Recommendation: It is recommended that:

(a) the Committee approve the Scoping Consultation Paper, attached as Appendix I, for consultation with relevant organisations following adoption of the Devon Waste Plan by the County Council; and

(b) the Head of Planning, Transportation and Environment be given delegated authority to make minor changes to the Scoping Consultation Paper prior to undertaking the consultation.

1. Summary

1.1 This report seeks approval to undertake the initial consultation for the preparation of a Supplementary Planning Document (SPD) to aid implementation of the Devon Waste Plan. The report outlines the reasons for producing the SPD, and its proposed content and anticipated timeline. The proposed Scoping Consultation Paper, Appendix I, will form the contents of the consultation and provides further information regarding that contained in this report.

2. Background

2.1 Preparation of the Devon Waste Plan commenced in 2010 and, after a number of stages, the County Council has now received the Inspector’s Report. The adoption of the Waste Plan is the subject of a separate report to this Committee.

2.2 The achievement of the vision, objectives and policies contained within the Plan relies on a number of other organisations, including District Councils and developers. There is also clear national policy and guidance that requires local planning authorities, and therefore, implicitly, developers, to play a role in the management of waste. The SPD will aim to provide sufficient guidance and information to ensure the Plan, and national policy, are successfully implemented. The Scoping Consultation is the first stage in the preparation of this SPD.

2.3 The Scoping Consultation Paper attached as Appendix I contains three parts: background information, the proposed content of the SPD and questions posed in order to inform the preparation of the SPD.

3. Preparation of the Supplementary Planning Document

3.1 The SPD itself will contain two main parts, one focussed on guidance to ensure compliance with Policy W4: Waste Prevention and Policy 21: Making Provision for
Waste Management, the other focussing on Policy W10: Protection of Waste Management Capacity. Appendix I outlines the suggested content in more detail.

3.2 The Scoping Consultation is aimed at those who are expected to be most involved in the implementation of the Devon Waste Plan; this includes Devon’s local planning authorities in determining planning applications, and applicants for non-waste development. A series of questions are included in the Scoping Consultation to primarily seek views from the relevant organisations on the proposed content of the SPD. The Scoping Consultation would be held for 6 weeks, beginning in January 2015.

3.3 The following table outlines the anticipated key milestones of the SPD:

<table>
<thead>
<tr>
<th>Anticipated Date</th>
<th>Stage</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 2015</td>
<td>Scoping Consultation</td>
<td>Initial consultation, based on Appendix 1, with key organisations.</td>
</tr>
<tr>
<td>March 2015</td>
<td>Draft SPD</td>
<td>Produce a Draft SPD based on the comments received and discuss with the Member Working Group prior to further consultation.</td>
</tr>
<tr>
<td>April 2015</td>
<td>Draft SPD</td>
<td>Seek Committee approval for 6 weeks consultation on the Draft SPD.</td>
</tr>
<tr>
<td>June 2015</td>
<td>Final SPD</td>
<td>Produce final SPD that takes into account the comments received, and issues raised, in the consultation.</td>
</tr>
<tr>
<td>July 2015</td>
<td>Adopt SPD</td>
<td>Adoption of the SPD by the County Council</td>
</tr>
</tbody>
</table>

3.4 Unlike the Devon Waste Plan, the SPD is not required to be examined by an independent Inspector. However, the County Council is required to carry out public participation and take into account the issues raised when preparing an SPD before its adoption.

4. Reasons for Recommendation/Alternative Options Considered

4.1 An alternative option to the County Council would be to resolve not to prepare an SPD. However, such a decision risks the unsuccessful implementation of the Devon Waste Plan. There is also the option to not hold a scoping consultation before producing a full draft of the SPD for consultation. This is inadvisable due to the risk of omitting aspects that key organisations may see as essential, requiring extra effort in redrafting the document.

Dave Black
Head of Planning, Transportation and Environment

Electoral Divisions: All
Local Government Act 1972: List of Background Papers

Contact for enquiries: Andy Hill
Room No: AB2 Lucombe House
Tel No: 01392 383510

<table>
<thead>
<tr>
<th>Background Paper</th>
<th>File Ref</th>
<th>Date</th>
</tr>
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<tbody>
<tr>
<td>Nil</td>
<td>eh051114dma</td>
<td></td>
</tr>
<tr>
<td></td>
<td>sc/cr/minerals waste development framework spd</td>
<td>03 181114</td>
</tr>
</tbody>
</table>
Appendix I
To PTE/14/85

Minerals and Waste – not just County Matters:
Part 1: Waste Management and Infrastructure

Scoping Consultation Paper

Introduction
The Devon Waste Plan was adopted in December 2014 and, as it now forms part of the Development Plan for Devon, is to be considered when determining all planning applications in Devon.

