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Our Ref: HWLDP-EX1:14
Your Ref: LDP-270-3
Date: 7 October, 2011

Dear Ms Smith,

HIGHLAND WIDE LOCAL DEVELOPMENT PLAN – ISSUE 71: WASTE MANAGEMENT FACILITIES, ISSUE 84: INNER MORAY FIRTH VISION AND ISSUE 90: APPENDICES AND PROPOSALS MAP

The Council note that Anderson Strathern's letter of 30th September 2011 provides a summary of their previous letters of 23rd June 2011 and 24th August 2011. Our letter of 29th September 2011 provides the Council's response to each of these points and as such, we do not feel it is necessary to make any further comment in this regard. In terms of the cross examination sought by Anderson Strathern however, whilst the further information requirements and format for examination is a matter for the Reporter to determine, we do not feel a formal inquiry session to be necessary given that the Council considers that its current position on this issue is straightforward and has been explained in its written submissions.

The Council wishes however to provide clarification on our letter of 29th September 2011, in light of matters raised by SEPA in their letter of 28th September 2011. In particular SEPA state that it is unclear what changes the Zero Waste (Scotland) Regulations 2011 (ZWR) will introduce which would inform the development plan spatial strategy policy. Whilst SEPA's letter is in response to Anderson Strathern's concern that the Proposed Plan does not take account of the ZWR, the Council feels it may be beneficial to clarify the role of the ZWR in its development plan preparation.

As previously outlined in our letter of 29th September 2011, the Council's spatial planning policy with regard to waste management is informed by and dependent on the Council's Waste Management Strategy, which we acknowledge it will be necessary to review in light of the publication of the revised Zero Waste Plan (ZWP) Annex B. We also state that the full implications of the ZWP will not be known until the Zero Waste Regulations (ZWR) are in place. The Regulatory Impact Assessment for the ZWR is to be published (shortly) in advance of the draft regulations being laid before Parliament before the end of the year. This in turn will add a degree of certainty to the Council's review of the waste management strategy. Specifically the ZWR will confirm the timeframe for implementation of each of the proposed regulatory measures (including what types of waste there will be a requirement to collect separately). This will enable the Council to better determine the type and size of facilities that may be required by these dates. Thereafter this will inform the Council's spatial policy in terms of identification of land use requirements.

The Council's existing waste management strategy was jointly prepared with Moray Council and we wish to continue to explore the possibilities of joint working. Clearly where there is an option to share or procure facilities this will be discussed by the two authorities.

As a result of the timescales involved and the continuing uncertainty over the mix of facilities required the Council concludes that it is most appropriate for the Council to make a full response to the Zero Waste Plan (including Annex B) not as post Examination modifications to the Highland wide Local Development Plan (HwLDP) but rather through future review of the HwLDP and/or through preparation of the three area LDPs over the next few years as appropriate. This will enable the Council to incorporate the then revised waste management strategy and address the possible identification of additional sites for waste management use.

Yours sincerely

Brian MacKenzie
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