the Plan Area. Meet or exceed the recycling and recovery targets for LACW, C&I, and CDEW waste identified in policy WMP 3b, resulting in increased percentages of waste being recycled, and generally diverted away from land disposal. The targets set out in WMP 3b are:	Annual monitoring report data about capacity for recycling and recovery in the Plan Area. Data on amount of waste being diverted from landfill.

<table>
<tr><th>Policy</th><th>Delivery Body/Mechanism</th><th>Key Delivery Partners</th><th>Delivery Target (how much, when, where)</th><th>Delivery Indicator</th></tr>
<tr><td></td><td></td><td></td><td>
LACW Targets
<table>
<tr><th>Year(1)</th><th>Recycling(2)</th><th>Overall Recovery(3)</th></tr>
<tr><td>2015/16</td><td>45%</td><td>98%</td></tr>
<tr><td>2020/21</td><td>50%</td><td>98%</td></tr>
<tr><td>2025/26</td><td>55%</td><td>98%</td></tr>
</table>
1: Targets shall apply to the average achieved during the target year;

2: Recycling includes composting;

3: Overall recovery target is the total percentage of waste diverted away from land disposal and included re-use, recycling and composting.

C&I Targets
<table>
<tr><th>Year</th><th>Recycling</th><th>Overall Recovery</th></tr>
<tr><td>2015/16</td><td>70%</td><td>95%</td></tr>
<tr><td>2020/21</td><td>70%</td><td>98%</td></tr>
<tr><td>2025/26</td><td>70%</td><td>98%</td></tr>
</table>
</td><td></td></tr>
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<table>
<tr><th>Policy</th><th>Delivery Body/Mechanism</th><th>Key Delivery Partners</th><th>Delivery Target (how much, when, where)</th><th>Delivery Indicator</th></tr>
<tr><td></td><td></td><td></td><td>CD&E Targets<table><tr><th>Year</th><th>Recyc-ing</th><th>Overall Recovery</th></tr><tr><td>2015/16</td><td>50%</td><td>98%</td></tr><tr><td>2020/21</td><td>50%</td><td>98%</td></tr><tr><td>2025/26</td><td>50%</td><td>98%</td></tr></table>Consider preparing further guidance for developers about how to demonstrate compliance with this policy.</td><td></td></tr>
<tr><td>WMP3c - Production of energy from waste</td><td>ESCC, BHCC, SDNPA

Development of energy recovery facilities only where there is efficient energy capture including recovery of heat and power for local use where possible.

Provision of further guidance for developers to be provided by the Authorities.</td><td>Waste industry

Environment Agency

District/Borough Councils</td><td>100% development involving combustion of waste, or of fuel produced from waste, will include efficient energy recovery, and will contribute positively towards meeting UK targets for obtaining energy from renewable, decentralised, or low carbon sources.

100% of such proposals will investigate benefits for local communities or businesses in terms of supply of local heat and power.</td><td>Data about energy generated (MW) from waste, or fuel produced from waste, from facilities within the Plan Area. Also the split between energy uploaded to the national grid and energy used onsite or locally.

Data about capacity of facilities to recover energy from waste, within the Plan Area.

Data about proposals for using heat from waste facilties, eg district heating schemes.</td></tr>
</table>

Policy	Delivery Body/Mechanism	Key Delivery Partners	Delivery Target (how much, when, where)	Delivery Indicator
WMP3d - Minimising and managing waste during construction, demolition and excavation	ESCC, BHCC, SDNPA, District/Borough Councils Monitor content of Site Waste Management Plans (SWMPs), and Site Waste Minimisation Statements (SWMSs) for all developments requiring planning permission (not just those that involve managing waste or minerals).	Development industry - including architects, project funders, and contractors.	All developments (including non-waste/minerals development) requiring planning permission will take into account the waste hierarchy during construction and demolition activities.	Data on quantity of CDEW being disposed of to landfill and being recycled through permitted waste sites. Number of SWMPs and SWMSs being submitted to local planning authorities.
WMP3e - Waste management in new development	ESCC, BHCC, SDNPA, District/Borough Councils Clear explanation from developers about how the layout and design of proposals takes into account the need for occupiers of the development (households or businesses) to separate waste for recycling.	Development industry - including architects, project funders, contractors. Waste Collection Authorities Waste industry that collect waste from businesses	The layout and design of all new development, particularly non-waste/minerals development, will facilitate separation of household and business waste for recycling, and for collection by the WCA or industry as applicable.	Data about number of bring banks and small-scale community composting sites within the Plan Area. Feedback from WCAs and industry about access for waste collection in development proposals or new developments.
WMP4 - Sustainable provision and use of minerals in the Plan Area	ESCC , BHCC, SDNPA Identification, and where appropriate allocation, of locations for mineral production, processing of secondary minerals, and for recycling of mineral resources.	Minerals industry Environment Agency Landowners	Reduced amount of primary minerals used, and proportional increase in use of secondary or recycled materials. Sufficient primary and secondary aggregates produced over plan period	Data about land-won minerals extracted in the Plan Area or landed at ports within the Plan Area. Data about C&D waste being recycled at permitted waste sites.

<table>
<tr><th>Policy</th><th>Delivery Body/Mechanism</th><th>Key Delivery Partners</th><th>Delivery Target (how much, when, where)</th><th>Delivery Indicator</th></tr>
<tr><td>WMP5 - Provision of built waste facilities to ensure net self-sufficiency</td><td>ESCC, BHCC, SDNPA

Development of net additional recycling and recovery capacity within the Plan Area.

Indicative capacity requirements will be regularly reviewed to minimise risks of under-provision and to avoid any adverse effect of over-provision.

Site Allocations Document will further help guide development of capacity. Until this is adopted, allocations for built facilities in the Waste Local Plan (policies WLP7 and WLP8) will be saved.</td><td>Waste industry

Environment Agency

Landowners</td><td>Provide sufficient capacity for recycling and recovery to support movement up the waste hierarchy. Targets for these are set out in Policy WMP5.

The targets set out in Policy WMP5 are:

Recycling[1] and Composting Capacity Targets (tonnes per annum)
<table><tr><th>Year</th><th>Min</th><th>Max</th></tr><tr><td>2015/16</td><td>0</td><td>80,000</td></tr><tr><td>2020/21</td><td>0</td><td>120,000</td></tr><tr><td>2025/26</td><td>30,000</td><td>170,000</td></tr></table>1: Recycling capacity does not include transfer capacity where unsorted materials are simply bulked up or capacity for recycling of bulk metals

Recovery Targets (tonnes per annum)
<table><tr><th>Year</th><th>Min</th><th>Max</th></tr><tr><td>2015/16</td><td>60,000</td><td>200,000</td></tr><tr><td>2020/21</td><td>80,000</td><td>220,000</td></tr><tr><td>2025/26</td><td>60,000</td><td>220,000</td></tr></table></td><td>Data about the amount of recycling and recovery capacity in the Plan Area, and waste arising within the Plan Area needing to be managed (tonnes per annum).</td></tr>
</table>

Policy	Delivery Body/Mechanism	Key Delivery Partners	Delivery Target (how much, when, where)	Delivery Indicator
			Review yearly the indicative permitted capacities for recovery and recycling/composting and publish via the Annual Monitoring Report. Work on a Site Allocations document will commence within 12 months of adoption of the Plan.	
WMP6 - Safeguarding waste sites	ESCC, BHCC, SDNPA, District/Borough councils Work with local planning authorities to safeguard existing waste capacity in the most appropriate locations.	Waste industry	Maintain and enhance existing waste management capacity. Waste Consultation Areas to be identified in the Waste and Minerals Sites Plan. 100% planning applications to District/Borough Councils involving a loss of waste management capacity or potential loss through prejudicing waste operations, Waste Planning Authority to be consulted on. Planning permissions granted by District/Borough Councils contrary to the advice of the Waste Planning Authority in terms of waste management capacity or prejudice to waste facilities, should be minimised to less than 10%.	Data about the amount of existing and permitted waste management capacity. Monitor planning permissions granted by District/Borough Councils contrary to WPA advice about required waste management capacity.

