

AGENDA ITEM

EXECUTIVE

DATE: 10TH APRIL 2006

SUBJECT: WASTE SUPPLEMENTARY PLANNING DOCUMENT
(SPD): FINAL DOCUMENT FOR ADOPTION

REPORT BY: CORPORATE DIRECTOR, ENVIRONMENT AND
REGENERATION (HEAD OF PLANNING)

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IMPLICATIONS:

LEGAL	✓	STAFFING	
EQUALITIES	✓	COMMUNITY SAFETY	
FINANCIAL	✓	RISKS	✓

OTHER**CONSULTATIONS:**

COUNCILLORS CONSULTED	✓	SCRUTINY COMMITTEE CONSULTED	
STAKEHOLDERS CONSULTED	✓	OTHER	✓

WARDS AFFECTED: ALL

LEAD EXECUTIVE MEMBERS: COUNCILLORS FRANKS AND STRANGE

RECOMMENDATIONS

1. Executive is recommended to approve:
 - (i) That the Supplementary Planning Document be adopted as part of the Minerals and Waste Development Framework for Bedfordshire and Luton, and;
 - (ii) That authority be granted to the Head of Planning, in consultation with the Executive Leader and the Executive Member for Environment, to complete the formal adoption process in accordance with the Town and Country Planning (Local Development) (England) Regulations 2004 ('the Regulations'),

including any minor amendments that may be required to the Supplementary Planning Document.

BACKGROUND

2. The adopted Minerals and Waste Local Plan for Bedfordshire and Luton includes two policies, W5 and W6, which require applicants for all kinds of development to submit a waste audit (where significant amounts of waste would arise from the development), and to provide facilities for sorting, recovery and recycling of waste where the proposed development exceeds specified thresholds (for example 100 or more dwellings). These policies form part of the statutory development plan and must therefore be taken into account in all planning decisions.
3. Supplementary Planning Documents (SPDs) are optional components of the Local Development Framework that each planning authority is required to prepare. The process for preparing and adopting them is covered in the Regulations.
4. The SPD, *'Managing Waste in New Developments'* has been prepared to give more detailed guidance as to how policies W5 and W6 should be implemented. It is anticipated that it will be of particular benefit to applicants and to development control officers.
5. Ultimately, the requirement for waste audits and provision of appropriate waste management facilities should help to ensure that waste management is properly considered in relation the significant growth planned for the Bedfordshire and Luton area. This should help to minimise waste and ensure that recycling and recovery rates are enhanced. This will directly aid Luton Borough Council's recycling performance.

REPORT

Development of the Waste SPD

6. The SPD has been produced in partnership with Bedfordshire County Council. A working group comprising planning and waste management officers from Luton Borough Council, Bedfordshire County Council and Bedfordshire District Councils was convened to guide the project. This group met regularly at key stages as the document was developed.
7. The initial draft of the SPD was also informed by a workshop attended by key stakeholders. This draft was then subject to a four-week period of public consultation. Comments from the public consultation were used to inform the final SPD.
8. A briefing session on the SPD took place at the Town Hall on 16th January 2006, and was attended by a number of Members and Officers.

9. Full details of the consultation process and its results are set out in the statement of consultation that accompanies the SPD.

Contents of the Waste SPD

10. The SPD is arranged in four sections. The first section sets out the function and status of the SPD, outlines its relation to other legislation and guidance and summarises the policy background for sustainable waste management.
11. The second section gives detailed guidance on the preparation and assessment of waste audits, expanding on policy W5 of the Minerals and Waste Local Plan. It sets out a tiered approach, with a simple checklist for smaller developments and more rigorous requirements for major developments. The overall aim is to ensure that developers consider at the design stage how they will minimise waste and ensure optimum recycling and recovery.
12. The third section provides design guidance for sustainable waste management. This covers provision of suitable space for waste segregation and storage, both inside and outside new buildings. It also covers considerations relating to access for waste collection vehicles (a common problem in modern housing developments), and gives guidance on centralised recycling facilities in support of policy W6 of the Minerals and Waste Local Plan. It also refers to examples of good practice from around the country.
13. The fourth section sets out best practice for the management of construction and demolition waste. Much information is available on this subject, so a series of 'signposts' to existing guidance and best practice is included.
14. Supporting appendices set out a range of information including Minerals and Waste Local Plan policies, building regulations, suggested standard planning conditions and existing sources of guidance and advice.
15. The SPD therefore provides a valuable 'toolkit' for sustainable waste management in new developments.

Implementation

16. Once adopted, the SPD will form part of the Local Development Framework for Luton and Bedfordshire. In the majority of cases implementation of the SPD will be the responsibility of Luton Borough Council and Bedfordshire District Councils.
17. Training for development control staff at Luton Borough Council has taken place. Bedfordshire County Councils Minerals and Waste Planning Team will also provide ongoing support by way of consultation and liaison as necessary.
18. For dissemination to developers, a summary leaflet will be produced setting out the key principles of the SPD, together with contacts for further

information. It has been agreed that this leaflet will be issued with planning application forms.

LEGAL IMPLICATIONS

19. The statutory status and purpose of the SPD is set out in paragraphs 2-5 above. Otherwise there are no legal implications to this report. Agreed with the relevant solicitor in Legal Services on 24.3.06.

EQUALITIES IMPLICATIONS

20. The SPD is intended to treat all members of the community equally. The SPD and summary leaflet will include accessibility information in non-English languages.

RISK IMPLICATIONS

21. If this SPD is not adopted there is a risk of missing project milestones, failing to meet the appropriate Best Value Performance Indicators and subsequent award of Planning Delivery Grant.
22. The adoption of the SPD will make some contribution to the Council's Waste Minimisation and Landfill Allowance Trading Scheme Strategy (Wamilats) by increasing recycling and reducing landfill, thus helping to manage the risk that the Council will not meet its landfill allowance targets.

FINANCIAL IMPLICATIONS

23. The development of sustainable waste management will help the Council to avoid costs that would otherwise be incurred in paying for waste to be sent to landfill. Agreed by Head of Corporate Finance 24.3.06.

COUNCILLORS CONSULTATIONS

24. A members briefing session on the Waste SPD was held at Luton Borough Council on Monday 16 January 2006.

STAKEHOLDERS CONSULTATIONS

25. See paragraph 7 above.

OTHER CONSULTATIONS

26. The draft SPD was subject to public consultation between 16th January and 13th February 2006. A summary of the main issues raised and how they have been addressed is set out in the statement of consultation that accompanies the SPD.

OPTIONS

27. There are two options:
- (i) to endorse the waste SPD as recommended in paragraph 1 above.
 - (ii) to not produce the SPD. This alternative is not recommended as it is considered that the waste SPD provides essential support for existing Minerals and Waste Local Plan Policy, will help to minimise waste and improve recycling rates, and meets project milestones, as outlined in paragraphs 6.1 and 6.2 above.

APPENDIX

28. Appendix A: Draft SPD 'Managing Waste in New Developments', April 2006
(To Follow)

BACKGROUND PAPERS

- 29. Draft 'Managing Waste in New Developments' summary leaflet, April 2006
- 30. Bedfordshire and Luton Minerals and Waste Local Plan, January 2005
- 31. The Bedfordshire and Luton Minerals and Waste Development Scheme, March 2005.