

APPENDIX E

GUIDANCE NOTES FOR WASTE PLANNING APPLICATIONS October 2010

INTRODUCTION

The purpose of these planning application guidance notes is to assist in the preparation of planning applications associated with the Greater Manchester Waste Disposal Authority's PFI contract by ensuring consistency and continuity in the information provided. However, in addition to these, the guidance notes could also be used to assist in the preparation of other waste planning applications.

PLANNING APPLICATION GUIDANCE NOTES

Two guidance notes have been prepared. The first is a detailed checklist of mandatory and additional information to assist with applications for waste management facilities. This note has been developed through the adaptation of Government guidance¹ to include waste specific elements. This Note details information that is required to be included in a waste planning application, and additional information that may be prudent to include depending on the nature of the proposals. The second note describes the type of information which needs to be included as part a supporting statement.

The Greater Manchester Development Control Officers Group considered both guidance notes on 26th January 2006 and it was decided that both would be helpful for applicants to use during the planning application process. The specific requirements on the type of information which will need to be included in the waste planning applications will depend on the nature and scale of the development. It is therefore recommended that applicants liaise with the Waste Planning Authority on this matter.

It is suggested within the guidance notes that ten hard copies of planning applications and one electronic copy should be submitted, however, this number will depend on the requirements of individual Waste Planning Authorities.

POSITION STATEMENT

In light of the fact that the waste policies contained within UDPs and Replacement UDPs are likely to expire between September 2007 and July 2009, and that it is anticipated that consultation on preferred options for the Greater Manchester Joint

¹ ODPM (2005) *Best Practice Guidance on the Validation of Planning Applications*

Waste Development Plan Document (which will eventually replace UDP waste policies) will not commence until late 2008, a Position Statement has been prepared. This sets out a preliminary statement in relation to the current planning framework and is included as an Appendix to the guidance notes.

WASTE PLANNING APPLICATION GUIDANCE NOTE

Detailed Checklist of Mandatory and Additional Information to Assist with the Preparation of Applications for Waste Management Facilities

Prepared by GMGU

19 October 2010

WASTE PLANNING APPLICATION GUIDANCE NOTE

INTRODUCTION

All decisions on waste planning applications in Greater Manchester are made by the relevant local planning authority (referred to in this document as the 'Waste Planning Authority' (WPA)).

To determine applications for waste development, the WPA must have sufficient information and clarity on which to base their development control decisions, and therefore will require submission of a full planning application for any such development. Developers should ensure that they have submitted alongside their applications any additional information which will support their application.

Pre-application consultation with the WPA is essential in terms of establishing what supporting information is likely to be required and as such is strongly encouraged as an important element of applying for permission for waste development. Such liaison will also help ensure that planning applications are processed efficiently and effectively. In line with good practice, it is strongly encouraged that developers consult on their proposals with the local community at the earliest stage.

INFORMATION REQUIRED

The following list, taken and adapted from *Best Practice Guidance on the Validation of Planning Applications* (ODPM, 2005), sets out the scope of information required prior to validation of an application for planning permission.

The list includes both compulsory requirements and additional information. Where the required information is not submitted the application will be declared invalid by the WPA unless the applicant can provide written justification as to why it is not appropriate to submit additional information in the particular circumstances.

COMPULSORY REQUIREMENTS

1 The completed application form

Unless the authority states otherwise, **10 hard copies** of the application form and **one electronic copy** are required to be submitted.

2 The correct fee

3 Ownership Certificates

Under section 65(5) of the Town and Country Planning Act 1990, read in conjunction with section 5 of the Town and Country Planning (General Development Procedure) Order 1995 (GDPO), WPAs cannot entertain an application for planning permission unless the relevant certificates concerning the ownership of the application site have been completed. All applications **except** for approval of reserved matters, discharge or variation of conditions, tree preservation orders and express consent to display an advertisement must include the appropriate certificate of ownership.

An ownership certificate must be completed stating the ownership of the property (Certificates A, B, C and D). For this purpose, an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than 7 years.

4 Agricultural Holdings Certificate

This certificate is required whether or not the site includes an agricultural holding. All agricultural tenants must be notified prior to the submission of the application. This certificate is not required if the applicant is making an application for reserved matters, renewal of temporary planning permission, discharge or variation of conditions, tree preservation orders, or express consent to display an advertisement.

5 Part 1 Notice – Requirements to serve notice before submitting

A notice to owners of the application site must be used if Certificate B has been completed and may be required if Certificate C has been completed. A copy should be served on each of the individuals identified in the relevant certificate.

6 The location plan

All applications must include copies of a location plan based on an up-to-date Ordnance Survey map at a scale of 1:1250 or 1:2500. Unless the WPA states otherwise, **10 copies** of the location plan are required. In exceptional circumstances plans of other scales may also be required.

