Newport City Council
Local Development Plan

Council Response to Matters Arising

Hearing Session 9: Minerals, Renewable Energy & Waste
Minerals

1. Amend SP22 to take out the phrase ‘localised potential’

1.1. Criterion i) of policy SP22 is to be amended to read:

THE PLAN WILL FULFIL ITES CONTRIBUTION TO THE REGIONAL DEMAND BY:
  i) SAFEGUARDING HARDROCK AND SAND & GRAVEL RESOURCES BLOCKS;

2. Rword paragraphs 2.80 and 2.81 in line with revised text at 1.7 of Council’s hearing submission paper.

2.1. Paragraphs 2.80 and 2.81 will be replaced with:

‘Land use planning policy guidance for mineral extraction and related development is set out in Minerals Planning Policy Wales (2001) and supplemented by Mineral Technical Advice Note 1: Aggregate (2004) and Technical Advice Note 2: Coal (2009). Mineral planning is considered at the regional scale, the overall consideration of supply and demand for the South Wales region is carried out by the South Wales Regional Aggregates Working Party (SWRAWP). The role of the SWRAWP is to examine issues of aggregate provision and to produce a Regional Technical Statement (RTS) which sets out the strategy for the provision of aggregates in South Wales.

There is no current landbank in Newport and resources are limited. National Planning Policy requires local authorities to maintain a landbank to meet demand where there is an insufficient landbank of permitted reserves to meet the identified demand. The RTS First Review (2014) does not require Newport to make specific provision for the supply of primary land-won aggregate, based on the limited availability of resources within the area and a lack of evidence of demand from past sales of land-won aggregate over the past 10 years. Applications for mineral workings will be considered on a case by case basis, recognising that circumstances can change in the future. The RTS First Review requires Newport to safeguard of potential resources, continue the use of marine, secondary and recycled aggregates and protect wharves and rail for the sustainable transportation of aggregate.’

3. Amend minerals safeguarding areas on proposals map to replicate BGS safeguarding maps (Category 1 plus Category 2 resource). Update supporting text of SP22 to reflect this.

3.1 The Proposals Map will be updated to reflect both category 1 & 2 of the British Geological Survey Aggregate Safeguarding Map for Wales 2012.

3.2 Paragraph 10.2 of the Plan will be updated to note the source of the resource blocks. See response to point 4 respectively.
4. Rewrite policy M1, having regard to model development management policy in MPA submission; check developments not unjustifiably prohibited. Include reference to the safeguarding areas shown on the proposals map. Amend subsequent paragraphs as necessary to reflect changed policy wording.

4.1. Policy M1 is to be amended to read:

**DEVELOPMENT THAT WOULD STERILISE OR HINDER EXTRACTION OF SAFEGUARDED MINERAL RESOURCE AREAS AS SHOWN ON THE PROPOSALS PLAN FOR:**

a) HARDROCK RESOURCES; OR
b) SAND & GRAVEL RESOURCES;

**WILL NOT BE PERMITTED UNLESS:**

i) TEMPORARY DEVELOPMENT CAN BE IMPLEMENTED AND RESTORED WITHIN THE TIMESCALE THAT THE MINERAL IS LIKELY TO BE REQUIRED; OR

THERE IS AN OVERRIDING NEED FOR THE PROPOSED DEVELOPMENT, AND;

ii) THE RESOURCE IS RECOVERED BEFORE THE DEVELOPMENT IS UNDERTAKEN;

iii) THE DEVELOPER CAN EVIDENCE THAT WORKING THE RESOURCE IS IMPractical OR ENVIRONMENTALLY UNACCEPTABLE.

4.2 Paragraphs 10.2, 10.3 and 10.5 will be amended to read:

10.2 The identified mineral resource areas are identified on the Proposals Map. These can be divided into two groupings - the potential Hardrock resource and potential land based Sand & Gravel resource. The resource layers are taken from the British Geological Survey Aggregate Safeguarding Map for Wales 2012.

10.3 Newport currently receives land won aggregates from cross-boundary sources, this is in part due to the lack of active aggregate workings and mineral resource within the Authority boundary. Liaison with adjoining authorities will be continued to ensure an adequate supply is maintained. National planning policy (MPPW(2000) and MTAN1(2004)) require potential hardrock resources to be safeguarded. The potential hardrock resource blocks have been identified on the Proposals Map. Developers would be required to provide information on the resource and satisfy national planning policy and the relevant policies within the Plan. Of particular note are those involving the natural environment and landscape due to the location of many of the resource blocks. Any workable deposits identified would need to be safeguarded or where an overriding need is evidenced they are to be extracted prior to development.

