

**REGIONAL SPATIAL STRATEGY FOR THE SOUTH WEST
EXAMINATION IN PUBLIC**

SOUTH WEST REGIONAL ASSEMBLY SUBMISSION

**MATTER 7/3
WASTE MANAGEMENT**

March 2007

Does the draft RSS set out an adequate approach to Waste Management and in particular:

- a) Does the draft RSS adequately set out the basis for the amount, type and apportionment of waste in Appendix 2?
- b) Does the proximity principle have a particular relevance in the South West?
- c) Does the draft RSS properly comply with the requirement of PPS10 to identify the need and broad locations for additional waste management capacity of regional or sub-regional significance? and
- d) Is the guidance for planning for hazardous waste facilities adequate?
- e) Is the draft RSS sufficiently clear on the re-use and recycling of demolition and construction wastes?

Executive Summary

Does the draft RSS set out an adequate approach to Waste Management?

EX1 The draft Regional Spatial Strategy (RSS) sets out a clear approach to waste, in line with the requirements of PPS10 and advice in the PPS10 Companion Guide, but having regard to key regional issues. The waste policies in the draft RSS are supported by a detailed Regional Waste Strategy which was informed by a thorough technical analysis of options in the regional Best Practicable Environmental Option (BPEO) study.

EX2 Whilst much of the work to develop the Regional Waste Strategy and the waste policies in the draft RSS was undertaken prior to the publication of PPS10 and its Companion Guide, the RPB considers that the work was undertaken in a manner consistent with the requirements of PPS10. The draft policies on waste have undergone sustainability appraisal through the BPEO process and through the strategic sustainability assessment of the draft RSS.

A) Does the draft RSS adequately set out the basis for the amount, type, and apportionment of waste in Appendix 2?

- A1 Paragraph 7.4.1 sets out concisely the overarching waste strategy for the region, but makes reference to the Regional Waste Strategy, which contains the more detailed strategy and the full range of regional policies on waste (SWEW 49.05¹).
- A2 The basis of the apportionments in Appendix 2 of the draft RSS relate to Policy W1 and in paragraphs 7.4.5 and 7.4.6 of the draft RSS. Paragraph 7.4.5 of the draft RSS makes clear that the apportionments have been drawn from the Regional Waste Strategy. Section 4 of Information Note 7 on waste (SWRA 10²) sets out the process of how the Regional Waste Strategy was developed, including references to the BPEO study conducted as part of that process (SWEW 49.01³ and SWEW 49.02⁴).
- A3 Given that the basis of the amounts, types and apportionments are set out in detail in the Regional Waste Strategy and BPEO study reports, the RPB does not consider it necessary to set out these issues in more detail in the RSS.
- A4 The RPB recognises that waste data is of relatively poor quality for most waste streams and that there is considerable uncertainty over the direction and speed of change of national policy in this area. This therefore makes forecasting future arisings requiring management particularly demanding. The RPB considers that the best available data has been used and the extensive consultations on the regional waste vision and strategy have enabled robust strategic policy and allocations to be established which set out the broad “direction of travel” for the region on waste, whilst avoiding spurious precision. However, the RPB recognises that as improved data is forthcoming (ie if the national waste data strategy is delivered), the allocations in the RSS will need to be kept under regular review through Plan, Monitor, Manage.

¹ From Rubbish to Resource - Waste Strategy for the South West 2004 to 2020
<http://www.southwesteip.co.uk/downloads/documents/20061231211214.pdf>

² Information Note 7 Waste
<http://www.southwesteip.co.uk/downloads/documents/20070207143204.pdf>

³ Development of a Waste Management Strategy for the South West Region, Phase 1-3 Report
<http://www.southwesteip.co.uk/downloads/documents/20060810190716.pdf>

⁴ Developing a Waste Strategy for the South West Regional Assembly Phase 4 - Initial BPEO screening
http://www.southwest-ra.gov.uk/media/SWRA/RSS%20Documents/Technical%20Documents/04.08_Development_of_a_Waste_Management_Strategy_for_the_SW_Region_-_Phase_4.pdf

B) Does the proximity principle have a particular relevance in the South West?

