

THE HIGHLAND COUNCIL

ROSS & CROMARTY EAST LOCAL PLAN INQUIRY

**STATEMENT OF CASE of the
DIRECTOR OF PLANNING and DEVELOPMENT**

ISSUE 2: WASTE MANAGEMENT

1. Introduction

- 1.1 The Highland Council (THC) has undertaken to hold a Public Local Inquiry to consider objections lodged by Scottish Environment and Protection Agency (SEPA) [CD31/170] regarding Chapter 3: Key Issues, paragraphs 3.27 and 3.28, GSP1: Design and Sustainable Construction and Chapter 5: General Policies – GSP5 Waste Management, in the Deposit Draft of the above Local Plan.
- 1.2 It is understood that SEPA wish to appear at the Inquiry.
- 1.3 THC will call Mr Alan Ogilvie as planning witness.
- 1.4 THC wishes to submit the following productions: -
References to productions are shown in the text as follows, [CD 1]. Quotes from productions are shown as follows, “*extract*”.

[CD1] The Highland Structure Plan: Approved Plan: The Highland Council: March 2001

[CD8] Ross & Cromarty East Local Plan: Consultative Draft: The Highland Council: June 2002

[CD9] Ross & Cromarty East Local Plan: Deposit Draft: The Highland Council: October 2003

[CD10] Ross & Cromarty East Local Plan: Statement of Publicity, Consultation and Representations: The Highland Council: October 2003

[CD11] Ross & Cromarty East Local Plan: Proposed Modifications to the Deposit Draft (Prior to Public Local Inquiry): The Highland Council: February 2005

[CD13] SPP1: The Planning System: Scottish Executive: November 2002

[CD25] Ross & Cromarty Area Planning Committee Item: Representations on the Consultative Draft Local Plan: The Highland Council: 15 September 2003

[CD26] Planning Development Europe & Tourism Committee Item: Representations on the Consultative Draft Local Plan: The Highland Council: 1 October 2003

[CD27] Ross & Cromarty Area Planning Committee Item: Objections and Representations on the Deposit Draft Local Plan: The Highland Council: 25 January 2005

[CD30] Letters of objection and representation to the Deposit Draft Local Plan

[CD31] Objections to the Proposed Changes to the Deposit Draft Local Plan

- [THC-2/1] NPPG10: Planning and Waste Management: Scottish Executive
[THC-2/2] PAN63: Waste Management Planning: Scottish Executive: February 2002
[THC-2/3] Inverness Local Plan PLI Report: Scottish Executive: March 2005
[THC-2/4] National Waste Strategy Scotland: SEPA: 1999
[THC-2/5] Letter from Jim MacKay of SEPA to THC Planning and Development Service on Waste Management issues (Inverness and Ross & Cromarty East Local Plans): 3rd May 2005
[THC-2/6] Email from June Ross, THC TEC Services in response to [THC-2/5]: 6th May 2005

References to productions are shown in the text as follows, [CD 1]. Quotes from productions are shown as follows, “*extract*”.

2. Background

National Planning Guidance/Advice

- 2.1 The National Waste Strategy [THC-2/4] provides guidance on the “*strategic areas of search and selection criteria related to proposals for waste management facilities.*” It comments (Section 4, Pages 30-31) that local plans provide the context for considering and approving individual waste management proposals, and therefore the development plan system will “*reflect the land use proposals necessary to help establish an integrated network of waste management facilities.*” Furthermore, the Strategy states that:

“*Local Plans should give effect to the strategic framework in the structure plans through specific policies or criteria to allow proposals for waste management facilities to be assessed. ... Local plans should also be more specific in land use terms and identify in proposals maps:-*

- *Areas of search as identified in the structure plan;*
- *All operating and consented waste management facilities;*
- *Sites for proposed new waste management facilities within the areas of search where appropriate and at the discretion of the authority e.g. transfer stations; and*
- *Existing and proposed additional civic amenity sites and public recycling facilities.*”