10.5 In addition, national planning policy (MPPW (2000) and MTAN1 (2004)) requires land-based Sand & Gravel resources to be safeguarded. The potential Sand & Gravel
resource blocks have been identified on the Proposals Map. Developers are required to provide information on the resource including detailed borehole information and satisfy national planning policy and the relevant policies within the Plan. Of particular note are those involving the natural environment and landscape due to the location of many of the resource blocks. Any workable deposits identified would need to be safeguarded or where an overriding need is evidenced, they are to be extracted prior to development.

5. Amend proposals map to refer to policy M1(a) hardrock resource and M1(b) sand and gravel resource safeguarding areas.

5.1. The legend of the Proposal Plans will be amended to read:
   Hardrock Resource Safeguarding Area  M1(a)
   Sand & Gravel Resource Safeguarding Area M1(b)

5.2 The polygons on the Proposal Plans will have a label added indicating as to whether the polygon is safeguarded for Hardrock Resources (M1(a)) or Sand & Gravel Resources (M1(b)).

6. Rework policy M2 more positively, based on text from the MPA submission.

6.1. Policy M2 is to be amended to read:

PROPOSALS FOR MINERAL EXTRACTION OR SIMILAR DEVELOPMENT WILL BE PERMITTED PROVIDED THEY SATISFY WILL BE CONSIDERED AGAINST THE FOLLOWING CRITERIA;

i) EVIDENCE OF LOCAL, REGIONAL OR NATIONAL NEED;

ii) ANY ADVERSE IMPACT ON POLLUTION, DRAINAGE, LANDSCAPE, THE NATURAL AND HISTORIC ENVIRONMENT, AGRICULTURAL LAND QUALITY AND LAND STABILITY IS ADEQUATELY MANAGED;

iii) ADJACENT AREAS ARE NOT ADVERSELY IMPACTED IN TERMS OF NOISE, DUST, VIBRATION AND TRAFFIC GENERATION LEVELS.

7. Review wording of policy M3 to provide clearer statement as to potential impacts to be avoided, along lines of criteria ii) & iii) of policy M2. Separate part dealing with development impact from management and restoration matters.

7.1. Policy M3 will be updated to read:

PROPOSALS FOR EXPLORATION, APPRAISAL AND PRODUCTION OF OIL AND GAS CAN HAVE ADVERSE ENVIRONMENTAL IMPACTS, THE SITING AND CONTROL OF SUCH DEVELOPMENT WILL NEED TO ENSURE SENSITIVE AREAS AND POTENTIAL IMPACTS ON ADJACENT AREAS ARE AVOIDED, MANAGED AND RESTORED. EXPLORATION PROPOSALS WILL NORMALLY BE SUBJECT TO A ONE-YEAR-TIME LIMIT. WILL BE CONSIDERED AGAINST THE FOLLOWING CRITERIA:
8. Ensure that rail sidings referenced in policy M4 are clearly denoted on the proposals plan.

8.1. The following rail siding will be denoted on the Proposal Plans to provide clarity as to which sites are required for the transportation of aggregate by rail:

- Newport Docks

Renewable Energy

9. Reconsider policy CE11 – whether two policy levels needed for larger and smaller scale renewable energy developments. Consider framing the policy in that reference is made to micro generation schemes, which are more likely to come forward within the settlement boundary and macro schemes, which have the potential to come forward in areas outside the settlement boundary.

9.1. Policy text re-worded to make reference to micro and macro scale schemes. The supporting text has been altered in order to further differentiate between the two scales (see appendix 1).

In relation to micro-generation schemes; refer to relevant section of the GPDO and Welsh Government guidance on micro generation.

9.2. Paragraph 4.58 directs the reader to the relevant parts of the GPDO, reference to TAN 8 is made in paragraph 4.50 (see appendix 1).

Changes to paragraph 4.55; consider amendment to make general reference to GPDO and widen this to include reference to other forms of micro-generation. Delete erroneous/misleading references to “up to 50MW” and GPDO rights. Avoid over-specific details which may change over plan period.

9.3. Paragraph 4.58 directs the reader to the relevant parts of the GPDO. Reference to specific technologies has been removed (see appendix 1).

Policy SP18, Paragraph 2.66 – Consider moving part of the text to Policy EM2 (Docks) and making specific reference to the types of renewable technology that is complementary to the operation of the docks/presence of facilities or complementary activities.
9.4. Specific reference to Newport Docks has been moved to Policy EM2 (Docks) and reference to the the types of technologies that have been granted permission in the area, and are likely to be appropriate, are referred to in the supporting text (see Matters Arising response – session 7, paragraph 6.20).

**Waste**

10. Provide background evidence to demonstrate that the Council has sufficient B2 land to accommodate the land use requirement of 12.6ha as set out in the Regional Waste Plan 1st Review (as yardstick for demonstrating ability to accommodate CIMSP-based Plan requirement).

