



Leicestershire and Leicester Waste Development Framework

Core Strategy and Development Control Policies

July 2009

Contents

1. INTRODUCTION.....	1
THE WASTE DEVELOPMENT FRAMEWORK	1
THE SCOPE AND NATURE OF THE CORE STRATEGY AND DEVELOPMENT CONTROL POLICIES	3
2. BACKGROUND.....	4
THE NEED TO PLAN FOR WASTE MANAGEMENT	4
THE POLICY CONTEXT	5
<i>National</i>	5
<i>Regional</i>	7
<i>Local</i>	9
SPATIAL CHARACTERISTICS OF THE AREA	11
<i>WDF Area</i>	11
<i>Population</i>	12
<i>Industry</i>	12
<i>Transport</i>	13
<i>Landscape Character</i>	13
<i>Built Heritage</i>	14
<i>Existing Waste Management Sites</i>	14
3. SPATIAL VISION AND OBJECTIVES.....	16
SPATIAL VISION	16
WASTE DEVELOPMENT OBJECTIVES	17
4. CORE STRATEGY.....	19
DISTRIBUTION AND LOCATION OF NEW WASTE MANAGEMENT FACILITIES	23
STRATEGIC SITES	25
NON STRATEGIC SITES	26
WASTE REUSE, RECYCLING, AND COMPOSTING	30
<i>Waste Reuse</i>	30
<i>Waste Recycling</i>	30
<i>Waste Transfer and Materials Recovery Facilities</i>	30
<i>Waste Composting</i>	31
ENERGY/VALUE RECOVERY FROM WASTE	31
LANDFILL	33
OTHER FORMS OF WASTE MANAGEMENT DEVELOPMENT	36
ENVIRONMENTAL CONSIDERATIONS	38
NATIONAL FOREST	39
GREEN WEDGES	41
TRANSPORT	42
5. DEVELOPMENT POLICIES FOR PROTECTING THE ENVIRONMENT	44
SUSTAINABLE DESIGN	44
SITES OF INTERNATIONAL AND NATIONAL IMPORTANCE	45
SITES OF REGIONAL AND LOCAL IMPORTANCE	46
ARCHAEOLOGY	47
COUNTRYSIDE	48
AGRICULTURAL LAND	49
LANDSCAPING AND WOODLAND	50
HEALTH AND AMENITY	50
CUMULATIVE IMPACT	51
TRANSPORTATION OF WASTE	51
PUBLIC RIGHTS OF WAY	52

THE WATER ENVIRONMENT.....	53
AIR SAFEGUARDING.....	54
INFORMATION IN SUPPORT OF PLANNING APPLICATIONS.....	54
RECLAMATION AND AFTERCARE	57
AFTER-USE.....	59
PLANNING CONDITIONS	61
PLANNING OBLIGATIONS	63
6. IMPLEMENTATION AND MONITORING.....	65
IMPLEMENTATION	65
MONITORING	65
7. KEY DIAGRAM.....	76
8. APPENDICES	77
APPENDIX 1: TABLE SHOWING THE RELATIONSHIP BETWEEN THE POLICIES IN THIS DOCUMENT AND THE WASTE LOCAL PLAN	77

Glossary

Aggregates	– a granular material used in construction naturally sourced from either crushed rock or sand & gravel.
C&I Waste	<i>Commercial and Industrial Waste</i> – waste produced by commercial and industrial premises, including places such as factories and offices.
C&D Waste	<i>Construction and Demolition Waste</i> – waste produced by the construction and demolition of houses, roads, factories etc.
Inert Waste	- waste that is biologically, chemically and physically unreactive with the environment.
Municipal Waste	– principally, waste from households or recycling and household waste sites
Non-Inert Waste	– waste not classified as inert and thus in some manner will react with the environment.
RSS	<i>Regional Spatial Strategy</i> – document setting out broad strategy with policies and principles for the development of the region.

1. Introduction

The Waste Development Framework

- 1.1 A Waste Development Framework (WDF) is being prepared for the administrative areas of Leicestershire and Leicester City under the provisions of the Planning and Compulsory Purchase Act 2004. This Framework will replace the existing Leicestershire, Leicester and Rutland Waste Local Plan 1995 – 2006 (WLP). The WLP policies remain 'in force' by a direction from the Secretary of State until such time that they are replaced by the WDF. The new system also involves the phasing out of the Structure Plan and the introduction of Regional Spatial Strategies (RSS) to replace Regional Planning Guidance.
- 1.2 The WDF sets out policies and proposals for the development and use of land for waste management within the framework area which will guide decisions about planning applications for waste facilities and provide a 'spatial plan' or 'geographic blueprint' to help shape the future of the area in respect to waste. The WDF is a portfolio of development plan documents and other local development documents.
- 1.3 The waste development plan documents consist of:
 - A **Core Strategy and Development Control Policies** document. The Core Strategy includes a spatial vision, spatial strategy, strategic objectives and core policies which set out the key principles to guide the form of waste management development in the WDF area. The development control policies set out the criteria against which planning applications for waste management development will be considered. A monitoring framework will be included to examine the efficacy and effects of the core and development control policies.
 - A **Site Allocations** document, which will include specific proposals and policies for the provision of land for waste management development within the WDF area, and comply with the Core Strategy and Development Control Policies document.
- 1.4 A proposals map will accompany these development plan documents to illustrate the policies and proposals within their geographic context following adoption of the site allocations document.



- 1.5 Supplementary planning documents to expand policies or provide additional detail can also be produced, though a particular need for these has not been identified at this stage.
- 1.6 Other local development documents within the WDF include:
 - A **Statement of Community Involvement (SCI)**, which sets out the standards to be achieved by the Councils in involving the community in the preparation, alteration and continuing review of all development plan documents and the determination of planning applications. Leicestershire County Council and Leicester City Council have prepared separate SCIs;
 - **Leicestershire County Council's Minerals and Waste Development Scheme**, which sets out the programme for preparing the WDF. This is also set out in Leicester City Council's Local Development Scheme.
 - An **Annual Monitoring Report**, which each authority also prepares to, review actual plan progress compared with the programme set out in the Development Scheme, to assess the effectiveness of policies in meeting targets, to consider whether policies need adjusting or replacing and if so to determine what action should be taken.
- 1.7 To ensure that development plan documents are prepared with a view to contributing towards sustainable development, they must be subject to appraisal. In addition the provisions of European Directive 2001/42/EC must be complied with; this requires formal strategic environmental assessment of certain plans and programmes. Therefore, accompanying the WDF is:
 - A **Sustainability Appraisal (SA)**, which evaluates the social, environmental and economic effects of the strategies and policies of the development plan documents from the outset of the preparation process. This also incorporates a Strategic Environmental Assessment (SEA), which assesses the development plan documents for any likely significant effects on the environment that may occur.
- 1.8 In combination these documents will seek to address the need to provide protection to the environment and the quality of life enjoyed by those who live, visit and work in the area, whilst ensuring suitable provision for the management of waste, in accordance with Government policy and society's needs.



The Scope and Nature of the Core Strategy and Development Control Policies

1.9 This document will be the key element of the WDF, providing the vision, objectives, spatial strategy and policies for waste development in Leicestershire and Leicester over the period to the end of 2021. The Core Strategy and Development Control Policies document will consist of a written statement which will include a reasoned justification in support of the policies and proposals. The following points need to be born in mind when reading the policies:

- The Waste Development Framework is designed to be read as a whole;
- Policies are not listed in any priority order;
- Where a policy contains a list of criteria, factors or proposals, these are not in any order of importance or priority, unless the policy specifically states they are;
- Individual policies need to be read in the context of other policies in the WDF and not interpreted in isolation;
- New development will be assessed against all relevant policies in the WDF and will be expected to be in conformity with those relevant policies unless other material planning considerations dictate otherwise;
- The interpretation of various phrases and terms is in many cases an important part of the policy. Phrases or terms with a particular meaning are defined in the Glossary;
- National policy is applicable but is not repeated.



2. Background

The Need to Plan for Waste Management

2.1 A number of documents have been produced to provide the evidential basis for the preparation of the Waste Development Framework. These are:

- Leicestershire, Leicester and Rutland Waste Local Plan 1995-2006 Monitoring Report for 2002-2004 (January 2005)
- Baseline Environmental Review – Waste (June 2006)
- Waste Needs Assessment (June 2006)

The following information is set out in more detail within these documents.

2.2 In 2003-04 over 4 million tonnes of waste needing to be dealt with by waste management facilities was produced in Leicestershire and Leicester. About 11% was municipal waste, 35% commercial and industrial waste, 53% construction and demolition waste, with the remaining 1% comprising principally clinical, hazardous and controlled agricultural wastes.

2.3 The waste development plan documents will primarily be considering the main three waste streams:

- Municipal waste consists of the refuse that is collected by the district and city councils from households, and waste that is taken by the public to Recycling and Household Waste Sites (local tips), and to bring and recycle schemes. It can also include waste collected by the Waste Collection Authorities from commercial or industrial premises, waste from street bins, street sweepings and from the clearance of fly-tipped materials and litter.
- Commercial and industrial (C&I) waste is derived from all kinds of business and trade premises as well as sport and recreational facilities and institutions.
- Construction and demolition (C&D) waste comprises materials from all types of building sites. It generally contains high proportions of materials such as rubble, soil, concrete and brick, which are often inert in nature (i.e. they are naturally occurring materials and do not decompose), but also includes wood, masonry, metal, asphalt, plastics and packaging. It can feature such hazardous materials as lead, asbestos, liquid paints and oils.



- 2.4 These waste streams are currently forecast to continue to grow in the order of 2-3% per year.
- 2.5 As at the beginning of 2008 there were a number of facilities within the framework area for managing waste as follows:
- Materials recovery facilities (MRFs) at Whetstone and Melton
 - A mechanical biological treatment (MBT) (with anaerobic digestion at Wanlip) facility at Bursom
 - Seven composting sites
 - Around 40 transfer stations throughout the framework area
 - Approximately 32 construction and demolition recycling sites
 - Around 40 scrap metal sites
 - 16 Recycling and Household Waste Sites
 - Landfills for non-hazardous waste at Cotesbach and New Albion
 - Principal landfills for inert waste at Lockington, Huncote, and Husbands Bosworth and a variety of other smaller inert landfill sites
- 2.6 Rates of recycling in 2003-04 were in the order of:
- 23% for municipal waste
 - 30% for C&I waste, and
 - 49% for C&D waste.

More recent data for municipal waste (06/07) shows that the county's recycling rate is of the order of 42%. The remainder of the waste was landfilled. For municipal and C&I waste, recycling is used to also include composting of waste.

The Policy Context

- 2.7 This section looks to set out the national, regional and local policies and strategies that have been used to inform the production of the WDF.

National

- 2.8 In accordance with European Directives government policy is to reduce reliance on landfill as a means of managing waste and consequently a significant change is needed in the way waste is managed. The National Waste Strategy 2007 suggests that following the prime objective of reducing waste, it should be seen as a resource where it is produced. Decisions on the means of dealing with waste should be based on the following order of preference (the waste hierarchy):
- Reduction
 - Reuse
 - Recycling & Composting
 - Energy Recovery



- Disposal
- 2.9 The Waste Strategy 2007 highlights the importance that decisions made on waste development manage waste in ways that protects human health and the environment. This involves, amongst other things, disposing of waste at the nearest appropriate installation, by means of the most appropriate methods and technologies; individuals, communities and organisations taking responsibility for their own waste; systematic consideration of alternative options; effective community engagement; and long and short term assessment of environmental impacts.
- 2.10 The National Strategy establishes the following targets for management of municipal waste:
- To recover value from 53% of municipal waste by 2010
 - To recover value from 67% of municipal waste by 2015
 - To recover value from 75% of municipal waste by 2020
- 2.11 To assist in achieving the municipal waste recovery rates, the following household waste reuse, recycling and composting targets have also been set by the National Strategy:
- To reuse, recycle or compost at least 40% of household waste by 2010
 - To reuse, recycle or compost at least 45% of household waste by 2015
 - To reuse, recycle or compost at least 50% of household waste by 2020
- 2.12 With regard to C&I waste the National Waste Strategy expects a reduction of 20% in the amount sent to landfill in 2010 when compared to that landfilled in 2004. Consideration is also being given to a target to halve C&D waste going to landfill by 2012 compared to that disposed of in 2004.
- 2.13 The need to produce less waste and use it as a resource wherever possible is reinforced within the Government's Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10) published in July 2005. The statement makes clear that management of waste must be moved up the waste hierarchy and that disposal is a last resort.
- 2.14 PPS10 sets out how regional planning bodies should develop their approach to future waste management, which should provide a strategic framework for the preparation of local development documents. In particular they are required to identify the tonnages of waste requiring management (in particular C&I and municipal waste) and apportion these tonnages by waste planning authority or to sub-regions, taking into account the need for additional waste management capacity of regional, sub-regional or even national



importance. Waste planning authorities are then required to identify in development plan documents, sites and areas suitable for new or enhanced waste management facilities for the waste management needs of their areas. The core strategy should both inform and be informed by any relevant municipal waste strategy and cover a period of at least ten years from the date of adoption or any longer time horizon set in the RSS.

Regional

2.15 The Regional Waste Strategy (RWS), published January 2006, is based on the following principles:

- working towards zero growth in waste by 2016;
- reducing the amount of waste sent to landfill;
- exceeding government targets for recycling and composting to achieve levels of current best practice; and
- taking a flexible approach to other forms of waste recovery on the basis that technology in this area is developing very quickly.

2.16 The WDF will assist these principles by encouraging waste reduction initiatives; and by providing a recycling, composting and recovery provision in accordance with the National Waste Strategy. This will aid in reducing levels sent to landfill. Policies within the WDF will enable suitable proposals for new technologies to gain planning permission.

2.17 The RWS informed a review of the Regional Spatial Strategy for the East Midlands. The replacement Regional Spatial Strategy (RSS 8) was adopted in March 2009. The RSS as per the RWS sets the following minimum targets for the recycling and composting of municipal solid waste:

- To recycle or compost at least 30% of municipal waste by 2010;
- To recycle or compost at least 50% of municipal waste by 2015;
- To recycle or compost at least 50% of municipal waste by 2020.

2.18 Municipal waste targets for Leicester City will be consistent with the above targets. However, to achieve conformity with Leicestershire's Municipal Waste Strategy, which sets targets above the national targets, the following higher targets will be used for municipal waste in Leicestershire County only:

- To recycle or compost at least 40% of municipal waste by 2007 (achieved)
- To recycle or compost at least 50% of municipal waste by 2010
- To recycle or compost at least 58% of municipal waste by 2017

To follow the dates published in the RSS this equates to 50% by 2010, 53% by 2015 and 58% by 2020.

2.19 The RSS identifies apportionments of the waste management capacity required for the three main waste streams by sub-region for the period until 2020; repeated from those published in the RWS. These apportionments are given below (though see paragraph 2.12 regarding municipal waste). The total quantities are split into categories of recycling/composting requirement, landfill diversion, reuse and disposal. They anticipate zero growth from 2016 and assume recycling rates for municipal waste in line with the RSS, plus 42% C&I waste recycling/composting, 49% C&D waste recycling and 38% C&D waste reuse.