- 2.2 NPPG 10: Planning and Waste Management [THC-2/1] outlines a number of requirements of Local Plans in relation to Waste Management. Paragraph 99 is the most relevant to the objections lodged and states that local plans should:

“*identify sites consistent with the national waste strategy when available or existing waste disposal plans where appropriate; include policies for waste management facilities; ... make provision for civic amenity sites and as appropriate, recycling centres;*”

- 2.3 Paragraph 18 of PAN 63: Waste Management Planning [THC-2/2] states that:

“Development plans... will need to provide the context for appropriate land use decisions for waste management facilities...Identifying potential waste management sites is complex and it will often not be possible to so conclusively until, for example, environmental impact assessment has been carried out. Planning authorities should nevertheless aim to identify sites in plans to provide a degree of certainty for the community and for the waste management industry.”

Highland Structure Plan

- 2.4 Within THC Structure Plan [CD1] there is an entire chapter on waste and 12 policies which provide a strategic framework on the matter. Policies W5, W6 and W7 are most relevant to the objections lodged and provide the criteria against which proposals for each of the principal waste management facility types will be assessed.
- 2.4.1 Policy W5 Facilities for the waste management network states that Local Plans will identify *“sites for the facilities necessary for the sorting, processing and transfer of household, commercial and industrial wastes, as part of the overall waste disposal network”*.
- 2.4.2 Policy W6 Landfill/form highlights that proposals for landfill/form of municipal, industrial and/or commercial waste material will be assessed against the General Strategic Policies of the Structure Plan, and also sets out additional assessment criteria.
- 2.4.3 Policy W7 Waste combustion with energy recovery states that proposals for the combustion (with energy recovery) of household, commercial and non-hazardous industrial waste will be supported where they conform to the General Strategic Policies of the Structure Plan and sets out additional criteria against which they will be assessed.

Previous Inquiry Results

- 2.5 The Inverness Local Plan Inquiry findings regarding Waste Management and Disposal [THC-2/3] concluded that:

In relation to household recycling points:

(Paragraph 4.6.40)

“The establishment of household recycling points in housing areas is consistent in principle with the HAWP, the IP, and Policy GP3 of the Local Plan. The means by which such facilities are secured will depend on the circumstances of the development concerned, existing provision, and the terms of the local plan’s developer contributions policy. I consider that the best way of dealing with this issue, is for Policy GP5 to identify recycling facilities as an expectation, but to leave details of the means by which these will be secured to the DPPG or protocol which I have recommended at paragraph 4.3.37.”

- 2.6 In reference to the need for the provision of large waste infrastructure such as Energy from Waste or landfill in accordance with the Area Waste Plan:

(Paragraph 4.6.38)

“While the landfill site and the EfW plant that are required in the IMF could be located outwith this local plan area and still conform to the HSP and the HAWP, it would be inconsistent with the proximity principle for these to be located in the vicinity of Inverness, which generates much of the waste produced in Highland. However, the HSP does not require sites to be identified for these facilities. Identifying an area of search for a landfill site, as SEPA seeks, would not take matters much further forward, and would run the risk of creating the type of uncertainty it is desirable to avoid. The Policy W6 criteria, which remain the basis for assessing landfill proposals, are comprehensive.”

(Paragraph 4.6.39)

“The HSP also intends the Policy W7 criteria to provide locational guidance for EfW projects. Although matters have moved on since the HSP was approved, the process to identify an EfW site is still on-going. It is therefore desirable to retain a degree of flexibility. Identifying a site for what is intended to be a single facility for a large area on the basis of incomplete information could well be counterproductive at the end of the day.”

- 2.7 The Inverness Local Plan Public Local Inquiry Reporter recommended that:

(Paragraph 4.6.46)

(2) *“the third paragraph of the policy is redrafted along the following lines:*

“To assist the delivery of the Area Waste Plan, this local plan identifies the sites for sorting, processing (except EfW) and transfer of Municipal Solid Waste that are required to implement the Area Waste Plan, and these will be safeguarded for this purpose. Proposals for other waste management facilities, including for commercial and industrial waste, will be assessed against policies in the Structure Plan, and in this local plan, guided by the Area Waste Plan.