10.1. The updated TAN 21 (Feb 2014) introduces monitoring arrangements to assess the capacity of the region against the Collections, Infrastructure and Markets Sector Plan tonnage figures. Monitoring arrangements and regional collaboration are established in TAN 21 as the means of identifying gaps in the capacity requirements and potential identification of sites at a local authority level. Guidance on the monitoring arrangements is anticipated to be published within the next six months. Until such time, however, there remains a void in terms of establishing waste requirements for the region and at the Local Authority level. Following the discussion at Session 9 on waste issues, it was considered prudent for the Council to demonstrate that sufficient B2 land is available to meet the land use requirement of 12.6ha as agreed in the Regional Waste Plan 1st Review, until the CIMPS monitoring arrangements are established.

10.2. The table below sets out the employment proposals allocated in the LDP where a B2 land use is considered acceptable and there is also therefore an in principle acceptance for waste facilities. Each site has been reviewed to determine the potential contribution each site could make towards the 12.6ha having regard to constraints that could affect the deliverability of waste proposals.

<table>
<thead>
<tr>
<th>Site Name/Ref</th>
<th>Acceptable Use Classes</th>
<th>Area (ha)</th>
<th>Constraints/comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>EM1(i) Duffryn</td>
<td>B1, B2 and B8</td>
<td>37</td>
<td>2 SINC – 7.79ha 0.8 ha in SSSI Approx 7 ha of southern section in Zone C1 – FCA required.</td>
</tr>
<tr>
<td>EM1(ii) East of Queensway Meadows, South of Glan Llyn</td>
<td>B1, B2 and B8</td>
<td>22</td>
<td>C1 flood zone – FCA required.</td>
</tr>
<tr>
<td>EM1(iv) Solutia</td>
<td>B1, B2, B8 &amp; Leisure</td>
<td>35</td>
<td>SINC – 33ha Flood zone C1 – FCA required.</td>
</tr>
<tr>
<td>EM1(vi) Land off Chartist Drive, Rogerstone</td>
<td>B1, B2 and B8</td>
<td>2</td>
<td>No known constraints. Close proximity to residential including H(54) - Alcan site once redeveloped – dual carriageway or railway line between land uses.</td>
</tr>
<tr>
<td>EM1(vii) [formerly EM2(i)] Llanwern</td>
<td>B1, B2 and B8</td>
<td>35.5</td>
<td>Flood zone C1 – FCA required. Adjoining residential redevelopment area H47</td>
</tr>
</tbody>
</table>
10.3. The above table sets out known constraints to the EM1 sites suitable for B2 uses. Given the variety of waste technologies and the specific considerations that will apply depending on the facility proposed and the chosen site, it is difficult to offer more certainty in terms the specific amount of B2 land that could or could not contribute towards the 12.6 ha. There are potentially 133.5 ha of allocated B2 land available to meet the Regional Waste Plan requirement of 12.6 ha, however certain sites will be more suitable than others, depending on what type of waste facility is proposed. The position will be monitored as part of the emerging TAN 21 monitoring procedures moving towards meeting the requirements identified for the region in the CIMSP.

10.4. In addition to the Employment allocations many existing B2 general industrial employment/industrial sites, will also be suitable locations for in-building waste management facilities. These will also contribute towards Newport’s apportionment requirements of 12.6 ha. Additional details on the existing employment land supply are set out in the Employment Land Review.

Approved Planning Applications Since 2006

10.5. Since the 2006 base date of the Regional Waste Plan 1st Review, the following waste developments have been granted planning permission.