Table 2-1: East Midlands Regional Waste Strategy Indicative Waste Management Capacity Requirements for Leicestershire, Leicester and Rutland in 2010, 2015, 2020 (thousand tonnes) – Figures published January 2006

Year		Recycling/ Composting	Landfill Diversion ¹	Re-use ²	Disposal ³	Total
2009/ 2010	MSW ~22% of regional total	184	131	-	298	613
	C&I ~24% of regional total	628	-	-	868	1,505
	C&D ~ assumed 23% of regional total	1,227	-	950	307	2,485
2014/ 2015	MSW ~22% of regional total	333	152	-	181	667
	C&I ~24% of regional total	624	-	-	862	1,495
	C&D ~ assumed 23% of regional total	1,290	-	999	323	2,611
2019/ 2020	MSW ~22% of regional total	333	195	-	139	667
	C&I ~24% of regional total	608	-	-	840	1,457
	C&D ~ assumed 23% of regional total	1,290	-	999	323	2,611

1 Landfill Diversion includes energy recovery and alternative technologies such as mechanical and biological treatment (MBT). For MSW (Municipal Solid Waste), it represents the minimum required for achievement of LATS allocations.

2 Re-use of C&D waste represents landfill engineering, use on sites exempt from waste licensing and backfill of quarry voids.

3 Disposal does not include residues from treatment facilities and is assumed to be largely landfill.

2.20 As the RSS apportionment figures include Rutland, the approach to the requirement for waste management provision in the WDF area



has been based on a five percent reduction of the apportionment allocated to Leicestershire, Leicester and Rutland.

Local

- 2.21 The Leicestershire, Leicester and Rutland Structure Plan 1996 - 2016 (LLRSP) was adopted in March 2005 and was a saved plan for a period of 3 years until 6th March 2008. The Secretary of State has directed that only Housing Policies 1 and 3 of the LLRSP are 'saved'. There are consequently no policies relating to waste management remaining.
- 2.22 The Leicestershire, Leicester and Rutland Waste Local Plan was adopted in September 2002. Policies in the adopted Waste Local Plan will be replaced by policies contained within this document. A table showing the relationship between the policies in this document and the Waste Local Plan is set out in Appendix 1.
- 2.23 Leicestershire County Council is also in the process of preparing a Minerals Development Framework (MDF) to replace the Minerals Local Plan Review 1995. It will set out policies and proposals for the working of minerals within the county of Leicestershire excluding the City of Leicester. The MDF and WDF documents are being prepared in parallel with each other and consultation on the various stages of the MDF will be carried out in accordance with the Leicestershire Minerals and Waste Development Scheme (LMWDS) and the Statement of Community Involvement (SCI).
- 2.24 Though the two development frameworks being prepared by the Council plan for separate land uses, i.e. minerals and waste, they are not that disparate that they should be read in isolation and there are linkages between the two uses. For example, many of the major inert waste disposal sites are quarry voids from mineral extraction and many quarries have areas within them for the recycling of C&D waste. Also, a key objective of the MDF is to maximise the use of recycled and secondary materials.
- 2.25 Each of the District and City Councils will also produce their own Local Development Frameworks to provide policies and guidance for development and use of land in the local authority area other than minerals and waste. The development and land uses dealt with in Local Development Frameworks and particularly residential and industrial developments, are major producers of waste. The County Council and district/borough councils should have regard to the allocations and designations detailed in each others Development Frameworks when controlling development within their remit. Planning authorities within and adjoining the WDF area have been consulted during the production of the WDF documents.



- 2.26 Leicestershire County Council in conjunction with a wide range of organisations and partnerships that deliver public services in Leicestershire came together to form Leicestershire Together, the Leicestershire Local Strategic Partnership. The Partnership published a Community Strategy in 2003 which has recently been replaced by a new Sustainable Community Strategy, planned to be published in June 2008. With regard to waste management the vision of the Strategy is that waste generated and landfilled is minimised, most waste is recycled and some waste provides renewable energy. The outcome to support this vision is that less waste is produced and a reduced proportion of this goes to landfill. Sub-outcomes identified are to increase recycling and composting of waste whilst reducing overall growth in waste arisings. The commitment is to move towards a more sustainable system of waste management, providing infrastructure (supported through the WDF) which reduces our reliance on landfill and maximises opportunities for recycling, recovery and composting.
- 2.27 Alongside this a second Local Area Agreement for Leicestershire and a Multi Area Agreement for Leicester and Leicestershire will be approved in May 2008 by the County Council. The only indicator in the second Local Area Agreement directly relating to waste is the national indicator (NI 192) on % of household waste recycled and composted. The Multi Area Agreement focuses on economic issues.
- 2.28 The Local Area Agreement for Leicester provides the 'core delivery mechanism' for the Strategy for Leicester, which in turn brings together the Community Strategy and local Neighbourhood Renewal Strategy. It identifies a number of desired outcomes, and in relation to waste management it seeks "to reduce pollution and waste, support biodiversity, achieve more efficient and sustainable use of resources, and increase environmental awareness to catalyse personal action". The relevant waste indicator for this outcome is to reduce the percentage of household waste landfilled from 73.32% at the baseline of 2004/05, to 39.3% by 2007.
- 2.29 The Local Transport Plan (LTP) and the Central Leicestershire Local Transport Plan (CLLTP) set out the County and City Council's transport strategy. The latest LTPs cover the period 2006/07 to 2010/11. The aim of the LTP for transport is "to achieve a transport system for Leicestershire which meets our requirements for access and economic development in a way which seeks continuous improvement in sustainability and people's quality of life". Whereas, the Transport Vision for Central Leicestershire is "to develop a transport system that enables everyone to take part in all aspects of everyday life, at a reasonable cost. We see a Leicester in 2011 with congestion under control, improved accessibility for all, particularly for deprived groups, improved air quality and reduced road casualties".



- 2.30 Leicestershire's Municipal Waste Management Strategy (LMWMS) has been reviewed, May 2006, by the Waste Management Partnership on behalf of the County and District Councils. It sets out how the household, civic amenity and other waste collected by the District Councils, excluding Leicester City, will be dealt with. As the City Council has made its own arrangements for waste management through their partnership with Biffa under the Government's Private Finance Initiative (PFI) regime, they are an Associate Member of the Partnership and were not involved in the review of the LMWMS.
- 2.31 Whilst municipal waste represents only 11% of the total waste generated in the WDF, it is important to ensure that the WDF documents and municipal waste management strategy are complementary. The LMWMS Core Strategy & Action Plan sets targets for recycling or composting municipal waste higher than those anticipated either in the National Waste Strategy 2007 or in the RSS. These targets are to inform the approach to provision for municipal waste management facilities in the WDF. Such an approach would still be in accordance with the RSS which aims to exceed government targets for recycling and composting and achieve levels of current best practice.
- 2.32 The existing facility for managing Leicester City's municipal waste (Bursom Ball Mill) has the capacity to accommodate the forecast municipal waste arisings for the city over the period covered by the WDF.
- 2.33 Several non-statutory strategies, for example the National Forest Strategy, the Leicester, Leicestershire and Rutland Local Biodiversity Action Plan and the Landscape and Woodland Strategy also have important links with the WDF.

Spatial Characteristics of the Area

WDF Area

- 2.34 Leicestershire and Leicester are located at the heart of England and sit within the Three Cities sub-area (Derby, Leicester, Nottingham), one of the five sub-areas defined in the Regional Spatial Strategy (RSS) for the East Midlands. Leicester is located generally in the centre of the county. The county borders Nottinghamshire to the north, Lincolnshire to the northeast, Rutland to the east, Northamptonshire to the southeast, Warwickshire to the southwest and Derbyshire to the northwest. The westernmost tip of the County touches Staffordshire. The West Midlands Region abuts the western boundary of Leicestershire.

Population

- 2.35 The estimated total population of the WDF Area at mid 2006 was 924,800, made up of 635,100 for the County of Leicestershire, and 289,700 for the City of Leicester. The City of Leicester is the tenth largest city in England. The RSS classifies the City together with immediately adjoining built up areas, which lie within the County, as a 'Principal Urban Area'(PUA) which is a larger conurbation than the City of Leicester alone, and has a population of over 400,000 (based on approximately 402,400 in the 2001 census). The Leicester PUA is one of three identified in the RSS (the others are centred around Derby and Nottingham) which will be the focus of economic development and regeneration in the East Midlands. Apart from the PUA the main centres of population with over 30,000 inhabitants are Loughborough and Coalville located in the north central part of the WDF area and Hinckley located on the western edge of the WDF area close to the boundary with the West Midlands and the adjoining settlement of Nuneaton. There are 34 other settlements in the WDF Area with a population of over 5,000. The remainder of the WDF Area has a strong agricultural base with scattered settlements in the east and south.
- 2.36 By 2016, population levels are projected to rise by 5%, according to the ONS trend 2004 based population projections (published March 2008). The RSS proposes (Policy Three Cities SRS3) that 4,020 dwellings per annum (dpa) be provided within the Leicester and Leicestershire Housing Market Area over the period 2001-2026, of which 1,990dpa should be within or adjoining the Leicester Principal Urban Area (PUA). The housing strategy for this area is one which focuses on the Leicester urban area, initially by capitalising on its substantial urban capacity. However, this will be insufficient to meet all the proposed provision to 2026. It is proposed that later in the plan period provision will need to be met by planned sustainable urban extensions (SUEs). The RSS indicates that the best opportunities to meet the bulk of the additional provision for the PUA lie west of Leicester in Blaby and north of Leicester in Charnwood. Beyond the PUA, sustainable urban extensions are proposed to Loughborough, Hinckley and Coalville to support their roles as Sub-Regional Centres.

Industry

- 2.37 The main industries in the WDF area are service industries, manufacturing, construction, food processing, pharmaceuticals together with storage and distribution. The main centres of employment correspond broadly to the main population centres. Key growth areas that may influence waste are the planned

expansion of East Midlands Airport, the regeneration of Corby and the large forecast growth in the population of Northamptonshire which may affect waste sites in the south of the County.

Transport

- 2.38 The WDF area is served by excellent transport links. The M1 is the principal arterial route linking the WDF area with the rest of the country. The other major roads are the M69 connecting to Coventry, the M6, the A42 and the A46. Other principal roads are the A511, A50, A444, A447, A6, A5 and the A47. The A and B roads in the WDF Area have predominately witnessed around 3% to 7% growth in traffic in the period 2003-04.
- 2.39 Other transportation modes include railways and waterways. Main line rail connections link Leicester to Birmingham, Nottingham, Derby and London. Beyond the WDF area long distance and international rail freight terminals are located in Birmingham and Daventry, both accessible by the motorway network. Several navigable waterways exist within the WDF area such as the Ashby Canal, the River Soar and the Grand Union Canal branching to Market Harborough and Welford. There are no intermodal freight terminals in the WDF area. Scope for transporting freight on waterways may be limited, however, due to the size of navigation and the navigation routes. However, where it is appropriate to move freight by this mode, it should not be disregarded. East Midlands Airport lies in the north of the framework area, providing flights to a wide range of destinations.

Landscape Character

- 2.40 The WDF area has a landscape of considerable variety and complexity. This is created by the varied physical and human influences that have acted on the land over time and by the underlying variations in the land itself. There is no Green Belt but there are twelve Green Wedges around Leicester and five throughout other parts of the county. Around 80% of the land use in the WDF area is agricultural, with the emphasis on mixed cereal and livestock farming. The majority of soil quality is classified as Grade 3 with relatively small areas of particularly good or poorer quality land.
- 2.41 The WDF area has 3.8% woodland cover and contains part of the National Forest. Charnwood Forest is also a valuable landscape asset identified regionally as a priority area for protection and enhancement. There are no Areas of Outstanding Natural Beauty (AONBs) or National Parks within the WDF Area. There are 18 landscape character areas. Designated sites for the purposes of nature conservation in the WDF area comprise the River Mease designated as a Special Area of Conservation (SAC), 70 Sites of



Special Scientific Interest (SSSI), 15 Regionally Important Geological Sites, 19 local nature reserves and many Local Wildlife Sites. The County Historic Landscape Characterisation will also contribute to the understanding of the character of the landscapes of Leicestershire and the survival of historic landscapes and can allow the prediction of hitherto unrecorded components of the historic landscape, including above-ground and buried archaeological remains.

Built Heritage

- 2.42 The County contains 186 Scheduled Ancient Monuments, some 3961 listed buildings, around 200 conservation areas together with 15 historic parks and gardens and one battlefield. The City has over 350 listed buildings, 6 historic parks and gardens, 25 conservation areas and 10 Scheduled Ancient Monuments.

Existing Waste Management Sites

- 2.43 The pattern of existing waste management sites in the WDF area vary depending on the types of facility. Recycling and Household Waste Sites are mainly on urban fringes or close to concentrations of population. There are a small number of waste sites located in more rural locations and these include the majority of composting sites. There is a fairly good coverage of transfer stations across the WDF area, although there is a cluster of these sites in and around the south west of the Leicester Principal Urban Area. However, there may be a need to increase the capacity of such facilities and there is a need, therefore, to keep provision under review. Recycling sites and landfills are generally located adjacent to lorry routes outside of built up areas.
- 2.44 Landfill sites for both inert and non hazardous waste are almost exclusively associated with previous or existing mineral extraction sites. There are two non-hazardous landfill sites operating in the County. In Leicester City the Ball Mill is an existing recovery facility for managing municipal waste and this has an associated anaerobic digestion facility to the north of Leicester at Wanlip. The Ball Mill and Wanlip currently have the capacity necessary to deal with the forecast city municipal waste arisings over the WDF period but a refuse derived fuel from the process currently is exported outside the WDF area and the residual waste goes out of the WDF Area to landfill. It is, currently, predicted that the city facilities have and will have the capacity to deal with the municipal element of the city's waste only. In adjacent counties, particularly Nottinghamshire, Northamptonshire and Lincolnshire there are a number of transfer sites and waste disposal sites close to the WDF area boundary.

- 2.45 The majority of scrap yards are located within the north and north west of the WDF area in and around Coalville and Loughborough and in Leicester City.
- 2.46 Most of the aggregates recycling sites which deal with construction and demolition waste are similarly located in the north and northwest of the WDF area and in Leicester City. These sites are predominantly located on industrial estates or at active quarries.
- 2.47 The existing pattern of waste facilities in, and close to, the WDF area are shown on the Key Diagram. More information on the distribution of existing waste facilities is found in the Baseline Environmental Review – Waste document published in June 2006 and available to view on the Leicestershire County Council website.

3. Spatial Vision and Objectives

Spatial Vision

- 3.1 Leicestershire County Council and Leicester City Council have an ambitious vision for the management of waste for the period to 2021. They want to work together to promote and direct change in the way that waste is generated and handled. The aim of the WDF will be to facilitate waste management development in a sustainable manner, which addresses the need to produce less waste, to significantly increase levels of reuse and recovery of the waste that is generated and to move away from reliance on landfill as a means of disposal.
- 3.2 Leicestershire and Leicester Councils' will seek to provide a level of waste management capacity that is sufficient to accommodate the quantity of the Region's waste that is apportioned to the WDF area. To this end a spread of new facilities across the WDF area to enable regional targets, and in respect of municipal waste, the targets set in the Leicestershire Municipal Waste Management Strategy, for increased reuse and recovery to be met and for the treatment of waste.
- 3.3 This need for new waste management opportunities will be met in ways that protect human health, limit the adverse impact on society and the environment, and whenever appropriate the provision of social and environmental benefits will also be secured. In this manner the WDF seeks to improve the quality of life for the people who live, visit and work in the WDF area.

