West Sussex County Council and
South Downs National Park Authority

West Sussex Waste Local Plan (April 2014):

Five-Year Assessment of Relevance and Effectiveness

May 2024

Contents

1. Introduction

1.1 The West Sussex Waste Local Plan (WLP), prepared in partnership by West Sussex County Council (WSCC) and the South Downs National Park Authority (SDPA), was adopted in April 2014. The Plan is available to view on the County Council's website: www.westsussex.gov.uk/mwdf.

1.2 Regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), and Paragraph 33 of the National Planning Policy Framework (NPPF) 2023 require local planning authorities to review local plans every five years from their date of adoption, to assess whether they need updating.[1] The WLP was subject to a 5-year assessment in 2019, that concluded the Plan remained relevant and effective at that time. The Plan must now be reviewed once more, by April 2024. The assessment should consider changing circumstances affecting the area or any relevant changes in national policy.

1.3 The purpose of this report is to provide a high-level assessment of the Plan and to set out whether the plan is still relevant and effective. If it is necessary to update the Plan, then a formal timetable for such an update will be set out in the West Sussex Minerals and Waste Development Scheme, which is published annually.

1.4 This report has been informed by the Authorities' Monitoring Report for the period April 2022–March 2023, together with reports for previous years.

Waste Local Plan (April 2014)

1.5 The Waste Local Plan (WLP), formally adopted by the Authorities in April 2014, provides the basis for making consistent decisions about planning applications for waste related activities.

1.6 The plan covers the period to 2031 and is the most up-to-date statement of land use planning policy for waste. The Plan sets out four key areas which were prepared to help contribute appropriately to waste management requirements at acceptable social, environmental, and economic costs. The WLP sets out:

- a county-wide vision, strategic objectives, and a monitoring and implementation framework – a key diagram illustrates the strategy in diagrammatic form;
- nine policies to achieve the strategic objectives for the management of different types of waste (Policies W1-W9);
- six site allocations to meet the need for new facilities (Policy W10); and
- 13 development management policies to ensure no unacceptable harm to the environment, economy, or communities of West Sussex (Policies W11-23).

[1] Planning Practice Guidance (Paragraph: 062 Reference ID: 61-062-20190315)

1.7 One of the key elements of the Plan is set out in the vision and is to aspire to have zero waste going to landfill by 2031.[2]

1.8 The policies in the Plan have been implemented through the development management functions of both Authorities since the Plan's adoption. Some policies are also implemented by the district and borough councils within the Plan area, as the WLP forms part of the statutory Development Plan for the county.

1.9 The Authorities have prepared, and kept up to date, Minerals and Waste Safeguarding Guidance. This provides guidance on how policy W2 of the WLP is implemented in practice. The Authorities have also engaged with planning departments at West Sussex district and borough planning authorities to ensure that they are aware of the safeguarding policies, how they are to apply them in their decision making, and how they are to consult WSCC, where proposals fall within the consultation areas.

1.10 The Plan is monitored on an on-going basis, including providing updates on any Duty to Cooperate discussions or agreements on strategic matters. Each policy of the Plan contains trends, targets, and intervention triggers, which are reported on annually in the Monitoring Report covering the previous financial year.

1.11 Since publication of the 5-year assessment of the WLP in 2019, a total of five monitoring reports have been published, which can be viewed on the County Council's website – www.westsussex.gov.uk/mwdf.

1.12 Chapter five of the monitoring reports provide a summary of information on waste activities, including the amount of arisings, and how that waste has been managed. Appendix C, D and E provide information about waste capacity and sites, and Appendix G set out how the policies are performing against the baseline and anticipated targets.

Structure of this Report

1.13 This report has the following chapters.

- Chapter 2: Review of national and local context, that is, any changes in circumstances since adoption
- Chapter 3: Assessment of policies, including their performance since adoption
- Chapter 4: Conclusions

[2] See paragraph 2.10.13 of the Waste Local Plan (2014)

2. Review of National and Local Context

2.1 Since adoption of the WLP, there have been several changes to national policies, as well as publications and other plans that may have an impact on how the WLP is performing or dictate whether any changes are required. Furthermore, the strategy and policy context for the Plan are set out in Chapter 4 of the adopted Plan, which are also reviewed within this section of the report.

2.2 This section of the report summarises any key changes to policy since the adoption of the WLP and concludes whether there are any substantive changes that require changes to the WLP at this time. More details on policy changes that impact specific polices are set out within Chapter 3.

European Strategies and Policies

2.3 Paragraphs 4.2.1–4.2.2 of the WLP set out the European Strategies and Policies that were relevant to the WLP at the time of its preparation, namely the Waste Framework Directive, Water Framework Directive, and the need for Strategic Environmental Assessment. Following the UK's departure from the European Union, most EU laws have been converted to UK law. Government set out which EU laws will expire, and which will be incorporated into UK law through the Retained EU Law (Revocation and Reform) Act 2023.

2.4 Following the departure of the UK from the European Union, the EU Directives currently provide much of the legislative context for waste plan-making.

2.5 The Waste (Circular Economy) (Amendment) Regulations 2020 (SI 2020/904), transpose the EU's 2020 Circular Economy Package in England and Wales, and were made on 25 August 2020. These Regulations implement six amending EU Directives in the field of waste concerning:

- The Waste Framework Directive
- Packaging waste
- Landfill waste
- End of life vehicles
- Batteries and accumulators and waste batteries and accumulators, and
- Waste and electrical equipment.

2.6 The changes are intended to increase the prevention, reuse, and recycling of waste in accordance with the Waste Hierarchy e.g. by strengthening requirements for the separate collection of paper, metal, plastic, or glass. The Regulations also put the Government commitments in the 2018 Resources and Waste Strategy to recycle 65% of municipal waste and to have no more than 10% of municipal waste going to landfill by 2035 into law.

2.7 Other important EU Directives which are currently retained as UK legislation include:

- Landfill Directive (1999/31/EC) which requires reductions in the quantity of biodegradable waste that is landfilled and encourages

diversion of non-recyclable and non-usable waste to other methods of treatment.

- Water Framework Directive (Water FD) (2000/60/EC) which aims to improve the local water environment for people and wildlife and promote the sustainable use of water. It applies to all surface water bodies, including lakes, streams, and rivers as well as groundwater. The aim of the Water FD is for all water bodies to reach good status by 2027. This means improving their physical state and preventing deterioration in water quality and ecology. The Water FD introduced the concept of integrated river basin management planning.

National Legislation and Regulations

The Conservation of Habitats and Species Regulations 2017

2.8 The Conservation of Habitats and Species Regulations 2017 were amended in 2021, made by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. These transposed the Habitats and Wild Bird Directives and required them to be made operable in 2021.

2.9 The main changes are around the transferring of function from the European Commission to the appropriate authorities in England and Wales. The following are the main changes to the 2017 Regulations;

- the creation of a national site network within the UK territory comprising the protected sites already designated under the Nature Directives, and any further sites designated under these Regulations.
- the establishment of management objectives for the national site network (the 'network objectives');
- a duty for appropriate authorities to manage and where necessary adapt the national site network as a whole to achieve the network objectives;
- an amended process for the designation of Special Areas of Conservation (SACs);
- arrangements for reporting on the implementation of the Regulations, given that the UK no longer provides reports to the European Commission;
- arrangements replacing the European Commission's functions with regard to the imperative reasons of overriding public interest (IROPI) test where a plan or project affects a priority habitat or species; and
- arrangements for amending the schedules to the Regulations and the annexes to the Nature Directives that apply to the UK.

2.10 Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) in the UK no longer form part of the EU's Natura 2000 ecological network, therefore the national site network has been created. Any references to Natura 2000 sites in the 2017 regulations and in guidance now refers to the national site network.

Environment Act 2021

2.11 The Environment Act in 2021 provides the new framework of environmental protection which replaces EU laws since the UK left the EU. The act focuses on nature protection and sets new and binding targets relating to water quality, clean air, environmental protection, and waste reduction. It brings in requirements such as reducing single use plastics as well as introducing a mandate for biodiversity net gain for most developments from February 2024 and the development of Local Nature Recovery Strategies (LNRS).

2.12 The requirement for biodiversity net gain for new planning applications came into effect on 12th February 2024. Although Policy W14(e) does not explicitly refer to a 'net gain' in biodiversity, it is set out in paragraph 180 (d) of the NPPF and is a mandatory requirement.

2.13 The Environment Act 2021 also brought changes to the Natural Environment and Rural Communities Act 2006, specifically to section 40, strengthening the duty on public authorities to have regard to the conservation of biodiversity when delivering their functions. The amendments came into force in January 2023.

The Environment (Local Nature Recovery Strategies) (Procedure) (Regulations) 2023

2.14 Local authorities must follow the Local Nature Recovery Strategies (LNRS) regulations when preparing their LNRS. LNRS will help people to see where action to recover nature in their area would be most effective. LNRS should be used by plan-makers to inform the way they address the NPPF requirement for plans to protect and enhance biodiversity. Government will also provide separate guidance on how local authorities will be expected to comply with their duty to have regard to LNRS through their planning functions.

Levelling Up and Regeneration Act 2023

2.15 The Levelling Up and Regeneration Act (LURA) came into effect in 2023 and provides a new framework for changes to the planning system. This includes: the introduction of National Development Management Policies (NDMPs), the removal of the Duty to Cooperate, and the introduction of an 'alignment policy'. Many of the provisions in the LURA will not be immediately effective as they are subject to secondary legislation and anticipated changes to the NPPF. There is a cut-off date for the submission of 'old style' plans for examination by June 2025. After this date, local plans will need to be prepared according to the new planning system.

2.16 The National Parks & Access to the Countryside Act 1949 has been partially amended by Section 245 of the LURA. In doing so, relevant bodies – including the Authorities – are now required to "seek to further" the purposes of the National Park. The purposes are:

- To conserve and enhance the natural beauty, wildlife, and cultural heritage of the area; and

- To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

National Policy and Guidance

National Planning Policy Framework (NPPF)

2.17 The NPPF, first published in 2012, and was the version relevant at the time the WLP was examined, and subsequently adopted. Since then, it has been updated, most recently in December 2023. The NPPF describes the Government's planning policies for England and how to apply them. It provides a framework for people and their councils to produce distinctive local and neighbourhood plans that reflect local needs and priorities. It includes policies on plan-making and planning for minerals.

2.18 There have been a number of changes to the NPPF since 2012, many of which relate to the delivery of housing to implement the reforms announced through the 2017 Housing White Paper and measures to improve design quality, including a new requirement for councils to produce local design codes or guides.

2.19 Other changes that are relevant to the WLP Assessment include:

- Reference to the 'Agent of change' principle to ensure that new development can be integrated effectively with existing businesses and community facilities;
- Updates on development in National Parks, including limiting the scale and extent of development in designated areas, and also clarity on what constitutes "major development" being a matter for the decision maker;
- Increased consideration of the natural environment (including biodiversity net gains), flood risk (from all sources) and air quality;
- Significant weight to the need to support energy efficiency and low carbon heating improvements.

2.20 The NPPF revisions to date have been to strengthen the policies and have a positive effect with regard to waste planning, such as the inclusion of the 'Agent of Change' principle, updates to flooding policy, and biodiversity net gain. The WLP is considered to remain broadly in alignment with the NPPF, and no update is required to the policies at this time. The Authorities will continue to monitor the WLP, and at such time that national policy changes, consideration will be given to the implications on the WLP.

2.21 Specific policies on waste are also set out in the National Waste Management Plan for England 2021 and the National Planning Policy for Waste 2014.

National Planning Policy for Waste (NPPW)

2.22 The NPPW was published in 2014 and sets out planning policies for England. It was prepared to be read in conjunction with the NPPF. The NPPW includes the waste hierarchy and requires authorities to positively undertake waste planning, which includes consideration of reducing the

use of primary minerals, through increases in recycling and reuse. Paragraph 45 relating to how counties and districts are expected to work together (in the context of the Duty to Cooperate) in respect of waste development planning applications was updated in April 2015. This did not have any implications for the policies in the WLP.

Planning Practice Guidance (PPG)

2.23 The NPPF is supported by the online Planning Practice Guidance, which was first published in 2014, and is a living document. The Guidance is updated on a regular basis and relevant updates were made on publication of the revised NPPF.

2.24 The PPG updates in 2018 included new references to Statements of Common Ground (SoCG) for all Plans. The WLP was supported by various SoCGs, agreeing matters on cross-boundary issues with adjacent WPAs and those further afield, as required by the Duty to Cooperate.

2.25 There were further updates to the PPG in 2019 relating to Appropriate Assessment, Effective Use of Land, Green Belt and to the category relating to Design Tools and Process. The latest update to the PPG in February 2024 is new guidance relating to Biodiversity Net Gain.

Local Plan Policies

2.26 Since the adoption of the WLP, the Authorities, and all the districts and boroughs (D&Bs) in West Sussex, have either prepared an updated local plan or are working towards updated local plan documents. These local plan documents are prepared using the WLP as part of the wider development plan and reflect wider changes to policy at the time they were adopted. There are no triggers within these documents for a review of the WLP at this time as the local plan documents only reflect the changes to national policy and guidance set out above. Each adopted local plan will be considered at the time the WLP is reviewed.

Joint Minerals Local Plan

2.27 The Joint Minerals Local Plan (JMLP) was formally adopted by both Authorities (WSCC and the SDNPA) in July 2018. Following a Soft Sand Review of the plan, formal revisions were adopted in March 2021. The JMLP was subject to a five-year assessment in 2023, as required by national policy. The purpose of the assessment was to assess whether the plan remained relevant and effective, or if changes are required by way of updates to the plan. The JMLP does not have any implications that trigger the need for a review of the WLP.

West Sussex Transport Plan (2022–2036)

2.28 An updated West Sussex Transport Plan was adopted on 1 April 2022, replacing the previous version that covered the period 2011 – 2026. The Plan sets out how the County Council will address key challenges by improving, maintaining, and managing the transport network to 2036. It sets out five thematic strategies covering the following themes: active travel, shared transport, rail strategy, access to Gatwick Airport, and a

road network strategy. These are further supported by Area Transport Strategies for each planning area in West Sussex.

2.29 Although the WLP refers to the previous iteration of the transport plan, the Plan (and relevant policy W18: Transport) remain consistent to the updated transport plan and used in any decision making.

South Downs National Park

2.30 The South Downs Local Plan (SDLP) was adopted in July 2019. The plan sets out how the SDNPA will manage development up to 2033. The SDLP does not deal with minerals and waste, policies for which are contained in jointly prepared plans with the relevant county council. In the case of West Sussex, this is the Waste Local Plan (WLP) which is subject to this assessment, and the Joint Minerals Local Plan (JMLP). The SDLP includes a number of policies that will impact on waste development including Biodiversity Net Gain and Dark Night Skies, as well as a general focus on a landscape led approach to development.

2.31 Work on the South Downs Local Plan Review has commenced and is in the early stages of evidence gathering. It is anticipated that a draft plan will be available for Regulation 18 consultation early 2025.

Adur District

2.32 The Adur Local Plan was adopted in December 2017. The Local Plan sets the strategic development and land-use priorities for Adur (outside of the South Downs National Park) up to 2032 and contains the policies against which development management decisions within that area will be made. Work on the review of the local plan has begun and is in its early stages.

2.33 Shoreham Harbour was identified as a broad location for change by the local planning authorities; aspirations for regeneration have been supported by various local and national government regeneration initiatives. To help deliver the regeneration of the Harbour and associated infrastructure, Adur District Council, Brighton and Hove City Council and West Sussex County Council, worked with relevant agencies (Homes England and the Shoreham Port Authority) to deliver a Joint Area Action Plan (JAAP) for the area which was adopted in October 2019.

