

Local Development Framework Briefing Paper Waste



Devon County Council's advice to Local Planning Authorities.

This is one of a series of briefing papers prepared by Devon County Council to assist the preparation of Local Development Documents.

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Local Planning Authorities are requested to take the following matters into account in preparing their Local Development Frameworks and other documents:

1. ***Waste Management Planning Policy – by taking account of national, regional and County policy guidance on waste management (in the form of PPS10, the Regional Waste Strategy and the waste policies of the draft Regional Spatial Strategy, Policy WM1 of the Devon Structure Plan and the Devon County Waste Local Plan) in the preparation of their LDFs.***
2. ***Safeguarding Waste Management Facilities***
 - a) ***by avoiding the identification of existing and proposed waste management facilities for other forms of development and by avoiding the identification of land close to such facilities that would unduly constrain the waste management operations; and***
 - b) ***by showing the boundaries of the sites identified in Policies WPP1, WPP2 and WPP3 of the Waste Local Plan on their LDF Proposals Maps and including explanatory text in the appropriate DPD referring to the constraints that the waste management sites may impose on other forms of development.***
3. ***Sustainable Construction – by referring to the need for sustainable waste management practice in the construction of new developments and for the life of their operation.***
4. ***Design and Layout – by ensuring that any guidance on the design and layout of all forms of development includes advice on designing out waste, the provision of adequate space and access for appropriate waste management infrastructure.***
5. ***Resource Management – by considering the identification of employment land adjacent to, or close to, existing and proposed waste management facilities that could form the basis of a resource recovery park.***

1. Introduction

The management of Devon's waste will become an increasingly important issue, not least because targets for the reduction of the proportion of waste that is landfilled will generate the need for a range of alternative types of facility to treat and dispose of that waste. These facilities may require the use of newly-emerging technologies and may raise issues of fairness and area self-sufficiency in their location that will need to be addressed.

This Briefing Paper will outline the nature of the waste generated in the County and the range of bodies with responsibility for waste management, before considering the broad principles of sustainable waste management and the current range of policy guidance. The Paper will then focus on the contribution to sustainable waste management that District Councils can make through their Local Development Frameworks (LDFs).

2. Waste and the Bodies Responsible for its Management

The term 'waste' covers a wide range of materials that have been discarded by their holder, and includes materials that may be capable of re-use or recycling. The main waste streams that need to be considered through the planning system are:

- municipal waste – the waste collected by local authorities, including household waste from kerbside collections and recycling centres, some commercial and industrial waste, and waste from fly-tipping and beach cleansing;
- commercial and industrial waste – the waste generated by business premises, leisure facilities and industrial processes (other than that collected by local authorities);
- construction and demolition waste – the waste resulting from new development work, including the demolition of buildings, excavation works and surplus building materials;
- sewage waste – the waste derived from the sewerage infrastructure;
- agricultural waste – waste from agricultural operations which recently became subject to the same legislative provisions as other streams; and
- hazardous waste – waste that may otherwise fall within one of the other streams but which is capable of causing unacceptable impacts on human, animal or environmental health.

The range of waste types is reflected in the range of facilities for their management, and these include landfill sites, incinerators, transfer stations, recycling centres, composting facilities, anaerobic digestion plants, inert waste recycling facilities, sewage treatment works, materials reclamation facilities and scrapyards.

The management and regulation of waste is the responsibility of a range of public bodies:

- Waste Planning Authority (WPA) – the authority responsible for land use planning control for waste management, including the determination of planning applications for waste management facilities and the preparation of a Waste Local Plan and, subsequently, a Minerals and Waste Development Framework. Within the two-tier area of Devon, the County Council is the WPA (except within the National Parks of Dartmoor and Exmoor where the relevant National Park Authority is the WPA), while Plymouth City and Torbay Councils are also WPAs.
- Waste Collection Authority (WCA) – the local authority responsible for the collection of municipal waste and the preparation and implementation of recycling plans. Within two-tier Devon, these are the District Councils.
- Waste Disposal Authority (WDA) – the local authority responsible for the treatment and disposal of municipal waste, the provision of recycling centres for public use and, in partnership