SPATIAL VISION

To provide Leicestershire and Leicester with an efficient, safe and sustainable range of waste facilities with capacity equal to the amount of waste generated and requiring management within Leicestershire and Leicester in locations that minimise environmental impact, provide community benefit and help improve quality of life by:

- Encouraging waste reduction;
- Increasing the reuse and recycling of waste;
- Less reliance on landfill by increased energy recovery.



Waste Development Objectives

3.4 The Core Strategy needs to set out strategic objectives for waste management development which implement and deliver the vision of the Leicestershire and Leicester Waste Development Framework (WDF) and can be translated into a spatial strategy and policies. These objectives must encompass all the requirements of waste management development within the WDF area and be capable of measurement so that achievement of the spatial strategy can be monitored. The objectives are as follows:

1. To promote the implementation of waste minimisation initiatives in the construction and operation of new development.
2. To enable the timely delivery of sufficient waste management facilities in the Waste Development Framework area at the key dates of 2009/10, 2014/15 and 2019/20 to meet the waste management capacity apportionment requirement and spatial distribution identified by the Regional Spatial Strategy to at least 2021.
3. To support the delivery of the Leicestershire Municipal Waste Management Strategy and Leicester's municipal waste management requirements.
4. To encourage waste management facilities which increase reuse, recycling, composting and value / energy recovery, including through the use of new waste management technologies where appropriate, in order to meet or exceed regional targets.
5. To promote use of waste as a resource including optimum use of recycled waste materials as aggregates.
6. To minimise final disposal as a means of managing waste arisings.
7. To provide for a distribution of waste management facilities in the Waste Development Framework area at locations which encourage the use of previously-developed land, meets the needs of communities, and minimise the distances waste is transported.
8. To protect people and local communities, and the natural and built environment (particularly the River Mease Special Area of Conservation) from unacceptable effects of waste management development.
9. To encourage opportunities for means of transporting waste other than by road.
10. To promote the delivery of measures for environmental, recreational, economic and community gain in mitigation



or compensation for any adverse effects of waste related development where appropriate.

11. To complement and support wider strategies for the Waste Development Framework area including green infrastructure projects and strategies such as the National Forest and Charnwood Forest Regional Park.

4. Core Strategy

The Need for New Waste Management Capacity

- 4.1 It is the objective of the WDF Core Strategy to enable the delivery of sufficient new waste management capacity to meet the apportionment set in the Regional Spatial Strategy (RSS) and support the delivery of Leicestershire Municipal Waste Management Strategy (LWMS) targets. The following estimated capacity requirements are based upon achieving the RSS apportionments and LWMS targets and are derived from the Waste Needs Assessment.
- 4.2 Municipal and commercial and industrial (C&I) wastes are managed similarly and as such it is assumed that facilities will deal with both waste streams. Calculating the need for further recycling and composting capacity for both waste streams was undertaken by subtracting current capacity from the RSS requirement. For municipal waste prior to subtracting the current capacity the RSS requirement was split into a ratio of 44:56% recycling:composting in 2009/10 and 2014/15, reversing to a 56:44% recycling:composting split in 2019/20. Tables 4.1 and 4.2 below show the additional capacity required at the RSS key dates. The tables indicate that 2 recycling and 1 composting sites are required by 2009/10, and a further composting site by 2014/15.

Table 4.1: Indicative scale and number of facilities required for the recycling of municipal and commercial & industrial waste.

Year	Gross Requirement (tonnes)	Capacity (tonnes)	Shortfall/ Surplus (tonnes)	Number of additional facilities needed
2009/10	690,133	600,729	-89,404	2 of 50,000 ¹
2014/15	700,667	700,729 ²	(62)	0
2019/20	727,836	700,729	-107	0

¹ Each site 1-2 hectares in size.

² Assumes 100,000 tonnes of capacity added in response to the 2009/10 requirement.

Table 4.2: Indicative scale and number of facilities required for the composting of municipal waste.

Year	Gross Requirement (tonnes)	Capacity (tonnes)	Shortfall/ Surplus (tonnes)	Number of additional facilities needed
2009/10	119,042	97,427	-21,615	1 of 25,000 ¹
2014/15	137,285	122,427 ²	-14,858	1 of 25,000 ¹
2019/20	118,043	147,427 ³	(29,384)	0

¹ Each site 2-3 hectares in size.

² Assumes 25,000 tonnes of capacity added in response to the 2009/10 requirement.

³ Assumes 25,000 tonnes of capacity added in response to the 2014/15 requirement.

The amount of land required to cater for these facilities by 2019/20 is likely to be in the order of 10 ha.¹ Notwithstanding the above the number of sites required may be greater or lesser than those supplied to meet the needs of different sized communities. The tables provided in this section are to be used as a guide to assist in the planning for new waste management facilities. Whilst they are based on the best available information at the time they should not be seen as setting out absolute requirements.

- 4.3 Once the recycling and composting targets are reached there remains an element of municipal waste which needs to be diverted away from landfill. Diversion, effectively some form of recovery, could be attained by a number of different methods but principally these could be anaerobic digestion, mechanical-biological treatment, autoclave or some form of thermal treatment or a combination of these. These types of processes are described in detail in the supporting text to Policy WCS6. The requirements set by the RSS for landfill diversion are displayed in Table 4.3. This shows a minimum total of 102,138 tonnes per annum of recovery capacity will need to be found by 2014/15. It is likely that facilities brought into use prior to 2019/20 would have the infrastructure capacity to deal with the shortfall at that date (14,056tpa).

Table 4.3: Indicative scale and number of facilities required for the recovery of municipal waste.

Year	Gross Requirement (tonnes)	Capacity (tonnes)	Shortfall/ Surplus (tonnes)	Number of additional facilities needed
2009/10	299,153	293,328	-5,825	0
2014/15	461,234	364,921	-102,138 ¹	2 of 50,000 ²
2019/20	502,104	488,048 ³	-14,056	0

¹ Assumes 2009/10 shortfall added to that for 2014/15.

² Or one site of 100,000 tonnes. Sites of 50,000 tonnes require around 1.5 hectares and sites of 100,000 tonnes around 4 hectares.

³ Assumes 100,000 tonnes of capacity added in response to the 2014/15 requirement.

However, this is essentially a requirement for energy/value recovery from municipal waste only. The amount of residual municipal and C&I waste requiring treatment or disposal after recycling at the end of the WDF Period is estimated at around 900,000 tonnes per annum (938,095tpa). To prevent this amount all having to go to landfill between four at 250,000tpa or 19 at 50,000tpa energy/value recovery facilities would be required. The land requirement for this total number of facilities i.e. between 4 and 19 would be in the order of between 16ha. and 28.5ha. dependent upon size and type of facility.

¹ Land area for potential facilities are based on 'Planning for Waste Management Facilities: A Research Study' ODPM 2004.

- 4.4 Restricting landfill capacity supply to that required to deal with the residue left after targets for recycling, composting and recovery are met, combined with other regulatory and fiscal tools such as landfill tax and LATS (Landfill Allowance Trading Scheme), should have the effect of driving waste management up the waste hierarchy. The minimum requirement for new landfill capacity of non inert waste, taking into account existing permitted non inert landfill capacity, is 387,000 tonnes per annum by 2009/10, 300,000 tonnes per annum by 2014/15 and 478,000 tonnes per annum by 2019/20. Assuming no energy/value recovery capacity is developed in the WDF Period, with the exception of that required for municipal landfill diversion, and only minimum recycling/composting rates are reached, by 2009/10 a further two landfill sites may be required and another additional one by 2014/15 when the assumed capacity will fall to 460,000tpa.

Table 4.4: Indicative scale and number of facilities required for the landfilling of non-inert (municipal and C&I) waste.

Year	Gross Requirement (tonnes)	Capacity (tonnes)	Shortfall/ Surplus (tonnes)	Number of additional facilities needed
2009/10	1,087,000	700,000	-387,000	2 of 200,000
2014/15	1,000,000	860,000 ¹	-140,000	1 of 200,000
2019/20	938,000	1,060,000 ²	(122,000)	0

¹ Assumes 400,000 tonnes of capacity added in response to the 2009/10 requirement.

² Assumes 200,000 tonnes of capacity added in response to the 2014/15 requirement.

- 4.5 For C&D waste there is a requirement to provide additional recycling capacity of around 570,000 tonnes (572,850) by 2009/10 and a further 60,000 by 2014/15 to reach that required by 2019/20, as shown in Table 4.5. This assumes disposal capacity requirements are met by inert waste landfills and that 20% of the waste going into non-inert waste landfills is inert. This could require up to 42 facilities by 2019/20 taking between 52 ha. and 105 ha.

Table 4.5: Indicative scale and number of facilities required for the recycling of construction & demolition waste.

Year	Gross Requirement (tonnes)	Capacity (tonnes)	Shortfall/ Surplus (tonnes)	Number of additional facilities needed
2009/10	1,165,650	592,800	-572,850	12 of 50,000 ¹
2014/15	1,225,500	1,192,800 ²	-32,700	1 of 50,000 ³
2019/20	1,225,500	1,242,800 ⁴	(17,300)	0

¹ Or 39 sites of 15,000 tonnes. Sites of 50,000 tonnes require 4 hectares and sites of 15,000 tonnes 2.5 hectares.

² Assumes 600,000 tonnes of capacity added in response to the 2009/10 requirement.

³ Or 3 sites of 15,000 tonnes.

⁴ Assumes 50,000 tonnes of capacity added in response to the 2014/15 requirement.

Assuming this additional recycling capacity is achieved there would still be a need to reuse or landfill 934,467 tonnes of inert waste per annum by 2009/10, rising to 995,267 tonnes per annum up to 2019/20. Existing permitted inert landfill capacity is about 559,000 tonnes in 2009/10 reducing to only 115,000 tonnes at the end of the Framework Period. A proportion of inert landfill capacity is provided at non inert landfill sites and reuse of residual inert waste (i.e. that remaining after recycling) occurs as a result of ad hoc opportunities for landscaping, engineering and restoration schemes. However, depending on the additional C&D waste recycling capacity that comes forward there is an expected need for additional new inert landfill sites to be provided in the WDF period.

Table 4.6: Indicative scale and number of facilities required for the landfilling of inert (construction & demolition) waste.

<u>Year</u>	<u>Gross Requirement (tonnes)</u>	<u>Capacity (tonnes)</u>	<u>Shortfall/ Surplus (tonnes)</u>	<u>Number of additional facilities needed</u>
2009/10	934,467	558,989	-375,478	2 of 150,000
2014/15	995,267	655,000 ¹	-340,267	2 of 150,000
2019/20	995,267	865,000 ²	-130,267	1 of 150,000

¹ Assumes 300,000 tonnes of capacity added in response to the 2009/10 requirement and 100,000 tonnes of inert waste goes into new non-inert landfills (i.e. 20% of that which goes into non-inert landfills is inert, so, if 200,000tpa of non-inert waste is deposited, 50,000tpa of inert waste must also.).

² Assumes 300,000 tonnes of capacity added in response to the 2014/15 requirement and 50,000 tonnes of inert waste goes into non-inert landfills (explanation above).

Assuming a typical inert landfill size of around 150,000tpa this would equate to requiring 2 new landfills by 2009/10, a further 2 by 2014/15 and an additional 1 at 2019/20, i.e. a total of five by 2019/20, as shown in Table 4.6 above.

- 4.6 No specific levels of management have been identified in the RWS for hazardous waste in the framework area although the RSS apportionments for C&I waste do include hazardous waste. It is stated in the RWS that the region is a net importer of this waste and appears to have sufficient capacity to manage regional increases to 2021. In the framework area 28,344 tonnes of hazardous waste were managed in 2003. Though no specific need for further hazardous waste facilities has been identified, they are not to be precluded from the WDF area. Indeed, by securing sufficient provision for C&I waste in the framework area this ensures this waste stream is provided for. Any applications for such will be determined on their merits against Policies WCS1, WCS5 and WCS6 for recycling and landfill diversion or Policy WCS7 for non-inert landfill and other relevant environmental policies within the WDF.
- 4.7 The required capacity for managing waste up to 2020 has been calculated from targets and apportionments set in the East Midlands Regional Spatial Strategy (RSS), Regional Waste Strategy (RWS) and the Leicestershire Municipal Waste Management Strategy

(LMWMS) and sufficient land will be identified and proposals encouraged, to provide for waste reuse, recycling, and composting facilities to meet the targets as set out in these documents.

Policy WCS1 The strategy for **waste management capacity** is to provide sufficient waste management capacity to manage the equivalent of the waste arising in the framework area and as a minimum achieve the targets for recycling, composting, reuse and landfill diversion set in the RSS and the Leicestershire Municipal Waste Strategy.

Distribution and Location of New Waste Management Facilities

- 4.8 The methodology of locating appropriate waste management facilities using a sequential approach is a key part of the site selection process but whilst there will still be a role for such a sequential approach in assessing the suitability of individual sites the Core Strategy needs to express spatially and show diagrammatically broad areas where new waste facilities are expected to be located.
- 4.9 As a starting point the spatial strategy reflects the pattern of waste management facilities and broad locations identified in the Regional Spatial Strategy (RSS). The RSS states that for the three cities regional sub area, of which the WDF Area forms part, the major urban areas are currently deficient in recycling and recovery capacity with current patterns of waste facilities more aligned to the road network than urban centres because of the historical patterns of landfilling the majority of the region's waste. Based on predictions of waste generation the three cities themselves should provide the focus for the future provision of waste management infrastructure in the sub area. The RSS promotes the establishment of a centralised pattern of larger facilities.
- 4.10 To assist the identification of suitable locations for a residual waste treatment facility or facilities to deal with municipal waste a study has been undertaken by consultants Entec using logistics and vehicle mileage to consider a number of scenarios. A total of 14 scenarios were modelled based on a variety of assumptions regarding the number of facilities, the number of and capacity of transfer stations, and the source of waste (county council and city council waste). The mapped outputs consistently showed that the optimal locations (i.e. showing the lowest mileages) are in the central and western parts of the WDF Area and the locations of facilities are best placed near centres of high population density (Leicester City, Loughborough and Coalville) and in close proximity to the major highway network (predominantly the M1 motorway).

The results of this study have been used to inform the broad areas of search for strategic waste management facilities.

