

WASTE INFRASTRUCTURE DELIVERY PROGRAMME

PLANNING HEALTH FRAMEWORK

WASTE PROCUREMENT PROJECTS - RESIDUAL WASTE TREATMENT FACILITIES

ASSESSMENT OF PLANNING STRATEGY

Introduction

This assessment is intended to help ensure that planning permissions are likely to be forthcoming for residual waste treatment facilities in respect of which government approval for procurement and funding is sought by the Waste Disposal Authority (WDA).

The assessment sets out questions intended to establish compliance with the following criteria for securing waste PFI credits (Defra, May 2006).

- *Proposals should demonstrate that other relevant authorities, the public, and interested parties have been consulted and that there is a broad consensus supporting a recognised long term waste management strategy which is reflected in the proposed solution. (para 6)¹*
- *Projects should have potential sites under consideration which accord with the relevant waste planning authority's statutory development plan. Where this is being updated to reflect Planning Policy Statement 10 (PPS10) projects should align with the policies in PPS10. (para 13)*
- *Authorities responsible for projects will be expected to engage in the preparation of the relevant regional spatial strategy and local development plan documents so as to help secure an up-to-date and supportive planning context in line with PPS10, including appropriate land allocations. (para 14)*
- *Authorities should take proactive action to acquire sites in line with the development plan, or which they are confident will accord with the development plan if components of the development plan are under review or in preparation. (para 15)*

Furthermore WIDP has prepared Planning Systems Guidance to assist WDAs in understanding the development planning system, and how WDAs can best go about securing a supportive planning context. WDA's are expected to be cognisant of this guidance in responding to the questions set out below.

This assessment first of all sets out questions to establish an overview of the situation. More detailed questions are then posed in respect of each element.

¹ A policy-compliant process for developing either a municipal waste management strategy or development plan document will have included community engagement and development/appraisal of options.

- **Questions should be answered in relation to all sites required for the project and reserve sites.**
- **Your responses should be signed off by the head of waste services**

Where necessary, please provide any additional information that you think will help clarify the situation in respect of the question

Overview questions and key aspects of planning context

- 1) Is there a Municipal Waste Management Strategy (MWMS) that supports the procurement project?
- 2) Are the specific site proposals consistent with and/or identified (as relevant) in the current development plan and/or (emerging) Local Development Framework documents (Core Strategy and/or DPD) and/or the (emerging) Regional Spatial Strategy?
- 3) Have sites been identified for the necessary facilities, which are likely to be accorded planning permission for those facilities within the timetable anticipated for commencement of construction of the proposed facilities?
- 4) What route has been taken to establish the principle of the proposed waste use of the sites:
 - Already have permission?
 - Already allocated in a statutory plan?
 - Seeking allocations in a statutory plan?
 - Making planning applications?
 - Conducting planning studies to inform the development of planning applications?
- 5) What steps have been taken to consult the community on the use of the sites?
- 6) Have steps been taken to acquire those sites?
- 7) What is the strategy for acquiring the sites and in relation to planning permissions generally so that such a planning application may be submitted by the preferred bidder as soon as possible after their appointment?
- 8) Is there overall alignment of timescales for procurement and planning?

The following sections seek to understand the detail of that overview.

Municipal Waste Management Strategy (MWMS)

A1) Is there an up-to-date and policy-compliant MWMS that supports the residual waste treatment proposed in the reference case?

A2) If applicable, detail any restrictions suggested by the MWMS on the residual waste treatment technologies that might be acceptable.

A3) Was the local community actively engaged in the development of the MWMS?

A4) Was the MWMS accompanied by a Strategic Environmental Assessment that informed the approach in the adopted strategy?

Development Plan

Regional Spatial Strategy (RSS)

B1) Has the authority cross-checked policy in the RSS to be sure that procurement proposals are consistent with regional policy?

B3) Is the authority engaging (has the authority engaged) with the development of the RSS to seek to secure a supportive planning framework at the regional level²?

Saved development plans

B5) Are the proposals consistent with any saved policies in a development plan?

B6) Are the proposed sites allocated for waste management purposes in any saved statutory plan?

Adopted Local Development Framework and Development Planning Document (DPD)

B7) Is there an adopted Core Strategy and other DPD covering waste?

B8) If so, are the proposals consistent with the Core Strategy and other DPD?

B9) If so, are the proposed sites allocated in the adopted DPD?

