

APPENDIX A -PROPOSALS FOR THE SCOPE AND POLICY CONTEXT FOR THE DRAFT OF THE JOINT WASTE CORE STRATEGY

SCOPE OF JOINT WASTE CORE STRATEGY

The West of England Partnership is preparing the Joint Waste Core Strategy (JWCS). Planning Policy Statement PPS 12 expects a core strategy to be the principal document in the local development framework and to provide the overarching framework for development within the area – in this case waste management facilities across the four unitary authorities.

The document needs to be prepared such that it provides a positive strategic policy framework to encourage waste management facilities to be proposed in appropriate locations. By providing a holistic approach that will be applicable to all facilities, regardless of scale, type or waste managed, the document should provide the necessary framework with which to deliver the necessary waste management infrastructure across the Partnership area.

Three objectives for the scope of the JWCS have been identified:

First, that it presents high level strategic policy that will reflect the Partnership authorities' aspirations for all levels of waste management: minimisation; reuse; recycling; recovery; and disposal. It is not suggested that these policies should necessarily contain quantifiable targets, as these may well be set at the Authority level and might be expected to change within the plan period. However the document can set out clear expectations of how these objectives will be applied consistently across the Partnership area.

Second, that the document identifies sites of strategic importance for the development of residual waste management facilities.

Third, and also related to sites, is the opportunity for the JWCS to provide an informative steer on the development of non-residual waste management development eg open windrow composting facilities and household waste recycling centres. This policy is not expected to be site specific. Instead, it could form criteria based policy (eg identifying the specific criteria against which proposals would be assessed) and/or point toward appropriate general locations (eg industrial estates or urban extensions).

The JWCS will also need to have a specific section on monitoring – picking up on key data relevant to the document, as identified through policy production and the sustainability appraisal.

Using the JWCS

The JWCS is one part of the local development framework being prepared by each of the four Partnership authorities.

Each waste management proposal will be considered against all relevant policies applying within the administrative area within which the application is located; for example, a scheme to develop a facility in South Gloucestershire will be subject to the JWCS and other policy adopted by South Gloucestershire Council.

In this way, the positive framework of policies presented below will be balanced by more constraining, development management policies. The Development Management Section discusses whether development control policy should be explicit within the JWCS in addition to that policy contained within each authority's other development plan documents.

PROPOSALS FOR POLICY CONTEXT

INTRODUCTION

The lead into the JWCS might be expected to have a very similar structure as that presented within the preferred options consultation document. The words and the format might change, to produce a more succinct and focussed document but the overarching messages and objectives would remain.

A bullet list reflecting the current structure is set out below:

- Introduction
- Spatial Portrait
- Policy Context
- Issues and Challenges [see note below]
- Vision and Aims

In the preferred options consultation document it was necessary to be explicit about the issues and challenges relevant to preparation of the JWCS. It might be more appropriate to incorporate some of this information into a different section, perhaps that presenting the spatial portrait.

WASTE PLANNING STRATEGY

The preferred options consultation document referenced the waste hierarchy to provide a structure for the policy text. This is considered to be appropriate and is intended to be continued within the emerging JWCS.

Waste Minimisation

The JWCS would continue to start with a policy relevant to waste reduction. Waste reduction policy is an example of spatial planning policy. It seeks to bring about change in land use requirements, but not directly through the permission or refusal

of planning permission. Examples of waste reduction include buying goods without packaging, purchasing only the materials/services required and subsequently disposing of less waste. Longer life products reduce the need for replacements, which also create waste in their own production. If communities are successful in reducing the amount of waste produced, then the need for additional waste management facilities can be reduced.

Waste Minimisation

Waste Minimisation will be promoted by:

- working in partnership with the business community in the West of England to raise awareness, and to provide information and advice;
- raising awareness amongst the general public in the West of England to inform purchasing and lifestyle decisions;
- working in partnership with other local authorities and public bodies in the area to ensure that waste minimisation is addressed in all contracts for works and services;
- working in partnership to influence and encourage developers and contractors to design and to manage the subsequent construction contracts for housing, commercial and all other developments in the area in ways which minimise waste in the construction process;
- including policies in other development plan documents seeking to minimise waste in construction; and
- leading by example.

