

# Essex and Southend-on-Sea Replacement Waste Local Plan

## **Modifications Consultation: Comments of the Waste Planning Authorities**

March 2017

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## **Introduction**

This report aims to draw together the key points made through the public consultation on modifications to the Essex and Southend on-Sea Waste Local Plan.

The consultation took place over 6 weeks, closing on Thursday 16 February. In total 372 consultees submitted 553 responses.

The report includes the commentary of the Waste Planning Authorities (WPAs) as an aid to the examination process, to clarify issues raised, present updated information and confirm the position of the Authorities.

This document was submitted to the Inspector on Monday 20 March 2017.

## Main Modifications

Modification Number	Modification Summary	Response
<b>M1 – ‘Waste Challenge at a Glance’</b>	<p>See 'Appendix 1 - The Waste Challenge at a Glance' in MC1 – Schedule of Modifications.</p> <ul style="list-style-type: none"> <li>Update of figures used in ‘The Waste Challenge –At a Glance’ section to take into account further information arising from the consultation, the Hearings and the addition of L(i)16- Dollyman’s Farm.</li> </ul>	<p>A number of comments seek to understand the need for the importation of waste from London. This matter was dealt with during the hearing sessions where the waste data evidence was explored in detail. The comments received do not offer any alternative data or appropriate strategy and therefore the Authorities continue to support the modifications proposed through M1.</p> <p>A number of the comments made in relation to M1 also relate to the allocation of Rivenhall through the WLP. The modifications proposed in relation to this site (see M19) aim to update the Submission Plan in line with the current planning permission (granted in February 2016). The Authorities continue to support the allocation of this site and waste development in this location. It is noted that the Environment Agency refused to issue a Waste Management Permit (December 2016) as the applicant had not demonstrated Best Available Techniques, specifically in relation to the height of the chimney stack. In February 2017 the applicant submitted a new application for an Environmental Permit to the Environment Agency which proposes a taller stack. The applicant has confirmed publically an intention to submit a new planning application for this stack. Given the extant planning permission, it would be remiss for the Plan to not support this site.</p> <p>Comments received in relation to need for inert waste management capacity and the requests for allocation of the Hastingwood site are addressed by the Authorities under M5.</p>

Modification Number	Modification Summary	Response
<b>M2 – Paragraph 5.3</b>	The principle of net self-sufficiency does not apply to <u>hazardous waste or</u> radioactive waste as it is not considered practical to provide for such specialist facilities <u>on the basis of net self-sufficiency</u> within the Plan area.	Hazardous and radioactive wastes have been excluded from the overarching RWLP goal of net self-sufficiency in recognition of the fact that the quantities of waste from these streams are small. Any potential new hazardous or radioactive waste management facility would be subject to economies of scale such that the amount of waste generated in the Plan area in isolation would be insufficient to support a facility. It is considered therefore that for these waste streams, net self-sufficiency is not practicable.
<b>M3 – Policy 1 ‘Need for Waste Management Facilities’</b>	See ‘Appendix 2 – Policy 1’ in MC1 Schedule of Modifications. <ul style="list-style-type: none"> <li>• Clause a – update of shortfall capacity figure for biological treatment for non-hazardous organic waste</li> <li>• Clause b – update of shortfall capacity figure for inert waste</li> <li>• Clause c – update of term ‘other waste’ to be clearer</li> </ul>	Comments from parish councils and residents object to the modification to replace the term ‘other waste’ with ‘non-hazardous residual waste’, stating that the proposed amendment should instead state that this waste is the SRF/RDF originating from Tovi Eco Park which will be sent to Rivenhall IWMF.  The Authorities maintain that the term used in the modification (non-hazardous residual waste) is accurate. Policy 1 seeks to confirm the amount of each waste type to be managed by the plan, and should not seek to identify the origin or destination of the waste, as this is covered in other parts of the Plan.
<b>M4 – Policy 2 ‘Safeguarding Waste Management Sites and Infrastructure’</b>	See ‘Appendix 3 – Supporting Text and Policy 2’ in MC1 Schedule of Modifications <ul style="list-style-type: none"> <li>• Update to reflect consultation distance in respect of WTC, from 200m to 400m</li> <li>• Update to paragraph 6.10 and a new paragraph 6.11 to clarify operation of safeguarding policy</li> <li>• Update to the policy which act to set out the stance the WPA is likely to take to</li> </ul>	One comment was received for this modification. This was from Anglian Water and was in support of the proposed modification. This response did however confirm that the reference should be to WRC- (Water Recycling Centres), rather than WTC (Water Treatment Centres).

Modification Number	Modification Summary	Response
	applications within safeguarded areas.	
<b>M5 – Policy 3 ‘Strategic Site Allocations’</b>	<p>See ‘Appendix 4 – Policy 3’ in MC1 Schedule of Modifications.</p> <ul style="list-style-type: none"> <li>• Clause 1 – name change of Basildon Waste Water Treatment Works.</li> <li>• Clause 2 – removal of Wivenhoe Quarry allocation, with the facility proposed in the Wivenhoe locality moved to the Sunnymead, Elmstead and Heath Farms allocation.</li> <li>• Clause 3 update to clarify what is meant by ‘other waste’ management.</li> <li>• Clause 4 – inclusion of a new inert recycling allocation at Dollymans Farm, Basildon.</li> <li>• Removal of the words “as follows and”.</li> </ul>	<p><b>IWMF 2 Rivenhall</b></p> <p>A number of the comments made in relation to M1 also relate to the allocation of Rivenhall through the WLP. The modifications proposed in relation to this site (see M19) aim to update the Submission Plan in line with the current planning permission. This updated planning permission was granted in February 2016, at a time when it was too late to accommodate this revision into the Pre-Submission Plan as the governance processes of both Councils had already commenced.</p> <p>The comments received against this modification maintain that the allocation of Rivenhall IWMF is not legally compliant because it would result in LACW being transported to a facility which is privately owned.</p> <p>The Authorities continue to support the allocation of this site, and waste development in this location as a result. It is noted that the Environment Agency refused to issue a Waste Management Permit (December 2016) as the applicant had not demonstrated Best Available Techniques, specifically in relation to the height of the chimney stack. In February 2017 the applicant submitted a new application for an Environmental Permit to the Environment Agency which proposes a taller stack. The applicant has confirmed publically an intention to submit a new planning application for this stack. Any arrangement between the Rivenhall IWMF and ECC regarding residual non-hazardous waste would be subject to competitive tender and contractual agreements which have yet to commence.</p>

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		<p>A number of comments correctly identify an error in Map 5 (in the Submission Plan <a href="#">CD-1</a>), which shows Rivenhall to be allocated for 'Biological Waste Treatment' only. Although not part of the modifications schedule, this is considered to be a minor issue which will be addressed in finalising the Plan. The policy and Development Principles correctly identify this site as managing residual non-hazardous waste <i>and</i> biological waste.</p> <p><b>Hastingwood</b></p> <p>Comments in relation to the need for all Green Belt sites to be reassessed relate specifically to a previously considered site 'Hastingwood' and have been submitted by the landowner's agent.</p> <p>Hastingwood was discussed during the hearing sessions, when the Inspector asked the Authorities whether such a reassessment was necessary during discussions relating to Dollymans Farm. The Authorities concluded that such reassessment was not necessary. Hastingwood is located in the green belt and continues to be supported by the operator as a suitable location for inert waste recycling. As of January 2017, a section of this site benefits from a Certificate of Lawful Use for Existing Development (<a href="#">ESS/39/16/EPF</a>). Given the preliminary comments from the Inspector during the hearing session regarding the suitability of waste operations in the green belt, the Authorities do not expect the remainder of this site to be included in the Plan. Unlike the inert landfill allocation at Dollymans Farm, the Hastingwood inert waste recycling proposal would amount to</p>