Arun District

2.34 The Arun Local Plan (2011-2031) was adopted in July 2018. The plan sets out a spatial vision, objectives, and a sustainable strategy for delivering the needed growth of the district (outside of the South Downs National Park) up to 2031. Work has started on the review of the local plan, which was in its early stages.

Chichester District

2.35 The Chichester Local Plan 2014- 2019 was adopted in July 2015. Work has been carried out on the review of the local plan. A Regulation 19 consultation was carried out in February to March 2023 and the plan was submitted in May 2024. Adoption of the plan is anticipated towards the end of 2024/early 2025.

Crawley Borough

2.36 The Crawley Local Plan (Crawley 2030) was adopted in 2015 and sets out the planning strategy up to 2030. A local plan review commenced in 2019 and the plan was submitted for examination in July 2023. Examination hearings were carried out in November 2023 and January 2024 and, following receipt of the Inspectors' post hearing letter, consultation on the Main Modifications was carried out between February and March 2024. Adoption is expected later in 2024.

Horsham District

2.37 The Horsham District Planning Framework was agreed in 2015 and sets out the planning strategy (outside of the South Downs National Park) up to 2031. Work on the Horsham District Local Plan 2023-2040 has begun. The Plan was subject to Regulation 19 consultation between 19 January and 1 March 2024. It is anticipated the Plan will be examined towards the end of 2024, with adoption early 2025.

Mid Sussex District

2.38 The Mid Sussex District Plan 2014-2031 was adopted in March 2018 a review of which is currently underway. The new District Plan will replace the current adopted local plan covering the period up to 2039. The Plan was published for Regulation 19 consultation between 12 January and 23 February 2024. It is anticipated that the Plan will be examined in the Spring 2024 with formal adoption later in 2024.

Worthing Borough

2.39 Following examination of the Worthing Local Plan, the Inspector's Report was issued to the Council on 14 October 2022, and the Worthing Local Plan was adopted in March 2023. It contains the policies and strategy (for the area outside the South Downs National Park) for the period up to 2036 and supersedes the Worthing Core strategy (2011) and the saved policies from the Worthing Local Plan (2003).

3. Assessment of Policies

3.1 This section of the report provides information about how the policies have performed during the last five-year period (2018 – 2023). The assessment of policies since the adoption of the plan (2014-2019) can be found on our website - Assessment of the West Sussex Waste Local Plan 2014 (May 2019).

3.2 The assessment presents tables setting out the Implementation and Monitoring for each policy and information on trends, pulling together information presented within the Monitoring Reports, whilst also taking account of the views of Development Management officers on any issues that have arisen when applying the policies. As necessary, reference is also made to any substantive changes in national or local circumstances. Each policy is considered in turn, and a RAG (Red, Amber, Green) status applied to each as follows:

Assessment of Policy	**RAG**
Policy remains relevant and effective. No monitoring issues	Green
Policy remains relevant and effective. Monitoring indicates issues.	Amber
Policy is no longer relevant or effective and requires formal review.	Red

Policy W1: Need for Waste Management Facilities

WLP Measure/Indicator	**WLP Trend/Target**
Planning permissions granted for waste management facilities as indicated within Policy W1	Monitored through the Annual Monitoring Report which will show capacity annually and set out any shortfall required following any new permissions (previous permitted capacity + new permitted capacity – shortfalls set out in Policy W1 = additional capacity still required through Plan period).
Waste arisings (in line with appropriate data collection cycles)	Trend of waste arisings to be in line with the waste forecasts
Disposal of waste to land (capacity, tonnes per annum, and % of total arisings)	Downward trend Zero waste to landfill by 2031
Waste imports and exports by type and area (tonnes per annum)	Declining net importation of waste for landfill Neutral imports/exports of waste for recycling and treatment by 2031

WLP Measure/Indicator	WLP Trend/Target
Intervention level	Transfer/recycling/treatment tonnages and/or applications show a downward trend. Disposal of waste to landfill shows an upward trend. Waste imports into the County show an upward trend. The capacities set out in Policy W1 are not achieved or exceeded which may indicate a need for further review.

Changes to National Policy or guidance and commentary

3.3 There have been no changes to national policy or planning guidance that are relevant to policy W1 since the adoption of the WLP.

3.4 During the last five years (2018 – 2023), 11 planning permissions have been granted for new waste management facilities in accordance with Policy W1. The Monitoring Reports provide annual updates on the capacities, and shortfalls, against Policy W1. Table 1 shows the most recent capacity update, which is now split between 'operational capacity' and 'not-operational capacity'. It shows that sites have come forward to meet the shortfalls for most waste management types but there is still a shortfall for non-inert recovery capacity and non-inert landfall. There is further discussion in Policy W9 about the need for non-inert landfill capacity.

3.5 One specific change to note in relation to Policy W1 is that the shortfalls for non-inert waste recovery now include the Refuse Derived Fuel (RDF) output from the Mechanical and Biological Treatment (MBT) at Brookhurst Wood. This was not included in the shortfalls prior to 2019/20 because a separate contract was being procured to manage it (para. 4.5.8 of the WLP). However, an appeal decision for the recycling, recovery, and renewable energy facility at the former Wealden brickworks in Horsham (WSCC/015/18/NH and APP/P3800/W/18/3218965) concluded that the RDF output is a waste and had not been accounted for in the shortfalls in the 2017/18 AMR (para. 12 of the appeal decision). The RDF is currently exported for energy recovery but should be included in the shortfalls to ensure West Sussex is net self-sufficient in the management of waste arising in the county. Based on the permitted capacity of the MBT facility (327,000tpa), the RDF output is estimated to be 206,010tpa and this has been included in the shortfalls for non-inert recovery (Table 1).

Table 1: Waste Capacity and Requirements

Waste Site	**(A) Current 'need' over Plan period until 2031 (tpa)**	**(B) Capacities: Operational (tpa)**	**(C) Capacities: Not Operational (tpa)**	**(D) Total Capacity (tpa) (B) + (C) = (D)**	**(E) Shortfalls: Capacity still required Operational sites only (A) – (B) = (E)**	**(F) Shortfalls: Capacity still required Total Capacity (A) – (D) = (F)**
All Transfer Capacity	1,309,725	1,355,996[3]	0	1,355,996	-46,271	-46,271
Non-inert Recycling and Composting (MSW and C&I)[4]	720,253	713,864	50,000	763,864	6,389	-43,611
CD&E Recycling (aggregate recycling)	N/A	578,000	0	578,000	N/A	N/A
Non-inert Waste Recovery (MSW and C&I)[5]	853,000[6]	402,000	335,000	737,000	451,000	98,000
Inert recovery (annual capacity)[7]		668,000	0	668,000	N/A	N/A
Inert Landfill		0	0	0	N/A	N/A
Non-inert landfill capacity		0	0	0	605,000	605,000

[3] Excludes Council Transfer capacity (46,271 tonnes) which is not available for general transfer capacity.

[4] Excludes specialist recycling facilities (wood recycling, road sweeping facilities, tyre recycling, and paint and airport industry recycling) which is not available for general recycling capacity.

[5] Excludes Anaerobic Digestion which manages mainly on farm agricultural waste but may manage small amounts of C&I waste.

[6] The need for non-inert recovery capacity includes RDF produced by the MBT facility, which manages mainly MSW waste, which is still considered waste and requires managing.

[7] Figure is an estimate of the amount of inert waste that was 'deposited to land' during 2022/23 based on information from the EA Waste Data Interrogator (2022).

3.6 Policy W10 of the WLP sets out the sites allocated in the Plan to meet the needs, including the indicated shortfalls, to 2031. An assessment of Policy W10 of the WLP is set out later within this document, providing information on any permissions granted at the allocated sites since adoption of the Plan. Where permissions have been granted on allocated sites, the capacities are included in Table 1.

3.7 The forecasts that underpinned the WLP have been reviewed annually, to assess whether there have been any changes since the baseline evidence was prepared. Several assumptions were made about the likely rates of growth for the different waste streams, taking into account a number of factors. Table 2 sets out the rates that were applied.

Table 2: Waste Plan Growth Rates

Waste Stream	Lower	Base Case	Higher
Municipal Solid Waste (MSW)	-0.5%	0%	+0.5%
Commercial	-1.0%	0%	+1.0%
Industrial	-2.0%	-1.0%	-1.0%
Construction, Demolition and Excavation (CD&E)	0%	0%	0.5%

3.8 Although it was considered that the 'base case' was the most likely to happen, the Plan was prepared to be flexible enough to allow for the lower and higher growth rates to be achieved and to enable additional capacity to address shortfalls if there was higher growth. For the purposes of this review, the waste arisings since adoption of the Plan have been assessed against the higher growth rates, that have been updated to take account of the latest arisings (for 2022).

Municipal Solid Waste (MSW)

3.9 Figure 1 shows the baseline and high growth forecasts that underpinned the WLP, as well as updated forecasts, taking account of actual arisings since adoption of the WLP.

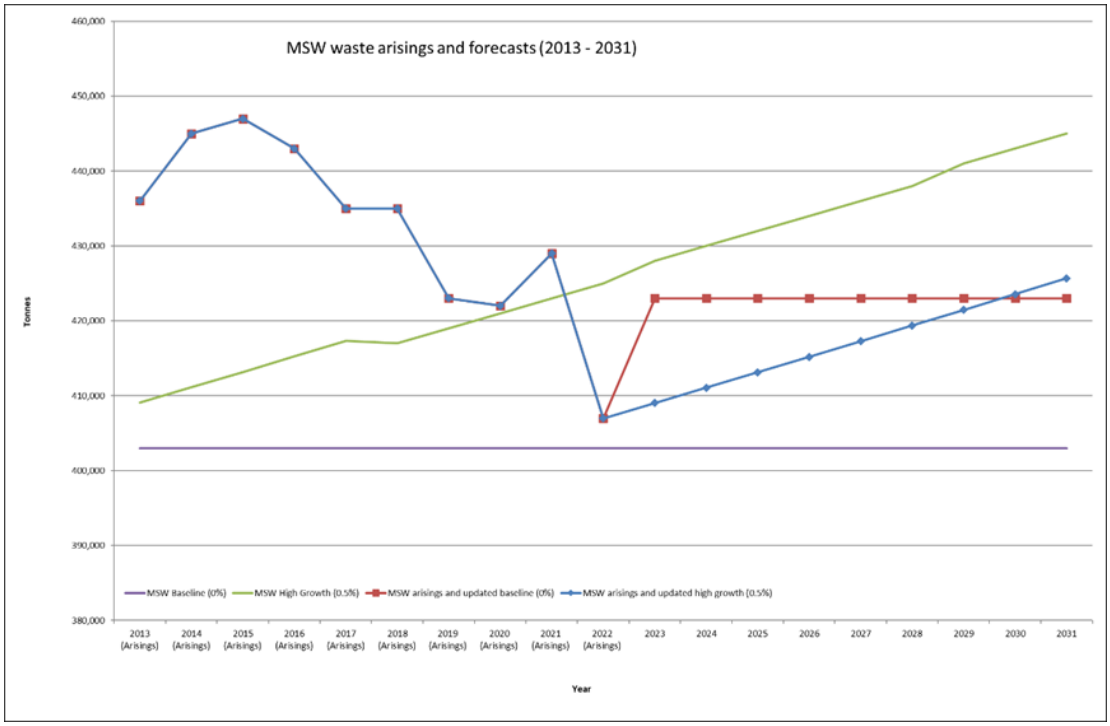

Figure 1: MSW Waste Arisings and Forecasts (2013-2023)

3.10 Figure 1 shows that MSW arisings have been higher than the baseline figures that underpinned the WLP (403,000 tonnes). The updated arisings data suggests that MSW arisings may be 423,000 tonnes in 2031, rather than 445,000 tonnes forecasted in the high growth scenario that underpinned the WLP. This represents a reduction of 22,000 tonnes which is not considered significant.

Commercial and Industrial Waste (C&I)

3.11 Figure 2 below shows the C&I waste forecasts that underpinned the WLP, as well as updated forecasts. The methodology that underpinned the WLP, was the 'point of production' method. In 2016, an updated methodology was considered to be more accurate when forecasting C&I waste, called the 'reconcile method'. Rather than applying data based on business profiles and waste production factors, a method first applied in 2009 through a Department of Environment, Food & Rural Affairs (DEFRA) survey, the 'reconcile method' makes use of data published in the Environment Agency (EA), which is collated via data that operators must submit to the EA as part of the waste permitting regime. This methodology was deemed to be sound at examinations of other authority plans nationally. Therefore, this approach was also applied to West Sussex.

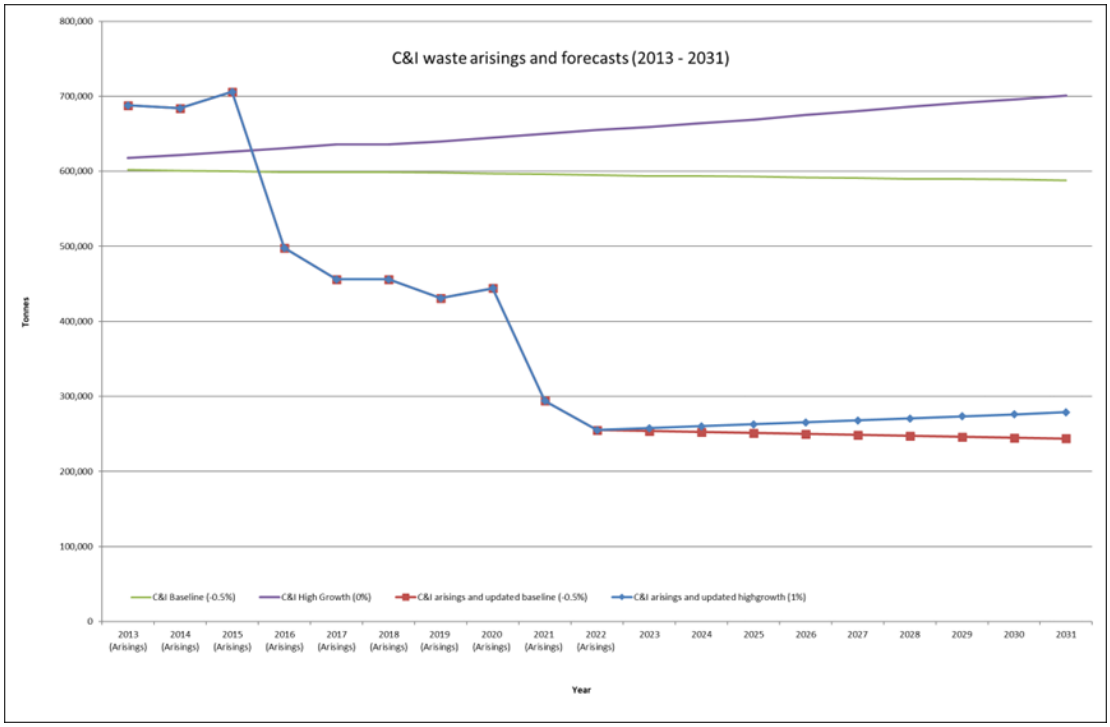

Figure 2: C&I Waste Arisings and Forecasts (2013 2031)

Note: The arisings data for C&I waste since adoption of the WLP is produced as a single figure. The growth rates however vary for the commercial and industrial elements of the waste streams. In order to overcome this (as it is not clear what the split is between the two elements of the stream), a 1% uplift has been applied to the higher growth rate. This is an over-estimation but is more accurate than attempting to split it and risk 'under forecasting'.

