

# GUIDANCE NOTES FOR WASTE PLANNING APPLICATIONS

## WASTE PLANNING APPLICATION GUIDANCE NOTE

### Detailed Checklist of Mandatory and Additional Information to Assist with the Preparation of Applications for Waste Management Facilities

***Pre-Application Discussions*** - In light of the rapidly evolving policy context and the legislative, commercial and timetabling drivers that affect Greater Manchester, and of course the complex nature of proposals in these categories, **all applicants are encouraged to seek pre-application discussions with the relevant LPA and WDA.**

## WASTE PLANNING APPLICATION GUIDANCE NOTE INTRODUCTION

All decisions on waste planning applications in Greater Manchester are made by the relevant local planning authority (referred to in this document as the 'Waste Planning Authority' (WPA)).

To determine applications for waste development, the WPA must have sufficient information and clarity on which to base their development control decisions, and therefore will require submission of a full planning application for any such development. Developers should ensure that they have submitted alongside their applications any additional information which will support their application.

Pre-application consultation with the WPA is essential in terms of establishing what supporting information is likely to be required and as such is strongly encouraged as an important element of applying for permission for waste development. Such liaison will also help ensure that planning applications are processed efficiently and effectively. In line with good practice, it is strongly encouraged that developers consult on their proposals with the local community at the earliest stage.

## INFORMATION REQUIRED

The SI 2015 No. 595 - Town & Country Planning (Development Management Procedure)(England) Order 2015, sets out the scope of information nationally required prior to validation of an application for planning permission.

The list includes both compulsory requirements and additional information. Where the required information is not submitted the application will be declared invalid by the WPA unless the applicant can provide written justification as to why it is not appropriate to submit additional information in the particular circumstances.

## COMPULSORY REQUIREMENTS

**The Submission** - Agree with the WPA the way in which the application shall be submitted i.e. through the planning portal or directly to the WPA.

The application should be in digital format and no should not contain any reports exceeding 10Mb. If any documents do, then break the report down accordingly into separate files.

Unless the authority states otherwise, **2 hard copies** of the application form and **one electronic copy** are required to be submitted.

### **1 The completed application form**

### **2 The correct fee**

### **3 Ownership Certificates**

Under section 65(5) of the Town and Country Planning Act 1990, read in conjunction with section 5 of the Town and Country Planning (General Development Procedure) Order 1995 (GDPO), WPAs cannot entertain an application for planning permission unless the relevant certificates concerning the ownership of the application site have been correctly completed.

All applications **except** for approval of reserved matters, discharge or variation of conditions, tree preservation orders and express consent to display an advertisement must include the appropriate certificate of ownership.

An ownership certificate must be completed stating the ownership of the property (Certificates 2 A, B, C and D). For this purpose, an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than 7 years.

### **4 Agricultural Holdings Certificate**

This certificate is required whether or not the site includes an agricultural holding. All agricultural tenants must be notified prior to the submission of the application. This certificate is not required if the applicant is making an application for reserved matters, renewal of temporary planning permission, discharge or variation of conditions, tree preservation orders, or express consent to display an advertisement.

### **5 Part 1 Notice – Requirements to serve notice before submitting**

A notice to owners of the application site must be used if Certificate B has been completed and may be required if Certificate C has been completed. A copy should be served on each of the individuals identified in the relevant certificate.

### **6 The location plan**

All applications must include copies of a location plan based on an up-to date Ordnance Survey map at a scale of 1:1250 or 1:2500.

Plans should where ever possible show at least two named roads and surrounding buildings. The properties shown should be numbered or named to ensure that the exact location of the application site is clear.

The application site must be edged clearly with a **red** line. It should include all land necessary to carry out the proposed development for example, land required for access to the site from a public highway, visibility spays, landscaping, car parking and open areas around buildings.

A **blue** line must be drawn around any other land owned or controlled by the applicant, close to or adjoining the application site.

**7 Site Plan** - Copies of the site plan should be submitted. This should be drawn at a scale of 1:500 or 1:200 and should accurately show:

- The direction of North;

- The proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions including those of the boundaries outlined in red;
- Existing Topographical study plan;
- All the buildings, roads and footpaths on land adjoining the site including access arrangements;
- The species, position and spread of all trees within 12 metres of any proposed building works;
- The extent and type of any hard surfacing;
- Boundary treatment including walls or fencing where this is proposed.

