

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning and New Communities Joint Portfolio Holders 2 March 2010
AUTHOR/S: Executive Director (Operational Services) / Corporate Manager (Planning and Sustainable Communities)

RESPONSE TO CONSULTATION BY CAMBRIDGESHIRE COUNTY COUNCIL AND PETERBOROUGH CITY COUNCIL ON THE TWO DRAFT SUPPLEMENTARY PLANNING DOCUMENTS RELATING TO WASTE MANAGEMENT

Purpose

- 1 The purpose of this report is to agree the Council's response to a consultation currently being carried out by the Cambridgeshire County Council and Peterborough City Council. The consultation is on the two Supplementary Planning Documents
 - The Location and Design of Waste Management Facilities
 - The Recycling in Cambridgeshire and Peterborough Partnership (RECAP) Waste Management Design Guide.
- 2 The consultation is for six weeks from 15 February to 29 March 2010 and is taking place alongside the consultation on the proposed Submission version of the Minerals and Waste Development Plan (MWDP).
- 3 The full consultation can be seen on the County's website.
www.cambridgeshire.gov.uk/environment/planning/mineralswasteplan
- 4 This is a key decision because it is likely to have an impact on the design of all new developments throughout the district.
- 5 It was first published in the December 2009 Forward Plan.

Executive Summary

- 6 This report outlines the Council's response to the consultation on two waste related Supplementary Planning Documents. These SPDs are supporting policies from the draft Minerals and Waste Development Plan, which is currently out for consultation in its proposed Submission stage. South Cambs is concerned that the consultation of these SPDs is premature when the MWDP has yet to be adopted. The Council supports the Location and Design of Waste Management Facilities SPD and welcomes that it gives separate consideration to facilities placed in a rural location. It needs to consider the traffic implications of such rural locations. The impact of new waste facilities on the existing communities in urban fringe and major development sites needs to be highlighted. Concern at how noise and air quality issues are included in the SPD – needs to be revised. The Council has adopted as Council Policy the RECAP Waste Design Guide SPD that is now being consulted upon. Concern that design guide is not as easy to use as it should be to encourage use of it. Toolkit section of SPD needs to be revised so that it is clearer where it is within the document. Need clear definition of meaning of waste audit. Planning and policy context of SPD needs to be revised to reflect what is within current proposed

Submission MWDP. Design element of waste facilities need to be included – not just functional needs of waste facilities.

Background

- 7 Both of the SPDs are linked to the Cambridgeshire and Peterborough Minerals and Waste Plan and support policies contained within this draft plan.

The Location and Design of Waste Management Facilities SPD (draft) –

- 8 This SPD will provide guidance on the location and design of waste management facilities over the Plan period from 2006 to 2026. It is intended to guide the design and location for the waste management facilities (including Household Recycling Centres) in Cambridgeshire and Peterborough to ensure high quality in relation to layout, access, appearance, environment and the use of materials, and to demonstrate how these facilities can be developed in both urban and rural settings.
- 9 The guidance contained within the SPD relates to policy CS24 in the Minerals and Waste Core Strategy (MWCS) covering the design of sustainable waste management facilities. Currently the Location and Design of Major Waste Management Facilities SPD is linked to the adopted Cambridgeshire and Peterborough Waste Local Plan. According to the County Council this SPD is being consulted upon alongside the MWDP because it needed to be updated to avoid a policy vacuum when the MWCS is adopted and supersedes the Waste Local Plan.
- 10 Also the revision has allowed the County Council to amend and update the content of the existing SPD - for example in relation to locating facilities in urban areas. Unlike the previous SPD the updated document has a broader scope, extending beyond 'major' waste management facilities to cover important matters such as the location and design of local community facilities, including Household Recycling Centres. The title of the document has been amended to reflect this difference.
- 11 For more details about the contents of the SPD see Appendix 1

The Recycling in Cambridgeshire and Peterborough Partnership (RECAP) Waste Management Design Guide. SPD (draft)

- 12 This SPD will provide guidance in relation to the design of waste management facilities as part of residential and commercial developments and the requirements for expanded and/or additional household waste management infrastructure.
- 13 The purpose of the SPD is to set out a series of development principles and design practice and it is intended to be used by:
- Developers and designers to ensure effective segregation, storage and collection of waste materials; and
 - Planning Authorities in assessing planning applications to ensure that waste management needs for both residential and commercial developments are adequately addressed and secured.
- 14 The guidance contained within the SPD relates to policies CS16 covering the provision of Household Recycling Centres and C28 covering Waste Minimisation, Re-use, and Resource Recovery.

