

Schedule of remaining 'saved' County Durham Waste Local Plan Policies

The majority of the policies of the 'saved' County Durham Waste Local Plan policies have now been replaced by the policies of the County Durham Plan which was adopted by the council in October 2020.

Thirteen Waste Local Plan policies remain 'saved' and still form part of the development plan for County Durham.

These remaining saved Waste Local Plan policies are set out in Appendix B of the County Durham Plan and are set out in this schedule of remaining of saved County Durham Waste Local Plan Policies.

The remaining saved policies will remain part of the development plan for County Durham until they are replaced by the provisions of the Minerals and Waste Policies and Allocations document which is now being prepared by the council.

Policy W6 - Design

New buildings for waste management uses should be carefully sited and designed to complement the location and existing topography. Landscape proposals should be incorporated as an integral part of the overall development of the site. Where appropriate, the opportunity should be taken to illustrate best practice by incorporating sustainable design principles in new building, using recycled materials wherever possible.

Policy W26 - Water Resource

Proposals for waste development which does not involve landfill or landraise will not be permitted unless it can be demonstrated that there will be no significant adverse impact or significant deterioration to:

- a) the quality of surface or groundwater resources; and
- b) the flow of surface or groundwater at or in the vicinity of the site.

Policy W27 - Landfill/Landraise and groundwater vulnerability

Proposals for landfill and landraise will not be permitted in Groundwater Source Protection Zone I. For other parts of the County, a risk assessment of a level of detail appropriate to the site's location, its hydrogeology and the nature of the wastes should accompany each planning application. Unless it demonstrates that active long-term site management is not essential to prevent long-term groundwater pollution, proposals for landfill and landraise will not be permitted on or in a Major Aquifer, or within Groundwater Source Protection Zones II or III, or below the water table in any strata where the groundwater provides an important contribution to river flow or other sensitive surface waters.

Policy W29 – Modes of Transport

Waste development will be required to incorporate measures to minimise transportation of waste. A Transport Assessment shall be produced in support of all proposals for waste development which is likely to have significant transport

implications. The Transport Assessment will be required to show, where practicable, that full consideration has been given to the transport of waste by rail and through pipelines.

Policy W31- Environmental Impact of Road Traffic

Waste development will only be permitted if:

- a) traffic estimated to be generated by the development can be accommodated safely on the highway network and the amenity of roadside communities is protected;
- b) the strategic highway network can be safely and conveniently accessed; and
- c) the impact of traffic generated by the development on local and recreational amenity is otherwise acceptable

Policy W32 - Planning Obligations for controlling environmental impact of road traffic

In granting planning permission for waste development, planning conditions will be imposed and planning obligations or other legal agreements sought, to cover the following matters, insofar as they fairly and reasonably relate to the proposed development:

- a) the routing of traffic to and from the site;
- b) highway improvements or maintenance;
- c) the prevention of the transfer of mud, dust, litter or release of smoke onto the public highway by measures including the provision of wheel cleaning facilities, suitably metalled access roads and the sheeting of laden vehicles;
- d) access to and from the site and the provision of on-site turning, parking, loading and unloading areas; and
- e) the means of transporting material within the site, or between different parts of the same working area.

Policy W34 – Site Management

In considering planning applications for landfill and landraise the waste planning authority will require the applicant to demonstrate that their technical and financial capabilities are sufficient to undertake the proposed reclamation and aftercare of the site in accordance with an agreed scheme of planning conditions. The waste planning authority will ensure that adequate safeguards are in place, which may include appropriate mutual funds operated through the industry, or other means, including an escrow account or financial bond, to ensure that any breach of planning conditions, with regard to the restoration and after-care of the site, can be remedied without additional public cost.

Policy W35 - Cumulative Impact

In considering proposals for waste development the cumulative impact of the following will be taken into account:

- a) existing waste development in the area;

- b) waste development with planning permission, including proposals not yet started;
- c) past waste development in the area;
- d) current planning applications for waste development in the area;
- e) other non-waste activities in the area.

Permission will not be granted where the cumulative impact exceeds that which would be acceptable if produced from a single site under the relevant policies of this plan.

Policy W46 – Landfill and Landraise

Proposals for new landfill or landraise sites and extensions to existing sites which create new landfill capacity will only be permitted where it can be demonstrated that:

- a) they contribute to a sustainable waste management system for County Durham; and
- b) they represent the best practicable environmental option; and
- c) they satisfy an established need; and
- d) they achieve overall environmental benefits; or
- e) a proposal represents a small ‘windfall’ scheme which will secure the reclamation of registered contaminated or previously developed land within a short timescale or increase the nature conservation interest of a proposed site through the creation of new habitats, without creating a significant amount of new voidspace.

Proposals for new landfill/landraising development in areas of groundwater vulnerability will not be permitted unless it can be demonstrated that it meets the terms of Policy W27.

Policy W47 – Tipping on Agricultural Land

Proposals for development by landfill or landraise on agricultural land, which have the primary purpose of improving agricultural land quality, will only be permitted where it can be shown that:

- a) the quality of land will be improved and it cannot be improved by other more suitable methods; and
- b) the proposal represents the Best Practicable Environmental Option; and
- c) there is no unacceptable loss of amenity caused by the operations; and
- d) restoration of the site is not unduly delayed; and
- e) the materials used are inert.

W50 – Mining of Waste

The mining or excavation of waste will only be permitted where:

- a) it will provide a demonstrable benefit to the environment, human health and local amenity; or
- b) the waste is shown to be endangering human health or harming the environment; or
- c) removal of the waste is required to facilitate major infrastructure projects; and
- d) the proposals represent the Best Practical Environmental Option.

Policy W54 - Reclamation Conditions

Planning applications for waste development should include proposals for the satisfactory reclamation of the site. Conditions will be imposed, and planning obligations or other legal agreements sought, to cover the following matters as necessary:

- a) the submission of further detailed reclamation proposals at specified stages in the development;
- b) the phased reclamation of waste operations where appropriate in order to ensure that the period over which land is out of beneficial use is kept to a minimum;
- c) the stripping, storage, replacement and management of any topsoil, subsoil and soil making material in good condition for ultimate restoration;
- d) the installation of drainage systems;
- e) the contouring and grading of restored land;
- f) a programme of after-care following the completion of restoration including, where appropriate, provision for long term management;
- g) the removal of buildings, plant, structures, machinery and hardstanding used in connection with the waste operations after the completion of operations; and
- h) the mitigation of any adverse traffic impact due to site reclamation activity; and
- i) any other matters necessary to ensure the satisfactory reclamation of the site.

Policy W55 – After Use

All proposals for the after-use of waste management sites shall have particular regard to the following:

- a) the impact on the amenity of local communities and opportunities for their enhancement;
- b) the impact on landscape character and opportunities for improvements to the landscape;
- c) impacts on the cultural and built environment;

- d) the quality of agricultural land;
- e) opportunities for the provision of sport and recreational facilities or public open space;
- f) opportunities for the enhancement and creation of features of nature conservation importance;
- g) opportunities for the creation of community woodlands;
- h) opportunities for the creation of new rights of way; and
- i) the likely traffic impact due to the after-use of the site.