Unless facilities already exist or are to be made available by other means, and where consistent with Policy GP--, proposals for new housing developments, will be expected to include household waste recycling facilities designed to achieve a level of provision equivalent to one recycling point/per 500 houses. Further guidance will be contained in the Development Plan Policy Guideline or protocol to be prepared in the context of Policy GP--*.*

** i.e. the policy relating to developer contributions.*

(3) the sites safeguarded under Policy GP5 are identified in the relevant settlement chapters, and Inset Proposals Maps.

(4) if recommendation (2) is not accepted, the Council should promote an Alteration to the plan, as soon as practicable following adoption, identifying the sites required to conform to HSP Policy W5.”

Consultative Draft Plan

- 2.8 The Consultative Draft [CD 8] of the Ross and Cromarty East Local Plan, was published in May 2002. It contained two Area-wide references on this general issue under Chapter 3: Key Issues, paragraph 15 Infrastructure – Waste Management, and Chapter 5: General Policies, Supporting Policy 1: Design and Sustainable Construction.
- 2.9 The representations made and the changes made by THC in response are detailed in [CD 26]. A representation was received from SEPA.
- 2.10 In summary they stated that SEPA were disappointed at the absence of sites for waste management facilities within the Local Plan in order to deliver the draft Area Waste Plan and the Structure Plan, in light of the Waste Management section of the Plan (Page 13) identifying the difficulties facing waste management in the area. SEPA quoted extracts from both NPPG 10 and PAN 63 to emphasise that there is *“a strong policy background for identification of waste management sites in Local Plans.”* SEPA felt that in order to deliver the Area Waste Plan, sites for waste management facilities need to be identified in the Local Plan, and that it should be stated in policy within the Local Plan that all proposals for waste management will be determined in the context of the Area Waste Plan. Furthermore, SEPA believed that in order to assist the source-segregated kerbside collection of different fractions of household waste, as outlined within the Highland Draft Area Waste Plan, Supporting Policy 1: Design and Sustainable Construction *“should be amended by inclusion of an additional criterion to the effect of: (e) “provision of sufficient space at appropriate locations to facilitate source segregation of waste.”*

Deposit Draft Local Plan

- 2.11 The Deposit Draft [CD 9] of the Local Plan was published in October 2003. Modifications were made within the Deposit Draft to Chapter 3: Key Issues Waste Management [W1-7], GSP1- Design and Sustainable Construction, and a new policy GSP5 – Waste Management was inserted into Chapter 5. Furthermore changes were made to the Alness, Tain, Dingwall and Invergordon Statements and Inset Maps to account for known proposals expected to be implemented in 2004-06.
- 2.12 Chapter 3: Key Issues Waste Management was updated to reflect the adoption of the Highland Area Waste Plan (HAWP) and to outline the major projects identified within this plan. In addition, reference was made to the intention of THC to prepare an Implementation Plan to *“inform the delivery of the majority of the infrastructure through a Public Private Partnership (PPP), for the provision of waste management services for the next 25 years.”*