Plans should where ever possible show at least two named roads and surrounding buildings. The properties shown should be numbered or named to ensure that the exact location of the application site is clear. The application site must be edged clearly with a **red** line. It should include all land necessary to carry out the proposed development for example, land required for access to the site from a public highway, visibility spays, landscaping, car parking and open areas around buildings.

A **blue** line must be drawn around any other land owned or controlled by the applicant, close to or adjoining the application site.

7 Site Plan

10 copies of the site plan should be submitted. This should be drawn at a scale of 1:500 or 1:200 and should accurately show:

- i. The direction of North;
- ii. The proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions including those of the boundaries outlined in red;
- iii. All the buildings, roads and footpaths on land adjoining the site including access arrangements;
- iv. The species, position and spread of all trees within 12 metres of any proposed building works;
- v. The extent and type of any hard surfacing;
- vi. Boundary treatment including walls or fencing where this is proposed.

8 Drawings (including Floor Plans)

10 copies of all drawings should be submitted. These should be drawn to a scale of 1:50 or 1:100 and show clearly the proposed works in detail. Where existing features, such as buildings, walls or hedges are to be demolished these should be clearly shown. The drawings submitted should show details of the existing building (s) and features as well as those for the proposed development. New buildings should also be shown in context with adjacent buildings (including property numbers where applicable).

9 Elevations

10 copies of all existing and proposed elevations should be submitted. These should be drawn to a scale of 1:50 or 1:100 and show clearly the proposed works in relation to what is already there. All sides of the proposal must be shown and these should indicate, where possible, the proposed building materials and the style, materials and finish of windows and doors. Blank elevations must also be included; if only to show that this is in fact the case. Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings, and detail the positions of the openings on each property.

10 Section drawing

10 copies of plans drawn at a scale of 1:50 or 1:100 showing a cross section(s) through the proposed building(s). In all cases where a proposal involves a change in ground levels, illustrative drawings should

be submitted to show both existing and finished levels. On sloping sites, full information is required concerning alterations to levels, the way in which a proposal sits within the site and in particular the relative levels between existing and proposed buildings. The drawings may take the form of contours, spot levels or cross or long sections as appropriate.

11 Flood Risk Assessment

A flood risk assessment will be required in all cases. If a development falls within an Indicative Flood Plain or 'Flood Zone' (these maps are available from the Environment Agency) the level of detail will be much greater. *Planning Policy Statement 25 (PPS25) 'Development and Flood Risk'* provides comprehensive guidance for both planning authorities and applicants in relation to the undertaking of flood risk assessments and the responsibilities for controlling development where it may be directly affected by flooding or affect flooding elsewhere.

12 Noise Impact Assessment

Almost all minerals and waste applications have potential for generating noise, either through the operation of plant and machinery or from vehicle movements. Therefore unless otherwise agreed in writing by the WPA, all applications should be accompanied by a Noise Impact Statement prepared by a suitable qualified acoustician. Further guidance is provided in *Planning Policy Guidance Note 24 (PPG 24) 'Planning and Noise'*.

13 Design and Access Statement

Circular 01/06: Guidance on changes to the Development Control System sets out when design and access statements are required. One statement should cover both design and access, allowing applicants to demonstrate an integrated approach that will deliver inclusive design, and address a full range of access requirements throughout the design process.

Further guidance is available from CABE (www.cabe.org.uk) and Circular 01/06.

ADDITIONAL INFORMATION

Where appropriate the Planning Application should be supported with the following additional information:

1 Supporting Planning Statement

Information will include how the proposed development accords with policies in the development plan. It should include details of consultations with the Waste Planning Authority and wider community/statutory Consultees undertaken prior to submission. However, a separate statement on community involvement may also be appropriate. Further guidance on Statements of Community Involvement is available in Chapter 7 of *Creating Local Development*

Frameworks: A Companion Guide to Planning Policy Statement 12 (PPS12).

The supporting planning statement could include information about the following:

- i. Site assessment - location and setting including physical features and surroundings, as well as planning history (including details of previous planning permissions, applications and appeals and current planning permission).
- ii. Need assessment – PPS10 (para 22) states that proposals which are consistent with an up-to-date development plan should not require applicants to demonstrate a quantitative or market need for a proposal. However, in the absence of an up-to-date development plan, it may be useful to describe the benefits brought by the proposed development e.g. how the proposed development would contribute to relevant provisions set out in the Regional Spatial Strategy for the North West and, in the case of MSW, the Municipal Waste Management Strategy for the particular area.
- iii. Full description of the development and how it will operate - development proposals including time-scale, types of waste to be managed, quantities of waste to be managed
- iv. Development plan assessment – planning policy context (national, regional and local level) taking into account the provisions set out in the Position Statement dated October 2006
- v. Restoration and aftercare.