<table>
<thead>
<tr>
<th>App Ref</th>
<th>Applicant &amp; Site</th>
<th>Facility</th>
<th>Details</th>
<th>App Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>05/1249</td>
<td>Paul Dunne</td>
<td>Waste transfer station</td>
<td>Recover material from electronic goods and aluminium to be transferred. Computer monitors, television, batteries and fluorescent bulbs.</td>
<td>0.12 ha</td>
</tr>
<tr>
<td>05/1250</td>
<td>GD Environmental Services Unit 4A&amp;B Mariner Way, Felnex Industrial Est</td>
<td>Change of use and expansion of waste transfer use</td>
<td>Small extension to existing facility processing of waste oil/water mixtures and the storage of waste oils, asbestos and used wiping rags.</td>
<td>0.32 ha</td>
</tr>
<tr>
<td>05/1440</td>
<td>GD Environmental Services Unit 11 Eastbank Rd Flenex Ind Est</td>
<td>Change of use to facility for transfer, recovery and recycling of waste materials</td>
<td>Mixed construction waste and household waste generated by skip businesses and third parties and waste materials exempt from waste management</td>
<td>0.69 ha</td>
</tr>
<tr>
<td>Reference</td>
<td>Applicant</td>
<td>Location</td>
<td>Description</td>
<td>Purpose</td>
</tr>
<tr>
<td>-----------</td>
<td>-----------</td>
<td>----------</td>
<td>-------------</td>
<td>---------</td>
</tr>
<tr>
<td>06/1568</td>
<td>NCC Head of Public Protection and Environmental Services Docksway</td>
<td>Erection of extension to existing transfer station.</td>
<td>Extend length of transfer station by 10m</td>
<td>0.02ha</td>
</tr>
<tr>
<td>07/0133</td>
<td>Noel Fitzpatrick Ltd</td>
<td>Erection of processing and recycling plant</td>
<td>Inert waste encountered through construction activities. Approx 2000 tonnes of material handled each week.</td>
<td>0.69ha</td>
</tr>
<tr>
<td>07/0437</td>
<td>Sims Metal Ltd</td>
<td>Extension to existing shredder metal recycling</td>
<td>Extension to existing shredder plant.</td>
<td>0.10ha</td>
</tr>
<tr>
<td>08/1470</td>
<td>Biogen Newport Energy Recovery</td>
<td>Erection of 12 megawatt electrical energy recovery facility</td>
<td>Capable of processing approximately 120,000 tonnes of residual waste per annum. The energy created from the development will provide sufficient electricity, to be provided straight to the National Grid to supply approx homes in the Newport area.</td>
<td>1.49 Ha</td>
</tr>
<tr>
<td>10/0421</td>
<td>Celtic Recycling Ltd</td>
<td>Demolition and extension of industrial units for use as reclamation and recycling of electrical equipment.</td>
<td>Reclamation and recycling of electrical equipment. 15,000 tonnes of metal recycling site. 3,000 tonnes – storage of waste.</td>
<td>15ha</td>
</tr>
<tr>
<td>11/0296</td>
<td>Footprintmatter2u Ltd</td>
<td>Retention of use for the storage and treatment of electrical waste.</td>
<td>Sort and bulk up waste electrical and electronic items for onward recycling.</td>
<td>0.036ha</td>
</tr>
<tr>
<td>11/0817</td>
<td>Land east of West Way Road, Alexandra Docks</td>
<td>Waste Transfer Station</td>
<td>150,000 tonnes per annum of local MSW and C&amp;I waste from the surrounding</td>
<td>2.4ha</td>
</tr>
<tr>
<td>11/1135</td>
<td>GD Environmental Ltd</td>
<td>Storage &amp; transfer of waste</td>
<td>Receipt, storage &amp; transfer of waste associated with the adjoining site (05/144)</td>
<td>0.28ha</td>
</tr>
<tr>
<td>12/0469</td>
<td>Tarmac Ltd</td>
<td>Crushing and screening of C &amp; D waste.</td>
<td>Retention of Change of Use of land from storage of slag to recycling of up to 40,000 tonnes of construction and demolition waste.</td>
<td>4.07ha</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Total</td>
<td>25.21</td>
</tr>
</tbody>
</table>
10.6. Since 2006, approximately 25ha of land has been approved for waste disposal facilities in Newport either as new facilities or as an extension to an existing facility. The RWP requirement of 12.6 ha has therefore been exceeded.

10.7. Given the existing planning permissions, LDP allocations and existing employment land availability, the Council is confident that sufficient B2 land exists in Newport to offer a range and choice and flexibility of sites to meet the 12.6ha requirement apportioned to Newport.

Delete references to 12.6ha land requirement from policy W2 and subsequent paragraphs (as per Appendix 2 of Council hearing submission).

10.8. An updated Waste Chapter incorporating the above change is attached at Appendix 2.

**Update the waste monitoring target from Chapter 12 – Monitoring Framework.**

10.9. Following the publication of TAN 21, the Council proposes to update the waste monitoring target as follows:

**Objective 10 – Waste**

12.1 To ensure that waste management choices are based on the proximity principle **where appropriate** and a hierarchy of reduce, reuse, recovery and safe disposal, and that there is adequate provision for facilities to enable this to happen.

<table>
<thead>
<tr>
<th>RELEVANT LDP POLICIES</th>
<th>CORE AND LOCAL INDICATORS</th>
<th>SOURCE OF INFORMATION</th>
<th>MONITORING TARGET</th>
<th>TRIGGER POINT</th>
</tr>
</thead>
<tbody>
<tr>
<td>OB10 MT1 SP21</td>
<td>Maintain sufficient land and facilities to cater for Newport’s waste capacity</td>
<td>NCC Waste Section</td>
<td>Maintain a sufficient capacity to cater for Newport’s waste (to be confirmed at a regional level in accordance with TAN 21)</td>
<td>No Trigger</td>
</tr>
</tbody>
</table>

Amend Policy W3 – Waste Management Proposals, to include criteria for which new facilities will be assessed against based on the issues identified in paragraphs 11.10 – 11.16.