Recycling and Composting

This section of policy is intended to provide the framework for development that provides recycling and composting infrastructure.

The text provided below in the first indicative policy presents the opportunities for such facilities to be delivered across a range of locations, including the general areas and urban extensions. There are alternative options for the way this policy might develop:

- i. it currently simply promotes development of industrial/storage sites and the urban extensions – the explanatory text that would support this policy could identify those locations that are considered most appropriate;
- ii. it would be possible to allocate these industrial/storage and other general areas within the policy wording itself, but it should be remembered that new industrial/storage sites may be developed and other brownfield locations may become available in the future/throughout the life of the plan. By identifying the locations in supporting text, guidance is provided to potential developers and local communities, but the JWCS also retains flexibility in terms of new locations that may become available over time;

It is not considered appropriate to identify explicitly the urban extension areas at bullet point c. as the boundaries of these are yet to be determined and they are yet to be adopted in policy.

The reference to discrete sites at bullet point e. is to enable the inclusion of any of the discrete sites identified through the site assessment process that are considered particularly suitable for waste management development.

The indicative wording presented below explicitly excludes open windrow composting and thermal treatment. Open windrow composting facilities have different land use requirements and implications than most other waste management development, as was also previously recognised in the preferred options consultation document. As such, it is considered appropriate to provide a separate policy for this activity.

Energy recovery is lower than material recovery in the waste hierarchy and it is often the most contentious type of waste management development. As such, it seems appropriate to provide a separate policy context and to limit the locations where such facilities may be constructed.

Non residual waste treatment facilities (excluding open windrow composting and thermal treatment)

Planning permission for non-residual waste treatment facilities involving recycling, storage, transfer, materials recovery and processing (excluding open windrow composting and thermal treatment) will be granted:

- a. on land that is allocated in a local plan or development plan document or has planning permission for industrial or storage purposes;
- b. on land that is identified as a brownfield site;
- c. on land that is located within an adopted urban extension area;
- d. at existing or proposed waste management sites, subject in the case of landfill and landraising sites or other temporary facilities, to the waste use being limited to the life of the landfill, landraising or other temporary facility;
- e. at the following locations, but not at the expense of delivering residual waste treatment facilities:
 - Bullet list discrete sites

The reasoning for separating open windrow composting from in vessel composting and other forms of recycling techniques is outlined above. The approach to on-farm composting facilities, which is presented in the preferred options consultation document is considered to remain appropriate and so is included below.

Open windrow composting

Planning permission will be granted for open windrow composting with sufficient distance from any dwelling at:

- a. at existing or proposed waste management sites, subject in the case of landfill and landraising sites or other temporary facilities, to the waste use being limited to the life of the landfill, landraising or other temporary facility;
- b. sites in the countryside where the land has been previously developed; and
- c. sites in the countryside involving small-scale composting of waste for use on agricultural land.

The following potential policy text is not intended to restrict the recycling/reprocessing of C&D waste to mineral sites, but to set out the policy context for that to happen, in addition to these operations occurring at existing/proposed waste sites, industrial sites & urban extension areas.

Recycling, storage, transfer of construction and demolition waste at mineral sites

Planning permissions for development involving recycling, storage and transfer of construction and demolition waste at mineral sites will be granted provided that the proposed development is for a temporary period commensurate with the operational life of the mineral site.

Residual waste treatment and sites of strategic importance

Current national policy guidance expects core strategies to present sites of strategic importance. In the JWCS a site of strategic importance is considered to be one that will deliver the residual waste treatment infrastructure required across the plan area. These facilities are likely to be biological treatment and/or energy recovery facilities.

Energy recovery is placed beneath materials recovery in the waste hierarchy. It is therefore considered appropriate to seek to promote material recovery in preference to energy recovery, even though, as presented in Waste Strategy for England 2007, the beneficial role that energy recovery has to play in delivering waste management and energy generation objectives should be recognised. In addition, it is considered appropriate to require demonstration of the level of energy expected to be recovered and the market(s) for that energy (eg identifying an electricity connection or heat/power recipient). This information will assist both the developer and the authority to determine that the proposed facility is for energy recovery and not for waste disposal. Proposals incorporating combined heat and power (CHP) will help national policy objectives and should be encouraged as such in the JWCS.