2 Transport Assessment

Information will include all existing and proposed commercial and residential vehicular and pedestrian movements to and from the site. Loading areas and arrangements for manoeuvring, servicing and parking of vehicles should also be clearly identified. It should describe and analyse existing transport conditions, how the development would affect those conditions and any measure proposed to overcome any problems. Further advice is available in *Planning Policy Guidance Note 13 (PPG13)*.

3 Draft Travel Plan

In certain instances it may be appropriate to submit a travel plan which outlines the way in which the transport implications of the development are going to be managed in order to ensure the minimum environmental, social and economic impacts. Further advice is available in *Using the planning process to secure travel Plans: Best practice guide; ODPM and Department of Transport (DfT), 2002*.

4 Planning Obligations

This could include brief draft heads of terms for a section 106 agreement or unilateral undertaking. Applicants should clarify the WPA requirements in pre-application discussions and confirm any planning obligations that they agree to provide in brief heads of terms. Further advice is available in ODPM circular 5/05.

5 Listed Building appraisal and Conservation Area appraisal

A written statement which includes a schedule of works to the listed building(s) and an analysis of the significance of archaeology, history and character of the building/structure, the principles of and justification for the proposed works and their impact on the special character of the listed building or structure, its setting and the setting of adjacent listed buildings may be required.

The scope and degree of detail necessary in the written justification will vary according to particular circumstances of each application. Applicants are advised to discuss proposals with either a planning officer or conservation officer before any application is made. Further advice can also be found in *Planning Policy Guidance Note 15 (PPS15)*, paragraphs 3.16 to 3.19 and paragraphs 4.25 to 4.49.

6 Sustainability Statement

A sustainability statement should outline the elements of the scheme that address sustainability issues, including the positive environmental, social and economic implications.

7 Landscaping

Applications may be accompanied by landscaping details and include proposals for long term maintenance and landscape management.

8 Tree Survey/Arboriculture Statement

Where the application involves works that affect any trees within the application site, the species, spread, roots and position of trees should be illustrated accurately on the site plan. This must indicate any trees which are to be felled or affected by the proposed development. The location of any trees within adjacent properties that may be affected by the application should also be shown. A statement in relation to the measures to be adopted during construction works to protect those trees shown to be retained on the submitted drawings may also be necessary.

9 Historical Archaeological Features and Scheduled Monument information

Supporting information may include plans showing historic features that may exist on or adjacent to the application site including listed buildings and structures, historic parks and gardens, and historic battlefields. If an application affects such a site an applicant may need to commission an assessment of existing information and submit the results as part of

the application in accordance with advice in *Planning Policy Guidance Note 15 (PPG15)*, paragraphs 3.16 to 3.19.

10 Nature Conservation/Ecological Assessment/Natural Beauty information

Plans should show any significant wildlife habitats or features and the location of habitats of any species protected under the Wildlife and Countryside Act 1981, Conservation (Natural Habitats etc) Regulations 1994 or Protection of Badgers Act 1992. Applications for development in the countryside that will affect sensitive areas must be accompanied by ecological assessments and include proposals for long term maintenance and management. This information might be incorporated into an Environmental Statement, if one is necessary. Detailed guidance on dealing with nature conservation and development is given in *Planning Policy Statement 9 (PPS9)*.

11 Surface Water Drainage Strategy

This should include measures to show how surface water runoff will be dealt with within the application site area.

12 Air Quality Assessment

Application proposals that impact upon air quality or are potential pollutants should be supported by an air quality assessment indicating the change in air quality resulting from the proposed development and outlining appropriate mitigation measures as necessary. Further advice is available in *Planning Policy Statement 23 (PPS23) 'Planning and Pollution Control'*.

13 Assessment for the Treatment of Foul Sewage

This should include a description of the type, quantities and means of disposal of any trade waste or effluent.

14 Utilities Statement

This should include how an application connects to existing utility infrastructure systems.

15 Energy Statement

The statement should show the predicted energy demand of the proposed development and the degree to which the development meets current energy efficient standards. Further advice is available in *Planning Policy Statement 22 (PPS22) 'Renewable Energy'*.

16 Sound Insulation Requirements

Advice should be sought from the local Environmental Health Service for individual Council requirements for sound insulation in residential and commercial developments and from Building Control about the need to submit either a 'Full Plans' application under the building regulations or a Building Notice for the erection of most types of buildings, material

alterations to existing buildings. Works will need to be inspected on site during the construction process.

17 Source of waste/details of plant capacity (minimum and maximum)/emergency storage capacity/destination of final end-product (where appropriate)

Details of the likely sources of waste to be received at the proposed development, together with details of the plant capacity, and the destination of any end product from the site, should be submitted.

18 Lighting Scheme/Light Pollution Assessment

Details of the method of lighting/illumination at the site, together with measure to minimise/avoid light pollution should be submitted. Applicants may wish to refer to good practice guidance on the DCLG website³.