3.12 Figure 2 shows that in 2031, C&I arisings may be 280,000 tonnes. This means that, in 2031, C&I arisings will likely be 421,000 tonnes lower than anticipated (at the highest growth rates) when the WLP was prepared (701,000 tonnes). However, there was a change in methodology in 2016 which resulted in a lower C&I arisings figure and there are inherent uncertainties with calculating C&I arisings due to the unreliability of data.

Construction, Demolition & Excavation Waste (CD&E)

3.13 Figure 3 below shows the CD&E waste forecast rates that underpinned the WLP, as well as updated forecasts taking account of the latest data. The methodology that underpinned the WLP, was the 'point of production' method. In 2016, the updated 'reconcile methodology' was considered to be more accurate when forecasting CD&E waste.

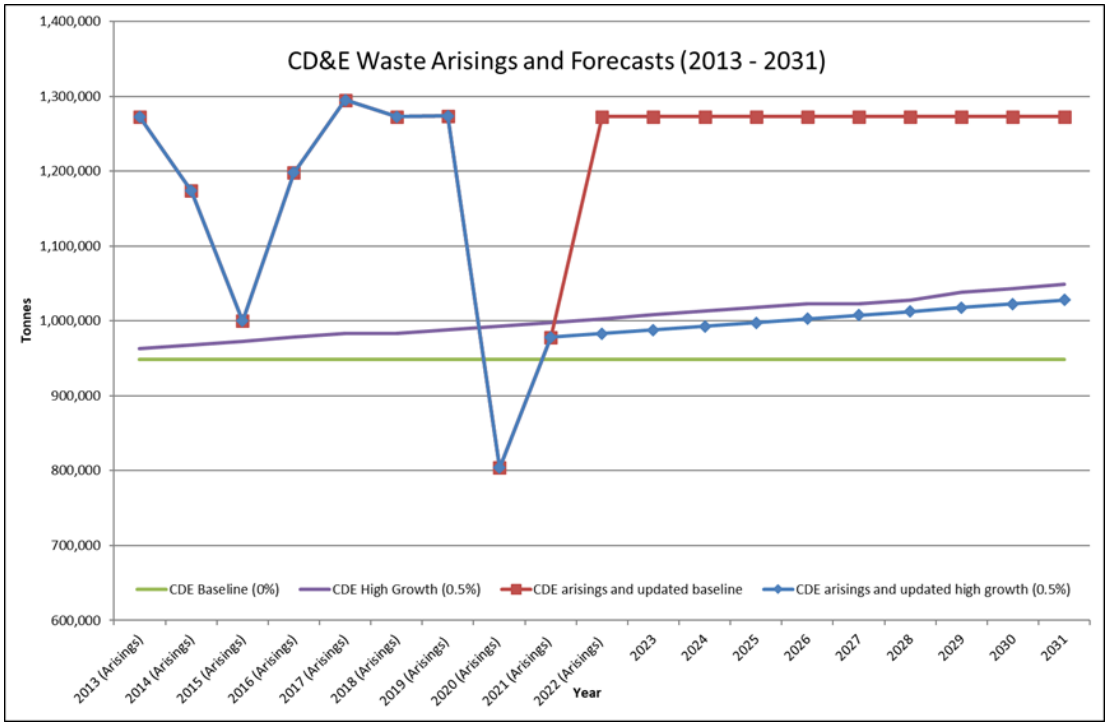

Figure 3: CD&E Waste Arisings and Forecasts (2013-2031)

3.14 Figure 3 shows that in 2031, it is anticipated that CD&E waste arisings could be 1,331,000 tonnes (high growth scenario) which is 282,000 tonnes higher than the original high growth forecast that underpinned the WLP (1,049,000 tonnes) which is not considered to be a significant issue as previous monitoring has shown that sufficient sites for recycling and recovery have come forward to meet demand.

Total waste

3.15 Table 3 presents the overall changes for the high growth scenarios. Figure 4 below sets out a combined forecast for all waste streams and compares it to the forecasts that underpinned the WLP. It shows that the amount of waste that may arise in 2031 may be close to 2.04mt (high growth); approximately 159,000 tonnes lower than anticipated when the WLP was prepared. However, it should be noted that there was a notable fall in waste arisings since the pandemic and although arisings during 2022/23 have increased, they are still lower than pre-pandemic levels. The WLP contains allocated sites and sufficient flexibility to be able to respond to any potential increase in arisings.

Table 3: Updated Waste Forecasts (High Growth Rates)

Waste Stream	Original High Growth Forecast (at 2031)	Updated High Growth Forecast (at 2031)	Difference
MSW (0.5%)	445,000	426,000	-19,000
C&I (1%)	701,000	279,000	-422,000
CD&E (0.5%)	1,049,000	1,331,000	282,000
Total	2,195,000	2,036,000	-159,000

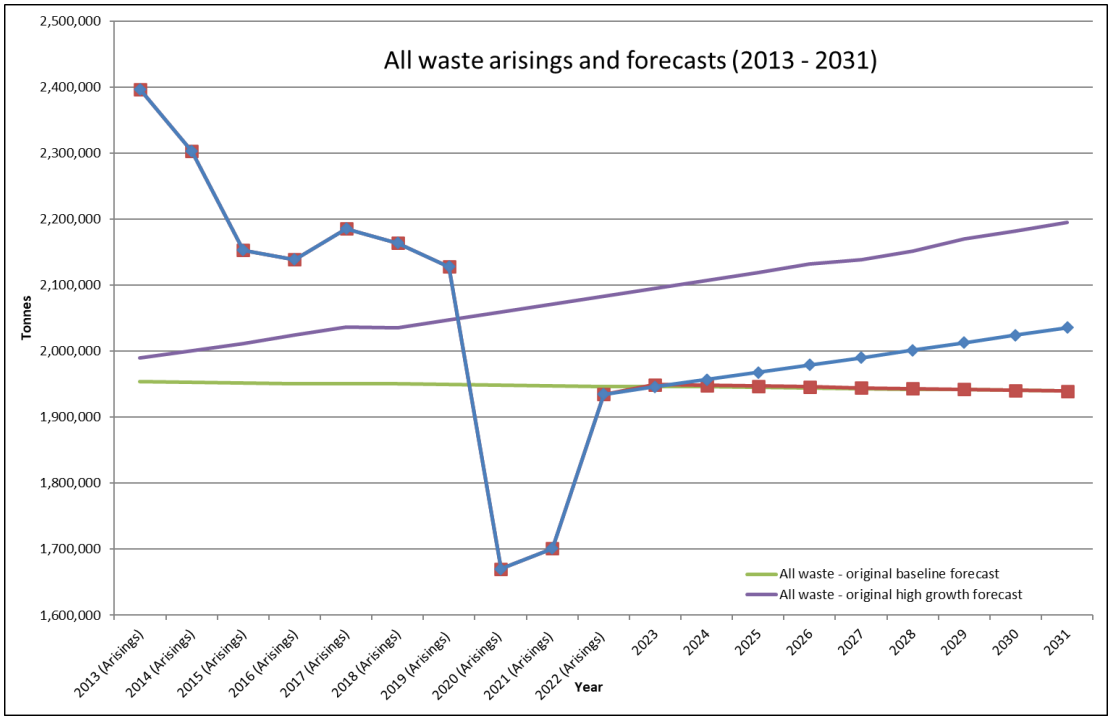

Figure 4: Arisings and Forecasts for all waste streams (2013-2031)

3.16 Total capacity (for all waste facilities, excluding that for inert recovery and non-inert landfill) is circa 3.43mtpa (Table 1), whilst the high growth scenario (which was planned for to give contingency) shows that arisings may be as high as 2.06mtpa. This therefore means that at present, current capacity is some 1.37mtpa higher than the arisings expected in 2031 under the high growth scenarios. However, it should be noted that:

- The figure 3.43mt also includes sites that have planning permission but are 'not operational' and may not be implemented. Taking into account only 'operational' capacity (3.05mt) the current capacity is only 0.67mt higher than arisings;
- There is a need for a mix of facilities to deal with the various waste streams and types, and sites such as transfer stations do not provide a final treatment/disposal for waste as they largely store, sort, bulk, and move waste on for treatment/disposal at other facilities. This often results in waste being recorded at multiple facilities, resulting in double counting in the EA data.

3.17 Policy W10 of the WLP allocates five sites for meeting the identified shortfalls (for C&I and CDE built waste facilities). Details of any planning permissions or applications at the allocations are provided in the discussion for Policy W10. Two sites remain unpermitted for permanent built waste facilities at the allocations, with a total potential capacity of 250,000 tonnes per annum which, when combined with the current capacity (if permitted), would provide a total of 3.68mt of capacity, some 1.64mt higher than the expected arisings in 2031. The monitoring indicators for Policy W1 also include a need to assess the disposal of waste to land, with a target for a downward trend, in line with the Plan's aspiration of 'zero waste to landfill'. Policy W9 includes the same

indicator; therefore, landfill is discussed in more detail within the relevant section of this review document.

Waste Imports and Exports

3.18 Waste travels beyond administrative boundaries and is managed based on commercial decisions. Larger waste operators are likely to take a national and regional view on the locations of their facilities. Data for imports/exports of waste is not readily available, with reliance on EA data to show those movements for facilities that operate under the EA permitting regime. Environment Agency waste data for waste movements in 2022/23 is summarised in Table 4 below.

Table 4: Waste Imports and Exports 2022/23

Waste imports into West Sussex in 2022/23

Basic Waste Category	Landfill	Treatment	Transfer	On/In Land	MRS	Incineration	Total
Hazardous	-	2,511	392	-	2,215	-	**5,118**
Hhold/Ind/Com	-	198,421	43,595	-	24,472	-	**266,488**
Inert/C+D	34,300	124,648	18,425	73,970	5,757	151	**257,251**
Total	**34,300**	**325,580**	**62,412**	**73,970**	**32,444**	**151**	**528,857**

Waste exports from West Sussex in 2022/23

Basic Waste Category	Landfill	Treatment	Transfer	On/In Land	MRS	Incineration	Total
Hazardous	36,584	13,281	3,754	-	1,419	878	**55,916**
Hhold/Ind/Com	46,627	137,742	38,489	-	10,631	63,818	**297,307**
Inert/C+D	22,883	104,514	24,263	79,744	6,953	3,959	**242,316**
Total	**106,094**	**255,537**	**66,506**	**79,744**	**19,003**	**68,655**	**595,539**

Balance between imports and exports in West Sussex for 2022/23

Basic Waste Category	Landfill	Treatment	Transfer	On/In Land	MRS	Incineration	Total
Hazardous	-36,584	-10,770	-3,362	-	796	-878	**-50,798**
Hhold/Ind/Com	-46,627	60,679	5,106	-	13,841	-63,818	**-30,819**
Inert/C+D	11,417	20,134	-5,838	-5,774	-1,196	-3,808	**14,935**
Total	**-71,794**	**70,043**	**-4,094**	**-5,774**	**13,441**	**-68,504**	**-66,682**

Note: Negative figure = Net Export; Positive Figure = Net Import

Source: Environment Agency Waste Data Interrogator (2022)

3.19 The tables above show that in 2022/23 West Sussex was a net exporter of waste (-66,682 tonnes). West Sussex was a net exporter of waste for all management types except for Metal Recycling Sites (MRS) and Treatment for which it was a net importer (13,441 tonnes and 70,043 tonnes respectively).

Exports for Landfill

3.20 In 2022/23, West Sussex was a net exporter of waste for landfill (-71,794 tonnes) which in in line with the indicator for Policy W1 which is for a declining amount of waste being imported for landfill. The waste streams exported were hazardous (there are no hazardous waste disposal facilities in West Sussex) and non-inert waste (MSW and C&I). 11,417 tonnes of CD&E waste was imported but the vast majority of waste landfilled was inert waste deposited at non-inert landfill sites that were being restored (see policies W8 and W9). This type of deposit is considered to have a beneficial use, and therefore would be a recovery project rather than landfill. The EA waste data does not make this distinction. There are now no longer any active landfill sites in West Sussex. Although the non-inert landfill extension allocation (Brookhurst Wood) has yet to come forward, it is anticipated, that West Sussex will continue to be a net-exporter for non-hazardous (MSW/C&I) waste for landfill.

Imports and exports for treatment and recycling

3.21 In 2022/23 West Sussex was a net-importer of waste (70,043 tonnes) to treatment facilities (which include recycling sites). The majority of this net-import was for non-hazardous MSW waste, whilst some 20,134 tonnes of CD&E waste was also imported. West Sussex was also a net-importer for just over 13,841 tonnes of waste to metal recycling sites (MRS). Although West Sussex did not achieve neutral imports and exports for recycling during 2022/23, this has not always been the case over the last five years and it is expected that this picture will continue to change as the waste industry continue to transport waste according to markets. In the South-East, the Waste Planning Authorities, through the South East Waste Planning Advisory Group (SEWPAG), have signed up to a Memorandum of Understanding, which sets out that the authorities will all plan for net self-sufficiency, allowing for waste to continue to move as required, whilst all plan areas provide sufficient capacity for waste arisings.

3.22 There continues to be 250,000 tonnes of potential capacity available within the allocations (Policy W10) which suggests that there will continue to be sufficient capacity in West Sussex, in line with the principle of net self-sufficiency.

RAG	Assessment of Policy
Green	Policy W1 remains relevant and effective.

Policy W2: Safeguarding Waste Management Sites and Infrastructure

WLP Measure/Indicator	WLP Trend/Target
Transfer, recycling, and treatment capacity (tonnes)	-
Number of safeguarded waste sites redeveloped for other uses (contrary to advice)	-
Intervention level	A loss of capacity occurs, with less waste being processed at facilities. Several safeguarded sites are redeveloped for other uses contrary to advice. Waste sites lost to competing land uses, resulting in inadequate provision of management capacity across the County.

Changes to National Policy or guidance and commentary

3.23 The NPPF now includes a specific reference to the 'agent of change' principle, that was added in 2018 (para. 193 of the current 2023 NPPF). This principle seeks to ensure that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. The inclusion of 'agent of change' within NPPF is considered positive as it ensures that where existing businesses could have significant adverse impacts on new development, it is the 'agent of change' that should provide suitable mitigation.

3.24 Although the WLP itself does not refer to the 'agent of change' principle, it was included within an updated version of the Authorities' Minerals and Waste Safeguarding Guidance, that sets out how the safeguarding policies in the WLP (and JMLP) will be implemented in practice. Policy W2 sets out how existing waste management sites will be safeguarded. If the 'agent of change' is proposing development with mitigation to ensure it would not prevent or prejudice permitted waste management activities, then Policy W2 is considered effective without needing to reference the 'agent of change'.

3.25 Figure 5 below sets out how capacity has changed during the ten year period, since adoption of the WLP. It should be noted that the capacities presented in Figure 5 include 'operational' and 'not operational' capacity so any reduction in capacity could be due to permissions not being implemented rather than facilities being lost of alternative uses.

