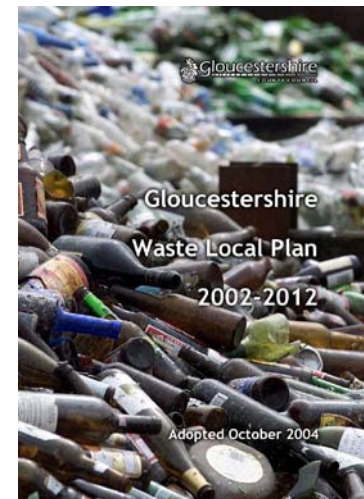
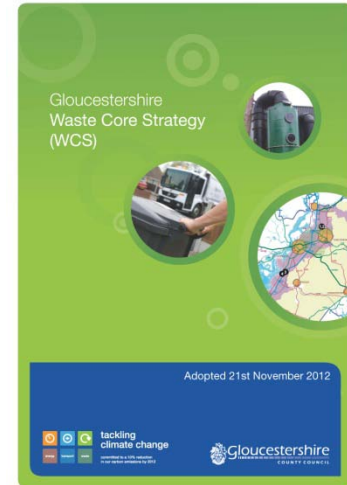


Waste Planning Policy and the Development Plan for Gloucestershire

Kevin Phillips

Minerals & Waste Planning Policy



The Plan-led System

Development plans are the starting point
in considering planning applications.

Decisions must accord with the development plan
unless material considerations indicate otherwise.

Why do we have a waste development plan?



Policy Context

- EU Policy
- UK Acts and Regulations
- National Planning Policy Framework
- ~~Regional Spatial Strategies & Structure Plans~~
- Local Development Plans
- Other considerations

EU Policy Requirements

- Landfill Directive 99/31/EC
- Waste Framework Directive 2008/98/EC
- Habitats Directive 92/43/EEC
- SEA Directive 2001/42/EC

Each Directive is translated into UK Regulations

Landfill Directive 99/31/EC

- Aims to reduce negative effects from landfilling on environment, particularly surface water, groundwater, soil, air and human health
- Defines three categories of landfill (inert, hazardous, non-hazardous)
- Defines wastes which may not be landfilled (liquids, flammables, explosives, infectious/clinical, tyres)
- Sets up operating permit system for landfills

Waste Framework Directive 2008/98/EC

This Directive establishes a legal framework for the treatment of waste within the Community. It aims at protecting the environment and human health through the prevention of the harmful effects of waste generation and waste management.

Waste Framework Directive 2008/98/EC

All wastes except:

- gaseous effluents;
- radioactive elements;
- decommissioned explosives;
- faecal matter;
- waste waters;
- animal by-products;
- carcasses of animals that have died other than by being slaughtered;
- elements resulting from mineral resources.

Waste Framework Directive 2008/98/EC

Waste hierarchy



Waste Framework Directive 2008/98/EC

Principles of self-sufficiency and proximity – Article 16:

“Member States shall take appropriate measures, in cooperation with other Member States where this is necessary or advisable, to **establish an integrated and adequate network of waste disposal installations and of installations for the recovery of mixed municipal waste collected from private households**, including where such collection also covers such waste from other producers, taking into account best available techniques.”

Waste Framework Directive 2008/98/EC

Principles of self-sufficiency and proximity – Article 16:

