

Main Matter 5: Inert Waste

Key Issue 1: Whether Construction, Demolition and Excavation Waste (CDEW) is appropriately classified as Inert

1. Schedule 1 to the List of Wastes (England) Regulations 2005 sets out that typically, Construction, Demolition and Excavation Waste (CDEW) includes Inert and non-Inert waste generated from construction sites, or from the demolition of buildings or structures, or both. Construction, demolition and excavation waste is largely made up of Inert construction waste, such as bricks and hardcore, but also includes clays / subsoils / soils which can be used in site restoration and land reclamation projects. Where such restoration projects are not occurring this waste is landfilled. This waste stream also includes recyclable fractions such as plastics, wood and metal. Ultimately the classification of all wastes is set by the European Union; The List of Waste (England) Regulations 2005 bring the European Waste Catalogue into law in England, therefore the Waste Plan cannot change this.
2. CDEW as referred to within the Needs Assessment (Library document ref TD010) and subsequently the Waste Plan, assumes that this waste stream consists entirely of Inert waste. This is because in analysing the Environment Agency Interrogator data to gain figures for CDEW, Needs Assessment consultants 'Urban Mines' filtered information by detailed Substance Orientated Classification 3 (SOC3) of materials deposited at permitted sites rather than relying on the high level Household Industrial and Commercial (HIC) and Inert/C+D classification (the 2008 Environment Agency Waste Interrogator does not have a CDEW classification as such).
3. The HIC and Inert/C+D classifications are broader and less detailed and as such can be misleading, as Inert CDEW can be found reported as HIC in the Interrogator whilst some waste reported as Inert/C+D is not Inert. Substance classification is available at 3 finer levels; SOC1, SOC2 and SOC3 within the Interrogator.
4. The data for CDEW waste in the Needs Assessment Report therefore includes the relevant materials classified under both Inert/C+D and HIC and thus represents a more accurate picture than relying on the higher level of classification. Non Inert waste from the CDEW stream

classified as Inert/C+D in the EA Waste Interrogator were included within the Commercial and Industrial (C & I) waste figures. Therefore, for the purposes of the Waste Plan and all supporting documents, CDEW only consists of Inert waste streams. All non-Inert CDEW has been included within the C & I waste figures and so has been accounted for.

Issue 2: How Inert waste should be managed?

5. Future requirements for waste disposal capacity have been analysed within the Needs Assessment in 2007, updated in 2010 (Library document ref: TD010). Scenario 2 was applied, which identifies the level of waste disposal capacity required within the Plan period based on the achievement of specific recycling and recovery targets and the management of waste in line with the waste hierarchy (see Matter 2 for further details). Therefore the capacity requirements for CDEW within the Waste Plan are based on the achievement of a target which reduces 50% of the CDEW currently sent to landfill. As there is no capacity requirement for additional Inert waste recycling capacity set out within the Needs Assessment, the Waste Plan does not allocate sites for such facilities.
6. In terms of the capacity requirements for waste disposal, the Needs Assessment assumes that approximately 20% of void capacity at non-hazardous landfill sites is typically taken up by Inert wastes for engineering purposes and daily cover (Needs Assessment 2010, paragraph 2.2.2). Therefore, the quantities of inert waste which will likely be used as daily cover at non-hazardous landfill sites have been taken into account.
7. The capacity requirements identified within the Waste Plan (Chapter 2 of the Submitted Waste Plan) have been informed by local knowledge, the results of consultation on earlier stages of the Waste Plan and waste industry expertise.
8. Whilst the Needs Assessment sets out a capacity gap for disposal of Inert waste within the Plan period, the Waste Plan does not allocate sites for such facilities, rather it encourages, where possible, the beneficial re-use of this material. In line with the principles of the Waste hierarchy, The Waste Plan recognises that the materials making up this

waste stream are suitable for use in various land reclamation and restoration projects across Greater Manchester.

9. From the Needs Assessment, the capacity requirement for CDEW disposal over the Plan period is 3,881,000 tonnes. This data has been produced using a robust evidence base (See Main Matter 2: The Need for Waste Management Facilities).