Modification Number	Modification Summary	Response
		<p>a permanent industrial use in the Green Belt. Conversely, the Dollymans Farm proposal would amount to a temporary working where long term aims are to return the existing site to its original ground levels.</p> <p>A number of comments request a further modification to Policy 3 to require that all sites allocated through the policy outline their compliance with Policy 10- Development Management Criteria. The Authorities do not support the need for such an additional modification, as the policies are to be read as a whole and cross referencing between policies is kept to a minimum as a result.</p>
<b>M6 – Paragraph 8.10</b>	<p>Proposals within the Areas of Search will normally require express planning permission and will be considered against <u>other relevant</u> polices in the RWLP, <u>including Policy 10 – Development Management</u>, and the wider Development Plan as a whole. <u>The need to consider the wider Development Plan is important as it is the relevant Local Plan which determines whether an Area of Search designation remains relevant. Should a Local Plan seek to re-allocate land pertaining to an Area of Search away from B2/B8 uses, the criteria upon which Areas of Search are based would no longer be fulfilled. In such instances, the location would cease to be an Area of Search and Policy 4 would no longer apply.</u> The design and operation of waste management facilities proposed within Areas of Search should be <b>consistent</b> <u>compatible</u></p>	<p>Two comments were received in relation to this modification to supporting text. One of these was from Basildon Borough Council supporting the modification. The other comment was from a landowner concerned about the introduction of ambiguity around the applicability of the Policy 4- Area of Search. The aim of the modification is in fact to add clarity regarding the implementation of the policy. The availability and suitability of the Areas of Search may change throughout the Plan period as a result of new spatial plans and planning permissions. The modification aims to explain the live nature of land use decisions and how this will be used to inform waste planning decisions where necessary. The Authorities therefore do not consider it necessary to modify the supporting text beyond that which is currently proposed.</p>

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	with existing uses in the employment area.	
<b>M7 – Policy 4 'Areas of Search'</b>	<p>See 'Appendix 5 – Policy 4' in MC1 Schedule of Modifications.</p> <ul style="list-style-type: none"> <li>• Revised policy to include supporting text in order to aid clarity around the purpose of Areas of Search.</li> <li>• Removal of Oakwood and Crusader Business Park, Tendring.</li> </ul>	One comment was received for this modification, from Basildon Borough Council, in support of the proposed modification.
<b>M8 – Policy 5 'Enclosed Waste Facilities on Unallocated Sites or Outside Areas of Search'</b>	<p>See 'Appendix 7 – Policy 5' in MC1 Schedule of Modifications.</p> <ul style="list-style-type: none"> <li>• Title change to better reflect that the policy applies to enclosed facility proposals on unallocated sites.</li> <li>• Clause 1 – replacement of “or” with “and” and deletion of “and” from “and/or”.</li> <li>• Clause 2 – the addition of “although not exclusively” in relation to waste arising in the Plan Area.</li> <li>• Addition of a final sentence to state that proposals not according with the Policy will be assessed on their merits.</li> </ul>	<p>Comments received in relation to the allocation of Rivenhall IWMF indicate that the allocation does not comply with the clauses within Policy 5.</p> <p>The site benefits from planning permission as of February 2016 and it would therefore be remiss of the emerging WLP not to include it.</p>
<b>M9 – Policy 6 'Open Waste Facilities on Unallocated Sites or Outside Areas of Search'</b>	<p>See 'Appendix 8 – Policy 6' in MC1 Schedule of Modifications.</p> <ul style="list-style-type: none"> <li>• Title change to better reflect that the policy applies to open facility proposals on unallocated sites.</li> <li>• Clause 1 – replacement of “or” with “and”</li> </ul>	No comments were received for this modification.

Modification Number	Modification Summary	Response
	<p>and deletion of “and” from “and/or”.</p> <ul style="list-style-type: none"> <li>• Clause 2 – the addition of “although not exclusively” in relation to waste arising in the Plan Area.</li> <li>• Addition of a final sentence to state that proposals not according with the Policy will be assessed on their merits.</li> </ul>	
<b>M10 – Policy 7 ‘Radioactive Waste Management at Bradwell-on-Sea’</b>	<p>See ‘Appendix 8 – Supporting Text and Policy 7’ in MC1 Schedule of Modifications.</p> <ul style="list-style-type: none"> <li>• Title change to clarify that the policy deals with all radioactive waste and not just nuclear waste.</li> <li>• First paragraph – addition of word “management” in place of “treatment and/or storage” and addition of “supported” in place of “only be acceptable”</li> <li>• Clause b – addition of “radioactive” and “at this location” in place of “decommissioned nuclear” and “site” respectively.</li> </ul>	<p>One comment was received for this modification, from Nuclear Decommissioning Authority and Magnox Limited, in support of the changes proposed.</p>
<b>M11 – Policy 9 ‘Waste Disposal Facilities on Unallocated Sites’</b>	<p>See ‘Appendix 10 – Policy 9’ in MC1 Schedule of Modifications.</p> <ul style="list-style-type: none"> <li>• Title change to better reflect that the policy applies to new disposal facilities on unallocated sites.</li> <li>• Clause 1 – replacement of “or” with “and”, and deletion of “and” from “and/or”</li> <li>• Clause 2 – the addition of “although not exclusively” in relation to waste arising in</li> </ul>	<p>No comments were received for this modification.</p>

Modification Number	Modification Summary	Response
	<p>the Plan Area</p> <ul style="list-style-type: none"> <li>• Addition of final sentence to state that proposals not according with the Policy will be assessed on their merits</li> </ul>	
<p><b>M12 – Paragraph 9.33</b></p>	<p>The Public Rights of Way (PROW) network provides an important means of accessing the countryside. Where <u>relevant, applications for waste management</u> will be required to ensure that PROW remain usable at all times or provide satisfactory alternative routes. Alternative paths and any necessary diversions of existing paths will be required to be in place prior to the closure of the existing PROW. <u>Restoration schemes should, in the first instance, be seen as an opportunity to enhance and upgrade PROW where possible, especially with regard to the provision of Bridleways as multi-user paths as part of any permission granted. In all cases, restoration schemes should provide for access which is at least as good as that existing before workings began.</u> <del>and the</del> <u>The</u> closure of a PROW, where no alternative route is provided, will not normally be acceptable.</p>	<p>Two comments were received for this modification, from Basildon Borough Council and Natural England. Both responses were in support of the proposed modification.</p>
<p><b>M13 – Policy 10 ‘Development Management Criteria’</b></p>	<p>See ‘Appendix 11 – Policy 10’ in MC1 Schedule of Modifications.</p> <ul style="list-style-type: none"> <li>• More detail provided around clause b (protection of water resources).</li> <li>• Addition of final sentence setting out that enhancement opportunities should be</li> </ul>	<p>Two comments were received in support of the proposed modification from Basildon Borough Council and Historic England.</p> <p>The Authorities welcome the formatting change proposed by Natural England to ensure that the distinction between water quality and quantity is accurately expressed, and would support</p>

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	sought.	<p>the following further amendment:</p> <p><i>b. water resources, with particular regard to:</i></p> <ul style="list-style-type: none"> <li>- <i>the quality of water within water bodies:</i> <ul style="list-style-type: none"> <li>o <i>preventing the deterioration of their existing status;</i></li> <li>or</li> <li>o <i>failure to achieve the objective of good status, and</i></li> </ul> </li> <li>- <i>the quantity of water for resource purposes within water bodies</i></li> </ul>
<b>M14 – Policy 12 ‘Transport and Access’</b>	<p>See ‘Appendix 12 – Policy 12’ in MC1 Schedule of Modifications.</p> <ul style="list-style-type: none"> <li>• Inclusion of clause d to set out a further tier in the hierarchy of preference for transportation.</li> </ul>	<p>Comments from Historic England indicate concern regarding the impact of transport/access associated with waste development on the historic environment. There was a desire for the Historic Environment to be recognised in clause d.</p> <p>The Authorities believe the proposed amendment suggested by HE could serve to overly emphasise the importance of the historic environment above other sensitive receptors. The Historic Environment is adequately protected by other policies in the Plan and impacts would not be judged solely on this policy.</p>
<b>M15 – Bellhouse Landfill Site</b>	<p>Indicative Facility Scale:</p> <p>75,000tpa – Biological Treatment Facility</p> <p><del>3,00,000m<sup>3</sup></del> <b>250,000tpa</b> – inert landfill</p> <p>Estimated Availability: <b>Upon adoption (2017)</b> <b>Between: up to 5-10 years from adoption</b></p>	No comments were received for this modification.
<b>M16 – Little Bullocks and Crumps Farm, Great and Little</b>	See ‘Appendix 14 – Table 11 Little Bullocks and Crumps Farm, Great and Little Canfield’ in MC1 schedule of modifications	The comments received from three local Parish Councils, reiterating their comments made through the Pre Submission consultation, were addressed by the Inspector during the examination hearing sessions. The Parish Councils continue to