A residual waste treatment facility may not be designed to recover energy. This technology type would also be included within the policy indicated below. As with energy recovery, a valued material should be recovered through the process, for example a secondary recovered fuel that would be used to generate energy elsewhere.

Each of the discrete sites that are identified in the JWCS will need to be presented on a proposal map. This map is intended to show the extent of the site and its location. It is intended that the proposal map be accompanied by text that identifies the key development criteria relevant to the site, for example flood zone designation, proximity to sites designated for nature or ecological interest or the need for improved site access. The key development criteria are not intended to replace the role of development control policy (see the Development Management *Section*) but to provide direction and clarity about particular aspects of the site that will need to be addressed by the developer.

Residual waste treatment facilities

Planning permission for development involving the management of residual wastes will be granted at the following sites:

- Bullet list discrete sites, subject to the key development criteria
 - on land that is located within an adopted urban extension area
- a. Materials recovery facilities will be permitted provided that the value of the material and an appropriate market demand is demonstrated.
- b. Energy recovery facilities will be permitted provided:
- the waste to be treated cannot practically and reasonably be reused, recycled or processed to recover materials; and
 - that an appropriate level of energy recovery and an appropriate market for that energy is demonstrated.

The role of urban extensions

There are a number of urban extensions proposed within the West of England sub region. These extensions provide significant opportunity to integrate waste management infrastructure within new developments, and specifically scope for integrating waste management and heat generation.

It is not considered appropriate to explicitly identify the urban extension areas as the boundaries of these are yet to be determined and they are yet to be adopted in policy. However, it is recognised that the urban extensions will change the nature of these areas and that they have a role to play in providing the required waste management infrastructure.

Waste water management

An additional area intended to be covered by the JWCS is in relation to waste water treatment. Additional capacity requirements will not be fully understood until other policy (eg urban extension areas) is finalised. However, waste water treatment and sewage treatment plant do form part of the waste infrastructure within the West of England and therefore it is appropriate to provide policy within the JWCS.

Waste water and sewage treatment plant

Planning permission will be granted for new waste water and sewage treatment plant, extensions to existing works, or facilities for the co-disposal of sewage with other wastes where development is either needed to treat the West of England's arisings or in the case of arisings from elsewhere the need cannot practicably and reasonably be met at another site. Wherever practical and economical, biogas should be recovered for use as an energy source.

Hazardous Waste

Regional policy does not require the allocation of sites explicitly for hazardous waste, and the JWCS will not seek to do this. However, it is not intended that the policy of the JWCS should distinguish between hazardous and non-hazardous wastes – ie that the skeletal text outlined above would apply to both classifications.

The corollary to this is that the JWCS will need to incorporate an expectation that, where relevant, proposals for hazardous waste management facilities will need to explicitly address related land use implications, for example the differentiation applied to flood zone designations.

Landfill

The preferred options consultation document referred to landfill. This is a complex issue that has required significant further consideration. The option remaining to the WEP in preparing the JWCS is to prepare policy that presents the criteria against which any landfill proposal will be judged and to prepare criteria identifying those areas/designations of the plan area that should be avoided.

Development Management

It is expected that the JWCS will present a positive policy framework, intended to encourage the development of waste management facilities. However, all planning decisions involve making a judgement between the benefits and disbenefits of a proposal.

The location of a waste management facility application will determine the development plan relevant to that proposal - for example, a scheme to develop a facility in Bristol will be subject to the JWCS and other policy adopted by Bristol City Council. The local development framework adopted by each of the authorities within the West of England will apply to each proposal, regardless of whether development control policies are included in the JWCS or not.

The primary benefit of including development control policies in the JWCS is that a clear framework of the balance to be made will be provided and could bring greater consistency across the West of England. However, including policies in the JWCS would need to be carefully co-ordinated to make sure it aligns to the authorities' own development control policies that might be used in determining any application.

