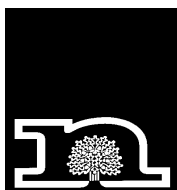


Nottinghamshire & Nottingham Waste Core Strategy & Development Control Policies

**Issues & Options
What do you think?**

**Background Paper 1:
EU, National & Regional
Waste Policy**



Nottinghamshire
County Council



Nottingham
City Council

1. Introduction

1. Nottinghamshire County Council and Nottingham City Council are preparing a new set of waste planning policies for Nottinghamshire. These will replace the existing waste local plan and will be part of both councils' new local development frameworks. The new waste policies will be set out in three separate documents. The first of these, the waste core strategy and the development control policies are being prepared together and will set out future requirements, suitable location criteria and appropriate environmental controls. A site-specific document will follow.
2. As part of preparing these new planning policies for waste, the County Council and City Council have produced a series of background papers to provide more detail on the 'Issues and Options' consultation exercise (see below).

Purpose of this Background Paper

3. This first paper gives an overview of the general policy and principles of waste management. It sets out key European, national and regional policy requirements. Other background papers look at how much waste is produced in Nottinghamshire and the different methods of waste management from recycling through to landfill and the possible use of new technologies. Each paper sets out the number, location and capacity of current facilities, likely future needs, and the main planning issues in terms of site location and environmental controls.

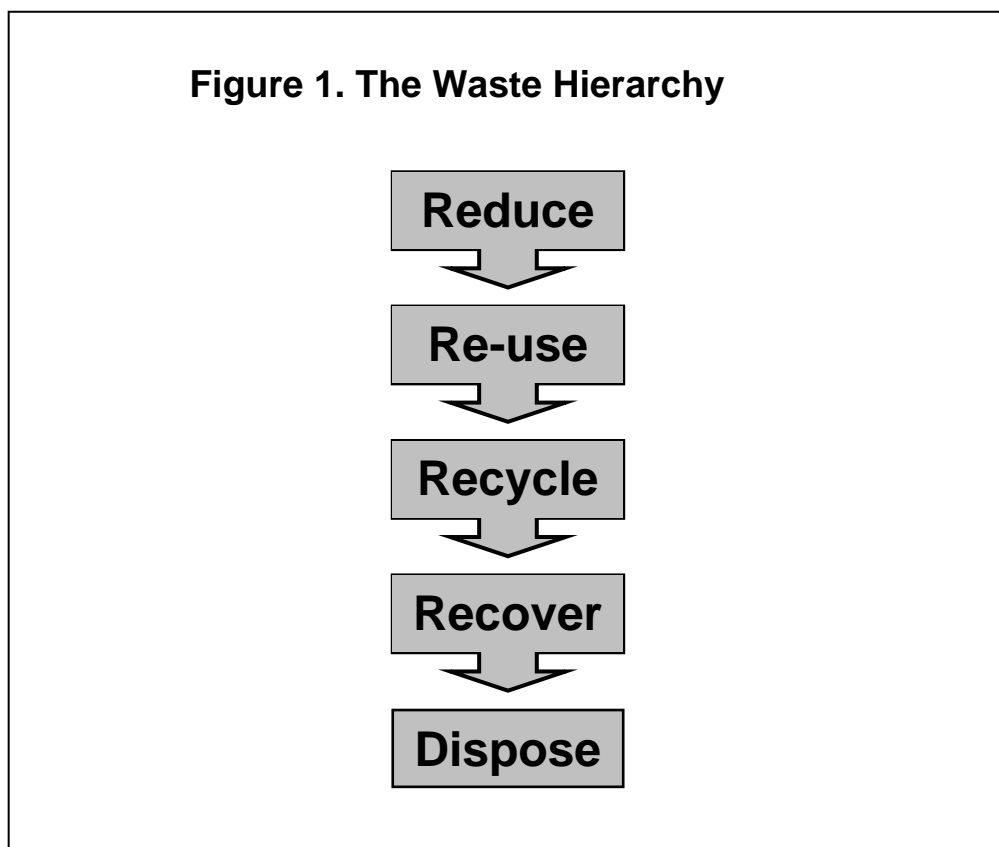
Further Information

5. For further information, copies of other background papers, or to join in the Issues and Options consultation please contact the Minerals and Waste Policy Team at the County Council. Details are shown on the back cover.

