

## 1.0 CHAPTER 1 – INTRODUCTION

### 1.1 General Comments on Chapter 1

#### Objections

281/1	Mrs A Lock Corsham Civic Society
281/4	Mrs A Lock Corsham Civic Society
341/1	C N A Williams Chippenham Town Council
343/2	W A Wood Chippenham Civic Society
370/1	Mrs Z A May South Marston Parish Council

#### Summary of Objections

- 1.1.1 (a) The Chapter should contain more detail.
- (b) There should be a County commitment to 'kerbside collections' rather than each household transporting goods for recycling.
- (c) The Plan uses incompatible units in describing the amount of waste to be dealt with.
- (d) The Waste Local Plan (WLP) should cover all aspects of waste collection and disposal and should be a joint County and District Plan.

#### Inspector’s Reasoning and Conclusions

- 1.1.2 In response to the First Deposit Draft of the Plan (FDDP), one objector argued that there was insufficient detail in Chapter 1. The objection referred to the ‘Report’ requiring greater attention to detail. Whether this was a reference to the reports on the various technical studies, the report on the Local Plan Forum debates or the Plan itself is unclear. However, further details of some of the studies undertaken are included in the Appendices to the Plan and a section has been added to Chapter 1 giving an explanation on how to use the Plan.
- 1.1.3 Bearing in mind that Chapter 1 is intended to be an introduction to the Plan, giving a brief outline of, amongst other things, the statutory framework, the various consultations and studies undertaken, and how to use the Plan, it seems to me that it would become unduly long if it sought to expand in detail on all these matters. Moreover, I consider that the Plan is generally well set out and, in my judgement, it includes a reasonably thorough explanation of its aims, policies and background.
- 1.1.4 I am mindful that the Local Plan Forum was an important element in the process of the Plan’s preparation and was set up following identification of the community’s desire for greater involvement in the process. However, it could be confusing and misleading if details of the main conclusions of the Forum were included in the Introductory Chapter. Such conclusions could be interpreted as the basis for the Plan’s policies, whereas in some instances this may not be the case. Moreover, I note that Paragraph 1.6.4 of the Plan refers to the ‘Statement of Publicity and Consultation/Participation’ which includes the Facilitator’s Report on Forum 9 held on 16 October 2001. Although there would be some merit in including a summary of the Forum’s conclusions as an appendix to the Plan, this would further extend a document which is already lengthy, albeit reasonably comprehensive. For these reasons, I conclude that Chapter 1 is not unduly lacking in detail and no modification should be made in response to the objection.
- 1.1.5 In relation to Chapter 1, comment is also made on the merits of kerbside recycling. I have dealt with this matter elsewhere when considering objections relating to other sections of the Plan. As indicated for example in Paragraph 4.1.3 of this report, I consider that there are significant arguments in favour of kerbside recycling, and that the Plan should endorse kerbside collection as a means of increasing recycling rates. On the other hand, kerbside collection is by no means the only method of increasing recycling in a sustainable and environmentally friendly manner. It is likely that a raft of measures will need to be adopted

to meet recycling targets. For this reason, I conclude that the Plan should not seek to limit the form that recycling initiatives should take and Chapter 1 should not be modified in response to this objection.

- 1.1.6 Concern is also expressed about the incompatibility of the units used to describe the amount of waste being landfilled. Although the objector refers to ‘double decker’ buses as the unit of measurement in question, I assume the objection relates to the description in paragraph 1.1.1 of the amount of waste landfilled in 1998/1999 as being equivalent to 50,000 waste lorries queuing between Devizes and Brussels. It seems to me that this analogy is an effective and graphic illustration of the scale of the problem. In this respect it serves a useful purpose. Clearly it is not intended as a means of accurately defining the volume of waste arisings or a measure to be used in calculating the capacity of facilities to be provided.
- 1.1.7 The historic and predicted waste arisings (in tonnes) for the Plan area, and the available landfill capacity (in m<sup>3</sup>) are set out in detail in Chapter 3 of the Plan. (A conversion factor for municipal waste of 0.8 tonnes/m<sup>3</sup> is referred to in Table 3.8). I am satisfied that the description in Chapter 1 of the amount of waste landfilled is not misleading, and that the reference to an equivalent number of waste lorries should not be deleted or modified.
- 1.1.8 Chippenham Town Council and Chippenham Civic Society consider that the WLP should cover all aspects of waste collection and disposal and should therefore be a joint County and District Plan. I appreciate the desire for a comprehensive document covering all aspects of waste and I agree that there needs to be co-operation between the Waste Disposal Authority (WDA) and the Waste Collection Authorities (WCAs). However, this co-operation is more readily demonstrated by the preparation of a Municipal Waste Management Strategy (MWMS). Such documents are intended to provide a framework within which authorities will manage their municipal waste and are normally developed and subscribed to by the WCAs and WDA in an area.
- 1.1.9 In contrast, the WLP forms part of the statutory development plan and its preparation is governed by the Town and Country Planning Act 1990. The WLP is intended to provide guidance for the waste management industry and the public on the land use policies of the Waste Planning Authority (WPA) for the managing of waste in its area. Under the circumstances, the WLP cannot be prepared in the manner suggested by the objectors. Nevertheless, the development of an MWMS must take account of the WLP, and vice versa. I am satisfied that the benefits of co-operation between the WDA and WCAs have to some extent been achieved by the preparation of MWMSs, the contents of which have been taken into account in the preparation of the WLP. Although I make certain recommendations elsewhere in this report that the WLP should make it clear that the WPA support initiatives such as kerbside recycling (see paragraph 14.2.22 of this report), I do not agree that the Plan should be fundamentally changed as proposed by the objectors.

