

8<sup>th</sup> January 2015

Agenda Item: 4

**REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND  
CORPORATE SERVICES****PUBLICATION OF NEW NATIONAL WASTE PLANNING POLICY****Purpose of the Report**

1. To inform Committee about the publication of the new National Planning Policy for Waste.

**Information and Advice**

2. The National Planning Policy for Waste (NPPW) and updated planning practice guidance on waste (PPGW) were published on the 16<sup>th</sup> October 2014. The new policy replaces Planning Policy Statement 10 (PPS10) as the national planning policy for waste in England and sits alongside the National Planning Policy Framework. Government consultation on earlier draft policy was carried out during 2013 (see report to Environment and Sustainability Committee dated 13<sup>th</sup> October 2013).

***The Government's key objectives for waste planning***

3. The new National Planning Policy for Waste sets out the Government's detailed waste planning policies and should be read alongside the National Planning Policy Framework, the Waste Management Plan for England and the National Policy Statements for Waste Water and Hazardous Waste and any successor documents.
4. Both the Waste Management Plan for England and the NPPW set out the Government's ambition to work towards more sustainable and efficient resource management in line with the waste hierarchy. Positive planning is seen as key to delivering these waste ambitions through:
  - the delivery of sustainable development and resource efficiency including the provision of modern waste infrastructure, local employment opportunities and wider climate change benefits, by driving waste management up the waste hierarchy;
  - ensuring that waste management is considered alongside other spatial planning concerns, such as housing and transport, recognising the positive contribution that waste management can make to the development of sustainable communities;
  - supporting sustainable development in line with the waste hierarchy; ensuring that waste management is considered alongside other spatial planning concerns, seeking to engage communities and businesses to take more responsibility for their waste and

helping secure the re-use, recovery or disposal of waste without endangering human health or the environment;

- ensuring the design and layout of new residential and commercial development and other infrastructure (such as safe and reliable transport links) complements sustainable waste management, including the provision of appropriate storage and segregation facilities to facilitate high quality collections of waste.
5. The NPPW does not signify any change in overall waste policy direction but does clarify and strengthen some aspects of earlier policy, particular in relation to the specific requirements of the EU Waste Framework Directive and an apparent tightening of Green Belt policy with respect to waste facilities.

### ***Plan preparation***

6. In preparing their Local Plans, waste planning authorities (WPAs) should ensure that the planned provision of new capacity, and its spatial distribution, is based on robust analysis of available data and information. However this should, in turn, be proportionate to its purpose and avoid levels of spurious precision. Authorities should work jointly and collaboratively to take account of waste arisings in neighbouring areas and any waste management requirement that is identified nationally. This reflects the duty to co-operate which was introduced by the NPPF and the Localism Act 2011.
7. In identifying suitable sites or areas for new or enhanced waste management facilities WPAs should consider a broad range of sites and opportunities for the on-site management of waste where this arises, giving priority to previously developed sites and land identified for employment uses. This should also include consideration of the cumulative effects of development and the capacity of existing or proposed transport infrastructure to support the sustainable movement of waste. Where low carbon energy (energy from waste) facilities are considered appropriate, these should ideally be located close to other facilities able to make use of the heat generated.
8. Proposals for waste management facilities within the Green Belt will need to demonstrate the very special circumstances required under NPPF Green Belt policy although local planning authorities are encouraged to consider the locational needs of some types of waste management facilities when preparing their Local Plan.
9. To inform plan preparation and the determination of planning applications WPAs should carry out regular monitoring of waste arisings and the amounts of waste recycled, recovered or going for disposal as well as the take up of allocated sites and changes in the existing stock of waste management facilities and their capacities.

### ***Determining planning applications***

10. When determining waste planning applications WPAs should only expect applicants to demonstrate the quantitative need for a proposal where this is not consistent with an up to date Local Plan. In such cases WPAs should consider the extent to which existing operational facilities could satisfy any identified need. Applications for waste disposal facilities that are not in line with the Local Plan will need to demonstrate that they will not undermine the objectives of the Local Plan by prejudicing movement up the waste hierarchy.

11. WPAs should consider the likely impact on the local environment and amenity against detailed criteria set out in Appendix B of the NPPW. These are largely unchanged from the previous Annex in PPS10 although there are additional references to potential flood water contamination, localised height restrictions in relation to landscape and visual impacts, impacts on the rail network and transport links to ports, and the inclusion of light pollution as a potential source of nuisance.
12. The position with regard to health and pollution control is unchanged from previous policy. WPAs should concern themselves with implementing the Local Plan strategy and not with the control of processes which are a matter for the relevant pollution control authorities. In reaching planning decisions, WPAs are entitled to assume that the relevant controls will be properly applied and enforced. Whilst WPAs should consider the locational implications of any advice on health from the relevant health bodies, they should avoid carrying out their own detailed assessment of epidemiological and other health studies.
13. There remains an emphasis on ensuring that waste facilities are well designed so that they contribute positively to the character and quality of the locality. Land raise or landfill sites should be restored to beneficial after uses at the earliest opportunity.
14. The new policy statement also makes more explicit the requirement for all local planning authorities, not just WPAs, to consider the waste implications of all development so that the operation of existing waste management facilities is not compromised and that all new development is designed to minimise construction waste and make provision for waste management and storage where necessary.

### ***Supporting Guidance***

15. The national Planning Practice Guidance which accompanies the NPPF has been updated to include specific guidance on waste. This is maintained on the GOV.UK website will be updated periodically.

### ***Implications of the new national policy for Nottinghamshire***

16. Nottinghamshire has an up to date Waste Core Strategy in place which identifies anticipated future requirements and broad locations where new or extended waste management facilities are likely to be acceptable. This was prepared in the light of the draft NPPW and has been re-assessed in the light of the final published NPPW and remains an up to date plan. Work is also underway to prepare a supporting site allocations and development management policies document which will be subject to public consultation in due course. In the interim specific development management policies within the Nottinghamshire and Nottingham Waste Local Plan (2002) have been saved for the purposes of determining waste planning applications.

### **Conclusions**

17. The publication of the NPPW updates the national policy position for waste and provides an up to date framework for the ongoing preparation of the Council's waste planning policies and the determination of planning applications for waste management facilities.

### **Other Options Considered**

18. There are no alternative options to consider as the report is for information only.

### **Reason/s for Recommendation/s**

19. This report is for information only.

### **Statutory and Policy Implications**

20. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, the safeguarding of children and vulnerable adults' service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Financial Implications (SEM 11/12/14)**

21. There are no specific financial implications arising directly from this report.

### **Implications for Sustainability and the Environment**

22. There are no direct implications for Sustainability and the Environment.

## **RECOMMENDATION/S**

1) That Environment and Sustainability Committee note the report.

**Jayne Francis-Ward**

**Corporate Director, Policy, Planning and Corporate Services**

**For any enquiries about this report please contact: Suzanne Osborne-James, Planning Policy Team, ext 72108**

### **Constitutional Comments**

23. Because this report is for noting only no Constitutional Comments are required.

### **Financial Comments**

24. There report is for information only. There are no direct financial implications contained within the report.

## **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

National Planning Policy for Waste:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/364759/141015\\_National\\_Planning\\_Policy\\_for\\_Waste.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/364759/141015_National_Planning_Policy_for_Waste.pdf)

Planning Practice Guidance (Waste)

<http://planningguidance.planningportal.gov.uk/blog/guidance/waste/>

## **Electoral Division and Members Affected**

All