Please note that, unless stated otherwise, all references to Nottinghamshire within this paper include the City of Nottingham

European Waste Policy

5. A series of European Union (EU) directives set out the general principles for waste management across Member States. The original Waste Framework Directive¹, introduced in 1975, emphasised the importance of reducing how much waste is produced and protecting the environment and human health. It established the waste hierarchy (see fig. 1 below) which has been a guiding principle of sustainable waste management ever since.
6. The 'waste hierarchy' promotes more sustainable methods of waste management, such as recycling, above less sustainable methods such as landfill. However, there are advantages and disadvantages with all of the options and the best solution may vary according to the type of waste.
7. Waste reduction requires business, industry and the public at large to minimise how much waste they produce in the first place. The priority is then to re-use products and materials so that they are not wasted. If this is not possible, or practical, the waste should be reprocessed (i.e. recycled or composted) into another product. If it cannot be recycled, it may be possible to recover energy from the waste by burning it to produce heat and power or by extracting gas from digestion processes. The final stage is safe disposal.



¹ The Waste Framework Directive (75/442/EEC)

8. Subsequent EU directives have focussed on specific methods of waste management or waste streams.
9. The Landfill Directive² requires a progressive reduction in the amount of municipal waste that is sent to landfill. It also limits the types of waste that can be landfilled and prevents the co-disposal of hazardous waste with non-hazardous material. This has meant that all landfill sites have been re-classified to receive either inert, non-hazardous or hazardous waste. The Landfill Directive also sets out minimum standards for the operation and closure of sites to ensure a common approach across the EU. It is implemented in the UK through the Landfill (England and Wales) Regulations 2002.
10. The Directive on Incineration of Wastes³ sets strict technical requirements and emissions limits for the operation of incineration and co-incineration plants. All UK incinerators must meet these requirements. Many types of large-scale waste management facility also fall within the scope of the Integrated Pollution Prevention and Control Directive⁴. This specifies standards for emissions to air, land and water and is regulated in the UK by the Environment Agency.
11. Other directives set out controls on the recovery and disposal of certain wastes such as packaging, animal by-products, electronic equipment, refrigerators and end of life vehicles. These are set out in more detail in Appendix 1.

National Policy

12. 'Waste Strategy 2000' is the national waste strategy for England and Wales. It sets out the Government's vision for promoting sustainable waste management and the role of local authorities, businesses and communities in tackling waste. As part of meeting the EU Landfill Directive requirements, the national waste strategy sets out specific recycling and recovery targets which local authorities must meet.
13. These are mainly aimed at municipal waste (e.g. the waste that is collected by local councils from households and civic parks and gardens) and require a progressive increase in the amount of biodegradable waste that is recycled, composted or recovered. At present these targets are to recover value from:

45% of municipal waste by 2010

67% of municipal waste by 2015

² Directive 1999/31/EC on the Landfill of Waste

³ Directive on Incineration of Wastes (2000/76/EC)

⁴ The Integrated Pollution Prevention and Control (IPPC) Directive (96/61/EC)

14. Value can be recovered from waste in a number of ways including recycling, composting or the recovery of energy from waste through incineration, anaerobic digestion or other technologies. The Government has specified that a minimum proportion of these recovery targets must be met through either recycling or composting. Local authorities must therefore recycle or compost⁵ at least:

30% of household waste by 2010

33% of household waste by 2015

15. The national waste strategy was partially reviewed in 2005 and the Government is currently consulting on a more comprehensive review. This is expected to introduce higher targets for municipal waste recycling and recovery and possibly statutory targets for other wastes. At present there is only a voluntary target to reduce the amount of commercial and industrial waste landfilled to 85% of that landfilled in 1998.
16. The Government's more detailed expression of planning policy for waste management is set out in Planning Policy Statement 10 'Planning for Sustainable Waste Management' 2005. This builds upon the general principles contained in Waste Strategy 2000 and outlines several key planning objectives. These are to:
- help deliver sustainable development through driving waste management up the waste hierarchy and managing waste as locally as possible
 - enable sufficient and timely provision of waste facilities to meet future needs
 - help implement the national waste strategy and supporting targets consistent with EU requirements
 - help secure the recovery or disposal of waste without endangering human health or the environment
 - reflect community concerns and the needs of businesses and local authorities who collect/dispose of waste
 - protect green belts but recognise the particular locational needs of some types of facility
 - ensure the design and layout of new development supports more sustainable waste management

⁵ note that the recycling and composting targets refer only to household waste (e.g. residences) and not the wider definition of municipal waste which includes waste from civic parks and gardens along with a small proportion of trade waste that may be co-collected by some authorities.