The Devon Waste Plan relies on other organisations to ensure the successful achievement of its vision, objectives and policies, particularly in terms of waste prevention (Policy W4), planning for sufficient waste management infrastructure in new developments (Policy W21), and protecting existing and allocated waste management capacity (Policy W10).

National Waste Policy
The relevance of the Devon Waste Plan to other organisations, including district planning authorities, is underlined by paragraph 8 of the National Planning Policy for Waste 1, which requires local planning authorities, when determining planning applications for non-waste development, to ensure that:

- “the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;
- new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;
- the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.”

This also underlines the need for applicants to be aware of what information they need to provide with their planning applications to meet the requirements of national policy and the Development Plan. The National Planning Practice Guidance 2 builds on the national policy to provide advice on how “non-waste” planning authorities can contribute towards implementing the waste hierarchy and that it may be useful for significant developments to provide a waste audit as part of the application.

The Proposed Supplementary Planning Document
The County Council is looking to prepare a Supplementary Planning Document (SPD) intended to provide information and guidance for Devon’s district councils and applicants of planning applications to ensure the successful implementation of national policy and the requirements of the Development Plan.

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The SPD will contain two main parts, one focussed on guidance to ensure compliance with Policy W4: Waste Prevention and Policy 21: Making Provision for Waste Management, the other focussing on Policy W10: Protection of Waste Management Capacity.

We are seeking comments on the proposed content of this SPD which is outlined in the following section. There are specific questions that we are seeking answers for at the end of this document, but we will welcome any useful comments regarding the scope of the SPD.

**Screening for Sustainability Appraisal or Strategic Environmental Assessment**

The Supplementary Planning Document is not a development plan document and therefore does not require Sustainability Appraisal, as provided for by Section 19(5) of the Planning and Compulsory Purchase Act.

A Supplementary Planning Document is not required by legislative, regulatory or administrative provisions, and does not set the framework for future development consents (which is the function of the Devon Waste Plan). It is therefore considered that the SPD does not require Strategic Environmental Assessment, as provided for by Regulations 2 and 5 of the Environmental Assessment of Plans and Programmes Regulations 2004.

**Proposed Structure and Content of the Supplementary Planning Document**

1. **Introduction**
   - Devon Waste Plan adoption and relevant policies
   - Purpose and status of the Supplementary Planning Document
   - Area covered by the Supplementary Planning Document

2. **The policy context**
   - National Planning Policy Framework
   - National Planning Policy for Waste and the Planning Practice Guidance
   - Devon Waste Plan
   - Local Plans and Neighbourhood Plans – how they may address waste

3. **Roles in waste planning and waste management**
   - The roles of different organisations and council departments, such as the Environment Agency, the Waste Collection Authority and the Waste Disposal Authority
   - What planning can control and require, and what is dealt with through other regimes

4. **Managing Waste from New Development**
   - The waste audit – explain what it is and when required
   - Waste from the construction stage – minimisation, predict types and quantities, how to manage in accordance with waste hierarchy
   - Waste from the operational stage – predict types and quantities, storage and segregation needs, integration with development, off-site requirements and financial contributions
   - Waste audit template

5. **Protecting Waste Management Infrastructure**
   - The need to ensure continued availability of waste management capacity and the avoidance of constraint
How waste sites and Waste Consultation Zones have been identified based on their significance to waste management in Devon and the likely impacts on sensitive receptors. Availability of Waste Consultation Zone mapping – online and provided to districts. The consultation requirements for the pre-application stage by the applicant, including discussing the likely impacts on the waste management facility with the Waste Planning Authority, and applications requiring consultation with the Waste Planning Authority by the district council. How applications will be considered when received by the Waste Planning Authority for consultation.

6. Good practice and further information
   - Case studies/good practice
   - Links to sources of advice/information
   - Links to local authority contacts

We would like to know:

1. Do you agree with the scope and structure? Have we missed anything that you think should be included?

2. Do you have any existing guidance that is already available on managing waste in new developments, such as required space standards, that could be incorporated or referenced?

3. Are you aware of any other good practice that could be referenced in the SPD?

4. Do you know of any guidance providing clear information on Waste Audit Statements that you think it would be beneficial for us to use as guidance?

5. Do you agree with the decision not to carry out a Strategic Environmental Assessment of the SPD?

6. Is there anything else you would like to suggest?

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