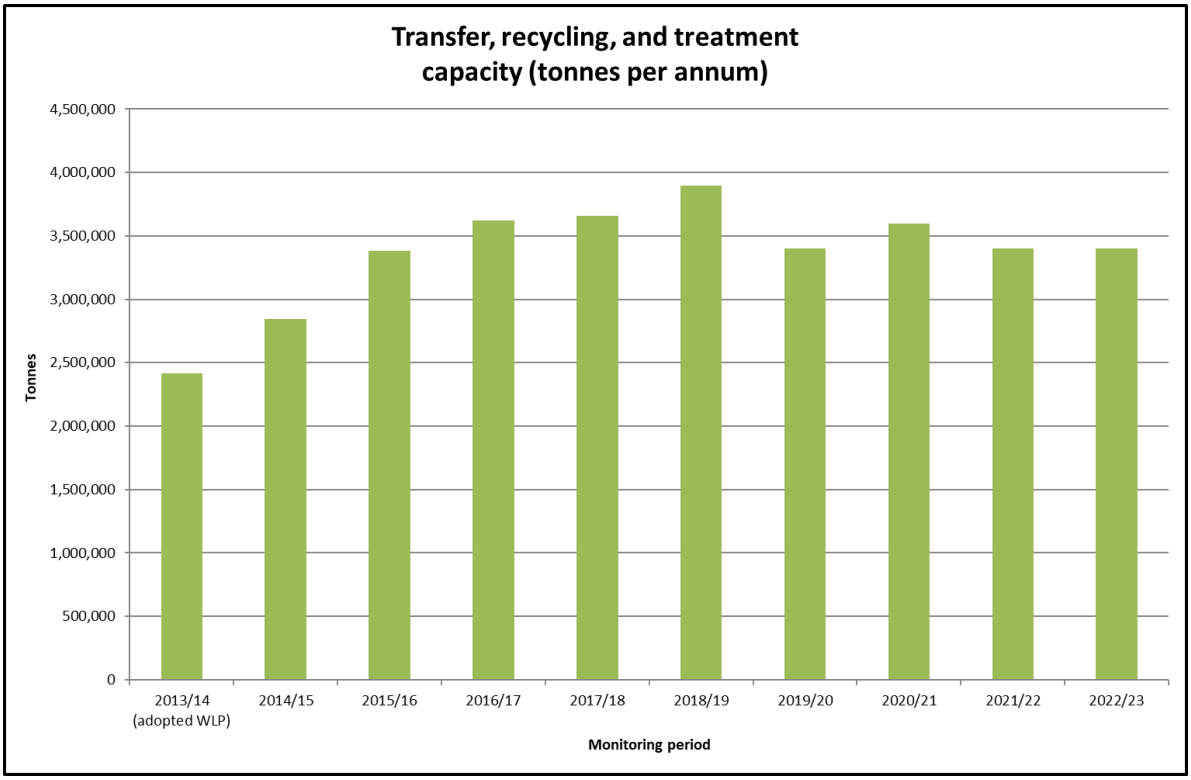

Figure 5: Transfer, Recycling and Treatment Capacity (2013-2023)

3.26 Since the last Waste Local Plan Assessment in 2019, an updated Minerals and Waste Safeguarding Guidance[8] was published alongside the JMLP and the Authorities have worked with the district and borough councils (D&Bs) to provide support and guidance on the application of the safeguarding policies. Over time, the D&Bs have incorporated safeguarding matters into their consultation process. The table below presents the number of consultations that have been received by WSCC and the response to them.

Table 5: Consultations received for safeguarded waste sites

Year	No Objection, subject to Policy W2	Objection – more information needed	No Objection	Total
2018/19	0	0	0	0
2019/20	3	0	1	4
2020/21	0	1	1	2
2021/22	1	5	12	18
2022/23	2	5	6	13

3.27 Since 2018, there have also been two planning applications granted for soil washing and soil heat treatment on the proposed allocation for non-inert landfill at Brookhurst Wood landfill (WSCC/050/19 and WSCC/051/19). These were temporary uses, and the permissions were never implemented and have since

[8] West Sussex Minerals and Waste Safeguarding Guidance (March 2020)

expired. There is also a current application for the construction and operation of an open windrow composting facility on the same site (WSCC/037/023).

3.28 As National Park Authorities are the sole local planning authorities for their areas, the SDNPA is responsible for all development in the South Downs National Park. This means the SDNPA considers policies in both the South Downs Local Plan (SDLP) and the WLP for waste development and in relation to the safeguarding of waste sites.

RAG	Assessment of Policy
Green	Policy W2 remains relevant and effective.

Policy W3: Location of Built Waste Management Facilities

WLP Measure/Indicator	WLP Trend/Target
Number of applications for the transfer, recycling or treatment of waste permitted per annum	n/a
Transfer, recycling, and treatment of waste (capacity, tonnes per annum, and % of total arisings)	Upward trend
Number of facilities built on previously developed (brownfield) land	Upward trend
Number of facilities built on greenfield land	Downward trend
Intervention level	A downward trend of applications and capacity for transfer/recycling/treatment. Waste facilities are built in unsuitable locations or are not being built at all which could result in insufficient waste capacity, the need for additional landfill or land-use conflict and impacts on amenity.

Changes to National Policy or guidance and commentary

3.29 There have been no changes to national policy or planning guidance that are relevant to policy W3 since the adoption of the WLP.

3.30 Figure 6 below shows the total transfer, recycling, and treatment capacity against annual waste arisings since adoption of the WLP. It shows that West Sussex currently has more overall capacity than the amount of waste arisings, however, this is not broken down by type of facility.

3.31 It is important to note that the total capacity figure includes sites with permission that are 'not operational' and may never be implemented. Also, the figure includes transfer sites, which are involved with the storing, sorting, bulking and onward movement of waste. Waste that goes to transfer stations, usually moves on to further waste facilities for recycling, treatment, or recovery, meaning waste has gone through two (or more) facilities, therefore waste is often doubled counted in EA waste data.

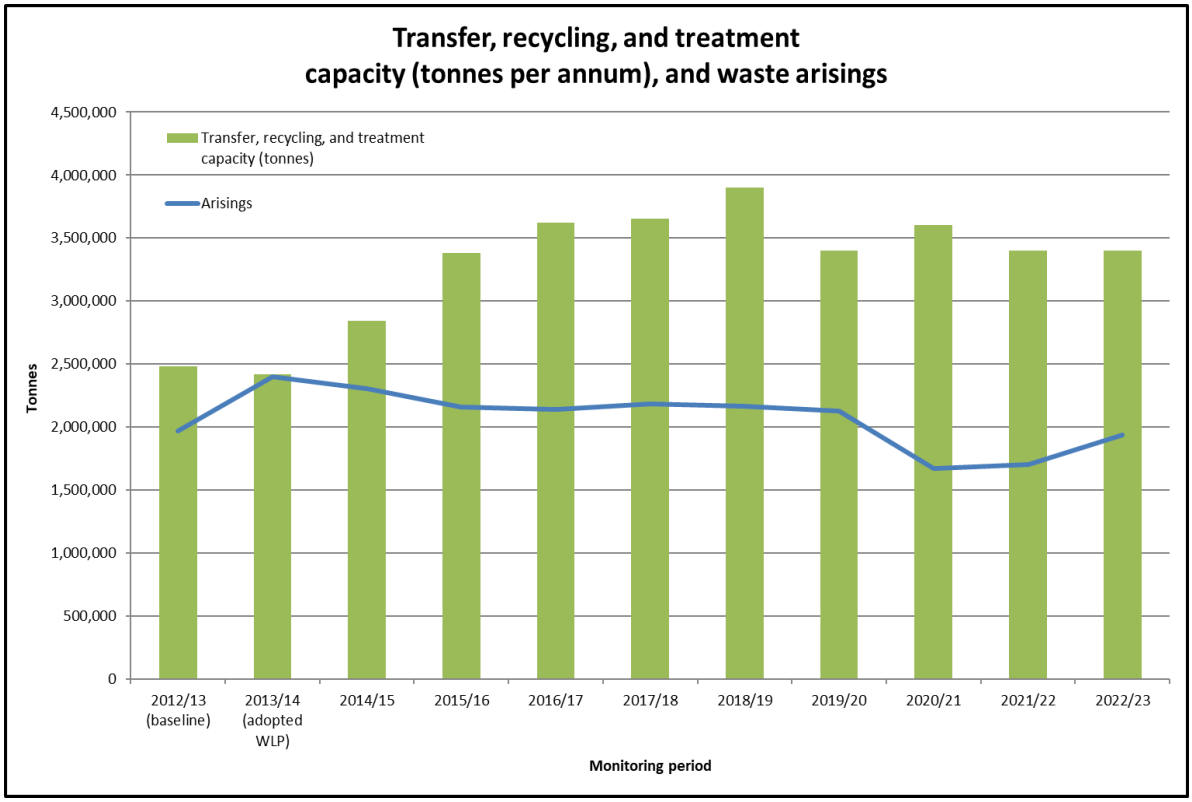

Figure 6: Transfer, recycling, and treatment capacity (2013-2023)

3.32 Figure 7 below shows the number of planning applications for the transfer, recycling or treatment of waste permitted per annum through the WLP, and on whether they were on brownfield or greenfield land.

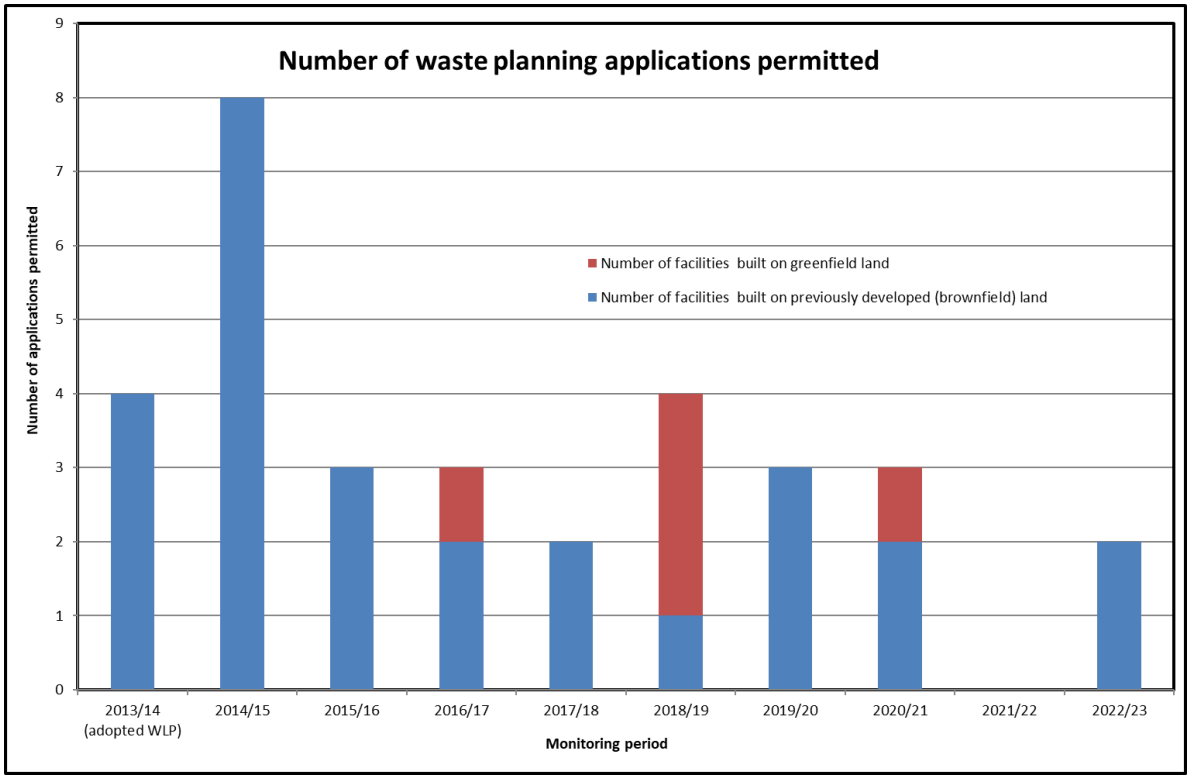

Figure 7: Permitted planning applications (2013-2023)

3.33 Figure 7 shows that in all but three of the monitoring years, 100% of the planning applications permitted were on previously developed, brownfield land. Since adoption 76% of all applications permitted were built on a brownfield land. Although this is less than 100%, three planning applications permitted on greenfield land (WSCC/002/18/CC, WSCC/003/18/CC, WSCC/004/18/WH and WSCC/005/18/TG) were for the 'Chichester Growth Pipeline' (from the west of Chichester to the Tangmere Wastewater Treatment Works).

3.34 Overall, the policy is performing, with capacity increasing since the WLP was adopted and arisings generally being lower than capacity. It should be noted that the data on capacity does not include that for landfill/recovery on wastes.

RAG	Assessment of Policy
Green	Policy W3 remains relevant and effective.

Policy W4: Inert Waste Recycling

WLP Measure/Indicator	WLP Trend/Target
Number of applications for inert waste recycling permitted per annum	n/a
Recycling of inert waste (capacity, tonnes per annum, and % of total arisings)	Upward trend
Intervention level	A downward trend of inert waste recycling. An increasing amount of inert waste is sent to landfill rather than recycled, potentially impacting on landfill availability for non-inert wastes.

Changes to National Policy or guidance and commentary

3.35 There have been no changes to national policy or planning guidance that are relevant to policy W4 since the adoption of the WLP.

3.36 During the ten years since adoption of the WLP, a total of 13 planning applications have been permitted for inert waste recycling facilities.

3.37 Figure 8 sets out total inert waste recycling capacity, quantities recycled in each monitoring year, and the percentage of total construction, demolition and excavation waste arisings that were recycled.

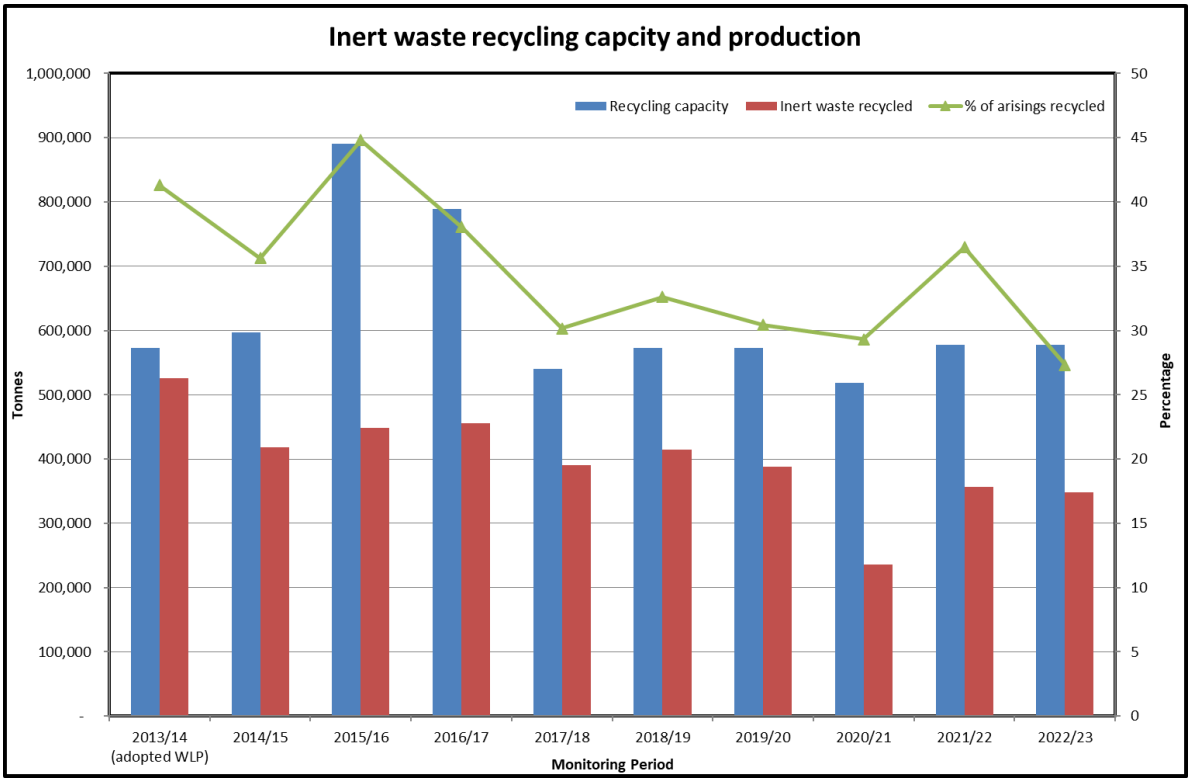

Figure 8: Inert waste recycling capacity (2013-2023)

3.38 Recycling capacity has fluctuated over the last 10 years but is approximately 5,000 tonnes higher than when the WLP was adopted (573,000 tonnes). In the intervening years, capacity peaked (in 2015/16) at 890,375 tonnes, before a decline to the 2017/18 level. This is not surprising, as activities of this type tend to be temporary in nature, located on landfill sites or quarries (for producing restoration materials) and once these sites are restored, any associated recycling capacity ceases to exist. In 2017/18, there was a significant reduction in capacity (circa 230,000 tonnes) due to the closure of two recycling operations at former quarries that have now been restored. During the last five years recycling capacity has remained the same (578,000 tonnes) with a slight drop in 2020/21 when it was around 520,000 tonnes, that may be attributed to reduced activity during the pandemic.