Modification Number	Modification Summary	Response
<b>Canfield</b>	<ul style="list-style-type: none"> <li>• Site 1 Area and Boundary amended to be consistent with MLP</li> <li>• Estimated Availability for site 3 updated</li> <li>• Life of Site 2 updated</li> <li>• Life of Site 3 updated</li> <li>• Site 2 – removal of bullet point 1</li> </ul>	<p>object to the allocation of the sites in this location and consequently the modifications proposed.</p> <p>The modifications are necessary to ensure the Plan is sound; there has been no change to the circumstances of the site as discussed during the hearing sessions in September and the Authorities continue to support the modifications as included.</p>
<b>M17 – Morses Lane, Brightlingsea</b>	<p>See ‘Appendix 15 – Table 14 Morses Lane, Brightlingsea’ in MC1 Schedule of Modifications.</p> <ul style="list-style-type: none"> <li>• The inclusion of a statement that the facility would be enclosed (bullet point 5).</li> <li>• Additional bullet point regarding the need for new development to not impact on the nearby retail use (bullet point 6).</li> </ul> <p>Morses Lane Site Assessment Scores:</p> <ul style="list-style-type: none"> <li>• ‘3D – Proximity to Sensitive Receptors’ – Red.</li> <li>• ‘3K – Recreation Facilities’ – Amber 2.</li> </ul> <p>See MC2 Site Assessment Methodology Report for the site assessment proforma and rationale for allocation.</p>	<p>A number of representations made by local residents continue to reiterate previous concerns regarding Morses Lane, Brightlingsea. These include questioning the suitability of the B1029; given that a recent traffic survey indicated that 12,000 vehicles travelled in and out of Brightlingsea within one day. However, the B1029 is deemed suitable to accommodate HGV traffic by the Highways Authority as it is part of the County’s main road network.</p> <p>Representations also reiterated concerns regarding odour and impacts on local house prices. Due to the inert nature of the waste proposed to be managed at Morses Lane, odour is not likely to be an issue. House prices are not a material planning consideration and therefore are not addressed by the Authorities in preparing the Waste Local Plan.</p> <p>The proposed modifications to the Development Principles associated with the Morses Lane site allocation include the expectation for operations to be enclosed within an appropriate building. The comments received indicate that this does not address the proximity to sensitive receptors, notably the adjacent retail unit, secondary school and college- with respondents concerned that the enclosure may result in an increase in noise</p>

Modification Number	Modification Summary	Response
		<p>and dust. However, these matters were discussed as part of the examination hearings and the Authorities maintain that such a structure would serve to mitigate such issues.</p> <p>A number of comments reiterated the suggestion that the operation should take place at an alternate location (the Veolia site, off the A120). This is not a feasible option, as this site is an existing waste transfer station which was not proposed as part of the call for sites process and therefore not considered by the Authorities.</p> <p>Proximity to the SPA has been considered through both the Site Assessment and HRA, leading to the existing Development Principles for Moses Lane, Brightlingsea. These Principles are supported by Natural England.</p> <p>Comments suggest that the capacity of the site is unlikely to be delivered and therefore the site should not be allocated- due to the operators comments that capacity would be split between this allocation and another of their operational sites. The authorities maintain the site is capable of delivering the identified capacity and this has been supported by the operator. The planning application will reveal detailed capacity capabilities and should additional capacity still be required, this will be quantified through the monitoring of the Plan and can inform any future Plan reviews.</p> <p>Due to the modifications proposed to Policy 12 – Transport and Access, and the development principles for Moses Lane, Brightlingsea; Tendring District Council no longer objects to the</p>

Modification Number	Modification Summary	Response
		<p>site allocation.</p> <p>A number of further amendments to the Development Principles associated with the Morses Lane site allocation have been suggested by the East of England Co-operative Society. However, these are beyond the scope of the WLP and would be better suited as requirements of a planning application or conditions of planning permission. During the hearing sessions, a number of amendments to the site assessment scoring were suggested, and these have been incorporated as outlined in MC2 – Site Assessment and Addendum. Due to these being factual updates, no further commentary has been required.</p>
<p><b>M18 – Newport Quarry</b></p>	<p>See ‘Appendix 16 – Table 15 Newport Quarry’ in MC1 Schedule of Modifications</p> <ul style="list-style-type: none"> <li>• Update to the expected form of restoration (bullet point 1)</li> <li>• Update to environmental and landscape considerations (bullet point 2)</li> <li>• Update to routeing agreement (bullet point 6)</li> </ul>	<p>Comments from the two local Parish Councils and Natural England support the modifications.</p> <p>The site operator suggests that the reference to “visual impacts” from the first line of the second bullet point should be removed, as these weren’t a concern to residents. The Authorities do not support the removal of this reference as it seeks to establish the position of the Planning Authority in relation to restoration process and final form.</p>
<p><b>M19 - Rivenhall</b></p>	<p>Indicative Facility Scale:</p> <p>AD <del>85,000tpa</del> <u>30,000tpa</u></p> <p>CHP <del>360,000tpa</del> <u>595,000tpa</u></p>	<p>The modifications proposed in relation to this site aim to update the Submission Plan in line with the current planning permission (granted in February 2016). The Authorities continue to support the allocation of this site and waste development in this location as a result. It is noted that the Environment Agency refused to issue a Waste Management Permit (December 2016) as the applicant had not demonstrated Best Available Techniques, specifically in relation to the height of the chimney stack. In February 2017 the applicant submitted a new application for an</p>

Modification Number	Modification Summary	Response
		Environmental Permit to the Environment Agency which proposes a taller stack. The applicant has confirmed publically an intention to submit a new planning application for this stack.
<b>M20 - Sandon</b>	Indicative Facility Scale: <del>40,000tpa</del> <b>300,000tpa</b> Inert Waste Recycling Capacity	One comment was received for this modification, from Basildon Borough Council, in support of the proposed modification.
<b>M21 – Sunnymead, Elmstead and Heath Farms</b>	<p>See ‘Appendix 17 – Table 19 Sunnymead, Elmstead and Heath Farms’ in MC1 Schedule of Modifications.</p> <p>Inclusion of recycling operations (new allocation W36) originally allocated at Wivenhoe Quarry (W13). The two operations (L(i)5 and W36) proposed at Sunnymead, Elmstead and Heath Farms are now included within a single table.</p> <ul style="list-style-type: none"> <li>• Update ‘Site Allocation For’</li> <li>• Update ‘Estimated Availability’</li> <li>• Update ‘Life’</li> </ul> <p>New development principles included to reflect the outcome of the assessment process.</p> <p>See MC2 Site Assessment and Methodology Report Addendum for the site assessment proforma and rationale for allocation.</p>	<p>A number of comments from local residents and parish councils object to the proposed modification to include the allocation of the inert waste recycling (Site 2) as part of the wider inert waste disposal site allocation (Site 1).</p> <p>Comments raise concerns specifically regarding the impacts of the recycling operations (site 2) on residential amenity, including proximity to housing, noise, dust, pollution, visual and other environmental impacts.</p> <p>The issues raised have been assessed through the site assessment methodology, with the proforma for both Site 1 and Site 2 considering the potential impacts using the RAG scoring system. The results of this scoring process have not revealed issues which could not be addressed through some form of mitigation. The result of the assessment process has informed the Development Principles for this site. The Development Principles outline specific issues and possible mitigation to be implemented by any future planning permission.</p> <p>Access to the site as a whole is a significant concern identified by respondents. A comment submitted by the operator indicates a desire to create a new access directly into Site 2 along the</p>