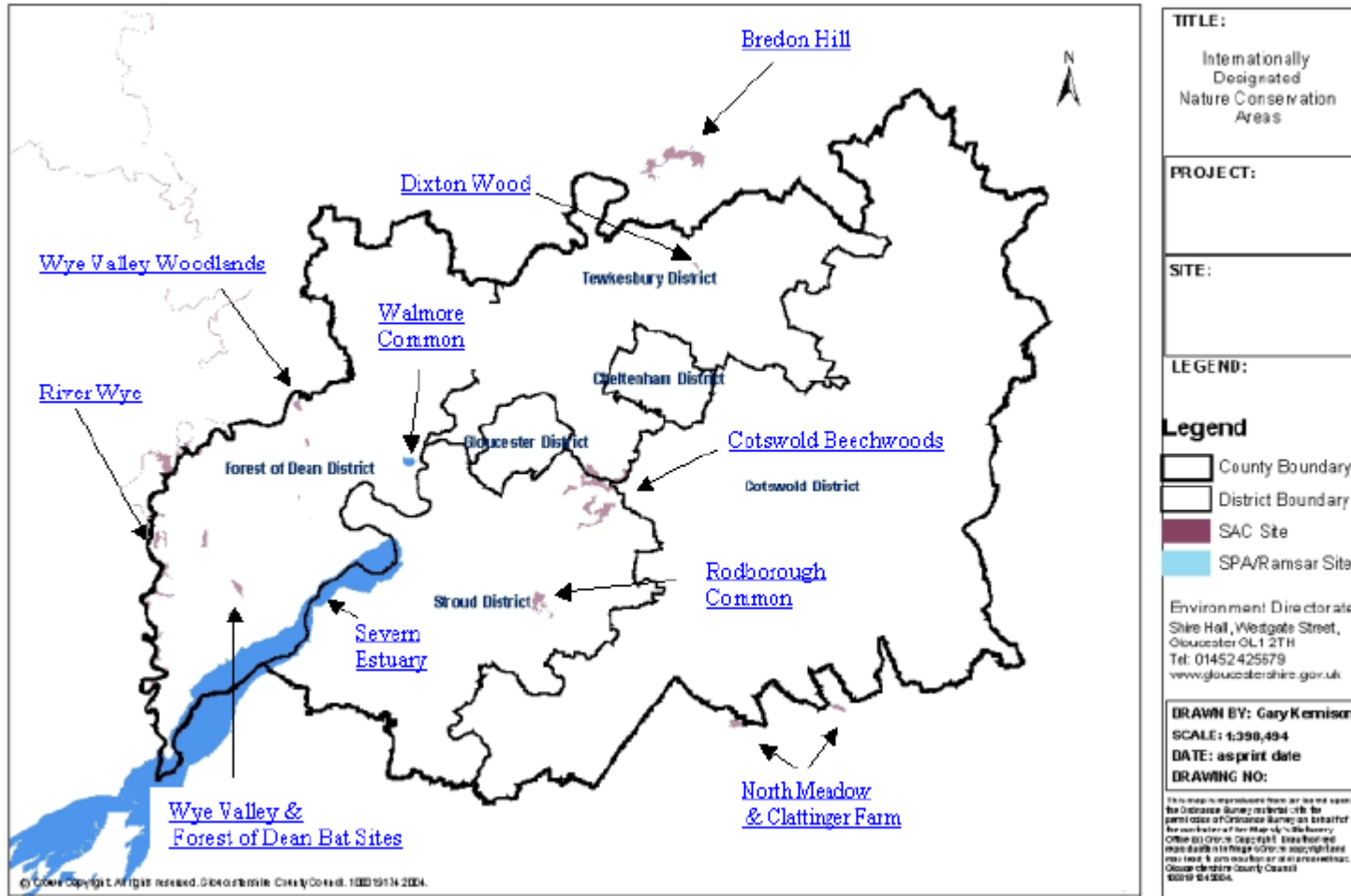
“The network shall enable waste to be disposed of or waste referred to in paragraph 1 to be recovered in **one of the nearest appropriate installations, by means of the most appropriate methods and technologies**, in order to ensure a high level of protection for the environment and public health.”

Habitats Directive 92/43/EEC

Together with the Birds Directive this forms the cornerstone of Europe's nature conservation policy

- Sites
- Species
- Appropriate Assessment

European sites in or close to Gloucestershire



SEA Directive 2001/42/EC

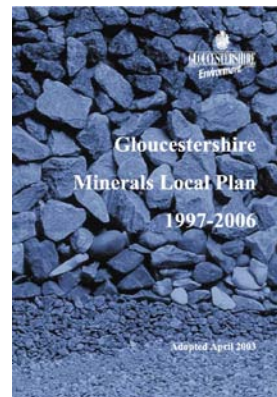
The SEA Directive applies to a wide range of **public plans and programmes** (e.g. on land use, transport, energy, waste, agriculture, etc). The SEA Directive **does not refer to policies**.

Member States have to carry out a screening procedure to determine **whether the plans/programmes are likely to have significant environmental effects**. If there are significant effects, an SEA is needed.

