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Warrington Borough Council

Local Plan

Preferred Development Option

Regulation 18 Consultation

Standard Response Form

July 2017

Question 16

Do you agree with our suggested approach for dealing with Minerals and Waste?

Response:

Please see attached representation



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CHARTERED TOWN PLANNERS

Established 1983

**WARRINGTON BOROUGH COUNCIL
LOCAL PLAN PREFERRED OPTIONS**

CONSULTATION RESPONSE

REPRESENTATIONS ON BEHALF OF A. BROSTER LTD

Description:

Representations to the Warrington Borough Council emerging local plan Preferred Options consultation (Sept 2017).

Site Location:

Land at Diggle Green Farm, Nr Culcheth

On behalf of:

A. Broster Ltd and Brosters Environmental Ltd

Date:

September 2017



1. INTRODUCTION

- 1.1. This representation statement is submitted jointly on behalf of A. Broster Ltd and Brosters Environmental Ltd who are the freehold owner and occupier of land at Diggle Green Farm, Wilton Lane, Warrington, WA3 4BD. The purpose of the document is to respond to the Council's consultation on its recently published Local Plan Preferred Options draft emerging planning policy.
- 1.2. This report undertakes a brief evaluation of the main policy considerations relating to the development plan for waste matters before highlighting areas which ought to be further considered to ensure soundness of the plan moving forward. It also concludes that more detailed consideration and examination of the need to identify suitable sites to manage waste arisings from the Borough is needed. Additionally, it finds that the strategic implications /duty to co-operate with other regulating bodies and the Greater Manchester Waste Disposal Authority is required in relation to the identification of sustainable waste sites in the wider region.
- 1.3. This representation concludes by proposing a limited release of 1ha of greenbelt land immediately adjacent to the existing composting facility at Diggle Green Farm so as to enable and support future expansion of the site operations for the sustainable management of organic waste.

2. CONSIDERATION OF SOUNDNESS

- 2.1. We consider that amendments to the emerging plan are required to ensure that it is sound; positively prepared; justified and effective as per paragraph 182 of the NPPF. The National Planning Policy for Waste (NPPW) works alongside the NPPF and sets out the requirement to ensure that minerals and waste planning includes a suitable supply of sites to manage waste in its own area wherever possible and considers the spatial planning implications of providing such sites.
- 2.2. The guiding principles of the NPPW are to work toward more sustainable waste management by applying the waste hierarchy as identified in Article 4 of the European Commission Waste Framework Directive (2008/98/EC) and the UK implementation of the Directive under Part 6 of The Waste (England and Wales) Regulations 2011 (as amended).
- 2.3. Section 3 and Section 4 of the NPPW relate to the need to identify suitable waste management facilities and consider the need for provision of a network of facilities. In deciding what sites should be allocated for waste management uses, consideration should be given to infrastructure requirements; employment generation; potential for impacts on amenity (including noise, odour, dust and pests); sustainability and wider climate change/environmental benefits.



