

A47 Wansford to Sutton Dualling

Scheme Number: TR010039

Volume 6

6.3 Environmental Statement Appendices

**Appendix 10.1 – Legislation and policy
framework**

APFP Regulation 5(2)(a)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed
Forms and Procedure) Regulations 2009

July 2021

Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning
(Applications: Prescribed Forms and
Procedure) Regulations 2009**

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Development Consent Order 202[x]

ENVIRONMENTAL STATEMENT APPENDICES
Appendix 10.1 - Legislation and policy framework

Regulation Number:	Regulation 5(2)(a)
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Appendix 10.1 (Legislation and policy framework)

10.1.1. The following relevant European, national and local policies have been considered as part of the material assets and waste assessment. They have been considered where these have informed the identification of receptors, resources and their sensitivity, the assessment methodology, the potential for significant environmental effects and required mitigation and enhancement measures.

10.1. Legislation

European legislation

- European Union (EU) Waste Framework Directive 2008/98/EC (WFD 2008) (published November 2008)

National legislation

- The Waste (England and Wales) Regulations 2011 (published March 2011) (as amended)
- Hazardous Waste (England and Wales) Regulations 2005 (published March 2005) (as amended) - implements the Hazardous Waste Directive (91/689/EC)
- Hazardous Waste (Miscellaneous Amendments) Regulations 2015 (published June 2015) - forms the current legal framework covering the appropriate assessment of waste
- Environmental Permitting (England and Wales) Regulations 2016 (published December 2016) (as amended).
- Environment Agency Standard Rules SR2015 No 39 (published February 2016) - use of waste in a deposit for recovery operation
- Department for Environment Food and Rural Affairs (Defra) Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, (published September 2009)
- Environmental Protection Act 1990, Part II, Section 34 (published November 1990) - sets out the legal framework for 'duty of care'

10.2. National strategy and planning policy

National strategy

- Resources and Waste strategy for England (published December 2018)

National policy statement for national networks (NPS NN) (published December 2014)

NPS NN paragraph: 5.42 and 5.43 (waste management)

- 10.2.1. **Requirement of the NPS NN:** The applicant should set out the arrangements that are proposed for managing any waste produced. The arrangements described should include information on the proposed waste recovery and disposal system for all waste generated by the development. The applicant should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that the alternative is the best overall environmental outcome.
- 10.2.2. Location where information addresses policy requirements:
- Chapter 10 (Material assets and waste) (TR010039/APP/6.1) Section 10.9 (design, mitigation and enhancement measures)
 - Environmental management plan (EMP (TR010037/APP/7.5))

National planning policy

- 10.2.3. In addition to NPS NN, other policies can have weight as relevant and important matters in decision making:
- National Planning Policy Framework (NPPF) (published March 2012): Sets out the Government's planning policies for England and how these should be applied, the document was updated in February 2019 and Chapter 17: facilitating the sustainable use of minerals, paragraph 204, is of relevance to the Proposed Scheme.
 - The Waste Management Plan for England (published December 2013): Fulfils EU Waste Framework Directive 2008/98/EC (WFD 2008) (published November 2008) Article 28 mandatory requirements, and other required content as set out in Schedule 1 to the Waste (England and Wales) Regulations 2011 (published March 2011).
 - National Planning Policy for Waste (NPPW) (published October 2014): sets out the government's detailed waste planning policies.
 - The National and Regional Guidelines for Aggregates Provision in England 2005 to 2020 (published June 2009): Contains the relevant regional recycled aggregates target given in Table E/1.2 of LA 110.

10.3. Local planning policy

- 10.3.1. Cambridgeshire County Council and Peterborough City Council adopted the Cambridgeshire and Peterborough Minerals and Waste Development Plan in July 2011 The Mineral and Waste Development Plan guides minerals and waste development in Cambridgeshire and Peterborough until 2026.

- 10.3.2. The Cambridgeshire and Peterborough Minerals and Waste Development plan comprises two documents:
- Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy Development Plan Document (DPD), Adopted 19 July 2011.
 - Cambridgeshire and Peterborough Minerals and Waste Development Plan Site Specific Proposals DPD (Adopted 22 February 2012).
- 10.3.3. The current Core Strategy DPD (adopted July 2011) and the Site Specific Proposals DPD (adopted February 2012) are being reviewed and a single joint Minerals and Waste Local Plan covering the two authority areas is being produced to replace them.