- 4.11 Following the spatial lead provided by RSS and the Waste Planning Guidance for the East Midlands Regional Assembly prepared by SLR Consulting Ltd. dated August 2006 and taking into account the Entec study conclusions, the broad locations where strategic sites will be sought have been identified as in or close to the urban areas in and around Leicester City, including the PUA, and the urban areas between, and including, Loughborough and Coalville as indicated on the Key Diagram.
- 4.12 Although the quantity of municipal waste arisings is relatively small compared to other waste streams it is strategically important for several reasons. To the waste industry the management of municipal waste offers the opportunity for reliable long term contracts to enable new facilities to be built which the market for management of other waste streams, particularly commercial and industrial waste and construction and demolition waste, does not offer. Municipal waste collection, treatment and disposal are a major component of local government expenditure (OGC Kelly Report to the Financial Secretary to the Treasury May 2006). As the availability of landfill declines and statutory requirements and pressure to move to more sustainable waste management takes effect it is likely that waste management expenditure will significantly increase. The provision of new municipal waste management facilities, which provide more sustainable solutions, can also provide opportunities to move the treatment of other waste streams up the waste hierarchy because the high value long term contracts with local authorities can underwrite additional capacity to deal with other waste streams.
- 4.13 The Municipal Waste Management Strategy prepared for the Leicestershire Waste Partnership identifies the need to procure a long term solution to Leicestershire's residual municipal waste treatment needs with the procured infrastructure coming into operation by the end of 2015/16. One or more of the following methods have been identified to treat the residual waste:
- Mechanical treatment, to separate residual waste into different categories and to recover materials for recycling;
 - Biological treatment, to stabilise biodegradable wastes, to recover materials or biogas and to reduce weight, volume and moisture content;
 - Thermal treatment, to recover heat and/or energy.
- 4.14 The exact type and size of facilities required is not prescribed. The County Council has started a procurement process to deliver a long term means of dealing with residual municipal waste as part of the Leicestershire Municipal Waste Management Strategy. The outcome

of this procurement should be that the shortfall in capacity for the recovery of municipal waste identified in Paragraph 4.3 is met. However until a decision is made on the contract it is necessary to keep options open on the type of technology that will be adopted. The City Council has a long term contract which will enable the municipal waste arisings in the City to be managed to meet recovery targets. It is not possible, therefore, for the spatial strategy to identify preferred technologies for the new recovery capacity required in the WDF Period without compromising the ability of the Leicestershire Waste Disposal Authority to achieve best value through the procurement process and for the waste industry to be restricted in its ability to be innovative in delivering sustainable solutions. The need to avoid being too prescriptive about the type of waste facilities is recognised in government policy (PPS10).

- 4.15 In terms of procurement, it has been identified at this stage that the best economic solution for the county is to develop an Energy from Waste facility with Combined Heat and Power. The County Council has now submitted a bid to Government for financial support through the Private Finance Initiative and if successful will proceed with the development of a tender process to identify a private sector partner company to plan, construct and operate new facilities. However, the tender process will not specify Energy from Waste but will seek proposals from companies for dealing with the county's municipal waste. It is expected that there will be a range of proposals put forward which at that time will be compared against the Energy from Waste solution. The most cost effective option that meets the county's requirements for dealing with its' municipal waste will be the one that is taken forward.

Strategic Sites

- 4.16 Because the sustainable management of municipal waste is often a key determinant of how and where other waste is potentially managed it has strategic importance. The types of facility necessary to manage the municipal waste arising in Leicestershire will be determined by the Municipal Waste Management Strategy adopted by the Leicestershire Waste Management Partnership (including the County and District/Borough Councils in Leicestershire) and the procurement of waste management contracts by the Waste Disposal Authority. Strategic sites are defined as sites located near to the centres of high population density (Leicester City, Loughborough and Coalville) which will divert a significant proportion of either municipal and/or C&I waste away from landfill by value and/or energy recovery. However, as waste management practices change it is possible that a strategic site could be built for Commercial and Industrial (C&I) waste. Such a site would also have the potential to deal with municipal waste.
- 4.17 Strategic sites will have all of the following characteristics:

- A. Sites which have the capacity to make a significant contribution to municipal or C&I waste recovery by reducing the amount of residual waste going to landfill.
- B. Sites that offer potential for the co-location of complimentary waste facilities and/or end users of recovered materials or energy.
- C. Sites which have potential to deal with municipal and/or C&I waste.
- D. Sites which are well located to waste arisings and have good transport links.
- E. Sites of sufficient area and characteristics to deliver a strategic function (2ha minimum)

Policy WCS2 The strategy for **strategic waste sites** is to locate them within the Broad Locations indicated in the Key Diagram, in or around the urban areas of Leicester, Coalville, Shepshed and Loughborough, taking into account the principles set out in Policy WCS4: Waste Location Principles.

Non Strategic Sites

- 4.18 Reflecting the previously identified preference from the Issues and Options consultation for a mix of large and small sites to balance the benefits of proximity to waste arisings whilst being able to exploit economies of scale, smaller non strategic waste facility sites will be sought within the Broad Locations for strategic waste sites and in or close to the other main urban areas of Hinckley, and Melton Mowbray. In particular opportunities to locate waste facilities within the sustainable urban extensions will be sought. In addition to the location of waste facilities in or close to these main urban areas, the extension of existing waste facilities will be favoured particularly in the main urban areas (within the broad locations indicated in the key diagram, Hinckley, Melton and sustainable urban extensions) and where they provide the opportunity to co-locate waste facilities and give more sustainable waste management opportunities and provided that they do not result in unacceptable cumulative impacts.
- 4.19 Notwithstanding the broad locational preferences expressed above there will still be the need for more dispersed location of certain types of waste facility such as landfill to secure the restoration of despoiled or previously quarried land, on farm composting in rural areas and sewage treatment works serving smaller settlements. Aggregate recycling is frequently located in rural areas due to its associated link with operational mineral sites, themselves classified as greenfield sites.

Policy WCS3 The strategy for **non strategic waste sites** is to locate them in the following areas taking into account the principles set out in Policy WCS4: Waste Location Principles:

- (i) the Broad Locations for Strategic Sites indicated in the Key Diagram;
- (ii) in or close to the main urban areas of Hinckley or Melton Mowbray;
- (iii) within sustainable urban extensions;
- (iv) within or adjacent to an existing waste facility where it can be demonstrated that transport, operational and environmental benefits arise from co-location.

Where it can be demonstrated that a more dispersed location outside the above areas is necessary, locations in smaller settlements or rural areas will be considered subject to the principles set out in Policy WCS4.

Locational Principles

- 4.20 Waste management provision will be achieved in accordance with the spatial strategy for strategic and non strategic sites as expressed above. Priority will be given to the consideration of whether existing waste management operations are appropriate for extension or siting of new facilities. Certain types of modern waste management development such as waste recycling and recovery involves purpose designed buildings and structures which in most instances are suited to industrial areas. Opportunities for integrated waste management will be encouraged, where various waste management options can be co-located to reduce transport requirements and assist improved levels of waste recovery with the main urban areas.
- 4.21 Evidence gathering to identify potential waste sites indicates that the availability of industrial sites in the WDF Area for waste management development is restricted. Although industrial sites may be suitable for waste management development there is competition for such sites from non waste development and the availability of plots on industrial estates is changeable, particularly plots that are suitable for a variety of users. The availability of such plots is likely to be restricted to major facilities which will enable competition with other high value land users. Notwithstanding this the opportunity will be taken to encourage the location of new waste facilities in major new areas of development (sustainable urban extensions and large areas allocated for new employment). For the small scale operators in the waste industry, such as specialist

recyclers, it is often the case that they cannot afford to purchase or lease industrial land and for such small scale facilities to come forward it is necessary to find a site that is not restricted by industrial land value.

- 4.22 Where possible the facilities will be on previously developed land, derelict or contaminated land, both with good transport connections either within urban areas or on the urban fringe but still close to waste sources. This approach allows facilities to be located where it is likely that access and transport connections will be favourable.
- 4.23 Existing mineral extraction sites offer a good location for siting of some waste management operations due to their already existing infrastructure and, frequently, the benefits of having other waste operations co-located with landfill.
- 4.24 Unused or under-used agricultural and forestry buildings will be preferred to greenfield sites but only where there the location of the buildings is such that they are well connected and close to built-up areas so waste is not transported great distances or on inappropriate roads.
- 4.25 In pursuing the drive towards achieving sustainable waste management and the wider environmental and economic benefits this brings, greenfield land is not to be precluded, in ensuring sufficient provision is made where it meets the intentions of other policies, in particular those intended to protect such land.
- 4.26 It is recognised that landfill will still have a role to play within the WDF Period, for the disposal at least of residual waste left after treatment. The alternatives for siting landfills are restricted because the location of landfill development is almost exclusively limited to former minerals sites in need of reclamation and, therefore, greenfield land. Waste management rather than disposal is preferred, however, such facilities are likely to take a number of years to become established and in the meantime further landfill space will need to be identified. The provision for landfill will, nevertheless, take such form that it does not engender a reliance on landfill to the detriment of more sustainable waste management options.

Policy WCS4 The strategy for **locating waste sites** is to locate waste sites in accordance with the objectives of Policies WCS2 and WCS3 and the following sequential approach:-

- Priority one will be given to land with an existing waste management use, where transport, operational and environmental benefits can be demonstrated as a consequence of the co-location of waste management facilities
- Thereafter, priority, in no order of preference, will be given to:
 - a) land forming part of new major development proposals,
 - b) existing industrial/employment land;
 - c) other previously-developed land;
 - d) contaminated or derelict land;
 - e) existing mineral workings;
 - f) unused and under-used agricultural and forestry buildings and their curtilages;
- Finally, consideration will be given to greenfield sites; providing that there is no unacceptable harm to the environment or communities.

Waste Reuse, Recycling, and Composting

Waste Reuse

- 4.27 After waste reduction, the next preferred means of managing waste on the hierarchy is reuse. This involves putting used products or materials without alteration or processing to the same use again or for a different purpose. It can result in added value and utility before final disposal. The waste stream where there is the most potential for reuse is construction & demolition (C&D) waste. Road planings can be reused without further processing and some excavated materials can be directly reused as fill in construction projects or as a site engineering material.

Waste Recycling

- 4.28 The next step on the hierarchy is recycling and composting. Recycling involves the separation of waste materials to put them through a process so that they can be used again either for the same or an alternative purpose. Materials commonly recycled include paper, cardboard, glass, cans, some plastics, textiles, wood, metal, brick, stone, concrete, soils and food and garden waste (by composting). In fact most things can be recycled.

Waste Transfer and Materials Recovery Facilities

- 4.29 Materials Recovery Facilities (MRF) take waste and sort it either by a “dry” or a “wet” system, usually within a building. A dry MRF is dependent upon a segregated waste collection system, whereas wet MRFs are not. Both types of MRF sort and grade waste either manually or mechanically. The separated materials are then sent elsewhere for re-use or recycling. A large building is usually required with some outdoor storage space.
- 4.30 The purpose of waste transfer stations is essentially to bulk up wastes and reduce the overall transport requirements of waste collection. However, they increasingly involve an element of sorting to separate materials for recycling, recovery or treatment.
- 4.31 Similarly recycling and household waste sites (RHWSs) operate as reception centres for the public to take their waste, but also aim to recycle as much of this as possible. These centres are popular with the public and have successfully increased the amount of materials recycled.
- 4.32 There is a good distribution of these facilities throughout the WDF area. However, there may be potential to extend such facilities and there is a need to keep the provision under review. It would be consistent with the aims of sustainable waste management and the need to deal with waste as close to its source as possible, to promote a widespread distribution of waste transfer stations and

RHWSs to minimise transportation of waste and encourage further recycling, subject to environmental and amenity considerations.

Waste Composting

- 4.33 Composting is a natural process that involves the breakdown of organic material in the presence of air (aerobically). It creates a product that can be applied to land to improve soil structure and enrich the nutrient content of soil. There are two forms of composting: open-windrow and in-vessel. With open-windrow, green waste is shredded and placed outdoors in elongated heaps, which are kept at specific moisture and oxygen levels. The windrows are turned and re-mixed on a regular basis to maintain their aerobic state, until the active composting period is finished and the final product is ready. This form of composting can require a large site, and because of concerns about the effects on health from the generation of bio-aerosols, as well as potential impacts from smell, dust, vermin and birds, it may need to be located away from residential areas and other sensitive land uses.
- 4.34 In-vessel composting refers to a group of composting systems ranging from closed halls to containers, which aim to achieve a higher degree of control over and accelerate the process. In-vessel composting can take wastes other than green waste such as food. It often also requires some form of outdoor maturation.

Policy WCS5 The strategy for **reuse, recycling, waste transfer and composting facilities** is to allow new waste management development, provided the proposal does not cause unacceptable harm to the environment or communities.

Energy/Value Recovery from Waste

- 4.35 Energy/value recovery is used to describe those processes which either directly burn waste to recover energy value or produce a floc which could be used as a fuel. These processes must not be confused with other recycling facilities which only recover value. There are a number of different technologies that involve some form of energy recovery from waste. Some of these are fairly well established, whilst others are new and further technologies continue to emerge. In addition to recovering energy from waste these processes often create other by-products from the waste, which have an intrinsic commercial value, or from which value can be recovered through further treatment. In general, however, they provide a sustainable energy source.

- 4.36 Anaerobic digestion (AD) is a process where biodegradable waste is broken down in an enclosed vessel in the absence of oxygen. The process converts up to 60% of the waste into gas that following treatment can be burned to produce electricity and heat. The residue of solids/digestate is inert and can be used as a soil improver or further treated to create compost. There is an anaerobic digester at Wanlip water treatment works that takes the organic fraction from the Bursom Ball Mill facility.
- 4.37 Mechanical-biological treatment (MBT) involves recovering recyclable materials from waste, then treating the remainder to create a fuel. The organic element is extracted to be treated separately, for example by anaerobic digestion, or by composting.
- 4.38 Mechanical heat treatment (autoclave) works like a pressure cooker, using high temperature steam to cook and sanitise the waste. Items such as glass and cans are cleaned by the process and can be easily sorted out for recycling. The remaining fibrous material can be used as a form of fuel or in building materials.
- 4.39 Advanced thermal treatment is the general term for combustion of waste in a controlled oxygen environment. It includes the processes of gasification and pyrolysis. Gasification is the heating of waste with air, steam or oxygen to create a gas. The process also creates ash and tar. With pyrolysis waste is heated to a high temperature in the absence of oxygen. It produces combustible gases, a combustible char and a mixture of soils and liquid effluent.
- 4.40 There are currently no major waste incinerators in the WDF area. All clinical waste is taken for incineration outside of the WDF area. It has tended to be municipal waste that is burnt in incinerators, however, they could also be used to manage commercial and industrial (C&I) waste.
- 4.41 Waste Strategy 2007 points out that incineration avoids the negative effects of landfill and saves limited amounts of energy or materials. In achieving a sustainable waste management system, incineration with energy recovery will need to play a full and integrated part in local and regional solutions. The Strategy makes clear that where waste cannot be sensibly reused, recycled or composted, using it as a fuel in incinerators should be considered, and the benefits can be increased by incorporating combined heat and power (CHP) technology. CHP facilities use the hot water left over from producing electricity to provide heating to local communities or industries.
- 4.42 However, the Strategy also advises that waste to energy incineration must be considered in the context of an integrated approach to waste management which encourages waste reduction, reuse and recycling.

- 4.43 Appropriately sited, designed and managed incineration facilities could help divert waste away from landfill, and may help the WDF area manage its own hazardous waste. Measures would need to be in place to ensure that the majority of waste is pre-sorted to maximise reuse and recycling potential.

Policy WCS6 The strategy is to allow **anaerobic digestion (AD), incineration, mechanical-biological treatment (MBT) and other energy/value recovery technologies** that would provide for the recovery of energy from waste, provided that:

- (i) pre-sorting is carried out;
- (ii) value recovery from by-products of the process is maximised;
- (iii) energy recovery is maximised;
- (iv) any residue of the process can be satisfactorily managed and disposed; and
- (v) the proposal does not cause unacceptable harm to the environment or communities.

