

## Hertfordshire Waste Local Plan Consultation 2021 Representations of Campaign to Protect Rural England: Hertfordshire 10<sup>th</sup> March 2021

### Introduction

CPRE Hertfordshire considers that the draft Plan is not a sound basis for the preparation of a formal pre-submission Local Plan, because of deficiencies in the evidence base put forward by the Council. In particular, key documents relied on by the Council for the conclusions set out in the draft Plan, the Herts Waste Capacity Gap Report (CGR) and redundant regional planning policy documents, are not a reliable and robust basis for a new Plan. The 'Anticipated Growth Areas' Topic Paper 2020, and the Update 2021, and the Site and Area Conclusions Report (SACR) 2021, are also an unsound basis for the Plan for the reasons set out below. Further research is therefore necessary to identify an up to date and more accurate picture of the waste arisings that should be planned for in future, and on both the waste management processes that need to be accommodated in the County, and how locations for them should be determined.

### Representations on the draft Plan

#### Chapter 3 – Site and Area Conclusions

Paragraph 3.2 on page 12 states the 'The CGR sets out the waste arisings within Hertfordshire...', but this report dates from 2019, and the figure given was not updated, or even referred to in the 2020 update Annex, which refers only to individual sites and their capacities, not arisings. This is an important omission in the context of the following comments on the Conclusions chapter and the information supporting it. The identification in paragraph 3.9 of the SACR of a land requirement of 245.3 hectares should not have been relied upon as it failed to address the current context for the forecasting of waste arisings, and should not have been used as the basis for proposals for future provision.

#### Chapter 10 – Conclusions

Paragraph 10.1 states 'Following *in-depth* (our emphasis) research into the *latest* district and borough council local plan allocations...' and 'consultation with *internal colleagues*, for technical expertise, and the EA for advice...', that the Council will identify seven Strategic Sites for safeguarding, and 17 Household Waste Recycling Centres (HWRC), 'in addition to criteria-based policies'.

The use of criteria-based policies is supported for waste planning policies, but there are real problems with the rest of paragraph 10.1, and CPRE Hertfordshire has serious concerns about it:

- 1) Firstly, the research presented as the basis for the conclusions is not as *in-depth* as implied, as will be explained below in respect of the CGR, the Council's main evidence document;

- 2) Secondly, no information is provided on the actual figures for future population, households and dwellings assumed for the 10 district and borough councils, or the status of those figures;
- 3) Thirdly, neither the nature of the consultation with '*internal colleagues*' or the result of those consultations is set out anywhere for scrutiny or validation;
- 4) Fourthly, no mention is made at all to the latest published national population or household projections, or their implications, despite the significant changes they indicate.

The CGR 2019 states (final paragraph of the Introduction) that it is likely that the Report will be updated at a later stage in Plan production to ensure the most up to date information is used at the point of *adoption*. It is essential however, that the most up to date information is used to support the Plan published for formal consultation, so it can be seen to be sound and its policies justified, and indeed tested at examination. This is not the case at present.

For example, the CLG is stated to be based on data available up to 31 March 2018, three years ago. On page 6 the CLG states there are inherent uncertainties and difficulties in forecasting arisings, and a list of these provided. All this is understood, but this is one reason why the latest available reliable information should be used when 'future projections' are being calculated.

The CGR states that 'future projections are based on estimates that take account of population changes and other factors', but that does not seem to have been the case. In Chapter 5 on waste arisings projections, the Council states that using the East of England Waste technical Advisory Body (WTAB) method, and 2016 collected waste totals, as the starting point, and the information provided by the districts and boroughs for Housing Need (OAN) there would be a '15% increase in growth' across the County to 2031. But this figure is not the correct figure to use, because the most up to date projections of Hertfordshire's population, published early in 2020 by the Office for National Statistics (ONS) indicate only a 3% increase in population between 2018 and 2033, from 1.184 million to 1.222 million, and a reduction of nearly two thirds (from 97,635 to 33,765) in the projected number of new households in the County over the same 15-year period, in the latest ONS Household Projections, from the assumptions used for the current round of emerging local plans

Furthermore, and of similar importance, it is not the Objectively Assessed Need (OAN) for housing that must be calculated, but the Housing Requirement approved for each district. These are NOT the same figure, because local plans are not expected to meet all of their OAN where policies for the protection of defined designated areas indicate that development should be restricted (NPPF paragraph 11)

A similar error appears to have been applied to commercial and industrial waste on page 18 of the CGR in terms of population increases, despite the recognition in the same paragraph that their forecasts were 'unreliable'. Even worse, on pages 20 and 21, the 2010 Regional Spatial Strategy (RSS) approach is said to have been used, even though the RSS was formally withdrawn over ten years ago by the Government, and has no status.

Page 23 on construction and demolition waste also wrongly refers to the 'planned growth agenda for housing provision' in adopted and emerging plans, but the figures in these plans can only be used where those plans have been adopted, not where the housing and population figures in them are disputed and have yet to be tested at examination, or where they are superseded by up to date projections, as is the case across much of the County. The Council is therefore asked to reconsider and recalculate the likely waste arisings in all categories using the latest available projections in order to make a comparison with existing and planned capacity of the County's existing waste management facilities, and hence identify any 'capacity gap'.

Until the above recalculations are carried out, the conclusion in Chapter 8 of the CGR shown in table 33 on page 40, and statement that there are 'significant capacity gaps', must be regarded as unreliable, and it would be imprudent of the Council to propose additional facilities or expansion of existing facilities based on the figures in the CGR or the draft Plan.

CPRE Hertfordshire also questions the presumption that new waste management facilities should be built in as yet undefined locations within the settlements shown diagrammatically as 'Anticipated Growth Areas' in the AGA Topic Paper and on the Key Diagram on page 83 of the Plan. This approach is not necessarily consistent with the proximity principle, because in most cases the additional waste generated would be modest compared with that from existing sources of waste, and most of the land being allocated for development in local plans is peripheral to settlements, and therefore less sustainable. Furthermore, the largest single 'growth area' in the County already approved through the local plan process for around 10,000 dwellings north of Harlow in East Herts, is strangely not included as one of the AGA's to which proposals for waste management facilities would be directed. The area east of Luton proposed for development on a much larger scale than most of the settlements identified as AGA's, is similarly omitted despite the proposals there being at an advanced stage of the local plan. The approach does not therefore seem to be at all consistent.

Consequently, a thorough and transparent review of the above key information is required before the Council attempts to determine any actual likely shortfall in waste management capacity, and how it should be provided for. This is particularly now that the whole of the UK economy and society is getting to grips with the consequences of the Covid-19 pandemic and the impacts of withdrawal from the European Union, and the likely timescales for all waste generators and recyclers to come to terms with these and the new UK commitments to more sustainable targets for waste reduction and recovery.

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