**8 Drawings (including Floor Plans)** These should be drawn to a scale of 1:50 or 1:100 and show clearly the proposed works in detail. Where existing features, such as buildings, walls or hedges are to be demolished these should be clearly shown. The drawings submitted should show details of the existing building (s) and features as well as those for the proposed development. New buildings should also be shown in context with adjacent buildings (including property numbers where applicable).

**9 Elevations** These should be drawn to a scale of 1:50 or 1:100 or as appropriate and show clearly the proposed works in relation to what is already there. All sides of the proposal must be shown and these should indicate, where possible, the proposed building materials and the style, materials and finish of windows and doors. Blank elevations must also be included; if only to show that this is in fact the case. Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings, and detail the positions of the openings on each property.

**10 Section drawings** drawn at a scale of 1:50 or 1:100 or as appropriate showing a cross section(s) through the proposed building(s). In all cases where a proposal involves a change in ground levels, illustrative drawings should be submitted to show both existing and finished levels. On sloping sites, full information is required concerning alterations to levels, the way in which a proposal sits within the site and in particular the relative levels between existing and proposed buildings. The drawings may take the form of contours, spot levels or cross or long sections as appropriate.

**11 Flood Risk Assessments** - A flood risk assessment will be required in all cases.

**12 Noise Impact Assessments** - Almost all minerals and waste applications have potential for generating noise, either through the operation of plant and machinery or from vehicle movements. Therefore unless otherwise agreed in writing by the WPA, all applications should be accompanied by a Noise Impact Statement prepared by a suitable qualified acoustician.

**13 Transport Assessment** - The nature of waste applications are such that the impact upon and effects of traffic movement serving the site will require assessment. As such, the scope of a Transport Assessment should be first discussed with the Waste Planning Authority and any other required consultees.

#### **ADDITIONAL INFORMATION**

Where appropriate the Planning Application should be supported with the following additional information:

## **1 Supporting Planning Statement**

Information will include how the proposed development accords with policies in the development plan and the National Planning Policy Framework. It should include details of consultations with the Waste Planning Authority and wider community/statutory Consultees undertaken prior to submission.

The statement should also include section on community involvement

The supporting planning statement could include information about the following:

- Site assessment - location and setting including physical features and surroundings, as well as planning history (including details of previous planning permissions, applications and appeals and current planning permission).
- Need assessment in response to the Greater Manchester Joint Minerals and Waste Plan, as amended.
- Full description of the development and how it will operate - development proposals including time-scale, types of waste to be managed, quantities of waste to be managed
- Development plan assessment – planning policy context (national and local level) taking into account any provisions set out in the GMJMWP
- Restoration and aftercare proposals including timing for implementation.

## **2 Transport Assessment**

Information will include all existing and proposed commercial and residential vehicular and pedestrian movements to and from the site.

Loading areas and arrangements for manoeuvring, servicing and parking of vehicles should also be clearly identified. It should describe and analyse existing transport conditions, how the development would affect those conditions and any measure proposed to overcome any problems.

## **3 Travel Plan**

In certain instances it may be appropriate to submit a travel plan which outlines the way in which the transport implications of the development are going to be managed in order to ensure the minimum environmental, social and economic impacts.

## **4 Planning Obligations**

This could include brief draft heads of terms for a section 106 agreement or unilateral undertaking. Applicants should clarify the WPA requirements in pre-application discussions and confirm any planning obligations that they agree to provide in brief heads of terms.

## **5 Listed Building appraisal and Conservation Area appraisal (Heritage Statement)**

A written statement which includes a schedule of works to the listed building(s) and an analysis of the significance of archaeology, history and character of the building/structure, the principles of and justification for the proposed works and their impact on the special character of the listed building or structure, its setting and the setting of adjacent listed buildings may be required.

The scope and degree of detail necessary in the written justification will vary according to particular circumstances of each application. Applicants are advised to discuss proposals with either a planning officer or conservation officer before any application is made.

## **6 Sustainability Statements**

A sustainability statement should outline the elements of the scheme that address sustainability issues, including the positive environmental, social and economic implications.

## **7 Landscaping**

Applications may be accompanied by landscaping details and include proposals for long term maintenance and landscape management.

## **8 Tree Survey/Arboriculture Statements**

Where the application involves works that affect any trees within the application site, the species, spread, roots and position of trees should be illustrated accurately on the site plan. This must indicate any trees which are to be felled or affected by the proposed development. The location of any trees within adjacent properties that may be affected by the application should also be shown. A statement in relation to the measures to be adopted during construction works to protect those trees shown to be retained on the submitted drawings may also be necessary.