B10) Are the site allocations suitable for the intended use(s) by the procurement project?

² such as through a pattern of regionally or sub-regionally significant facilities (as envisaged in paras 11 and 12 of PPS10), the apportionment of waste requiring management (paras 8-11) and supporting policy.

B11) Were there significant objections to the allocations (please give, or refer to some indicative statistics to support your response, e.g., level of consultation and objections)?

Emerging Local Development Framework and DPD

B12) Is there an emerging Core Strategy and/or DPD covering waste?

B13) If so, are the proposals consistent with the emerging Core Strategy and/or DPD?

B14) If so, are proposed sites and use allocated in the emerging Waste DPD, or have representations been made to seek to secure those allocations?

B15) Has appropriate input been made on behalf of the WDA to inform the development of the DPD and to ensure that the emerging DPD is informed by the MWMS?

B16) Detail any known objections (formal or otherwise) to the proposed allocations.

B17)

(i) Will planning permissions for the proposed sites be sought in advance of the adoption of the DPD including the allocation?

(ii) If so, has the potential objection of prematurity been considered? For example, are there sites proposed for allocation of which one or more of the chosen sites is/are not one?

Sites

C1) Do the sites have planning permissions for the intended use contemplated by the project?

C2) Are the sites allocated in an adopted statutory plan for the intended use contemplated by the project?

If not yet consented or allocated:

C3) Are there any adopted development plan policies that favour the proposed use of the sites?

C4) Are there any adopted development plan policies that prejudice the proposed use of the sites?

C5) How do the sites perform against policy expectation in PPS10?

C6) Please detail any relevant history of uses, planning permissions or planning refusals on the sites.

If not already consented:

C7) What response has been made by the planning and infrastructure stakeholders to initial consultations with them in respect of the proposed use of the sites?

C8) Have desktop studies or a series of such studies been undertaken to identify suitable sites and justify the selection of the chosen sites?

C9) Have baseline studies been carried out for all significant environmental aspects identified in the Environmental Impact Assessment (EIA) Regulations?

C10) Please describe any issues suggested by those studies that will be difficult or impracticable to overcome.

Community consultation

D1) Has the local community been engaged in regard to the proposed use of the sites, for example, by the use of leaflets and/or exhibitions? Have there been any broader community consultation processes, such as SEA or sustainability appraisal in the context of the preparation of a Local Development Framework and/or Waste DPD, that made specific proposals for the sites (please give, or refer to, some indicative statistics to support your response, e.g., level of consultation as a proportion of the affected population)?

D2) Did the consultation involve specific types of technology and/or visual representations of the facilities?

D3) What was the scale and nature of the response?

D4) What issues were raised?

D5) Can these be overcome?

D6) Have WDA members considered the response to consultation in endorsing the OBC (i.e., has a report been put to members on the results of consultation, and have they decided that the balance is in favour of proceeding)? In situations where sites are not yet secured, please reflect any consultations that have been completed in regard to the proposed sites as part of the Development Plan processes.

Site acquisition

E1) Are the sites already owned by the Council?

E2) Have options been taken on the sites?

E3) What time constraints are imposed by the options?

E4) Have discussions been held with landowners with a view to acquisition?

E5) What response has been made?

E6) In the absence of ownership or a secured option, what is the WDA's strategy for acquiring the sites?

Way forward

Please state, *as appropriate in the light of your responses above*:

F1) How does the WDA intend to deal with any potential policy conflicts with the current or emerging development plan within the timetable for the procurement?

F2) How will the WDA monitor and respond to the emerging DPD with regard to waste?

F3) When will any outstanding environmental monitoring and other studies be completed?

F4) How will the results of all discussions, consultations and site studies be made available to bidders?

F4) What is the strategy for submitting planning applications (e.g., securing allocations in a statutory plan and applications being made by contractor or by WDA (in responding to this question WDA's are specifically referred to Annex 1 of the WIDP Planning Systems Guidance))?

F5) If the WDA is to make applications, are internal and/or external resources available to support this?

F5) How can bidders add value by their track record and approach to consulting the community?

F6) How/when will the WDA establish whether the bidders intend to use the identified sites?

F7) If bidders offer their own sites, does the procurement programme provide adequate time for the development and processing of corresponding planning applications on an equal basis as for the WDA's own offered sites?

F8) How will the WDA complete the acquisition of the sites?

WIDP

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