Modification Number	Modification Summary	Response
		<p>B1027. The Plan, as modified, supports continued use of the existing access for both Site 1 and 2. This access is also supported by the Mineral Local Plan (2014), where the site is allocated for the extraction of minerals. The case for a new access has not been considered in detail by the Authorities at this late stage of Plan preparation, and although there is no in principle objection based on the information available at this point, this requires detailed consideration more appropriate for a planning application.</p>
<p><b>M22 – Wivenhoe Quarry Plant Area</b></p>	<p>Removal of the site allocation to reflect that the facility is now included as part of Sunnymead, Elmstead and Heath Farms.</p>	<p>No comments were received for this modification.</p>
<p><b>M23 – Dollymans Farm</b></p>	<p>Allocation of site.</p> <p>See ‘Appendix 18 – Table xx Dollymans Farm’ in MC1 Schedule of Modifications for development principles and MC2 Site Assessment and Methodology Report Addendum for the site assessment proforma and rationale for allocation</p>	<p>A large number of comments from parish councils, local residents, businesses and organisations object to the allocation of Dollyman’s Farm for inert waste landfill. The reasons for objection include: the green belt status of the site, concerns about impacts on public accessibility, pollution risks- particularly to the local streams and onwards to the River Crouch, and traffic impacts.</p> <p>The site falls within two district council areas. Comments in relation to the use of the site for formal flood attenuation/storage purposes are noted but this scheme is not supported by the Lead Local Flood Authority and therefore such a scheme is not currently being progressed.</p> <p>Both district councils suggest that vehicles associated with the development should be restricted to accessing the site from the west, due to the highway capacity issues in Shotgate and</p>

Modification Number	Modification Summary	Response
		<p>Wickford. Any decision to control access to the site must be based on evidence, which would become available through a transport assessment as requested in the development principles. Therefore the Authorities do not consider it appropriate to support the suggestion to restrict access at this stage, and this matter would be addressed through the planning application process.</p> <p>Pollution issues are understood to be addressed in detail through any future planning application and the EA environmental permitting processes as necessary.</p> <p>Natural England has indicated that a HRA is required to support allocation and restoration approaches should fit with the Northern Thames Basin National Character Area. The Authorities have completed the HRA, and engaged in further discussion with Natural England regarding the conclusions and implications for the site allocation. The agreed conclusions support the allocation of the site subject to amendments to the Development Principles to cover.</p> <p>The Authorities have carefully considered the concerns raised through the consultation and would support amended Development Principles to address the issues raised. <b>See Appendix A of this report.</b></p>
<b>M24 – Table 21 Development in Waste Consultation</b>	See ‘Appendix 19 – Table 21 Development in Waste Consultation Area’ in MC1 Schedule of Modifications.	One comment was received for this modification, from Basildon Borough Council, in support of the proposed modification.

Modification Number	Modification Summary	Response
<b>Areas</b>	<p>It is proposed to amend the safeguarding table to reduce the range of change of use applications to be included within the scope of Policy 2 to change of use away from B2/B8 uses and changes away from any use class to Category A and Category C uses only.</p> <p>Reference to safeguarding also applying to temporary applications for development already scoped in has been removed from the table and inserted into paragraph C2 (this is addressed in main 25).</p>	
<b>M25 – Table 21 Development in Waste Consultation Areas</b>	<p>However, it's neither practicable nor necessary for consultation to occur on all developments proposed through planning applications. The table below sets the development proposed to be subject to consultation with the Waste Planning Authorities <b><u>the development types below include those relating to temporary structures and uses:</u></b></p>	No comments were received for this modification.
<b>M26 – Oakwood and Crusader Business Park</b>	Removal of Map as the site is no longer being considered as an Area of Search.	One comment was received for this modification, from Tendring District Council, in support of the proposed modification.

## Minor Modifications

Where no comment has been made against a proposed modification, the summary of that modification has not been included.

These can be found within [MC1 Schedule of Modifications](#).

Modification Number	Modification Summary	Response
<b>M27 – Paragraph 4.11</b>	<p><b>Low Level Radioactive Waste</b></p> <p>Radioactive wastes are categorised into nuclear and non-nuclear wastes. Nuclear waste are from the nuclear power industry while “non-nuclear” wastes are generally from medical facilities and educational establishments.</p>	It is not considered necessary to incorporate the changes suggested by Cumbria County Council in this regard due to clarity provided in paragraph 4.7 that the waste streams described in paragraphs 4.8 to 4.13 are within the Plan area.
<b>M28 – Paragraph 4.12</b>	<p><b>Wastewater (sewage)</b></p> <p>Comprises liquid <b>and solid</b> waste discharged by domestic residences, commercial properties, industry and agricultural activities, <b><u>which is then carried to Water Recycling Centres via a network of foul sewers.</u></b></p>	One comment was received for this modification, from Anglian Water, in support of the proposed modification.
<b>M29 – Paragraph 4.16</b>	See MC1 Schedule of Modifications.	No comments were received for this modification.
<b>M30 – Paragraph 4.24</b>	Bradwell Nuclear Power Station is a licensed Nuclear Site and is the principal source of radioactive waste arisings within the Plan area whilst the Power Station is decommissioned. At present, there is sufficient <b><u>national LLW disposal capacity and sufficient local ILW interim storage</u></b> capacity for decommissioning process.	Comments from Magnox/NDA indicate their support for further modifications beyond those supported through this minor modification. Given the minor nature of these additional amendments, the Authorities confirm that they will be incorporated into the final draft of the Plan to be adopted. These further minor modifications are set out in Comment ID 354.
<b>M31- Paragraph</b>	Currently, wastewater treatment across Essex and	One comment was received for this modification, from Basildon

Modification Number	Modification Summary	Response
4.25	<p>Southend-on-Sea is provided via a total of 153 <u>Water Recycling Centres (WRC) Wastewater Treatment Works (WWTW)</u>;</p> <p>The vast majority of <u>WRCs WWTWs</u> have capacity to accept wastewater from <del>the</del> proposed growth <u>in the Plan Area</u> without the need for improvements to existing facilities;</p> <p>Sludge generated in the <u>WRC WWTW</u> can be sent for further treatment for use as agricultural fertiliser or power generation. The sludge treatment strategies provided by operators, indicate that there is adequate capacity for sludge treatment and disposal during the Plan period.</p>	Borough Council, in support of the proposed modification.
M32 – Paragraph 4.26	See MC1 Schedule of Modifications.	No comments were received for this modification.
M33 – Paragraph 5.2	<p>The Plan is based on the principle of net self-sufficiency, where practicable. This means having sufficient waste transfer, recycling, recovery, and disposal capacity within the Plan area to manage the amount of waste generated, with only limited cross border movements with other authorities. Such an approach recognises that waste travels across administrative boundaries, <b>particularly when the source of the waste is located close to an administrative border</b> <u>with the distance travelled being, at least in part, related to the volume of waste required to make a facility</u></p>	<p>A single comment from a member of the public raises objection to this modification, raising concerns that that commercial viability outweighs the benefit of net self-sufficiency.</p> <p>The Authorities continue to support this minor modification as it is useful context. It recognises that net self-sufficiency is unlikely to be achieved if privately funded development would be economically unviable.</p>

Modification Number	Modification Summary	Response
	<p><u>economically viable set against the amount of waste expected to arise in a given area. The smaller the quantity of a waste type generated, the less practical it is to be net self-sufficient due to economies of scale making small, purely local facilities unviable. Particularly specialist types of waste travel beyond one or more administrative boundaries.</u></p>	
<p><b>M34 – Paragraph 6.6</b></p>	<p>See MC1 Schedule of Modifications.</p>	<p>No comments were received for this modification.</p>
<p><b>M35 – Paragraph 7.1</b></p>	<p>This chapter sets out the policy for locating <del>the range</del> waste management facilities required <u>to manage waste</u> in the Plan Area to 2032. <del>The Plan meets the identified need for new capacity, set in the waste management capacity gap, by allocating strategic sites.</del> <u>Although it is recognised that capacity gaps remain in all waste streams other than for biological treatment, it is considered that all suitable sites submitted to the Waste Planning Authorities have been allocated.</u></p>	<p>Comments on the allocation of sites for inert waste management and the inclusion of the Hastingwood site are addressed by the Authorities under M5 above.</p>
<p><b>M36 – Paragraph 7.2</b></p>	<p><del>The Strategic site allocations meet the identified need for</del> <u>have been made to manage the following waste streams in the Plan Area:</u></p> <ul style="list-style-type: none"> <li>• biological waste;</li> <li>• inert waste recycling;</li> <li>• Other waste management;</li> <li>• non-hazardous residual waste;</li> </ul>	<p>Comments from parish councils and residents object to the modification to remove the term ‘other waste’, stating that the proposed amendment should instead state that this waste is the SRF/RDF originating from Tovi Eco Park which will be sent to Rivenhall IWMF.</p> <p>The Authorities maintain that the term used in the modification (non-hazardous residual waste) is accurate. Policy 1 seeks to</p>

