

OVERVIEW OF PLANNING POLICIES RELEVANT TO RURAL WASTE MANAGEMENT DEVELOPMENTS

This note provides a **brief overview of the major land use planning issues and policies** likely to be relevant to consideration of rural waste management developments.

The purpose of the planning system¹ is to regulate the development and use of land in the public interest (ie that all development is carried out in a way that would not cause demonstrable harm to interests of acknowledged importance). It does this by determining what kind of development is appropriate, how much is desirable, where it should best be located and what it looks like.

The Department's approach to planning is underpinned by the themes of sustainable development, mixed use, quality development and design.

Material considerations include development plans, which apply the Department's policies at the local level, and all other relevant planning policy documents, in force and, to a lesser degree, in draft. The basic question is '*would the proposal unacceptably affect amenities and the existing use of land and buildings that ought to be protected in the public interest*'; it is not '*would owners/occupiers of neighbouring properties experience financial or other loss from a particular development*'. The Department must base its decisions on planning grounds alone, and not use planning powers to secure objectives achievable under non-planning legislation.

Major planning applications² are those where the Department deems that the proposed development would, if permitted:

- Involve substantial departure from the development plan.
- Be significant to at least a substantial part of NI.
- Affect the whole of a neighbourhood.

The Department may hold a Public Inquiry into a major planning application to consider representations and where material considerations are disputed. The decision of the Department on a major application is final.

¹ http://www.planningni.gov.uk/AreaPlans_Policy/PPS/pps1/pps01_master.pdf

² http://www.planningni.gov.uk/Devel_Control/info_leaflets/Article31/article31.htm

Planning Policy Statements (PPS) set out the policies of the Department on particular aspects of land-use planning and apply to all of NI. PPS' likely to be relevant to waste management development applications are outlined below.

PPS 11 'Planning and Waste Management'³ is intended to:

- Promote development, in appropriate locations, of waste management facilities that offer the Best Practicable Environmental Option (BPEO) in meeting needs identified in the local Waste Management Plan.
- Ensure detrimental effects of waste management facilities on people, the environment and local amenity are avoided or minimised.
- Secure proper restoration of waste management sites for agreed after-uses.

It is guided by the 'precautionary principle' and the 'polluter pays' principle, and is consistent with the NI Waste Management Strategy, local Waste Management Plan, and the **principles of sustainable waste management**:

- Sustainable Development.
- The waste management hierarchy.
- The 'proximity principle'.
- Regional self-sufficiency.
- Development of integrated waste management facilities.
- Reduction in waste to landfill.
- The BPEO.

(Draft) PPS 14 'Sustainable Development in the Countryside'⁴ is intended to manage development in the countryside in a manner consistent with the RDS by:

- Managing growth in the countryside to achieve appropriate and sustainable patterns of development that meet the needs of a vibrant rural community.
- Conserving landscape and natural resources and protecting them from excessive, inappropriate or obtrusive development, and actual or potential effects of pollution.
- Facilitating development necessary for a sustainable rural economy.
- Promoting high standards of design, siting and landscape.

PPS 18 'Renewable Energy'⁵ is intended to encourage and facilitate the provision and siting of renewable energy generating facilities in appropriate locations within the built and natural environment by:

³ http://www.planningni.gov.uk/AreaPlans_Policy/PPS/pps11/pps11_master.pdf

⁴ http://www.planningni.gov.uk/AreaPlans_Policy/PPS/pps14/pps14_draft_doe251007.pdf

- Contributing to alleviation of effects of climate change by reducing greenhouse gas emissions.
- Contributing to the regional target of 12% of electricity generation by 2012, and 40% by 2025 from renewable energy sources.
- Assisting diversification of energy supply and a more competitive energy market.
- Encouraging economic growth and rural diversification associated with the development of an indigenous renewable energy industry.
- Ensuring that the environmental, landscape, visual and amenity impacts associated with renewable energy development are adequately addressed.
- Ensuring appropriate protection of the Region's built, natural and cultural heritage features.
- Promoting knowledge of and greater acceptance by the public of prospective renewable energy developments that are appropriately located.
- Fostering greater community involvement in renewable energy projects and encouraging use of community benefits.

Development Plans apply the regional policies of the Department at the appropriate local level, and the Department has a statutory duty to consult the relevant Council about every planning application it receives.

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⁵ http://www.planningni.gov.uk/AreaPlans_Policy/PPS/pps18/pps18_draft.pdf