

Consultation Statement

Planning and Compulsory Purchase Act 2004

The Town and Country Planning (Local Planning) (England) Regulations 2012

Regulation 12

Draft Supplementary Planning Document (SPD) – Refuse storage for new residential properties

Scoping Consultation (July 2016)

The Council carried out an initial consultation on the scope and possible content of a new Supplementary Planning Document (SPD) which will include guidance on the design of waste and recycling storage in new residential properties. The consultation on the scope of the SPD took place from 23rd May – 18th July 2016.

The Council wrote to 3398 people on the Forward Planning Consultation database. These comprised:

- Mid Devon elected members
- Mid Devon parish/town councils
- Adjoining parishes, neighbouring local authorities and statutory groups (including specific and general consultation bodies)

- General consultation bodies and other consultees including database groups defined as individuals, businesses, landowners and voluntary organisations.

In addition the following methods were used to notify consultees:

- Press releases
- Newspaper notice
- Information on the Council’s website
- Social media updates

The Council invited people to make representations by post or email. A total of 9 valid responses were received. The following table sets out a summary of the main comments raised during the scoping consultation, along with a response explaining how these have been addressed in the draft Supplementary Planning Document:

Summary of Representation	Response
General Comments	
Supports the document. Any new residences must be able to accommodate all bins effectively.	Support noted.
The draft SPD only refers to ‘new builds’ and all existing properties have to make do with where they currently store waste.	Comments noted. The draft SPD aims to ensure that suitable waste and recycling storage is provided in all new residential development. There are no planning mechanisms the SPD can use to achieve this retrospectively.
Organisations & Public Bodies	
Devon County Council proposed that developers should be encouraged to consider the adequacy of space for internal storage in kitchens and/or utility	The draft SPD now includes a ‘policy background’ section which refers to the National Planning Policy for Waste, the Devon Waste Plan and the Waste

<p>rooms to facilitate recycling and that the list of containers should include kitchen caddies for food waste. In addition the SPD should refer to other key sources of information such as paragraph 8 of the National Planning Policy for Waste, the Devon Waste Plan and the Waste Management and Infrastructure SPD.</p>	<p>Management and Infrastructure SPD. In addition, the draft SPD now refers to internal storage areas stating that convenient internal storage areas should be designed into each unit on a new development. Details of kitchen caddies for food waste have been added to the list of containers used throughout Mid Devon.</p>
<p>Barratt David Wilson Homes c/o LRM Planning Limited stated that the SPD seeks to apply rigid standards whereas in certain instances, a pragmatic view point should be taken to ensure that a good quality layout is achieved.</p> <p>The first paragraph should read along the lines of <i>‘An area of hardstanding should be provided, ideally in the back garden or courtyard, though if this is not feasible for reasons relating to design or layout, then storage to the front of properties is accepted under certain circumstances.’</i></p> <p>It was suggested that a paragraph is added to allow refuse storage to be provided within garages in the text on ‘Individual, Detached or Semi-detached Properties’. The Parking SPD states that garages and car ports cannot be used for the parking of cars, thereby providing a convenient location for storage.</p> <p>Paragraph 3 of ‘Individual, detached or semidetached properties’ should read ‘It is advantageous where possible, but not required, to provide an alcove.’</p> <p>It is also suggested that the second sentence of this paragraph be reworded to explicitly make clear that presentation of bins on a public highway (footway) on refuse collection day is permitted.</p> <p>First and fifth paragraph of ‘Terraced Houses’ – Paragraphs are considered contradictory. If refuse storage can take place at the rear of the properties,</p>	<p>It is considered that the SPD as drafted requires the use of standards to give clarity of Mid Devon District Council’s requirements. If the SPD was less precise this would fail to give clarity to applicants. It is MDDC’s clear preference that the area of storage is to the rear of properties and applicants would need to demonstrate exceptional circumstances to justify a different approach.</p> <p>The Waste SPD does not preclude garages being used for storage of refuse and recycling should occupants wish to do so. The Parking SPD does not state that garages and car ports cannot be used for the parking of cars; it states that garages and car ports will not count as parking spaces.</p> <p>Paragraph 3 of ‘Individual, detached or semi-detached properties’ states that ‘it is advantageous for an alcove to be provided by the front gate so householders can place their bins out for collection’. This is considered to be appropriate in stating the Council’s clear preference but acknowledging that in some cases, a different approach may be required.</p> <p>The draft SPD already states that ‘Mid Devon District Council requires householders to place their bins at the nearest point of the highway on collection day.’</p> <p>It is not considered that the first and fifth paragraphs are contradictory. The fifth paragraph states that ‘In certain types of ‘courtyard’ style terrace</p>