Modification Number	Modification Summary	Response
	<ul style="list-style-type: none"> <li>Inert landfill;</li> <li>hazardous waste.</li> </ul>	confirm that the amount of each waste type to be managed by the plan, and should not seek to identify the origin or destination of the waste, as this is covered in other parts of the Plan.
<b>M37 – Paragraph 8.7</b>	See MC1 Schedule of Modifications.	No comments were received for this modification.
<b>M38 – Paragraph 8.15</b>	See MC1 Schedule of Modifications.	No comments were received for this modification.
<b>M39 – Paragraph 8.23 and 8.26</b>	<p>See ‘Appendix 9 – Supporting Text and Policy 7’ in MC1 Schedule of Modifications.</p> <ul style="list-style-type: none"> <li>Update to reflect the publication of NDA Strategy III in March 2016</li> </ul>	The WPAs would welcome an amendment to update the relevant paragraphs using the wording suggested by the NDA and Magnox as they represent matters of fact.
<b>M40 – Paragraph 8.32</b>	<p><u>Most disposal of LLW requires permits to be held by both the waste producer that consigns the waste and the operator of the waste management facility that receives it. Some LLW may go to landfills permitted by the Environment Agency to accept LLW for disposal, some to the national Low Level Waste Repository (LLWR) near Drigg in Cumbria, some to decontamination or recycling facilities in the UK or abroad and some to incineration facilities. Only radioactive waste from the lower spectrum of LLW can be sent to permitted landfill. The LLWR site, which generally receives waste higher in the LLW spectrum, is part of the NDA’s estate and as such it is</u></p>	One comment was received for this modification, from the Nuclear Decommissioning Authority and Magnox Limited, in support of the proposed modification.

Modification Number	Modification Summary	Response
	<p><u>covered by both the UK LLW Strategy 2016 and the NDA's own Strategy (as referred to above). Operators within the NDA estate such as Magnox have diverted more than 85% of LLW away from the LLWR through a wide range of more environmentally sustainable options such as waste prevention, re-use and recycling.</u> In contrast to VLLW, most disposal of LLW requires a permit to be held by both the waste producer and the operator of the waste management facility that receives it. LLW can go to a landfill permitted by the Environment Agency to accept LLW for disposal, storage at the national Low Level Waste Repository (LLWR) near Drigg in Cumbria, or may be dealt with by incineration (with or without energy recovery). Only radioactive waste from the lower spectrum of LLW can be sent to permitted landfill (ie up to 200 Becquerels per gram of activity concentration). Currently, the use of the national LLWR is the conventional management route, although it has limited capacity. The site is part of the NDAs estate and as such it is covered by both the UK LLW Strategy 2010 and the NDA's own Strategy (as referred to above). For example, the NDA has diverted more than 85% of LLW away from the LLWR through a wide range of more environmentally sustainable options such as waste prevention, re-use and recycling. LLW</p>	

Modification Number	Modification Summary	Response
	<del>disposal, except for that to the national LLWR, usually takes place at facilities used for the management of other types of waste, subject to regulatory permits.</del>	
<b>M41 – Paragraph 9.21</b>	See MC1 Schedule of Modifications.	No comments were received for this modification.
<b>M42 – Paragraph 9.23</b>	The impact on human health is <b>therefore also</b> a material consideration in making planning decisions. However, national policy expects that in determining applications, Waste Planning Authorities should not be concerned with “the control of processes which are a matter for the pollution control authorities. Waste Planning Authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced.” If <b>permission is</b> granted, planning conditions may be imposed <del>on a</del> <b>planning permission</b> to <b>help</b> mitigate any impact on local amenity.	It appears there may have been some confusion in the representations received between main/minor modifications to the RWLP and ‘material changes’ in planning terms.  Modifications relating to Rivenhall have been addressed by M19.  However, whilst allocations within the RWLP constitute an ‘in principle’ support for development, all sites must still gain planning permission, where matters material to the decision making process, as outlined in paragraph 9.23, will be considered.
<b>M43 – Paragraph 9.44</b>	See MC1 Schedule of Modifications.	No comments were received for this modification.
<b>M44 – Table 6 Monitoring Framework</b>	See MC1 Schedule of Modifications.	No comments were received for this modification.
<b>M45 – Basildon Waste Recycling Centre</b>	See MC1 Schedule of Modifications.	No comments were received for this modification.

Modification Number	Modification Summary	Response
<b>M46 – Rivenhall</b>	Site Allocation For: Biological and <del>Other</del> <b>Non-Hazardous Residual</b> Waste Management Capacity	See response to M19
<b>M47 – Little Bullocks and Crumps Farm, Great and Little Canfield and Newport Quarry</b>	See MC1 Schedule of Modifications.	No comments were received for this modification.
<b>M48 – Festival Business Park, Basildon</b>	See ‘Appendix 20 – Festival Business Park, Basildon’ in MC1 Schedule of Modifications.  Update Map to reflect that used in the Areas of Search Methodology Report	Two comments were received for this modification, one in support of the proposed modification from Basildon Borough Council, and confirmation from C A Telecom of utility service apparatus within the proposed Area of Search.
<b>M49 – Land off Axial Way, Myland, Colchester</b>	See ‘Appendix 21 – Land off Axial Way, Colchester’ in MC1 Schedule of Modifications  Boundary updated	The land between the stadium and the proposed Area of Search was removed to take into account a recent outline planning permission, 0/COL/01/1622, for a high-quality leisure-led mixed development in the area. Following discussions with Colchester Borough Council under the Duty to Co-operate, it was agreed to remove land from the Area of Search which was associated with this permission due to the nature of the proposed development. It is therefore not considered appropriate to re-allocate it at this stage.
<b>M50 – Tollgate, Stanway, Colchester</b>	See ‘Appendix 22 – Tollgate, Stanway, Colchester’ in MC1 Schedule of Modifications  Boundary updated	Land was removed from the originally proposed Area of Search designation in conformity with the constraints methodology, in recognition of an extant residential planning permission which was previously unknown to the authorities (Colchester planning reference 145494). It is not considered appropriate to re-

Modification Number	Modification Summary	Response
		introduce land which was removed in conformity with the methodology.
<b>M51 – Langston Road/Oakwood Hill, Loughton, Epping Forest</b>	See 'Appendix 23 – Langston Road/Oakwood Hill, Loughton, Epping Forest'  Boundary updated	The error in the title of the Map 43 is noted by the WPAs. The WPAs would support an amendment to update this to the correct title of ' <i>Langston Road/Oakwood Hill</i> '. The Langston Road /Oakwood Hill Area of Search boundary was amended to take into account the granting of permission EPF/0294/15. This permission allocates land away from B2/B8 uses towards retail. However, following the removal of this land, the amount of land remaining as B2/B8 is substantially over the 3ha threshold, meaning it is still appropriate for designation. Retail is also not considered to be a sensitive use under the Area of Search constraints methodology and as such its development would not further constrain land considered suitable for the type of waste management facilities that would be delivered on an Area of Search. As such, the authorities continue to support the inclusion of this Area of Search subject to the modification previously tabled.
<b>M52 – Glossary 'Residual Waste'</b>	See MC1 Schedule of Modifications.	No comments were received for this modification.
<b>M53 – Glossary 'Water Bodies'</b>	<u>Collective term for water within watercourses (rivers, ditches, drains), groundwater (held in geological strata such as chalk) and surface water (ponds, lakes, coastal waters).</u>	One comment was received for this modification, from Natural England, in support of the proposed modification.

## Unrelated Comments

A number of additional comments have been made which do not relate to the proposed modifications. These have been collated in the table below.