- 15 The Recycling Cambridgeshire and Peterborough Partnership (RECAP) Design Guide was originally prepared by consultants Wiser Environment (an Environmental Consultancy) on behalf of the partnership and was subsequently published in 2008. South Cambridgeshire District Council adopted this earlier version as Council Policy in March 2008 pending its adoption as a SPD – the process that is now taking place as it is out for consultation alongside the MWDP.
- 16 The content of the Guide has been reviewed since 2008 to take account of the policies of the MWDP and to take into account more recent developments e.g. current national planning policy. The SPD supplements the policies of the MWDP with design standards and expands upon the requirements needed to provide additional waste management infrastructure in a sustainable way.
- 17 The focus of the RECAP Design Guide is the waste management facilities, which are to be provided as part of residential and commercial developments allowing for the segregation of waste for recycling and composting. For more details about the contents of the SPD see Appendix 1

Issues for consideration

- 18 *Premature consultation*
South Cambridgeshire District Council is concerned that the two SPDs are being consulted upon prematurely before the MWCS has been adopted. It would appear that the intention of the County Council is that the SPDs will be formally adopted once the Core Strategy of the MWDP is adopted in July 2011. Both SPDs are supporting policies that are contained within the proposed Submission version of the MWCS. These policies could be amended as a result of the current consultation process and any subsequent public inquiry may revise the contents of the MWDP. The SPDs would then have to be subject to further consultation if the supporting policies in the MWDP are changed. This could produce a very confused process with different versions of the SPDs being used by local planning authorities.
- 19 South Cambs has made detailed comments about the contents of both SPDs and these have been included in Appendices 2 and 3 of this report. The SPDs are considered in turn in this report and the main points that the Council wishes to make are outlined below.

1) The Location and Design of Waste Management Facilities SPD (draft)

- 20 South Cambs welcomes the detailed guidance produced in this SPD and welcomes that rural locations have been considered separately thereby recognising the different considerations that must be given to locating waste management facilities in countryside settings such as is found in much of South Cambridgeshire. Also that separate consideration is given to urban fringe sites and major development sites of which South Cambs has within its boundaries.
- 21 There needs to be recognition within the SPD that South Cambs has a number of adopted planning policy documents in the Local Development Framework. For planning applications for waste management facilities within this district there are a number of relevant Development Plan Documents (DPD) and Supplementary Planning Documents (SPD) that would need to be considered.
- 22 In the principles to apply for rural locations one must be added that considers the traffic generated by a waste facility particularly heavy commercial vehicles (HCV) so

that there is not an increase in unsuitable traffic on rural road through rural settlements. The criteria is applied to both urban and urban fringe locations but is equally as valid in rural areas if traffic ends up going through nearby villages.