Policy	Delivery Body/Mechanism	Key Delivery Partners	Delivery Target (how much, when, where)	Delivery Indicator
WMP7a - Sustainable locations for waste development (excluding land disposal)	ESCC, BHCC, SDNPA Strategic waste facilities developed in the most sustainable locations. Site searches should look first to the Areas of Focus but there may also be acceptable sites elsewhere for sustainability reasons.	Waste industry Waste disposal authorities	All proposals for strategic facilities to be located consistent with the spatial strategy identified in the Plan, and in the majority of cases consistent with the Areas of Focus in the Key Diagram. Contingency - if monitoring for policy WMP5 shows insufficient capacity being developed then Areas of Focus and criteria may need to be reviewed.	Locations of new waste management capacity.
WMP7b - More detailed criteria for Waste Development	ESCC, BHCC, SDNPA Strategic waste facilities developed in the most sustainable locations.	Waste industry Minerals industry	Strategic facilities located consistent with the approach identified in the Plan.	Locations of waste facilities consistent with policy.
WMP8a - Land disposal of non-inert waste	ESCC, BHCC, SDNPA, other waste planning authorities within a reasonable distance from the Plan Area. Work with partners at other waste planning authorities to make most efficient use of existing permitted capacity for non-inert landfill. Residual waste managed at existing permitted sites.	Environment Agency Waste industry Waste Disposal Authorities	Need for disposal of waste to land will be minimised, and recovery increased. Safeguard capacity at Pebsham landfill and utilise capacity of non-inert waste landfill or landraise outside of the Plan Area.	Data on amount of waste to landfill within the Plan Area and exported to other areas. Monitor remaining capacity at Pebsham, and at land disposal sites within a reasonable distance from the Plan Area.

Policy	Delivery Body/Mechanism	Key Delivery Partners	Delivery Target (how much, when, where)	Delivery Indicator
WMP8b - Deposit of inert waste on land for beneficial purposes	ESCC, BHCC, SDNPA, District/Borough Councils Where land disposal is necessary then work with partners to maximise benefits to environment and communities.	Environment Agency Waste Industry Natural England Landowners	All proposals for disposal of inert waste to land should have demonstrable environmental and/or community benefits. District/Borough Councils to consult Waste Planning Authority on proposals for ancillary engineering which are exempt from the requirement for an Environmental Permit.	Data about new permissions for deposit of inert waste to land. Data about local authority or Environment Agency enforcement cases regarding deposit of inert waste.
WMP8c - Management of landfill gas	ESCC, BHCC, SDNPA	Environment Agency Waste Industry / landfill site operators	All existing and closed landfills will have active gas management as appropriate.	Number of landfill sites with active gas management. Amount of heat/energy produced from captured landfill gas (MW).
WMP9a - Hazardous waste	ESCC, BHCC, SDNPA Existing hazardous waste management capacity safeguarded in the most appropriate locations. Hazardous waste exported for management where appropriate.	Waste industry Environment Agency District/Borough councils	Development of additional capacity specified in policy. Quantity of imported hazardous waste does not exceed that of exported waste.	Hazardous waste arisings, imports, management routes and management capacity within the Plan Area. For wastes where there is no specialist facility within the Plan Area, monitor capacity at facilities outside of the Plan Area.

Policy	Delivery Body/Mechanism	Key Delivery Partners	Delivery Target (how much, when, where)	Delivery Indicator
WMP9b - Low level radioactive waste	ESCC, BHCC, SDNPA LLRW exported for management where appropriate. The authorities will continue to proactively engage with waste producers and waste operators in the Plan Area. More definitively establish trends; consider requirements of any future emerging national strategy for the management of LLW waste streams.	Waste producers and operators.	Adequate capacity available to manage anticipated LLW waste arisings within the Plan Area, as appropriate according to capacity data at that time. Existing waste management capacity safeguarded in the most appropriate locations.	Data about LLW arisings, imports, management routes, and management capacity within and beyond the Plan Area.
WMP10 - Management of wastewater and sewage sludge	ESCC, BHCC, SDNPA Potential sites for additional capacity will be informed by studies undertaken by the EA, Southern Water and Wealden District Council, and will be considered through the Site Allocations document.	Southern Water Environment Agency Natural England Wealden District Council	Work on a Site Allocations document will commence within 12 months of adoption of the Plan. Infrastructure requirements to be recognised in all relevant Infrastructure Delivery Plans	Data about waste water and sewage sludge treatment capacity, and demand
WMP11 - Provision of aggregates	ESCC, BHCC, SDNPA Safeguarding existing permissions Mineral Sites Document	Landowners Minerals operators Port authorities District/Borough Councils Neighbouring Minerals Planning Authorities	Sufficient land-won permissions to meet the apportionment - 0.1mtpa production of sand and gravel. Maintain a landbank of at least 7 years of planning permission for the extraction of sand and gravel.	Annual supply of land won and marine aggregates. Annual monitoring of wharf status (active or redundant) and capacity. Annual monitoring of landbank for sand and gravel.

Policy	Delivery Body/Mechanism	Key Delivery Partners	Delivery Target (how much, when, where)	Delivery Indicator
			Maintenance of sufficient supplies of marine dredged and crushed rock imports through the three ports in the Plan area to meet local and regional need. Net wharf capacity is not lost to alternative, non-mineral uses. Work on a Waste and Minerals Sites Plan will commence within 12 months of adoption of the Plan.	
WMP12 - Provision of gypsum	ESCC Work with partners to safeguard and extend lifespan of land-won reserves and infrastructure including railway line.	Landowners British Gypsum Construction industry District/Borough councils.	Maintain a permitted reserve of underground gypsum at the Robertsbridge works sufficient to last at least 20 years at current production rates. Maintain adequate supples of gypsum to enable production at the plasterboard factory over the Plan period.	Data about remaining reserves and demands for the plasterboard factory.
WMP13 - Provision of clay	ESCC Implement extensions or the extraction of further reserves within the site	Landowners Brick clay industry	Identification of available clay, sufficient for the next 25 years. Retention of existing sites and continued manufacturing of bricks at these sites.	Data about remaining reserves and demands from brickworks.
WMP14 - Safeguarding resources	ESCC, BHCC, SDNPA Safeguarding of land-won resources and identifying consultation areas.	District/Borough councils. Minerals industry Environment Agency	No viable resources sterilised. Work on a Waste and Minerals Sites Plan (to include Minerals Consultation Areas around	Number of applications for built development on safeguarded or consultation areas

Policy	Delivery Body/Mechanism	Key Delivery Partners	Delivery Target (how much, when, where)	Delivery Indicator
		Natural England	permitted sites,) will commence within 12 months of adoption of the Plan.	
WMP15 - Safeguarding railheads and wharves	ESCC & BHCC Identify and safeguard sites and capacities at wharves and railheads.	District/Borough councils and regeneration area partners Port Authorities Minerals industry Waste industry Network Rail	No net loss of wharf/rail capacity in any Port in the Plan Area.	Annual monitoring of wharf status (active or redundant) and existing rail sidings/tracks. Number of applications for built development on safeguarded wharves/rail sidings.
WMP16 - Oil and Gas	ESCC, BHCC, SDNPA	Oil and Gas industry National Government Natural England Environment Agency	All proposals should meet the appraisal sequence of the Plan. No detrimental impact to the AONB or any other environmentally sensitive designated site caused by this type of development. Viable resources developed to align with national policy.	Amount of oil/gas produced within the Plan Area.
WMP17 - Restoration	ESCC, BHCC, SDNPA Review of inactive and dormant minerals permissions where reopening could have an unacceptable impact. Seek high quality restoration and after-uses of waste and minerals sites.	Minerals Industry Waste industry Natural England Environment Agency	All new proposals for waste or minerals development to include plans for high quality restoration.	Monitoring of ROMPs. Reduced number of inactive or dormant minerals sites which if re-opened could have an unacceptable adverse impact.