Landfill

- 4.44 The majority of waste generated in the WDF area is currently disposed of to landfill. It fills void spaces that result from mineral extraction and is seen as an important method of restoring mineral workings back to a beneficial use. These sites can then be returned to a range of uses such as agriculture, leisure, woodland or nature conservation.
- 4.45 Although it falls within the least preferred option within the hierarchy, it is a facility that is still likely to be needed for the foreseeable future, whilst new alternative waste management facilities become established, and in the longer term for waste that is left over after a treatment process.
- 4.46 Landfills are classified into three types: non-hazardous; hazardous; and inert. So, if a site does not contain inert waste it must, by definition, contain non-inert waste and it is this definition that the document continues to use throughout when referring to non-inert waste and landfill. Landfill sites for any waste other than inert have to be engineered to control landfill gas and leachate, which are produced as the waste breaks down over time. Part of the process involves lining and capping individual phases of tipping within the site to seal them with impermeable material. These sealed areas are called cells and the material used is either clay or an artificial

barrier or both. Such engineering systems are expensive and consequently new sites are likely to be large scale to be cost effective. Such sites also take a quantity of inert waste that is used for such purposes as construction of the cells, daily cover and in restoration. This quantity of inert waste is estimated to account for about 20% of the voidspace of non-inert sites.

- 4.47 After applying the targets and assumptions for recycling levels as set out in the Regional Spatial Strategy (RSS) apportionment for the WDF area and the recycling and composting targets in the Leicestershire Municipal Waste Management Strategy (LMWMS), there remains a significant disposal requirement for the remaining waste forecast to arise. Whilst provision is to be made and proposals encouraged for energy and value recovery waste management facilities, which would reduce landfilling hazardous and non-hazardous wastes, it is likely that it will take a few years for these installations to become established. In the meantime there is insufficient permitted non-inert landfill space available.
- 4.48 In the interests of providing for a waste management framework in a sustainable manner, allocations for non-inert landfill sites may need to be made. It will be necessary to ensure that there is sufficient non-inert capacity to accommodate all the residual waste after recycling and recovery targets have been met for the WDF period. Provision of recycling and recovery beyond the minimum targets set will necessitate less landfill being required as set out in Table 4.4.
- 4.49 In the event of allocated sites for non-inert waste not reasonably meeting the need for disposal capacity within the WDF period, it could be appropriate to allow alternative sites to come forward, where the need can be demonstrated and there is an environmental benefit to be achieved, for example in securing appropriate restoration of a mineral working, or where the development is part of an integrated waste management development proposal.

Policy WCS7 The strategy for non-inert waste landfill is not to grant planning permission for new or extended sites, unless:

- (i) it can be demonstrated that there is an overriding need for the facility;
- (ii) environmental benefits are to be secured by the development; and
- (iii) the proposal does not cause unacceptable harm to the environment or communities.

- 4.50 The principal means for disposal of residual inert waste will continue to be landfilling, and according to the disposal requirement identified in the RSS apportionment figures there is no shortfall in the supply of inert voidspace. However, the apportionment figure for reuse of inert waste includes landfill engineering and restoration, use on exempt sites and backfilling of quarry voids. These are uses of land, which in planning terms come under the category of landfill. Consequently the level of inert waste landfill provision needs to be sufficient to meet the RSS inert disposal and a proportion of the reuse figures combined. This, in principle, creates a shortfall in the available inert voidspace.
- 4.51 Nevertheless, there is an element of reuse that is not landfill within the apportionment figure. Furthermore other than for backfilling of quarry voids, the nature of reuse proposals that involve landfilling is such that it would be difficult to provide for them through site allocations. The proposals tend to be small-scale to meet the terms of their exemptions from waste licensing. Alternatively they may also involve development that is not strictly landfilling or landraising, such as in landscaping proposals and construction fill. These schemes generally come forward as windfall sites, which need to be considered on their merits at the time. With the advantages that reuse schemes are not subject to landfill tax, it can be assumed that proposals which make provision for reuse of waste in this manner will continue to be promoted.
- 4.52 There may also be occasions where major construction works such as road projects generate large volumes of waste. In these circumstances appropriate disposal of the surplus materials near to the road line, for example in landscaping measures, without having to transport it on the public highway, may have the advantage of preventing an otherwise significant traffic impact. Such proposals would need to demonstrate, however, that there is no viable alternative beneficial use for the surplus materials.

- 4.53 Furthermore inert, i.e. construction and demolition (C&D), waste has the most potential for recycling, and therefore reduction of residual waste. This, it is anticipated, will be achieved by encouraging on-site recycling (Policy WCS5) and by making sufficient provision to support at least the RSS apportionment recycling requirement as well as allowing appropriate additional sites which come forward in accordance with Policy WCS1. This would be in support of the Waste Development objective of promoting use of waste as a resource including optimum use of recycled waste materials as aggregates.
- 4.54 Some new inert landfill sites will be required, but these will only provide for a proportion of the capacity required to accommodate the RSS apportionment requirement for reuse of C&D waste. This is considered consistent with the National Waste Strategy 2007 which, although it does not set definitive targets, suggests a reduction of C&D waste going to landfill by 2012 to 50% of that which was disposed of in this manner in 2004. However, inert waste fulfils an important role in reclaiming quarry voids to appropriate after-uses.
- 4.55 All inert landfill or landraise proposals will need to demonstrate it is the most sustainable option and that the development would produce an environmental benefit. Also, that no delay would result in the restoration of already permitted waste disposal sites; including in particular the infilling of mineral extraction sites with inert waste to achieve reclamation.

Policy WCS8 The strategy for **inert waste landfill** is not to grant planning permission for new or extended inert waste landfill or landraise sites, unless:

- (i) it can be demonstrated that the waste cannot be managed in a more sustainable way;
- (ii) an environmental benefit is to be secured by the development;
- (iii) the development would not delay the final restoration of existing waste disposal sites; and
- (iv) the proposal does not cause unacceptable harm to the environment or communities.

Other Forms of Waste Management Development

- 4.56 Landfill gas produced at non-inert landfill sites is a methane rich biogas (typically 65% methane and 35% carbon dioxide) and can be used to produce energy such as electricity. Even with a level of impurities it can be used to fuel engines or turbines and as a vehicle fuel. Methane is a powerful greenhouse gas, which landfill operators are obliged to collect and at least treat by flaring. Capturing and

utilising the energy potential of this process supports a sustainable approach to waste disposal. The quality and quantity of landfill gas varies depending on the degree of decomposition and age of the site. Landfill gas plants should be located away from residential areas and other sensitive land-uses for reasons of safety and other amenity issues. Careful consideration should also be given to siting of the plant to limit visual impact.

- 4.57 Low level and very low level radioactive waste consists largely of paper, plastics and scrap metal items used in hospitals, research establishments and the nuclear industry. A national strategy is currently being prepared by government for the management of non-nuclear industry low level radioactive waste and this will be a relevant consideration when adopted. Without a specific requirement for such facilities, any proposals for such will be considered against relevant policies in the plan.
- 4.58 Sewage undertakers have extensive rights to carry out development without the need to obtain planning permission under the Town and Country (General Permitted Development) Order 1995 (GPD). Considerable development, involving large items of plant and machinery can be carried out within existing operational sites without the submission and approval of a planning application. New sewage treatment works will, however, require planning permission and in some instances Environmental Impact Assessment will be required, depending on the size, nature and location of the development proposed. Given potential impacts from odour, noise and flies, in particular, they need to be relatively remote from residential areas and located on the edge of settlements.
- 4.59 Animal and clinical incinerators provide a small scale but essential part of waste management for a part of the waste stream that for regulatory requirements must be burnt. Currently, the County's clinical waste is exported for treatment. A small animal incinerator is at Stubble Hill Farm. There may be a case where a new incinerator of this type is required. In the event that planning applications come forward they will be considered against relevant waste framework development plan policies.

Policy WCS9 The strategy is to allow **other forms of waste management** not covered by specific policies, provided that the proposal does not cause unacceptable harm to the environment or communities.

Environmental Considerations

- 4.60 The provision of waste management facilities can have significant effects on the environment and local amenity. The provision of sufficient facilities to enable sustainable waste management to take place has to be balanced against the need to protect and potentially enhance the environment and minimise any adverse effects on amenity. Policies within the Regional Spatial Strategy (RSS) provide the key regional approaches to the protection and enhancement of natural and cultural assets, and relate specifically to biodiversity, woodland, landscape character, the historic environment, the water environment, strategic river corridors and flood risk.
- 4.61 Leicestershire and Leicester have a rich natural and cultural heritage which needs to be safeguarded for the benefit of future generations. Areas and features of international, national, regional or local importance are an irreplaceable resource and need to be identified and protected.
- 4.62 The Councils will seek to ensure waste developments are designed in such a way that the general character and diversity of the landscape, biodiversity and cultural heritage is protected and enhanced and the amenity of local communities is protected from the unacceptable adverse impacts of waste development. Where appropriate, measures will be pursued to provide environmental and other improvements or gains in mitigation or compensation for the adverse effects of waste related development.

Policy WCS10 The strategy for **environmental protection** is to protect and enhance the natural and built environment of the framework area by ensuring that

- there are no unacceptable adverse impacts from waste developments on:
 - natural resources including water, air and soil;
 - the character and quality of the landscape;
 - biodiversity, including nationally and internationally important sites and the key habitats and species identified in relevant Biodiversity Action Plans;
 - historic and cultural features of acknowledged importance;
 - sites of geological interest;
 - the distinctive character and setting of settlements within the framework area; and
 - residential amenity;
- the highest standards of operational practice for the management, working, and where appropriate restoration and aftercare of sites are adopted;
- development is designed to a high standard, incorporates sustainable construction principles and includes appropriate landscaping.

National Forest

- 4.63 In 1987, the Countryside Commission announced proposals for a long-term project to create a new national forest in lowland England. In 1990, an area of 200 square miles was chosen spanning Leicestershire, Derbyshire and Staffordshire. Linking the ancient forests of Needwood and Charnwood, it is an area that at the outset possessed only 6% tree cover and included tracts of land that had been stripped bare by mining and clay working, leaving dereliction and economic decline.
- 4.64 The ultimate goal for the National Forest is to achieve the overall vision of the National Forest Strategy, which sets an overarching aim for a third of all land to be wooded and some 15 million trees to be planted. Overseeing the project is the National Forest Company, which acts as a catalyst and participates in major bids for national and European funds. Part of its brief is to forge innovative partnerships with local authorities, farmers, landowners, companies and local communities. It also publishes planting guidelines for new woodland.

- 4.65 The RSS states that opportunities should be taken to increase woodland cover as part of new development focussing on a number of priority areas including the National Forest. It also states that the development of the National Forest should be promoted in ways that generate environmental, economic and social benefits of both local and national significance by:
- enhancing the distinctive landscape, natural, cultural and historic assets of the area;
 - making provision for the planting of woodlands subject to environmental constraints;
 - ensuring development is accompanied by proposals for creating appropriate woodland settings;
 - developing the recreational potential both for local communities and for visitors; and
 - creating a world class visitor experience which generates sustainable economic benefits for local communities.
- 4.66 Approximately two-thirds of Charnwood Forest lies within the designated area of the National Forest. The National Forest beyond the boundary of the Charnwood Forest is recognised as providing opportunities for a range of leisure and tourist facilities, including noisy sports, and as a significant example of sustainable development, as it addresses social, economic, recreational and environmental issues as well as bringing derelict land back into use. In implementing the leisure and tourism elements of the National Forest policy beyond the boundary of the Charnwood Forest, the multi purpose objectives of the National Forest can best be addressed through a range of high quality facilities to be provided with priority given to areas that are currently derelict or subject to mineral workings. These sites should predominantly be those that attract large numbers of visitors. In considering proposals for the Forest, it is also important that due regard is given to nature conservation and cultural heritage sensitivities and opportunities.

Policy WCS11 The strategy for waste management developments within the **National Forest** outside of the Charnwood Forest area is to reflect the National Forest Strategy by making provision, where appropriate, for the planting of woodlands, habitat creation, the creation of new leisure and tourism facilities and/or for public access.

- 4.67 The landscape of Charnwood Forest is of special quality because of the combination of its ecology, geology and archaeology and visual appearance. It is highly valued in particular for its scenic beauty and has been identified as a priority area for protection and enhancement of natural and heritage landscape assets. The underlying rocks have resulted in a varied, hilly landform with exposed crags and rocky knolls and fast-flowing streams. It is the most wooded part of the WDF area and has a high concentration of

mixed deciduous and coniferous woodland, including many ancient woodland sites and a significant proportion of the WDF area's wet woodland habitat. The area is attractive to visitors and has 3 country parks.

- 4.68 The Regional Spatial Strategy promotes initiatives to protect and enhance the particular character of Charnwood Forest, and includes a proposed Charnwood Forest Regional Park as one of the strategic priorities for the Three Cities Sub-Regional Area.
- 4.69 The distinctive landscape character of Charnwood Forest is identified in the Leicestershire, Leicester and Rutland Landscape and Woodland Strategy. The boundary of the Forest is indicated on the Key Diagram based on the area identified in that Strategy. The boundary of Charnwood Forest will be defined as part of the preparation of LDFs for Charnwood Borough, North West Leicestershire and Hinckley & Bosworth Borough Councils.

Policy WCS12 The strategy for waste development within or adjacent to **Charnwood Forest** is to ensure that:

- (i) proposals include measures to protect and enhance the character of the area, including its landscape, ecology, cultural heritage, built heritage and recreational value; and
- (ii) the siting, scale, design and materials of the development reflect and complement the character of the surrounding landscape and minimise any harm.

Green Wedges

- 4.70 The WDF area has a number of Green Wedges around urban areas. Their aim is to protect important open land between settlements so it remains an amenity resource for urban residents.
- 4.71 The RSS acknowledges the importance of protecting areas of Green Wedge for their amenity value and to prevent coalescence of distinct urban areas. However, in providing for sustainable waste management within the WDF area, many new sites will need to be found. Given the benefits of siting facilities close to the waste arising and the particular locational requirements of certain types of waste development that may best be placed away from sensitive urban uses, land on the urban fringe is very likely to be a matter for consideration, and may provide the most sustainable option. There may also be sites within these locations, such as derelict land, unused agricultural or forestry buildings and their curtilages, or existing mineral workings where the character and amenity value of

the land may not be materially compromised by sensitively designed waste management development. In such circumstances proposals would, in particular, have to demonstrate that there was an overriding need for the development that could not be met within an urban area and how the visual amenities of the area would be protected.

- 4.72 The extent of the current Green Wedges in the framework area is a matter for the local borough, district and city councils and their boundaries will be reviewed as part of each authorities' local development framework production.

Policy WCS13 The strategy for **Green Wedges** is not to grant planning permission for waste management development on sites within Green Wedges, unless it can be demonstrated that:

- (i) there is an overriding need for the facility;
- (ii) it would not lead to a coalescence of settlements;
- (iii) it would not lead to a loss of any leisure/amenity value for surrounding communities;
- (iv) it does not damage the landscape character; and
- (v) it does not cause unacceptable harm to the environment or communities.

Transport

- 4.73 Transport is one of the main environmental considerations in relation to waste management. The bulk of movements to and from waste developments are by road. Such traffic may have a considerable impact on local amenity, creating problems of public safety and inconvenience, noise and vibration, air pollution and visual intrusion.
- 4.74 Problems associated with transportation of waste are most severe where lorries use minor roads unsuited to their weight and size, where they pass through residential areas, and at the point of access/ingress from the public highways. It is an objective of the Leicestershire Local Transport Plan 2006-2011 and the Central Leicestershire Local Transport Plan 2006-2011 to reduce transport's impact on the environment, through local measures to reduce pollution, traffic nuisance and improve road safety.
- 4.75 The County Council has worked on a lorry control network since 1993, with the network being completed in March 2006. The objective has been to concentrate goods vehicles on the most suitable routes, thereby reducing the impact of lorries, removing noisy goods vehicles from many Leicestershire communities and

reducing the structural damage to many roads caused by lorries. The routes that make up the lorry route network are indicated on the Key Diagram. In order to reduce the environmental impact of heavy traffic, new waste developments should not transport material along minor roads which would cause unacceptable disturbance to local communities and the environment.