Response
<p>KTI Energy Ltd has submitted a comment which does not relate to any of the modifications to the Plan. The comment indicates continued support for the allocation of a site, Dunton Garden Suburbs for CHP including district heating in the County. The location of the site is suggested to be changed from that previously supported through the WLP process, to a site outside of the Green Belt in Brentwood Borough.</p> <p>The comment also requires that LACW arising in Essex/Southend-on-Sea is provided to the CHP facility.</p> <p>The Authorities maintain the position that such a site is not needed to support the management of waste in line with net self-sufficiency. Given the late stage at which this alternative site is proposed, it has not been possible to assess its suitability. In any event, the need for the CHP facility and its location at the original site (in light of the assessment results) is not supported by the evidence as discussed during the hearing sessions. The final destination of residual non-hazardous waste is to be determined through a competitive tender process, a matter which is not within the remit of the Waste Local Plan.</p>
<p>There has been a continued objection to the allocation of site W19 – Hastingwood, which is a non-selected site. This site continues to be considered as inappropriate by the Authorities.</p>
<p>With regard to issues raised by Colchester Cycling Campaign, emission standards and controls are beyond the remit of the WLP. This would be addressed by any EA environmental permit.</p>
<p>The recycling targets of 50-60% as quoted by Coggeshall Parish Council are for LACW waste only. The WLP seeks to actively move waste up the waste hierarchy as outlined in the spatial strategy and objectives.</p>
<p>The Nuclear Decommissioning Authority and Magnox suggest the need for factual updates to paragraph 5.3. This would include the addition of the following:</p> <p><i>"Proposals for the management of radioactive waste emanating from beyond the Plan area should meet a need that is not provided for in the area of origin. They should also comply with national strategies for waste management and for radioactive waste management specifically, in the latter case including those produced by the Nuclear Decommissioning Authority."</i></p> <p>It is noted by the WPAs that this update was requested during the Pre-Submission Consultation; however this was excluded from 'MC1 – Schedule of Modifications' in error. The WPAs consider that such updates are minor and factual in nature and as such would seek to</p>

**Response**

make this amendment as part of the final drafting of the Plan for adoption.

Similarly, The Nuclear Decommissioning Authority and Magnox, suggest the need to update Appendix A to include reference to the following National Strategies:

- UK Strategy for the Management of Solid Low Level Waste from the Nuclear Industry (February 2016)
- Nuclear Decommissioning Authority Strategy Effective from April 2016 ("NDA Strategy III")
- National Policy Statement for Nuclear Power Generation (EN-6)

It is noted by the WPAs that this update was requested during the Pre-Submission Consultation; however this was excluded from 'MC1 – Schedule of Modifications' in error. The WPAs consider that such updates are minor and factual in nature and as such would seek to make this amendment as part of the final drafting of the Plan for adoption.

The WPAs note the comments made by the Fairfield Partnership, however no modifications were considered necessary through the hearing sessions and therefore no changes to the allocation of W8- Elsenham have been proposed.

As requested by various respondents, the WPAs will continue to engage with all stakeholders as part of the examination process, and through the outlined consultation methods for planning applications.

## MC2 – Site Assessment and Methodology Addendum

Modification Number	Modification Detail	Response
M17 – Morses Lane, Brightlingsea	<p>See 'Appendix 15 – Table 14 Morses Lane, Brightlingsea' in MC1 Schedule of Modifications.</p> <ul style="list-style-type: none"> <li>The inclusion of a statement that the facility would be enclosed (bullet point 5).</li> <li>Additional bullet point regarding the need for new development to not impact on the nearby retail use (bullet point 6).</li> </ul> <p>Morses Lane Site Assessment Scores:</p> <ul style="list-style-type: none"> <li>'3D – Proximity to Sensitive Receptors' – Red.</li> <li>'3K – Recreation Facilities' – Amber 2.</li> </ul> <p>See MC2 Site Assessment Methodology Report for the site assessment proforma and rationale for allocation.</p>	<p>The change to criteria '3D – Proximity to Sensitive Receptors' has been to the number of receptors within 250m and to include reference to the secondary school and college. The reference to <i>"within 1km of an existing waste management facility"</i> is not a new addition. The newly constructed properties on Samson Road are in reference to the recent permission (13/00722/FUL).</p> <p>NEEB Holdings suggest the need to include reference to four dwellings to the north of Samsons Road, which were granted planning permission in January 2016 (16/00057/FUL). Although these four properties are within 250m of the proposed site, the score for this criterion is already Red, and an update to this affect would not change the overall scoring or the conclusions within the WLP.</p> <p>Morses Lane does not have three Red scores in totality across the assessment, due to the nature of the site being proposed for various waste management facilities there is the need to group these into three separate categories: Open Air, Enclosed and Enclosed Thermal. These essentially act as three separate assessments for Morses Lane.</p> <p>There has not been a change to the assessment under criteria '2B Traffic and Transportation'. The site has been assessed by the Highways Authority and the B1029 is deemed suitable to accommodate HGV traffic as it is part of the County's main road network.</p> <p>The capacity figure for the site has not been changed. This was</p>

Modification Number	Modification Detail	Response
		<p>not considered an issue previously during hearing sessions as part of the examination process.</p> <p>Criteria's '3A – Planning Background' and '3L – Proximity to Key Centres of Growth' has not been changed. This was not considered an issue previously during hearing sessions as part of the examination process.</p>
M21 - Sunnymead, Elmstead and Heath Farms	<p>See 'Appendix 17 – Table 19 Sunnymead, Elmstead and Heath Farms' in MC1 Schedule of Modifications.</p> <p>Inclusion of recycling operations (new allocation W36) originally allocated at Wivenhoe Quarry (W13). The two operations (L(i)5 and W36) proposed at Sunnymead, Elmstead and Heath Farms are now included within a single table.</p> <ul style="list-style-type: none"> <li>• Update 'Site Allocation For'</li> <li>• Update 'Estimated Availability'</li> <li>• Update 'Life'</li> </ul> <p>New development principles included to reflect the outcome of the assessment process.</p> <p>See MC2 Site Assessment and Methodology Report Addendum for the site assessment proforma and rationale for allocation.</p>	<p>It is noted that the number of sensitive receptors within 250m of Sunnymead is questioned by Tarmac. The receptors have been identified using ECC GIS address point information and is considered to be accurate at the time of assessment (Autumn 2016).</p> <p>The resultant score for this criterion has not affected the overall outcome for the site, given that it is considered in the round with other matters picked up in the site assessment methodology. Inert waste recycling and disposal in this location is supported by the WLP.</p>
M23 – Dollymans Farm	<p>Allocation of site.</p> <p>See 'Appendix 18 – Table xx Dollymans Farm' in</p>	<p>It is noted by the WPAs that under criteria '3K – Recreation Facilities' the text description and colour score do not match. The score should be updated from Green to Amber 2. This is a</p>

<b>Modification Number</b>	<b>Modification Detail</b>	<b>Response</b>
	MC1 Schedule of Modifications for development principles and MC2 Site Assessment and Methodology Report Addendum for the site assessment proforma and rationale for allocation.	minor matter which is not considered to affect the overall conclusions for this site and instead impacts are addressed through the development principles.

### MC3 - Sustainability Appraisal

Modification Number	Modification Detail	Response
M1 – ‘The Waste Challenge at a Glance’	<p>See 'Appendix 1 - The Waste Challenge at a Glance' in MC1 – Schedule of Modifications.</p> <ul style="list-style-type: none"> <li>Update of figures used in ‘The Waste Challenge – best available data, At a Glance’ section to take into account further information arising from the consultation, the Hearings and the addition of L(i)16 – Dollymans Farm.</li> </ul>	<p>This representation seeks additional detail to explain the statement that there would be ‘no significant environmental effects or changes to the SA’ in response to the Plan’s modification that indicates that the plan area will receive waste from London post-2026.</p> <p>It should be noted that this matter was dealt with during the Examination in Public hearing sessions where the waste data evidence was explored in detail. The modification (Modification 1) highlights that imports from London will also be significantly reduced post-2026. The modification also ensures that no non-recyclable or non-biodegradable waste is sent to landfill, and that ‘some provision’ may also be made for the management of residues (energy recovery) at Rivenhall (the only consented plant in the Plan area). This is directly in conformity to the waste hierarchy and the principle of moving waste up the waste hierarchy on a strategic level, with positive sustainable outcomes.</p> <p>Related modifications also respond to the revised ‘Indicative Facility Scale’ for Rivenhall; changing from 360,000tpa to 595,000tpa (Modification 19) for CHP to reflect the current planning permission for the site that was granted in February 2016, after the start of the Pre-Submission Plan</p> <p>The impacts of modifications associated with Rivenhall regarding the transportation of waste and haulage distances can be seen to have increased impacts, but not ‘significant’ impacts as identified consistently within the SA throughout the</p>