17. The objectives of PPS10 therefore reflect a more integrated approach to waste management that seeks to ensure that waste is considered as part of all development decisions. PPS10 emphasises the use of site waste management plans by developers to identify the volume and type of waste likely to be created and how this can re-used or recovered where possible. Good design and layout should also be used to help integrate the provision of recycling and other waste management facilities with other general development.
18. PPS10 stresses the importance of communities taking more responsibility for their own waste and the need to provide waste management facilities close to source. In terms of site locations, PPS10 identifies a general search sequence which gives priority to managing waste on-site wherever possible, followed by previously developed land and/or land allocated for industrial development before looking to greenfield sites. This may include opportunities to re-use redundant agricultural and forestry buildings where suitable. Green Belt land should be protected wherever possible but there may times when carefully controlled development is essential to meet local needs. Local authorities should also consider opportunities to co-locate complementary facilities such as recycling plants alongside manufacturers who make use of the recycled materials for example. Policies should also take account of the possible cumulative impact of development.
19. In determining planning applications for waste facilities, waste planning authorities need to consider whether the development is an acceptable use of land and its possible impacts on the immediate and surrounding area. Whilst this may include consideration of relevant health and pollution concerns, these issues are regulated and controlled by separate agencies. Annex E of PPS10 sets out the main planning considerations for waste sites. These are:
 - protection of water resources
 - land instability
 - visual intrusion
 - nature conservation
 - historic environment and built heritage
 - traffic and access
 - air emissions, including dust
 - odours
 - vermin and birds
 - noise and vibration
 - litter
 - potential land use conflict
20. The main functions of development plan documents are to provide clear guidance on where and when development is appropriate. The core strategy should set out policies and proposals for waste

management in line with regional policy and ensure sufficient opportunities for the provision of waste management facilities in appropriate locations. This needs to take account of any relevant municipal waste management strategy⁶. A core strategy should cover a period of at least ten years from the date of adoption and should aim to look ahead to any longer-term time-scale set out in regional policy. Detailed development control policies are intended to make sure that waste management sites are well located and operated (see paragraph 15 above).

Regional Policy

21. Regional policy for the East Midlands is set out in the Regional Spatial Strategy (RSS8) published in March 2005. This is supported by a more detailed Regional Waste Strategy (RWS) which was published in January 2006. Both documents look ahead to 2021 and build on the general principles set out in Waste Strategy 2000. There is a strong emphasis on raising waste awareness and encouraging business, industry and others to reduce the amount of waste they produce, as well as providing specific planning policies to meet future waste management needs.
22. Policies 38 and 39 of the Regional Spatial Strategy establish the general principles and priorities for waste management which are then expanded within the Regional Waste Strategy. These are to:
 - work towards zero growth in waste by 2016
 - reduce landfill in accordance with EU Landfill Directive
 - exceed Government targets by recycling or composting at least 50% of municipal waste by 2015
 - take a flexible approach to other forms of waste recovery
 - promote sustainable waste management in accordance with the waste hierarchy
23. The Regional Waste Strategy develops these principles and priorities to set out a number of over-arching policies for future waste management in the East Midlands. These cover the need to encourage re-use and recycling in all development projects – not just waste. Measures include the use of waste audits, the provision of areas for collecting/recycling waste within new development, and the development of resource recovery parks⁷.

⁶ These are prepared by County Councils/Unitary Authorities to set out how they will manage the municipal waste for which they are responsible.

⁷ Sites where a comprehensive range of facilities for the re-use, recycling or recovery of wastes can be located alongside potential re-users of the end-product

