



The Planning
Inspectorate

Report to Warwickshire County Council

by Elizabeth C Ord LLB(Hons) LLM MA DipTUS

an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 12th June 2013

PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)
SECTION 20

**REPORT ON THE EXAMINATION INTO THE CORE STRATEGY OF THE
WARWICKSHIRE WASTE LOCAL PLAN**

Document submitted for examination on 19 October 2012

No examination hearings were held

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Abbreviations Used in this Report

§	Section
¶	Paragraph
AMR	Annual Monitoring Report
C&I	Commercial and Industrial
CD&E	Construction, Demolition and Excavation
Defra	Department of environment, food and rural affairs
EA	Environment Agency
EfW	Energy from Waste
Framework	National Planning Policy Framework
HCI	Household/Commercial and Industrial
LACMW	Local Authority Collected Municipal Waste
LDF	Local Development Framework
MM	Main Modification
MRF	Material Recycling Facility
MRS	Metal Recycling Site
MWDF	Minerals and Waste Development Framework
MWMS	Municipal Waste Management Strategy
p	page
PPS 10	Planning Policy Statement 10: <i>Planning for Sustainable Waste Management</i>
RSS	Regional Spatial Strategy
RTAB	Regional Technical Advisory Body recently renamed Resource Technical Advisory Body
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
tpa	tonnes per annum
WBTD	Waste Background Technical Document
WPA	Waste Planning Authority
WRAP	Waste and Resource Action Programme

Non-Technical Summary

This report concludes that the Core Strategy of the Warwickshire Waste Local Plan provides an appropriate basis for the planning of the County Area over the next 15 years providing a number of modifications are made to the Plan. The Council has specifically requested that I recommend any modifications necessary to enable it to adopt the Plan. All of the modifications to address identified deficiencies were proposed by the Council, and I have recommended their inclusion after full consideration of all relevant representations.

The modifications can be summarised as follows:

- MM1 - reference to superseded policies from the 1995 Waste Local Plan;
- MM2 - inclusion of wording in the Spatial Strategy to reflect the preferred option;
- MM3 - the addition of positive wording in Policy CS1 and its supporting text to reflect the aim of meeting identified capacity gaps for waste management;
- MM4 - inclusion of wording in Policy CS1 to reflect the presumption in favour of sustainable development;
- MM5 - amendments to Policies CS3 and CS4 to give clearer guidance on the meaning of close proximity;
- MM6 - incorporation of positive wording within Policies CS5, CS6 and the supporting text of Policy CS7 to encourage the provision of facilities to meet identified waste management gaps.
- MM7 - amendment to Policy DM1 to more appropriately protect the natural and built environment;
- MM8 - amendment to Policy DM2 to more appropriately provide for mitigation from adverse impacts;
- MM9 - to address timeliness;
- MM10 - to link policy objectives with performance indicators; and
- MM11 - insertion of details on monitoring and review.

These changes do not materially alter the thrust of the Council's overall strategy.

Introduction

1. This report contains my assessment of the Core Strategy of the Warwickshire Waste Local Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition of there being no scope to remedy any failure in this regard. It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework¹ (the Framework) makes clear that to be sound, a Local Plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the publication version of the draft Plan (March 2012), which has undergone consultation. Whereas the Council produced a submission version (September 2012) following the publication of the Town and Country Planning (Local Planning) Regulations 2012 and the Framework in April 2012, this incorporated main modifications to the publication version relating to both legal compliance and soundness and which, therefore, required consultation. Consequently, it could not form the basis of my examination. The submission version also contained additional modifications, which the Council is able to make on its own accord without consultation. All of these submission version modifications are contained in the Council's Schedule of Changes². Moreover, following the revocation of the West Midlands Regional Spatial Strategy (RSS), the Council has made further additional modifications in response.
3. My report deals with the main modifications that are needed to make the Plan sound and legally compliant and they are identified in bold in the report (**MM**). In accordance with section 20(7C) of the 2004 Act the Council requested that I recommend any modifications needed to rectify matters that make the Plan not legally compliant/unsound and thus incapable of being adopted. These main modifications are set out in the Appendix to this report.
4. The main modifications that go to soundness have been subject to public consultation and Sustainability Appraisal (SA) and I have taken the consultation responses into account in writing this report. No new significant matters were raised during this process.

Assessment of Duty to Co-operate

5. Section s20(5)(c) of the 2004 Act requires that I consider whether the Council complied with the duty imposed by section 33A of the 2004 Act in relation to the Plan's preparation. There were no substantive challenges to this requirement. The Council has provided written evidence of how it has met this duty³, which is summarised in the following paragraphs.

