

## OFFICER REPORT TO COUNCIL

### ADOPTION OF THE SURREY WASTE LOCAL PLAN

#### **KEY ISSUE/DECISION:**

For the Council to consider the adoption of the Surrey Waste Local Plan.

#### **BACKGROUND:**

1. As the waste planning authority, Surrey County Council is responsible for determining waste related planning applications and for maintaining the Waste Local Plan. All planning applications for waste development should be determined in accordance with the Waste Local Plan which sets out how and where waste should be managed.
2. The current Waste Local Plan, known as the Surrey Waste Plan (SWP), was adopted by the County Council in 2008 and is now out of date, with policies that now no longer reflect current planning and environmental policy, and is to be replaced by a new plan, known as the 'Surrey Waste Local Plan' (the Plan).
3. The Plan seeks to ensure that enough land is available to accommodate the facilities needed to handle the equivalent amount of all waste produced in Surrey. The Plan covers the management of all types of waste including that generated by households and businesses, by the construction and demolition sector, and by the wastewater management sector. Its scope is therefore broader than the County Council's role as Waste Disposal Authority. It seeks to ensure waste is managed in the most sustainable way in accordance with national policy, including the waste hierarchy which gives top priority to preventing waste in the first place and then gives priority to re-use followed by recycling, then recovery and last of all disposal. The policies in the Plan aim to ensure that new facilities are well located and do not result in unacceptable impacts on amenity and the environment.
4. All planning in England is policy-led, and as such, decisions on planning applications have to be made in accordance with the development plan. Where there are no relevant development plan policies, or the policies are out of date, the National Planning Policy Framework (NPPF) instructs that planning permission should be granted except where the NPPF provides a clear reason for refusal or the adverse impacts of doing so would 'significantly and demonstrably' outweigh the benefits. As such, unless and until the Plan is adopted,

the County Council is in the position where speculative waste applications will be difficult to resist, and the justification for any enforcement action may be compromised by virtue of the age of the policies in the SWP.

5. It is important that Surrey County Council ensures that its waste local plan for Surrey remains effective and compliant with national legislation and planning and other relevant policy. The new Plan fulfils this requirement. Furthermore, all planning authorities are now statutorily required to review their planning policies every five years.
6. The Plan prioritises development on land outside the Green Belt. However, given that around 70% of the County is designated as Green Belt, as a 'safety net', it also identifies five sites within the Green Belt in case more suitable sites cannot be developed.
7. The identification of areas or sites as suitable for waste development does not mean development will come forward or be permitted in these locations. This will depend on waste developments being promoted by the waste industry or by the County Council in its role as the Waste Disposal Authority, and these proposals being acceptable for planning permission to be granted.
8. During its preparation, the Plan has been subject to several stages of public consultation, sustainability appraisal, and assessment and independent examination by the Planning Inspectorate on behalf of the Secretary of State. The County Council has engaged constructively and on an ongoing basis with a wide range of other organisations and stakeholders during the preparation of the Plan. These include the district and boroughs in Surrey and neighbouring waste planning authorities. A number of Statements of Common Ground have been signed with these organisations including one with all the eleven Surrey districts and boroughs.
9. The Plan can only be formally adopted by the Council once it is subject to examination by an independent Planning Inspector and is found to be sound and prepared in accordance with relevant plan making legislation. To that end, the Plan contains updated planning policy affecting the management of waste in Surrey and, with modifications, has been found sound and legally compliant following examination by an independent Planning Inspector and the Council is now able to adopt the Plan.
10. Council's adoption of the Surrey Waste Local Plan (as modified) will mean that it forms part of the formal Development Plan for Surrey and will be used when making decisions on planning applications for related development in Surrey.

11. The Surrey Waste Local Plan, including the Policies Map, is set out in Annexes 1 and 2. The adoption was endorsed by Cabinet on 27 October 2020.

## **RECOMMENDATIONS:**

The Council is asked to adopt the Surrey Waste Local Plan.

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### **Lead/Contact Officers:**

Caroline Smith, Planning Group Manager, Tel: 07968 832700

### **Annexes:**

Annex 1 - Surrey Waste Local Plan – Part 1 Policies

Annex 2 - Surrey Waste Local Plan – Part 2 Sites and Areas of Search

### **Sources/background papers:**

Cabinet Paper 27 October 2020 Item 16

Cabinet Paper 17 December 2019 Item 8

Cabinet Paper 18 December 2018 Item 10

Report on the Examination of the Surrey Waste Local Plan, 11 May 2020

Schedule of Main Modifications – [available here](#)

Environmental and Sustainability Report, January 2020 – [available here](#)

Environmental and Sustainability Report, Non-Technical Summary. January 2020 – [available here](#)

Consultation on Proposed Main Modifications – summary of representations and county council responses – [available here](#)

In addition to the above:

- All the documents submitted to the Secretary of State in April 2019 as part of the independent examination of the Plan can be found on the council's website in the [Submission Library](#).
  - All examination documents can be found on the [Examination Library](#) webpage.
  - All documents associated with the consultation on the Main Modifications are available on the [Proposed Main Modifications](#) webpage.
  - The Surrey Waste Local Plan Regulation 16 post-adoption Environmental Statement can be found [here](#).
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