It was transposed into UK law by the *Environmental Assessment Regulations for Plans and Programmes (July 2004)* which includes **Sustainability Appraisal**

Planning System up to 2004

- **Town & Country Planning Act 1968**
(as amended by Town & Country Planning Act 1990 and Planning & Compensation Act 1991)
- **Regulations for Local Plans**
- **Planning Policy Guidance Notes**
- **Structure Plans and Minerals & Waste Local Plans**



Planning System 2004

- **Planning and Compulsory Purchase Act 2004**
- **New Regulations for Local Plan making**
- **Regional Spatial Strategies/Regional Waste Strategy**
- **Structure Plans and Minerals & Waste Local Plans Saving Direction**
- **New Planning Policy Statements to update PPGs (PPS12 for local plan making, PPS10 for waste)**
- **Sustainability Appraisals**

Planning System 2004

Local Authority Requirements:

- Statement of Community Involvement
- Local Development Frameworks
- Monitoring reports

Local Development Frameworks

- Development Scheme
- Core Strategy (strategic level) must conform with RSS
- Additional Development Plan Documents
(e.g. Site Allocations, Policies)

Planning System 2008

Planning Act 2008

- Revised Regulations
- Revised PPS12
- Core Strategies can include strategic site allocations

Localism Act 2011



Localism Act 2011

- Most PPS/PPG replaced by NPPF
- PPS10 still valid
- Revised Regulations
- Structure Plans and RSS revoked
- Duty to Co-operate
- Return to composite “Local Plans”
- Sustainability Appraisal requirements unchanged
- Neighbourhood Plans

National Planning Policy Framework (NPPF)

- Slim line
- Presumption in favour of sustainable development
- Does not replace PPS10
- “Saved” local plan policies must conform with NPPF

Local Plan Preparation

- Early consultations
 - Publication
 - Submission
 - Examination
 - Adoption
 - Proposals Map
 - Post-adoption monitoring
- Legal Conformity
 - Sustainability Appraisal
 - Habitats Regulations
 - Public Participation
 - Right to challenge

Other considerations

- Sustainable community strategies
- Waste Strategy for England
- Proposed waste plan for England
- Other Acts / Directives
- Joint Municipal Waste Management Strategy
- Other guidance e.g. DEFRA publications

Gloucestershire Waste Development Plan

Timeline: 2004 Planning & Compulsory Purchase Act

- 2004 Waste Local Plan Adopted and saved for 3 years under transitional arrangements
- 2005 Statement of Community Involvement adopted
- 2005 First Local Development Scheme approved
- 2006 Issues and Options Consultation Waste Core Strategy
- 2006 Waste Minimisation SPD
- 2007 Secretary of State's Saving Direction – Waste Local Plan sites no longer saved
- 2008 Preferred Options Consultation Waste Core Strategy

Gloucestershire Waste Development Plan

Timeline: 2008 onwards

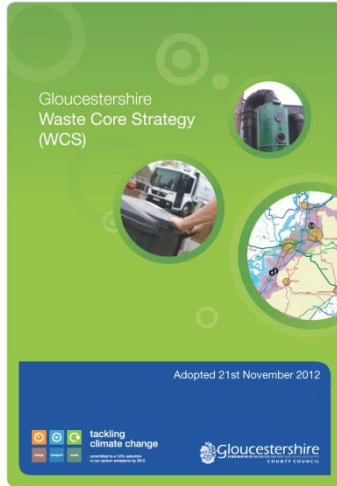
- 2008 Consideration of Preferred Options responses
- 2008 Government Office advice to include sites
- 2009 Site Options Consultation and Joint Road shows with Waste Disposal Authority
- 2010 Consideration of Responses to Site Options
- 2011 Publication of Waste Core Strategy
- 2011 Submission of Waste Core Strategy
- 2011 Pre-Inquiry Hearings and Inspector's Questions
- 2012 Examination and Adoption

Gloucestershire Waste Development Plan

Timeline: Ongoing for each stage

- County Council and / or Cabinet Approval
- Sustainability Appraisal/SEA
- HRA/AA Screening
- Consultation: Mailshots / Newsletters / Local Advertising
- Partnership working with Waste Disposal Authority

Gloucestershire Waste Development Plan



Vision

Strategic Objectives

19 Policies

5 Site Allocations

10 “Saved” Policies

To be continued

Questions?