

## **Inspector's Agenda and Supplementary Questions: Issue 3**

### **Agenda**

- 1 Opening remarks
- 2 Green Belt
- 3 Safeguarding existing sites
- 4 PPS10 para 18 and the 'technology neutral' stance
- 5 Policy WCS9
- 6 Historic environment policy omission
- 7 Landscape policy omission-raised by CPRE in CD13.44.2

Having read the further submissions the following questions need to be addressed by the Council, and others as appropriate, **at the Hearing session. Unless specifically requested by the Inspector via the Programme Officer, no further written statements should be supplied in response and any that are will be returned by the Programme Officer.**

### **Agenda Item 2**

From PPG2 (CD12.27) paras 3.1, 3.2 and 3.4 it is clear that the development proposed at the Wingmoor Farm sites in policy WCS4 would be inappropriate development in the Green Belt with para 3.2 setting out the only circumstances in which planning permission should be granted. Para 3.3 requires policies in development plans to ensure that any planning applications for inappropriate development would not be in accord with the plan. It is notable that this is the approach set out in para 7.53 of CD13.3, the officers' report on the Wingmoor Farm East application. PPG2 para 3.13 only comes into play once the decision as to whether a proposal is, or is not, inappropriate development in the Green Belt has been made; it plays no part in reaching that decision. Para 3 of PPS10 (CD12.31) requires local planning authorities to 'recognise the particular locational needs of some types of waste management facilities' and give these 'significant weight' when, in effect, undertaking the Green Belt balance set out in para 3.2 of PPG2. The approach advocated in paras 7.34 and 7.35 of the Companion Guide (CD12.32) has not been followed in this case for the reasons that the Council explain. This also indicates that the approach is geared towards those counties with a high proportion of Green Belt land and an inadequate range of suitable sites outside the Green Belt-perhaps primarily aimed at those counties around London like Surrey. The questions that arise therefore are:

1. What are the particular locational needs of the other recovery facilities (not the plan strategy) that are subject to policy WCS4?
2. Does WCS10 make it clear that the WCS4 proposals and any others coming forward in the Green Belt will not be in accordance with the plan?
3. Is the wording of the policy consistent with PPG2 para 3.2 which says that the existence or otherwise of 'very special circumstances' is the outcome of the balancing exercise between 'harms' and 'other

considerations' which must clearly outweigh the totality of those harms?

### **Agenda Item 3**

1. Should policy WCS8 apply to all existing waste sites including those with a limited life permission (not the NES plant at Sharpness)? (Please note, as I was the South London Joint Waste Plan examination Inspector—see CD13.42.1 App 5-I can explain the background to the issue there on the day)
2. Should the policy be supported by a list to ensure consistent application of it?
3. Should the wording be changed as suggested by Graftongate and Consi (CD13.50.1) to align it more closely with PPS10?

### **Agenda Item 4**

1. The Council will need to clarify what is said in CD13.13 on this. This seems to suggest that the Plan is no longer technology neutral in respect of MSW. Rather, it is now very technology specific and, in reality, site specific too. Is this understanding fair?

### **Agenda Item 5**

1. Given New Earth Solutions' helpful comment (CD13.45.3) we no longer need to discuss this but the Council will need to ensure FC30 is made, probably by way of a requested 'main modification'.

### **Agenda Item 6**

1. The plan appears to rely on what is said in PPS5 (CD12.28). However, the consultation document indicates the intention of the final National Planning Policy Framework to cancel this PPS. It is unclear at present what the NPPF will actually say about these matters and if/how the advice in cancelled PPSs may continue to be a material consideration. Therefore do saved policies 29 and 31 (CD11.8) address this issue; if not why not; and what policy wording does English Heritage propose?

### **Agenda Item 7**

1. How is FC 32 given policy expression either in this plan or in saved policies?