Waste Planning

Interim Cover Note

Version	**1.0**
Date of last update/review	**January 2025**
Responsibility of	**Subject Lead Waste Planning**

Key legislation and policy

Legislation	• Environment (Wales) Act 2016
National policy and guidance	• Future Wales • Planning Policy Wales • Technical Advice Note 21 – Waste • Tan 21 - Waste Planning Practice Guidance • Beyond Recycling • Development Plans Manual • For further guidance see the Waste section on the Building and Planning – Planning Policy and Guidance for Professionals page on the WG website here
ITM Chapters	• Environmental Permitting • Approach to Decision Making
Other guidance	• PINS ITM – Waste Planning

Introduction

1. This Interim Cover Note should be read alongside the PINs Waste Planning Chapter. The PINs ITM chapter includes common legal and technical information upon which Inspectors may rely unless indicated otherwise in this Note. The purpose of this Note is to signpost Welsh policy and highlight matters to consider in casework.

2. A PEDW Waste Planning Chapter will be produced as soon as feasible.

Policy

Future Wales

3. Future Wales makes little reference to waste planning. Policy 16 encourages large scale mixed-use development to be served by a heat network with a renewable/low carbon or waste heat energy source. Planning applications for such development should include an Energy Masterplan to establish whether a heat network is the most effective energy supply option and, for feasible projects, a plan for its implementation.

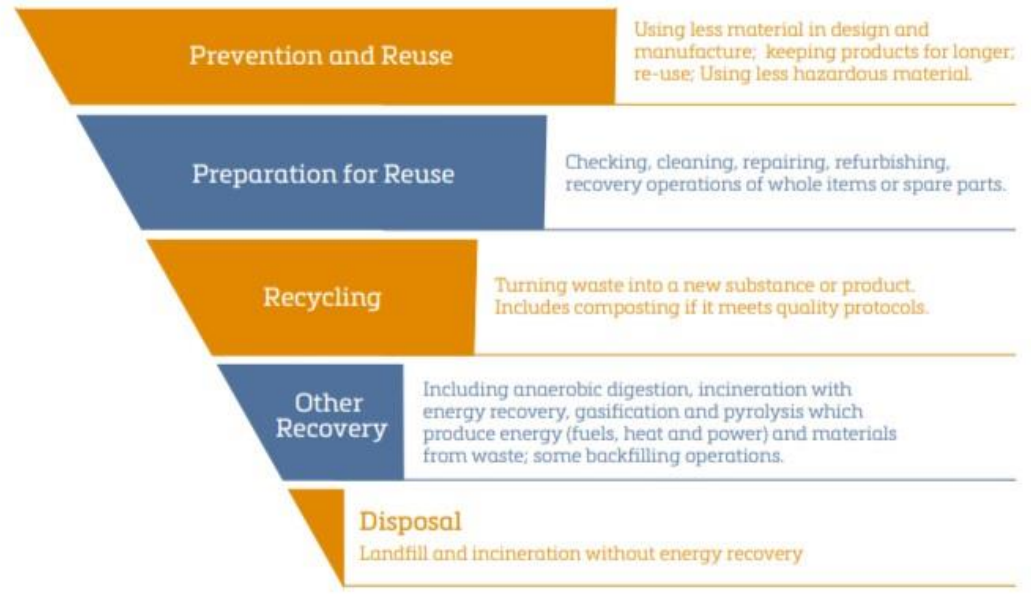
4. Policy 19 requires Strategic Development Plans to include, amongst other things, a co-ordinated framework for minerals extraction and the circular economy, including waste treatment and disposal.

Planning Policy Wales

5. See sections 5.11 to 5.13. PPW promotes the principles of a circular economy and design choices to prevent waste, including site selection.

6. Section 5.13 covers waste management facilities and introduces the waste hierarchy.

Figure 11: Waste Hierarchy



Beyond Recycling - A strategy to make the circular economy in Wales a reality

7. Sets out a holistic approach to eradicating waste and for Wales to be zero waste by 2050. Most actions lie outside the planning system but there is one significant statement, that being a moratorium on large scale energy from waste developments (over 10 Mw).

Technical Advice Note 21: Waste

8. General planning principles are set out in paragraph 2.1: 'When considering development proposals for all types of waste management facilities, planning authorities should take into account their potential contribution to the objectives, principles and strategic waste assessments set out in Towards Zero Waste and the relevant waste sector plans and the relevant development plan for the area. The extent to which a proposal demonstrates this contribution, in environmental, economic and social terms, will be a material planning consideration. The aim is to ensure that the right facilities are located in the right place to meet environmental, economic and social needs. At both a strategic and site level this means accepting that waste will need to be managed in all areas of Wales, that economic considerations relating to demand and viability may affect what management options can be acceptably brought forward in an area, that transportation considerations may effect whether a proposed location is suitable and that all proposals must be environmentally acceptable.'

Strategic Development Plan (SDP)

9. The Development Plans Manual (DPM) requires SDPs to express a vision and a strategy to deliver the vision for the region as a whole and include a coordinated approach to waste designations.

10. PPW, introduction to Productive and Enterprising Places explains that 'collaboration is necessary to strategically plan for our employment, energy, waste and mineral needs. These are areas where 'larger than local' issues need to be addressed by planning authorities with the involvement of other agencies and communities to ensure sustainable outcomes are delivered across Wales.' and that 'Implementing the proximity principle for waste, minerals and district scale energy to minimise the need for road transport and its impacts and additional pressure on energy networks.'

11. In addition, PPW, paragraph 5.13.8 requires that 'Development plans should demonstrate how national waste policy, and in particular the CIM Sector Plan, along with any updated position adopted in the waste planning monitoring reports and any other form of waste management priorities relevant to its local area have been taken into account.' This requirement also applies to LDPs.

Local Development Plans (LDP)

12. The DPM sees general employment allocations and safeguarded sites as suitable locations for waste uses provided there are no flood risk issues. Preferred sites for waste uses should be clearly identified in policy.

13. Waste facilities are included in the types of infrastructure necessary to deliver allocations and included in an Infrastructure Plan.

14. Waste is also listed as a matter for control through a Development Management policy although a general amenity policy could cover B2 uses and waste facilities.

15. Guidance in PPW, paragraphs 5.13.10 – 5.13.14 explains that:
    - 'Planning authorities must support the provision and suitable location of a wide ranging and diverse waste infrastructure which includes facilities for the recovery of mixed municipal waste and may include disposal facilities for any residual waste which cannot be dealt with higher up the waste hierarchy.
    - 'For all wastes, suitable locations for sustainable waste management development should be identified in development plans as well as criteria by which applications for such developments will be determined, recognising that the most appropriate locations will be those with the least adverse impact on the local population and the environment and with the best potential to contribute to a broad infrastructure framework; and
    - 'As part of development plan preparation planning authorities should encourage the recycling and re-use of construction and demolition wastes as well as mineral and industrial wastes.'

Appeals

16. Whilst the moratorium may not deter applicants seeking to develop large scale energy from waste developments, the policy position is clear. Applicants and appellants would need to demonstrate significant shortfalls and benefits to overcome the moratorium. It is likely that appeals would be recovered by Welsh Ministers.

17. For other casework, issues are likely to be emissions (likely can be left to NRW licencing) odour, noise and disturbance, traffic to be dealt with in the usual way.