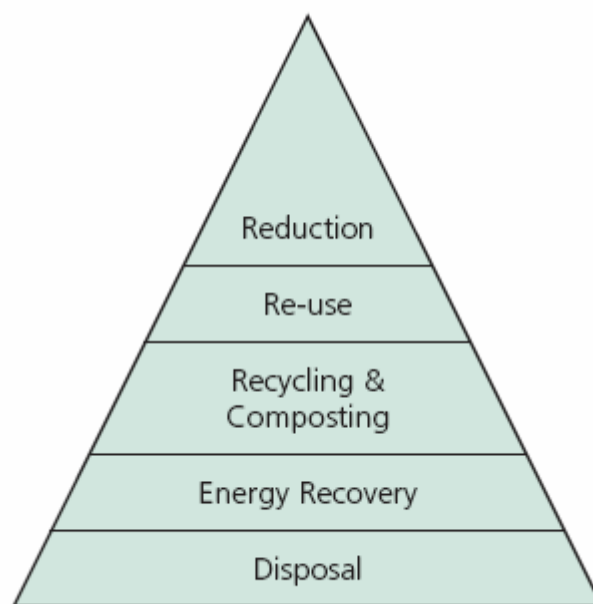
with the WCAs, the preparation of a Municipal Waste Management Strategy. In two-tier Devon, this is the County Council, and Plymouth City and Torbay Councils are also WDAs.

- Waste Regulation Authority (WRA) – this is the Environment Agency, which is responsible for the licensing of waste management facilities.

Other bodies have a role in the waste management process, including the South West Regional Assembly, which has published a Regional Waste Strategy and which has included waste management policies in the draft Regional Spatial Strategy. In addition to the activities of local authorities, waste management is undertaken by a wide range of large and small commercial and community operators.

3. Policies for Sustainable Waste Management

The fundamental principle that underpins all waste planning policy is that of the ‘Waste Hierarchy’, which ranks the options for managing waste from the most sustainable (Reduction) to the least sustainable (Disposal).



The Waste Hierarchy

The main focus of the WPA is on the lower three levels, where it can limit landfill capacity, identify locations for facilities for recycling, composting and energy recovery and require developers to make provision for recycling. District Councils can use their development control powers to influence waste reduction, re-use and recycling in new developments through the waste audit process.

WCAs and the WDA have extensive involvement at all levels of the waste hierarchy, with an important element being the raising of public awareness of the need to reduce waste and maximise its re-use and recycling through campaigns such as ‘Don’t let Devon go to waste’. The need to move waste management up the waste hierarchy is underlined by the targets that have been imposed on WDAs to reduce the amount of municipal waste that is landfilled (with fines imposed for authorities that exceed their targets), together with targets for the WDA and WCAs in the Municipal Waste Management Strategy for Devon for recycling and composting (50% of municipal waste by 2010 and 60% by 2020).

National planning policy is found in PPS10 ‘Planning for Sustainable Waste Management’ while (as mentioned above), adopted and emerging waste policy has been produced by the South West

Regional Assembly. A feature of these policy documents is that certain elements are aimed as much as District Councils as WPAs, as the former will have an important role to play in their implementation.

The Devon Structure Plan 2001 to 2016 has a single waste management policy (Policy WM1) which enshrines the waste hierarchy, provides locational guidance and requires waste audits for major developments.

The Devon County Waste Local Plan was adopted in June 2006, and proposes a decentralised approach to the provision of strategic waste management facilities. The Plan identifies a range of sites for strategic and non-strategic facilities, and provides detailed policies for the consideration of proposals and their environmental impacts. Of direct interest to District Councils are the policies on waste audits (Policy WPC4) and waste management facilities for major new developments (Policy WPC5), and the County Council will prepare a Supplementary Planning Document to provide guidance for District Councils and developers on implementing these policies.