- 2.13 Additional wording was inserted into GSP1 – Design and Sustainable Construction, point (c) to take account for the need for developers to consider “*the separation/ collection of household, commercial and industrial waste*”, in line with SEPA’s comments at Consultative Draft stage.
- 2.14 The new GSP5 – Waste Management stated:
- “Proposals for waste management facilities will be assessed in the context of the policies set out within the Highland Structure Plan and the Local Plan, guided by the Highland Area Waste Plan. Provision will also require to be made for commercial and industrial waste following the closure of the Longman landfill site in Inverness, and these are likely to be provided by the private sector. Any proposals for the transfer or disposal of these wastes will also be the subject of assessment under the criteria set out within the Development Plan, as well as general principles and any emerging guidance within the Highland Area Waste Plan [W1-7].”*
- 2.15 Objections were received from SEPA and THC’s response and reasoning is set out in [CD 27]. In summary SEPA were pleased to note that Waste Management was identified as a key issue within the Local Plan, but that the information contained within Chapter 3: Key Issues Waste Management was now out of date due to the production of the Highland Implementation Plan, and that paragraphs 3.28 and 3.29 should be reworked as a result.
- 2.16 On the matter of point (c) of GSP1: Design and Sustainable Construction SEPA felt that in the interests of clarity and given the detail of the Implementation Plan, that “*the incorporation of space to allow for the separate collection of recyclables, green garden waste and residual waste should be specified for all new domestic dwellings*”. Furthermore, SEPA commented that the Highland Implementation Plan gives an approximate spread of recycling centres for existing communities and this should be applied to proposed housing developments.
- 2.17 SEPA’s objection to the revised GSP5 – Waste Management contained within the Deposit Draft of the Local Plan stated:
- “SEPA objects to this policy. It requires to be substantially reworked for it to be consistent with national policy and guidance. The importance of the Area and National Waste Plans is not sufficiently identified. SEPA objects to the current wording: “proposals for waste management facilities will be assessed in the context of policies set out within the Highland Structure Plan and Local Plan guided by the Area Waste Plan” as it is not considered sufficient. It should be replaced with the statement that: “proposals for waste management facilities must demonstrate conformity with the National and Area Waste Plans.*
- In addition, SEPA considers that, in order to deliver the Area Waste Plan, sites for waste management facilities need to be identified in the Local Plan. This is in accord with National Planning Policy Guidance where there is a strong policy background for identification of waste management sites in*

Local Plans. It is stated in NPPG 10 (Paragraph 99) that “Local Plans should conform with structure plan policies and proposals to make provision on a site specific basis, indicating how new developments for waste treatment and disposal will be provided for”. It is also stated that “Local Plans should identify sites consistent with the National Waste Strategy”. It is stated in PAN63 that “Planning authorities should...aim to identify sites in plans to provide a degree of certainty for the ‘community and for the waste management industry’. It is noted that the adopted Structure Plan states (Policy W5): “Sites for the facilities for the sorting, processing and transfer of household, commercial and industrial wastes, as part of the overall waste disposal network will be identified in Local Plans.”

Now that the Council has produced an Implementation Plan detailing how the requirements of the Area Waste Plan will be met and giving precise information on the type and geographical location of facilities required to deal with municipal waste, SEPA considers it a simple task to identify on the Local Plan proposal maps the sites detailed in the Implementation Plan for the area covered by the Local Plan. SEPA objects until this has been carried out.

Additionally, SEPA considers it important that existing facilities both for municipal and non-municipal waste are safeguarded because there is the potential to alter or extend the facilities to accommodate new or improved facilities. Therefore, SEPA considers it important that this information is included in the Local Plan and the existing facilities identified on the Proposals map and objects on this basis.

SEPA also objects until a requirement to provide communal waste recycling/composting facilities in association with new development proposals is identified in the appropriate sites specific development allocations. This is in order to comply with NPPG10, PAN63, the National Waste Strategy and the Highland Area Waste Plan.”

Deposit Draft with Modifications (Proposed Changes)

- 2.18 Proposed Changes to the Deposit Draft [CD 11] were approved in January 2005. These Modifications are proposed in response to SEPA’s comments to all three references to the general issue of Waste Management contained within the Local Plan.
- 2.19 It is proposed that further wording is inserted into Chapter 3: Key Issues, paragraph 3.29 to reflect the situation at that time with regard to the Highland Implementation Plan (IP). The IP had been prepared by THC but was awaiting “approval by the Scottish Executive”. Also, it is proposed that a sentence stating: “In the Local Plan area there are proposals to upgrade existing civic amenity sites at Alness and Tain, as well as provide a new civic amenity site at Dingwall and a new waste transfer station at Invergordon.” is inserted to highlight current proposals within the Local Plan area.
- 2.20 Modifications are proposed to GSP1 – Design and Sustainable Construction, point (c) from reading:

“waste minimisation, including design for re-use and recyclability (including separation/ collection of household, commercial or industrial waste)”

to:

“waste minimisation, including avoidance of waste and re-use and recycling of waste during the demolition and construction phases, design for re-use and recyclability (including the separation/ collection of household, commercial or industrial waste)”.