- 23 There also needs to be consideration of impact that locating a waste management facility will have on the existing local communities in urban fringe and major development sites. The needs of these communities must be taken into account in planning these facilities.
- 24 The SPD promotes the idea of the co-location of related waste facilities which although may have significant benefits, would obviously result in a much larger of scale development. This would be potentially more intrusive on the environment thereby reducing those sites that could be considered suitable.
- 25 Waste Management sites have potential to cause significant and complex noise impact. South Cambs has concerns about how noise is addressed in the SPD. In the section considering noise (page 36) reference is made to a *noise report*and *appropriate mitigation measures.....*but does not detail that the main purpose is to assess noise impact locally, characterise the existing noise climate at noise sensitive premises and use the best practical means to mitigate any adverse noise as necessary. This must be included in this section to safeguard amenity and minimise noise disturbance from any future facilities.
- 26 Also in the SPD reference is made to guidance against World Health Organisation Community Noise Guidelines and actual dB levels are quoted e.g. 55dB day 45 night and or no more than 5 to 10 dB increase in background. These actual dB noise levels should be used with caution as these levels can be misleading and understate impact. South Cambs requests that any reference to actual dB noise levels should be removed and simply state that noise will be assessed on a site by site basis on its merits having regard to local circumstances. It would be simpler within the SPD to refer to assessment in accordance with PPG 24 methodology and recommended noise guidance in WHO and best practice such as British Standards.
- 27 The SPD considers the air quality of waste facilities but narrows this consideration to the impact arising from traffic. There should also be included the air quality issues arising from the on-site operations of the facility.

2) The Recycling in Cambridgeshire and Peterborough Partnership (RECAP) Waste Management Design Guide SPD (draft)

- 28 Whilst recognising that this document has been in existence for a while it does not appear to have been reviewed thoroughly before it has been approved for consultation as a draft SPD. An SPD cannot create new policies but must support policies in an adopted Development Plan Document and it is not clearly stated within the SPD which policies the SPD is providing guidance to. The structure of the SPD must be revised so that this fundamental fact is made clear at the beginning of the document.
- 29 The SPD states that one of the purposes of the document is to be ‘ a strategic tool for use for Planning Authorities when assessing development applications.’ An SPD cannot have this strategic role – it can only provide guidance for local planning authorities when they are considering planning applications, supporting policies in a Development Plan Document.

- 30 Mention is made in the SPD of the need for a ‘waste audit’ to be carried out by a developer of a development proposal but there is no definition of this term or what it may include. This must be included in the SPD to assist both developers and local planners.
- 31 If this is to be used by planners and developers the SPD as a design guide must be easy to use and the SPD as drafted needs to be revised so that it is clearer what the planners should ask for from developers submitting planning applications e.g. if a waste audit is required and what developers should provide when submitting a planning application. It is unclear whether a developer would be expected to produce both a waste audit and to complete the Toolkit included in the SPD.
- 32 If it is expected that a ‘Toolkit’ be filled out for each planning application submitted by a developer then consideration needs to be given as to the format of the SPD and where the Toolkit is placed within the document. Consideration should be given to making the Toolkit section of the SPD as a clearly identifiable part. Suggestions to achieve this include putting it at the end of the SPD with a different coloured background or font to make it easily seen. As a paper document the SPD could have a pocket in the cover in which the Toolkit is placed so that it can be accessible. An electronic version of the SPD could have the Toolkit as a separately accessible document, which could either be downloaded as a Word document or printed off so that it can be filled in and submitted with a planning application.
- 33 The earlier version of the Waste Design Guide was adopted by South Cambs as Council Policy in March 2008 and planners have referred developers to the guide before they submit planning applications to the Council. South Cambs encourages pre- applications discussions with developers. There is no indication in the current SPD or in the accompanying report, which was prepared by County planners in September 2009 of the success of the guide, and details of which other local planning authorities within Cambridgeshire had adopted it as Council Policy. It would be useful to know what success there was been in improving the waste management content of planning applications as a result of the existence of the guide. The toolkit appears to be a useful way of assessing the waste needs of a development but are developers submitting these with their applications?
- 34 The chapter setting the planning and policy context of the SPD refers to documents but does not make it clear who has published these and the relevance of their content. The section on the Minerals and Waste Development Plan is particularly weak and does not appear to reflect that the MWDP is at the proposed Submission stage, being out for consultation at the same time as this SPD. This must be amended and further highlight the difficulties of consulting on this SPD when the MWDP is not yet adopted.
- 35 Part 3 on ‘Waste Management in Context’ needs to mention the fact that Cambridgeshire comes within the area identified by Central Government as an area where there will be a step change in growth and that this is planned for in the East of England Plan up to 2021 and beyond. It is not just the popularity of the area that has led to an increase in its population but it has been specifically identified as a growth area where there will be a planned step increase in house building.
- 36 The SPD in considering the practical needs of how to assist a developer in planning for waste management in residential and commercial developments is welcomed by South Cambs. It will assist planners to recognise the need to consider waste within proposed developments. However the emphasis seems to be upon the technical/ functional specifications needed for waste facilities at the expense of considering the

aesthetic design of such facilities to fit into their surroundings. This should be addressed in the SPD.

