

# Policy Evidence Report

## Policy 11: Sustainable Design and Resource Efficiency

**Hertfordshire Minerals and Waste  
Local Plan 2040**

**Hertfordshire County Council**



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# 1. Introduction

- 1.1. Hertfordshire County Council is reviewing its adopted Minerals Local Plan, Waste Local Plan and supporting development plan documents. These comprise the following documents (with adoption date):
  - Minerals Local Plan Review (March 2007)
  - Minerals Consultation Areas SPD (November 2007)
  - Waste Core Strategy and Development Management Policies DPD (November 2012)
  - Waste Site Allocations DPD (July 2014)
  - Employment Land Areas of Search SPD (November 2015)
- 1.2. The documents listed above are to be replaced by a single Minerals and Waste Local Plan (MWLP) covering the period to 2040. The new MWLP sets the overall spatial framework and development management policies for sustainable minerals and waste management development in Hertfordshire.
- 1.3. This Policy Evidence Report provides a context and justification for the creation of Policy 11: Sustainable Design and Resource Efficiency in the emerging Minerals and Waste Local Plan. It also contains a reasoning for the changes made to the policy between the Draft Plan publication and the Proposed Submission Plan publication.

## 2. National Policy Context

- 2.1. The National Planning Policy Framework (NPPF 2023) and National Planning Practice Guidance (PPG) provide the basis of national planning policy.
- 2.2. The following points within the NPPF relate to Policy 11:
  - Paragraph 131 – *'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.'*
  - Paragraph 133 – *'To provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences.'*

2.3. The PPG includes a section based on design:

- *‘Planning policies can set out the design outcomes that development should pursue as well as the tools and processes that are expected to be used to embed good design. Appropriate policies can be included within:*
  - *a plan’s vision, objectives, and overarching strategic policies*
  - *non-strategic policies in local or neighbourhood plans*
  - *supplementary planning documents, such as local design guides, masterplans or design codes, which provide further detail on specific design matters*

*Paragraph: 002 Reference ID: 26-002-20191001*

- *‘Strategic policies can also be used to set key design requirements for strategic site allocations and explain how future masterplanning and design work is expected to be taken forward for these sites.’*

*Paragraph: 003 Reference ID: 26-003-20191001*

2.4. The National Planning Policy for Waste (NPPW) also discusses sustainable design:

- *‘Positive planning plays a pivotal role in delivering this country’s waste ambitions through: ... ensuring the design and layout of new residential and commercial development and other infrastructure (such as safe and reliable transport links) complements sustainable waste management, including the provision of appropriate storage and segregation facilities to facilitate high quality collections of waste.’*
- *The NPPW states that when determining waste planning applications, waste planning authorities should ‘ensure that waste management facilities in themselves are well-designed, so that they contribute positively to the character and quality of the area in which they are located’.*
- *In addition, when determining non-waste planning applications, a waste planning authority must ensure that:*
  - *‘new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;*
  - *the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.’*

2.5. In addition, the government has produced a National Design Guide 2021. The guide states ten characteristics of good design that can be incorporated into local requirements and used to inform planning applications. In particular, the characteristic ‘Resources’ relates to this policy:

- 135 – ‘Well-designed places and buildings conserve natural resources including land, water, energy and materials. Their design responds to the impacts of climate change by being energy efficient and minimising carbon emissions to meet net zero by 2050.’
- 145 – ‘A well-designed place is durable and adaptable, so that it works well over time and reduces long-term resource needs. The re-use and adaptation of existing buildings reduces the consumption of resources and contributes to local character and context.’

2.6. Our Waste, Our Resources: A Strategy for England 2018 discusses sustainable use and design. The strategy largely focuses on the implementation of the Waste Hierarchy and the Circular Economy within design, planning and production of goods.

### **3. Local Context**

3.1. In 2019 Hertfordshire County Council declared a Climate Emergency. Following this, the Hertfordshire Sustainability Strategy 2020 was produced (updated in March 2023). The strategy sets out a series of aims and ambitions for tackling this issue, one of which is to ‘increase resource efficiency threefold in the County by 2050.’

3.2. In addition to this, guidance is contained in 'Building Futures: a Hertfordshire guide to promoting sustainability in development', prepared by all eleven planning authorities in the Hertfordshire. The purpose of 'Building Futures' is to provide practical, user-friendly guidance for planning officers and developers on how to make development in Hertfordshire as sustainable as possible. It is an evolving web-based guidance document, which will be updated to address emerging policy requirements, legislation changes and new examples of good practice. The 'Building Futures' guide also includes a waste module.