- 2.21 A Modification is proposed to GSP5 – Waste Management to identify the need for proposals for waste management facilities to demonstrate conformity with National as well as Area Waste Plans.
- 2.22 SEPA [CD31/170] made further objections to the Proposed Modifications. In summary SEPA feel that the Plan still does not acknowledge the need to provide for large waste infrastructure in accordance with the Area Waste Plan, and also that there is a requirement for the Local Plan to identify sites for facilities required within the Area Waste Plan or locations where identification of sites can be demonstrated to be unachievable. In relation to GSP1 – Design and Sustainable Construction, SEPA believe the policy should specify that all new domestic dwellings should incorporate space to allow for separate collection of various types of waste. Despite the Local Plan indicating that further guidance on this issue would be contained within supplementary Development Plan Policy Guidelines (DPPG), SEPA is of the view that this would be only best practice guidelines which would be unenforceable, and therefore desire confirmation that the DPPG could be made a requirement for developers. Finally in relation to GSP5 – Waste Management, again SEPA feel that the Plan still does not acknowledge the need to provide for large waste infrastructure in accordance with the Area Waste Plan, and also that there is a requirement for the Local Plan to identify sites for facilities required within the Area Waste Plan or locations where identification of sites can be demonstrated to be unachievable. SEPA also requires confirmation that their concerns regarding the safeguarding of existing facilities have been addressed.

3. The Council's Observations

The Objections

- 3.1 SEPA state [CD31/170]:

Chapter 3 Key Issues for RACE, paragraph 3.28, Waste Management
“SEPA is pleased to note that the Plan now refers to proposals for the new Recycling Centre in Dingwall and to the other small waste management infrastructure mentioned. However, the Plan does not yet acknowledge the need for provision for large waste infrastructure such as Energy from Waste or landfill in accordance with the Area Waste Plan. SEPA reiterates the requirement (as also expressed in relation to the Inverness and Wester Ross

Local Plans) for the Easter Ross Local Plan to identify sites (or locations where identification of sites can be demonstrated to be unachievable) for facilities required within the Area Waste Plan and is likely to maintain its objection unless this is addressed.”

3.2 Chapter 5 General Supporting Policies GSP1 – Design and Sustainable Construction, bullet 3

“...in the interests of clarity and given the detail available in the Implementation Plan, SEPA considers that the incorporation of space to allow for the separate collection of recyclables, green garden waste and residual waste should be specified for all new domestic dwellings and is likely to maintain its objection until this is done. ... The Highland Implementation Plan gives an approximate spread of recycling centres for existing communities and SEPA considers that this should be applied to proposed housing developments. It is noted that no change is proposed in relation to this as this guidance will be contained in supplementary Development Plan Policy Guidelines. However, as this “guidelines” document would be simply best practice guidelines, which would be unenforceable, SEPA would be obliged to maintain its objection with regards to this requirement unless confirmation could be provided that the “Guidelines” could be made a requirement for developers to comply with.”

3.3 Chapter 5 General Supporting Policies GSP5 – Waste Management

“SEPA welcomes the proposed modification to the wording of this policy with regards to National and Area Waste Plans and when formally consulted is likely to withdraw its objection.

As stated above, SEPA is pleased to note that the Plan now refers to proposals for the new Recycling Centre in Dingwall and to the other small waste management infrastructure mentioned. However the Plan does not yet acknowledge the need for provision for large waste infrastructure such as Energy from Waste or landfill in accordance with the Area Waste Plan. SEPA reiterates the requirement (as also expressed in relation to the Inverness and Wester Ross Local Plans) for the Easter Ross Local Plan to identify sites (or locations where identification of sites can be demonstrated to be unachievable) for facilities required within the Area Waste Plan and is likely to maintain its objection unless this is addressed.

It is not clear if SEPA’s further points regarding safeguarding of existing facilities have been addressed, and clarification is sought on this.

