

PLANNING & REGULATORY COMMITTEE**WEDNESDAY 9 DECEMBER 2015****ITEM 4 PUBLIC QUESTION TIME****PUBLIC QUESTIONS****(1) MR MALCOLM ROBERTSON TO ASK:**

Have Members of this Committee received any formal training concerning the provisions of Regulation 18 (a) of the Waste (England and Wales) Regulations 2011, which requires that in the exercise of its planning functions:-

A Planning Authority must have regard to Article 13 of the Waste Framework Directive when exercising its planning functions to the extent that those functions relate to waste management.

Article 13 stipulates that waste management is to be carried out without endangering Human Health, without harming the Environment and, in particular: (a) without risk to water, air, soil, plants or animals; (b) without causing a nuisance through noise or odours, and (c) without adversely affecting the Countryside or places of special interest.

Reply:

The provisions of Article 13 of the Waste Framework Directive are transposed into national planning policy and guidance which in turn define the manner in which planning decisions are made by the County Planning Authority. Annex B to the National Planning Policy for Waste sets out the criteria for assessing impacts on the environment and this informs the approach of all planning authorities when considering planning applications. The primacy of national planning guidance is set out in Officer reports to Planning & Regulatory Committee which then deal in more detail with potential impacts on the environment and amenity.

You will note that paragraph 42 of the officer report to the committee meeting of 9 December refers to a relevant section from the National Planning Practice Guidance document which makes clear that a planning decision should be informed by the views of any relevant regulatory body. Members are also entitled to assume that other regimes dealing with the control of pollution outside the planning process will operate effectively. Where appropriate, Members will receive advice from independent specialist advisors on technical issues.

With regard to the application for Charlton Lane Waste Management Facility to be determined on 9 December 2015, Members have the benefit of specialist advice a number of consultees listed below and recorded in the Officer report -

- Spelthorne Borough Council (Pollution Control)
- The Environment Agency
- County Geotechnical Consultants
- County Landscape Officer
- Thames Water
- BAA Aerodrome Safeguarding
- County Noise Consultant.
- County Environmental Assessment

Where necessary Members also receive appropriate training from independent experts for the types of application they determine and the issues raised.

Members recently had training on Air Quality to bring them up to speed on recent changes to the guidance for assessment and also on Landscape Character Assessment.