### **4. Minerals & Waste Local Plan Policy**

4.1. The Draft Minerals and Waste Local Plan was published for a Regulation 18 public consultation from 22 July to 31 October 2022. During the consultation period, members of the public, industry and other bodies were invited to comment on the policies within the Plan. This report shows the draft policy as published within the Draft Plan document, along with the main issues raised and the council’s response to them.

#### **Minerals and Waste Local Plan Draft Plan 2022**

4.2. The Regulation 18 Draft Plan document included Policy 11: Sustainable Design and Resource Efficiency. The policy read as follows:

## **Policy 11: Sustainable Design and Resource Efficiency**

All proposals for new waste management development, and where appropriate, minerals development, must be of a high-quality design and contribute to resource efficiency.

As a minimum, all such proposals must demonstrate how they have given clear consideration to the following: Scale, Built Form, Layout and Access, Appearance, Landscape and Biodiversity, Materials, Energy and Climate Change, Water Management, Noise, and Odour. Detailed guidance on each of these aspects of design can be found at Appendix 2: Waste Facilities Location and Design Guidance.

All development proposals involving the management of wastes must clearly demonstrate how the development ensures the most efficient use of resources through:

- a) construction and demolition methods that minimise waste generation and facilitate the re-use/recycling of materials and buildings, as far as practicable on site;
- b) design principles and construction methods that minimise the use of primary aggregates and encourage the use of high quality building materials made from local recycled and secondary resources; and
- c) good and innovative design with layout principles that allow effective sorting, recycling, composting and collection of waste within the site.

All major\* planning applications must be accompanied by a Circular Economy Statement which includes details of the management of waste through all stages of development†. The Statement should be proportionate to the nature of the proposals and should use the template found at Appendix 4: Circular Economy Statements.

All Circular Economy Statements submitted in support of District or Borough planning applications must be submitted to the Waste Planning Authority (WPA) for consideration prior to approval.

\*Major planning applications are those defined in Part 1(2) of The Town and Country Planning (Development Management Procedure) (England) Order 2015

†Some planning applications which fall into the category of 'major development' may be exempt from preparing a Circular Economy Statement, for example changes to operating hours. These will be determined on a case-by-case basis by the WPA

4.3. During the Regulation 18 consultation, 5 representations were made in relation to this policy. The main issues of these are summarised below:

- a) The list of considerations within the second policy paragraph should include orientation.
- b) The policy should include something related to transport of materials.

- c) The policy only considers new sites requiring efficiency and sustainable considerations. Existing sites must also be required to improve their standards and work in an efficient way.
- d) To ensure that future Design Policies remain consistent with national policy, it is requested the following criterion is added to the policy: **'x) taking a comprehensive and co-ordinated approach to development including respecting existing site constraints including utilities situated within sites.'**
- e) The site size thresholds should be stated within Policy 15 and that these should be supported by appropriate evidence to justify the requirement.

4.4. The council's response to the main issues is as follows:

- a) Comment noted, and orientation will be added.
- b) The sustainable transport of minerals is covered by other policies in the Plan, such Policy 24: Transport and Policy 23: Transport Infrastructure Sites.
- c) The policy cannot be applied to existing development that has already been granted planning permission.
- d) The presence of existing utilities on-site is a key consideration for any proposal, however it is not appropriate to include within Policy 15.
- e) The threshold is clearly stated in the policy and is set as 'major development' as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 for the definition of major development.

## 5. Alternative Reasonable Options

5.1. The following reasonable alternative options have been considered (and fully assessed in the Sustainability Appraisal Report):

- Option 1 – A Policy requiring proposals to address design and resource efficiency, supported by Design Guidance but no Circular Economy requirements
- Option 2 – A less detailed Policy than Option 1 which is not supported by Design Guidance or with Circular Economy requirements
- Option 3 – A Policy requiring proposals to address design and resource efficiency, supported by Design Guidance and requiring Circular Economy Statement for Major developments (preferred)

## 6. Conclusion

6.1. This Policy Evidence Report demonstrates the justification for the inclusion of this policy in the emerging Minerals and Waste Local Plan Proposed Submission Plan. It

summarises the national policy context and local context, along with the main issues raised through previous consultation and how the council has addressed those issues.

- 6.2. Any representations received on this policy at the Regulation 19 consultation stage will be submitted alongside the Local Plan to the Secretary of State as part of the examination process.
- 6.3. This Policy Evidence Report was written to support the Proposed Submission Plan (Regulation 19) consultation. This report forms part of the Regulation 22 statement, as set out by the Town and Country Planning (Local Planning) (England) Regulations 2012.