

WASTE - ENVIRONMENTAL MATTERS**Key Issue – General:**

Whether the strategy would secure adequate environmental and landscape protection; support for the objectives of the National Forest and Charnwood Forest; and provision of new habitats, increased biodiversity and other green infrastructure. (National Policy, PPS 10, Annex E)

Specific Issues and Matters for Discussion:

Whether the provisions in respect of environmental protection are clear and appropriate

1. *Should Policy CS10 refer to sites of geological interest? [NE]*

Yes, and the text shall be amended accordingly.

2. *Should Policy CS10 refer to nature conservation and cultural heritage sensitivities and opportunities? [EH]*

No, bullet points three on biodiversity and four on historical and cultural features already cover these issues and Policies DC2 and 3 specifically seek to protect these elements.

Whether the provisions in respect of the National Forest and Charnwood Forest are clear and appropriate

3. *What are the Green Infrastructure strategies that should be promoted in the 6Cs area? What additional emphasis should be given to bringing about net gains in biodiversity? [CBC]*

It is expected that district and borough councils will develop green infrastructure plans as part of their LDF preparation. Hinckley and Bosworth Borough Council has produced a Green Infrastructure Study which was published in October 2008. Progress on other green infrastructure plans is believed to be limited.

Objective 10 deals with this topic via reference to environmental, recreational, economic and community gain. The Councils believe that gains in biodiversity can be achieved through the policies in the Core Strategy such as CS11, CS12 and DC 16. And any 'green infrastructure' policies which emerge through the District and Borough LDFs.

4. *Do Policies CS11 and CS12 give sufficient protection to the National Forest and to Charnwood Forest? Should Policy CS11 be more positive in terms of establishing and improving the National Forest? Is the supporting text relevant and does it clearly identify and support the policy intention?*

Yes. In the drive for communities to deal with their own waste and to site facilities as close as possible to arisings, communities within these designations may need waste management facilities and they should not be precluded from these areas. However, because of these designations sites would need to mitigate their impacts to a greater extent. The Charnwood Forest policy, in particular, is there to protect the Forest.

No. Policy CS11 sets the right approach. Waste development in the National Forest may be within urban areas or relatively small scale and therefore not able to make significant contributions to woodland planting, habitat creation etc. and the policy uses the phrase ‘..where appropriate..’ to reflect this. Policy DC16 on After-Use, which would apply to landfill proposals for example, seeks woodland planting particularly in the National Forest.

The value of the text is to explain the designations and their handling in the emerging RSS. The Councils believe the text identifies and supports the policy intention by giving the context for the use of the words ‘where appropriate’ in Policies CS11 and DC16.

5. *Do policies CS11, CS12, DC15 and DC18 need to set out how the spatial strategy is to be achieved? [CBC]*

No. These policies need to be read in association with the other policies.

6. *Should contributions to Green Infrastructure be referred to in the context of planning obligations? [CBC]*

No, the matters to be covered by obligations in box 3 cover this element in points 8, 9 11, 15 and 17.

Whether the provisions in respect of Green Wedges are clear and appropriate

7. *Is the level of protection afforded to Green Wedges (Para 4.70) very similar to that of Green Belt policy? [GOEM]*

The Councils accept that elements of Para 4.70 should be deleted in the light of the Panel Report on the draft RSS8 (WAS 25) (November 2007) and the subsequent Proposed Changes to the RSS (WCD 4). The Panel found that Green Wedges ‘do not have the national policy status of the Green Belt’ and Para.4.2.18 of the proposed changes states that Green Wedges are not supported by government policy in the same way as Green Belts.

8. *Does Policy CS13 gives implicit acceptance to development on brownfield sites in Green Wedges as, if so, is this intended?*

This is not the intention of the policy and on reflection the removal of the term greenfield would be more appropriate and, it is felt, this would not affect the overall intention of the policy.

9. *In Policy CS13, should there be a requirement to demonstrate that the waste development cannot be accommodated within the urban areas? [BDC]*

Yes, and there is. Policy requires applicants to prove an overriding need and the supporting text states that this is to prove that the overriding need for the development could not be met within an urban area. No changes proposed.

Whether the provisions in respect of transport are clear and appropriate

10. *In Policy CS14, would there be benefit in giving priority to waste arising over proximity to markets? [GOEM]*

Yes, and the policy wording should be amended to reflect this.

Whether the development control provisions in respect of the natural environment are clear and appropriate

11. *Policy DC3 refers to special landscape areas and landscape feature of importance (such as open space in built-up areas). Are these specific designations? Do the landscape areas accord with PPS 7 Paras 24 and 25?*

These areas and features are specific designations in district/borough LDFs.

These accord with the descriptions in PPS7 (WCD 12).

12. *Should Policy DC5 be re-phrased so as to give greater credibility and weight to countryside matters? Should emphasis be given to safeguarding the general appearance and character of the landscape and the countryside? [NE]*

No, the policy asks for demonstration that the landscape character would not be harmed. The Councils believe the policy is sufficient to safeguard the countryside.

13. *Should the wording of Policy DC5 refer to "open" countryside? [BDC]*

No, the heading and supporting text should be amended to remove word 'open'. Use reflected terminology used in draft RSS but the Secretary of State's proposed changes (WCD 4) remove this. 'Countryside' would be consistent with terminology used by districts.

14. *Does Paragraph 5.11 repeat detail from Policy DC5? If so, what amendments would be appropriate? Is the policy locally distinctive?*

Yes, the last sentence does.

Delete this sentence.

The policy is locally distinctive in that it refers to 'landscape character' which would relate to local designations.

15. *The text supporting Policy DC5 refers to communities taking more responsibility for their own waste. Is this consideration adequately reflected in the policy?*

This consideration appears in policies CS3 and CS4 in dealing with the acceptability of the location of new facilities.

16. *Should there be explicit recognition of composting opportunities in the open countryside?*

This is noted in paragraphs 4.19 and 4.33. However, reiteration of the point would be appropriate and text should be added.

17. *In Policy DC7 (Landscaping and Woodland), should new woodland planting be encouraged but only where it would be the most appropriate habitat and would contribute to the wider diversity of the area? [NE]*

No Landscaping and woodland planting may be appropriate for landscape or visual amenity reasons.

18. *Should Policy DC7 make clear that woodland planting should have regard to Landscape Character Areas? What is the source document in this regard? Should there be greater emphasis on planting in the National Forest area?*

No, the supporting text refers to having regard to Landscape Character Areas.

The source document is the Landscape and Woodland Strategy referred to in paragraph 5.14. Text to be amended to clarify.

Within this policy, there should be no greater emphasis. There is a specific policy for the National Forest which is deemed sufficient.

19. *Should Policy DC12 refer to "unacceptable impacts"?*

Yes. Amend from detrimental.

Main contributors:

WPAs

GOEM

Charnwood Borough Council (CBC)

Blaby District Council (BDC)

Natural England

English Heritage

Environment Agency