10. The Report '*Approach to Meeting the Construction, Demolition and Excavation Waste (CDEW) Disposal Capacity Gap*' (Change ID Number APMC/AGMA/25) produced by GMGU, (Planning Library Document TD019) provides evidence to support the approach to managing Inert waste disposal as adopted in the Waste Plan. That document details why such an approach is viable and how the capacity gap can be met by the other methods detailed in the report and the Waste Plan (p46, para 2.53). Those methods are:

- Disposal of Inert waste at 'exempt' sites;
- Use of Inert material for engineering and daily cover in non-hazardous landfills; and
- Alteration of ground levels using Inert waste, e.g. Landscaping and agricultural improvements, regeneration schemes, equestrian facilities; and quarry restoration.

11. The Waste Plan's approach of not allocating specific disposal sites for CDEW will encourage the reuse and recycling of Inert wastes, thus contributing to achieving the high level of recycling for this waste stream. This approach is also necessary in order to meet Objectives 1 and 2 of the Waste Plan which are as follows:

Objective 1: To ensure that Greater Manchester's waste is dealt with in line with Scenario 2 of the needs assessment.

Scenario 2 relates to maximising waste recycling and recovery which involves ensuring 50% landfill diversion of CD&E waste arisings is achieved by 2012 (i.e. National Waste Strategy target achieved)

Objective 2: To promote the movement of waste up the waste hierarchy, assuming minimisation at source, increasing reuse,

recycling and recovery, whilst recognising there may still be a need for additional landfill capacity for residual wastes.

Objective 2 supports the *EU Waste Framework Directive* and The Waste (England and Wales) Regulations 2011 which seek to reduce the production of waste and its impacts on the environment. They also promote the development of clean technologies to process waste and promote the ideals of the Waste Hierarchy.

12. The Waste (England and Wales) Regulations 2011 (SI No.988) transpose, for England and Wales, Directive 2008/98/EC of the European Parliament and of the Council on waste (OJ No. L 312, 22.11.2008, p3). Part 2 of Schedule 1 to The Waste (England and Wales) Regulations 2011 details matters which must be included in waste management plans, Regulation 11 states;

*“(2) Measures to be taken to ensure that by 2020, **at least 70%** by weight of the waste mentioned in paragraph (3) is subjected to material recovery.*

(3) That waste is construction and demolition waste excluding—

(a) hazardous waste;

(b) naturally occurring material falling within code 17 05 04 in Schedule 1 to -

(i) the List of Wastes (England) Regulations 2005”

Code 17 05 04 in Schedule 1 to the List of Wastes (England) Regulations 2005 are soils and stones which do not contain dangerous substances. Such wastes can often be re-used without the need for treatment as they are naturally occurring materials, example case studies can be found here:

http://www.wrap.org.uk/construction/case_studies/index.html

13. If the Waste Plan included allocations for Inert waste disposal as the only method of managing Inert waste arising in Greater Manchester this would be contrary to the National and European legislation set out above. The Waste Plan's approach to managing Inert waste was issued for full formal public consultation through Option JWDPD 1 of the Stage Two Issues and Options: Residual Waste Disposal Report (Library document ref: CDC012). We asked how the Waste Plan should

meet the need for inert residual waste disposal. Through the consultation responses received from public and statutory consultees, the Outcomes Report (Library document ref: CDC014) identified the Preferred Option approach as being a combination of not allocating any sites and allocating sites based upon those sites suggested by the waste industry. Despite comprehensive desk based site search exercises and 6 'call for sites', no suitable sites were available in Greater Manchester. Therefore, the Waste Plan approach of not allocating sites for inert residual waste disposal is the best option and has the most support from consultees.

Issue 3: Is there sufficient capacity to manage this material?