10.10. An amended Policy W3 – Waste Management Proposals, including criteria against which waste proposals will be assessed is attached at Appendix 2.

Delete Policy W1 safeguarding Docks Way Waste Disposal Site and corresponding allocation from Proposals Map. Move paragraph 11.4 to the introductory text to provide information.

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1 No trigger identified as TAN 21 (2014) notes that waste capacity and targets will be set at a regional level. These regional targets have not yet been set.
on the Docks Way Waste Disposal Site and its contribution to dealing with Newport’s waste (remove reference to safeguarding for waste disposal purposes).

10.11. Policy W1 safeguarding Docks Way Waste Disposal site has been removed from the Waste Chapter. Additional text has been added to paragraph 11.1 – 4th bullet point, to provide information on the range of facilities present at Docks Way Waste Disposal.

Make changes to SP21 and following explanatory text and to paragraph 11.1 as per Appendix 2 of Council hearing submission, to reflect policy principles in new TAN 21.

10.12. An updated Waste Chapter including SP21 and paragraph 11.1 is attached at Appendix 2.
Appendix 1 – Renewable Energy

Renewable Energy

CE11 Renewable Energy

RENEWABLE ENERGY SCHEMES WILL BE CONSIDERED FAVOURABLY, SUBJECT TO THERE BEING NO OVER-RIDING ENVIRONMENTAL AND AMENITY CONSIDERATIONS, AND THE SPECIAL QUALITIES OF THE GWENT LEVELS ARE NOT COMPROMISED. SMALL SCALE MICROGENERATION WILL BE ENCOURAGED WITHIN THE SETTLEMENT BOUNDARY. LARGE SCALE PROPOSALS MAY BE MORE APPROPRIATELY LOCATED OUTSIDE OF THE DEFINED SETTLEMENT BOUNDARY IF NO APPROPRIATE BROWNFIELD SITES EXIST. PREFERENCE WILL BE GIVEN TO RENEWABLE ENERGY SCHEMES PROPOSED WITHIN THE DEFINED SETTLEMENT BOUNDARY AND IN CLOSE PROXIMITY TO THE REQUIRED INFRASTRUCTURE. THE CUMULATIVE IMPACTS OF OTHER RENEWABLE ENERGY SCHEMES WILL BE AN IMPORTANT CONSIDERATION.

4.50 The development of renewable sources of energy can make a valuable contribution to tackling the rate of climate change and enable us to live in a more sustainable manner. TAN 8: Planning for Renewable Energy (2005) sets out the Welsh Government’s commitment to facilitating the development of renewable energy sources. Detailed guidance on different types of renewable energy technologies including design and locational considerations are set out in TAN 8: Planning for Renewable Energy, and developers should have regard to these when proposing renewable energy schemes. The Council has undertaken a Renewable Energy Assessment. This sets out the potential for renewable energy resources and technologies within Newport. It should be considered when assessing renewable energy proposals, and the potential contribution renewable energy can make within development.

4.51 Particular care should be taken in assessing proposals for renewable energy projects in sensitive, designated areas, such as areas of high landscape quality, and areas of nature conservation, or archaeological or historical importance. The Gwent Levels are recognised as an internationally important resource in terms of landscape and heritage and nationally important for ecology. Proposals which affect the special qualities of the Gwent Levels, or any other protected site, will be resisted unless it can be demonstrated that there will be no significant adverse effects.

4.52 In Newport, although a variety of renewable energy projects may be proposed, the most common installations of larger scale proposals seeking planning permission in recent years have been solar or wind power developments, through the provision of solar panel farms or the erection of wind turbines.

4.53 Wind turbines can fulfil an important role in the creation of energy, but they can also have a visual, noise and ecology impact over a wide area that can be unacceptably damaging to the environment and amenity. A technical capacity study for wind turbines within Newport has been undertaken, the conclusions and recommendations of which will be taken into consideration in the determination of wind turbine applications.

4.54 With regards to solar energy, key considerations in their assessment will include the ecological, landscape and visual impact of a scheme. The potential for reflective
‘glint and glare’ will need to be explored as well as potential ecological and visual impacts from installation techniques such as cable trenches and the removal of hedgerows. Similarly the impact of associated infrastructure and security measures will need to be considered.

4.55 Brownfield sites within the settlement boundary will be favourably considered and where possible, should be considered before greenfield options. The use of brownfield sites is a more sustainable option in terms of land take up and usually benefits from being surrounded by potential energy users or closer grid connections, reducing the requirements and impact of associated infrastructure. Development of larger scale renewable energy schemes may be acceptable on greenfield sites where it can be demonstrated that there will be no significant adverse impacts on the environment and local communities. The use of existing buildings, for example the fitting of solar panels, will be encouraged subject to it satisfying the Policies of the Plan. The installation of solar panels (up to 50MW) on non-domestic buildings are permitted development under Part 43 (installation of non-domestic micro generation equipment) of Schedule 2 of the General Permitted Development Order.

