

Milton Keynes Waste Development Plan Document

Public Examination October 2007

Topic Paper 1 – London's Waste

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1 Summary

1.1 This paper sets out the approach Milton Keynes Council has adopted in respect of making provision for waste imports from London and justifies this approach in the context of policies W3 and W4 in RPG 9: Waste and Mineral (June 2006) and policy in the Draft South-East Plan.

1.2 The WDPD is in conformity with these policies for several reasons:

- Milton Keynes approach does not necessarily mean that the RPG 9 targets will not be met as there are a number of other key players
- It is not appropriate for Milton Keynes to provide for landfilling of London's waste as this is premature in the absence of the South-East Plan and it will prejudice the ability of the Council to safeguard voidspace to deal with its own waste through the life of the Plan.

2 Introduction

2.1 A number of respondents have raised concerns relating to how the WDPD addressed London's waste, including GOSE and SEERA. These comments are set out in Topic Paper 3.

2.2 This topic paper explains the Council's position moving forward from submission to examination.

3 Background

3.1 This section is split into a number of sub-sections:

- Milton Keynes physical and policy context

- The history of landfilling in Milton Keynes
- How much of London's waste does Milton Keynes currently landfill
- What is Milton Keynes current position in terms of available landfill void capacity.

3.2 Milton Keynes is a unitary authority formerly within the administrative boundary of Buckinghamshire. As well as the developed areas within Milton Keynes itself there are also rural areas within the administrative boundary.

3.3 Milton Keynes is a major focus for housing and economic growth, with future population expected to rise to over 300,000.

3.4 In terms of providing additional landfill / landraise sites, Milton Keynes is constrained in the following ways:

- a. by the limited size of the Borough, compared to county areas
- b. by geology: Milton Keynes had one of the lowest suitability scores for geology in the Jacobs Babbie apportionment methodology report
- c. by the proximity principle and sustainable transport : MK scores below average on both of these factors in the apportionment methodology
- d. by the future growth of the city: the predicted population forecasts strengthen the case to retain and husband the void space to deal with the demands of a growing population.

3.5 Milton Keynes has one non-hazardous landfill site at Bletchley Landfill site. The landfill has planning permission until 2022 and a recent planning permission to extend the site was refused, in spite of information from the operators which sought to substantiate the remaining void space. That planning application confirmed that there is likely to be capacity to at least 2029.

- 3.6 Data on waste movements is generally poor and out of date but in the case of only one non-hazardous landfill, Milton Keynes has established that no waste is currently imported from London.
- 3.7 National planning policy is included in Waste Strategy 2007 and PPS10. Policy supports the requirement to “develop a realistic and responsible approach to future waste management...’ taking account of ‘likely demand for waste management capacity arising from neighbouring regions..’ (para 7). It is also worth noting, at paragraph 4, that ‘ the planned provision of new capacity and its spatial distribution should be based on clear policy objectives, robust analysis of available data and information and an appraisal of options.” There is also a key planning objective to ‘reflect the concerns and interests of communities.
- 3.8 At a regional level, planning policy is encompassed in RPG9: Waste and Minerals, published in June 2006. Policies W3 and W4 are relevant in the context of dealing with London’s waste.
- 3.9 Policy W3 relates to regional self-sufficiency and states that waste authorities should provide management capacity equivalent to the amount of waste arising within the region’s boundaries along with a declining amount from London. The policy also states that such provision will usually be limited to landfill.
- 3.10 Policy W4 relates to sub-regional self-sufficiency and states that WPA’s should plan for net self-sufficiency through provision for management capacity equivalent to the amount of waste arising and requiring management within their boundaries. The policy also states that a degree of flexibility should be used. Where appropriate and consistent with Policy W3, capacity should also be provided for waste from London. There is no attempt in RPG9 to apportion this.

- 3.11 The South East Plan was subject to examination in 2006 and included an apportionment of London's Waste by each constituent authority.
- 3.12 Milton Keynes objected to the apportionment on the basis that there are other county areas, closer to London which should take a greater share. If the apportionment figure of 10.1% is maintained this would result in an average of 160,000 tonnes being disposed of to 2016 and 100,000 tonnes to 2025. The current rate of fill is 80,000 tonnes per annum. This would impact on the life of the site reducing it to within the plan period and placing increased pressure on the Council to provide an additional site thereafter. For the reasons set out in paragraph 3.4 and furthermore that it is not a sustainable approach to waste management, the Council maintains its objection.
- 3.13 Discussions between the WPAs, SEERA and the Environment Agency have concluded that market forces should prevail until 2016, allowing further consideration of apportionment at that time. This will assist in safeguarding capacity at Bletchley.
- 3.14 Planning Policy Statement 12 requires that Milton Keynes Core Strategy be in 'general conformity' with the regional spatial strategy which in this case is RPG9, although the emerging South East Plan is also a consideration.
- 3.15 General conformity is defined as 'it is only where an inconsistency or omission in a development plan document would cause significant harm to the implementation of the regional spatial strategy / the spatial development strategy, that it should be considered not to be in general conformity.' The test is '..how significant the inconsistency is from point of view of delivery of the regional spatial strategy..' (paragraph 4.20)

4 Summary of Representation by GOSE

- 4.1 GOSE submitted a number of detailed comments on the WDPD, a number of which can be resolved and do not affect the “soundness” of the WDPD. However, in respect of waste imports they do state that the core strategy would not expect to meet soundness Test 4 as it is inconsistent with national planning policy and does not conform with the Regional Spatial Strategy. The reasoning behind this is that they consider no provision is made for London’s waste (contrary to Policy W3 and W4 of RPG9 Waste and Minerals, June 2006).
- 4.2 GOSE suggest a change is made to the WDPD to rectify this situation.