- B1** PPS10 makes no reference to the proximity principle, and therefore does not state that it cannot be adopted. However PPS10 does state (paragraph 3) that planning strategies should “provide a framework in which communities take more responsibility for their own waste...” The RPB considers that “taking responsibility” includes taking responsibility for treatment and disposal, thereby lessening the need to transport waste. Communities are more likely to take responsibility for minimising waste production if they have to manage locally the waste they do produce rather than exporting it to other areas.
- B2** The “proximity principle” in this context is an application of the functional approach adopted in preparing the draft RSS. This focuses on achieving the most sustainable strategic solutions regardless of administrative geography. Furthermore the proximity principle is in compliance with the broad objectives of the draft RSS of focusing development on urban areas, making those areas more self-contained and sustainable and ensuring development of facilities outside those areas is more appropriate to the needs of those more rural areas.
- B3** In addition, the types of development needed for sustainable waste management are in effect very similar in nature to a wide range of other industrial development, with similar or lower impacts on the local environment, due to a high quality waste licensing regime. The PPS10 Companion Guide states that “most waste management activities are now suitable for industrial locations, and many fall with the general industrial class in the Use Classes Order” (PTWE 28.02⁵). It is recognised that there may be greater competing demand for such sites, than at sites of existing waste disposal facilities, and that the cost of such sites may be greater. However the sequential approach in Policy W2 and the identification of sites at an early stage in waste development plans will help to address these issues. The RPB therefore considers it is unnecessary to site waste development a considerable distance from population centres and the approach identified in Policy W2 is appropriate to the settlement pattern of the South West.
- B4** The BPEO study specifically looked at the options of smaller or larger facilities (secondary screening exercise) and the option of focusing waste developments in urban area or across the region (tertiary screening exercise). It concluded that: “a ‘smaller number of larger facilities’ performs better than a ‘larger number of smaller facilities’” and that “it would be preferable to concentrate waste management facilities in proximity to the region’s urban clusters” (SWEW 49.02⁶). Although the

⁵ Planning for Sustainable Waste Management: Companion Guide to Planning Policy Statement 10, Para 7.29

<http://www.southwesteip.co.uk/downloads/documents/20070227122109.pdf>

⁶ Developing a Waste Strategy for the South West Regional Assembly Phase 4 - Initial BPEO screening, page 107

BPEO study was undertaken prior to PPS10 publication, the factors taken into account in this analysis do not change with the revised national guidance.

- B5 PPS10 requires that the RSS identifies a “pattern of waste management facilities”. In light of the findings of the BPEO study and to maintain consistency with the broad objectives of the RSS, the RPB considers that setting out the proximity principle and sequential approach in Policy W2 provides clear policy guidance on an appropriate pattern of waste facilities.
- C) Does the draft RSS properly comply with the requirement of PPS10 to identify the need and broad locations for additional waste management capacity of regional or sub-regional significance?**
- C1 Paragraph 11 of PPS10 requires that “regional planning bodies should consider the need for additional waste management capacity of regional or sub-regional significance and reflect any requirement for waste management facilities identified nationally”. The Companion Guide to PPS10 states that “PPS11 requires that the RSS should only identify such a pattern of facilities where LDD needs the strategic framework. In particular, this is only likely to be in the case of specialist facilities for waste that arises in relatively small quantities, or that have wide geographic dispersal and require specialist treatment technologies.”(PTWE 28.027)
- C2 Apportionments for waste in the draft RSS are set out at a sub-regional county based level. This policy was agreed by the Regional Technical Advisory Body on Waste (RTAB) in the process of developing the Regional Waste Strategy. The RPB considered there was some ambiguity in the consultation draft of PPS10 over whether this was permitted or whether it was necessary to set out apportionments to individual WPAs and raised this at a meeting of RTAB chairs with ODPM in 2005. In response, ODPM confirmed that it was reasonable to set out sub-regional apportionments as identified above (ie the sub-regional county level).
- C3 The RPB also considers that this approach encourages the joint working between authority areas that is needed to deliver sustainable waste management, and that setting apportionments at this level provides sufficient opportunities for each of those sub-regions to be broadly self-sufficient in waste management facilities for all types of facilities except for hazardous waste facilities or recycle processing facilities. This approach was included in the Regional Waste Strategy which underwent extensive consultation.