## **9 Historical Archaeological Features and Scheduled Monument information**

Supporting information may include plans showing historic features that may exist on or adjacent to the application site including listed buildings and structures, historic parks and gardens, and historic battlefields. If an application affects such a site an applicant may need to commission an assessment of existing information and submit the results as part of the application in accordance with advice which should include discussions with the Greater Manchester Archaeological Advisory Service.

## **10 Nature Conservation/Ecological Assessment/Natural Beauty information**

Plans should show any significant wildlife habitats or features and the location of habitats of any species protected under the Wildlife and Countryside Act 1981, Conservation (Natural Habitats etc) Regulations 1994 or Protection of Badgers Act 1992. Applications for development in the countryside that will affect sensitive areas must be accompanied by ecological assessments and include proposals for long term maintenance and management. This information might be incorporated into an Environmental Statement, if one is necessary.

## **11 Surface Water Drainage Strategies**

This should include measures to show how surface water runoff will be dealt with within the application site area and the provisions for SUDS. The all applications checklist includes an appendix in relation to SuDS which should be referred to.

## **12 Air Quality Assessments**

Application proposals that impact upon air quality or are potential pollutants should be supported by an air quality assessment indicating the change in air quality resulting from the proposed development and outlining appropriate mitigation measures as necessary.

## **13 Assessments for the Treatment of Foul Sewage**

This should include a description of the type, quantities and means of disposal of any trade waste or effluent.

#### **14 Utilities Statement**

This should include how an application connects to existing utility infrastructure systems.

#### **15 Energy Statements**

The statement should show the predicted energy demand of the proposed development and the degree to which the development meets current energy efficient standards.

#### **16 Sound Insulation Requirements**

Advice should be sought from the local Environmental Health Service through a planning pre-application discussion for individual Council requirements for sound insulation in residential and commercial developments and from Building Control about the need to submit either a 'Full Plans' application under the building regulations or a Building Notice for the erection of most types of buildings, material alterations to existing buildings. Works will need to be inspected on site during the construction process.

#### **17 Source of waste/details of plant capacity (minimum and maximum)/emergency storage capacity/destination of final endproduct (where appropriate)**

Details of the likely sources of waste to be received at the proposed development, together with details of the plant capacity, and the destination of any end product from the site, should be submitted.

#### **18 Lighting Scheme/Light Pollution Assessment**

Details of the method of lighting/illumination at the site, together with measure to minimise/avoid light pollution should be submitted.

#### **19 Photographs/Photomontages**

These provide useful background information and can help to show how large developments can be satisfactorily integrated within the street scene. Photographs should be provided if the proposal involves the demolition of an existing building or development affecting a conservation area or listed building.

### **ENVIRONMENTAL IMPACT ASSESSMENT**

Environmental Impact Assessment (EIA) is a means of drawing together in a systematic way an assessment of a project's likely significant effects. The result of an EIA is an Environmental Statement.

For planning applications, the EIA process is governed by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011. The WPA will refer to these Regulations and the National Planning Practice Guidance notes deciding whether an Environmental Statement should be submitted alongside a planning application for waste development. Planning applications falling within the scope of the Regulations will not be determined until a satisfactory Environmental Statement has been submitted and its information taken into consideration.

Where an EIA is required, developers are encouraged to ask the WPA for an opinion as to what should be included in its scope, prior to submitting any application for planning permission. The WPA will consult other relevant conservation and

information-holding bodies (including the Environment Agency) before an opinion is given to ensure that all relevant environmental issues are identified and addressed.

The Regulations prescribe two schedules of development that will either always require an EIA (Schedule 1 development) or may require an EIA if they are likely to have significant effects on the environment by virtue of factors such as their nature, scale or location (Schedule 2 development).

Waste developments that fall under Schedule 1 include proposals for:

- waste disposal installations for the incineration, chemical treatment or landfill of hazardous waste; and
- waste disposal installations for the incineration or chemical treatment of non-hazardous waste with a capacity exceeding 100 tonnes per day.

Waste developments that fall under Schedule 2 include installations for the disposal of waste (unless included in Schedule 1) where:

- the disposal is by incineration; or
- the area of the development exceeds 0.5 hectare; or
- the installation is to be sited within 100 metres of any controlled waters.

There are also circumstances concerning sensitive locations that are not identified in either Schedules 1 or 2 but which may be significantly affected by waste development. In such circumstances the waste planning authority will ask that an EIA be carried out as part of an application for development at that location.