Policy	Delivery Body/Mechanism	Key Delivery Partners	Delivery Target (how much, when, where)	Delivery Indicator
				Completion of restoration of sites in compliance with agreed plans.
WMP18 - Transport - road, rail and water	ESCC, BHCC, SDNPA Work with partners to safeguard capacity of rail and wharf facilities for movement of waste/minerals. Where waste or recyclable materials are being transported longer distances to facilities outside of the Plan Area, work with partners of adjoining planning authorities to identify opportunities to reduce road transport (and increase rail/water transport which may be more viable where longer distances are involved). Clear explanation from developers to show how the development has sought to minimise necessary road movements, and how alternatives to road transport have been considered. Site specific issues to be addressed in Site Allocations document.	Minerals industry Waste industry District/borough councils Network Rail Port Authorities Adjoining planning authorities	All proposals to include an evaluation of transport options and seek to minimise road movements.	Annual monitoring of capacity on rail network for freight, and of wharves. Tonnages of waste/minerals diverted from road transport (or equivalent in terms of lorry movements to/from the site which have been saved).
WMP19 - Co-location of complementary facilities	ESCC, BHCC, SDNPA, and other local planning authorities. Work with partners to encourage associated activities (including non-waste/minerals developments) to	Waste industry Minerals industry Reprocessing industries	All proposals involving co-location to clearly set out the benefits. Operational efficiencies for businesses handling waste or related products, or minerals.	Increasing proportion of facilities co-located over the Plan period, with corresponding sustainability benefits.

Policy	Delivery Body/Mechanism	Key Delivery Partners	Delivery Target (how much, when, where)	Delivery Indicator
	be located close together where there are sustainability benefits such as transport or environmental.			
WMP20 - Community involvement and benefits	Waste industry Minerals industry Local communities and representative groups Industry to engage with host communities more effectively and at earlier stages of development proposals, where applicable.	ESCC, BHCC, SDNPA	Greater engagement by industry with host communities and at earlier stages. Reduced anxiety and mis-understanding for local communities about waste/minerals development proposals. Reduced negative experiences and increased positive benefits secured.	Content of comments received from communities during consultations on planning documents and on planning applications. Proposals incorporate design solutions that provide more mutually-beneficial outcomes for local communities.
WMP21 - Opportunities for sustainable waste management and minerals production in other developments	ESCC, BHCC, SDNPA, and other local planning authorities. Work with developers to ensure opportunities for incorporating waste management into 'large scale' developments are considered.	Development industry (including non-waste/minerals)	Greater awareness in the wider development industry and planning authorities of the opportunities for incorporating waste management or minerals production into large scale proposals for other types of developments. More efficient waste or minerals developments, designed into non-waste/minerals developments from earlier stages and more efficiently rather than being add-ons.	Number of consultations with developers and with other local planning authorities dealing with large scale non-waste/minerals developments, about incorporating waste or minerals management into developments.

Policy	Delivery Body/Mechanism	Key Delivery Partners	Delivery Target (how much, when, where)	Delivery Indicator
			More efficient use of the limited supply of employment sites, especially industrial areas, within the Plan Area.	
WMP22 - Expansion and alterations to waste facilities	ESCC, BHCC, SDNPA Encourage alterations to existing facilities where it will support more sustainable waste management and movement up the waste hierarchy	Waste industry Environment Agency	Increased waste management capacity in the Plan Area by making most efficient use of existing sites.	Number of proposals involving existing facilities. Annual monitoring report data about capacity for recycling and recovery in the Plan Area.
WMP23a - Design principles for built waste facilities	ESCC, BHCC, SDNPA Encourage all proposals to be of high quality design.	Waste industry Waste disposal authorities (for contract facilities) Environment Agency	All proposals for new waste facilities to be of high quality design - including taking into account visual aspects and sustainable construction and operation of the facility.	Objections to proposals about design aspects. Refusals of planning permission for design reasons.
WMP23b - Operation of sites	ESCC, BHCC, SDNPA Industry to prepare statements about proposed construction and operation of sites.	Waste/minerals industry and their contractors involved in construction Environment Agency	100% of proposals for new waste/minerals developments to include a statement or programme about construction and operation of the site. Reduced anxiety and mis-understanding for local communities about waste/minerals development proposals.	Content of comments received from communities living close to waste/minerals facilities, during consultations on planning documents and on planning applications. Ongoing monitoring of conditions.

Policy	Delivery Body/Mechanism	Key Delivery Partners	Delivery Target (how much, when, where)	Delivery Indicator
WMP24a - Climate change	ESCC, BHCC, SDNPA Industry to prepare statement accompanying proposals to explain how it takes into account mitigation and adaptation to climate change.	Waste/minerals industry	100% of proposals for waste/minerals management, including restoration proposals, to include a statement. All development to continue to take account of climate change during lifetime of the development. Reduced greenhouse gas emissions from waste/minerals development.	Ongoing monitoring of conditions on waste/minerals developments. Depends on the specific measures proposed for the development, one example could be annual MW of renewable energy.
WMP24b - Resource and energy	ESCC, BHCC, SDNPA Industry to prepare statement accompanying proposals about efficient use of resources and energy within the development.	Waste/minerals industry Renewable energy suppliers	100% of proposals for waste/minerals management to include a statement. All development to use energy and resources efficiently during lifetime of the development.	Annual tonnages of carbon offset by waste facilities. Data about waste generated from operational processes at waste/minerals facilities.
WMP25 - General amenity	ESCC, BHCC, SDNPA Industry to address protection of amenity in proposals.	Waste/minerals industry Environment Agency Air Quality Partnership District/Borough Councils regulatory roles, such as Environmental Health	Reduced anxiety for local communities about waste/minerals development proposals. Fewer complaints or requests for enforcement action.	Ongoing monitoring of conditions on waste developments. Enforcement cases or complaints about amenity impacts of waste/minerals developments.

Policy	Delivery Body/Mechanism	Key Delivery Partners	Delivery Target (how much, when, where)	Delivery Indicator
WMP26 - Transport	ESCC, BHCC, SDNPA Industry to address transport considerations in proposals.	Waste/minerals industry Highways Agency Local Highways Authorities	Reduced anxiety for local communities about waste/minerals development proposals. Fewer complaints or requests for enforcement action. Minimal impact on other road users from waste/minerals-related traffic.	Ongoing monitoring of conditions on waste developments. Enforcement cases or complaints about transport related to waste/minerals developments.
WMP27 - Environment	ESCC, BHCC, SDNPA Industry to address environmental protection in proposals.	Waste/minerals industry Environment Agency Natural England	Proposals should minimise environmental impacts where possible and mitigate where necessary. Overall maintenance, and where possible enhancement, of environmental assets in the Plan Area.	Ongoing monitoring of conditions on waste developments. Enforcement cases or complaints about environmental assets related to waste/minerals developments.
WMP28a - Flood risk	ESCC, BHCC, SDNPA Industry to address minimising flood risk in proposals.	Waste/minerals industry Environment Agency	All proposals for new development to take into account flood risk and to be located in the area of of lowest flood risk practicable. Locations to be consistent with Environment Agency advice on flood risk grounds.	Planning permissions granted contrary to advice of Environment Agency on flood risk grounds. Updates to the mapping of the locations of waste/mineral developments and the flood risk vulnerability of the use.

