

## **DCLG Consultation on the Government's proposals to update national waste planning policy, Planning for sustainable waste management. – *Response from the Renewable Energy Association***

The Renewable Energy Association (REA) is pleased to submit this response to DCLG's Consultation on proposals to update national waste planning policy. The REA represents a wide variety of organisations, including generators, project developers, fuel and power suppliers, biological treatment operators, investors, equipment producers and service providers. Members range in size from major multinationals to sole traders. There are over 1100 corporate members of the REA, making it the largest renewable energy trade association in the UK. The REA's main objective is to secure the best legislative and regulatory framework for expanding renewable energy production in the UK. The Solar Trade Association is affiliated to the REA.

### **Introduction**

The intention is that this updated waste policy should replace existing national waste planning policy Planning Policy Statement 10, Planning for sustainable waste management published in July 2005 and revised in March 2011; and for the updated policy to sit alongside the proposed new Waste Management Plan for England, published for consultation by the Department for Environment, Food & Rural Affairs on 15 July 2013.

The Renewable Energy Association (REA) recognises the need to have updated policy which is relevant, concise, and transparent in relation to planning. The majority of this consultation will be predominantly in connection with the biodegradable resource sector which is now covered by the Organics Recycling Group (ORG) of the REA.

The REA recognises the need for a sustainable economy to be at the heart of this debate through implementation of the waste hierarchy, this widely accepted proposition which encompasses a philosophy of prevention, re-use, recycling, recovery and disposal, should be adopted wherever possible.

The biowaste sector has seen significant progress over the last decade with capture rates rising to an estimated 10million tonnes in 2012 (WRAP/industry ASORI report). This has only been possible through a pragmatic approach being taken by planners to allow the development of suitable infrastructure to grow the sector within this timeframe.

It is important in respect to timeliness and joint planning/permitting regimes that there is greater communication between the relevant regulators so that permitting and planning authorities co-ordinate their approach to specific planning proposals. Too often there is either duplication or road blocking by one which has an adverse impact on the other.

The draft PPS10 offers several opportunities within the document to support reasons for a refusal for development proposals through the planning system. It therefore risks becoming a

framework for opposition to the delivery of waste management facilities rather than a mechanism for assisting this ambition.

## REA response to the consultation - answers to questions

**Question 1:** Existing national waste planning policy in Planning Policy Statement 10 has been well-supported, so the Government has focussed on streamlining the policy in line with National Planning Policy Framework principles rather than introduce radically new proposals. Do you agree with this approach? **Do you think there is anything fundamentally missing from the updated policy that must be included?**

### Comments:

The fundamentals of the current policy are to encourage an agenda which allow for sustainable growth within the waste management arena. What is required more than anything else within the waste management sector is clarity and transparency and this allows for decisions to be taken and investor confidence to be improved in future growth.

The draft does little to refer to sustainable economic development within its text. There is a fundamental emphasis within the NPPF that the waste infrastructure should be seen as a solution provider rather than a 'problem' which has often been the case in the past.

Waste planning and infrastructure requirements are part of a much larger spatial planning considerations including, housing, transport, schools and the wider growth agenda. There is an impression that waste is dislocated from other planning and development decisions when it is no different and should be inclusive.

There needs to be in addition an approach taken which cuts red tape and bureaucracy and actively assists development where it is appropriate. If we are to maintain growth and improve our National recycling volumes both in line with the European objective of achieving 50% by 2020, but also matching the better performers within the EU 27 who are recycling 80% and higher of their waste arisings.

Waste management facilities are varied in their size and technology and there is no 'one size fits all' approach which used to be the case in the bad old days of landfill which was for some time the preferred or only option.

There is little reference within the document to the proximity principle. Particularly with biowaste this is an issue of significance as there should be no need to transport low value biowaste substantial distances and consume high value fossil fuels as a result.

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**Question 2:** The updated policy states that local planning authorities should ensure that the planned provision of new capacity and its spatial distribution is based on robust analysis of available data and information. **Do you think that sufficient data and information exists to allow waste planning authorities to adequately plan for provision of new capacity? What Change to the updated policy, if any, do you consider are necessary to achieve this?**

### Comments:

In short, NO. Although there is credible data on household waste, there is a paucity of accurate data relating to commercial and industrial waste arisings which we know to be significant, without the provision of reliable and accurate data from this area of activity, it will be very difficult to make an evaluation of the need for treatment facilities in the future. REA

would like to see further work carried out in this area to produce trustworthy data which can be relied on.

The implementation of provisions within the Localism Act 2011, place greater emphasis on making the best of our valuable resources and promoting waste prevention and recycling (in line with the waste hierarchy). The abolition of Regional Strategies assists in ensuring that a local plan for waste approach is adopted rather than waste falling under the wider regional strategies previously adopted. This approach assists in the support of the '*proximity principle*,' which ensures that 'Resource' arisings do not have to travel significant distances to the treatment facilities as this negates some of the benefits derived from recycling this material through additional carbon costs. Biowaste which is a low value commodity does not travel well over extended distances and the economics do not make this a viable option.