Sensitive locations include Sites of Special Scientific Interest (SSSIs), Areas of Outstanding Natural Beauty (AONBs), locations in or near a designated area of nature conservation value, major or minor aquifers or locations in close proximity to drinking water supplies. The regulations provide further guidance and criteria to assess whether a development requires an EIA.

The 2011 Regulations require an outline of the main alternatives studied by the applicant, and an indication of the main reasons for the final choice taking into account the environmental effects, to be included in an Environmental Statement.

### **RELATIONSHIP WITH POLLUTION CONTROL MATTERS**

Pollution control matters cover a range of issues that are of interest to the WPA and other agencies (in particular the Environment Agency (EA)), and it is important that the roles of each other are not confused. Decisions on land use planning matters are the responsibility of the WPA, not the EA. The WPA should, however, take the EA's advice into account when developing their policies and taking decisions.

The EA, as Waste Regulatory Authority (WRA), is concerned with controlling the pollution aspects of new waste facilities through waste management licensing and issues policy on the location of new waste treatment facilities. The EA is required to consult the WPA when waste management licence applications are being considered.

Where a waste management licence is sought for use of land for which planning permission is required, planning approval has to be obtained before the EA can grant a licence. This is also the case if the waste management facility is to be regulated through the Integrated Pollution Prevention and Control (IPPC) or Local Air Pollution Control (LAPC) regimes. All landfill sites will require an IPPC permit by 2007. The role of the WPA and the EA in the regulation and enforcement of waste management

are therefore separate, but complementary. The Environment Agency also controls the aftercare of waste sites to prevent pollution at this stage.

The WPA works closely with the EA, and with other bodies responsible for pollution control, to ensure that best use is made of their expertise and information, and to avoid unnecessary duplication between the planning and pollution control systems. It is important to be aware however that both a planning permission and a waste management licence or PPC permit could legitimately address some of the same issues, although for different reasons.

## **WASTE PLANNING APPLICATION GUIDANCE NOTE**

### **Content of Supporting Statements**

#### **WASTE PLANNING APPLICATION GUIDANCE NOTE**

##### **INTRODUCTION**

All decisions on waste planning applications in Greater Manchester are made by the relevant local planning authority (referred to in this document as the 'Waste Planning Authority' (WPA)).

To determine applications for waste development, the WPA must have sufficient information and clarity on which to base their development control decisions, and therefore will require submission of a full planning application for any such development. Unfortunately, the application form only provides space for brief details of the proposed development. How much information will be needed will depend on the scale, nature and location of the proposal. For all but the most minor of developments, it is strongly advised that additional detail is provided in the form of a supporting statement.

##### **GENERAL CONTENT OF A SUPPORTING STATEMENT**

The information set out below provides guidance on the type of information that is often needed in support of a planning application, including:

- Site assessment;
- Need assessment;
- Full description of the development and how it will operate;
- Development plan assessment;
- Restoration and aftercare; and,
- Other information.

It is important to note that not all of the issues listed will be required in every instance, and similarly some proposals will require information not mentioned. Where a supporting statement is used, the applicant is requested to reply to each question on the application form by stating the page or paragraph number in the statement where the answer is given.

Pre-application consultation with the WPAs is essential in terms of establishing what supporting information is likely to be required and as such is strongly encouraged as an important element of applying for planning permission for waste development. Such liaison will also help to ensure that planning applications are processed efficiently and effectively. In line with good practice, the WPA's would strongly encourage developers to consult on their proposals with the local community at the earliest stage.

#### **1 Site Assessment**



**Site Description** - Description of the physical features of site and its surroundings. Description of any Constraints – Land-use planning designations or physical constraints.

**Geological Assessment** – Where relevant include details of the geology and topography of the site including spot heights. Where necessary include an assessment of land stability on the site and its environs.

**Relevant Site History** - including details of previous planning permissions, applications, appeals and current planning permission.

## **2 Needs Assessment**

You should refer to the Greater Manchester Joint Waste Development Plan Document which it may prove be useful to describe the benefits brought by the proposed development.

Applicants are advised to describe how the proposals will contribute to the relevant provisions of the Joint GMMWP. In particular it will be necessary to demonstrate existing and projected future demand as well as markets served. The latest position Statement will provide further assistance on this matter.

## **3. Full description of the development, how it will operate and its effects**

**Time-scale** – lifespan of the operation and its days and hours of operation.

**Types and quantities of waste to be managed** - including the daily throughput for which planning permission is being sought, estimated annual quantity of each waste type to be received, and estimated total capacity where relevant. Detail arrangements for the disposal of residues and any hazardous materials to be used or stored on the site.