Policy	Delivery Body/Mechanism	Key Delivery Partners	Delivery Target (how much, when, where)	Delivery Indicator
WMP28b - Groundwater and water quality	ESCC, BHCC, SDNPA Industry to address water quality protection in proposals.	Waste/minerals industry Environment Agency Southern Water	Development to have no unacceptable negative impact on water quality.	Planning permissions granted contrary to advice of Environment Agency on water quality grounds. Environment Agency monitoring/enforcement cases related to water quality in Plan Area.

8 Saved policies

Saved Policies

8.1 The following policies will **not** be replaced by the new Waste and Minerals Plan and are therefore still saved until replaced by subsequent development plan documents, including the Waste and Minerals Sites Plan. The adopted Waste Local Plan (2006)[93] and Minerals Local Plan (1999) [94] can be found on the Councils' websites.

Waste Local Plan:

8.2 **WLP7 Site Specific Allocation for Road to Rail Transfers**, which identifies Sackville Coalyard, Hove;

8.3 **WLP8 Site Specific Allocations for Material Recovery Facilities/Waste Transfer Stations**, which identifies sites at:

- Hangleton Bottom
- Hollingdean Depot (this area has been partially developed for a MRF and WTS)
- Bellbrook Industrial Estate
- Land at Tutts Barm
- Pebsham

8.4 **WLP9 Site Specific Allocation for Energy from Waste and Materials Recovery Facilities**, which identifies North Quay (this area has been partially developed for an Energy Recovery Facility);

8.5 These policies will be reviewed through the process of preparing the Waste and Minerals Sites Plan, work on which is due to commence after the Waste & Minerals Plan has been adopted.

Minerals Local Plan:

8.6 Subject to ongoing reviews of mineral sites under the Habitats Regulations, the following sites policies are still saved until replaced by subsequent development plan documents, including the Waste and Minerals Sites Plan.

8.7 **Policy 3 and Policy 4**.[95]

8.8 **Policy 32** Safeguarding

8.9 **Policy 36** Review of Sites

8.10 All the sites that benefit from planning consent will be reviewed between 2012 and 2017 under the Environment Act 1990. There will be a separate Review of Consents under the Habitats Regulations (consolidated), once the proposed Dungeness to Pett Level SPA and Ramsar site is designated by the Secretary of State (as recommended by Defra).

93 http://www.brighton-hove.gov.uk/index.cfm?request=a800
94 http://www.eastsussex.gov.uk/environment/planning/development/mineralsandwaste/mineralslocalplan.htm
95 There is no further access to resource at Sovereign Harbour, and Scotney Court Extension and Wall Farm have planning permission.

Replaced Policies

9.1 Waste Local Plan and Minerals Local Plan policies are replaced by the Waste and Minerals Plan as follows:

Replacement of policies in the Waste Local Plan

Waste Local Plan policy		Waste & Minerals Plan policy/ies	
WLP1	The Plan's Strategy	WMP 3	Implementing the Waste Hierarchy
		WMP 3a	Promoting waste prevention, re-use and waste awareness
		WMP 5	Provision of built waste facilities
		WMP 7a	Sustainable locations for waste development
		WMP 7b	Detailed criteria
		WMP 18	Transport
		WMP 19	Co-location
WLP2	Transport Strategy	WMP 18	Transport
		WMP 26	Traffic impacts
		WMP 24a	Climate Change
WLP3	Areas of Outstanding Natural Beauty	WMP 2	South Downs National Park
		WMP 7a	Sustainable locations for waste development
		WMP 27	Environment and Environmental Enhancement
WLP4	Road to rail or water transfer	WMP 6	Safeguarding waste sites
		WMP 15	Safeguarding wharves and railheads
		WMP 18	Transport
WLP5	Safeguarding sites	WMP 6	Safeguarding waste sites
WLP6	Expansions or alterations to existing facilities	WMP 22	Expansion and alterations to waste facilities
WLP10 a,b	Site specific allocations for waste disposal to land	WMP 8a	Land disposal of non-inert waste

9 Replaced policies

Waste Local Plan policy		Waste & Minerals Plan policy/ies	
WLP11	Reduction, re-use and recycling during demolition and design, and construction of new developments	WMP 3d	Minimising and managing waste during construction, demolition and excavation
		WMP 23a	Design of waste and minerals development: design principles
		WMP 23b	Operation of sites
		WMP 24a	Climate change
WLP12	Recycling as part of major development	WMP 21	Opportunities for waste management and minerals production in other development
WLP13	Recycling, transfer and materials recovery facilities	WMP 7a	Sustainable locations for waste development
		WMP 7b	Detailed criteria
WLP14	Recycling and recovery facilities for construction and demolition waste	WMP 7a	Sustainable locations for waste development
		WMP 7b	Detailed criteria
WLP15	Small Scale recycling / bring banks	WMP 3b	Turning waste into a resource
		WMP 3e	Provision for waste in new development
WLP16	household waste sites	WMP 3e	Provision for waste in new development
		WMP 7a	Sustainable locations for waste development
WLP17	Reprocessing industries	WMP 3	Implementing the waste hierarchy
		WMP 3b	Turning waste into a resource
WLP18	Composting facilities	WMP 7a	Sustainable locations for waste development
		WMP 7b	Detailed criteria
		WMP 23a	Design of waste and minerals development: design principles
WLP19	Energy from waste facilities	WMP 3c	Production of energy from waste

Replaced policies 9

Waste Local Plan policy		Waste & Minerals Plan policy/ies	
		WMP 7a	Sustainable locations for waste development
		WMP 7b	Detailed criteria
		WMP 23a	Design of waste and minerals development: design principles
		WMP 24a	Climate change
WLP20	Landfilling - non-inert waste	WMP 8	Land disposal
WLP21	Landraising - non-inert waste	WMP 8	Land disposal
WLP22	Landfill gas	WMP 8c	Management of landfill gas
WLP23	Landfilling - inert waste	WMP 8b	Deposit of inert waste for beneficial uses
WLP24	Landraising/improvement with inert waste	WMP 8b	Deposit of inert waste for beneficial uses
WLP25	Landfill mining	WMP 3	Implementing the waste hierarchy
		WMP 27	Environment and heritage
		WMP 28b	Groundwater
WLP26	Mineral waste	WMP 3d	Minimising and managing waste during construction, demolition and excavation
		WMP 4	Sustainable provision and use of minerals
		WMP 19	Co-location of complementary facilities
WLP27	Special and difficult wastes	WMP 7a	Sustainable locations for waste development
		WMP 7b	Detailed criteria
		WMP 9a	Hazardous waste
		WMP 9b	Low level radioactive waste
WLP28	Onsite clinical waste facilities	WMP 7a	Sustainable locations for waste development
		WMP 7b	Detailed criteria
		WMP 9a	Hazardous waste