Modification Number	Modification Detail	Response
		<p>plan-making process.</p> <p>It should be additionally noted that in 2016, the residual waste output from the Tovi Eco Park Facility in Basildon was exported from the plan area, and that the modification seeks to ensure the management of this waste within the plan area. This is in conformity to notions of self-sufficiency. In so far as a 'business as usual' alternative is relevant for comparison, the export of waste outside the plan area cannot be considered as sustainable an option, or benefitting from a comparable level of certainty, as the management of this residual output at Rivenhall within the plan period and beyond.</p> <p>The SA conclusions related to Rivenhall factor in the proximity of the site to the strategic road network, and conformity to adopted Waste Local Plan Transport Policy (2001), as per the relevant SA site appraisal objective (Sustainability Objective 10) as published for the site in the initial Pre-Submission RWLP SA (February 2016). In addition, Sustainability Objective 12 explored 'public nuisance' factoring in access to and from the site. It should be noted that the SA Site Pro Forma (Pre-Submission SA Environmental Report: Annex C), against which all sites have been appraised, factors in long term impacts of site proposals, reflecting their permanence. As a permanent site proposal, reflecting the nature of the use for CHP, Rivenhall (IWMF2) has been appraised appropriately to receive waste post-2026 and beyond the plan period. The appraisal thus remains appropriate in consideration of the modification that waste will be received at the site post-2026.</p>

Modification Number	Modification Detail	Response
		<p>The SA is a strategic document relevant to the scope of the Plan it accompanies. The SA assesses the principle of allocating the Rivenhall site (IWMF2) for CHP, and concludes that it is the most appropriate site for managing waste in this manner in light of all reasonable alternatives submitted / proposed during the call-for-sites process (also factoring in the cumulative impacts of co-location where necessary). In comparison, the increase in capacity of the site, reflecting the planning permission of February 2016 (after the Pre-Submission RWLP consultation start date) for receiving residual waste cannot be considered significant to the extent that the site becomes in itself unsustainable or unsuitable to manage such waste. In short, the increase in capacity does not affect the overarching principle of managing residual waste at this site, and as a result, the effects of the change in capacity are not significant.</p>
M5 – Policy 3 ‘Strategic Site Allocations’	<p>See ‘Appendix 4 – Policy 3’ in MC1 Schedule of Modifications.</p> <ul style="list-style-type: none"> <li>• Clause 1 – name change of Basildon Waste Water Treatment Works.</li> <li>• Clause 2 – removal of Wivenhoe Quarry allocation, with the facility proposed in the Wivenhoe locality moved to the Sunnymead, Elmstead and Heath Farms allocation.</li> <li>• Clause 3 update to clarify what is meant by ‘other waste’ management.</li> <li>• Clause 4 – inclusion of a new inert recycling allocation at Dollymans Farm,</li> </ul>	<p>Annex C to the Pre-Submission SA contains the detailed site assessment pro forma, including the key criteria and description of highlighted / summarised impacts for sites within the SA. Sustainability Objective 5 seeks to conserve and enhance the historic environment, heritage assets and their settings. This identifies that a ‘negative’ (-) impact is not ‘significant’ (responding to the requirement to identify significant effects within the SEA Regulations) due to the assessment that adequate mitigation is possible. It should be further noted that this assessment has been sourced and completed by historic environmental specialists, as outlined in Annex C of the SA and recommended by Historic England.</p> <p>The allocation of W8 Elsenham is subject to a planning</p>

Modification Number	Modification Detail	Response
	<p>Basildon.</p> <ul style="list-style-type: none"> <li>• Removal of the words “as follows and”.</li> </ul>	<p>application that would be required to meet the criteria of ‘Policy 10 – Development Management Criteria’ of the Pre-Submission Waste Local Plan, which states that, <i>‘Proposals for waste management development will be permitted where it can be demonstrated that the development would not have an unacceptable impact (including cumulative impact in combination with other existing or permitted development) on: ...m) the historic environment including heritage and archaeological assets and their settings’</i>. Additionally, ‘Appendix B – Allocated Sites: Development Principles’ of the Plan, includes for the site at Elsenham, <i>‘The following specific issues and opportunities are to be addressed: ...The proposed development site falls within the setting of the Grade I listed Church of St. Mary the Virgin, the Grade II listed Elsenham Hall, and a group of non-designated heritage assets directly to the east of the church. The land to the west of the haul road should be retained for mitigation purposes only (including a robust scheme of landscaping) with the waste management facility being located entirely within land to the east of the haul road... The impacts from the proposal on designated assets as well as assessing the significance of previously unidentified undesignated assets should address: (1) the setting and significance of the listed buildings in the vicinity of the site; (2) the relationship and impact on the historic parkland including surviving elements such as boundary ditches, earthworks original trees etc. A trial trenching exercise should be undertaken to assess the area for surviving archaeological deposits. If deposits are identified then an appropriate mitigation strategy should be submitted.’</i> The SA concludes that the general and site specific Policy context of the Plan is</p>

Modification Number	Modification Detail	Response
M8 – Policy 5 ‘Enclosed Waste Facilities on Unallocated Sites or Outside Areas of Search’	<p>See ‘Appendix 7 – Policy 5’ in MC1 Schedule of Modifications.</p> <ul style="list-style-type: none"> <li>• Title change to better reflect that the policy applies to enclosed facility proposals on unallocated sites.</li> <li>• Clause 1 – replacement of “or” with “and” and deletion of “and” from “and/or”.</li> <li>• Clause 2 – the addition of “although not exclusively” in relation to waste arising in the Plan Area.</li> <li>• Addition of a final sentence to state that proposals not according with the Policy will be assessed on their merits.</li> </ul>	<p>adequate in ensuring that any potential impacts are mitigated.</p> <p>The SA is a strategic document relevant to the scope of the Plan it accompanies. The SA assesses the principle of allocating the Rivenhall site (IWMF2) for CHP, and concludes that it is the most appropriate site for managing waste in this manner in light of all reasonable alternatives. In comparison, the increase in capacity of the site, reflecting the planning permission of February 2016 (after the Pre-Submission RWLP consultation start date) for receiving residual waste cannot be considered significant to the extent that the site is in itself unsustainable or unsuitable to manage such waste. The increase in capacity does not affect the overarching principles of managing residual waste at this site and it’s appropriateness to allocate in the Plan. As a result, the effects of the change in capacity are not significant.</p> <p>The detail of this comment is not considered relevant to the SA and more relevant to any Environmental Impact Assessment (EIA) associated with the planning permission.</p>
M13 - Policy 10 ‘Development Management Criteria’	<p>See ‘Appendix 11 – Policy 10’ in MC1 Schedule of Modifications.</p> <ul style="list-style-type: none"> <li>• More detail provided around clause b (protection of water resources).</li> <li>• Addition of final sentence setting out that enhancement opportunities should be sought.</li> </ul>	<p>The comment from Natural England is considered relevant to the major modification itself, rather than its assessment in the SA Addendum. See M13 above.</p>
M17 – Morses Lane, Brightlingsea	<p>See ‘Appendix 15 – Table 14 Morses Lane, Brightlingsea’ in MC1 Schedule of Modifications.</p>	<p>The SA concludes that the proposed Modification 17 will have, ‘no significant sustainability effects, or changes to the SA as a result.’ This conclusion was reached in direct response to those</p>