19 Photographs/Photomontages

These provide useful background information and can help to show how large developments can be satisfactorily integrated within the street scene. Photographs should be provided if the proposal involves the demolition of an existing building or development affecting a conservation area or listed building.

ENVIRONMENTAL IMPACT ASSESSMENT

Environmental Impact Assessment (EIA) is a means of drawing together in a systematic way an assessment of a project's likely significant effects. The result of an EIA is an Environmental Statement.

For planning applications, the EIA process is governed by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. Circular 02/99 'Environmental Impact Assessment' gives detailed guidance regarding the application of these Regulations. The WPA will refer to these Regulations and Circular 02/99 in deciding whether an Environmental Statement should be submitted alongside a planning application for waste development. Planning applications falling within the scope of the Regulations will not be determined until a satisfactory Environmental Statement has been submitted and its information taken into consideration.

Where an EIA is required, developers are encouraged to ask the WPA for an opinion as to what should be included in its scope, prior to submitting any application for planning permission. The WPA will consult other relevant conservation and information-holding bodies (including the Environment Agency) before an opinion is given to ensure that all relevant environmental issues are identified and addressed.

The Regulations prescribe two schedules of development that will either always require an EIA (Schedule 1 development) or may require an EIA if they are likely to have significant effects on the environment by virtue of factors such as their nature, scale or location (Schedule 2 development).

Waste developments that fall under Schedule 1 include proposals for:

- waste disposal installations for the incineration, chemical treatment or landfill of hazardous waste; and
- waste disposal installations for the incineration or chemical treatment of non-hazardous waste with a capacity exceeding 100 tonnes per day.

Waste developments that fall under Schedule 2 include installations for the disposal of waste (unless included in Schedule 1) where:

- the disposal is by incineration; or
- the area of the development exceeds 0.5 hectare; or
- the installation is to be sited within 100 metres of any controlled waters.

There are also circumstances concerning sensitive locations that are not identified in either Schedules 1 or 2 but which may be significantly affected by waste development. In such circumstances the waste planning authority will ask that an EIA be carried out as part of an application for development at that location. Sensitive locations include Sites of Special Scientific Interest (SSSIs), Areas of Outstanding Natural Beauty (AONBs), locations in or near a designated area of nature conservation value, major or minor aquifers or locations in close proximity to drinking water supplies. The regulations provide further guidance and criteria to assess whether a development requires an EIA.

Schedule 4 of the Regulations requires an outline of the main alternatives studied by the applicant, and an indication of the main reasons for the final choice taking into account the environmental effects, to be included in an Environmental Statement.

RELATIONSHIP WITH POLLUTION CONTROL MATTERS

Pollution control matters cover a range of issues that are of interest to the WPA and other agencies (in particular the Environment Agency (EA)), and it is important that the roles of each other are not confused. Decisions on land use planning matters are the responsibility of the WPA, not the EA. The WPA should, however, take the EA's advice into account when developing their policies and taking decisions.

The EA, as Waste Regulatory Authority (WRA), is concerned with controlling the pollution aspects of new waste facilities through waste management licensing and issues policy on the location of new waste treatment facilities.

The EA is required to consult the WPA when waste management licence applications are being considered.

Where a waste management licence is sought for use of land for which planning permission is required, planning approval has to be obtained before the EA can grant a licence. This is also the case if the waste management facility is to be regulated through the Integrated Pollution Prevention and Control (IPPC) or Local Air Pollution Control (LAPC) regimes. All landfill sites will require an IPPC permit by 2007. The role of the WPA and the EA in the regulation and enforcement of waste management are therefore separate, but complementary. The Environment Agency also controls the aftercare of waste sites to prevent pollution at this stage.

The WPA works closely with the EA, and with other bodies responsible for pollution control, to ensure that best use is made of their expertise and information, and to avoid unnecessary duplication between the planning and pollution control systems. It is important to be aware however that both a planning permission and a waste management licence or PPC permit could legitimately address some of the same issues, although for different reasons.

WASTE PLANNING APPLICATION GUIDANCE NOTE
Content of Supporting Statements
Prepared by GMGU
19 October 2010

WASTE PLANNING APPLICATION GUIDANCE NOTE
INTRODUCTION

All decisions on waste planning applications in Greater Manchester are made by the relevant local planning authority (referred to in this document as the 'Waste Planning Authority' (WPA)).

To determine applications for waste development, the WPA must have sufficient information and clarity on which to base their development control decisions, and therefore will require submission of a full planning application for any such development. Unfortunately, the application form only provides space for brief details of the proposed development. How much information will be needed will depend on the scale, nature and location of the proposal. For all but the most minor of developments, it is strongly advised that additional detail is provided in the form of a supporting statement.

GENERAL CONTENT OF A SUPPORTING STATEMENT

The information set out below provides guidance on the type of information that is often needed in support of a planning application, including:

- Site assessment;
- Need assessment;
- Full description of the development and how it will operate;
- Development plan assessment;
- Restoration and aftercare; and,
- Other information.