SEPA is also likely to maintain its objection regarding identification in appropriate site specific development allocations of the requirement to provide communal waste recycling/composting facilities in association with new development proposals.”

3.4 Following a meeting held between SEPA representatives and THC Planning and Development Service on 20th April 2005 regarding the Inverness Local Plan PLI Reporter’s recommendations, SEPA have made a further written submission to THC [THC-2/5] which states in relation to the Ross and

Cromarty East Local Plan that:

“3. The Ross and Cromarty East Local Plan needs to identify and safeguard existing and committed waste management facilities, where their continued operation does not undermine implementation of the Area Waste Plan.

4. The Ross and Cromarty East Local Plan needs to identify and safeguard a) a site for in-vessel or in-building composting unless it is confirmed that this is being identified in the Inverness Local Plan and b) a large station for bulking and transferring recyclables unless it is confirmed that this is being identified in the Inverness Local Plan area for the Inner Moray Firth EfW and Inner Moray Firth landfill.”

The Planning Authority’s Response

- 3.5 THC as Planning Authority wishes to respond to the objections set out in paragraphs 3.1 to 3.3 above. These objections and THC’s responses are contained in the Annex to the Committee report of 25 January 2005 and expanded as necessary below. Paragraphs 2.18 to 2.21 above already highlighted the proposed Modifications in response to the original objections.
- 3.6 While it is agreed that proposals should conform to National and Area Waste Plans, there are other planning considerations and policies set out in the Structure and Local Plans which any development proposals will be assessed in relation to. For example, the siting of development in an area designated for as highly sensitive for scenic or nature conservation importance should generally be avoided. As such, only a slight Modification to the first sentence of GSP5 was felt to be appropriate to highlight the need to “*demonstrate conformity with National and Area Waste Plans*” [CD11].
- 3.7 In addition, at the time of agreeing the Deposit Draft Local Plan, the Draft Highland Waste Implementation Plan had not been lodged with the Scottish Executive. However, it has since been lodged and returned with suggested revisions, largely to account for the limited availability of funding to implement proposals in 2004-06. This now provides more certainty about the location of materials recycling facilities and a waste transfer station. More specifically, there are proposals to upgrade existing civic amenity sites in Alness and Tain, to provide a new civic amenity site in Dingwall and a waste transfer station at the Cromarty Firth Industrial Park in Invergordon.
- 3.8 In addition, to mentioning the above proposals in the key issues Chapter of the Plan, appropriate references were made in the relevant settlement statements of the Plan. However, it is not appropriate for the Local Plan to identify specific sites for landfill or an energy from waste plant for a number of reasons. The Area Waste Plan sets out the indicative infrastructure required for the delivery of the BPEO for Municipal Waste in Highland. Until the Implementation Plan in relation to Municipal Waste, the PPP process and further work on business and industrial waste is complete, the exact nature of these strategic facilities required will not be known. It is for the private sector to take forward specific sites within this context, taking into account guidance

already set out in the Highland Structure Plan and the Area Waste Plan, as well as NPPG10 and PAN63.