- 4.76 Other means of transport, such as rail or water, can be less damaging but are not always practicable, may involve considerable investment in infrastructure and do not offer the flexibility of road transport. Nevertheless, it is the policy of PPS10 to seek, where practicable and beneficial, to use modes other than road to transport waste, i.e. by rail, canal and pipeline, to reduce the environmental impact of their transportation.

Policy WCS14 The strategy for the **Transportation of Waste** is to locate new waste management developments:

- in close proximity to arisings in order to minimise the need to transport waste;
- in close proximity to the County's lorry route network and where road traffic generated by the development can avoid residential areas and minor roads in order to minimise the impact of transporting waste by road; or
- where rail/water transport could be secured for movement of waste in order to maximise the potential to use alternative means of transport.

5. Development Policies for Protecting the Environment

Sustainable Design

- 5.1 With a view to working towards sustainable development it is important to ensure that all new waste management development is designed to minimise its impact on the environment. Central principles of sustainable development are the need to reduce emissions of greenhouse gases as well as other forms of pollution, reduce levels of energy and water consumption, as well as to minimise waste and to reuse or recycle materials.
- 5.2 This can be achieved by a variety of means, for example by: renewable energy technology; orientation and layout of buildings to maximise solar and other natural benefits; energy management systems; grey water recycling systems; sustainable drainage systems; energy efficient appliances; avoidance of air conditioning; and use of non-toxic, recycled or recyclable building materials (however, there may be buildings which are of such small scale and only house essential electrical equipment to which much of this is inappropriate). The following policy supports Leicestershire Community Strategy objectives of promoting environmental good practice and Leicester's Community Strategy aim to reduce pollution and impact upon climate change.
- 5.3 The companion guide to PPS10 and Planning Policy Statement 1: Delivering Sustainable Development (PPS1) advocates developments to be of good design which contributes positively to places. The external design of buildings is as important to creating sustainable communities as ensuring wise use of resources.
- 5.4 It is also important that sites for waste management are carefully designed and operated, given the importance of protecting the best of the County's natural resources and heritage, and the need to protect local communities from the traffic, noise, dust and other problems which are often associated with such development. Enviro on behalf of DCLG, CABE and DEFRA have produced a document specifically on the use of good design in waste developments. The publication, *Designing Waste Facilities: A Guide to Modern Design in Waste* gives a steer to the non-functional components of waste facilities.

Policy WDC1: Sustainable Design

Proposals for waste management development will be required to demonstrate that they have been designed to ensure impact on the environment is minimised by appropriate measures to:

- (i) reduce greenhouse gas emissions and other forms of pollution;
- (ii) minimise levels of energy and water consumption;
- (iii) minimise production of waste during construction and operation;
- (iv) maximise the re-use or recycling of materials; and
- (v) protect and contribute positively to the character and quality of an area.

Sites of International and National Importance

- 5.5 A system of designation is used as the basis for protection. Important features relating to the landscape, nature conservation and sites of historical importance have become protected by statute and planning policy according to their level of designation. These range from sites which are of international or national importance to those that are recognised at a regional or more local level. In addition to affording protection to these sites and important features, measures will also be sought, where appropriate, to enhance or reinforce their value in mitigation or compensation for the effects of seeking to achieve a sustainable approach to the provision of waste management facilities.
- 5.6 Internationally important (or European) sites include Special Protection Areas (SPA), which are of importance for the conservation of wild birds, Special Areas of Conservation (SAC) (of which the River Mease SAC is the only such designation), which are designated for their natural habitat and wild fauna and flora interest, and RAMSAR sites, which are important as waterfowl habitat. Such sites are afforded specific statutory protection and in accordance with PPS9: Biodiversity and Geological Conservation a specific policy on their protection is not required. Also, many individual wildlife species also receive protection through legislation, principally by the Wildlife and Countryside Act 1981.
- 5.7 Nationally designated sites should also be afforded high protection, with planning permission granted only if either there is no significant adverse effect on the site or measures are in place to ensure no significant adverse effect occurs. Within the WDF area there are numerous Sites of Special Scientific Interest (SSSIs), Scheduled

Ancient Monuments, and listed buildings, as well as 21 historic parks and gardens and one battlefield. Listed buildings and conservation areas are statutorily protected under the Planning (Listed Buildings and Conservation Areas) Act 1990. Whereas, for SSSIs Paragraph 8 of PPS9 sets out the Government's policies for developments likely to have adverse effects on them.

Policy WDC2: Sites of National Historic Importance

Planning permission will not be granted for waste management development that would have significant adverse effects on sites of national historic importance or on their character, appearance, and/or setting of sites of national importance, including:

- (i) Scheduled Ancient Monuments and other nationally important archaeological sites;
- (ii) historic parks and gardens, battlefields and historic landscapes; and
- (iii) listed buildings,

unless there are overriding reasons of national importance for development in that location clearly outweigh the impacts that it is likely to have on the features of interest.

Sites of Regional and Local Importance

- 5.8 Regionally and locally important sites are designated in recognition of their significance at the local and/or regional level and, as such, do not normally carry the weight of statutory protection. The level of protection afforded nevertheless reflects their significance to the fabric of the local natural, historical and built environment, as well as the important role that they can provide as a local community facility. These sites include special landscape areas, Local Wildlife Sites (LWSs), priority habitats identified in the Biodiversity Action Plan (BAP), Regionally Important Geological (RIG) sites, Local Nature Reserves, Country Parks, conservation areas, protected woodlands, open space within built-up areas and land or buildings for recreational use.
- 5.9 Whilst waste management development that would have damaging effects on these sites should not be allowed, there may be measures that can be put in place to prevent the harm occurring, and in some circumstances there may be other material factors that are sufficient to override preservation of the features. Where adverse effects cannot be avoided, provision for the creation of new and enhancement of the existing areas of interest may be required in compensation.

Policy WDC3: Sites of Regional and Local Importance

Planning permission will not be granted for waste management development which would have a significant adverse effect on the character, appearance, ecological, geological or amenity value of Sites of Regional and Local Importance, including:

- (i) Local Wildlife Sites (LWSs);
- (ii) Local Nature Reserves;
- (iii) priority habitats or species identified in relevant Biodiversity Action Plans;
- (iv) special landscape areas and landscape features of importance;
- (v) Regionally Important Geological sites (RIGs);
- (vi) protected woodland areas;
- (vii) country parks, common land, village greens and other important areas of open space or green areas within built-up areas;
- (viii) conservation areas and locally listed buildings (including their setting);
- (ix) land or buildings in sport, recreational or tourism use; and
- (x) land that is of regional or local importance for wildlife corridors or for the conservation of biodiversity, unless it can be demonstrated that there is an overriding need for the development and any impacts can be mitigated or compensated for, such that there is a net gain or improvement to their condition.

Archaeology

5.10 Where waste management development could affect sites with potential archaeological interest, it may be acceptable, if the proposal allows preservation in situ, or, where this is impractical, its investigation and recording. However, a proposal for such development in an area of archaeological interest would only be acceptable if proper evaluation of the archaeological implications through preliminary assessment by desk and/or field study, as appropriate, is first undertaken and adequate measures for safeguarding the interest are provided for. PPG16: Archaeology and Planning provides advice on dealing with planning applications that affect or may affect archaeology. It advocates the provision of a policy on sites of archaeological interest. The County's Sites and Monuments Record and the City's Archaeological Alerts Map provide



a full list of archaeological sites and contain information on the known and reported archaeology. Developers should look to the Council's archaeological curator to identify those areas that have archaeological potential and in turn to recommend how that potential should be assessed.

Policy WDC4: Archaeology

Proposals for waste management development which are likely to affect important archaeological remains will not be granted planning permission, unless

- (i) they have been the subject of a preliminary archaeological assessment to determine the nature and significance of any archaeological remains; and
- (ii) adequate provision for preservation in situ, excavation or recording of any interest is made in accordance with the level of importance of the finds.

Countryside

- 5.11 The Companion Guide to PPS10 advises that greenfield sites should not be ruled out and, therefore, development in the countryside should not be precluded where this is consistent with communities taking more responsibility for their own waste. There may also be sites within these locations, such as derelict land, unused agricultural or forestry buildings and their curtilages, or former mineral workings where the character and amenity value of the land may not be materially compromised by sensitively designed waste management development. In such circumstances proposals would, in particular, have to demonstrate that there was an overriding need for the development that could not be met within an urban area and how the visual amenities of the area would be protected, taking into account other relevant designations and local landscape strategies. It is recognised that on farm composting (by windrows) frequently require a location outside of the defined built-up areas in the countryside.

Policy WDC5: Countryside

Planning permission will not be granted for waste management development within the countryside, unless it can be demonstrated that:

- (i) the development is such that it cannot be accommodated within the urban areas;
- (ii) there is an overriding need for the development; and
- (iii) the landscape character of the area will not be harmed.

Agricultural Land

- 5.12 The preference for waste management locations will be on sites such as previously-developed land, derelict and contaminated land, land already used for waste management or industrial uses, redundant agricultural buildings etc. But where greenfield sites have to be considered, the agricultural quality of that land, and whether a valuable resource would be permanently lost in developing the site, will be important factors in determining whether the site is a sustainable option. Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7) states that the presence of best and most versatile agricultural land should be taken into account alongside other sustainability considerations when determining planning applications, and that where significant development of agricultural land is unavoidable use of poorer quality land should be sought in preference to that of higher quality, except where this would be consistent with other sustainability considerations.

Policy WDC6: Agricultural Land

Planning permission will not be granted for waste management development that would result in the significant loss of the best and most versatile agricultural land (Grades 1, 2 and 3a), unless it can be demonstrated that:

- (i) there is an overriding need for the facility;
- (ii) there is no suitable alternative site of lower agricultural quality that provides the same benefits in terms of sustainability;
- (iii) in the case of landfill, the land could be restored to its previous agricultural quality or better or another beneficial after-use can be secured which outweighs any loss; and
- (iv) the development is consistent with other sustainability considerations.

Landscaping and Woodland

- 5.13 Most parts of the WDF area are deficient in woodland and with an average tree cover of 3% it is one of the least wooded areas in England. Existing woods, particularly ancient woodland, are in need of protection and enhancement. Woods form a vital element in the landscape and can be important for their amenity, recreational and commercial value, as well as ecology. In recognition of their value it is a duty of the local planning authority under Section 197 of the Town and Country Planning Act to ensure, whenever appropriate, in granting planning permission that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees. The RSS wishes to see opportunities taken to increase woodland cover, focusing on the area, within Leicestershire, of the National Forest. The RSS further indicates that locally and nationally significant developments in the National Forest should be accompanied by proposals for creating woodland. However, any woodland planting would have regard to Landscape Character Areas published in the Landscape and Woodland Strategy.
- 5.14 The Landscape and Woodland Strategy encourages measures to improve the management of woodlands and to increase the total woodland cover of the County Area where appropriate whilst respecting and enhancing local landscape character and local biodiversity. The County Historic Landscape Characterisation contributes to the understanding of the character of the landscapes of Leicestershire and the survival of historic landscapes.

Policy WDC7: Landscaping and Woodland

In granting planning permission for waste management development, landscaping and new woodland planting will be required, where appropriate.

Health and Amenity

- 5.15 There is a level of public concern about the nature of waste management operations and their effects. The safeguarding of people's quality of life and health is an important consideration in determining whether proposals are acceptable. In addition to residential environments, other land uses such as local businesses, schools, hospitals, recreational facilities, including public rights of way and farmland need to be protected from unacceptable levels of adverse effects. There are measures that can be put in place to control the effects of waste operations. However, there may be cases where the specific consequences of the development are likely

to generate such a severe impact that planning permission should not be granted.

Policy WDC8: Health and Amenity

Planning permission will not be granted for waste management development which is likely to generate unacceptable adverse effects from noise, dust, vibration, odour, emissions, illumination, visual intrusion or traffic to adjoining land uses and users and those in close proximity to the waste management development.

Cumulative Impact

5.16 The cumulative impact of several waste management operations either on one site or in close proximity to each other may also be a factor that needs to be assessed. There are measures that can be put in place to control the effects of waste management operations. However, there may be cases where the specific consequences of the development, either singly or in combination, add up to such a severe impact that planning permission should not be granted. Where new waste management development is proposed on an existing waste management site or in close proximity to an existing site it will be necessary to take into account the cumulative impacts of the development itself and the effects of several in the same locality.

Policy WDC9: Cumulative Impact

Planning permission will not be granted for waste management development which would result in an unacceptable cumulative impact on the environment of an area or on the amenity of a local community, either in relation to the collective effect of different impacts of an individual proposal, or in relation to the effects of a number of waste developments occurring either concurrently or successively.

Transportation of Waste

5.17 It is the policy of PPS10 to seek where practicable and beneficial to use modes other than road to transport waste, i.e. by rail, canal and pipeline. The bulk of movements to and from waste management operations are by road. Such traffic may have a considerable impact on local amenity, creating problems of public safety and inconvenience, noise and vibration, air pollution and visual intrusion.

These problems are most severe where lorries use minor roads unsuited to their weight and size, where they pass through residential areas, and at the point of access to the site from the public highways. Routeing agreements are commonly used to alleviate impacts of the movement of Heavy Goods Vehicles (HGVs) on unsuitable roads.

- 5.18 It would not be desirable to allow proposals which could exacerbate any existing problems or create unacceptable new impacts. Transferring some or all of the traffic to transport modes that do not utilise the local road network could reduce the effects of road transportation and could be more energy efficient. Sites that have the appropriate infrastructure to enable transfer of waste by means other than road may be in locations that are not particularly close to the origin of the waste. However, it may be preferable in terms of the environmental and amenity impact to transport waste further by rail or by boat than over a shorter distance by road.

Policy WDC10: Transportation of Waste

Planning permission will not be granted for waste management facilities involving the transport of waste by road where:

- (i) there is a practicable alternative to road transport which would be environmentally preferable;
- (ii) the proposed access arrangements would be unsafe and inappropriate to the proposed development and the impact of the traffic generated would be detrimental to road safety to an unacceptable degree; and
- (iii) the highway network is unable to accommodate the traffic that would be generated and have an unacceptable impact on the environment of local residents.

Public Rights of Way

- 5.19 The public rights of way network is an important recreational resource. Local authorities have a statutory duty to protect the rights of the public to use and enjoy the rights of way in their area. Ideally, therefore, waste management development should not adversely affect the integrity of the established rights of way network. There may, however, be circumstances where in the interests of providing for sustainable waste management development, disruption of a public right of way is unavoidable. In such cases, some form of mitigation would be sought, such as, either diverting the route in a satisfactory manner, creating an alternative route and/or providing for additional routes to increase

access opportunities. Mitigation may also include ensuring an existing route does not suffer from reduced amenity.

Policy WDC11: Public Rights of Way

Planning permission will not be granted for waste management development that would adversely affect a public right of way, unless satisfactory proposals which are both convenient and safe are made for its diversion or the creation of an alternative route both during operations and following restoration of the site, if applicable. The opportunity will be taken, wherever possible, to secure appropriate, improved access into the countryside.

