



SCOTTISH ENVIRONMENTAL SERVICES ASSOCIATION

SESA

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FROM THE POLICY EXECUTIVE
DIRECT TEL 0131 225 6602
e-mail: s-freeland@esauk.org

22 June 2007

Sandra Carey
Scottish Executive
Planning Division
Victoria Quay
Edinburgh
EH6 6QQ

Dear Ms Carey

STATUTORY GUIDANCE ON PLANNING AND SUSTAINABLE DEVELOPMENT

Please find attached the response of the Scottish Environmental Services Association to the above consultation.

Yours sincerely,

Stephen Freeland

STATUTORY GUIDANCE ON PLANNING AND SUSTAINABLE DEVELOPMENT RESPONSE OF THE SCOTTISH ENVIRONMENTAL SERVICES ASSOCIATION

The Scottish Environmental Services Association ("SESA") is the sectoral trade association representing Scotland's managers of waste and secondary resources, a sector with an annual turnover of around £8 billion across the UK. SESA's Members seek to align economic and environmental sustainability through delivering compliance with relevant waste management and environmental legislation.

SESA supports the Scottish Executive's intention to set out a policy framework to address sustainable development, in which the planning system will play a pivotal role

We suggest the guidance should reflect the particular objectives of sustainable development that the Scottish Executive would like to see delivered.

Community Involvement

SESA supports community involvement in the planning process and SESA Members have for some time implemented the Scottish Executive's objectives. SESA notes that the draft guidance will not in itself resolve opposition to new proposals which meet the objectives of sustainable development. We therefore suggest a strong statement in paragraph 29 that community engagement should not replace the decision making responsibilities of planning authorities and their accountability for those decisions.

In addition, we suggest that the guidance should recommend that community involvement should be structured to a timetable capable of enabling Scotland to achieve compliance with relevant EU law such as the Landfill Directive.

Planning Contribution

The guidance correctly recognises the key role the planning system can play in delivering sustainable development. However, SESA suggests a stronger recognition of the equally vital role that planning can play in enabling greater environmental and economic sustainability. To enable our industry to provide innovative waste management solutions and to return more of the resources and energy contained in waste back to the productive economy - the planning system must better deliver waste management facilities.

Location of new development

The guidance should more clearly state the important role of waste management infrastructure in contributing towards the Scottish Executive's goals for sustainable development. The guidance should address systematically the provision of waste management infrastructure, in support of SPP10, for instance the following statement should replace the current section under *Managing Waste Effectively* within paragraph 35:

Planning policies should enable the provision of waste management infrastructure sufficient to meet the requirements of all waste producers and to enable the Scotland's compliance with EU law such as the Landfill Directive.

The current reference to the proximity principle could be misinterpreted and it should clearly state this to be an assessment of the 'nearest appropriate facility' in line with recent cases.

Waste reduction

We believe that reference to NPPG10 may be an error and suggest this is amended to correctly reference SPP10.

Energy Efficiency

SESA welcomes the direction that development plan policies should seek to ensure energy efficiency in new built development. However, our Members report that even where there is a demand from some manufacturing industry for heat, the planning process often limits renewable energy facilities to sites where there is no local heat demand. We suggest that, rather than requiring on-site renewable energy equipment for new developments, that planning authorities should be required to consider how renewable energy supply schemes can best be integrated with new developments in order to maximise the benefits of such schemes.

Long Term Settlement Strategies

We welcome the requirement for local authorities to show within development plans that long term settlement strategies are sustainable. SESA suggests this should include policies for the provision of storage and collection infrastructure for waste generated by communities and greater provision to increase or upgrade existing waste treatment capacity.

The Scottish Executive correctly notes that long term settlement strategies should include policies for the role of brownfield sites in supporting such settlements. It is therefore essential that local authorities plan for sufficient infrastructure to treat contaminated land as part of the redevelopment of brownfield sites.

Implementation

SESA welcomes the requirement for local authorities to keep development plans up to date and monitor plans and policies with changing circumstances. However, there is a pressing need to speed up the decision making process and the development management service to ensure the planning system does not act as a barrier to waste management development which contributes to the goals of sustainable development. The performance of the planning system can be more accurately measured by the additional waste management treatment capacity consented rather than the number of applications approved, and we urge the Scottish Executive to measure performance on this basis.

Design Briefs

SESA welcomes positive changes in public and planning authorities' attitude to the development of waste management facilities within suitable urban and rural locations, and we recognise the importance of 'good design' in bringing about this change. SESA supports design briefs for inclusion with development plans' supplementary planning guidance.

The obligations on a developer to conform with good design guides should be considered within the wider context of the Scottish Executive's overarching aim for the planning system to deliver sustainable development, and the positive contribution of waste management facilities towards that goal.

In devising a design guide for waste management facilities, planning authorities must seek to encourage, but not prescribe or benchmark good design, as design considerations vary between locations and regions.

The interpretation of design considerations within supplementary planning guidance must not duplicate or exceed the requirements of existing planning control and pollution prevention regimes. Planners should implement the planning strategy in the development plan and not seek to influence the control of processes, which are a matter for the pollution control authorities. Instead design guides should provide advice on the assumption that waste development may be granted in a wide variety of locations.

Nonetheless, in certain locations a compromise may be required between functionality and architecture.

Education and training

Education and training should be provided to elected councillors on the positive role waste management can play in contributing to the Scottish Executive's goals for sustainable development. Recommendations by planning officers to grant approval for applications for waste management development are often reversed by councillors. We suggest that such decisions are often made on the basis that there is a lack of 'ownership' amongst councillors of national policies. Education and training on the sustainable management of waste and the objectives of sustainable development may improve councillors' awareness of the pivotal role local planning decisions have in delivering the Scottish Executive's wider goals.

SESA would be delighted to work with the Scottish Executive to help inform and train local councillors in the requirements for waste management infrastructure, and the issues surrounding its provision.

RESPONDEE INFORMATION FORM: *Draft Statutory Guidance on Planning and Sustainable Development*

Please complete the details below and return it with your response. This will help ensure we handle your response appropriately. Thank you for your help.

Name: _____ Scottish Environmental Services Association _____

Postal Address: _____ 18-22 Melville Street, Edinburgh, EH3 7NS _____

1. Are you responding as: (please tick one box)

(a) an individual go to Q2a/b and then Q4

(b) **on behalf of** a group or organisation go to Q3 and then Q4 **YES**

INDIVIDUALS

2a. Do you agree to your response being made available to the public (in the Scottish Executive library and/or on the Scottish Executive website)?

Yes (go to 2b below)

No, not at all We will treat your response as confidential

2b. **Where confidentiality is not requested**, we will make your response available to the public on the following basis (**please tick one** of the following boxes)

Yes, make my response, name and address all available

Yes, make my response available, but not my name or address

Yes, make my response and name available, but not my address

ON BEHALF OF GROUPS OR ORGANISATIONS:

3. Your name and address of your organisation **will be** made available to the public (in the Scottish Executive library and/or on Scottish Executive website). Are you content for your response to be made available?

YES

SHARING RESPONSES/FUTURE ENGAGEMENT

4. We will share your response internally with other Scottish Executive policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for the Scottish Executive to contact you again in the future for consultation or research purposes?

Yes