- 3.9 In the case of the Inverness Local Plan PLI the Reporter [**THC-2/4**] concluded that the Highland Structure Plan does not require the identification of EfW or Landfill sites and to do so within the local plan would create uncertainty. The Reporter asserted that Policy W6 criteria, which is comprehensive, remains the basis for assessing landfill proposals. Furthermore, it was concluded that as information is not yet complete it would be counterproductive to identify a large site presently for Energy from Waste.
- 3.10 It is not appropriate for the Local Plan to identify specific sites for waste management facilities for a number of reasons. The Area Waste Plan sets out the indicative infrastructure required for the delivery of the BPEO for Municipal Waste in Highland. Until the Implementation Plan in relation to Municipal Waste, the PPP process and further work on business and industrial waste is complete, the exact nature of all the facilities required will not be known. The Plan will instead set out what types of facility are required. It will also state that these facilities must be provided to comply with the Highland Area Waste Plan, and that they will be delivered by the private sector, public sector, not for profit sector, community sector or partnering arrangements between the various parties.
- 3.11 The Highland Council is currently embarking on a Public Private Partnership (PPP) which will provide waste management services for the next 25 years, including significant investment in new infrastructure. The PPP contract covers the areas of Inverness, Nairn, Ross and Cromarty (excluding Ullapool) and Lochaber. This PPP will deliver the majority of the infrastructure for the Best Practicable Environmental Option (BPEO) for municipal waste (as set out in the Area Waste Plan). It is for the private sector to take forward specific sites within this context, taking into account guidance already set out in the Highland Structure Plan and the Area Waste Plan, as well as NPPG10 and PAN63.
- 3.12 The Highland Structure Plan [**CD1**] already sets out a framework for waste management planning which identifies broad locational criteria against which proposals for all types of facilities will be assessed, and only made a partial commitment to identify waste management sites in local plans. There have however been significant changes in context since the Structure Plan was prepared, but the criteria remain relevant. The commitment is given in Policy W5 which only covers the smaller waste management facilities. No such commitment is given within policies W6 & W7, which cover landfill and energy from waste (EfW) proposals. However, the criteria within policies W5, W6 and W7 give a reasonable indication of where facilities may be acceptable, for example within or close to industrial allocations in the Local Plan. It is not therefore felt necessary to additionally include this detail within the Local Plan. The guidance as set out in PAN63 [**THC-2/2**], which represents a more up to date position than that set out in NPPG10 [**THC-2/3**] is being met through this approach.

- 3.13 In recognition of the considerable changes proposed for waste management in Highland and the objectives of the Highland Waste Plan, reference is already made in the Local Plan to the point raised to draw attention for appropriate consideration in layouts. However, the last part of Policy GSP1 indicates that the Council will prepare policy guidance on design and sustainable construction that will be contained in supplementary Development Plan Policy Guidelines. It is anticipated that the detailed aspects of design for waste management facilities in new developments will be set out within such a guideline. Draft guidance will be the subject of widespread consultation, which will include discussions with SEPA. In the meantime it would not be appropriate to expand the Local Plan Policy further on this issue.
- 3.14 Policy GSP1, bullet 3 was modified to read “waste minimisation, including avoidance of waste and re-use and recycling of waste during the demolition and construction phases, design for re-use and recyclability (including the separation/collection of household, commercial or industrial waste).
- 3.15 In the case of the Inverness Local Plan PLI, the Reporter recommended inclusion of further wording to state that in the absence of facilities and in consistency with Developers Contribution Policy, developers will be expected to include household waste recycling facilities equivalent to one point per 500 houses. However, it was concluded that any further details should be contained within the DPPG and not the Local Plan.
- 3.16 A Strategic Options Review is anticipated to be complete by 31st January 2005. The *“Review process was initiated by the Scottish Executive in the autumn of 2004 and involves the Highland Council, Moray, Aberdeenshire and Aberdeen City Councils. The review is to provide a Business Case to the Scottish Executive (which should include details of sites which are either in the Councils’ possession or could be brought into the Councils’ possession) which details how residual waste will be treated and how bio-waste will be composted to help achieve Scotland’s requirements under the Landfill Directive. The review Group includes planners from each authority who will in due course identify likely sites. It would therefore be premature to attempt to either identify or guess at how many sites might be required between the four partnering authorities” [THC-2/6].*
- 3.17 THC wishes for the outcome of this issue on Waste Management with Scottish Environment and Protection Agency to be productive rather than negative in light of the Strategic Options Review. Subsequently as a result of this ‘Review’, THC may have to agree to an early alteration to the Local Plan in respect of this issue.

4. Conclusion

- 4.1 **Accordingly, The Council would ask that the Reporter recommends no change to the content of the Deposit Draft with Proposed Modifications, in respect of these matters, excepting the potential further Modifications recommended for the Inverness Local Plan, highlighted in paragraph 2.7**

above, which should be adapted to suit the Ross and Cromarty East Local Plan.