It is important to note that not all of the issues listed will be required in every instance, and similarly some proposals will require information not mentioned. Where a supporting statement is used, the applicant is requested to reply to each question on the application form by stating the page or paragraph number in the statement where the answer is given.

Pre-application consultation with the WPAs is essential in terms of establishing what supporting information is likely to be required and as such is strongly encouraged as an important element of applying for planning permission for waste development. Such liaison will also help to ensure that planning applications are processed efficiently and effectively. In line with

good practice, the WPA's would strongly encourage developers to consult on their proposals with the local community at the earliest stage.

1 Site Assessment

Site Description - Description of the physical features of site and its surroundings.

Description of any Constraints – Land-use planning designations or physical constraints.

Geological Assessment – Where relevant include details of the geology and topography of the site including spot heights. Where necessary include an assessment of land stability on the site and its environs.

Relevant Site History – including details of previous planning permissions, applications, appeals and current planning permission.

2 Need Assessment

Whilst PPS 10 states that proposals which are consistent with an up-to-date development plan should not require applicants to demonstrate a quantitative or market need for a proposal, in the interim period before the Greater Manchester Joint Waste Development Plan Document is adopted, it may be useful to describe the benefits brought by the proposed development.

Applicants are advised to describe how the proposals will contribute to the relevant provisions of the Regional Spatial Strategy for the North West and, in the case of MSW, the Municipal Waste Management Strategy for the particular area. In particular it will be necessary to demonstrate existing and projected future demand as well as markets served. The Position Statement dated October 2006 will provide further assistance on this matter.

3. Full description of the development, how it will operate and its effects

Time-scale – lifespan of the operation and its days and hours of operation.

Types and quantities of waste to be managed - including the daily throughput for which planning permission is being sought, estimated annual quantity of each waste type to be received, and estimated total capacity where relevant. Detail arrangements for the disposal of residues and any hazardous materials to be used or stored on the site.

Design, layout, buildings and plant – a full description of the proposed development including the processes involved, layout and design of buildings, plant, operational areas, haul roads and external lighting.

Details on landfill gas and leachate control infrastructure, and measures to control energy efficiency and recovery, should be included where relevant.

A design and access statement will be required in all cases.

Land and soil assessment and techniques of soil stripping, placement and storage_ including the impact on the best and most versatile agricultural land (grades 1, 2 and 3a).

Method of working, filling and phasing, plant and machinery to be used_ where relevant.

Hydrology and hydro-geology_ geological and hydrogeological suitability of the site and its environs. The impacts of the development (including post restoration) on watercourses, water resources, abstraction rights, flood prevention and drainage on the site and the surrounding area.

A flood risk assessment may be required if a development falls within an Indicative Flood Plain or 'Flood Zone' – these maps are available from the Environment Agency. Planning Policy Statement 25: 'Development and Flood Risk' provides comprehensive guidance for both WPA and applicants in relation to the undertaking of flood risk assessments and the responsibilities for controlling development where it may be directly affected by flooding or affect flooding elsewhere.

Amenity and Nuisance_ The compatibility of the proposed development with existing or neighbouring land uses. Measures to prevent and control land contamination, light pollution, noise, smell, dust, birds and vermin, litter, and any emissions associated with the proposed operations. Details of landscaping management of existing screening, fencing, new planting and maintenance proposals.

Where appropriate, the impact of the development on aircraft movements by virtue of bird strikes hazard.

Landscaping management of existing screening, fencing, new planting and maintenance proposals.

Application proposals that raise issues of noise disturbance or are considered to be a noise sensitive development should be supported by a Noise Impact Assessment prepared by a suitably qualified acoustician. Further advice is available in Planning Policy Guidance Note 24: Planning and Noise.

Air pollution_ The impact of emissions to atmosphere of any product gasses resulting from specialist treatment/recovery processes.

Application proposals that impact upon air quality or are potential pollutants should be supported by an air quality assessment indicating the change in air quality resulting from the proposed development and outlining appropriate mitigation measures as necessary. Further advice is available in Planning Policy Statement 23: Planning and Pollution Control.

Access, Highways and Traffic – The transport arrangements for waste to be received by the site; including mode of transport, the number of traffic movements per day and per week to be generated by the proposal, access and routing and the impact of such journeys upon the existing highway network.

Transport assessment - may be required if considered necessary by the Highways Authority.

Effect on rights of way – The impact of the proposed development on public rights of way and access to the countryside.

Effect on landscape – The impact of the development on the landscape, including visual amenity.

Effect on Ecology – The impact of the development upon existing features of nature conservation, geological and wildlife value on the site and the surrounding area.

Plans should show any significant wildlife habitats or features and the location of habitats of any species protected under the Wildlife and Countryside Act 1981, Conservation (Natural Habitats etc) Regulations 1994 or Protection of Badgers Act 1992.