http://www.southwest-ra.gov.uk/media/SWRA/RSS%20Documents/Technical%20Documents/04.08_Development_of_a_Waste_Management_Strategy_for_the_SW_Region_-_Phase_4.pdf

⁷ Planning for Sustainable Waste Management: Companion Guide to Planning Policy Statement 10, p.62

<http://www.southwesteip.co.uk/downloads/documents/20070227122109.pdf>

- C4 In the case of recycle processing facilities it is recognised that economies of scale and the limited manufacturing base in the South West mean that demand for output in many parts of the region is such that it is unrealistic to adopt the proximity principle and sub-regional self sufficiency approaches. This approach is set out on page 54 of the Regional Waste Strategy.
- C5 The process for planning for hazardous waste facilities is set out in response to question D below. The RPB considers that Policy W3 and paragraphs 7.4.10-7.4.12 provides sufficient guidance. In particular paragraph 7.4.10 identifies the likely capacity needed for hazardous waste disposal. Also paragraph 7.4.11 identifies the broad locations⁸ for facilities for hazardous waste other than stable non-reactive hazardous waste, in line with the recommendations of the RTAB report on hazardous waste (SWEW 49.03⁹), recognising that the market for such facilities is national as well as regional.
- C6 The RPB considers that there is adequate further guidance on identifying broad location in PPS10 and its Companion Guide and sees little merit in repeating this guidance in the RSS. However the RPB does consider that additional wording could be added to the supporting text to acknowledge that the proximity principle may not apply to recycle processing facilities.
- D) Is the guidance for planning for hazardous waste facilities adequate?**
- D1 Legislation on hazardous waste was changed during the period in which the Regional Waste Strategy was developed. In particular these legislative changes substantially altered the definitions of hazardous waste and the ways in which it could be managed. At that time there was very little data available on the likely arisings of hazardous waste based on the new definitions. Given the extensive changes in definition it was considered that there was little merit in making forecasts of future arisings based on historic data. It was therefore agreed by the RPB, RTAB and the Environment Agency that an urgent review of likely hazardous waste arisings and need for capacity should be carried out following publication of the Regional Waste Strategy¹⁰.

⁸ “on the region’s eastern boundary and close to the primary road network”

⁹ Hazardous Waste Treatment & Capacity Report 2005 (Environment Agency)
<http://www.southwesteip.co.uk/downloads/documents/20061231201722.pdf>

¹⁰ From Rubbish to Resource – The Regional Waste Strategy for the South West 2004 to 2020, p.49-52

<http://www.southwesteip.co.uk/downloads/documents/20061231211214.pdf>

- D2 This additional work was undertaken by the Environment Agency on behalf of RTAB in 2005 and was agreed by RTAB and published by the RPB in September 2005 (SWEW 49.03¹¹).
- D3 The report recognises that there is still considerable uncertainty over future arisings of “newly hazardous waste” (ie waste previously not defined as hazardous waste) and further, much delayed, future changes in national policy and legislation, particularly regarding waste electronic equipment, could have significant impacts on the volumes of this waste stream requiring disposal.
- D4 Paragraph 6.3 of the hazardous waste report recommends that RSS policy should focus on reducing the hazardous waste stream and where possible managing it in situ where it arises. The RPB considers that Development Policy G on sustainable construction, Policy W2 which requires that “waste should be managed on the site where it arises wherever possible” and Policy W4, requiring waste audits for larger scale developments, adequately address this.
- D5 The report identifies a need for approximately 40,000 tonnes per year of capacity for asbestos and other stable non-reactive hazardous waste. However, it identifies significant existing landfill capacity and it is expected that additional capacity needed in the future could be met through further special cells at general landfill sites. The RPB considers that adequate guidance on this is contained in Policy W3 and in paragraph 7.4.10 of the draft RSS, with the more detailed information available in the hazardous waste report.
- D6 The report also looked at the need for disposal capacity for other hazardous waste, and in particular for fly ash from thermal treatment processes. The report considered the anticipated volumes of such waste taking into account the future need for secondary treatment capacity identified in Policy W1. The figures will vary depending on the types of secondary treatment options taken forward locally. However, it is estimated that between 65,000 and 80,000 tonnes per annum of capacity is needed. Existing sites for such waste are located on the eastern fringe of the region (in Wiltshire and Gloucestershire) and help meet a national need. However, current planning permissions are due to expire by 2009.
- D7 The relatively small volumes of this type of waste would mean it is unlikely that demand from this region alone would make it commercially viable to operate such a facility. Although there has been no advice from CLG on national need for capacity to deal with this waste stream, the RPB is aware there is a shortage nationally of such facilities. Therefore as stated in paragraph 7.4.11 of the draft RSS it is considered that sites near the eastern boundary and close to the primary road network would be

