

Meeting: **JOINT COMMITTEE ON STRATEGIC PLANNING AND TRANSPORT**

Date: **22 March 2013**

agenda item number: **5**

From: **JOINT OFFICER STEERING GROUP**

WASTE CORE STRATEGY UPDATE

Purpose of report

1. To update the Committee on the progress of the Nottinghamshire and Nottingham Waste Core Strategy.

Information and Advice

2. The preparation of the Waste Core Strategy has gone through a number of key stages as part of developing the final Plan. This has included several stages of formal and informal consultation as follows:
 - Issues and Options (2006);
 - Further Issues and Options (2010);
 - Preferred Approach (2011);
 - Proposed Submission Draft (March 2012); and
 - Schedule of Proposed Changes (October 2012).
3. The Proposed Submission Draft consultation stage coincided with the introduction of the new National Planning Policy Framework (NPPF) and the Councils subsequently prepared a Schedule of Proposed Changes to the Waste Core Strategy which took account of both the representations received and significant national policy changes. A further 6 week period for formal representations on these changes ended on 12 November 2012.
4. A total of 49 representations were received from 15 organisations and individuals. Of these, there were 25 objections to Proposed Changes and 24 supporting representations (a summary of the representations received is contained in Appendix 1). Late objections were received from Nottinghamshire Wildlife Trust and have been considered. Two members of the public submitted new representations that do not relate to the Proposed Changes but these have been accepted in order to address the concerns raised. Two representations from the previous Draft Waste Core Strategy stage have now been withdrawn unconditionally and a number of parties have also indicated that they would be willing to withdraw some or all of their representations subject to further, minor changes.

5. Approval was obtained from Nottingham City and Nottinghamshire County Councils in December to submit the draft Waste Core Strategy to the Secretary of State, along with the Schedule of Proposed Changes, additional minor modifications and responses to consultations. These formed part of a bundle of submission documents which included the Sustainability Appraisal, Habitats Regulation Assessment screening, Strategic Flood Risk Assessment and other relevant evidence, statements and background papers.
6. The draft Waste Core Strategy was formally submitted to the Secretary of State for Communities and Local Government for independent examination on 14th January 2013 and the Planning Inspectorate have now appointed Inspector Susan Holland to conduct the examination. To assist the Inspector, the Councils have appointed Mandy Chatterton as the Programme Officer for the Waste Core Strategy examination.
7. The pre-hearing meeting was held on the 8th March 2013 and the hearing will commence on the 8th May 2013.
8. Following the Examination, the Inspector will publish a report which will set out whether or not the Plan is sound. Where it is not considered to be sound she will suggest any further changes, agreed at the hearing, which should be made to make it so. These will subsequently need to be approved by both Councils before the Plan can be adopted formally. It is anticipated that, if the plan is found sound, the Councils will adopt the Waste Core Strategy in the Autumn 2013.

Other Options Considered

9. Not applicable as preparation of the Waste Core Strategy and other development plan documents is a statutory function of both authorities.

Reason/s for Recommendation/s

10. To ensure that members are aware of the progress of the Waste Development Framework.

Statutory and Policy Implications

11. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION

- 1) It is recommended that Members of the Committee discuss and note the above report

Contact officers:

Lisa Bell, Team Manager - Planning Policy
Nottinghamshire County Council
Tel: 0115 977 4547
Email: lisa.bell@nottscc.gov.uk

Sarah Watson
Development Department – Nottingham City Council
Tel: 0115 876 3974
Email: sarah.watson@nottinghamcity.gov.uk

Summary of Key Responses to Schedule of Proposed Changes Consultation

- The main objections to the Proposed Changes maintain previous concerns about the underlying waste data, the role of energy recovery, and the degree of environmental protection provided. No modifications are proposed in response to the issue of waste data as advice has been sought from the Environment Agency at all key stages, and the data that is presented is the most up to date and relevant that is available. There is also a clear undertaking to update this through regular monitoring as and when new data is published. Objections from People Against Incineration (PAIN) continue to argue that the Waste Core Strategy approach to energy recovery is not in line with the waste hierarchy and would 'maximise' the amount of waste used for energy at the expense of recycling. PAIN are seeking a further detailed wording change which is not considered necessary as the Waste Core Strategy gives a very strong and clear commitment to the waste hierarchy. Policy WCS2 establishes the very high aspirational recycling target of 70% for all waste and this is reinforced within the vision, strategic objectives, and supporting text which all clearly refer to the principles of re-use and recycling before energy recovery and finally disposal.
- The Nottinghamshire branch of the Campaign to Protect Rural England (CPRE) and Nottinghamshire Wildlife Trust have maintained their objections to Policy WCS12 as they do not consider that the Proposed Change goes far enough to address their concerns about the need to reference specific environmental assets such as biodiversity and landscape within the policy. As this is a strategic policy that will be supported by a range of separate, more detailed, development management policies, it is not considered appropriate to provide an exhaustive list of environment assets within Policy WCS12. Changes were made at the previous stage to improve the supporting text to the policy to address these concerns and no further changes are considered necessary at this stage.
- Peel Environmental Limited has objected to the re-wording of Policy WCS11 and its supporting text. They feel that the policy is unclear as to what is meant by 'non-local' waste and that the sustainability requirements set out in the policy criteria are more onerous to a developer than those contained in national policy. In response, a minor modification is proposed to clarify that non-local is intended to cover any waste from outside the plan area i.e. Nottinghamshire and Nottingham. However, it is not considered that policy imposes an unreasonable burden on developers. The Waste Core Strategy has a role to play in interpreting national policy at the local level and it is therefore reasonable for Policy WCS12 to set out what factors will be

considered in assessing the sustainability of proposals. This provides an appropriate level of clarity and does not impose any additional burden beyond that already set out in the National Planning Policy Framework and Planning Policy Statement 10 (PPS10) 'Planning for Sustainable Waste management'.

- The addition of the new 'model' policy WCSSD on the presumption in favour of sustainable development has been generally welcomed but one objector (PAIN) is seeking a further statement of presumption against unsustainable development. This is not considered necessary as it is not required by national policy and would duplicate the effect of the other Waste Core Strategy policies, which should be read as a whole.
- Both Northamptonshire County Council and Leicestershire County Council have indicated that the Proposed Changes have met their concerns in relation to hazardous waste disposal and managing waste from outside the plan area.
- In response to this most recent consultation stage, thirteen minor additional modifications are proposed which will be put forward at the independent Examination. These modifications are a combination of factual updates and clarification to the supporting text. This includes a minor change to reflect the new Green Belt policy wording in the National Planning Policy Framework. No further changes to the plan policies are proposed. As these are minor changes, there is no requirement for further consultation.