3.39 Figure 8 also shows the amount of inert waste recycled annually since adoption of the WLP. It should be noted that the baseline data (2012/13) was based on a 2009/10 methodology to calculate capacity and management method (AEAT Waste Forecasts 2012). This data was subsequently discounted during the WLP examination, when the then more robust methodology ('point of production') was considered to be a more accurate way to calculate inert waste data. This updated data (2012) produced an updated arising figure (949,000 tonnes, down from 1,340,000). To calculate an amount recycled, an arbitrary figure of 45% was applied, using the Capita Symonds (2007) methodology, which was based on CD&E waste surveys in England for the years 2001, 2003 and 2005 – a method that has not been applied since.

3.40 For the purpose of reviewing Policy W4, the baseline data (2012/13) is not considered to provide an accurate reflection of recycling activities, and therefore the 2013/14 data has been applied as the starting point for the review. Since 2013/14, a further updated methodology (point of

management), has been applied. The data shows that recycling was generally stable (between 42-51% of total arisings) between 2018/19 and 2019/20. It then fell sharply in 2020/21 which is likely to be due to the pandemic when construction activity slowed down and overall levels of CD&E arisings fell. Recycling rates have started to increase again corresponding to a rise in CD&E arisings.

3.41 Overall, inert recycling capacity does not tend to operate at maximum levels, and there is currently headroom of circa 230,000 tonnes of capacity, compared to the amounts of inert waste recycled.

3.42 The policy is considered to remain relevant and effective, as demonstrated by the fact that 13 planning permissions for inert waste recycling have been permitted since adoption. The allocations in the WLP provide potential for further capacity, whilst continued mineral extraction in West Sussex means there will continue to be a need to restore quarries, therefore aggregate recycling operations will continue to come forward (and be determined against this and other policies in the plan).

RAG	Assessment of Policy
Green	Policy W4 remains relevant and effective.

Policy W5: Open Windrow Composting

WLP Measure/Indicator	WLP Trend/Target
Number of applications for open windrow composting permitted per annum	n/a
Recycling of green wastes (capacity, tonnes per annum, and % of total arisings)	Upward trend
Intervention	A downward trend of green waste recycling. An increasing amount of green waste is sent to landfill rather than recycled, potentially impacting on landfill availability for other non-inert wastes.

Changes to National Policy or guidance and commentary

3.43 There have been no changes to national policy or planning guidance that are relevant to policy W5 since the adoption of the WLP.

3.44 The current capacity for open windrow composting is 149,251tpa. Since 2018, there has been a reduction in capacity by approximately 15,000 tonnes (Figure 9) in 2020/21 due to the closure of Pease Pottage Composting Site. During the last five years (2018-2023) no new capacity has been permitted for composting facilities. However, an application for a composting site at Brookhurst Wood Landfill is currently being considered (WSCC/037/023). If approved there will be an increase in composting capacity of 60,000tpa.

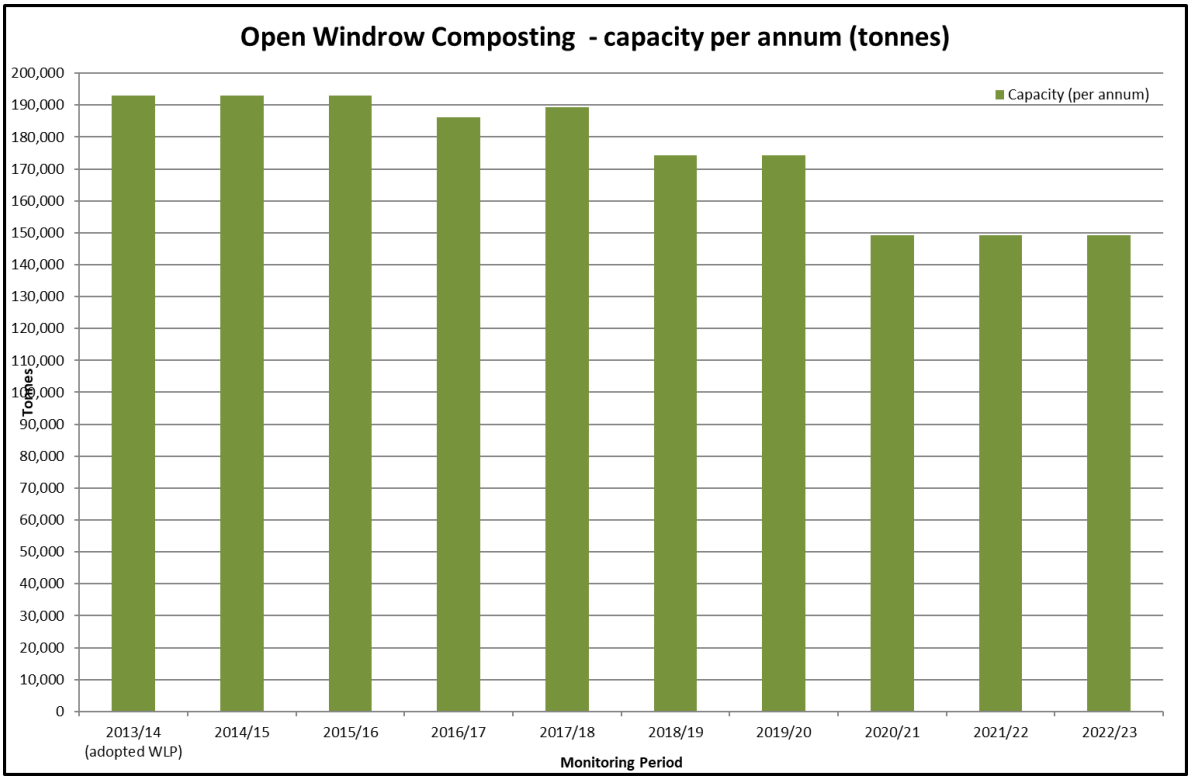

Figure 9: Open windrow compositing capacity (2013-2023)

3.45 Over the last five years only a small amount of green waste has been sent to landfill and it has been managed at transfer and treatment sites (figure 10) which is consistent with the WLP trend for open windrow composting. The chart in figure 10 will show an element of double counting as green waste may be received at transfer sites then moved to a treatment site for final management.

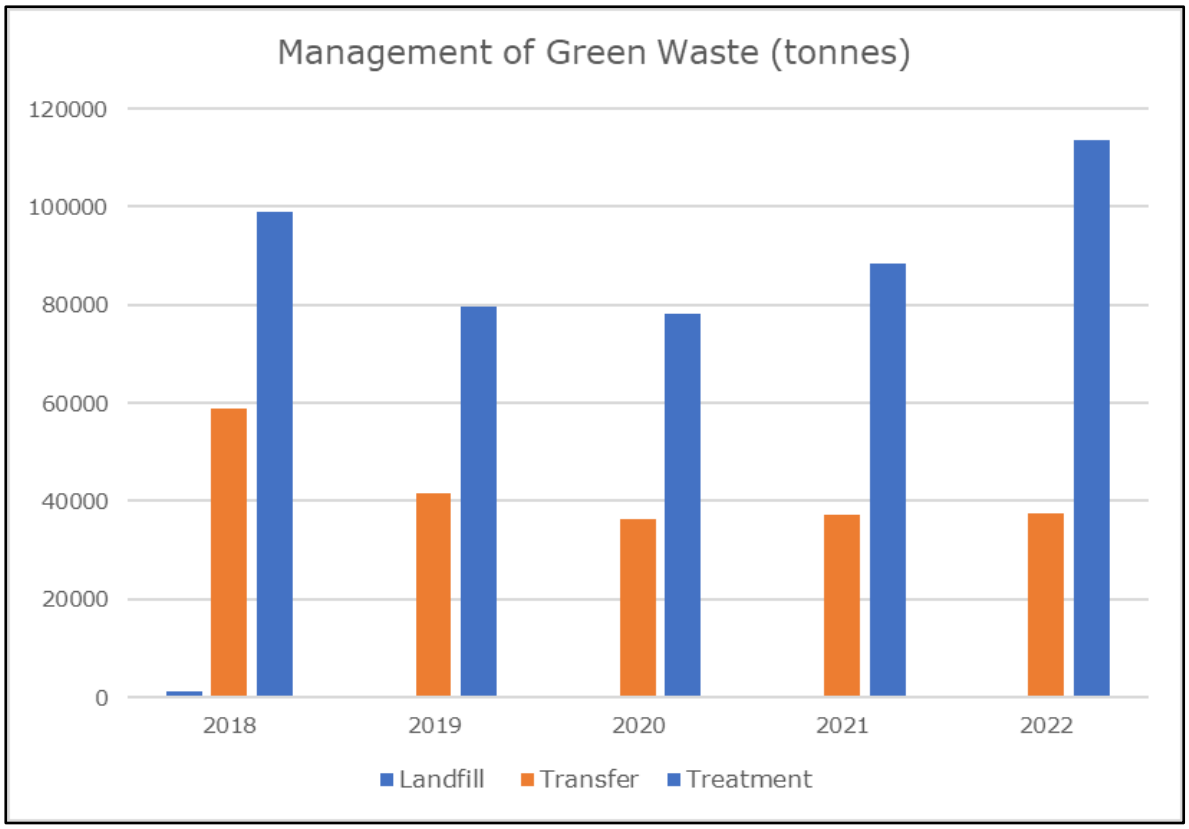

Figure 10: Management of Green Waste 2018-2022 (tonnes)

3.46 Policy W5 is considered to be relevant and effective as it is still consistent with national policy and it will allow for the granting of permission if the industry pursues further capacity in future.

RAG	Assessment of Policy
Green	Policy W5 remains relevant and effective.

Policy W6: Management of Wastewater and Sewage Sludge

WLP Measure/Indicator	WLP Trend/Target
Number of applications for new or extended wastewater treatment works permitted per annum	No trend identified
Management of wastewater and sewage sludge (capacity, tonnes per annum)	No net loss
Intervention level	A loss of capacity of existing wastewater treatment facilities or a significant increase in capacity requirements. Planning applications for wastewater treatment facilities come forward on unsuitable land or on land allocated for other uses resulting in impacts on waste capacity generally and/or amenity.

Changes to National Policy or guidance and commentary

3.47 There have been no changes to national policy or planning guidance that are relevant to policy W6 since the adoption of the WLP.

3.48 Owing to extensive permitted development rights available to sewerage undertakers, the majority of upgrade works within existing treatment works and other below ground development does not require express planning permission. The exception is the provision of new buildings, or development requiring Environmental Impact Assessment (EIA).

3.49 The Authorities do not record capacity at individual Wastewater Treatment Works (WWTW) in the county and proposals for upgrades and improvements come forward as required. Within the last ten years there have been 24 applications for upgrades to WWTW in West Sussex. In 2018/19, following the extensive upgrade works at Tangmere WWTW, four planning applications were approved for a new 10km sewer pipeline and three pumping stations between the west of Chichester and Tangmere WWTW (the 'Chichester Growth Pipeline'), which will serve allocated strategic housing sites around Chichester.

3.50 Policy W6 is considered to be relevant and effective as it is still consistent with national policy and it would allow for permission to be granted for further capacity if required.

RAG	Assessment of Policy
Green	Policy W6 remains relevant and effective.

Policy W7: Hazardous and Low Level Radioactive Waste

WLP Measure/Indicator	WLP Trend/Target
Number of applications for the management of hazardous waste permitted per annum	n/a
Management of hazardous waste (capacity, tonnes per annum)	No net loss
Intervention level	A loss of capacity of existing hazardous waste treatment facilities and/or a significant increase in capacity requirements.

Changes to National Policy or guidance and commentary

3.51 There have been no changes to national policy or planning guidance that are relevant to policy W7 since the adoption of the WLP.

3.52 During the five-year period (2018 – 2023), two planning applications have been approved for the management of hazardous waste soils at Brookhurst Wood. However, they were not implemented and have now expired (WSCC/050/19 and WSCC/052/19).

3.53 Due to the specific requirements for the management of hazardous wastes and the small amounts generated, it is likely to be managed on a regional or national scale. The issue of hazardous waste is discussed at the regional level at SEWPAG.

3.54 Policy W7 is considered to be relevant and effective as it is still consistent with national policy and it would allow for permission to be granted for further capacity if required.

RAG	Assessment of Policy
Green	Policy W7 remains relevant and effective.

Policy W8: Recovery of Operations involving the Depositing of Inert Waste to Land

WLP Measure/Indicator	WLP Trend/Target
Number of applications for depositing of inert waste to land permitted per annum	n/a
Depositing of inert waste to land (capacity, tonnes per annum, and % of total arisings)	Trend within capacity set out within Policy W1
Intervention levels	An upward trend (as a percentage) of inert waste sent for disposal to land. An increasing amount of inert waste is sent to landfill rather than recycled, resulting in increased pressure on existing sites and/or sites in neighbouring authorities.

Changes to National Policy or guidance and commentary

3.55 There have been no changes to national policy or planning guidance that are relevant to policy W8 since the adoption of the WLP.

3.56 During the five-year period (2018 – 2023), there were a total of 18 planning applications (waste and minerals applications) considered by the Authorities for recovery operations involving the depositing of inert waste to land (figure 11). Of these, 16 were permitted, 10 were for new capacity and 6 were for an extension to time. Monitoring of proposals for deposit of inert waste to land should be treated with caution as some recovery projects may be determined by the D&Bs as engineering operations and therefore not included in the monitoring of the WLP. Also, there is a Code of Practice called CL:AIRE which enables excavated material to be reused on site without it being classified as a waste.

