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Dear John Wright

LEICESTERSHIRE & LEICESTER WASTE DEVELOPMENT FRAMEWORK CORE STRATEGY AND DEVELOPMENT CONTROL POLICIES SUBMISSION

The nature and content of Waste Development Frameworks in general and Waste Core Strategies in particular is an evolving area of planning practice. Of the 3 Waste Core Strategies adopted since September 2004, it is notable that none have yet received a ringing endorsement from either the Planning Inspectorate or from the profession in general. Consequently, Waste Planning Authorities do not have the benefit of established best practice to guide their work. Against this background, GOEM believes that there is much to commend in the Leicester & Leicestershire Waste Development Framework Core Strategy.

The waste management requirements over the plan period in terms of type, capacity and indicative land take are all usefully outlined in paragraphs 4.2-4.6, whilst Policies CS2&3 set out the broad locations for the delivery of these facilities at the strategic and non-strategic scale respectively. Paragraph 4.10 indicates how the choice of those locations was informed by the extensive testing of options. Following through from this logic paragraph 4.25 identifies that some Greenfield sites will be needed to meet the level of provision required in the most sustainable general locations, repeated again in the development control context of paragraph 5.11. The Core Strategy is the appropriate place to make these difficult decisions and the GOEM strongly endorses these radical developments of extant local waste planning policy to meet the new challenges of the next decade.

The spatial strategy is anticipated to play a major role in helping to deliver the step change in waste management envisaged in the 2007 National Waste Strategy. In this context GOEM considers this Core Strategy to be basically sound, subject to the appropriate examination of the underpinning evidence.

Nevertheless, there are some minor matters that could benefit from some further attention and, if considered necessary, modification by the inspector:

Policy CS3 Non-Strategic Waste Sites (Tests 4 & 6)

It is noted that Policy CS4 Waste Location Principles states under its first bullet that locational priority will be given to existing waste management sites “*where transport, operational and environmental benefits can be demonstrated as a consequence of the co-location of waste management facilities*”. Given that this criteria is to apply to the minority of non-strategic sites to be located outside the broad locations, there would be consistency in also applying it to policy CS3 criteria (iv) which could otherwise be interpreted as promoting development at existing waste sites outside broad locations even where the criteria in Policy CS4 was not met.

Policy CS6 Anaerobic Digestion, Mechanical and Biological Treatment and Energy / Value Recovery Technologies (Test 4)

In accordance with the general guidance in paragraph 1.9, the criteria in Policy CS6 do not take the form of a hierarchy. However, some of these criteria refer to different elements in the waste hierarchy laid out in PPS10 Annex C. In order to accord with national policy, it is necessary for the policy criteria to be rearranged into the following hierarchy:

- (i) Pre-sorting is carried out.
- (ii) Value recovery from by-products of the process is maximised.
- (iii) Energy recovery is maximised.

Criteria (iv) and (v) could remain where they are, in so far as they are considered necessary.

Policy CS14 Transportation of Waste (Tests 4 & 6)

The first bullet of Policy C14 cites the need for proximity to markets. Though the market for waste management development could be defined as both producers of waste and users of waste derived material, the common understanding of market may result in an emphasis being placed on the transport of waste management facility outputs rather than inputs. Given the extensive effort the Waste Planning Authorities have expended in defining their own broad locations on the basis of access to inputs, the tendency of input volume to exceed output volume, and the tendency for outputs to benefit from economies of scale in transportation, there would be a benefit in giving proximity to waste arisings priority over proximity to markets.

Though GOEM has no wish to question the basic soundness of the Core Strategy, we recognise that each Waste Core Strategy examination is a valuable opportunity to develop the practice of Waste Development Frameworks. Therefore, if the inspector is minded to invite debate on any of the following points, the GOEM would be happy to contribute to that discussion also.

Spatial Strategy (Tests 6, 7 & 8)

Several policies, e.g. CS7, CS13, DC5 and DC6, are all subject to a test of need. The need for additional waste management capacity, by type of waste, category of treatment, required capacity and anticipated land-take, is discussed in paragraphs 4.2 to 4.6. If these figures were included in Policy CS1 Waste Management Capacity, e.g. in the form of a table, this would identify the level of need for the operation of other policies and provide a clear focus for delivery and monitoring.

Duplication of National Policy (Tests 4 & 7)

The purpose of Waste Development Frameworks and other local development plans is to put national policy into a local context, not simply to repeat it. PPS12 actively discourages the repetition of national policy in Local Development Documents, and in this respect PPS10 provides a useful national policy context for decision making in Annex E. Policies of this Waste Core Strategy that appear to repeat elements of Annex E include CS10, DC2, DC4, DC8, DC10, DC12 & DC13. Policy DC9 appears to duplicate PPS10 paragraph 21(i), whilst Policy DC6 does not appear to add anything to the content of PPS7.

Development Control Guidance (Tests 4 & 7)

Some of the policies of the Waste Core Strategy provide useful guidance to developers in the form of checklists, e.g. Policies DC14, DC17 & DC18. However, the supporting text to all three indicates that not all the elements in the lists will apply to every application. Though the inclusion of such material clearly has value, it is not so clear that it constitutes policy that should be the starting point for the consideration of applications.

Non Land Use Policies (Test 4)

PPS12 specifically allows Local Development Documents to include policies that go beyond strict land-use policies in order to implement their objectives. It is noted that Waste Core Strategy Objectives 1 & 5 are not, and possibly can not be, strongly supported by the land-use policies submitted. If there are no other relevant programs flowing from the Sustainable Community Strategy, it is hoped that these objectives will provide the support for such programs to be developed. Any commitment to this effect possible through the Core Strategy would help justify the inclusion of these objectives.

Yours sincerely

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