4.56 The positive contribution renewable energy schemes can make to sustainability and climate change must be balanced with the need to protect the environment and amenity. The cumulative impact of proposals, in both greenfield and brownfield locations, will therefore be a careful consideration in the acceptability of a scheme. Developers will need to consider the number of other similar developments in the locality and the impact they would have collectively.

4.57 Smaller scale micro-generation which involves the production of heat or power on a very small scale ordinarily for use where it is made, is most appropriately located within existing settlement boundaries, however exceptions may be appropriate in certain circumstances. Installations on or within curtilages of buildings should be of a scale and design appropriate to their surroundings and in accordance with GP Polices of this Plan. Particular regard should be had to design within Conservation Areas, on Listed Buildings and within the Gwent Levels Special Landscape Area. Renewable energy schemes should be considered as an integral part of new build development schemes. Design of renewable energy installations should be referred to in the relevant Design and Access Statement.

4.58 A range of micro-generation technology is permitted development under Part 40 (installation of domestic micro-generation equipment) and Part 43 (installation of non domestic micro generation equipment) of the General Permitted Development Order, and should be referred to for further guidance. Renewable energy schemes will be encouraged especially within settlement boundaries.

Further guidance on this can be found in the Cadw Publication (2010) on ‘Renewable energy and your historic building’. [http://cadw.wales.gov.uk/docs/cadw/publications/Micro_gen_booklet_EN.pdf](http://cadw.wales.gov.uk/docs/cadw/publications/Micro_gen_booklet_EN.pdf)
Appendix 2 – Revised Policy SP21 and Waste Chapter

SP21 Waste Management

THE SUSTAINABLE MANAGEMENT OF WASTE ARISINGS IN NEWPORT WILL BE FACILITATED BY PROMOTING AND SUPPORTING ADDITIONAL TREATMENT FACILITIES, MEASURES AND STRATEGIES THAT REPRESENT THE BEST PRACTICABLE ENVIRONMENTAL OPTION, HAVEING REGARD TO THE WASTE HIERARCHY, AND THE PROXIMITY PRINCIPLE AND CONTRIBUTE TO AN INTEGRATED NETWORK OF FACILITIES.

2.78 Planning Authorities are required by European Directives and National Guidance to ensure that waste is recovered or disposed of without harming the environment, whilst also meeting stringent waste related targets. The choice of waste management options for a particular waste stream will be guided by the policy principles established in TAN 21 (2014), with particular reference to: The Waste Hierarchy; An Integrated and Adequate Network; Nearest Appropriate Installation; Self Sufficiency; and Protection of Human Health and the Environment. “Best Practicable Environmental Option” (BPEO) taking into account the environmental and economic costs and benefits of different options. The Welsh Government also supports the “proximity principle” requiring that waste should be disposed of, or otherwise managed close to the point at which it is generated, and the principle of “regional self-sufficiency”, each region aiming to provide, as far as possible, sufficient capacity for managing the waste which arises within it.

2.79 Developments should where possible use secondary and recycled aggregates as part of the construction process in accordance with SP22 - Minerals. Wherever possible this should be done without taking materials off site. It is good practice to produce Site Waste Management Plans (SWMP) to encourage resource efficiency and to reduce, recycle and re-use waste on site and as sustainably as possible. The Welsh Government is currently looking at developing regulations requiring the preparation of SWMPs in Wales on construction sites. It is likely that such regulations will be enforced through Building Control and Natural Resources Wales.

**Relevant Objectives and Background Paper**

**Objectives:** 2. Climate Change 10. Waste

**Background Paper:** Waste Background Paper
9 Waste

11.1 Newport has strict EU waste related targets to meet. Newport is aiming to meet these targets through a combination of approaches that adhere to aim to provide an integrated network of facilities the proximity principle, dealing with waste as close to where it was generated as possible and to the waste hierarchy of reduce, reuse, recovery and disposal. At present Newport’s municipal waste is dealt with through the following methods:

- Recycling initiatives and collections carried out in partnership with Wastesavers (a community not for profit recycling group);
- Food collections - Newport is currently working with Rhondda Cynon Taff and Merthyr Tydfil to procure an anaerobic digestion facility to treat food waste collections. Biogen has been announced as the preferred bidder for the anaerobic digestion hub at Bryn Pica, Aberdare. The build and commission process is expected to be complete for 2014;
- A contract tender for the collection of green/card waste has been awarded to New Earth Solutions for 3 years with option for further 2 years without the need to re-tender. The Council’s Docks Way Waste Disposal Site also accepts garden waste.
- Landfill of residual waste at Dockside Waste Disposal Facility, Newport. The waste disposal site also accommodates a number of waste management facilities in addition to its landfill element. Facilities include household waste recycling centre, open windrow composting facility, landfill gas engines and a waste transfer station. Docks Way Waste Disposal site is a key waste management facility in Newport and will continue to be for the life of the plan period. The landfill element of the site currently has 16 years capacity remaining.