9 Replaced policies

Waste Local Plan policy		Waste & Minerals Plan policy/ies	
		WMP 9b	Low level radioactive waste
WLP29	Independent clinical waste facilities	WMP 7a	Sustainable locations for waste development
		WMP 7b	Detailed criteria
		WMP 9a	Hazardous waste
		WMP 9b	Low level radioactive waste
WLP30	Wastewater and sewage sludge	WMP 10	Management of waste water and sewage sludge
WLP30A	Wastewater and sewage sludge (Brighton & Hove/Peacehaven catchment)	Facility is under development. Policy not to be replaced	
WLP31	Disposal of liquid waste and dredgings on land for its improvement	WMP 8	Land disposal
WLP32	Liquid Waste facilities	WMP 9	Hazardous waste
WLP33	Agricultural and stable wastes	WMP 3	Implementing the waste hierarchy
WLP34	Animal carcass waste	WMP 3	Implementing the waste hierarchy
WLP35	General amenity considerations	WMP 23a	Design of waste and minerals development: design principles
		WMP 25	Amenity
		WMP 27	Environment and Environmental Enhancement
WLP36	Transport considerations	WMP 18	Transport
		WMP 26	Traffic impacts
WLP37	Flood defences, flood plains and surface water runoff	WMP 28a	Flood risk
WLP38	Surface and groundwater	WMP 28b	Groundwater
WLP39	Design considerations	WMP 23a	Design of waste and minerals development: design principles
		WMP 25	Amenity
		WMP 27	Environment and heritage

Replaced policies 9

Waste Local Plan policy		Waste & Minerals Plan policy/ies	
WLP40	Environmental improvements and other benefits	WMP 3c	Production of energy from waste
		WMP 20	Community involvement and benefits
		WMP 24a	Climate change

Replacement of policies in the Minerals Local Plan

Minerals Local Plan policy		Waste & Minerals Plan policy/ies	
1	General Approach	WMP 4	Sustainable Provision and Use of Minerals Overarching Policies DM policies
2	Future Provision of Aggregates	WMP 11	Provision of Aggregates
3	Sites for the provision of sand and gravel extraction	Not replaced. Updated approach set out in Policy WMP14, but policy will not be replaced until production of the Mineral Sites DPD.	
4	Preferred Areas and Areas of Search	Not replaced. Updated approach set out in Policy WMP14, but policy will not be replaced until production of the Mineral Sites DPD.	
5	Outside the Areas of Search and Preferred Areas		
6	Extraction of aggregates at Broomhill North, Scotney Court extension and Wall farm	WMP 4 WMP 11 WMP 18	Sustainable Provision and Use of Minerals Provision of Aggregates Transport (waste and minerals) DM policies
7	Rye Harbour	Not replaced	
8	Shoreham	WMP 15 WMP 18	Safeguarding wharves and Railheads Transport (waste and minerals)

9 Replaced policies

Minerals Local Plan policy		Waste & Minerals Plan policy/ies	
9	Newhaven	WMP 15	Safeguarding wharves and Railheads
		WMP 18	Transport (waste and minerals)
10	Rail transport from Newhaven	WMP 15 WMP 18	Safeguarding wharves and Railheads Transport - Road, Rail and Water
11	Rye	WMP 15 WMP 18	Safeguarding wharves and Railheads Transport (waste and minerals)
12	Mountfield Coated Roadstone Plant	WMP 12 WMP 18	Provision of Gypsum Transport - Road, Rail and Water
13	Rail Depots	WMP 18	Transport - Road, Rail and Water Overarching Policies DM policies
14	Recycling Material	WMP 3	Implementing the waste hierarchy Overarching Policies DM policies
15	Existing Clay Sites	WMP 13	Provision for Clay
16	New Clay sites	WMP 13	Provision for Clay Overarching Policies DM policies
17	Future Clay Reserves	WMP 4 WMP 13	Sustainable Provision and Use of Minerals Provision for Clay
18	Clay working in the AONB	WMP 13	Provision for Clay

Replaced policies 9

Minerals Local Plan policy		Waste & Minerals Plan policy/ies	
			Overarching Policies DM policies
19	Ashdown Brickworks (clay extraction)	WMP 13 WMP18	Provision for Clay Transport - Road, Rail and Water Overarching Policies DM policies
20	Chalk	WMP 4 WMP 2	Sustainable Provision and Use of Minerals South Downs National Park DM policies
21	Tarring Neville	WMP 4	Sustainable Provision and Use of Minerals DM policies
22	Filching Quarry restoration	WMP 17	Restoration Overarching Policies DM policies Waste policies
23	Meeching Quarry		Not replaced, not saved
24	Cement Manufacture	WMP 4 WMP 2	Sustainable Provision and Use of Minerals South Downs National Park Overarching Policies DM policies
25	Chalk for construction fill	WMP 4	Sustainable Provision and Use of Minerals

9 Replaced policies

Minerals Local Plan policy		Waste & Minerals Plan policy/ies	
			DM policies
26	Gypsum	WMP 12	Provision of Gypsum Overarching policies
27	Restoration and management around Robertsbridge and the Brightling Mine	WMP 17	Restoration Overarching Policies DM policies
28	Retention of rail link at Robertsbridge	WMP 18	Transport- Road, Rail and Water
29	Plasterboard Manufacturing and recycling	WMP 12	Provision of Gypsum Waste recycling policies
30	Hydrocarbons	WMP 16	Oil and Gas Overarching Policies DM policies
31	Development Control- Environmental Assessment		Overarching Policies DM policies
32	Safeguarding	Updated approach set out in Policy WMP14, but policy will not be replaced until production of the Mineral Sites DPD.	
33	Breaches of planning control	Not replaced	
34	Restoration	WMP 17	Restoration Overarching policies DM policies
35	After-use	WMP 17	Restoration Overarching policies DM policies

Replaced policies 9

Minerals Local Plan policy		Waste & Minerals Plan policy/ies
36	Review of Sites	Not replaced

Glossary

Glossary

Aggregates – sand, gravel, crushed rock that is used in the construction industry to make things like concrete, mortar, drainage, and asphalt. For secondary or recycled aggregates, see below.

Agricultural waste – waste from a farm or market garden such as pesticide containers, tyres, and old machinery.

Annual Monitoring Report (AMR) – document which monitors the implementation of planning policies in the Waste Local Plan and Minerals Plan and will monitor the implementation policies in the Waste and Minerals Local Plan, once adopted. It also monitors progress in meeting the milestones in the Minerals and Waste Development Scheme.

Apportionment – the allocation between minerals and waste authorities of the regional amount of required mineral production or quantities of waste to be managed, for a particular period of time. These requirements are set out in the South East Plan.

Area of Outstanding Natural Beauty (AONB) – area with a statutory national landscape designation, the primary purpose of which is to conserve and enhance natural beauty.

Area of search - a broad geographic area within which a site, on which a waste management facility could be developed, could be found which is more likely to be acceptable than a site which is identified outside of the area.

Biodegradable – materials that can be broken down by naturally-occurring micro-organisms. Examples include food, garden waste and paper.

Biodiversity Action Plan (BAP) - strategy prepared by the Local Planning Authority together with nature conservation organisations to aimed at protecting and enhancing the biological diversity.

Biological Diversity / Biodiversity - The variety of life including plants, animals and micro-organisms, ecosystems and ecological processes.

Built waste facilities - There are waste management facilities that treat or transfer (bulk up) waste rather than landfill it. Treatment includes recycling or other recovery, the most common kinds of built waste facilities involve Materials Recovery (screening and sorting), stockpiling materials, Anaerobic Digestion, Mechanical Biological Treatment or Energy Recovery Facilities. The size and scale, and therefore the appearance, of buildings housing waste management facilities varies depending on the type of facility and the quantity of waste being managed.

Commercial and Industrial waste (C&I) - waste produced by business and commerce, and includes waste from restaurants, offices, retail and wholesale businesses, and manufacturing industries.

Composting – the breaking down of organic matter aerobically (in presence of oxygen) into a stable material that can be used as a fertiliser or soil conditioner.