Effect on Historic Environment and archaeology – The impact of the development on areas of historical importance including listed buildings and structures, historic parks and gardens, historic battlefields, conservation areas, scheduled ancient monuments and their settings, and areas of archaeological interest.

Economic and social implications – including employment opportunities arising from the development.

Environmental capacity – an assessment of the environmental capacity of the site to accommodate the proposal.

4 Development Plan Assessment

Planning policy context including relevant Development Plan policies, other policy guidance issued by the Department for Communities and Local Government (and its predecessors, where documents still represent current policy) and current best practice. Within this context applicants

need to consider the provisions set out in the Position Statement dated October 2006.

5 Restoration and Aftercare

(for waste disposal to land and temporary waste use proposals only)

A detailed restoration scheme addressing, where appropriate, measures taken and infrastructure to be provided to control and manage gas and leachate production; soil storage and handling methods; pre and post settlement levels, final contours and the relationship of any final landform with the surrounding area.

The planned after-use of landfill sites, including a 5-year aftercare scheme. Landfill sites are normally subject to two forms of control after waste disposal has ceased:-

- 1) Under conditions attached to the planning permission there is likely to be a 5-year aftercare period, during which actions taken to restore the completed site are monitored. This work focuses upon the after-use and appearance of the site and covers such matters as restoration to agriculture and tree planting;
- 2) Under the controls exercised by the Environment Agency the licence has to be retained by the site operator until the EA is satisfied that the site is stabilised and that there will be no pollution resulting from the breakdown of waste. The operator may not be able to surrender the licence for many years.

6 Other Information Included in the Supporting Statement

Data – any survey data collected or other information used to support the proposal, e.g. data to calculate volumes, flows, inputs, etc. should be supplied with references as to their source and year of sample.

APPENDIX 1
POSITION STATEMENT
Prepared by GMGU
October 2010

WASTE PLANNING POLICY POSITION STATEMENT
October 2010
THE NEED FOR A POSITION STATEMENT

Context

- 1 National and regional guidance seeks the alignment of policies / strategies for the sustainable management of waste and the planning process for the provision of sites. The Greater Manchester Waste Disposal Authority (GMWDA) is currently seeking to procure a Private Finance Initiative (PFI) contract to help deliver its requirements for Municipal Solid Waste (MSW) for the next 25 years. As a result of this and other legislative drivers such as the Landfill Directives, GMWDA are seeking to identify and progress sites through the planning process ahead of the Joint Waste Development Plan Document (JW DPD) timetable. This decision has been taken because there is an urgent and extant 'capacity gap' in the GMWDA area for Municipal Solid Waste and to reduce the perceived planning risk to the PFI solution currently being procured.
- 2 The area of Greater Manchester produced some 1.65 million tonnes of MSW in 2004/2005 from a population of 2.5 million. MSW represents approximately 9% of the waste arisings in England, and 15% of the waste produced in the North West Region.
- 3 Existing Unitary Development Plan (UDP) policies for Greater Manchester vary in their status; some are out of date with replacement plans due to be adopted before July 2006. As a result it is envisaged that the waste policies for Greater Manchester as they currently stand are due to expire between September 2007 and July 2009. Furthermore, due to the variable age of UDPs, they may not be aligned with the latest regional and national policies or the Municipal Waste Management Strategies (MWMS) of the two WDAs.
- 4 The current JWDPD programme detailed in **Appendix 1** anticipates that consultation on the Preferred Options Stage will be in November 2008. This is the earliest that it is anticipated the JWDPD will have any formal status and be a material consideration for the Greater Manchester Authorities in determining planning applications.
- 6 It is considered that the Position Statement would help mitigate any potential risk to the delivery of the PFI scheme, and enable a consistent assessment of sites that are proposed to service the arisings from the Municipal Waste Stream in the GMWDA area, ahead of the emerging JWDPD.

Objectives of the Position Statement

- 7 The purpose of the Position Statement is to provide a preliminary statement of the current planning position with respect to municipal solid waste only and the issues that will be addressed within the proposed Position Statement for developments being brought forward before the completion of the JWDPD by GMWDA.
- 8 The objective of the Position Statement:
 - To provide Greater Manchester Waste Disposal Authority with information regarding joint working and the development of the Greater Manchester JWDPD.
 - To assist GMWDA in the procurement and implementation of their PFI scheme by providing information on waste planning in Greater Manchester.
 - To outline a strategy for dealing with planning applications for MSW management facilities in advance of the Waste DPD.
 - To provide early opportunity to discuss sustainable waste management principles that will support the development of the Issues and Options stage of the Waste DPD.
 - Present an opportunity for targeted consultation on sustainable waste management issues in line with the PFI scheme and Issues & options development.