5 Summary of Representation by SEERA

- 5.1 SEERA also submitted representations. They identified an issue of non-general conformity which means, in their view, that the Core Strategy fails to satisfy PPS12 Test 4. They state that the Core Strategy does not make the provision for the disposal of a proportion of London’s waste, as required by Policy W3 of RPG9 (as above) and they consider that insufficient evidence has been provided to justify this position. SEERA considers that this inconsistency is significant to the delivery of the regional spatial strategy and may cause significant harm to the implementation of that document.
- 5.2 SEERA stated that they wished to explore whether it is possible to overcome these concerns prior to the examination and if that proved possible they will withdraw the opinion that the Core Strategy is not in general conformity.
- 5.3 A meeting was held with GOSE and SEERA on 5th July 2007 during which SEERA presented proposed changes which would overcome their concerns. These changes may also go some way to alleviating GOSE’s concerns.

- 5.4 SEERA had proposed some explicit changes to refer to imports of London's waste.
- 5.5 The WDPD document deals with non-hazardous landfill capacity at paragraphs CS21-CS23 and at paragraph CS45. Bletchley landfill site and its status as a safeguarded site is dealt with at paragraph A18.
- 5.6 It is true that the WDPD does not make explicit provision to deal with Imports be it from the sub-region or from London. This is as a result of an objection raised by the Council to the level of apportionment set out in the Draft South East Plan. This matter has not been resolved and clarity will only prevail when the Panel Report into the South-East Plan is made public.
- 5.7 In that context the WDPD goes no further than to say at CS23 that *“non-hazardous landfill capacity in MK should be managed to provide for disposal of residual waste and for a continuing but declining landfill capacity”*. The Plan does provide for the capacity requirements as set out in the emerging South-East Plan and flexibility is provided by the surplus in landfill capacity at Bletchley (refer to paragraph CS23 of the WDPD).
- 5.8 The proposed changes discussed with SEERA and GOSE are set out in Appendix 1. It has not been possible to agree these and the original representations put forward by GOSE and SEERA still stand. SEERA considers that deletion of the final sentence of paragraph CS22 and the final sentence in WCS1 will compromise the position on ensuring that Milton Keynes makes provision for London's waste in line with policies W3 and W4. They would wish to see both sentences remain. They would also wish explicit provision to be inserted into paragraph A18.

6 Milton Keynes Council's Position

- 6.1 It is argued that Milton Keynes approach is in general conformity for a number of reasons and these are addressed in turn.
- 6.2 Policy W3 in RPG9 adopts a collective stance to meeting “regional” provision. It is not dependent on one authority. Milton Keynes stance does not mean that the RSS will not be delivered. There is nothing to prevent market forces prevailing and industry form providing sites or for other authorities to provide additional provision. It is acknowledged that this is a collective responsibility and if all authorities assumed no imports then the strategy would be doomed to failure. This may in turn lead to a suggestion that the Plan is unsound. However, it is considered that Milton Keynes requires special consideration because of the future growth scenarios and the need to safeguard valuable void space for the needs of the community.
- 6.3 Policy W4 assists in this regard as it introduces flexibility and appropriateness. Milton Keynes view for the reasons previously expressed is that it is not appropriate to provide such capacity for London's waste.
- 6.4 RPG 9 contains no guidance on how appropriateness should be defined. There is reference in the text accompanying the policy a methodology and a recommended apportionment based on:
- i) availability of suitable landfill void spaces
 - ii) suitable geology and/or engineering and other landuse/environmental factors
 - iii) proximity to London and
 - iv) sustainable transport
- 6.5 However, even if it was intended that this be relied on, it is also appropriate to factor in local circumstances. Milton Keynes objected on

several grounds and particularly the failure to give appropriate weight to sustainable transport and the proximity principle.

- 6.6 RPG9 contains no figures for the element of London waste and this has to be viewed in the context of the South East Plan where figures were proposed and revised and in the absence of a Panel Report it is premature to come to a judgement on these. The SE Plan does allow for local testing through the plan making process and this in turn can be used to assess “appropriateness” in the context of Policy W4.
- 6.7 It is the case that Milton Keynes has a surplus in landfill void capacity at 2015 of 13.7 million tonnes. This is deemed an important consideration in identifying how much of London’s waste should be provided for.
- 6.8 Milton Keynes is concerned that if the voidspace at Bletchley is used up by waste from London this reduces flexibility in the plan and prejudices the ability of the Council to meet its own, challenging needs into the future.
- 6.9 London, along with other authorities has a responsibility to manage its waste in accordance with National and Regional policy in an efficient and timely manner. The options for dealing with London’s waste are increasing as new built facilities are being granted planning permission and being developed. These facilities can dramatically reduce the volumes of waste going to landfill. The onus is on London to make necessary and appropriate provision rather than relying on an out of city solution.
- 6.10 In the event that it is decided that MK should provide for London’s waste the following concerns are relevant:

6.11 SERTAB have suggested that the status quo should apply until 2016 with apportionment applying thereafter, but this has little weight in the absence of the South East Plan Panel Report.