Need and supply for waste sites

- 2.4. As set out in the Council's Preferred Option Consultation (POC), the Council aspires to become self-sufficient by managing its waste arisings within the Borough. This is reinforced by the NPPW's reference to the proximity principle which encourages that waste arisings should be dealt with as close to point of origin as realistically achievable. To achieve this, the emerging plan confirms that the Council must identify suitable sites and areas for new and enhanced waste management facilities. A. Broster Ltd/Brosters Environmental Ltd submit that the emerging plan does not appear to make adequate provision to manage waste arisings because it fails to positively identify, safeguard or promote new or existing sites for retention or future expansion.
- 2.5. Unfortunately, there is no mention within the POC of the benefits to agricultural land yield provided by composting organic wastes and no mention of the advantages of moving waste up the hierarchy and reducing the amount of waste being sent to landfill. The market research undertaken by our clients indicates that there is a limited supply of suitable composting sites within the Borough and GMWDA region. In order to make adequate provision, locally and strategically, consideration should be given to the expansion of existing sites in order to provide the required capacity for the disposal of organic waste from Local Authority Collected Waste (LACW) and other appropriate sources including sanitised waste from in-vessel composting sites and green waste from landscaping and garden waste from 'green bin' collections.
- 2.6. Additionally, locally and regionally important sites such as those which contribute to the Council's waste processing capacity should receive protection within policies within the plan to safeguard it against incompatible uses being proposed nearby; examples may include odour sensitive uses such as housing within close proximity and/or infrastructure changes such as road alterations which prevent or hinder access to such sites. In this case, Diggle Green Farm makes an important contribution to the Council's waste disposal capacity and by receiving its bulked civic amenity waste and kerbside collections of green waste with the Council's waste collection vehicles travelling straight to the site from nearby residences – the ability to continue making this contribution to sustainable waste management must be protected within the emerging development plan.
- 2.7. In summary, for the plan to be sound and effective, the following amendments are needed:
- Specific waste sites should be identified for retention and future expansion of existing sites;
 - The plan should be amended to protect the ongoing use of important existing waste sites;
 - Opportunities to identify new local and regional sites should be taken



Duty to co-operate

- 2.8. The Planning Acts require that the Council properly undertake its duty to co-operate by working effectively with other local planning authorities on strategic matters. Notwithstanding an acknowledgement that “waste streams do not always respect local authority borough boundaries” (pg.29) there is no reference to the influence that other Local Council’s waste disposal strategy could have on the WBC area. Additionally, the duty of co-operate in respect of waste and minerals matters extends beyond other local Councils and it is unclear whether the interactions with the Environment Agency (EA) and other relevant stakeholders such as businesses already involved in the waste disposal operations.
- 2.9. Whilst the Council the Council states that it has actively participated in the former Regional Technical Advisory Board (RTAB) introduced by PPG10 and now the North-West Waste Network which replaced the RTAB and in so doing “sought to influence waste management strategy through the groups as well as consultation/negotiation in respect of several planning applications for waste disposal facilities.” The Council claims that it has sought to address short term capacity issues in the sub-region in order to facilitate the medium/long term aims of adjoining authorities to bring on stream their own re-cycling/transfer facilities, however, it also confirmed that *“The Councils accepts it has not progressed its Waste Local Plan as quickly as envisaged after the adoption of the Local Plan Core Strategy, due to a High Court Challenge to the Plans housing target, and hence has not been able to engage as part of this process with adjoining authorities in the manner envisaged.”*
- 2.10. One example of this is the absence of mention of Greater Manchester’s Waste Disposal Authority (GMWDA) strategy. It is notable that our client’s site is already registered as a ‘contingency site’ for receiving organic waste when contracts awarded by GMWDA have reached their capacity or have operational difficulties which require organic waste streams to be diverted elsewhere. This is a clear indication that waste crosses borough boundaries out of necessity and contractual arrangements; and yet there is no detailed consideration of the need and locational requirements arising from this cross-boundary activity.
- 2.11. The background papers and evidence in support of the approach set out in the POC is limited and the Council do not appear to have identified sites to meet the waste arisings within the Borough.
- 2.12. In summary, for the plan to be sound, more detailed consideration of strategic matters is required in addition to the identification of sites to meet the Borough’s waste disposal needs.



3. PROPOSED EXPANSION OF DIGGLE GREEN FARM COMPOSTING SITE

- 3.1. As noted above, our client identifies that given the apparent lack of appropriate facilities in the Borough for the composting of organic waste, that the Diggle Green Farm site (which already takes a proportion of the Council's green waste) is critical to the Council's ability to effectively and sustainably manage waste in the borough.
- 3.2. Additionally, it is submitted that as well as being protected from incompatible development nearby, the site has capacity and capability to expand in future to enhance the local and regional contribution the site can make to sustainable waste management.