The Municipal Waste Management Strategy for Devon was published in March 2005, and lays out the framework for the management of municipal waste in the County until 2035.

4. Waste Management in Local Development Frameworks

The County Council's Waste Local Plan and, in due course, its Minerals and Waste Development Framework, will form part of the statutory Development Plan and provide the local policy framework for considering proposals for the management of waste. However, there is an important role for the LDFs produced by District Councils in ensuring that waste arising from these developments is managed as high up the waste hierarchy as possible.

The key areas in which District Councils' LDFs can contribute to sustainable waste management are:

- a) safeguarding waste management facilities;
- b) sustainable construction;
- c) design and layout; and
- d) resource management.

a) Safeguarding Waste Management Facilities

The Waste Local Plan identifies a number of sites for waste management facilities, some of which are already in waste management use and others currently being used for other purposes. In order to deliver a network of facilities that will provide sufficient capacity to manage the County's predicted waste arisings, it is important to ensure that these sites are not developed for other purposes or constrained by nearby incompatible development.

It is a requirement of PPS12 that District Councils should identify waste management proposals on their LDF Proposals Maps. The sites to be shown on the Proposals Maps should be those which are referred to in Policies WPP1, WPP2 and WPP3 of the Waste Local Plan, with the site boundaries being shown in the Inset Plans in Part B of the Local Plan (but with no need to show any dashed lines indicating the extent of current planning permissions where this may differ from the site boundary). Explanatory text should be included in the appropriate DPD referring to the significance of these waste management proposals and the constraints that they place on other forms of development.

b) Sustainable Construction

District Councils' Core Strategies and other DPDs should promote the use of sustainable construction methods, and the County Council has produced a separate Briefing Paper on this topic. Waste management is a key element of sustainable construction, and Policy WPC4 of the Waste Local Plan requires the submission of a Waste Audit Statement for developments that are likely to generate significant volumes of waste during the construction phase and/or when the development is operational, and it would be expected that such Statements would include measures such as:

- segregation of waste materials
- ordering 'just in time' and not over-ordering
- provision of secure and covered storage facilities for waste
- avoiding contamination of materials
- identifying sources of recycled materials
- identifying opportunities for the re-use and recycling of materials

It is not necessary for District Councils to repeat the requirements of Policy WPC4 in their LDFs, but it would be appropriate to confirm that a sustainable approach to construction should consider the waste generated by the development. It would also be appropriate to support the use of recycled materials in preference to primary sources.

The County Council will be producing a Supplementary Planning Document to provide guidance to District Councils and developers on the preparation of Waste Audit Statements, which will reflect existing initiatives such as the DTI's guidance on Site Waste Management Plans and the Institution of Civil Engineers' Demolition Protocol.

c) Design and Layout

Where a District Council's LDF provides guidance on the design and layout of new development, including both residential and non-residential development, regard should be had to the need to facilitate sustainable waste management including:

- designing out waste
- the provision of adequate space for the segregated storage of recyclable and non-recyclable materials within building curtilages;
- the provision of adequate access for the collection of waste;
- provision of space for the composting of biodegradable waste, either within individual curtilages or as a community facility; and
- within larger developments, the provision of communal recycling facilities and use of combined heat and power schemes utilising waste materials.

d) Resource Management

The concept of 'resource management' promotes the view that waste materials are a resource for re-use and recycling rather than something to be disposed of, and can form the raw materials for new products. A related concept is the development of 'resource recovery parks' where businesses that utilise waste materials, either in their 'raw' or recycled form, for the manufacture of new products are co-located with waste management facilities that recover or recycle waste. Examples include a materials reclamation facility providing materials such as glass, textiles and cardboard for use by businesses that will reprocess them to use in the manufacture of new products, or an inert waste recycling facility producing recycled aggregates for the manufacture of new products.

In identifying land for employment development in their LDFs, District Councils should consider, in consultation with the County Council, the identification of land adjacent or close to existing or proposed waste management facilities that could form a resource recovery park.

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