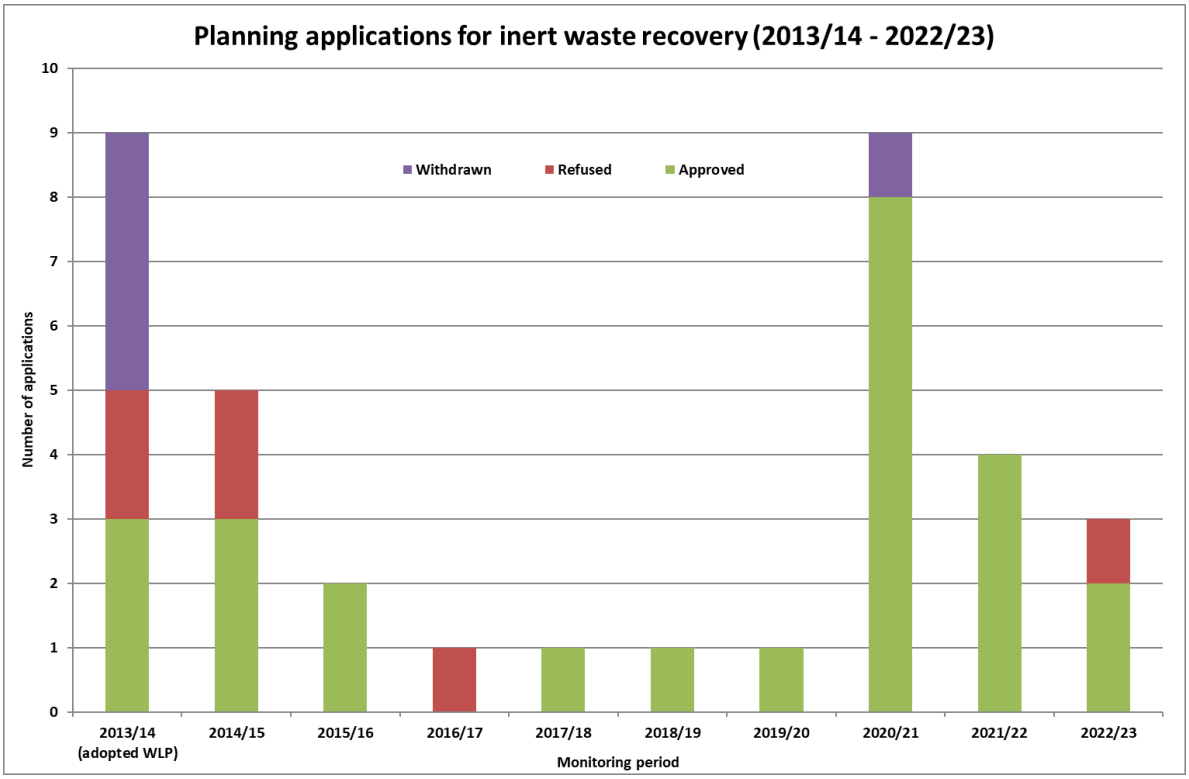

Figure 11: Planning Applications involving the recovery of waste to land (minerals and waste applications)

3.57 Figure 12 below sets out how inert recovery capacity has changed since adoption of the WLP. It sets out the new capacity added each year (through Policy W8), and the annual amounts of inert waste recovered (based on inert waste deposited to land each year).

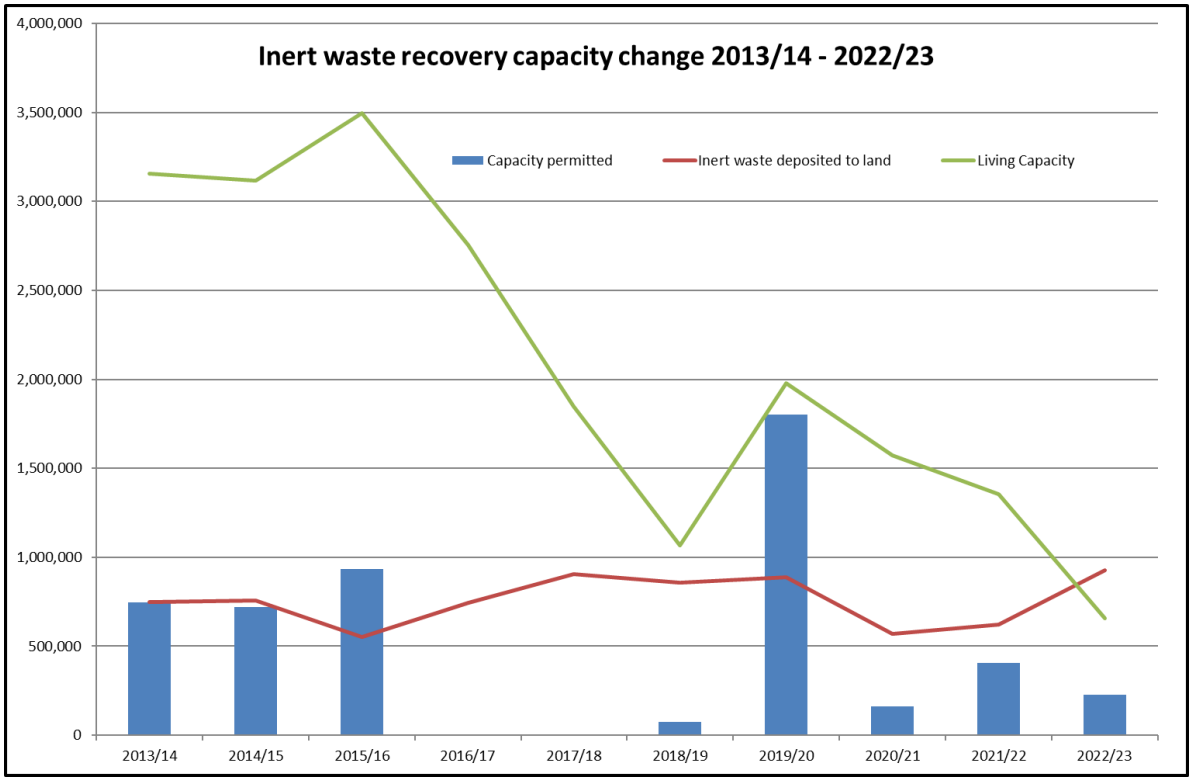

Figure 12: Inert waste recovery capacity change (2013-2023)

3.58 Figure 12 shows that, although there was a general decline in 'live capacity' at the end of the previous 5 year period, new capacity has been permitted within the last 5 years. Figure 12 suggests that based on current fill rates 'live capacity' was approximately 600,000 tonnes in 2022/23 (based on application data and arisings calculations). The monitoring report provides a further update of the status of permitted sites, their remaining capacity, and the approximate expiration of inert recovery capacity. There is an application currently being considered for the restoration of Rock Common requiring 5.5mt of inert waste (WSCC/028/21) and experience has shown that new proposals generally come forward to meet demand.

3.59 Policy W8 is considered to be relevant and effective as it is still consistent with national policy and it would allow for the granting of permission if the industry pursues capacity in future.

RAG	Assessment of Policy
Green	Policy W8 remains relevant and effective.

Policy W9: Disposal of Waste to Land

WLP Measure/Indicator	WLP Trend/Target
Number of applications for landfilling per annum, and % of total arisings	n/a
Disposal of waste to land (capacity, tonnes per annum, and % of total arisings)	Downward trend (tpa) (% of total waste)
Intervention Levels	An upward trend (measured as a percentage) waste sent for disposal to land. An increasing amount of waste is sent to landfill rather than treated or recovered, resulting in increased inputs into existing sites or sites in neighbouring authorities.

Changes to National Policy or guidance and commentary

3.60 There have been no changes to national policy or planning guidance that are relevant to policy W9 since the adoption of the WLP.

3.61 Policy W9 covers all streams of waste disposal activities (MSW, C&I and CD&E), however assessing the streams together is problematic, particularly for CD&E waste, as it is now rarely landfilled, and instead is recovered through being used in a beneficial way. Waste data collected by the EA, via the waste permitting regime, in some instances captures recovery operations as landfill, which can give the impression that more waste is being disposed of than is the case. The data on this policy is therefore split and presented separately.

MSW/C&I Waste (non-hazardous landfill)

3.62 The MSW/C&I waste streams principally result in the landfill of non-hazardous waste. Figure 13 below shows the MSW and C&I waste arisings, and the ways in which it has been managed in any given monitoring year. This shows that landfill of non-hazardous waste has been falling in line with the WLP aspiration to achieve 'zero waste to landfill'.

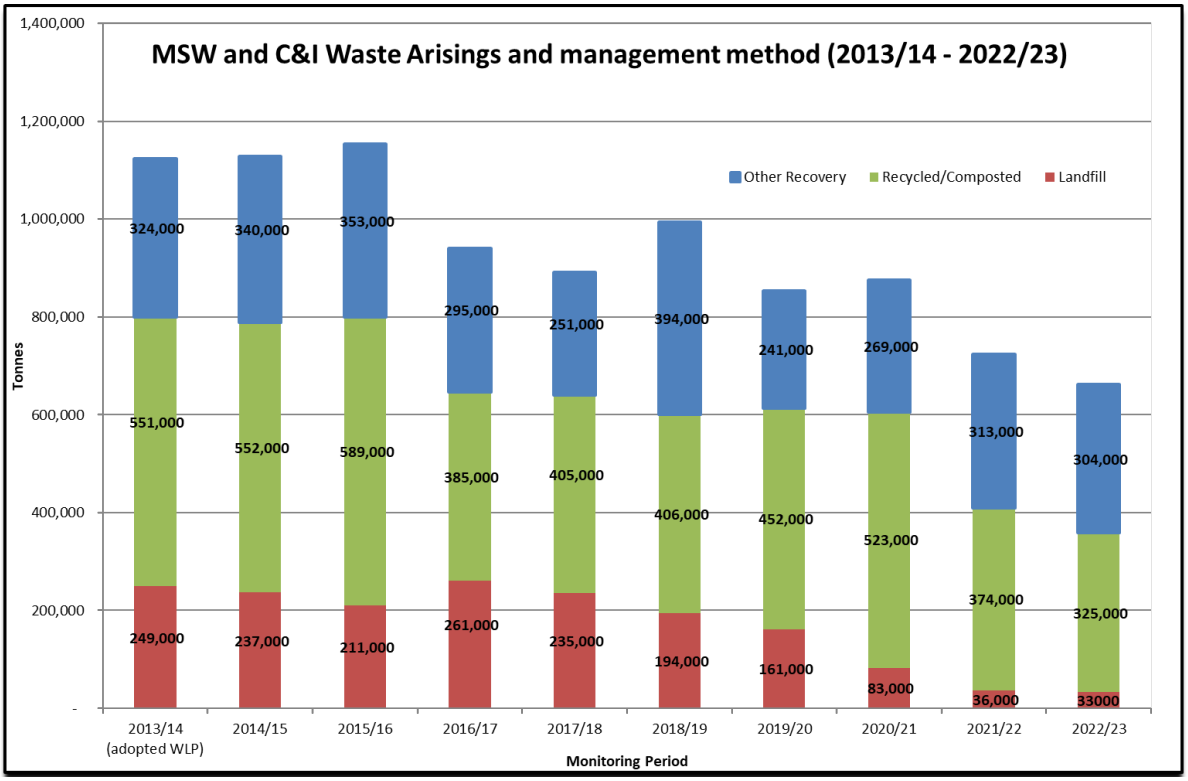

Figure 13: MSW and C&I waste arisings (2013-2023)

3.46 In West Sussex, non-hazardous waste landfill capacity has been exhausted since 2018 (figure 14) following the closure of Brookhurst Wood landfill site. There is an allocation in the WLP (Policy W10) for further landfill at Brookhurst Wood that would provide a further 0.86mt of capacity, should the waste industry decide it is needed. In the meantime, it is anticipated that residual waste will be exported to other landfills or be dealt with through recovery.

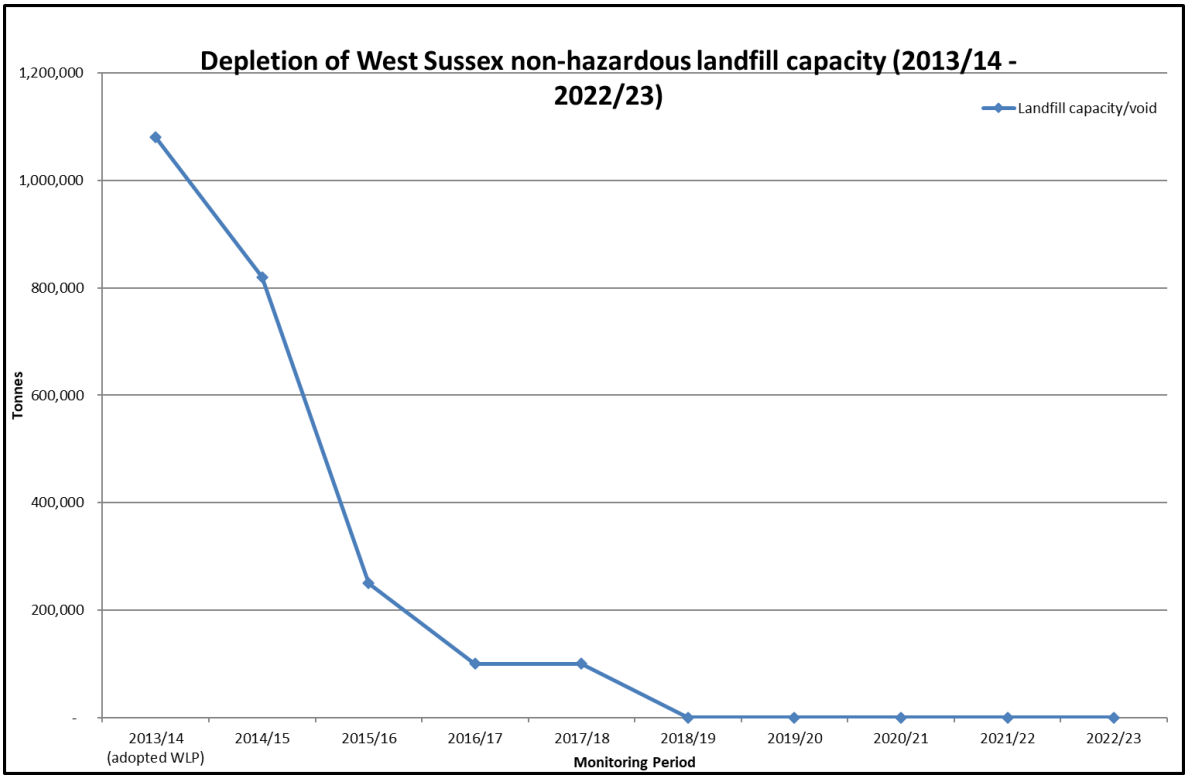

Figure 14: Non-hazardous waste landfill capacity (2013-2023)

CD&E Arisings (Inert landfill)

3.63 Figure 15 shows that the amounts (and percentages) of CD&E waste going to landfill have been increasing annually. As set out earlier, there is cross-over between 'recovery' and 'landfill', particularly for inert waste, whereby the EA permitting data presents the deposit of inert waste as 'landfill' on occasions, when it would be considered a recovery operation (in line with Policy W9) by the Authorities.