Physical site

- 3.3. Diggle Green Farm (the Site) is situated north of Wilton Lane, Culcheth close to the Wigan/Warrington borough boundary. Access to the site is made of Wilton Lane via a gated access. The farm is a unified holding of almost 2000 acres (approx 800 hectares) of farmland situated across three main farmsteads.
- 3.4. Circa 1ha of additional land at the eastern edge of the existing composting site is promoted for identification, release from the greenbelt and allocation within the emerging plan for expansion of composting facilities including new on-site infrastructure where reasonably required.

See Fig.1 below.

- 3.5. The site has capacity to accept 25,000-30,000 tonnes of the Council's organic waste. It already holds an Environmental Permit from the Environment Agency for processing of 75,000 tonnes per annum. Additionally, planning permission has been granted (under ref. 2016/28356) for processing 72,000 tonnes per annum. Subject to relevant matters of detail being satisfied, there is no reason in principle that this could not be increased.

Access

- 3.6. Access to the site via Wilton Lane has proven adequate (subject to controls regarding vehicle routing) for the receipt of HGVs and smaller vehicles. The site is well located nearby to the A580 East-Lancs road with ready access to nearby Manchester, Cheshire and Lancashire via the M6 and M60 motorways to the north and the M62 situated south of Culcheth village.



Fig.1. Site promoted for release from the greenbelt and allocation





4. GREENBELT REVIEW

4.1. The Council has undertaken a review of its greenbelt (Arup, Greenbelt Review 2016) and responded to the sites promoted through the call for sites exercise. However, the proposed site was not included within the previous call for sites exercise, therefore a greenbelt review is set out below.

4.2. The five greenbelt purposes have been assessed as follows:

4.2.1. 1) Checking the unrestricted sprawl of large built up areas

The site is not adjacent to the Warrington urban area and does not therefore function to prevent urban sprawl.

Score given: No Contribution

4.2.2. 2) Prevent neighbouring towns from merging into one another

The site is not within any strategic gap and not adjacent to any urban area. It does not therefore make any contribution to greenbelt purposes.

Score given: No Contribution

4.2.3. 3) Assist in safeguarding the countryside from encroachment

The parcel of land proposed for allocation is limited and closely related to the existing site operations; the parcel therefore offers only a moderate contribution to this purpose.

Score given: Moderate Contribution

4.2.4. 4) To preserve the setting and special character of historic towns; and

The site is not within or close to a Conservation Area or historic town.

Score given: No Contribution

4.2.5. 5) Assist in urban regeneration, by encouraging the recycling of derelict & other urban land.

Whilst the proposed allocation is greenfield land, it is immediately adjacent to a disused railway line (brownfield land) and thus makes only a weak contribution to this purpose.

Score given: Weak contribution



Fig. 2 – Location of greenbelt parcels assessed



4.3. In light of the above, it is arrived that the parcel makes a moderate contribution to one purpose, a weak contribution to one purpose and no contribution to all others. When professional judgment is applied, releasing the land from the greenbelt for development associated with the ongoing waste operations would have only limited impact and therefore it makes a weak contribution overall.

PURPOSE	1	2	3	4	5
SCORE GIVEN	None	None	Moderate	None	Weak

Overall contribution: Weak



5. CONCLUSIONS

- 5.1. The Preferred Options does not adequately take some important considerations into account and in order to be sound, further consideration should be given to the matters raised above.
- 5.2. The aforementioned land at Diggle Green Farm makes an overall weak contribution to the purposes of the green belt. It is suitable and immediately available for further expansion of site operations to assist the Council in sustainability managing waste and moving it up the waste hierarchy.
- 5.3. Allocation of the site for future expansion should be considered.



For further information please ask for:

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(1) Your Details

Please provide your contact details and those of your agent (if applicable). Where provided, we will use your Agent's details as our primary contact.