Status of the Position Statement

- 9 The Position Statement has no status as planning policy but rather provides an informal statement of fact, progress and joint working principles for the JWDPD. It also outlines how the Greater Manchester Authorities will deal with any early planning applications for municipal solid waste management facilities which are expected to be submitted prior to adoption of the JWDPD.
- 10 The proposed JWDPD is Greater Manchester's preferred approach to implementing the principles of sustainable waste management for all waste streams. Greater Manchester Geological Unit (GMGU) are responsible for producing the JWDPD on behalf of the ten Greater Manchester Authorities. Elected member support is provided through a Joint Committee which will over see production of the document; this is supported by an Officer Steering Group on which representative of each authority sit. The Joint Committee is supported by a Local Agreement through which each authority has committed to the development of a Joint Waste DPD for the whole of Greater Manchester. GMGU has been placed with the responsibility of preparing the Position Statement

working on behalf of the ten authorities, and in partnership with GMWDA.

JOINT WASTE DEVELOPMENT PLAN DOCUMENT (DPD) Agreement to Produce a JWDPD for Greater Manchester

- 11 Agreement has been reached across the Greater Manchester sub-region by Bolton Council, Bury Council, Manchester City Council, Oldham Council, Rochdale Council, Salford City Council, Stockport Council, Tameside Council, Trafford Council and Wigan Council to prepare a joint Development Plan Document, the Greater Manchester Joint Waste Development Plan Document (JWDPD). An estimated budget of £1.4 million has been allocated for plan production over the 46 month period of preparation as detailed in the LDS, and responsibility for production will lie with GMGU. Further details relating to the Joint Waste DPD can be found in **Appendix 1**.

Governance of Joint Working

- 12 The key Governance arrangements for the JWDPD are set out in the Local Agreement and Memorandum of Understanding for the Joint Committee, the key features of which are as follows:
 - Approval of preparation of the JWDPD lies with individual Districts through the existing decision making process.
 - Full Council approval of the JWDPD is required at commencement, submission and adoption stages.
 - All other key milestones e.g. Issues and Options Report and Sustainability Appraisal Environment Report, will be considered through the Steering Group and passed to the Joint Committee for approval.
 - The Joint Committee will have delegated authority for the production of the JWDPD.
 - The ten Local Planning Authorities and two WDA's will work in close partnership to ensure that the two MWMS's and the JWDPD are closely aligned and mutually supportive.
 - The Waste DPD Steering Group will liaise with other groups within the Greater Manchester as appropriate particularly the Planning Officers Group and Strategic Planning and Information group (SPIG)
 - Greater Manchester Leaders and Chief Executives will be consulted as necessary through AGMA.

- The Local Agreement and Memorandum of Understanding will be used to co-ordinate and manage joint working arrangements.
13. Members of both Wigan and Greater Manchester Waste Disposal Authorities will have roles as observers on the Steering Group, in recognition of the Government's commitment to joint working between LPAs and WDAs for sustainable waste management. Co-ordination and integration (where required) between the two MWMS and the JWDPD will be managed at the operational level between officers from GMWDA and WWDA and officers of GMGU as appropriate.

Waste DPD Timetable

- 14 The agreed JWDPD timetable is set out in the agreed LDS text **(Appendix 1)** which has been inserted into each of the ten Local Planning Authorities Local Development Schemes. The key stages in preparation and production of the JWDPD must follow the statutory planning procedures of the Planning and Compulsory Purchase Act (2004) and the Local Development Framework Regulations (need proper title).
- 15 Each of the Districts has agreed to a common set of milestones and outputs for the JWDPD as detailed below:
- o Commencement of Production September 2006
 - o Preparation of Issues and alternative Options September 2006 - February Including consultation 2008
 - o Public Participation on Preferred November - December 2008

Options Document

- o Date for Submission to SoS June 2009
- o Public Consultation on Submission Document June – July 2009
- o Pre-Examination Meeting October 2009
- o Examination January – March 2010
- o Receipt of Binding Report September 2010
- o Estimated Date for Adoption December 2010

PLANNING STRATEGY FOR DEALING WITH MSW SITE APPLICATIONS IN ADVANCE OF THE WASTE DPD

Sustainable Waste Management Principles

- 16 The principles of the 'plan led' system remain intact following the reforms to the land use planning system introduced by the PCPA, 2004. Planning applications should be determined in line with the policies of the Local Development Plan.
- 17 The Government's policy framework for waste planning and the alignment of Waste DPD's and Municipal Waste Management Strategy (MWMS) is set out clearly in Information Sheet 3 (Planning) accompanying 'A Practice Guide for the Development of MWMSs', November 2005.
- 18 PPS10 and the RSS are the key overarching policy considerations with which local policies should be aligned. In addition, the National Waste Strategy and North West Regional Waste Strategy are material considerations.
- 19 **The key objective of the JWDPD is to provide a sustainable land use planning policy framework for sustainable waste management of all waste streams across Greater Manchester, having specific regard to regional self sufficiency, the proximity principle and the waste hierarchy in the development of policies and site specific allocations.**