14. As set out in paragraph 10 above, the Report '*Approach to Meeting the Construction, Demolition and Excavation Waste (CDEW) Disposal Capacity Gap*' (Change ID Number APMC/AGMA/25) produced by GMGU, (Planning Library Document TD019) provides robust evidence to support the approach to managing Inert waste disposal as adopted in the Waste Plan. The report and, subsequently, the Waste Plan sets out a number of ways in which inert waste can realistically be managed using evidence from developments in Greater Manchester. This approach ensures that, even though specific sites for inert waste are not allocated within the Plan, this waste will be adequately managed within the Plan period.
15. The Report produced by GMGU in support of the Waste Plan approach to managing Inert Waste (Library document ref: TD019) supports handling this waste as a resource and, rather than sending it for disposal, CDEW should be utilised to bring benefit to development schemes.
16. In terms of identifying disposal sites for inert waste, paragraph 13 above outlines the background of our approach of not allocating sites. The possibility of identifying additional sites for the disposal of CDEW has been extensively explored through the development of the Waste Plan. Work on this issue revealed that CDEW is increasingly being used as a resource in regeneration/construction projects rather than being disposed of as a waste and such an approach in the Waste Plan would encourage recycling and reduce the loss of this material through disposal. This does not preclude the private sector from submitting planning applications for inert waste landfill sites, which would be

judged on their own merits in line with the policies of the relevant Development Plan.

17. There is evidence that due to recent economic conditions CDEW arisings have reduced dramatically and that, whilst an upturn is expected, this should be seen as an opportunity for new developments to maximise recycling of CDEW and to design the development in such a way that the need to landfill residual CDEW is minimised. A recent Planning Application received by Bolton Council for an extension of time to a currently permitted inert waste disposal scheme (Application Number 86023/11- Re-contouring of a golf course through the importation of inert waste) cites the lack of material available (CDEW) to complete the scheme in line with the original timescales. See letter supporting application in Appendix 1. Nevertheless, future arisings for CDEW have been modelled on the basis of an up-turn in the construction industry (Needs Assessment, library document ref: TD010) and therefore the Waste Plan approach to CDEW accounts for such an up turn.

18. In summary the Waste Plan approach to managing CDEW arisings in Greater Manchester will maximise recycling of CDEW and reduce disposal of CDEW residues by encouraging on-site management of unrecyclable residues both through the Site Waste Management Plans Regulations (2008) and good design during construction.

Appendix 1

Letter in support of Application

Our Reference : L1005-voc02
Your Reference :

5th April 2011
Mr M. Mansell
Planning Officer
Planning Control Section
Development and Regeneration
Bolton Council
BL1 1RU

Dear Martin,

Re: Regents Park Golf Course, Links Road, Bolton

Please find enclosed our application to vary conditions 2 & 7 of the approved Planning Permission ref. 82139/09 for the above development. We have previously applied to vary these conditions from the original Planning Permission 76151/06. The reasons for our previous (successful) application were:-

- 1 collapse of the housing market
- 2 economic downturn
- 3 contractor issues

The contractor issues have been resolved but unfortunately there has yet to be a sufficient upturn in the housing market and economic climate. When we last applied to vary these conditions we fully expected an 18 month extension to be sufficient, however the recession is taking far longer to turn around than most of us anticipated. There is still a lack of available material to deposit and the contractor has not been able to source enough materials for the required fill levels. This situation has been exacerbated by the opening of smaller landfill sites in the area with not enough materials to feed all these locations.

I don't wish to go into finite detail regarding the management of the project but in order to prevent further impact and disruption to the club members, players on the course and running of the business, only offcourse areas are to be filled during the peak golfing season (April to October). This will minimize disturbance to the existing holes whilst maximizing playability and enable the golf course to remain open.

The autumn and winter weather conditions of 2010 were particularly harsh, the former being unusually wet and the latter extremely cold, which has had a significant detrimental impact on the earthwork and topsoil movements, causing significant delays in completion works. Combining this with the lack of fill has delayed the progress on the final surface finishing works.

At the current rate of incoming material, we feel that a further one year extension would be a reasonable request to enable completion of the imported fill requirements and finalizing the surface works.

Regent Park Golf Course is trying to keep disruption of residents to a minimum and there has been a vast improvement to the areas that have been completed. There has also been a great improvement in the general working practice of the current contractor (Ruttle Construction Ltd.). I would like to take this opportunity to invite you to visit the site so that you may appreciate the work undertaken so far and to discuss the remaining areas that are yet to be completed. If you could advise me of your availability I will arrange for myself and John Birtwhistle to be there.