11.2 To continue to reduce the amount of waste being sent to landfill and meet the EU and Welsh Government waste targets, Newport City Council is working in a partnership of five Local Authorities in South East Wales – Newport, Cardiff, Monmouthshire, Caerphilly and The Vale of Glamorgan, known as Prosiect Gwyrdd (Project Green). The project is seeking a facility to dispose of the residual municipal waste of the five Councils. Following a period of detailed tender evaluation, the Viridor proposal at Trident Park, Cardiff, has been chosen as the preferred facility to provide a waste management solution for the Member Authorities. The facility will deal with the residual municipal waste from the five Authorities, which cannot be recycled or composted.

11.3 In addition to municipal waste arrangements and facilities, there are a number of private waste treatment facilities located throughout Newport. These deal with a variety of waste streams, including commercial and industrial waste, agricultural waste, and construction and demolition waste. Such waste streams are dealt with through the waste management industry and are monitored and licensed through the Natural Resources Wales.

W1 Waste Site Allocations

LAND IS SAFEGUARDED FOR WASTE DISPOSAL PURPOSES AT DOCKS WAY WASTE DISPOSAL SITE.

11.4 Docks Way Waste Disposal site accommodates a number of waste management facilities in addition to its landfill element. Facilities include household waste recycling centre, open windrow composting facility, landfill gas engines and a waste transfer station. Docks Way Waste Disposal site is a key waste management facility in Newport and is therefore safeguarded for waste disposal purposes.
W21  Sites for Waste Management Facilities

ALL ALLOCATED, PERMITTED AND EXISTING B2 INDUSTRIAL SITES ARE IDENTIFIED AS POTENTIALLY SUITABLE LOCATIONS FOR NEW WASTE MANAGEMENT FACILITIES SUBJECT TO DETAILED ASSESSMENTS. TO MEET THE ESTIMATED LAND REQUIREMENT OF UP TO 12.6 HECTARES.

W32  Waste Management Proposals

DEVELOPMENT PROPOSALS FOR SUSTAINABLE WASTE MANAGEMENT FACILITIES WILL BE PERMITTED SUBJECT TO PROVIDED THAT:

MEETING NATIONAL PLANNING POLICY CONSIDERATIONS;

i) THE PROPOSAL WOULD NOT RESULT IN AN UNACCEPTABLE HARM ON NATURE CONSERVATION INTERESTS OR OF ARCHAEOLOGICAL OR GEOLOGICAL IMPORTANCE.

ii) THE RISKS AND CONSEQUENCES OF FLOODING CAN BE ACCEPTABLY MANAGED.

iii) THE PROPOSAL IS OF A HIGH QUALITY DESIGN AND WOULD NOT RESULT IN AN UNACCEPTABLE IMPACT ON LANDSCAPE QUALITY.

iv) THERE IS NO IMPACT ON AMENITY THROUGH NOISE, AIR POLLUTION, ODOURS, DUST AND EMISSIONS THAT CANNOT BE APPROPRIATELY CONTROLLED BY MITIGATING MEASURES.

v) THE DEVELOPMENT WOULD NOT RESULT IN UNACCEPTABLE HARM TO HEALTH.

vi) THE TRAFFIC GENERATED CAN BE ACCOMMODATED SAFELY ON THE EXISTING HIGHWAY NETWORK OR SUITABLE ARRANGEMENTS ARE MADE FOR THE TRANSPORTATION OF WASTE BY RAIL.

vii) THE NEED FOR PROPOSALS FOR DISPOSING OF THE TYPE, QUANTITY AND SOURCE OF WASTE ASSESSED AGAINST THE LOCAL AND REGIONAL REQUIREMENTS BEING ESTABLISHED.


11.6 The Regional Waste Plan estimates that, within Newport, a maximum of 12.6ha of land will be required for the waste management facilities. The need for future waste facilities will be assessed against the South East Wales Regional Waste Plan, findings of the monitoring arrangements of TAN 21 (2014) and requirements of the Collections, Infrastructure and Markets Sector Plans (July 2012) or subsequent studies that are agreed by the Council to give an accurate assessment of waste capacity requirements. Land take requirements.