24. Other policies within the strategy are aimed specifically at the development of new waste management facilities. A principal objective of Government policy is for communities to take more responsibility for managing their own waste. This is reflected in Policy RWS 1.5 which requires development plan documents to make sufficient waste management provision equivalent to their own needs. This allows for reasonable flows of waste across authority borders where there this is the most sustainable option.
25. A key role of the regional waste strategy is therefore to establish a broad pattern of waste management facilities in terms of the number, type and location of sites. The strategy therefore assesses future waste management needs and apportions these across each of the waste planning authorities. (See Background Paper 2).
26. As well as identifying the broad type and capacity of sites, the Regional Waste Strategy establishes criteria for assessing suitable site locations (Policy RWS 1.7). These build on the general guidance in PPS10 and cover:
 - proximity to existing or major planned development
 - good access
 - compatible land uses (e.g. mineral workings, industrial land, derelict or contaminated land, land near sewage works)
 - local environmental and amenity criteria
27. Development in rural areas should aim to provide appropriate local facilities whilst maintaining the essential rural character. Development in the open countryside, including the Green Belt, should not be precluded where this is consistent with communities taking more responsibility for their waste.
28. The overall approach of the Regional Waste Strategy is to encourage sustainable waste management. This may include new technologies that are not yet fully proven. The continued development of new options is essential if the region is to meet its challenging recycling and recovery targets. Existing methods of energy recovery such as incineration⁸ also have a role as part of an integrated approach that allows the highest levels of recycling and recovery. Policy RWS 1.8 encourages the development of advanced recovery technologies, which maximise the practicable recovery, recycling or composting of materials.
29. The final focus of the strategy's planning policies is on securing high standards of site restoration and aftercare (Policy RWS 1.9). This is particularly relevant for landfill sites, which are a temporary use of land. Imaginative site restoration schemes can help to contribute towards

⁸ where this provides heat or power generation

wider objectives such as habitat creation, public access and other amenity uses.

Conclusions

30. The combination of European legislation and national and regional policy statements set the context for preparing detailed local planning policies for waste management in Nottinghamshire. The Core Strategy and accompanying Development Control Policies will need to reflect the key principles summarised in this background paper and address any local issues where these arise.

Key Issues:

- waste should be managed as sustainably as possible according to the waste hierarchy
- the future role of landfill should be minimised in accordance with the EU Landfill Directive
- Nottinghamshire must play its part in meeting national recycling, composting and recovery targets and exceeding these where possible
- Waste should be managed at the local level, i.e. close to source, wherever possible

Appendix 1: EU Directives on Waste

The Waste Framework Directive (75/442/EEC)

The Waste Framework Directive (1975) emphasised the importance of waste minimisation and protection of the environment and human health. It established the principles of the waste hierarchy (see paragraph x) which have guided all subsequent directives.

The Landfill Directive (99/31/EC)

Introduced various measures to reduce the impact of waste disposal and regulate the operation of landfill sites across Member States. A key requirement is to reduce the proportion of biodegradable municipal waste sent to landfill. These measures are implemented in the UK through the Landfill (England and Wales) Regulations 2002.

Ozone Depleting Substances Regulations (1st Jan 2002)

Implements EU requirements that certain chemicals must be removed from refrigeration equipment prior recycling or disposal.

Waste Electrical and Electronic Equipment (2002/96/EC) and Restriction of Hazardous Substances (ROHS) Directive (2002/95/EC)

Requires that collection systems are established to enable the recovery of waste electrical and electronic equipment. Also restricts the use of hazardous substances in such equipment and promotes improved eco-design.

End of Life Vehicles Directive(2000/53/EC)

Sets standards and targets for the recovery of end-of life vehicles, requires reduction of hazardous materials in vehicle design/manufacture and increased recyclability.

The Packaging and Packaging Waste Directive (94/62/EC)

Lays down essential requirements for the composition and design of packaging and sets specific targets for the recycling/recovery of waste packaging.

Directive on Incineration of Wastes (2000/76/EC)

Sets strict technical requirements and emissions limits for incineration and co-incineration plants.

The Integrated Pollution Prevention and Control (IPPC) Directive (96/61/EC)

Identifies specific industrial and agricultural activities (including large scale waste management installations) and defines standards that must be achieved including control of emissions to air, land and water, energy efficiency and waste minimisation, based on the employment of BAT –Best Available Techniques.

Animal By-Products Regulations 2003 (EC 1774/2002)

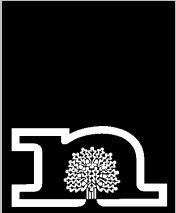
Enacted in the UK through the Animal By-Products Regulations 2003 and preceding Animal By-Products Order, these regulations lay down specific controls on the disposal of animal by-products including catering/food processing wastes containing meat and prescribes specific treatment requirements including composting, anaerobic digestion, rendering and incineration.

Proposed Biowaste Directive

Likely to impose controls on the operation of facilities handling biodegradable wastes and the end use of the materials. May also require separate collections of biodegradable wastes to maximise recovery.

Proposed Batteries Directive

This proposal aims to reduce the quantity of spent batteries and accumulators and sets European targets for collection and recycling. The proposal applies to all batteries and accumulators, unlike the current legislation (Directive 91/157/EEC), which only applies to batteries containing mercury, lead and cadmium.



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