Glossary

Construction, Demolition and Excavation waste (CDEW) - Waste arising from the construction and demolition of buildings and infrastructure. Materials arising in each of the three streams (i.e. Construction; Demolition; Excavation) are substantially different: construction waste being composed of mixed non inert materials e.g. timber off cuts, plasterboard, metal banding, plastic packaging; demolition waste being primarily hard materials with some non inert content e.g. bricks, mortar, reinforced concrete; and excavation waste being almost solely soft inert material e.g. soil and stones.

Development Plan Documents (DPDs) - Spatial planning documents that are subject to independent examination. They will have 'development plan' status.

Dormant mineral site -a site defined by the Environment Act 1995 as "dormant" where 'no minerals development has been carried out to any substantial extent in, on or under the site at any time in the period from 22 February 1982 to 6 June 1995'. Mineral working cannot take place at a dormant site unless full modern planning conditions have been submitted and approved by the Minerals Planning Authority.

End of Life Vehicles (ELV) - these are vehicles that have reached the end of their life and therefore require scrapping. Their management is specifically covered by the End of Life Vehicle Directive which aims to reduce the amount of waste produced from vehicles when they are scrapped.

Energy recovery – covers a number of established and emerging technologies, though most energy recovery is through incineration technologies. Many wastes are combustible, with relatively high calorific values – this energy can be recovered through processes such as incineration with electricity generation, gasification or pyrolysis.

Environment Agency (EA) – Government agency that aims to protect and improve the environment.

Environmental Impact Assessment (EIA) - study to evaluate the likely environmental impacts of a development, together with an assessment of how the severity of the impacts could be reduced. The EIA is prepared by and is the responsibility of the applicant and the resulting documentation is termed an 'Environmental Statement'.

Greenfield site – site previously unaffected by built development.

Greenhouse gases – gases such as methane and carbon dioxide that contribute to climate change.

Groundwater - water held in water-bearing rocks, in pores and fissures underground.

Hazardous waste - waste that may be hazardous to humans and that requires specific and separate provision for dealing with it.

In-vessel Composting - is a form of composting biodegradable waste that occurs in enclosed containers. These generally consist of metal tanks or concrete bunkers in which air flow and temperature can be controlled.

Glossary

Inactive mineral site - Where mineral working has taken place under an extant planning permission but has ceased working for a period of time, e.g. the site has been 'mothballed' for commercial and/or economic reasons.

Incineration – burning of waste at high temperatures under controlled conditions. This results in a reduction bulk and may involve energy reclamation. Produces a burnt residue or 'bottom ash' whilst the chemical treatment of emissions from the burning of the waste produces smaller amounts of 'fly ash'.

Inert waste - waste that does not normally undergo any significant physical, chemical or biological change when deposited at a landfill site. It may include materials such as rock, concrete, brick, sand, soil or certain arisings from road building or maintenance.

Issues and Options – the first formal stage in preparing a Development Plan Document. Identifies and gathers information on key issues, and considers various options for addressing those issues.

Land disposal - Collective term for landfill and landraise.

Landbank - the reserve of unworked minerals, which may be identified or for which planning permission has been granted. Can include dormant sites or currently non-working sites and can be expressed in weight, time or area e.g. 'the operator has a landbank of only 5 years for gravel extraction'.

Landfill– permanent disposal of waste into the ground by the filling of man-made voids or similar features.

Landfill gas – gas generated by the breakdown of biodegradable waste within landfill sites. Consists mainly of methane and carbon dioxide.

Landfill tax – tax charged per tonne of waste disposed of at land disposal sites.

Landraise - disposal of waste material on greenfield sites, resulting in the raising of the ground level.

Local Authority Collected Waste (LACW) – formally known as Municipal Solid Waste (MSW), waste that is collected by a waste collection authority. The majority is household waste, but also includes waste from municipal parks and gardens, beach cleansing, cleared fly-tipped materials and some commercial waste.

Local Development Scheme – the programme for the preparation of a planning authority's Development Plan Documents.

Localism Act - Received Royal Assent on 15 November 2011. The Act shifts power from central government back into the hands of individuals, communities and councils. The Act proposes changes to the planning system.

Marine aggregates – aggregates sourced by dredging from the sea bed.

Marine borne material - minerals imported by sea from other areas.

Glossary

Mineral Consultation Areas - areas of potential mineral resource where district and borough planning authorities should notify the County Council if applications for development come forward. This should prevent mineral resource being lost ('sterilised').

Mineral Safeguarding Areas - areas of known mineral resource that are of sufficient economic or conservation value (such as building stones) to warrant protection for the future.

Mineral Local Plan (1999) – a statutory development plan that includes saved policies in relation to minerals within the minerals planning authority (unitary or county council).

Minerals Planning Authority – the planning authority responsible for planning control of minerals development.

Mitigation measures – actions to prevent, avoid, or minimise the actual or potential adverse affects of a development, plan, or policy.

Municipal Solid Waste (MSW) - See entry for 'Local Authority Collected Waste (LACW)'.

National Park - A protected area designated by Natural England, under the National Parks and Access to the Countryside Act 1949 (as amended). The statutory purposes of National Parks are to conserve and enhance the natural beauty, wildlife and cultural heritage of the area; and to promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public.

Natural England - independent public body whose purpose is to protect and improve England's natural environment.

Non-inert waste - Waste that is potentially biodegradable or may undergo any significant physical, chemical or biological change when deposited at a landfill site. Sometimes referred to as 'non-hazardous waste'.

Oil/gas exploration - Following identification by survey of a sub-surface geological feature of interest, the drilling of a borehole to determine firstly whether or not oil and/or gas are present and secondly the likely size of any resources discovered. Drilling is the only known method of determining the presence of oil or gas.

Options Testing Dialogue (OTD) - The process through which the Councils discussed and 'tested' revised waste and minerals issues and options with key stakeholders between September and December 2008.

Plan Area - The geographical area covered by this Plan.

Planning permission - formal consent given by the local planning authority to develop and use land.

Primary aggregates – naturally-occurring mineral deposits that are used for the first time.

Ramsar site - wetlands of international importance, designated under the Ramsar Convention, an international agreement signed in Ramsar, Iran, in 1971.

Glossary

Recovery - obtain value from wastes through one of the following means recycling, composting or energy recovery.

Recycled aggregates - are derived from reprocessing waste arisings from construction and demolition activities (concrete, bricks, tiles), highway maintenance (asphalt planings), excavation and utility operations. Examples include recycled concrete from construction and demolition waste material, spent rail ballast, and recycled asphalt.

Recycling - the processing of waste materials into new products to prevent waste of potentially useful resources. This activity can include the physical sorting of waste which involves separating out certain materials from mixed waste.

Recovery - 'Recovery' refers to waste treatment processes such as anaerobic digestion, energy recovery via direct combustion, gasification, pyrolysis or other technologies. These processes can recover value from waste, for instance by recovering energy or compost, in addition they can reduce the mass of the waste and stabilise it prior to disposal. The definition of recovery set out in the EU Waste Framework Directive applies which states: " 'recovery' means any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy."

Residual waste – refers to the material that remains after the process of waste treatment has taken place, that cannot practicably be recycled, composted or recovered any further.

Restoration - methods by which the land is returned to a condition suitable for an agreed after-use following the completion of waste or minerals operations.

Secondary aggregates - recycled material that can be used in place of primary aggregates. Usually a by-product of other industrial processes. Examples include blast furnace slag, steel slag, pulverised-fuel ash (PFA), incinerator bottom ash, furnace bottom ash, recycled glass, slate aggregate, china clay sand, colliery spoil.

Sewage sludge - the semi-solid or liquid residue removed during the treatment of waste water.

Soundness – in accordance with national planning policy, local development documents must be 'soundly' based in terms of their content and the process by which they were produced. They must also be based upon a robust, credible evidence base. There are tests of soundness which must be passed in order for a document to be found 'sound'.