- 37 The SPD should highlight to developers that there will be financial implications relating to the provision of waste management infrastructure. These will vary according to the nature and scale of the proposed development and associated supporting infrastructure and will be based on any additional costs likely to be incurred by the local authority arising out of the proposed development.
- 38 The Council is concerned at the lack of information within the Design Guide to justify the request for contributions to household recycling centres. Planning obligations cannot be used to ask developers to simply provide contributions to extra sites. There are five tests that have to be satisfied to allow obligations to be sought.
1. Relevant to planning;
 2. Necessary to make the proposed development acceptable in planning terms;
 3. Directly related to the proposed development;
 4. Fairly and reasonably related in scale and kind to the proposed development; and
 5. Reasonable in all other respects.
- 39 In the MWDP Core Strategy in Policy CS16 it states that ‘...New housing development will contribute to the provision of household recycling centres. Contributions will be consistent with RECAP Waste Guide....’. South Cambs is concerned that the DPD cannot require such contributions from planning obligations and as drafted the SPD does not contain sufficient information about this matter to provide guidance to developers.

Implications

40	Financial	Nil
	Legal	Nil
	Staffing	By responding to the consultation on the SPDs the Council will more efficiently use of staff time since the SPDs will provide guidance on waste issues relating to planning applications.
	Risk Management	Nil
	Equal Opportunities	Nil

Consultations

- 41 In preparing this report consultations have taken place with officers in Environmental Health; New Communities and the Urban design team.

Effect on Strategic Aims

42	Commitment to being a listening council, providing first class services accessible to all. The Council is responding on behalf of the residents of the district to the consultation. Where the contents of the SPDs may impact upon development and therefore affect local communities within South Cambs the Council has indicated where changes should be made to the SPDs Commitment to ensuring that South Cambridgeshire continues to be a safe and healthy place for all.
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By responding to the consultation the Council will ensure that the contents of the SPDs maintain S Cambs as being a safe and healthy place for all and that its proposals in future will produce better designed developments within the district.
Commitment to making South Cambridgeshire a place in which residents can feel proud to live.
By responding to the consultation the Council will ensure that the contents of the two SPDs are able to assist in the planning of the district as regards waste and will ensure that good design is fundamental to this planning.
Commitment to assisting provision for local jobs for all.
The two SPDs are promoting good design for waste in new developments and for well-designed waste facilities within the district. These developments could provide for local jobs.
Commitment to providing a voice for rural life.
The Council in responding to the consultation will ensure that the SPDs consider rural areas and the special needs of such areas as most of the district is rural in character. .

Conclusions/Summary

- 43 The report outlines the Council comments on the two SPDs being consulted upon. South Cambs is concerned that the consultation is premature given that the MWDP that these SPDs are supporting has not yet been adopted and therefore may change. Not notwithstanding this the Council has made comments on the content of both SPDs and these are outlined in the report.

Recommendations

- 44 The Portfolio holders for Planning and New Communities are recommended to agree the responses to the consultation on the two SPDs as contained within the report and in Appendix 2 for The Location and Design of Waste Management Facilities SPD and Appendix 3 for RECAP Waste Management Design Guide SPD.

Background Papers: the following background papers were used in the preparation of this report:

The Location and Design of Waste Management Facilities SPD (Consultation draft 2010)

The Recycling in Cambridgeshire and Peterborough Partnership (RECAP) Waste Management Design Guide SPD. (Consultation draft 2010)

Report to Cabinet on 13 March 2008 on RECAP Waste Design Guide

Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (Pre Submission 2010)

Contact Officer: Alison Talkington – Senior Planning Policy Officer
Telephone: (01954) 713182