



The Planning Inspectorate

PINS NOTE 22/2014

To: All Inspectors (England)

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Currency: review at 6 months after issue

National Waste Management Plan: Waste Management Plan for England & National Planning Policy for Waste

Action

1. Inspectors will need to be aware that the National Waste Management Plan (NWMP) – consisting of the Waste Management Plan for England and National Planning Policy for Waste is now complete, following the publication of the revised waste planning policy announced on 16 October 2014¹. The Waste Management Plan for England was published in December 2013, which replaced the Waste Strategy 2007. The revised waste planning policy (together with the associated Planning Practice Guidance) replaces PPS10² and associated companion guide³. The two documents that make up the NWMP fulfil the requirements of Article 28 of the Waste Framework Directive (WFD).
2. Local authorities need to have regard to the Planning Policy for Waste and the Waste Management Plan for England when assessing & determining planning applications and drawing up or revising their local plans, in particular the suitability of sites for waste infrastructure within the areas covered. Wales has separate policy and guidance covering waste⁴. Although the National Policy Statements (NPS) remain the primary policy documents when assessing NSIP applications, the revised waste policy should be seen as complementary to the NPSs.

¹ [Ministerial Statement \(E Pickles\) – Waste Planning Policy.](#)

² Planning Policy Statement 10: Planning for Sustainable Waste Management.

³ Planning for Sustainable Waste Management: A Companion Guide to Planning Policy Statement 10.

⁴ [Chapter 12 of Planning Policy Wales](#) & [Technical Advice Note 21 \(TAN21\)](#)

Background

3. As promised in the action plan from the Defra review of waste policy in England (the Waste Review) in 2011⁵, the Government has now published the two documents that make up the NWMP for England as required under Chapter V, Article 28 of the plans and programmes provisions of the WFD⁶, transposed into UK law through the Waste Regulations 2011⁷ in England and Wales. Consultations took place in 2013 on the draft Waste Management Plan for England⁸ and draft revised Planning Policy for Waste⁹.

Waste Management Plan for England

4. Defra published and formally adopted the [Waste Management Plan for England \(WMP\)](#) on 12 December 2013. The WMP replaces the Waste Strategy 2007. The plan does not introduce new policies, but assesses the current situation and how the requirements of the WFD can be implemented. The plan contains the following information as required under Article 28:

- analysis of current waste management situation;
- type, quantity and source of waste generated;
- existing waste collection scheme, disposal/recovery operations addressed by EC legislation;
- assessment of the need for investment in new schemes, closure of existing schemes in accordance with Article 16;
- locational criteria for site identification and capacity of future schemes.

Together with additional obligations from the WFD, transposed through Schedule 1 of the Waste Regulations 2011:

- management of packaging waste;
- promotion of high quality recycling;
- promotion of separate biowaste collection (for composting/AD);
- promotion of re-use/preparing for re-use.

National Planning Policy for Waste

5. DCLG published the [National Planning Policy for Waste](#) on 16 October 2014, announced by Eric Pickles. The updated policy should be read alongside the National Planning Policy Framework (NPPF)

⁵ [Review of Waste Policy in England – Action Plan](#) - Defra, 13 June 2011.

⁶ [Waste Framework Directive 2008/98/EC](#) – EC, 19 November 2008.

⁷ [The Waste \(England and Wales\) Regulations 2011, SI2011/988](#).

⁸ [Consultation – Waste Management Plan for England](#), Defra, 15 July 2013.

⁹ [Consultation – Updated national waste planning policy: Planning for sustainable waste management](#), DCLG, 29 July 2013.

and National Policy Statements (NPS) for waste water and hazardous waste. In summary the policy changes are as follows:

- i) Green Belt – strengthens protection for the Green Belt by removing the reference giving weight to locational needs and wider environmental & economic benefits when considering applications for waste facilities in the Green Belt - to bring waste policy in line with paragraphs 87-88 of the NPPF. The revised policy makes clear that LPAs should consider brownfield sites first.
- ii) Implement the WFD – to encourage increase in use of waste as a resource; greater emphasis on waste prevention (Article 9) and recycling (Article 11)¹⁰, whilst protecting human health and the environment (Article 13); reflects the principles of proximity and self-sufficiency (Article 16).
- iii) Local Plans – reinforces the importance of Local Plans and emphasises the duty of co-operation between waste planning authorities, as required by s33A of the Planning and Compulsory Purchase Act 2004, inserted by s110 of the Localism Act¹¹;
- iv) Identification of suitable Waste sites - encourages the use of heat as an energy source, where Energy from Waste (EfW) development is considered; use of the proximity principle and taking into account only existing operational capacity when assessing need;
- v) Evidence Base - ensure use of the best available waste data/information in plans and decision-making, to avoid using spurious evidence. Requirement for waste authorities to monitor & report on waste arisings and how the waste is treated;
- vi) Other minor revisions to implement requirements under the WFD, transposed through the Waste Regulations 2011.

Planning Practice Guidance for Waste

6. A [Waste chapter](#) has also been published on the web-based Planning Practice Guidance, which provides guidance on the implementation of the revised waste planning policy. The guidance replaces the PPS10 Companion Guide and takes into account the

¹⁰ [Article 11.1 of the WFD](#) specifies facilities for separate collection of paper, metal, plastic and glass shall be set up by 1 January 2015 – to help meet Article 11.2(a) target of 50% recycling (and preparing for re-use) of household and similar waste by 2020. The Article 11.2(b) recycling target for construction & demolition waste is 70% by 2020.

¹¹ [S110 of the Localism Act 2011](#) (c.20).

now superseded guidance. The PPG also replaces and supersedes the EU Waste Framework Directive guidance¹².

7. PINS Note 23/2013 – Draft National Waste Management Plan for England has been cancelled.

8. Please contact XXXX you have any queries on this Note.

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Acting Chief Planning Inspector

¹² Guidance for local planning authorities on implementing planning requirements of the EU Waste Framework Directive (2008/98/EC), DCLG, 18 December 2012.