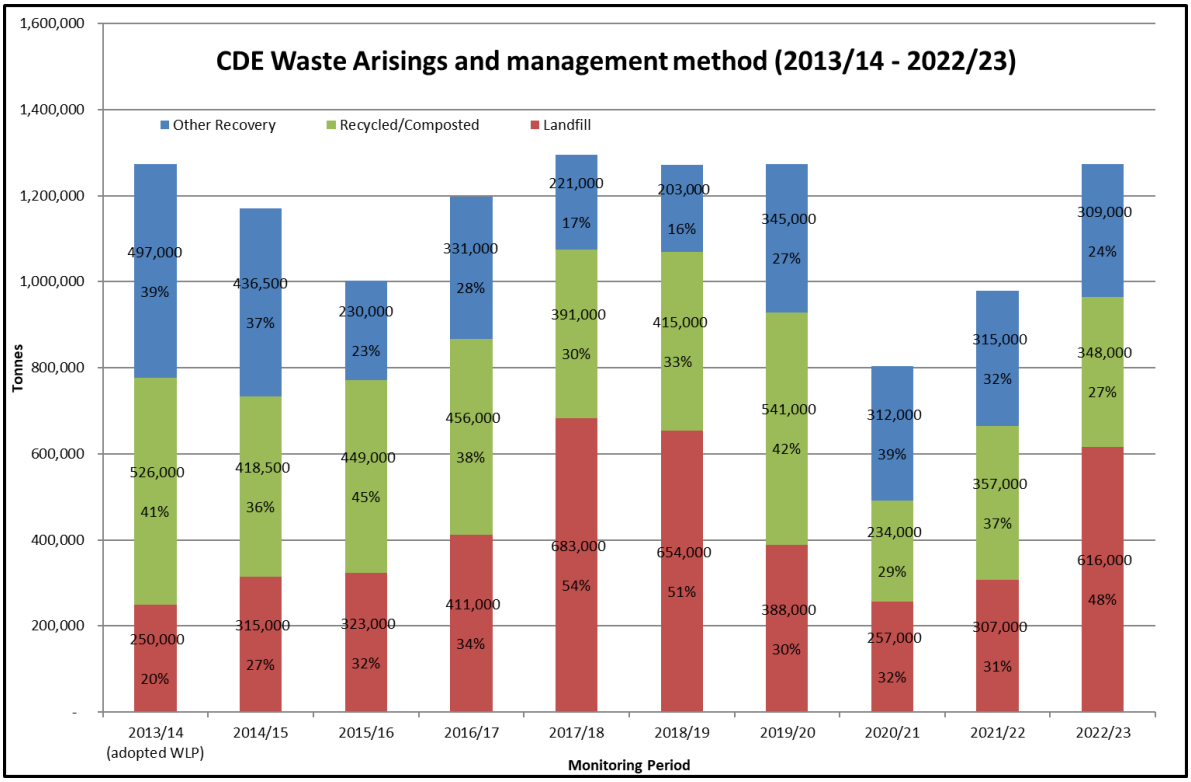

Figure 15: CDE waste arisings (2013-2023)

3.64 In order to understand the issue of landfill on a wider scale, the Authorities, work at the regional level through SEWPAG, and prepared Position Statements for non-hazardous landfill, and inert landfill, with a view of understanding the wider issues in the South East related to planning. This is particularly important as waste travels beyond administrative borders, and in some areas, there is a need to export waste for landfill, including from London.

3.65 During the five year period (2018 – 2023), there have been no planning applications for new landfill sites. Policy W9 is still considered to be consistent with the requirements of the NPPF.

RAG	Assessment of Policy
Green	Policy W9 remains relevant and effective.

Policy W10: Strategic Waste Site Allocations

WLP Measure/Indicator	WLP Trend/Target
Number of applications for waste management facilities on allocated sites permitted per annum. Types of facilities permitted on allocated sites per annum	n/a In line with the requirements of the Plan area as set out in Policy W1.
Intervention Levels	A downward trend of applications on allocated sites (compared with applications on unallocated sites). Loss of allocations to non-waste uses or use for built waste facilities determined as being undeliverable. A disparity between the type of waste facilities permitted and the type required as set out within Policy W1.

Changes to National Policy or guidance relevant to Policy W10

3.66 There have been no changes to national policy or planning guidance that are relevant to policy W10 since the adoption of the WLP.

3.67 The status and other relevant planning history for each of the site allocations in the WLP are shown in Table 6 below.

Table 6: Waste allocations update

Remaining Allocated Sites	Potential Capacity	Status	Other planning history relevant to the site
Site North of Wastewater Treatment Works, Ford	Up to c.250,000tpa	**WSCC/096/13** - Permission granted for a Materials Recovery Facility and residual waste treatment facility creating energy from waste through gasification (MRF = 60,000tpa, Gasification = 140,000tpa). **Partially implemented**	**WSCC/036/20** – Demolition of existing buildings and structure and construction and operation of an energy recovery facility and a waste sorting and transfer facility for treatment of municipal, commercial, and industrial wastes, including ancillary buildings, structures, parking, hardstanding, and landscape works – **withdrawn**. **WSCC/11/21** – Demolition of existing buildings and structures and construction and operation of an energy recovery facility and a waste sorting and transfer facility for treatment of municipal, commercial, and industrial wastes, including ancillary buildings, structures, parking, hardstanding, and landscape works – **withdrawn**.
Hobbs Barn, near Climping	c.50,000tpa	**WSCC/067/15** - Permission granted for a waste transfer station with 50,000tpa capacity – **Implemented**	
Fuel Depot, Bognor Road, Chichester	c.50,000tpa	No extant planning permissions for waste use on the site.	**WSCC/058/13** - Permission for waste transfer station – **permission expired**. Chichester District Council approved a hybrid outline planning application for the redevelopment of the Fuel Depot site (14/04284/OUT). WSCC raised no objection as the proposal excluded an area of the Fuel Deport (north east area) for future waste uses, and therefore was consistent with Policy W10. A further hybrid application was approved on the 29.04.2022 by Chichester District Council at the Fuel Depot (19/00619/FUL), which excludes the northeast area for waste development. There were no objections on the basis that the land within the blue line will be retained for future waste use, in line with the West Sussex Waste Local Plan (2014).

Remaining Allocated Sites	**Potential Capacity**	**Status**	**Other planning history relevant to the site**
Brookhurst Wood, near Horsham	c.300,000tpa	**WSCC/018/14** - Permission for a Waste Transfer Facility to handle inert and non-inert waste with associated open air inert waste recycling operations with a capacity of 230,000tpa – **Implemented**. **WSCC/015/18** - Permission granted on appeal for a Recycling, Recovery and Renewable Energy Facility with a capacity (MRF = 50,000tpa, EfW = 180,000tpa) – All pre-commencement conditions discharged and development commenced (i.e implemented) through limited initial demolition and access works Feb 2023. **No substantial construction underway as yet**. **WSCC/028/22** – Extension of the existing MBT facility site to provide for the storage of refused derived fuel (RDF) and compost like output (CLO) – **Granted and not implemented to date**.	**WSCC/025/22** - Variation of Conditions 28 and 31 of Planning Permission WSCC/055/09/NH to Extend Bank Holiday Waste Acceptance Hours and to Increase Vehicle Movements - **Granted**
Land West of Wastewater Treatment Works, Goddards Green	c.200,000tpa	No application to date.	

Remaining Allocated Sites	**Potential Capacity**	**Status**	**Other planning history relevant to the site**
Extension to Brookhurst Wood Landfill, Horsham	860,000 tonnes	WSCC/003/14 – Permission granted for the Installation and operation of a temporary aggregate treatment and recycling facility (230,000tpa) - implemented	**WSCC/050/19** – Temporary permission granted for a soil heat treatment facility (10,000tpa) – **permission expired** **WSCC/051/19** – Temporary permission granted for a soil washing facility (100,000tpa) – **permission expired** **WSCC/044/21** – Construction of a Hydrogen Generation Facility – **withdrawn** **WSCC/037/23** – Construction and Operation of an Open Windrow Composting Facility – **pending a decision** **WSCC/002/24** – Construction and operation of a materials recycling facility including officers and visitor centre, an anaerobic digestion plant, and extension to an existing landfill site and ancillary infrastructure (variation of condition 2 of planning permission WSCC/067/19 for a 12 month extension to the end date to complete restoration of the landfill) – **pending a decision**

3.68 The table above shows that a Recycling, Recovery and Renewable Energy Facility was permitted on appeal at Brookhurst Wood. With the approval of the appeal this site could become a recovery facility with capacity of approximately 230,000tpa of which 50,000tpa would be recycled and the remaining 180,000tpa for recovery. The capacity of these facilities is included within the overall capacity calculations (Table 1). An application is currently being considered for Open Windrow Composting (OWC) at Brookhurst Wood (WSCC/037/23) - If approved there will be an increase in capacity comprising 60,000tpa of green waste and 30,000tpa of wood.

3.69 Two sites remain unpermitted for permanent built waste facilities with a total potential capacity of 250,000 tonnes per annum (Fuel Depot site and Goddards Green). These sites are still considered suitable for waste facilities, in line with the requirements of the WLP. Although these sites have not come forward, new capacity has been permitted at unallocated sites that are compliant with other policies in the WLP.

3.70 Table 3 shows that waste arisings could be some 159,000 tonnes lower than anticipated when the WLP was prepared. However, there was a change in methodology for calculating C&I arisings in 2016 which resulted in a lower figure for C&I and there are inherent uncertainties with calculating C&I arisings due to the unreliability of data. The updated forecasts show an increase in CD&E arisings for which allocations were not included for disposal or recovery (see the review of Policy W1).

3.71 Policy W10 is considered to be relevant and effective, as it is consistent with national policy and the allocations would allow for further capacity (both built waste, and landfill) to be permitted if the waste industry pursues it.

RAG	Assessment of Policy
Green	Policy W10 remains relevant and effective.

Policy W11: Character

WLP Measure/Indicator	WLP Trend/Target
Number of applications refused on character grounds per annum (including percentage against total applications received)	No trends/targets identified, as it is not expected that unacceptable proposals will progress to planning applications.
Intervention Levels	Planning applications for waste facilities which conflict with the character and identity of the surrounding land are permitted against advice.

3.72 During the last five years (2018 – 2023), a total of four planning applications have been refused on character grounds, whilst none have been permitted contrary to officer advice. There have been no changes to national policy that would make this policy out of date.

3.73 Development proposals within the SDNP will be expected to conserve and enhance landscape character and will be considered alongside Policies SD4 (Landscape Character) and SD5 (Design) of the South Downs Local Plan 2014-33 (SDLP). Proposals also have regard to the National Parks and Access to the

Countryside Act 1949 (as amended by Section 245 of the Levelling Up and Regeneration Act 2023) with regard to the duty and purposes of National Parks.

3.74 Policy W11 is considered to be relevant and effective, as it is consistent with national policy.

RAG	Assessment of Policy
Green	Policy W11 remains relevant and effective.

Policy W12: High Quality Developments

WLP Measure/Indicator	WLP Trend/Target
Number of applications permitted that include low carbon energy initiatives/sources (including percentage against total applications received)	No trends/targets identified, as it is not expected that unacceptable proposals will progress to planning applications.
Intervention Levels	Downward trend of applications permitted that include low carbon energy initiative/sources. Applications are permitted against design quality advice.

3.75 During the last five years (2018 – 2023), two planning applications have been permitted that include low carbon energy initiatives. The first was for an Anaerobic Digestion Facility at Wicks Farm (WSCC/19/17) and the second was the Recycling, Recovery and Renewable Energy facility at Brookhurst Wood which was allowed on appeal (WSCC/015/18).

3.76 The NPPF 2021 update brought climate change mitigation in the description of sustainable development and the subsequent 2023 update now gives more weight to the advantages of using and improving existing renewable energy sites (Paragraph 164). Policy W12 does not require any updates because of these changes and remains relevant and effective in respect of climate change.

3.77 Development proposals within the SDNP will also be expected to conserve and enhance landscape character and will be considered alongside Policies SD4 (Landscape Character) and SD5 (Design) of the South Downs Local Plan 2014-33 (SDLP). Proposals also have regard to the National Parks and Access to the Countryside Act 1949 (as amended by Section 245 of the Levelling Up and Regeneration Act 2023) with regard to the duty and purposes of National Parks.

RAG	Assessment of Policy
Green	Policy W12 remains relevant and effective.

Policy W13: Protected Landscapes

WLP Measure/Indicator	WLP Trend/Target
Number of applications refused in the AONBs and SDNP (including percentage against total applications received) for large scale and small scale facilities Number of applications for depositing of inert waste to land permitted per annum within protected landscapes	No trends/targets identified, as it is not expected that unacceptable proposals will progress to planning applications.
Intervention levels	Upward trend of waste applications refused as a result of unacceptable impacts on protected landscapes arising from the proposal. Applications permitted against protected landscape advice.

3.78 Since November 2023, Areas of Outstanding Natural Beauty have renamed 'National Landscapes'. There have been no updates to the NPPF or PPG to reflect this yet. During the last five years (2018 – 2023), no planning applications have been refused for waste developments in protected landscapes in West Sussex. Four planning applications were considered during the five-year period, for depositing inert waste in protected landscapes, all within the High Weald National Landscape. There have been no changes to national policy that would make this policy out of date.

3.79 Development proposals within the SDNP will be expected to conserve and enhance landscape character and will be considered alongside Policies SD4 (Landscape Character) and SD5 (Design) of the South Downs Local Plan 2014-33 (SDLP). Proposals also have regard to the National Parks and Access to the Countryside Act 1949 (as amended by Section 245 of the Levelling Up and Regeneration Act 2023) with regard to the duty and purposes of National Parks.

3.80 Policy W13 is considered to be relevant and effective, as it is consistent with national policy.

RAG	Assessment of Policy
Green	Policy W13 remains relevant and effective.

Policy W14: Biodiversity and Geodiversity

WLP Measure/Indicator	WLP Trend/Target
Geodiversity Number of applications refused on biodiversity and geodiversity grounds (including percentage against total applications received)	n/a
Number of applications with associated mitigation measures provided	No trends/targets identified, as it is not expected that unacceptable proposals will progress to planning applications.
Intervention levels	Upward trend of waste applications refused as a result of unacceptable impacts on biodiversity and geodiversity arising from the proposal.

Changes to National Policy or guidance and commentary

3.81 During the last five years (2018 – 2023), no planning applications have been refused for waste developments, on the grounds of impact on biodiversity and geodiversity. During that time, five permissions have been granted that include specific mitigation measures.

3.82 The NPPF includes a new paragraph (136) that makes clear the contribution that trees make, and the importance of ensuring the long-term maintenance of newly planted trees and the retention of existing trees in developments.

3.83 The Environment Act became law in 2021 and will deliver a number of measures to protect and enhance the environment including measures to ensure development delivers at least 10% increase in biodiversity and the preparation of Local Recovery Nature Strategies (LNRS) to support a Nature Recovery Network both of which will have implications for planning. The requirement for biodiversity net gain for new planning applications came into effect on 12th February 2024 as part of 'The Environment Act 2021 (commencement No. 8 and Transitional Provisions) Regulations 2024'. Although Policy W14(e) does not explicitly refer to a 'net gain' in biodiversity, it is set out in para. 180 (d) of the NPPF and is a mandatory requirement for planning applications.

3.84 Locally, concerns have been raised that groundwater abstraction within the Sussex North Water Supply Zone may be harming biodiversity within internationally designated sites in the Arun Valley SAC, SPA and Ramsar site.

3.85 In September 2021, Natural England issued a Position Statement to affected Authorities in the Sussex North Water Resource Zone (SNWRZ). The statement sets out that it cannot be concluded that the existing abstraction within the SNWRZ is not having an adverse impact on the Arun Valley sites. It advises that development within the SNWRZ must not add to this impact and any development must be water neutral to comply with the habitat regulations. The affected Authorities are developing a strategic solution to the issue, including an offsetting credit scheme Offsetting Implementation Scheme (OIS) so developers can access credits to deliver development to meet the water neutrality requirements.

3.86 Future updates to the WLP will need to include measures to secure water neutrality within the SNWRZ. Currently, applications are required to

demonstrate, through an appropriate assessment, that a proposal is water neutral. If development cannot pass the appropriate assessment, the authorities would not be able to fulfil their obligation under the habitat regulations.

3.87 Since the WLP was adopted, new legislation has come into effect and national policy and guidance has been updated to reflect the new provisions set out in the Environment Act 2021. Although Policy W14 does not make reference to 'biodiversity net gain' or Local Nature Recovery Strategies', reference would need to be made to the policy requirements in the NPPF when determining planning applications.

