



Belfast City Council

Report to:	Development Committee
Subject:	Review of PPS - 11 Planning and Waste Management
Date:	12 January 2011
Reporting Officer:	John McGrillen, Director of Development, ext 3470
Contact Officer:	Keith Sutherland, Planning and Transport Policy Manager, ext 3578

1	Relevant Background Information
1.1	On 22 November 2010, the Minister of the Environment announced a review of PPS 11 Planning and Waste Management and comments are now being invited regarding the existing policies, their operation and whether they might be improved.
1.2	PPS 11 sets out the Department's planning policies for the development of waste management facilities. It includes guidance on the issues likely to be considered in the determination of planning applications. In addition, it explains the relationship between the planning system and authorities responsible for the regulation and management of waste.
1.3	Waste is an important statutory service which Councils have to provide and in addition Councils could be fined should it fail to meet targets to minimise the amount of waste sent to landfill. The fines arise from the EC Landfill Directive which has set stringent national targets for the diversion of biodegradable waste for each Member State and is backed up by national targets and legislation. Failure by a Council in Northern Ireland to meet its targets would expose it to the risk of £150 per tonne fines per biodegradable tonne in-filled above its baseline allowance, unless it could demonstrate that it had taken " <i>best endeavours</i> " to divert this material.

2	Key Issues
2.1	The Draft Response attached in Appendix 1 takes account of the issues and comments raised in the consideration of waste issues during the draft BMAP process along with responses from internal consultation with Council departments. An arc21 response to the PPS11 review has also been produced on behalf of the eleven Councils that it represents in the Eastern Region. The Waste Management Service of Belfast City Council has contributed to this response, which is attached in Appendix 2.

2.2	The Council welcomes the opportunity to present views regarding the existing PPS 11 and how it can be reviewed and enhanced.
2.3	The Council recognises that a significant number, range and type of waste management facilities are needed in Northern Ireland to manage municipal, commercial and industrial waste. To achieve the targets, a reduction in the amount of waste produced will be required in conjunction with a significant increase in the waste management infrastructure. The Council considers the planning system as having a crucial role in ensuring that the hierarchy of waste infrastructure is delivered to allow waste management targets to be met.
2.4	There are three general categories of facilities ranging from the regional, local to the neighbourhood or community level which requires a differentiated approach to their land use implications. The review of PPS 11 should provide clarification to approaches and procedures for location of the hierarchy of waste management infrastructure. The Council would request further consideration is given to site selection and locational criteria to provide greater certainty for the provision of waste infrastructure.
2.5	The Council would seek to ensure that Waste Management Facilities are appropriately located so that they do not cause a statutory nuisance and/or pose an unacceptable risk to human health. The Council supports the criteria in Policy WM1 “the proposal will not cause demonstrable harm to human health or result in an unacceptable adverse impact on the environment”.
2.6	However, the Council would like to note that neighbourhood/ community facilities such as civic amenity sites, recycling centres, recycling points and other types of facilities should be integral parts of existing and planned developments. Proposals for Neighbourhood/ Community facilities should be permitted within new housing schemes, at major developments used by the public, and in appropriate locations where the environment and amenity of local residents can be adequately protected.
2.7	<p><u>Best Practicable Environmental Option (BPEO)</u></p> <p>The Council would request further clarification on the use of Best Practicable Environmental Option procedure and Strategic Environmental Assessment. Waste facilities ranging from the regional to the neighbourhood or community level require a differentiated approach to their land use implications and the Council considers that the BPEO procedure is not applicable to smaller scale facilities. The Council notes that in other jurisdictions in the UK, the BPEO procedure has been replaced by the application of SEAs. The Council would prefer clarification of the process with the use of SEAs or in the case of the retention of the BEPO procedure clearer guidance will be required on its scope and application.</p>
2.8	<p><u>Role of PPS</u></p> <p>The Council requests clarification on the format and role of the revised PPS 11. The Planning Reform consultation proposed that planning policy statements would be brief strategic documents with operational issues being dealt with in the local development plan. The Council expressed concerns on the limited and inadequate waste policy contained in draft BMAP. The Council would also request the review takes into account the Review of the Waste Management Strategy for Northern Ireland.</p>

3	Resource Implications
	There are no resource implications

4	Equality and Good Relations Considerations
	There are no equality and Good Relations Considerations attached to this report.

5	Recommendations
	Members are requested to: <ol style="list-style-type: none">1. Consider and if appropriate endorse the content of the suggested Council response to the PPS 11 review consultation as set out in Appendix 1.2. Consider and if appropriate endorse the arc21 response set out in Appendix 2. The response was produced on behalf of the eleven Councils that arc 21 represents in the Eastern Region and which the Waste Management Service of Belfast City Council has contributed to.

6	Decision Tracking
Further to agreement, that if appropriate, a response be submitted to the Department of Environment	
Timeline: January 2011	
Reporting Officer: John McGrillen	

7	Key to Abbreviations
DOE – Department of the Environment PPS – Planning Policy Statement BPEO – Best Practicable Environmental Option SEA – Strategic Environmental Assessment BMAP – Belfast Metropolitan Area Plan	

8	Documents Attached
Appendix 1 – Draft Response Appendix 2 – arc21 Response	