South East Plan – the Regional Spatial Strategy for the South East region, published in 2009. The Government has indicated its intention to abolish Regional Spatial Strategies through the Localism Bill

Special Area of Conservation (SAC) - designation made under the Habitats Directive to ensure the restoration or maintenance of certain natural habitats or species.

Special Protection Area (SPA) – designation made under the Birds Directive to conserve the habitats of certain threatened species of birds.

Glossary

Statutory consultee - Organisations with which the local planning authority must consult with on the preparation of plans or in determining a planning application. Include the Environment Agency, Natural England and English Heritage.

Sustainability Appraisal - a tool for appraising policies to ensure they reflect sustainable development objectives. The Planning and Compulsory Purchase Act requires a sustainability appraisal to be undertaken for all development plan documents.

Sustainable Community Strategy – statutory strategy for promoting the economic, social and environmental well-being of the area. Prepared through partnership working between statutory sector providers, the community and voluntary sector, businesses, residents and the local authority.

Sustainable development – various definitions, but in its broadest sense it is about ensuring well-being and quality of life for everyone, now and for generations to come, by meeting social and environmental as well as economic needs.

Transfer station - facility where waste is bulked up before being transported to another facility for further processing.

Waste and Minerals Development Framework (WMDF) – former term used to describe the suite of Development Plan Documents and other items prepared by Waste and Minerals Planning Authorities, that outline the planning strategy for waste and minerals for the local area. Now replaced with the term Waste and Minerals Local Plan.

Waste & Minerals Plan - the DPD that sets out the long-term spatial vision for the area and the strategic policies to deliver that vision.

Waste Collection Authority – district or unitary authority that has a duty to collect household waste.

Waste Disposal Authority – local county or unitary authority responsible for managing the waste collected by the collection authorities, and the provision of household waste recycling centres.

Waste Planning Authority – county or unitary council planning authority responsible for planning control of waste management facilities.

Waste Local Plan (2006) - a statutory document that includes saved land-use policies in relation to the allocation of land for the management and disposal of waste within the Plan Area.

Waste water - the water and solids from a community that flow to a sewage treatment plant operated by a water company.

Glossary

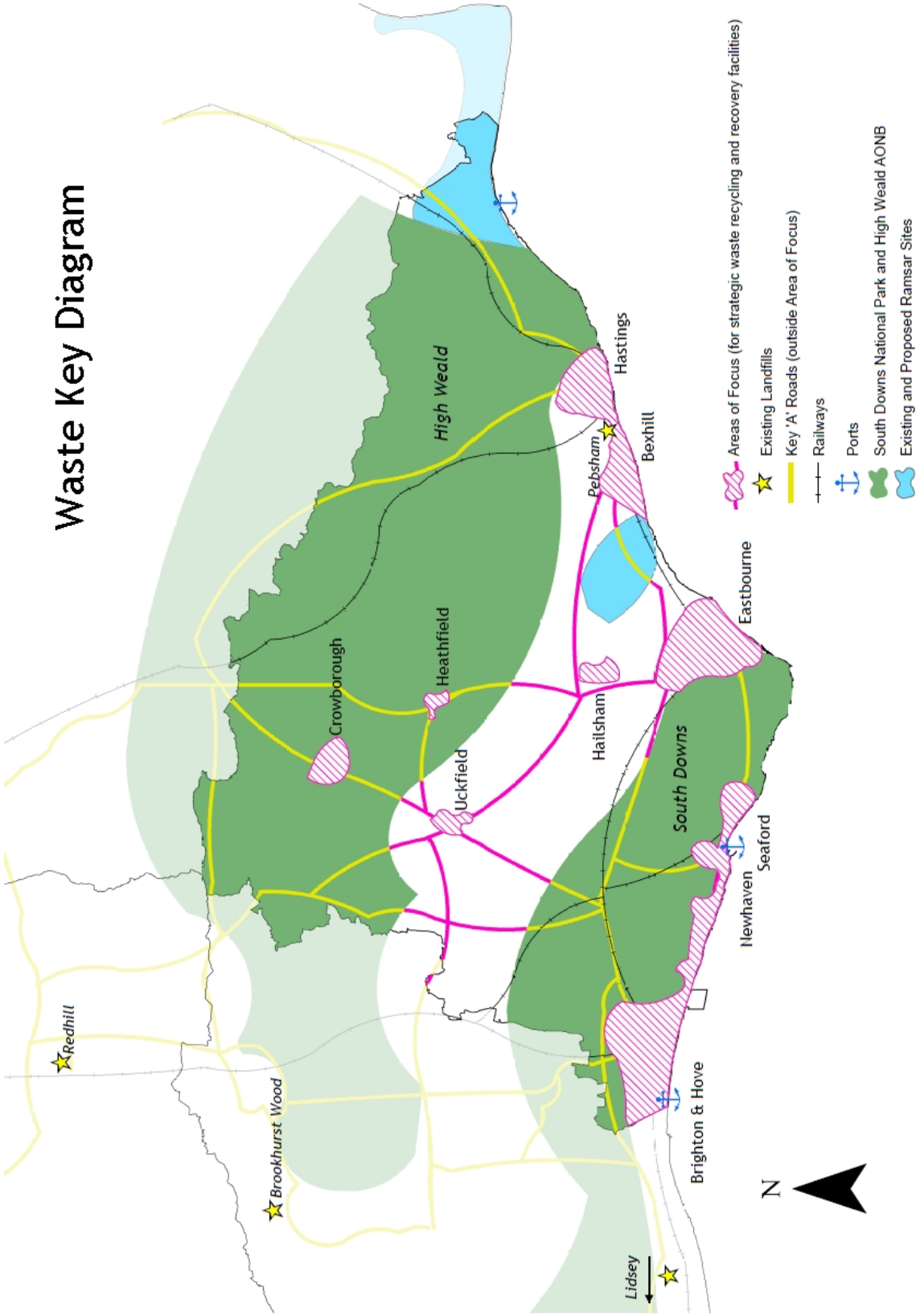
Abbreviations

AD	Anaerobic Digestion
AMR	Annual Monitoring Report
AONB	Area of Outstanding Natural Beauty
BAP	Biodiversity Action Plan
CDEW	Construction, Demolition and Excavation waste
C&I	Commercial & Industrial waste
DPD	Development Plan Document
DSG	Desulphogypsum
EA	Environment Agency
EfW	Energy from Waste
EIA	Environmental Impact Assessment
ELV	End of Life Vehicles
ERF	Energy Recovery Facility
HWRS	Household Waste Recycling Site
IVC	In Vessel Composting
LACW	Local Authority Collected Waste
LDF	Local Development Framework
LEP	Local Enterprise Partnership
LNR	Local Nature Reserve
LTP	Local Transport Plan
MPA	Minerals Planning Authority
MPS	Minerals Policy Statement
MRF	Materials Recovery Facility
MSW	Municipal Solid Waste
MWDS	Minerals and Waste Development Scheme
NNR	National Nature Reserve
OTD	Options Testing Dialogue
PPG	Planning Policy Guidance
PPS	Planning Policy Statement