Modification Number	Modification Detail	Response
	<ul style="list-style-type: none"> <li>• The inclusion of a statement that the facility would be enclosed (bullet point 5).</li> <li>• Additional bullet point regarding the need for new development to not impact on the nearby retail use (bullet point 6).</li> </ul> <p>Morses Lane Site Assessment Scores:</p> <ul style="list-style-type: none"> <li>• ‘3D – Proximity to Sensitive Receptors’ – Red.</li> <li>• ‘3K – Recreation Facilities’ – Amber 2.</li> </ul> <p>See MC2 Site Assessment Methodology Report for the site assessment proforma and rationale for allocation.</p>	<p>changes proposed to the development principles for the Morses Lane site.</p> <p>Consideration was given to those relevant hearing statements within the Examination in Public and the subsequent changes to the Site Assessment Report regarding sensitive receptors. It is the overall conclusion of the SA that the newly introduced text to Table 14 Morses Lane, Brightlingsea adequately addresses the changes to the Site Assessment Report in so far as any forthcoming development would have to be enclosed within an appropriate building and configured and operated in regard to impacts on neighbouring land uses, including the potential impacts on the adjacent retail use.</p>
M19 - Rivenhall	<p>Indicative Facility Scale:</p> <p>AD <del>85,000tpa</del> <u>30,000tpa</u></p> <p>CHP <del>360,000tpa</del> <u>595,000tpa</u></p>	<p>The SA is a strategic document relevant to the scope of the Plan it accompanies. The SA assesses the principle of allocating the Rivenhall site (IWFMF2) for CHP, and concludes that it is the most appropriate site for managing waste in this manner in light of all reasonable alternatives. In comparison, the increase in capacity of the site, reflecting the planning permission of February 2016 (after the Pre-Submission RWLP consultation start date) for receiving residual waste cannot be considered significant to the extent that the site is in itself unsustainable or unsuitable to manage such waste. The increase in capacity does not affect the overarching principles of managing residual waste at this site and it’s appropriateness to allocate in the Plan. As a result, the effects of the change in capacity are not significant.</p> <p>The detail of this comment is not considered relevant to the SA</p>

<b>Modification Number</b>	<b>Modification Detail</b>	<b>Response</b>
		and more relevant to any Environmental Impact Assessment (EIA) associated with the planning permission.

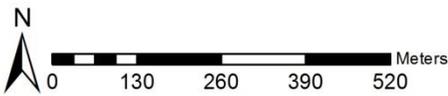
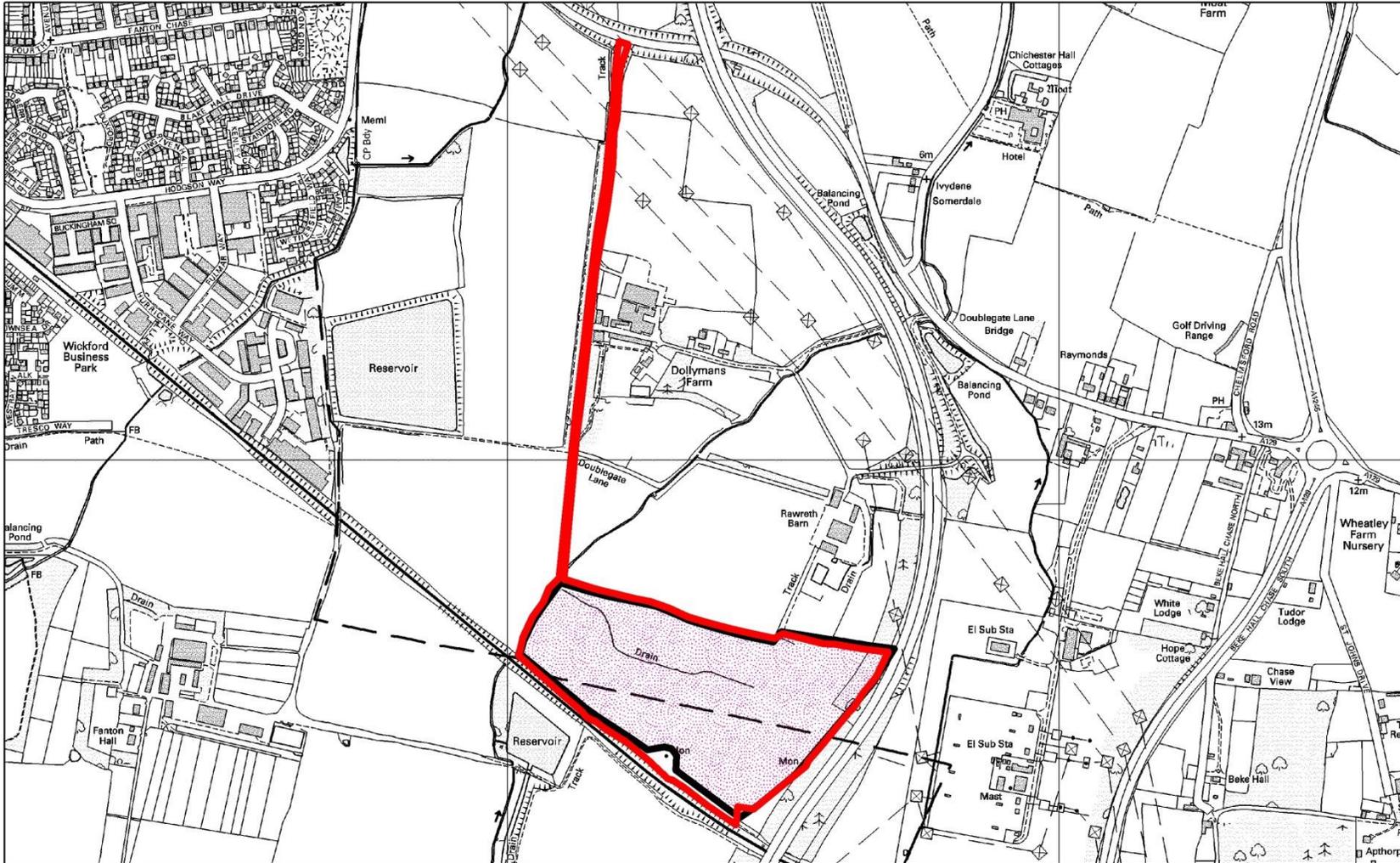
## Appendix A – Dollymans Farm Development Principles

<b>District</b>	Basildon/Rochford
<b>Area</b>	16.09ha
<b>Indicative Facility Scale</b>	500,000 tonnes
<b>Link to Waste and Mineral Activities</b>	The site constitutes a former mineral borrow pit.
<b>Site Allocation for</b>	Inert Landfill Capacity
<b>Access</b>	Via private road adjoining A129
<b>Estimated Availability</b>	2017
<b>Life</b>	Up to 5 years

This site would culminate in the restoration of a former mineral void. The following specific issues and opportunities are to be addressed:

- All access should be via the A129. A Transport Assessment would be required at the planning application stage to review access arrangements and examine safety and capacity of the local road network. This may result in the diversion of bridleway to segregate users from vehicles or other mitigation works.
- **The proposal should demonstrate that there would not be an adverse effect on a European site through HRA. Such an assessment should include consideration of functionally linked land, and must demonstrate no adverse effects on the integrity of any international site. Evidence will change over time regarding the preferences of species such as the Dark-bellied Brent Geese, so appropriate foraging distances should be reviewed as part of any HRA.**
- **Chichester Hall Brook requires protection, for example through an appropriate buffer of at least 15m and through the assessment of potential hydrological impacts with appropriate protection.**
- Restoration of the site through this allocation provides the **significant** opportunity for biodiversity, landscape, visual enhancement **and historic asset preservation**. Careful consideration of the environmental impacts of the waste development will be necessary as part of a planning application with proportionate levels of mitigation to be established. Specifically, the WPA would seek the overall landscape improvement of the site, with the final restoration and long-term aftercare to be beneficial to the Green Belt and biodiversity **with particular reference to habitat creation in line with the Northern Thames Basin National Character Area.**

- Retain trees and shrubs to screen plant and materials from the road. Consider new planting and bunding to screen views into the site **prior to commencement of landfilling operations**.
- Dust mitigation measures, limits on duration (hours of operation) and noise standards (from noise sensitive properties) will be established in the interests of protecting local amenity.
- An Archaeological Desk Based Assessment should be carried out to identify the extent of preservation within the northern part of the site and preservation requirements around war memorials.
- Areas of archaeological deposits preserved in situ will require excavation if working is likely to cause ground disturbance in the north western part of the site
- A management proposal for the survival and maintenance of the memorial for the burial sites should be submitted with any application.



### L(i)16 Dollymans Farm

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- Preferred Site Boundary
- Existing Mineral Permission