Policy Framework

- 20 The current statutory planning policies for municipal solid waste are contained within the ten Greater Manchester Unitary Development Plans (UDPs), the detailed Part 1 and Part 2 policies are attached as Appendix 2,
- 21 In order to provide coverage during the plan preparation period, the provision of the Planning and Compulsory Purchase Act (2004) (the 'Act') allows for policies in development plans to be saved for at least 3 years from the commencement of the Act, or until such time as they are replaced by a DPD. The existing UDPs for Greater Manchester vary in their status; some are out of date with replacement plans due to be adopted before July 2006. As a result it is envisaged that the waste policies for Greater Manchester as they currently stand are due to expire between September 2007 and July 2009.
- 22 However, it is now necessary to update and review the suite of waste policies (primarily via the preparation of the JWDPD) in order to take into account and reflect emerging Regional and National Policies and Position Statements, such as the Regional Spatial Strategy, PPS1, PPS10 and PPS12, relevant DEFRA guidance, and the two Municipal Waste

Management Strategies for Greater Manchester which are both currently under review. This has a bearing on the weight that can be attached to policies in determining planning applications.

- 23 In situations where local policies have not kept pace with national guidance PPS10 states:

Waste planning authorities should adhere to the following principles in determining planning applications:

- *in considering planning applications for waste management facilities before development plans can be reviewed to reflect this PPS, have regard to the policies in this PPS as material considerations which may supersede the policies in their development plan. Any refusal of planning permission on grounds of prematurity will not be justified unless it accords with the policy in 'The Planning System: General Principles'- PPS1'*

In the interim period before the development plan is updated to reflect the policies in this PPS, planning authorities should ensure proposals are consistent with the policies in this PPS and avoid placing requirements on applicants that are inconsistent.

- 24 Existing Regional Planning Guidance for the North West (formerly RPG13) contains a number of policies which are statutory regional planning policies relevant to the management of municipal solid waste, specifically policies EQ4, EQ5 and EQ6. RPG13 became the Regional Spatial Strategy on commencement of the Planning and Compulsory Purchase Act in September 2004, and became part of the statutory development plan. The Regional Spatial Strategy is currently being reviewed and undergoing public consultation until June 2006 with an Examination in Public planned for October 2006 and January 2007. As such the reviewed draft has limited weight.

Planning Applications in Advance of the Waste DPD

- 25 Planning applications for MSW facilities in advance of the adopted JWDPD will need to take account of the location and environmental criteria of PPS10 (see PPS10 Annex E). In addition, applicants are encouraged to comply with the following:

- All LPA information requirements for non EIA development;
- All LPA information requirements for comprehensive EIA development for full applications. Outline planning applications for non-EIA MSW development are not considered to be acceptable;

- Statement of compliance with the requirements of PPS10 and in particular the objectives set out in paragraphs 17 & 20, and Annex E;
- Any communications protocols that may be in place including neighbouring authority consultation and procedures;
- Use of an agreed site selection and screening criteria methodology which is consistent with the approach used for the JWDPD;
- Demonstration that the proposed approach is in accordance with the latest version of Municipal Waste Management Strategy for Greater Manchester;
- Demonstration of need in terms of facility type, capacity requirements and timing for when facilities need to be operational. This need has already been highlighted by GMWDA in preparation of their PFI bid, and by GMGU for the whole of Greater Manchester in gathering information for the evidence base of the plan;
- Each application should show that the proposal is consistent with the needs and spatial requirements of the sub-region, and in the case of alternatives sites or competing opportunities, should consider why it has been identified as the preferred option in sustainability terms. These considerations will be particularly applicable where multiple facilities are proposed for a sub-area;

26 ***Pre-Application Discussions*** - In light of the rapidly evolving policy context and the legislative, commercial and timetabling drivers that affect Greater Manchester, all applicants are encouraged to seek pre-application discussions with the relevant LPA and WDA.

Communications

27 Due to the potentially controversial nature of proposed MSW facilities, very careful consideration will need to be given to the communications and consultation procedures associated with the implementation of the PFI Scheme. Further consultation will be required in connection with applications for any sites, and it is expected that the Steering Group will be given prior notice of such applications via their own DC officers or GMGU officers before they are submitted in order that they are fully prepared for such applications, and the potential implications this may have for the development of the JWDPD.

Conclusions and Recommendations

28 The Position Statement has been prepared at this time to assist in implementation of the GMWDA PFI Scheme. It simply sets out the current planning framework and how the Districts wish early planning applications for MSW facilities to be addressed. Whilst this document has no status as

planning policy , it provides guidance on current waste planning policies that will be used to determine facilities coming forward as part of the GMWDA PFI Scheme.