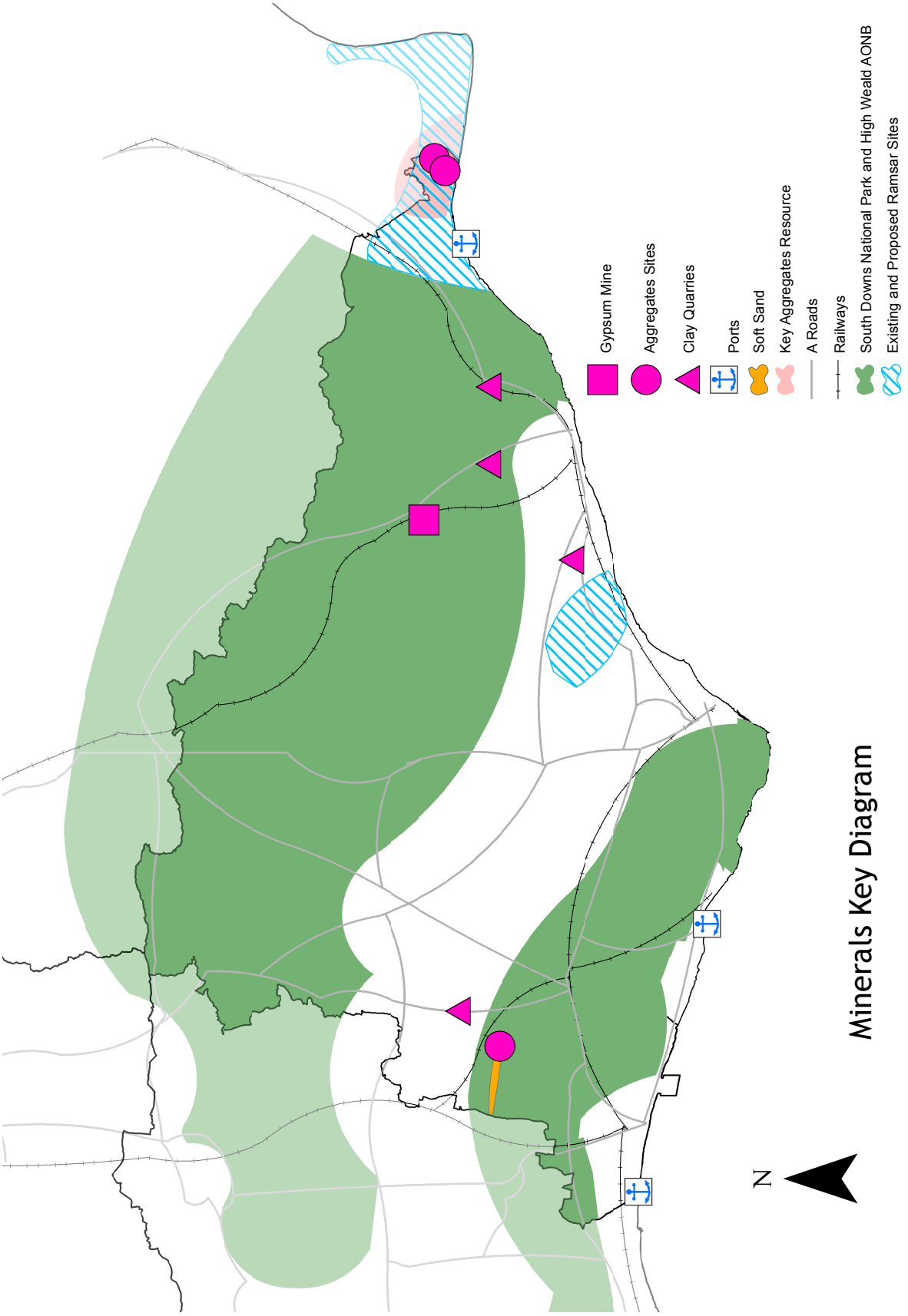
Glossary

RSS	Regional Spatial Strategy
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SDNP	South Downs National Park
SSSI	Site of Special Scientific Interest
SPA	Special Protection Area
SPD	Supplementary Planning Document
WCA	Waste Collection Authority
WDA	Waste Disposal Authority
WPA	Waste Planning Authority
WMDF	Waste and Minerals Development Framework
WWTW	Waste Water Treatment Works

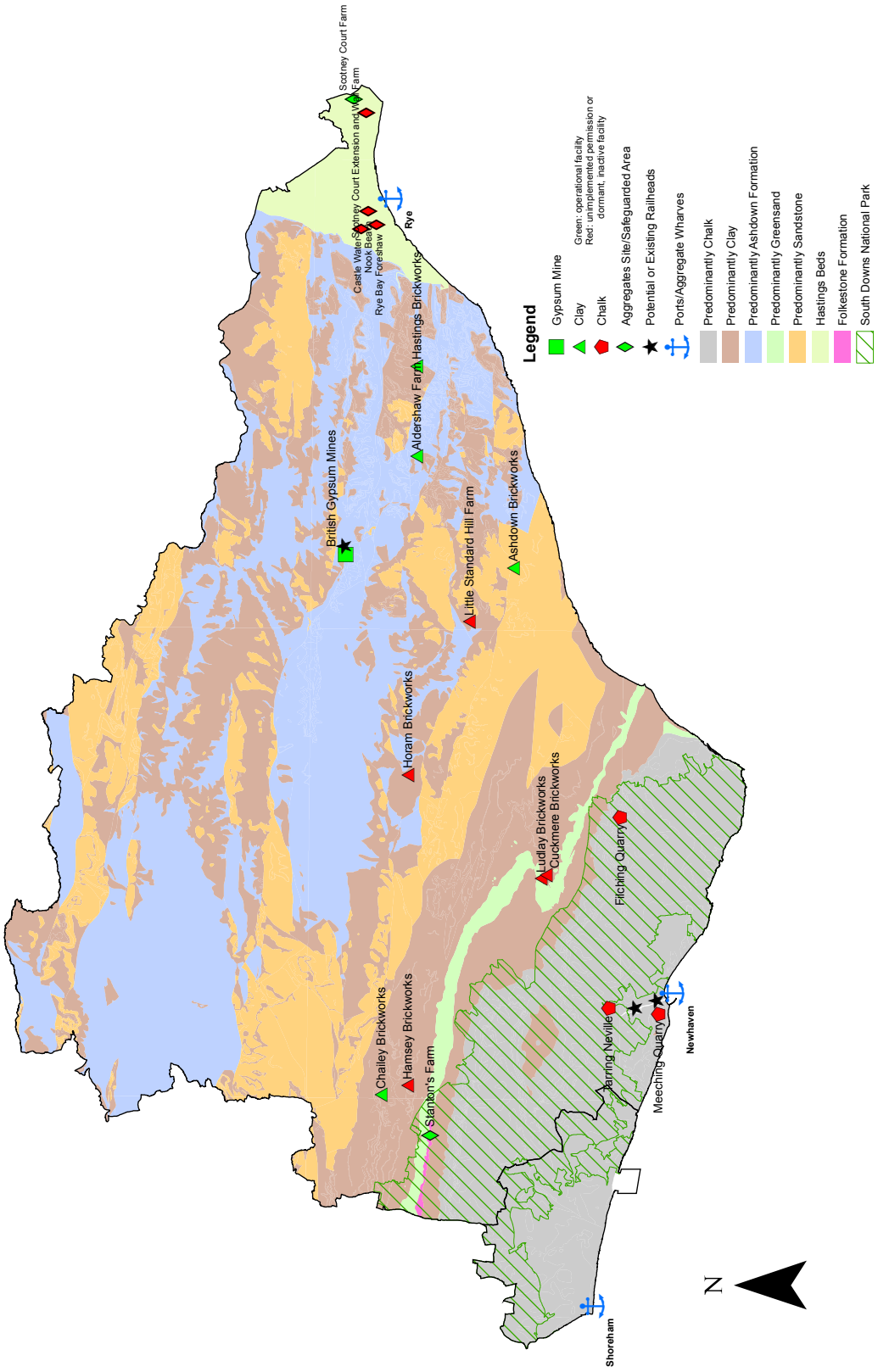
Waste Key Diagram



Minerals Key Diagram



Simplified Geology of the Plan Area



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