11.7 In accordance with national guidance, in-building waste facilities will generally be encouraged towards existing general industrial areas (Use Class B2), unless it can be demonstrated that they could be acceptably located elsewhere, or if an assessment indicates that more onerous locational standards should apply. Advances in technology and the introduction of new legislation, policies and practices mean that many modern waste management/resource recovery facilities on the outside look no different to many other modern industrial processes in terms of their operation and impact. The identification of allocated and existing B2 industrial sites as suitable in
principle for waste management facilities represents a substantial choice of sites compared with the maximum estimated need of 12.6ha, which the Regional Waste Plan calculates as being required.

11.8 The Regional Waste Plan contains Areas of Search Maps for use in identifying new sites for in-building and open-air waste management/resource recovery facilities. Developers are encouraged to use the recommendations to assist in the identification of potential suitable sites. Any sites identified in this way for development proposals for waste management facilities will be judged on their own merits and in accordance with all the provisions of this Plan.

11.9 Planning applications for waste management facilities will be considered against national planning policy and guidance and other relevant LDP Policies. Technical Advice Note 21: Waste (2001) sets out detailed guidance on specific waste related planning considerations that developers will be required to meet to satisfy the Policy. Additional information relating to Newport’s waste related land use requirements are set out in the Waste Background Paper^{3}.

11.10 In accordance with TAN 21: Waste (20014) and the Policies set out in the Plan, waste management facilities will only be permitted if due regard is given to the likely visual impact of the proposed development and its impact on, and the need to protect and enhance, the character of the landscape. If necessary additional design, landscaping, planting and screening should be proposed. Developers will be required to demonstrate potential impact on biodiversity, including designated nature conservation sites. Proposals which are likely to prejudice nature conservation interests will not be permitted unless the reasons for the development outweigh any likely adverse impact. In addition, restoration of waste sites to after-uses which will enhance or add biodiversity interests will be encouraged.

11.11 Waste management facilities will only be permitted where no unacceptable impacts on air and noise pollution can be demonstrated, particularly on the residents and users of nearby dwellings and other sensitive properties.

11.12 Flood risk is an important consideration in the assessment of waste management proposals. Developments will only be permitted where the issue of flood risk, flood resilience and sustainable drainage measures are addressed in accordance with TAN 15: Development and Flood Risk (20044). Where appropriate, developers will be required to undertake a Flood Consequence Assessment. Impact on surface and ground waters will also need to be thoroughly explored. Proposals considered to have an unacceptable impact will not be permitted. Furthermore, the management of water resources through appropriate conservation and efficiency measures should be achieved in a sustainable manner and without adverse effects on ecology. The Natural Resources Wales has a statutory responsibility to manage water resources through its abstraction licensing procedures.

11.13 Proposals should be designed to a high standard, particularly when proposed in highly visible locations. The development of a facility should adhere to sustainable construction principles. In addition, highest standards of operational practice for the management, working and where appropriate restoration and aftercare of a site will need to be set out.

11.14 It is important that waste schemes do not have a significant adverse effect on land archaeological and geological values.

^{3} Available at: http://www.newport.gov.uk/stellent/groups/public/documents/report/cont712004.pdf
11.15 The impact on the highway will need to be established and where applicable, developers may be required to undertake a Transport Assessment. Proposals considered to have an unacceptable impact on the volume of traffic or road network will not be permitted. Options for alternative transportation modes, particularly rail should be fully explored where waste is being transported from a wider area.

11.16 Proposals that fall within the relevant Schedule of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 may be required to undertake an Environmental Impact Assessment. A Health Impact Assessment may also be required to establish potential impacts on health or quality of life.

11.17 Planning applications for waste management facilities should be accompanied by sufficient information to allow the environmental impact of the proposal to be adequately assessed. Such information should include the nature of the waste, the broad technical requirements arising from the type of waste, the amount of waste proposed to be treated or disposed of, access, the timescale of the operations and, where appropriate, restoration and after use proposals. In assessing such proposals, close consultation will be undertaken with Natural Resources Wales, and conditions will be attached to any permissions and/or legal agreements sought to ensure adequate environmental safeguards and controls.

W43 Provision for Waste Management Facilities in Development

WHERE APPROPRIATE, PROVISION WILL BE SOUGHT IN ALL NEW DEVELOPMENT FOR FACILITIES FOR THE STORAGE, RECYCLING AND OTHER MANAGEMENT OF WASTE.

11.18 In order for the Council to continue to meet the challenging waste recycling targets set by the Welsh Government, it is important that new developments facilitate sustainable waste management options. This Policy aims to encourage the recycling of waste materials by the provision of adequate facilities for storage and collection of waste and separation at source. Waste related considerations should be taken into account in the design of the development so that they are properly integrated into it, and fully accessible to collection vehicles.

11.19 Further detailed guidance on matters such as the types of facilities required and their design will be set out in Supplementary Planning Guidance.