¹¹ Hazardous Waste Treatment & Capacity Report 2005 (Environment Agency)
<http://www.southwesteip.co.uk/downloads/documents/20061231201722.pdf>

best placed to meet the regional need and to contribute to addressing national need.

- D8 In the report, RTAB recommended that a policy should be included in the RSS which safeguards existing sites permitted to take hazardous waste¹², subject to other environmental considerations. Policy W3 sets out this policy in line with the recommendation.
- D9 If other considerations led to determinations that these sites were unsuitable, the RPB would expect the waste planning authorities in those areas to identify other sites within the broad location identified in paragraph 7.4.11.
- D10 The RPB considers that there is adequate further guidance on identifying broad location in PPS10 and its Companion Guide and sees little merit in repeating this guidance in the RSS. However, given the national nature of the market for hazardous waste, the RPB considers that it would be helpful if CLG were to identify the national requirement that needs to be managed regionally, as allowed for in paragraph 7 of PPS10.
- D11 The RPB considers that due to the considerable uncertainties over the demand for hazardous waste facilities, this policy and the requirements will need to be kept under regular review, but based on the evidence currently available, the draft RSS provides adequate guidance.

E) Is the draft RSS sufficiently clear on the re-use and recycling of demolition and construction wastes?

- E1 Policy on the re-use and recycling of demolition and construction waste is set out in Policy W4, RE12 and Development Policy G. In addition, Policy W2 sets out an overarching requirement that “waste should be managed on the site where it is arises, wherever possible”.
- E2 Policy W4 sets out a requirement to undertake waste audits in new developments and paragraph 7.4.14 states that priority should be given “to the re-use of waste materials on site, as part of the development”. Paragraph 7.4.14 also requires that the audit sets out how the use of raw materials will be minimised and the use of recycled material maximised.
- E3 The RPB notes that the Companion Guide to PPS10 provides no guidance to Regional Planning Bodies on developing policy on the re-use and recycling of demolition and construction waste. However, the waste audit approach adopted in Policy W4 is broadly similar to the best practice example in the companion guide on securing opportunities for waste management in new development¹³.

¹² Hazardous Waste Treatment & Capacity Report 2005 (Environment Agency), para. 6.7
<http://www.southwesteip.co.uk/downloads/documents/20061231201722.pdf>

¹³ Planning for Sustainable Waste Management: Companion Guide to Planning Policy Statement 10, p.67
<http://www.southwesteip.co.uk/downloads/documents/20070227122109.pdf>

- E4** Policy RE12 recognises the important role that the use of recycled and secondary aggregates can play to reduce the need for primary aggregates and sets out a requirement to identify new sites and safeguard existing sites for minerals and aggregates recycling plants.
- E5** Development Policy G sets out the overarching requirement for sustainable construction and paragraph 3.7.8 makes clear links between this policy and Policies W4 and RE12 as the RPB considers that the re-use and recycling of demolition and construction waste is an essential component of sustainable construction.
- E6** The RPB recognises that the re-use and recycling of demolition and construction waste is an important cross-cutting issue that could sit within suites of policy on waste, minerals or sustainable construction. The RPB considers that policy within the draft RSS and establishing the links between these policy areas provides adequate guidance.