

Effective Land-use Planning for Waste Management in Scotland

THE NATIONAL CHALLENGE

The performance of the planning process is critical to Scotland delivering its own waste plan and making its contribution to the UK's compliance with EU law on waste. Over the next decade many new facilities will be needed in Scotland to treat waste and to reprocess recyclates. For example, meeting the 2010 biodegradable municipal waste (BMW) target of the Landfill Directive alone is likely to require over **1 million tonnes** of new treatment capacity. Sufficient capacity must also be available to manage the residual waste and other waste streams.

Complying with the BMW Targets of the Landfill Directive

	LFD Targets (million tonnes)	BMW to be diverted if BMW annual growth from 2003/04			
		0% (million tonnes)	1% (million tonnes)	2% (million tonnes)	3% (million tonnes)
2009/10	1.32	0.76	0.89	1.02	1.16
2012/13	0.88	1.20	1.39	1.61	1.83
2019/20	0.62	1.46	1.82	2.24	2.72

1. Based on SEPA's Scottish Local Authorities Waste Arisings Survey 2003/04.
2. Assumes, as the Scottish Executive does, 63% of municipal waste is biodegradable.

Currently, the planning process is not performing well: delays are common and the investment risk is increasing. The review of NPPG10 presents the Executive with what might be its last opportunity to put in place a planning policy framework that can deliver

compliance with the 2010 BMW diversion target of the Landfill Directive. The Executive must increase:

- Efficiency
- Certainty
- Coordination

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SESA'S COMMITMENT

Only an approach based on partnership will deliver the new waste management facilities Scotland needs. Each partner has an important role. For example, in addition to investing millions of pounds in a new generation of waste and secondary resource management facilities, SESA's Members agree to:

- Engage proactively with local communities before and when submitting an application for a major new waste management facility.
- Seek pre-application discussions with the relevant planning authority and principal statutory consultees before applying for planning permission for new facilities.
- Work with SEPA and others to raise awareness of waste management and waste planning issues among councillors and local planning officers.

To help us we need:

A. INCREASED EFFICIENCY

Eliminating Duplication

The Strategic Environmental Assessment Directive incorporates the principles underpinning the process for determining the Best Practicable Environmental Option (BPEO). Consequently, a separate BPEO process is no longer needed.

Faster Decisions

It can take several years for a waste management facility to become operational and therefore planning decisions about waste management facilities cannot be deferred. However, delays in determining waste management applications are common.

To provide more certainty, local authorities should be required to agree with the developer

a "waste delivery contract" for each application for a major waste management facility. The "contract" would set out key milestones and the timetable for them to be achieved. SESA would be pleased to work with COSLA and the Scottish Executive to develop a template.

Targeting Resources

Despite the similarities between the essential activities carried out, unlike other utilities, the waste management industry does not benefit from a set of permitted development rights which would allow environmental and operational improvements to be made in an efficient and cost-effective manner.

A commitment to amend the General Permitted Development Order to provide permitted development rights for minor modifications/developments to waste management operations would enable SESA's Members and local authorities to focus more on applications for major waste management facilities.

Permitted development rights for the waste management industry would only apply to small-scale and non-controversial developments such as odour control equipment (spray masts) and weighbridges.

B. INCREASING CERTAINTY, MANAGING RISK

Stronger Leadership

Nationally

International experience shows that a range of waste management technologies is needed to comply with the requirements of the Landfill Directive. Per capita, countries achieving the highest levels of recycling in the EU, such as the Netherlands, also extract more energy from waste than Scotland.

ACHIEVING SUSTAINABILITY ACROSS SCOTLAND

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The Additional Guidelines for Specific Waste Management Options accompanying NPPG10 must clearly specify that Scotland will need a range of waste management solutions to manage the full spectrum of wastes. In addition, SEPA should specifically confirm to a local authority when an application complies with the National Waste Plan and the Area Waste Plan.