## RECOMMENDATION

- 1.1.10 I recommend that no modification be made to the Plan in response to these objections.**

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## 1.2 Paragraph 1.1.2

### Objection

281/2

Mrs A Lock Corsham Civic Society

### Summary of Objection

- 1.2.1 The Plan should attach more importance to minimising the amount of waste that is produced.

**Inspector’s Reasoning and Conclusions**

- 1.2.2 Corsham Civic Society considers that the Plan should give more weight to waste reduction and minimisation. The Society submits that it is essential that the public be made aware of national targets, the reasons for them and the significant role the public can play in reducing household waste. It is pointed out that Paragraph 1.1.2 merely mentions the matter of minimisation.
- 1.2.3 There is no doubt that the encouragement of waste minimisation is of prime importance and that the participation of the public in general is essential if the approach to waste is to be transformed. However, it seems to me that the Plan makes this clear. One of the stated key objectives of the Plan is to reduce the amount of waste produced in Wiltshire and Swindon, and Chapter 7 of the Plan deals with this matter in detail. I note that the first sentence of that Chapter recognises that the best way to reduce the need for waste management is to avoid the creation of waste in the first instance. Moreover, paragraph 7.3.13 refers to initiatives designed to raise awareness of all aspects of waste minimisation. Bearing in mind that the WLP is primarily intended to deal with land-use matters, it seems to me that the subject of waste minimisation is adequately covered in the Plan. Policy 9 gives favourable consideration to proposals required for the purpose of eliminating or reducing waste.
- 1.2.4 Although Paragraph 1.1.2 does not provide details of proposed waste minimisation measures, I consider that as part of the introduction to the Plan, and one of only two paragraphs dealing with the background to the Plan in that Chapter, it gives sufficient prominence to waste minimisation. To extend the text at this point would unnecessarily lengthen an already substantial document.

**RECOMMENDATION**

- 1.2.5 **I recommend that no modification be made to the Plan in response to this objection.**

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**1.3 Paragraph 1.11.1**

**Objection**

249/R1 CW

Mrs B Cook Council for the Protection of Rural England (Wilt)

**Summary of Objection**

- 1.3.1 It should be emphasised that that all elements of the plan will need to be considered. Put the third sentence of paragraph 1.11.1 in bold.

**Inspector’s Reasoning and Conclusions**

- 1.3.2 The WPAs agree with the objector that the third sentence of paragraph 1.11.1 should be typed in bold, in order to emphasise that all elements of the Plan should be taken into account. I support such a proposal as it would assist in giving guidance on the use of the Plan and could help to avoid any initial misinterpretation.

**RECOMMENDATION**

- 1.3.3 **I recommend that the Plan be modified by typing the third sentence of Paragraph 1.11.1 in bold.**

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## 1.4 Paragraph 1.11.5

### Objections

31/R5 CW	Mrs A Henshaw
249/R2	Mrs B Cook Council for the Protection of Rural England (Wilt)
368/R5	Mrs J Heselwood

### Summary of Objections

- 1.4.1 Paragraph 1.11.5 should be deleted, or amended to indicate that applications will be determined in accordance with the Plan.

### Inspector’s Reasoning and Conclusions

- 1.4.2 Objectors submit that the Plan should provide certainty and result in consistent decisions that accord with its policies and objectives. It is argued that Paragraph 1.11.5 conflicts with this aim. In response the WPAs acknowledge that the plan led system is intended to provide consistency and a degree of certainty, but point out that development plans should also be flexible. The WPAs consider that Paragraph 1.11.5 reflects a need for flexibility in the use of the Plan, and refer to a similar statement in the emerging Gloucestershire Waste Local Plan.
- 1.4.3 I am mindful, however, that where a development plan contains relevant policies, section 54A of the Town and Country Planning Act 1990 Act requires that an application for planning permission shall be determined in accordance with the plan unless material considerations indicate otherwise. It seems to me that the general thrust of Section 1.11 of the WLP does not reflect this aspect of the plan led system. In my judgement, it gives too much weight to the flexibility inherent in the system rather than making it clear that the plan led system is intended to provide rational and consistent decisions. By giving such weight to the potential for flexibility in the use of the Plan, I conclude that Paragraph 1.11.5 could lead to misunderstanding and should be deleted. I appreciate that the statement may have been used in other waste local plans, but in the context of the limited information contained in Section 1.11 of this Plan, I consider that Paragraph 1.11.5 is inappropriate.

### RECOMMENDATION

- 1.4.3 I recommend that the Plan be modified by deleting Paragraph 1.11.5.

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