**Design, layout, buildings and plant** – a full description of the proposed development including the processes involved, layout and design of buildings, plant, operational areas, haul roads and external lighting.

Details on landfill gas and leachate control infrastructure, and measures to control energy efficiency and recovery, should be included where relevant.

A design and access statement will be required in all cases.

**Land and soil assessment and techniques of soil stripping, placement and storage** – including the impact on the best and most versatile agricultural land (grades 1, 2 and 3a).

**Method of working, filling and phasing, plant and machinery to be used** - where relevant.

**Hydrology and hydro-geology** – geological and hydrogeological suitability of the site and its environs. The impacts of the development (including post restoration) on watercourses, water resources, abstraction rights, flood prevention and drainage on the site and the surrounding area.

A flood risk assessment will be required if a development falls within an Indicative Flood Plain or 'Flood Zone' – these maps are available from the Environment Agency. The EA provides comprehensive guidance for both WPA and applicants in relation to the undertaking of flood risk assessments and the

responsibilities for controlling development where it may be directly affected by flooding or affect flooding elsewhere.

**Amenity and Nuisance** – The compatibility of the proposed development with existing or neighbouring land uses. Measures to prevent and control land contamination, light pollution, noise, smell, dust, birds and vermin, litter, and any emissions associated with the proposed operations. Details of landscaping management of existing screening, fencing, new planting and maintenance proposals. Where appropriate, the impact of the development on aircraft movements by virtue of bird strikes hazard.

Landscaping management of existing screening, fencing, new planting and maintenance proposals.

Application proposals that raise issues of noise disturbance or are considered to be a noise sensitive development should be supported by a Noise Impact Assessment prepared by a suitably qualified acoustician.

**Air pollution** – The impact of emissions to atmosphere of any product gasses resulting from specialist treatment/recovery processes.

Application proposals that impact upon air quality or are potential pollutants should be supported by an air quality assessment indicating the change in air quality resulting from the proposed development and outlining appropriate mitigation measures as necessary.

**Access, Highways and Traffic** – The transport arrangements for waste to be received by the site; including mode of transport, the number of traffic movements per day and per week to be generated by the proposal, access and routing and the impact of such journeys upon the existing highway network.

**Transport assessment** - may be required if considered necessary by the Highways Authority.

**Effect on rights of way** – The impact of the proposed development on public rights of way and access to the countryside.

**Effect on landscape** – The impact of the development on the landscape, including visual amenity.

**Effect on Ecology** – The impact of the development upon existing features of nature conservation, geological and wildlife value on the site and the surrounding area.

Plans should show any significant wildlife habitats or features and the location of habitats of any species protected under the Wildlife and Countryside Act 1981, Conservation (Natural Habitats etc) Regulations 1994 or Protection of Badgers Act 1992.

**Effect on Historic Environment and archaeology** – The impact of the development on areas of historical importance including listed buildings and structures, historic parks and gardens, historic battlefields, conservation areas, scheduled ancient monuments and their settings, and areas of archaeological interest.

**Economic and social implications** – including employment opportunities arising from the development.

**Environmental capacity** – an assessment of the environmental capacity of the site to accommodate the proposal.

#### **4 Development Plan Assessment**

Planning policy context including relevant Development Plan policies, other policy guidance issued by the Department for Communities and Local Government (and its predecessors, where documents still represent current policy) and current best practice. Within this context applicants need to consider the provisions set out in the latest JGMMWP Position Statement.

#### **5 Restoration and Aftercare**

(for waste disposal to land and temporary waste use proposals only)

A detailed restoration scheme addressing, where appropriate, measures taken and infrastructure to be provided to control and manage gas and leachate production; soil storage and handling methods; pre and post settlement levels, final contours and the relationship of any final landform with the surrounding area.

The planned after-use of landfill sites, including a 5-year aftercare scheme. Landfill sites are normally subject to two forms of control after waste disposal has ceased:-

- Under conditions attached to the planning permission there is likely to be a 5-year aftercare period, during which actions taken to restore the completed site are monitored. This work focuses upon the after-use and appearance of the site and covers such matters as restoration to agriculture and tree planting;
- Under the controls exercised by the Environment Agency the licence has to be retained by the site operator until the EA is satisfied that the site is stabilised and that there will be no pollution resulting from the breakdown of waste. The operator may not be able to surrender the licence for many years.

#### **6 Other Information Included in the Supporting Statement**

Data – any survey data collected or other information used to support the proposal, e.g. data to calculate volumes, flows, inputs, etc. should be supplied with references as to their source and year of sample.