	Your details	Your Agent's details	
Name			
Position			
Organisation			
Address			
			Town
			Postcode
Telephone			
Email address			

(2) Site Details

Please provide the details of the site you are suggesting. If you are suggesting more than one site, please use a **separate** form.

Name of site /other names it's known by	Diggle Green Farm	
Address	8 Wilton Lane	
	Culcheth	
	Town	Warrington
	Postcode	WA3 4BD
Ordnance Survey Grid Reference	Easting :	Northing :
Site area (hectares)	1.07	
Net developable area (hectares)		
What is your interest in the site? (please tick one)	Owner <input checked="" type="checkbox"/>	Lessee <input type="checkbox"/>
	Prospective Purchaser <input type="checkbox"/>	Neighbour <input type="checkbox"/>
	Other <input type="checkbox"/>	Please state:

Please Note: It is essential that you provide a map showing the site's location and detailed boundaries for each submission.

(4) Site Ownership

Please record the site ownership details. If there are more than three owners, please record the fourth owner, etc. on a separate sheet. Please indicate the extent of individual landholding(s) on the site map.

If you do not know who owns the site, please state so below.

	Owner 1	Owner 2	Owner 3
Name			
Address			
Town			
Postcode			

Or: I do not know who owns the site

Has the owner (or each owner) indicated support for proposed redevelopment?
Please also record these details for the 4th and subsequent owners (where necessary).

Yes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Don't know	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Are there any Restrictive Covenants & Ransom Strips affecting the site?	None.
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(5) Market Interest

Please choose the most appropriate category below to indicate what level of market interest there is in the site:

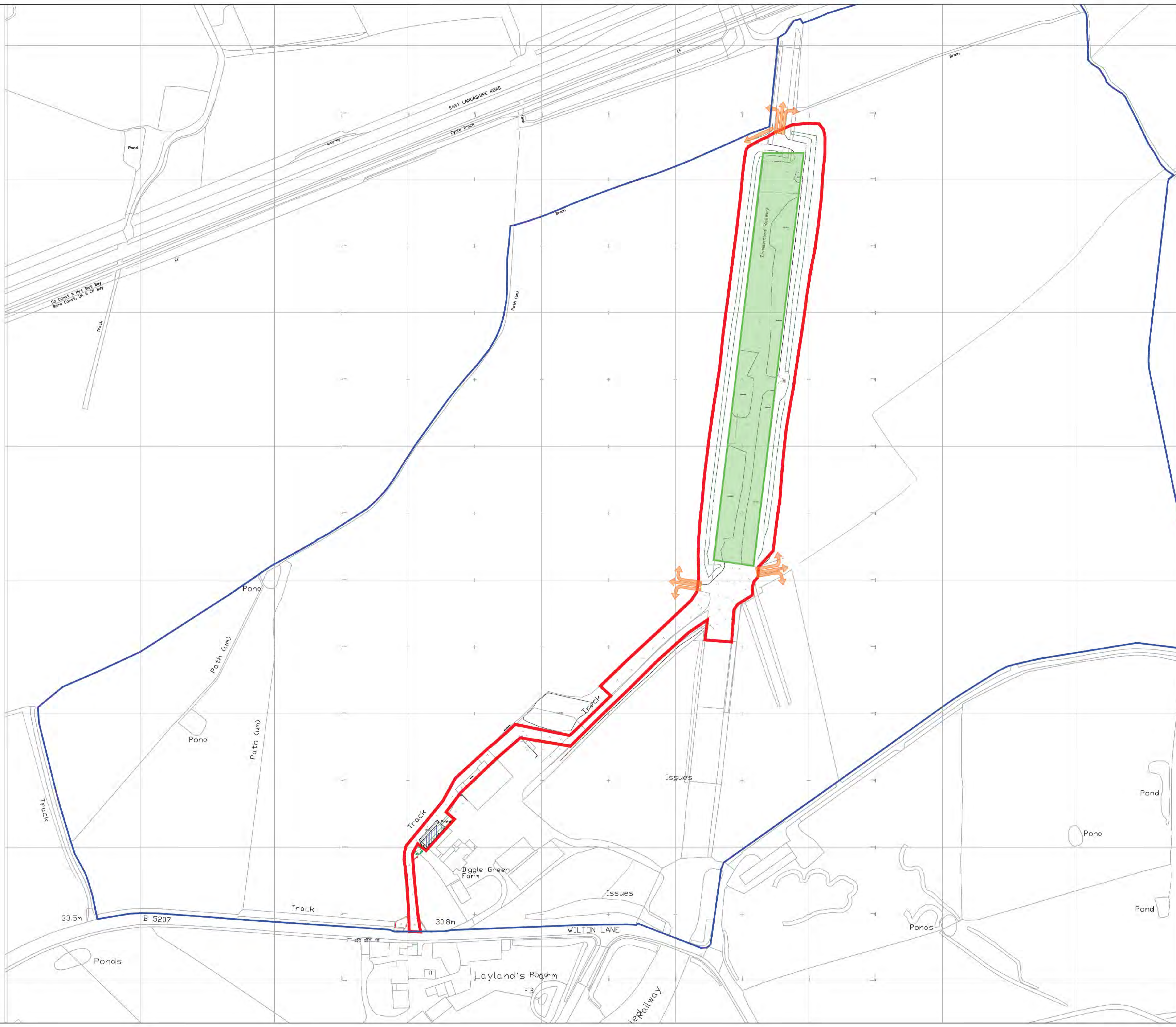
	<input type="checkbox"/>	Any comments
Site is owned by a developer	<input checked="" type="checkbox"/>	Owned by operator of proposed use.
Site under option to a developer	<input type="checkbox"/>	
Enquiries received	<input type="checkbox"/>	
Site is being marketed	<input type="checkbox"/>	
None	<input type="checkbox"/>	
Not known	<input type="checkbox"/>	