Locally

Land-use planning must always be accountable to decisions taken within the democratic framework. However, awareness of waste management issues is low among the general public who may be unaware of the scale of new facilities required and the timetable for delivery. SESA welcomes the programme SEPA is developing to raise awareness of waste and also supports the work of the Scottish Waste Awareness Group (SWAG) in promoting responsibility for waste.

National Statement on Health Effects

All waste management facilities must operate to standards defined by the European Union and be regulated by SEPA on a basis which protects the environment and human health. The draft PPS10 states, "modern, appropriately located, well-run and well-regulated waste management facilities operated in line with current pollution control techniques and standards should pose little risk to human health". Similar comment should be reflected in NPPG10.

Environmental Business Planning Zone

The Executive should discuss with SESA the principle of an environmental business planning zone which would bring together a cluster of compatible environmental industries on the same site to produce a localised environmental supply chain.

The environmental business planning zone delivers a range of environmental, economic and social benefits such as a reduction in traffic movements, the development of new environmental skills and providing certainty on what can be permitted whilst allowing flexibility to make changes in a project within the framework of the scheme to meet market demand.

Better Development Plans Policies on Waste

The National Waste Plan states "during 2003 the Executive will work with planning authorities and SEPA to identify model policies to promote a consistent and robust approach to development planning for waste management facilities". SESA supports this commitment, however, we are disappointed that there is little evidence of progress.

Local circumstances can vary and SESA therefore believes that a local authority should have the flexibility to follow either a site-specific or a criteria based approach when preparing its Plan.

Safeguarding Sites

Many new sites for waste management will be needed which could include expanding existing sites. NPPG10 needs to strengthen the policy on safeguarding existing sites including requiring an operator of a waste management facility to be consulted if a new development is proposed within 250 metres of the site boundary.

Better Statistics Waste Arisings

Scotland does not have reliable and accurate data on waste flows. The Executive and SEPA need urgently to establish an on-line system that can track the movements of waste in the economy.

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Waste Capacity

Currently, the Executive does not measure the additional waste capacity that has been consented and that which has been lost. It does not know whether sufficient recycling/recovery infrastructure is being consented to enable Scotland to comply with its own national waste plan.

NPPG10 needs to address this data deficit by requiring all local authorities to report each year on:

- a. new waste management capacity by type.
- b. capacity withdrawn.
- c. amount of municipal waste arising and managed by:
 - management type; and
 - the percentage each management type represents of the total waste managed.
- d. amount of commercial and industrial waste arising and managed by:
 - management type; and
 - the percentage each management type represents of the total waste managed.
- e. amount of construction and demolition waste arising and managed by:
 - management type; and
 - the percentage each management type represents of the total waste managed.

C. IMPROVING COORDINATION

Joint Working between Local Authorities

Joint working between local authorities can help to make facilities more commercially viable and is supported by the Executive's Strategic Waste Fund. SESA hopes that NPPG10 also encourages local authorities to work together.

Aligning Planning Principles and Environmental Outcomes

Strict application of the proximity principle by a local authority will not always be consistent with the environmental outcomes it seeks to achieve. It must therefore be applied flexibly.

Similarly, if economic and environmental outcomes are to be properly aligned, the waste hierarchy should be seen as a guide to identifying the preferred waste management option.

Land-use Planning and Environmental Protection Regimes

Duplication between the planning and environmental protection regimes delivers no discernible benefit in protecting the environment and human health and wastes the resources of public and private sectors. NPPG10 could help promote greater coordination by requiring SEPA to write to each local authority and set out the issues that are considered when determining an application for a pollution prevention control permit/waste management licence.

Given the risk and potential expenditure involved, only a developer should decide whether to track together applications for planning and waste management and pollution control.

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Registered address: 16 Charlotte Square Edinburgh EH2 4DF Tel: 020 7730 5881

www.esauk.org e-mail: sesa@esauk.org

Scottish Environmental Services Association Ltd. A company limited by guarantee.
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