<p>as accepted in the fifth paragraph, then it must be considered acceptable that no front storage space of refuse need be provided.</p>	<p>developments, it may be more practical to provide communal refuse storage.’ This acknowledges that it may not be possible to fulfil the requirements of paragraph 1 in all types of terraced housing.</p>
<p>Devon and Cornwall Police highlighted that refuse storage is frequently an issue for the Police and made the following comments:</p> <ul style="list-style-type: none"> • Refuse storage moved under cover can become an arson risk. • Overflow can attract vermin, give and uncared for impression which may lead to disorder and crime. • Bins are commonly used as climbing aids to get on roofs. • Poor construction of bin storage leads to progressive damage. 	<p>Comments noted and understood. These issues are important and have led to the production of the draft SPD.</p>
<p>Natural England welcomed the opportunity to give their view but stated that the topic did not appear to relate to their interests to any significant extent.</p>	<p>Comments noted.</p>
<p>Parish & Town Councils</p>	
<p>Crediton Town Council welcomes the new Supplementary Planning Document but further consideration needs to be given to the increased space required inside a house for the sorting of recyclables prior to putting them out for collection.</p>	<p>Support noted. An additional section has been added to the draft SPD regarding internal storage areas. This states that convenient internal storage areas should be designed into each unit on a new development.</p>
<p>Willand Parish Council stated that all relevant matters have been considered and Councillors can think of no further guidance to be provided.</p>	<p>Support noted.</p>

Draft Supplementary Planning Document: Refuse Storage for New Residential Properties

Draft Supplementary Planning Document Consultation (October 2016)

The Council carried out a second stage of consultation on the draft Supplementary Planning Document (SPD) which took place from 10 October 2016 – 21 November 2016.

The Council wrote to a total of 3382 individuals and organisations on the Forward Planning Consultation database. These comprised:

- Mid Devon elected members
- Mid Devon parish/town councils
- Adjoining parishes, neighbouring local authorities and statutory groups (including specific and general consultation bodies)
- General consultation bodies and other consultees including database groups defined as individuals, businesses, landowners and voluntary organisations

In addition the following methods were used to notify consultees:

- Press releases
- Newspaper notice
- Information on the Council website
- Social media updates

The Council invited people to make representations by post or email. A total of 11 valid responses were received. The following table sets out a summary of the main comments raised during the consultation, along with a response explaining how these have been addressed in the draft Supplementary Planning Document:

Summary of Representation	Response
General Comments	
Excellent document.	Support noted.
Essential for storage areas to be included in the design statement for new houses.	Comments noted.
The requirement for 'tarmac' paths between storage and collection points is too prescriptive and suggests that 'tarmac or similar smooth durable surface' be substituted.	Agreed, an amendment is proposed to state that 'If a path needs to be constructed to meet this requirement, it should be a minimum of 650 millimetres wide with a tarmac or similar smooth durable surface to facilitate wheeling the bin.'
<p>Proposals do not address the following problems:</p> <ul style="list-style-type: none"> • MDDC approach to refuse and recycling collection depends on the householder having an increasing number of plastic caddies, bins or boxes instead of one dustbin, making it difficult to store unsightly and unhygienic containers. • Sentence in the SPD stating that Council operatives could not go up and down stairs because of 'health and safety' is a ludicrous position to take. • Council's waste strategy is wrong. Use of multiple lorries and their crews wasteful and unnecessary. Strategy should be replaced with one collection for waste with recycling done at a central facility. 	Comments noted and understood. However, the comments raised are beyond the scope of the SPD which refers to the storage of waste and recycling in new residential properties and not the quantity/type of containers provided to households or the Council's overall waste strategy.
Organisations & Public Bodies	
Natural England welcomed the opportunity to give their view but stated that the topic did not appear to relate to their interests to any significant extent.	Comments noted.

<p>Tiverton Civic Society approves the draft SPD and felt that it was clearly illustrated and expressed and recommends that it be adopted.</p>	<p>Support noted.</p>
<p>Persimmon Homes made the following comments</p> <ul style="list-style-type: none"> • Reference to surfacing being tarmac is over prescriptive. Suggests wording as follows: ‘surfacing materials will be the subject of detailed discussions with applicants’. • On page 7 a dimensioned drawing is included. The inference from the first paragraph under ‘Design Considerations’ is that the example shown is not the only way by which suitable screening could be employed. We therefore believe that the ability to utilise that flexibility should be emphasised in this SPD and a reference be made on the drawing shown to include mention that this is one indicative form of achieving screening. 	<p>An amendment is proposed to state ‘tarmac or similar smooth durable surface’. This will continue to give clarity of Mid Devon District Council’s requirements without being overly prescriptive. The diagram on page 7 provides an illustrative depiction of communal bin store design showing MDDC’s clear preference that bin stores should ideally be discreet roofed sheds built out of the same materials that are being used in the rest of the development.</p>
<p>Network Rail made the following comments:</p> <ul style="list-style-type: none"> • Soakaways, as a means of storm/surface water disposal must not be constructed near/within 20 metres of Network Rail’s boundary. • Storm/surface water must not be discharged into Network Rail’s property or into Network Rail’s culverts or drains. • Proper provision must be made to accept and continue drainage discharging from Network Rail’s property. • Any surface water run-off from the site must drain away from the railway boundary and must not drain in the direction of the railway as this could import a risk of flooding/pollution onto Network Rail land. 	<p>Comments noted. However, they do not appear to directly relate to the scope of the Waste SPD and therefore, no changes are proposed.</p>
<p>Parish & Town Councils</p>	
<p>Tiverton Town Council supports the introduction of the document and</p>	<p>Support noted.</p>

hopes it will be introduced as soon as possible.	
Crediton Town Council agreed to support the Refuse Storage for New Residential Properties SPD.	Support noted.