(7) Constraints to Development

Please tell us about any known constraints that will affect development for the proposed use, details of what action is required, how long it will take and what progress has been made.

Please use a separate sheet where necessary to provide details. If using separate sheets, it would be helpful to make reference there to the particular constraint, e.g (7)(e) – Drainage.

	Yes, No or Don't know	Nature and severity of constraint *	Action needed, timescales and progress	Confirmed by technical study or by service provider?	
				Yes	No
a) Land contamination	No.			<input type="checkbox"/>	<input type="checkbox"/>
b) Land stability	No.			<input type="checkbox"/>	<input type="checkbox"/>
c) Mains water supply	No.			<input type="checkbox"/>	<input type="checkbox"/>
d) Mains sewerage	No.			<input type="checkbox"/>	<input type="checkbox"/>
e) Drainage, flood risk	No			<input type="checkbox"/>	<input type="checkbox"/>
f) Tree Preservation Orders	No.			<input type="checkbox"/>	<input type="checkbox"/>
g) Electricity supply	No.			<input type="checkbox"/>	<input type="checkbox"/>
h) Gas supply	No.			<input type="checkbox"/>	<input type="checkbox"/>
i) Telecommunications	No.			<input type="checkbox"/>	<input type="checkbox"/>
j) Highways	No.			<input type="checkbox"/>	<input type="checkbox"/>
k) Ownership, leases etc.	No.			<input type="checkbox"/>	<input type="checkbox"/>
l) Ransom strips, covenants	No.			<input type="checkbox"/>	<input type="checkbox"/>
m) Other (Please provide details)	No.			<input type="checkbox"/>	<input type="checkbox"/>



Key

- Application Boundary
- Land under Applicants Control
- Environmental Permit Boundary
- Access through Compost Site for Vehicles

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Drawing Title
Diggle Green Farm Planning

Drawing Title
Location Plan and Planning Boundaries

	Date	Drawn By
1:1500@A1	14 January 2015	BK

Drawing Number	Rev
K186.1-20-004	0