7 Conclusions

7.1 As a result of the meeting with SEERA and further consideration of their proposed changes it is recommended that some minor changes are introduced, either to the WDPD or in the form of a Statement of Common Ground between the parties.

7.2 The changes are set out in Appendix 1 and show the original text, proposed changes by SEERA and changes proposed by officers.

APPENDIX 1

ORIGINAL TEXT

SEERA PROPOSALS

MKC PROPOSALS

Suggested Wording Changes for Milton Keynes Waste DPD

CS22 London currently has limited capacity for waste processing and recovery (with recycling dominated by building industry capacity) and very little landfill capacity. The SE Plan assumes that London's exports to the region will decline over the period of the strategy and be limited to landfill waste and use of materials in landfill restoration that cannot be recycled or recovered within London, or residues of processing and treatment. A report by Jacobs Babtie, 'Towards a Methodology for Apportionment of London's Exported Waste, Alternative Apportionment Options' (October 2006) considers that London's waste should be maintained at current levels to 2015. Milton Keynes currently does not take any of London's waste. After 2015, Jacobs Babtie recommend this should be apportioned. [The Jacobs Babtie modelling options and recommendations including the current apportionment in Policy W3 of the SE Plan were submitted as part of evidence to inform the SE Plan Examination in Public \(EiP\) panel.](#)

The SE Plan states that Milton Keynes should provide for landfill capacity for 10.1% (1 million tonnes in total between 2016-2025) of London's exported waste into the South East. The Council objected to the apportionment and this [was](#) considered at the Examination in Public to the SE Plan. [The Panel is yet to submit its report and as such the emerging SE Plan has limited weight.](#) However, [Policy W3 of RPG9 requires all WPAs to collectively provide management capacity equivalent to the amount of waste arising and requiring management within the region's boundaries, plus a declining amount of waste from London. Therefore to meet the principles of regional self-sufficiency and](#)

ensure general conformity with both RPG9 and the emerging SE Plan, this Waste Development Document will take into account the principle of making provision for London's waste.

MKC propose the deletion of the final sentence as it is enshrined in original text in CS23 set out below:

CS23 The SE Plan reinforces that no further non-hazardous landfill is required. Table WCS5 shows a surplus in landfill void capacity (million tonnes at 2015). Non-hazardous landfill capacity in MK should be managed to provide for disposal of residual waste and for a continuing but declining landfill capacity.

**Table WCS5 Landfill Requirements
(Surplus in Landfill Capacity (million tonnes) at 2015)**

Non-hazardous landfill	Inert landfill London Imports	2006-2015 London imports	Total Capacity Surplus incl London Imports 2006-2015
15.378	0.137	1.6	13.7

Waste Management Capacity

POLICY WCS1 - CAPACITY REQUIREMENTS

Waste management capacity will be provided for the following:

Waste Type	2006-10 (thousand tonnes) annual tonnage	2011-15 (thousand tonnes) annual tonnage	2016-2020 (thousand tonnes) annual tonnage	2021-2025 (thousand tonnes) annual tonnage
MSW	148	164	177	190
C&I	26	29	32	34

This will include meeting regional targets for recycling and composting and managing non-hazardous landfill capacity for the disposal of residual waste to 2026. In addition capacity will be provided for waste from adjoining sub-regions and a declining amount of waste from London and other adjoining sub-regions.

MKC proposes deletion of final sentence and addition of:

There is sufficient surplus landfill capacity within Milton Keynes (see Table WCS5) to accommodate this waste up to 2015 and beyond.

CS45 To deliver this policy, it is considered that much of this capacity is already in place. There is enough non-hazardous landfill void to provide for disposal of residual waste and for a continuing but declining landfill capacity. We currently have enough capacity for recycling. However, further facilities for treatment of waste to reduce the need for landfill is required. Also further composting will be required, such as in-vessel composting of food waste. Also to increase recycling, two further Community Recycling Centres will be required and we need to allow for an increase in the recycling of commercial and industrial and construction and demolition waste. Specialist facilities and agricultural waste requirements maybe required. The future is uncertain. However, the wording of policies in the development control policies should allow for such sites to be considered through the life of the document.

A18 The site lies close to the residential area of Bletchley. It is considered that the landfill capacity is a valuable resource and is sufficient for future disposal of residual waste from Milton Keynes. There is capacity to deal with additional residual waste but this needs to be managed and safeguarded to ensure that further landfill capacity is not required in advance of the permitted end date of 2022 for Milton Keynes. The operators of the site predict that at current rates of fill that the life of the site would need to be extended beyond the life of this document (2026).