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**Question 3:** The policy sets out the requirements for identifying sites for new development, including the proximity principle and assessment criteria. **Do you agree with the requirements set out for identifying sites, including the policy additions on the potential for utilising heat and the siting alongside waste sewage treatment works in respect of energy from waste schemes?**

**Comments:**

This is a very sensible approach and will assist in maximising the value of resources in the future. Although the approach of promoting EFW schemes, this should not be in preference to alternative technologies which are able to make valued use of the heat such as AD where there may be a need for an additional heat source.

The policy tries to make more comprehensive usage of the full potential of Combined Heat and Power. Whilst this is a laudable idea, it fails to recognise the planning reality that there are often issues or hostility to locating other infrastructure close enough to heat outlets to make such schemes commercially viable (noise, dusts, odour to name a few) This is the principal reason that many thermal treatment facilities remain "CHP ready" as opposed to full CHP. There is little practical realisation of this or any identified measures (here or in the proposed Waste Management Plan consultation) as to how the Government sees this issue being tackled.

There is no logic in the emphasis for sewage treatment works only to be considered for CHP. Other forms of development, such as major clusters of chemical industry are "heat hungry" and are faced with increased energy costs. A general presumption in favour of co-locating appropriately scaled CHP with a range of developments could be emphasised. This approach could be most rationally implemented by the use of strategic heat mapping.

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**Question 4:** The Government considers that, with minor amendment, the locational criteria which should steer selection of the suitability of areas or sites for waste are still appropriate and comprehensive. **Do you agree with the locational criteria? If not, what should be changed?**

**Comments:**

The current locational criteria proposed considers both environmental impacts including protection of water air and land with the protection of human health and the wider visual and potential disamenity value which may be impacted as a result of poor site selection.

The criteria used are appropriate, however there needs to be sufficient provision given to sites if they are able to mitigate for environmental and visual amenity impacts through good mitigation principles rather than automatically dismiss proposals because they appear to be

intrusive in nature. Technologies for overcoming critical issues currently, will in the not too distant future become less of an obstacle as new methods of dealing with them are developed.

The policy from the old PPS10 which said “WPA’s should work on the assumption that the relevant pollution control regime will be properly applied and enforced” is not explicit in the consultation, while it is the NPPF. PPS10 should set out the roles of the EA and the successor bodies to the HPA as their role within the planning and permitting framework is essential.

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**Question 5: Are you content with the proposed policy approach concerning the consideration of proposals for waste facilities in the Green Belt?**

**Comments:**

The current policy is one of assuming a no development within green belt other than in very special circumstances. There needs to be an approach adopted that seeks to review each case on its individual merit rather than taking a 'no development at any cost' approach. As mentioned in one of the previous questions, ensuring that treatment facilities are within a viable distance of the arisings is essential to not only fulfil the needs of the local community but also ensure that waste is not transported over lengthy distances in order to find an appropriate treatment facility.

The new wording will make it significantly harder to justify permitting waste management facilities in sustainable locations close to major sources of waste, where they are most needed. This may lead to facilities being located at greater distances from waste arisings and result in increased carbon emissions from haulage operations.

The REA are keen to ensure that areas of sensitive and outstanding natural beauty are protected from future development but there needs to be sufficient scope to allow for sensitive development which has been carried out in keeping with the local environs and has also be consulted on with the local community.

Green belt should not by default be excluded from some areas of waste management development, this should depend on the area and the scale of the facility and the benefits offered locally. Biodegradable waste management facilities may need to be sited away from an urban environment if they are to avoid upsetting the local community as a result of odour emissions (regardless of how good your mitigation is there will be times when biowaste sites cause a nuisance) so by default these may well be sited within a green belt.

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**Question 6** Guidance: Alongside this consultation exercise, the Government will be preparing guidance to support the policy in line with the principles set out by Lord Taylor of Goss Moor. **Are there any specific parts of the existing Planning Policy Statement 10 Companion Guide, or Guidance to local authorities on implementing the EU Waste Framework Directive, that you wish to see carried forward? Are there any other areas where guidance is required?**

**Comments:**

**Additional advice on the following would be helpful:**

- Defining strategic cross boundary movements. Minimum thresholds that would trigger liaison between waste planning authorities could be considered.
- The strategic role of heat mapping in providing an evidence base for CHP locational decisions.

- What does proximity mean for WPAs – there are “different local levels” for different waste streams and types. There should, however, be an overarching goal for England to be self-sufficient and not on having to be reliant on external markets as is currently the case.

It is stated in Paragraph 4 that that all planning policies should “*identify the type or types of waste management facility that would be appropriately located on the allocated site or in the allocated area in line with the waste hierarchy, taking care to avoid stifling innovation*” Having an ability to predetermine the most appropriate technology is difficult as this is a fast moving sector which continues to develop and innovate.

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