The Water Environment

5.20 The Environment Agency has various duties in relation to monitoring and protecting the quality of groundwater, to conserve its use for water resources; maintaining, and where appropriate, enhancing conservation of the surface water environment; and preventing increased flood risk, including taking into account the effects of climate change. New waste management development can have significant effects on the quality of surface and groundwater. Development in the floodplain or on land at high risk from flooding is likely to be unacceptable, if it involves the raising of existing ground levels, or impedes flood flows and measures for flood compensation storage cannot be implemented. In cases where the development could not be adequately controlled and would present an unacceptable risk to the water environment, or would exacerbate flood risk, planning permission should not be granted.

Policy WDC12: The Water Environment

Planning permission will not be granted for waste management development which would:

- (i) have unacceptable impacts on the quality or flow of groundwater or surface water drainage; or
- (ii) exacerbate flood risk in areas prone to flooding and elsewhere.

Air Safeguarding

- 5.21 Local Planning Authorities are required to consult local aerodromes before granting planning permission for development, which might endanger the safety of aircraft. Such development includes buildings and structures which exceed certain heights and development which is likely to attract birds within the relevant radius of aerodromes as identified on safeguarding maps provided either by the CAA (Civil Aviation Authority) or Ministry of Defence (MOD). A building because of its nature or location, can interfere with the operation of navigational aids, radio aids and telecommunication systems, or the lighting elements of development have the potential to distract or confuse pilots.
- 5.22 Furthermore, birdstrike is a major hazard. Whilst most aircraft accidents caused by birds occur on or near aerodromes, bird attractive sites some distance from an aerodrome boundary can increase the risk. Government advice identifies, in particular, facilities for the handling, compaction, treatment and disposal of household or commercial wastes, and sewage disposal and treatment plant as development which attracts a variety of bird species and can create a bird hazard, including bird flightlines across aircraft flightpaths. In the event, therefore, that, following consultation with the appropriate authorities, the nature of a waste management proposal is considered to give rise to new or increased risks to aerodromes and associated uses, planning permission should not be granted.

Policy WDC13: Air Safeguarding

Planning permission will not be granted for waste management development which would give rise to new or increased hazards to aviation.

Information in Support of Planning Applications

- 5.23 The Waste Planning Authority is entitled to request appropriate information from applicants which relates to matters which it believes are material considerations in the determination of planning applications. If the additional information is not supplied, the application may be refused on the grounds of insufficient information under Regulation 4 of the Town and Country Planning (Applications) Regulations 1988 (SI 1988 1812) and the Town and Country Planning (General Development Procedures) Order 1995 (SI 1995 419).
- 5.24 Through the development control process the aspects of a proposal are carefully considered to determine whether planning permission



should be granted. On the basis of the available supporting information it involves a balancing of the merits against the drawbacks, and a judgement as to the soundness of the development. In addition a system of controls can be applied to development proposals to ensure that they do not have an unacceptably adverse impact on local communities and the environment, or to make proposals acceptable that might otherwise not be. Such controls can be achieved through the imposition of conditions or by planning obligations, where appropriate.

- 5.25 Early identification of the issues involved with a proposal and the potential impacts of the development is a key element in working towards the goal of achieving sustainable waste management. Box 1 below sets out the information that may be necessary in support of an application for waste management development. It is not necessarily an exhaustive list nor will all items apply to every development. Precisely what information is required is best determined by pre-application discussions, which are encouraged and assist applicants to formulate proposals that accord with policy and can be understood by all parties involved in the development control process. Applications which are not supported by adequate details can take longer to determine, because further information will need to be requested. It is important that all impacts are identified and examined before a decision is taken.
- 5.26 Local liaison committees also provide a good opportunity for applicants to present their proposals at an early stage and to clarify potential considerations. There are over 30 such committees for various mineral and waste management operations. They offer a forum for discussion between operators, the Waste Planning Authorities and representatives from the community to ensure that local people are kept informed, air issues of concern and discuss solutions to any problems. The setting up of liaison committees for new sites will be encouraged where appropriate. Their success, however, depends upon the full and active co-operation of all parties involved.
- 5.27 Certain types and scales of waste management development will require Environmental Impact Assessment (EIA) and the submission with the application of an Environmental Statement (ES) detailing the results of the EIA. The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and Circular 02/99 set out the circumstances when planning applications require EIA. The information contained in an ES will be taken into account in determining the proposal. If applicants consider that their proposals are likely to require EIA they should seek guidance at an early stage on the need for and scope of the EIA. All submitted planning applications will be screened and applicants advised if an ES is required, if not already submitted.



Policy WDC14: Information in Support of Planning Applications

Planning applications for waste management development will not be considered favourably unless they are supported by sufficient relevant drawings, plans and information, including details where appropriate of the matters listed in Box 1.

Box 1 - Information Required in Support of Planning Applications

1. Type(s) of waste to be managed at the site;
2. Estimated annual throughput of waste materials and timescale of operations;
3. Estimated capacity of the site;
4. Method of working;
5. Markets to be served;
6. An assessment of the contribution that the proposed development would make to the waste hierarchy;
7. Transportation arrangements including the estimated volume, nature and routing of traffic;
8. Highway safety measures;
9. Present use, condition and ground levels of the site and its surroundings;
10. Site layout, means of access and the design and siting of buildings;
11. Fixed and mobile plant and machinery to be used;
12. Anticipated employment levels;
13. Hours of operation;
14. Likely sources of emissions of gases, dust, smoke, odours, fumes or any other form of pollution from the site and measures for minimisation;
15. A noise assessment and proposals for mitigation;
16. Measures for reducing energy and water consumption;
17. Measures to maximise the potential for re-use and recycling of materials both during construction and operation of the facility;

18. A landscape assessment and landscaping proposals, including screening, landscaping works and site boundary treatments;
19. An assessment of the ecological and geological impact of the proposed development and proposals for mitigation or compensation;
20. An assessment of the impact of the proposed development on sites of biodiversity, geodiversity, landscape, historical and cultural heritage;
21. An archaeological evaluation of the site and proposals for excavation, safeguarding and recording of archaeological remains;
22. Measures for protecting public rights of way;
23. An evaluation of the underlying geology and mineral reserves sterilised;
24. An assessment of the hydrological and hydrogeological impact of the proposed development and proposals for mitigation, including a flood risk assessment and proposals for compensation, and site drainage details;
25. Measures to prevent new or increased risk to aviation from the proposed development;
26. Proposals for the management of leachate and landfill gas;
27. Reclamation proposals including finished levels, depths and source of soils and landscaping and measures to ensure future ground stability;
28. Aftercare proposals;
29. After-use and long term management proposals;
30. Any other measures in mitigation or compensation for the effects of the development;
31. Information necessary to undertake an Appropriate Assessment for any development having an impact on the River Mease SAC.

Reclamation and Aftercare

- 5.28 The RSS recommends WDFs secure high standards of restoration where appropriate and contribute to objectives of the RSS, particularly biodiversity, recreation and amenity.
- 5.29 Where a development proposal is for a temporary use, such as a landfill or waste facilities co-located with a landfill, the subsequent reclamation of the site may be necessary. When granting planning permission for the disposal of waste materials or related development, reclamation to an acceptable use will be required at the earliest opportunity, and that after reclamation has been



completed a programme of aftercare will be required. For long duration sites it may be appropriate to submit fully detailed proposals for reclamation and aftercare as later stages of the development are reached, in the light of changing policies, techniques and operational experience. However, there is still a need to establish principles at the planning application stage.

- 5.30 In order to achieve a suitable standard of restoration, topsoil and subsoil in sufficient quantities are required. In cases where insufficient soils exist on site, the applicant will need to make provision to ensure that adequate soils or soil making materials are available to restore the site satisfactorily. Such provision could include the products from composting or recycling operations. The manner in which soil materials are handled is also a key element of successful restoration, and details of the management of soils, including storage methods, timing and means of soil movements, and machinery to be used will be required.
- 5.31 For the initial years (usually a five year period) following reclamation of a site aftercare measures are required to ensure that the reinstatement is sustained and the site is returned to a beneficial use. These measures involve improving the structure, stability and nutrient value of soils, ensuring adequate drainage is available and securing the establishment and management of newly seeded and planted areas, together with such other maintenance as may be necessary.

Policy WDC15: Reclamation and Aftercare

For waste management proposals where the development is not for a permanent use, planning permission will not be granted unless satisfactory provision has been made to ensure high quality reclamation of the site, including where appropriate the following matters:

- (i) details of the proposed landform including pre- and post-settlement levels;
- (ii) phasing of reclamation works;
- (iii) types, quantities and source of soils or soil making materials to be used;
- (iv) a methodology for management of soils;
- (v) removal of all buildings, plant, structures, accesses and hardstandings not required for long term management of the site;
- (vi) installation of drainage;
- (vii) details of grass seeding and planting of trees, shrubs and hedges;
- (viii) a programme of aftercare.

After-use

- 5.32 Proposals for the reclamation of waste management sites should be drawn up with the proposed after-use in mind. The choice of after-use may be influenced by a number of factors including the present characteristics of the site; the wishes of the landowner and requirements of any leases or covenants; planning policies and any appropriate strategies for the area (e.g. National Forest Strategy and Biodiversity Action Plans); the nature and scale of the waste management proposals including systems for gas and leachate control and capping; available funding; and advice from other authorities.
- 5.33 Where appropriate and having regard to local landscape character, alternatives to agriculture will be encouraged, including woodland establishment, creation of new wildlife habitats and sites of geological interest, especially where these contribute towards Biodiversity Action Plan (BAP) targets, and schemes with recreational value.
- 5.34 Forestry uses will be particularly appropriate within the area of the National Forest. Amenity or forestry after-use may be appropriate even on the best and most versatile agricultural land if the methods in use, restoration and aftercare enable it to retain its potential as



an agricultural resource. Additional grant payment in connection with the planting of woodlands is available from the Forestry Commission where public access is allowed.

- 5.35 The County Landscape and Woodland Strategy provides guidelines for conserving and enhancing distinctive landscapes and expanding the woodland cover of Leicester, Leicestershire and Rutland in ways appropriate to particular landscape character areas. Landscape character areas are areas which have a unity of character and a distinctive sense of place when viewed from a county-wide perspective. The Strategy identifies eighteen distinctive character areas within the two counties and the City of Leicester and provides guidelines for conserving and enhancing these distinctive landscapes.
- 5.36 The countryside is a resource that everyone can benefit from and former waste management sites present opportunities for improving this resource. There are, however, circumstances where public access may not be compatible with other land uses, such as where a site is proposed to become a nature reserve or where it might cause an unacceptable level of disturbance to nearby sensitive properties. Opportunities should be maximised for informal recreation and green networks for walking and cycling, linking into existing green infrastructure, natural greenspaces, and/or connecting rural and urban areas.
- 5.37 It is important to ensure that the proposed after-use for a site once established is maintained in the longer term, particularly where it may not be self-financing such as with nature conservation. Where necessary planning obligations will be sought including appropriate funding for the long term management of after-uses to ensure that an appropriate environmental standard is sustained.

Policy WDC16: After-Use

For waste management proposals where the development is not for a permanent use, planning permission will not be granted unless satisfactory provision has been made for after-use of the site and where necessary its long term management. The following non-agricultural after-uses will be sought in appropriate cases:

- (i) woodland planting, particularly in the National Forest;
- (ii) creation of new wildlife habitats; and
- (iii) public access and improvements to the public rights of way network including links to surrounding green infrastructure.



Planning Conditions

- 5.38 Planning conditions are concerned with controlling and regulating the development of land to minimise its effects, enhance its quality, protect features of importance and in the case of waste management development ensure that satisfactory environmental standards are achieved even after operations have ceased. They can enable development to proceed where it would otherwise be necessary to refuse planning permission. The power to impose conditions is very wide, however, government advice in Circular 11/95 sets the following tests that conditions should meet. These are that they should be necessary, relevant to planning and to the development permitted, enforceable, precise and reasonable in all other respects.
- 5.39 Following consultation with other relevant authorities, such as the Environment Agency, necessary planning conditions will be imposed on planning permission for waste management development. The types of matters that can expect to be covered by conditions are listed in Box 2. It is not necessarily an exhaustive list nor are all the matters relevant to every development.
- 5.40 Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10) clarifies that it should not be necessary to use planning conditions to control the pollution aspects of a waste management facility where it requires a permit from the pollution control authority. To this end a close working relationship will be maintained with the pollution control authorities and unless there are clear land-use planning reasons, conditions will not be imposed if appropriate controls exist under other legislation to address the matter.

Policy WDC17: Planning Conditions

In granting planning permission for waste management development, conditions will be attached to control the effect of the development on the environment and the local community. Matters to be covered by conditions may include those listed in Box 2 as appropriate to the development to be granted.

Box 2 – Matters for Control by the Imposition of Conditions

1. Commencement and duration of the permission;
2. Types of waste materials;



3. Throughputs;
4. Hours of working;
5. Working method and area;
6. Vehicle movements;
7. Site access;
8. Vehicle cleaning;
9. Location, design and size of buildings;
10. Site drainage;
11. Type of machinery;
12. Permitted development rights;
13. Noise generation;
14. Emissions of dust, smoke, fumes etc;
15. Bird management/control;
16. Visual intrusion;
17. Site illumination;
18. Screening and landscaping;
19. Protection of existing trees, shrubs, hedges and other landscape features;
20. Protection of the water environment;
21. Prevention of flood risk;
22. Protection of ecological and geological interests;
23. Archaeological interests and the protection of other historic sites or features;
24. Protection of public rights of way;
25. Soil management;
26. Reclamation;
27. Aftercare;
28. After-use.

Planning Obligations

5.41 Where the use of planning conditions is not possible, it may be possible to make development proposals acceptable through the use of planning obligations. These are legal agreements usually entered into by a planning authority and any person with an interest in the development and the relevant land. Obligations can also be secured through unilateral undertakings by developers. Government advice in Circular 05/2005 is that there are three uses of planning obligations, the outcome of which should be that the proposed development is made to accord with published local, regional or national policies. These uses are: to prescribe the nature of development; to compensate for loss or damage created by a development; or to mitigate a development’s impact. The Circular advice also states that planning obligations should only be sought where they meet all of the following tests. These are that a planning obligation must be: relevant to planning; necessary to make the proposal acceptable in planning terms; directly related to the proposed development; fairly and reasonable related in scale and kind to the proposed development; and reasonable in all other aspects. The types of matters that can expect to be included in planning obligations are listed in Box 3. It is not necessarily an exhaustive list nor are all the matters relevant to every development.

Policy WDC18: Planning Obligations

Planning obligations will be sought where appropriate to achieve suitable control over and to mitigate and/or compensate for the effects of waste management development where such objectives cannot be achieved by planning conditions. Matters to be covered by such planning obligations may include those listed in Box 3 as appropriate to the proposed development.

Box 3 – Matters to be considered for inclusion in planning obligations

1. Waste minimisation initiatives;
2. Delivery of facilities for managing waste up the waste hierarchy;
3. Discontinuance of existing planning permissions;
4. Traffic management measures including the routing of vehicles;
5. Access and highways improvements;



6. Provision of infrastructure and public facilities;
7. Establishment of a liaison committee;
8. Environmental enhancement and the delivery of Local Biodiversity Action Plan Targets;
9. Protection of sites of international, national, regional or local importance;
10. Flood risk compensation works;
11. Management of sites with ecological or geological value;
12. Archaeological investigation, recording and keeping of artefacts and safeguarding of remains;
13. Protection and improvement of rights of way;
14. Off-site monitoring of emissions and the water environment;
15. Provision and management of off-site or advance planting and screening;
16. Financial guarantees to ensure reclamation is undertaken;
17. Long term management of sites to establish beneficial after-use;
18. Measures for environmental, recreational, economic and community gain in mitigation or compensation for the effects of waste development.