The policy indicated below is principally concerned with protecting land covered by international, national and local planning designations. The protection of residential amenity is dealt with separately. It will be necessary to ensure that the list includes all of the designations of significance and relevance to the West of England sub region; the policy makers will be advised by the Sustainability Appraisal on this aspect.

Planning Designations

Planning permission will not be granted for waste related development where this would endanger, or have a significant adverse impact, on the character, quality, interest or setting of the following:

- a. Wetland areas of international importance (Ramsar Sites);
- b. Special Areas of Conservation, candidate Special Areas of Conservation, Special Protection Areas, and potential Special Protection Areas;
- c. Areas of Outstanding Natural Beauty;
- d. The best and most versatile agricultural land;
- e. Scheduled Ancient Monuments or Sites of Archaeological Importance;
- f. National Nature Reserves or Sites of Special Scientific Interest;
- g. Ancient semi-natural woodlands;
- h. Listed buildings and Historic Parks and Gardens;
- i. Conservation Areas;
- j. Sites of Nature Conservation Importance;
- k. Local Nature Reserves and non-statutory nature reserves;
- l. Areas of Historic Landscape Value;
- m. Regionally Important Geological Sites;
- n. Groundwater Source Protection Zones;
- o. Land, as defined by the Environment Agency, as liable to flood; and
- p. Biodiversity Action Plan habitat and species.

In assessing each development proposal, due regard will be paid to prevailing national policy and guidance appropriate both to the areas and features of acknowledged importance and to the proposed means of dealing with waste. The assessment will also take into account whether any significant adverse impact identified could be controlled to acceptable levels.

Planning Policy Statement 23: Planning and Pollution Control, identifies that the planning system plays a key role in determining the location of development which may give rise to pollution, either directly or indirectly, and in ensuring that other uses and developments are not, as far as is possible, affected by major existing or potential sources of pollution.

The handling, treatment and disposal of waste should not give rise to pollution or have a significantly adverse environmental impact. Adequate monitoring and safeguards should be maintained to minimise the risk of problems in the future. These issues are the primary responsibility of the pollution control authorities, generally the Environment Agency, but planning should ensure that the location of proposed waste development is acceptable.

Conditions and legal agreements play an important role in controlling waste management activities and providing added value from waste

related development. They will be used in conjunction with the grant of planning permission where appropriate.

The policy outlined below would require applicants to demonstrate sustainable and responsible development, outlining the information expected to accompany submitted planning applications.

General Considerations

Planning permissions for waste related development will be granted provided it can be demonstrated by the provision of appropriate information to support a planning application that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources.

The information supporting the planning application must include, where relevant to a development proposal, assessment of the following matters and where necessary, appropriate mitigation should be identified so as to minimise or avoid any material adverse impact and compensate for any loss:

- a. the release of polluting substances to the atmosphere or land arising from facilities and transport;
- b. the amount of greenhouse gases produced;
- c. the contamination of ground and surface water;
- d. the drainage of the site and adjoining land and the risk of flooding;
- e. water consumption requirements and consideration of water management within operational plant;
- f. groundwater conditions and the hydrogeology of the locality;
- g. the visual and landscape impact of the development on the site and surrounding land including townscape;
- h. in the case of buildings, demonstration of high quality of design;
- i. adverse effects on residential amenity including noise, fumes, vibration, glare, dust, litter, odour and vermin;
- j. traffic generation, access and the suitability of the highway network in the vicinity, including access to and from the motorway and the primary route network;
- k. adverse effects on open spaces, settlements, agriculture and other rural economic activity, woodland, or existing or potential outdoor recreation uses, including Public Rights of Way;
- l. the loss or damage to flora and fauna and their respective habitats at the site or on adjoining land including linear or other features which facilitate the dispersal of species;
- m. the loss or damage to archaeological resources or historic landscapes;
- n. potential danger to aircraft from birdstrike and structures;
- o. scope for limiting the duration of use;
- p. any health impacts;
- q. transport impacts of development on amenity; and
- r. the management arrangements for residues arising from any waste management facility.