RAG	Assessment of Policy
Amber	Policy W14 remains relevant and effective.

Policy W15: Historic Environment

WLP Measure/Indicator	WLP Trend/Target
Number of applications refused on historic grounds (including percentage against total applications received)	No trends/targets identified, as it is not expected that unacceptable proposals will progress to planning applications.
Intervention levels	Upward trend in waste applications refused as a result of unacceptable

Changes to National Policy or guidance and commentary

3.88 Within the last five years (2018 – 2023), no planning applications have been refused for waste developments on historic grounds.

3.89 There is concern that the policy does not specifically refer to heritage setting. This was considered when preparing the Joint Minerals Local Plan (JMLP), whereby a change was made following the examination hearing sessions to specifically make reference to setting in the policy text of the JMLP.

3.90 Reference to setting is included in the NPPF (including within previous versions), of the importance of setting, particularly in paragraph 212. Furthermore, the definition of 'setting of a heritage asset' is provided in Annex 2 of the NPPF.

3.91 The supporting text of Policy W15 (para 8.6.2) does specifically mention the importance of setting;

3.92 "Heritage assets are an irreplaceable resource and should be conserved in a **manner appropriate to their significance**. The significance of any heritage assets should be assessed and described in a manner appropriate to their importance to enable the impact of a proposal upon the asset **(and the setting of a heritage asset)** to be understood. Significance derives not only from a heritage asset's physical presence **but also from its setting, and that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting**".

3.93 Meanwhile, Planning Practice Guidance (PPG) on conserving and enhancing the historic environment, states that when considering the 'significance' of assets; Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very

important to understanding the potential impact and acceptability of development proposals (Para 007).

3.94 When considering 'harm', PPG states (Para 018) that, what matters in assessing if a proposal causes substantial harm is the impact on the significance of the heritage asset. As the NPPF makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting. PPG also provides further information on the importance of setting (para 013).

3.95 With the supporting text and PPG both stating that setting requires consideration, coupled with the fact that there have not been any issues raised, whereby there has been loss of a heritage asset due to setting not being considered, it is considered that the policy remains relevant and effective.

RAG	Assessment of Policy
Amber	Policy W15 remains relevant and effective.

Policy W16: Air, Soil, Water

WLP Measure/Indicator	WLP Trend/Target
Applications refused on air quality, soil, and water grounds (including percentage against total applications received)	No trends/targets identified, as it is not expected that unacceptable proposals will progress to planning applications.
Intervention levels	Upward trend of waste applications refused as a result of unacceptable impact on air, soil and the water environment arising from the proposal.

Changes to National Policy or guidance and commentary

3.96 During the last five years (2018 – 2023) only one planning application has been refused for waste development on the grounds of impact on air quality, soil, or water. This was an application at Rivington Farm in Horley to amend a planning condition to ensure only HGVs are covered when entering and leaving the site rather than all vehicles. The application was refused as it was considered that the change may lead to an increase in the potential for mud and dust to be deposited on the road network. The application was not subject to an appeal. There have been no changes to national policy that would make this policy out of date. It is considered that the policy remains relevant and effective.

RAG	Assessment of Policy
Green	Policy W16 remains relevant and effective.

Policy W17: Flooding

WLP Measure/Indicator	WLP Trend/Target
Applications refused on flooding grounds (including percentage against total applications received) Permissions granted with associated mitigation measures (including percentage against total applications received) Number of applications refused/permitted in flood risk zones 2b and 3 (including percentage against total applications received)	No trends/targets identified, as it is not expected that unacceptable proposals will progress to planning applications.
Intervention levels	Upward trend of waste applications refused as a result of unacceptable flooding impacts arising from the proposal.

Changes to National Policy or guidance and commentary

3.97 During the last five years (2018 – 2023), no planning applications have been refused on flooding grounds. A total of 12 have been permitted with mitigation measures. No planning applications were refused for development in flood risk zones 2b and 3, whilst five were permitted. The pumping station at the Tangmere WWTW, granted permission in 2018, is within flood risk zone 1, however the pipeline passes through two areas at a medium and high probability of flooding (flood zones 2 & 3).

3.98 NPPF Chapter 14 (Planning and Flood risk) was updated in 2018, 2021 and 2023, to provide clarity on ensuring the right decisions are made to mitigate all forms of flood risk. Changes were also made to the Planning Practice Guidance in 2022 to reflect the amendments to the NPPF. The changes to NPPF and PPG are not considered to be substantive enough to necessitate a change to Policy W17 which remains relevant and effective.

RAG	Assessment of Policy
Amber	Policy W17 remains relevant and effective.

Policy W18: Transport

WLP Measure/Indicator	WLP Trend/Target
Number of applications refused on transport grounds (including percentage against total applications received)	No trends/targets identified, as it is not expected that unacceptable proposals will progress to planning applications.
Intervention levels	Upward trend of waste applications refused as a result of unacceptable transport impacts arising from the proposal.

Changes to National Policy or guidance and commentary

3.99 During the last five years (2018 – 2023), two planning applications have been refused on transport grounds. Both applications were subject to an appeal, however only one was allowed appeal. WSCC/15/18 was for the Recycling, Recovery and Renewable Energy Recovery facility at Brookhurst Wood. Allowing the appeal, the Inspector concluded that the proposal did not conflict with Policy W18. The second application and subsequent appeal for a temporary concrete crushing and soil recycling facility at Kilmarnock Farm (WSSC/081/19) was dismissed and the inspector concluded that the site was not in a suitable location on the highway network or could be accessed safely and conflicted with the aims of Policy W18. There have been no changes to national policy that would make this policy out of date and it therefore remains relevant and effective.

RAG	Assessment of Policy
Green	Policy W18 remains relevant and effective.

Policy W19: Public Health and Amenity

WLP Measure/Indicator	WLP Trend/Target
Number of applications refused on health and amenity grounds (including percentage against total applications received)	No trends/targets identified, as it is not expected that unacceptable proposals will progress to planning applications.
Intervention levels	Upward trend of waste applications refused as a result of impacts on human health and amenity.

Changes to National Policy or guidance and commentary

3.100 During the last five years (2018 – 2023), four planning applications have been refused on public amenity and health grounds. Three of these applications were subject to an appeal (WSCC/034/18, WSCC/015/18, and WSCC/081/19) and two were allowed. Application WSCC/015/18 was for the Recycling, Recovery and Renewable Energy Facility at Brookhurst Wood, Horsham and the Inspector concluded that "the effect of the proposal on the living conditions of the local community, with reference to air quality and public perception, would be acceptable and in relation to this matter there would be no conflict with WLP Policies W12, W16 or W19, HDPF Policy 24 or the Framework".

3.101 The second application and subsequent appeal was for a s78 application for the removal of a condition to set up a site liaison group for the site (WSCC/016/18). The appeal was allowed and the Inspector concluded that the benefits of the condition were negligible and that the condition did not comply with Policy W19. The wording of policy W19 allows for the consideration of a site liaison group where necessary and is considered on a case-by-case basis. There have been no changes to national policy that would make this policy out of date. It is considered that Policy W19 remains relevant and effective.

RAG	Assessment of Policy
Green	Policy W19 remains relevant and effective.

Policy W20: Restoration and Aftercare

WLP Measure/Indicator	WLP Trend/Target
Applications permitted with restoration and aftercare conditions (including percentage against total applications received)	No trends/targets identified, as it is not expected that unacceptable proposals will progress to planning applications.
Intervention Level	Upward trend of waste applications refused as a result of inadequate restoration and aftercare proposals.

Changes to National Policy or guidance and commentary

3.102 During the last five years (2018 – 2023), 20 planning applications have been permitted with restoration and aftercare conditions. Two of these applications were in the SDNP: Pendean Quarry (SDNP/19/05802/CND) for an amendment to the timeframe for the restoration of the quarry and Shoreham Cement Works (SDPA/19/04569) for the removal of plant and restoration of the site after the closure of the C&D recycling facility. There have been no changes to national policy that would make this policy out of date. It is considered that Policy W20 remains relevant and effective.

RAG	Assessment of Policy
Green	Policy W20 remains relevant and effective.

Policy W21: Cumulative Impact

WLP Measure/Indicator	WLP Trend/Target
Number of applications refused on cumulative impact grounds (including percentage against total applications received)	No trends/targets identified, as it is not expected that unacceptable proposals will progress to planning applications.
Intervention levels	Upward trend of waste applications refused on grounds of cumulative impacts.

Changes to National Policy or guidance and commentary

3.103 During the last five years (2018 – 2023), only one planning application has been refused for waste development on cumulative impact grounds. This was for the recycling, recovery, and energy recovery facility at Brookhurst Wood (WSCC/15/18/NH). The application was allowed on appeal and the Inspector concluded that the appeal scheme would accord with the requirements of Policy W21. There have been no changes to national policy that would make this policy out of date. It is considered that Policy W21 remains relevant and effective.

RAG	Assessment of Policy
Green	Policy W21 remains relevant and effective.

Policy W22: Aviation

WLP Measure/Indicator	WLP Trend/Target
Number of applications refused on aviation grounds (including percentage against total applications received)	No trends/targets identified, as it is not expected that unacceptable proposals will progress to planning applications.
Intervention Levels	Upward trend of waste applications refused on aviation grounds.

Changes to National Policy or guidance and commentary

3.104 During the last five years (2018 – 2023), there have been no planning applications refused on aviation grounds. There have been no changes to national policy that would make this policy out of date. It is considered that policy W22 remains relevant and effective.

RAG	Assessment of Policy
Green	Policy W22 remains relevant and effective.

Policy W23: Waste Management within Development

WLP Measure/Indicator	WLP Trend/Target
Applications permitted with site waste management plans (including percentage against total applications received)	Upward trend of applications permitted, as a percentage of total. All local plans to recognise the importance of managing waste arising from development projects. This will be reflected in the AMR.
Intervention levels	Downward trend of applications submitted that are not accompanied by site waste management plans, as a percentage of all relevant applications received. Developments across the County occur without the benefit of good site waste management that could result in an increase in waste production from the construction process.

Changes to National Policy or guidance and commentary

3.105 During the last five years (2018 – 2023), there have been four planning applications granted that include a waste management plan, and no upward trend. The assessment data refers to WSCC and SDNPA mineral and waste applications only but all local plans in West Sussex are required to recognise the importance of managing waste arising from development projects. Reference is made to the importance of managing waste arising from development projects in each of the Districts/Boroughs local plans. It is considered that Policy W23 remains relevant and effective.

RAG	Assessment of Policy
Green	Policy W23 remains relevant and effective.

4. Conclusions

4.1 Since adoption of the WLP in 2013, the assessment has identified that there have been no substantive changes in national or local circumstances that require changes to be made to the policies within the WLP, and that the policies have generally performed as expected. They are still considered to be consistent with national policy, relevant and effective, and working to achieve the vision and strategic objectives of the Plan.

4.2 The RAG assessment of the policies has shown that 20 of the 23 policies scored Green, that is, they remain relevant and effective, and monitoring shows no issues at this time. Three policies scored Amber, that is, primarily where there have been changes to national policy or guidance, and no policies scored Red. The table below, sets out the RAG assessment score for each policy in the WLP.

Waste Local Plan Policy	**RAG Score**
Policy W1: Need for Waste Management Policies	Green
Policy W2: Safeguarding Waste Management Sites and Infrastructure	Green
Policy W3: Location of Built Waste Management Facilities	Green
Policy W4: Inert Waste Recycling	Green
Policy W5: Open Windrow Composting	Green
Policy W6: Management of Wastewater and Sewage Sludge	Green
Policy W7: Hazardous and Low Level Radioactive Waste	Green
Policy W8: Recovery of Operations involving the Deposit of Inert Waste to Land	Green
Policy W9: Disposal of Waste to Land	Green
Policy W10: Strategic Waste Allocations	Green
Policy W11: Character	Green
Policy W12: High Quality Developments	Green
Policy W13: Protected Landscapes	Green
Policy W14: Biodiversity and Geodiversity	Amber
Policy W15: Historic Environment	Amber
Policy W16: Air, Soil and Water	Green
Policy W17: Flooding	Amber
Policy W18: Transport	Green
Policy W19: Public Health and Amenity	Green
Policy W20: Restoration and Aftercare	Green
Policy W21: Cumulative Impact	Green
Policy W22: Aviation	Green
Policy W23: Waste Management within Development	Green

4.3 The main conclusions from the assessment are as follows:

- The shortfalls in waste management capacity identified in Policy W1 have fallen as permissions have been granted. There remains a capacity shortfall of 451,000 tonnes of non-inert recovery capacity (based on 'operational' capacity only). This is higher than was reported in the previous five-year assessment (2019) following the RDF output from the MBT now being included into the shortfalls. If the 3RS permission at Brookhurst Wood is implemented in full, the shortfall will drop to 98,000 tonnes. There are two remaining allocations in Policy W10, with a potential capacity of 250,000 tonnes, to meet any remaining capacity shortfall.
- The updated demand forecasts show that by 2031, waste arisings may be 159,000 tonnes lower than initially forecasted (high growth scenario). This is mainly due to a fall in C&I Arisings due to a change in methodology but may also be attributable to the pandemic or other factors in the economy. The WLP is flexible enough to respond to any future changes in waste arisings.
- Landfill of non-hazardous waste has been falling in line with the WLP aspiration to achieve 'zero waste to landfill'.
- No safeguarded waste sites have been lost and safeguarding is being considered more effectively due to the publication of an updated Minerals and Waste Safeguarding Guidance and working closely with the district and borough councils of West Sussex on this matter.
- 76% of planning permissions were for waste development on brownfield land. The majority of the remaining applications, on greenfield sites, were for the 'Chichester Growth Pipeline' (from the west of Chichester to the Tangmere WWTW).
- Inert waste continues to be managed higher up the waste hierarchy, with recycling and recovery being the main management method.
- Although non-hazardous landfill capacity has depleted to zero, an allocation for further landfill remains in the Plan, and the Authorities (through the DtC) continue to monitor the situation in the South East.
- In general, the development management policies are working effectively. Although three policies (W14: Biodiversity and Geodiversity, W15: Historic Environment, and W17: Flooding) have been scored as Amber, they remain relevant and effective:
    - Although Biodiversity Net Gain (BNG) and Local Nature Recovery Strategies (LNRS) will have implications for determining planning applications, reference will still need to be made to national policy and the mandatory requirements of BNG. A formal review of Policy W14 will, as necessary, have to address the need for 'water neutrality' in the Sussex North Water Resource Zone. Notwithstanding this, any planning application that cannot demonstrate water neutrality must be refused to comply with the Habitats Regulations.
    - The fact that Policy W15 does not include reference to 'setting' within the policy does not preclude it from being considered when making planning decisions because setting is referenced in national policy.
    - The National Planning Policy Framework (NPPF) was updated in 2018, 2021 and 2023 with regard to mitigating all forms of flood risk and

complementary changes were made to Planning Practice Guidance (PPG) in 2022. However, the changes to NPPF and PPG are not considered substantive enough to necessitate changes to Policy W17 (Flooding) and it remains relevant and effective.

4.4 The Levelling Up and Regeneration Act has significant implications for the planning system, including the introduction of national development management policies (which must not be repeated in local plans) and major changes to the way in which local plans are prepared, both of which will require secondary legislation. These are likely to require a formal review of the WLP in the coming years.

4.5 The overall conclusion of this assessment is that the West Sussex Waste Local Plan (2014) is still relevant and effective, and that a formal review of the Plan (in whole or in part) is not required.