6. Implementation and Monitoring

Implementation

- 6.1 Leicestershire County Council and Leicester City Council as waste planning authorities will take the lead role in the implementation of the objectives and the policies of this development plan document in a variety of ways, including:
- Determine planning applications in accordance with the Development Plan, government policy and guidance and other material considerations;
 - Attach conditions to planning permissions;
 - Seek legal agreements with developers where appropriate;
 - Enforce breaches of planning control as necessary;
 - Maintain a dialogue with the waste management industry and local communities through participation in local liaison committees and other means;
 - Liaise and co-operate with other departments within the Councils and bodies such as the regional planning body, District and Borough Councils, Parish Councils, adjoining waste planning authorities, the Environment Agency, Natural England, English Heritage, Health and Safety Executive (HSE), Department for Environment Food and Rural Affairs (DEFRA), Highways Agency, the Countryside Agency and interest groups;
 - Work with the waste management industry and others to identify and develop suitable initiatives and sites;
 - Issue advice or supplementary planning documents if appropriate;

Monitoring

- 6.2 Developing a monitoring system is a key means of assessing the effectiveness of this development plan document and whether the spatial vision, and objectives are being delivered. It will aim to determine:
- whether policies and related targets or milestones have been met or progress is being made towards meeting them or, where they are not being met or on track to being achieved, the reasons why;
 - what impact the policies are having in respect of national, regional and local policy targets and any other targets identified in the document;
 - whether the policies, where adopted, need adjusting or replacing because they are not working as intended;



- if policies or proposals need changing, the actions needed to achieve this.
- 6.3 The conclusions are required to be set out in an annual monitoring report, and in order to be able to do this it is necessary to compile performance targets linked to output indicators, which provide a benchmark for measuring policy implementation. These are set out in the tables below. The timescale for measurement of the indicators (i.e. the target period) is the twelve months from 1st April to 31st March to coincide with that of the annual monitoring report, unless otherwise indicated. Should, through the annual monitoring process, a target be consistently missed this would be used to assist the Councils when undertaking the 5-yearly review of the DPD. A review of the DPD would also be carried out if and when it is no longer in general conformity with the RSS.
- 6.4 Care will be taken to co-ordinate monitoring activities with the regional planning body, other appropriate authorities and local initiatives to achieve an integrated approach to data collection, avoid duplication and reduce the burden of data provision.

Waste Management Provision

Policy WCS1: Waste Management Capacity

Policy WCS2: Strategic Waste Sites

Policy WCS3: Non Strategic Waste Sites

Policy WCS4: Waste Location Principles

Policy WCS5: Reuse, Recycling, Waste Transfer and Composting Facilities

Policy WCS6: Anaerobic Digestion, Incineration, Mechanical-Biological Treatment and Other Energy/Value Recovery Technologies

Policy WCS9: Other Forms of Waste Management

Objective 2: To enable the timely delivery of sufficient waste management facilities in the Waste Development Framework area at the key dates of 2009/10, 2014/15 and 2019/20 to meet the waste management capacity apportionment requirement and spatial distribution identified by the Regional Spatial Strategy to at least 2021.

Objective 3: To support the delivery of the Leicestershire Municipal Waste Management Strategy and Leicester’s municipal waste management requirements.

Objective 4: To encourage waste management facilities which increase re-use, recycling, composting and value/energy recovery, including through the use of new waste management technologies where appropriate, in order to meet or exceed regional targets.

Objective 5: To promote use of waste as a resource including optimum use of recycled waste materials as aggregates.

Objective 6: To minimise final disposal as a means of managing waste arisings.

Objective 7: To provide for a distribution of waste management facilities in the framework area at locations which optimise the use of previously-developed land and reduce the need to transport waste from origin to management destination.

Indicator	Target
Capacity of new waste management facilities by type	Improve current levels of provision to reach 90% of total regional apportionment by 2010 and 100% by 2015.
Amount of municipal waste arising and managed by management type and the percentage each management type represents of the waste managed.	Improve current recycling and composting levels to reach 100% of Leicestershire Municipal Waste Management Strategy or regional apportionment (as appropriate) by 2010.



<p>Amount of other waste streams arising and managed by management type and the percentage each management type represents of the waste managed.</p>	<p>Improve current recycling and composting levels to reach 75% of regional apportionments by 2010, 90% by 2015 and 100% by 2020.</p>
<p>Number of strategic and non strategic sites developed by type within Broad Locations and Broad Locations, main urban areas and within of adjacent to existing waste sites, respectively.</p>	<p>100% of strategic sites in Broad Locations. 80% of non-strategic sites in areas listed (except landfills, sewage treatment works and open air composting sites)</p>
<p>Proportion of new sites, excluding landfill, developed on greenfield and brownfield sites.</p>	<p>Less than 10% on greenfield and 90% on brownfield.</p>

Landfill	
Policy WCS7: Non-Inert Waste Landfill	
Policy WCS8: Inert Waste Landfill	
Objective 6: To minimise final disposal as a means of managing waste arisings.	
Indicator	Target
Number and annual throughput of new non-inert landfill sites.	Throughput not to exceed any prevailing shortfall needed for the disposal of residual waste.
Number and capacity of inert landfill sites.	Capacity not to exceed regional apportionments for re-use and landfill.



Historic and Natural Environment

Policy WCS10: Environmental Protection

Policy WCS11: National Forest

Policy WCS12: Charnwood Forest

Policy WDC2: Sites of International and National Importance

Policy WDC3: Sites of Regional and Local Importance

Policy WDC4: Archaeology

Objective 8: To protect people and local communities, and the natural and built environment (particularly the River Mease Special Area of Conservation) from unacceptable effects of waste management development.

Objective 10: To promote the delivery of measures for environmental, recreational, economic and community gain in mitigation or compensation for any adverse effects of waste related development where appropriate.

Indicator

Target

Number of planning applications affecting sites or Areas of importance and decision taken.

Monitor only.

Where planning permission is to be granted affecting sites of importance provision of measures in mitigation, enhancement or compensation.

In all cases.

Where planning permission granted in National Forest area type and scale of landscape created.

In all cases where appropriate.

Provision of archaeological assessment and adequate safeguarding measures.

In all cases when archaeological interest affected.



Countryside

Policy WCS13: Green Wedges

Policy WDC5: Countryside

Policy WDC6: Agricultural Land

Policy WDC7: Landscaping and Woodland

Objective 8: To protect people and local communities, and the natural and built environment (particularly the River Mease Special Area of Conservation) from unacceptable effects of waste management development.

Objective 10: To promote the delivery of measures for environmental, recreational, economic and community gain in mitigation or compensation for any adverse effects of waste related development where appropriate.

Indicator

Target

Number of planning applications on green field sites in Green Wedge and Countryside locations and decision taken.

Monitor only.

Number of planning applications on best and most versatile agricultural land and decision taken.

Monitor only.

Scale and type of new landscaping and woodland planting.

In all cases where appropriate.



Resource Management

Policy WDC1: Sustainable Design

Objective 1: To promote the implementation of waste minimisation initiatives in the construction and operation of new development.

Indicator	Target
Number of schemes incorporating sustainable design principles.	100% of applications with permanent buildings, excluding kiosks.

Amenity

Policy WCS14: Transportation of Waste

Policy WDC8: Health and Amenity

Policy WDC9: Cumulative Impact

Policy WDC10: Transportation of Waste

Policy WDC11: Rights of Way

Policy WDC12: Water Environment

Policy WDC13: Air Safeguarding

Objective 8: To protect people and local communities, and the natural and built environment (particularly the River Mease Special Area of Conservation) from unacceptable effects of waste management development.

Objective 9: To encourage opportunities for means of transporting waste other than by road.

Objective 10: To promote the delivery of measures for environmental, recreational, economic and community gain in mitigation or compensation for any adverse effects of waste related development where appropriate.

Indicator

Target

Number of planning applications permitted with unacceptable amenity or environmental effects.

Zero.

Enforcement action taken on grounds of adverse amenity or environmental effects.

Monitor only. Number of substantiated complaints on permitted waste sites to be less than 2005 baseline.

Number of new sites granted with alternative means of transportation to road.

Monitor only.

Number of planning applications where waste traffic could affect residential or unsuitable roads without routing agreement.

Zero.

Number of sites approved with new public rights of way created and length of new rights of way.

100% where appropriate.

Number of new sites refused in line with Environment Agency advice regarding protection of the water environment.

100%.

Number of new sites refused in line with advice regarding air safeguarding.	100%.
---	-------



Development Control

Policy WDC14: Information in Support of Planning Applications

Policy WDC15: Reclamation and Aftercare

Policy WDC16: After-Use

Policy WDC17: Planning Conditions

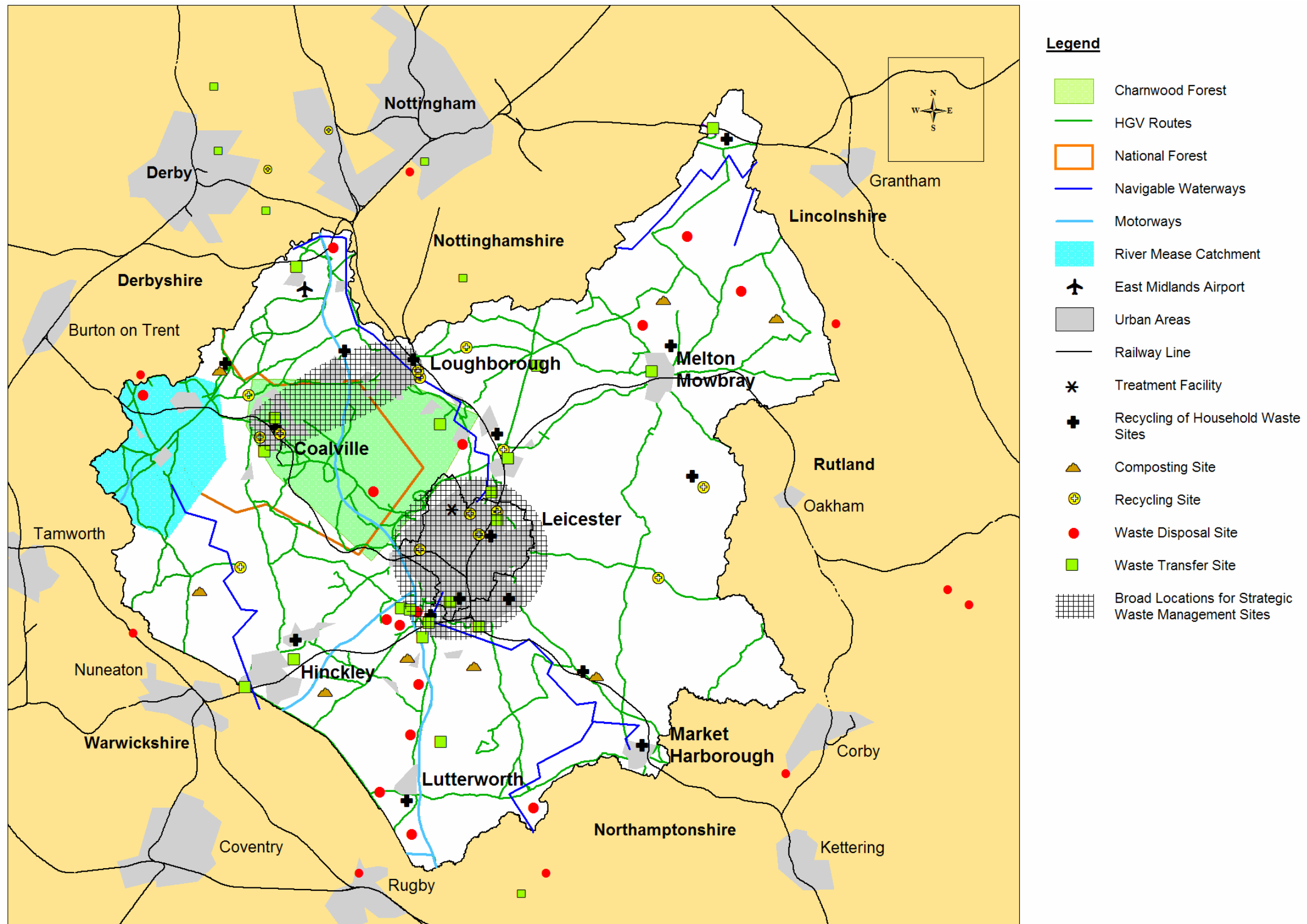
Policy WDC18: Planning Obligations

Objective 8: To protect people and local communities, and the natural and built environment (particularly the River Mease Special Area of Conservation) from unacceptable effects of waste management development.

Objective 10: To promote the delivery of measures for environmental, recreational, economic and community gain in mitigation or compensation for any adverse effects of waste related development where appropriate.

Indicator	Target
Number of planning applications refused due to insufficient information.	Monitor only.
Number of planning applications determined within Best Value Performance Indicator targets.	100%
Number of new sites restored with aftercare when completed.	100%
Area and type of new habitat created on restored waste sites.	All restored sites to contribute to habitat creation.
Number of new sites with reclamation proposals to priority after-uses.	50%.
Form of planning conditions.	To monitor effectiveness and review content as necessary.
Number of permissions subject to planning obligations.	Monitor only.

7. Key Diagram



8. Appendices

Appendix 1: Table showing the relationship between the policies in this document and the Waste Local Plan.

Core Strategy Policies	Waste Local Plan Policies
Policy WCS 1	New Policy
Policy WCS 2	New Policy
Policy WCS 3	New Policy
Policy WCS 4	New Policy
Policy WCS 5	Replacing Policies 2 and 4
Policy WCS 6	Replacing Policies 3 and 5
Policy WCS 7	Replacing Policies 16 and 17
Policy WCS 8	Replacing Policy 18
Policy WCS 9	Replacing Policy 20
Policy WCS 10	Replacing Policy 8 (i) – (xxi)
Policy WCS 11	New Policy
Policy WCS 12	New Policy
Policy WCS 13	New Policy
Policy WCS 14	Replacing Policy 9
Policy WDC 1	New Policy
Policy WDC 2	Replacing Policy 8 (xii)
Policy WDC 3	Replacing Policies 8 (xi), (xvi), (xxi)
Policy WDC 4	Replacing Policy 8 (xii)
Policy WDC 5	New Policy
Policy WDC 6	Replacing Policy 8 (iii)
Policy WDC 7	New Policy
Policy WDC 8	Replacing Policy 8 (xviii)
Policy WDC 9	Replacing Policy 8 (xv)
Policy WDC 10	Replacing Policies 8 (xiii), (xx), 9 and 10
Policy WDC 11	Replacing Policy 8 (xvii)
Policy WDC 12	Replacing Policy 8 (viii)
Policy WDC 13	Replacing Policy 8 (iv)
Policy WDC 14	Replacing Policy 6
Policy WDC 15	Replacing Policy 13

Policy WDC 16	Replacing Policy 14
Policy WDC 17	Replacing Policy 11
Policy WDC 18	Replacing Policy 12