¹ ¶182

² SUB3

³ SUB15 Duty to Co-operate Compliance Statement

6. With respect to working with other Waste Planning Authorities (WPA), liaison was generally undertaken through the West Midlands Regional Technical Advisory Body (RTAB), which is the body that led on the preparation of waste policies for the West Midlands as set out in the former RSS Phase Two Revision. Despite the demise of the regional governance structure, the RTAB continues to meet on a quarterly basis as the 'Resource Technical Advisory Body'. WPA representation at these meetings has ensured that WPAs in the West Midlands adopt similar and consistent approaches when producing Waste Plans.
7. The Council also attended a series of meetings and seminars organised by the former Government Office for the West Midlands, which facilitated the sharing of experiences and interpretation, and the identification of areas of mutual concern. Furthermore, the Council arranged an "adjoining authorities" forum meeting to discuss strategic waste planning issues and to appraise alternative spatial options. This meeting was attended by Solihull Metropolitan Borough Council, Birmingham City Council, Bromsgrove District Council and the County Councils of Oxfordshire, Leicestershire, Worcestershire, Gloucestershire and Northamptonshire. Through the Warwickshire Waste Partnership relevant issues were discussed with the District and Borough Councils. Work was also undertaken with Coventry City Council and Solihull Metropolitan Borough Council.
8. To ensure that the Core Strategy would align with any future Municipal Waste Management Strategy (MWMS), the Council's Planning Policy team met and collaborated with the Waste Management team. In addition the Council worked in partnership with Waste Disposal Authorities with respect to securing contracts for the County's Local Authority Collected Municipal Waste (LACMW). Other relevant prescribed bodies⁴ were consulted and several participated in the Warwickshire Waste Development Framework forum events, which informed the Plan making process.
9. From the submitted evidence I consider that the Council has worked closely throughout the period of Plan preparation with the relevant prescribed bodies and persons, other statutory and regulatory organisations, other authorities, and the waste industry. Therefore, taking all factors into consideration, I am satisfied that this amounts to constructive, active engagement on an ongoing basis. Consequently, the duty to co-operate has been fulfilled.

Assessment of Legal Compliance

10. My examination of the Plan's compliance with legal requirements is summarised in the table below. I conclude that the Plan meets all of these requirements with the exception of the issue of superseded policies.
11. The 2012 Regulations⁵ state that where a local plan contains a policy that is intended to supersede another policy in the adopted development plan, it must state that fact and identify the superseded policy. The Plan does not identify

⁴ As set out in Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012

⁵ ¶(5) of Regulation 8 of the Town and Country Planning (Local Planning) (England) Regulations 2012

the policies which it intends to supersede. Therefore, main modification **MM1** has been suggested by the Council, and I recommend its inclusion to ensure legal compliance.

LEGAL REQUIREMENTS	
Local Development Scheme	The County Council's fourth revision of the Minerals and Waste Development Scheme was agreed by Cabinet on the 16 th February 2012 and formally brought into effect on the 1 st March 2012 ⁶ . This sets out an expected adoption date of July 2013. Following Submission, an updated timetable was published on the Council's webpage. The Plan's content and timing are compliant with this Scheme.
Statement of Community Involvement (SCI) and relevant regulations	The SCI ⁷ was adopted in May 2006. The Plan fully accords with the Council's adopted SCI. All methods of consultation fully accord with the Council's obligations for consultation as set out in the SCI, including the consultation on the proposed Main Modifications.
Sustainability Appraisal (SA)	The Council undertook a full Waste Core Strategy SA, which involved the initial Minerals and Waste Development Framework (MWDF) Scoping Report in 2006. This informed the SA of the 5 Spatial Options in March 2011. A further baseline update was undertaken in November 2011, and this informed the SA of the policies and strategies. This was contained in the Waste Core Strategy SA Final Report of March 2012 ⁸ . A further SA was undertaken of the Main Modifications. The SAs are adequate.
Habitats Regulations Assessment	A Habitats Regulations Assessment was undertaken and a MWDF Screening report was published in February 2009 ⁹ . The Assessment identified very few mechanisms where minerals and waste development could impact on Natura 2000 sites. However, in accordance with the precautionary principle a further scoping assessment was undertaken. The Waste Core Strategy Habitats Regulations Assessment Scoping report was published in March 2012 ¹⁰ , and concluded that it was highly unlikely that the Core Strategy would have any significant adverse effects upon Natura 2000 sites.
National Policy	The Plan complies with national policy except where indicated and Main Modifications are recommended.

⁶ SUB11

⁷ SUB12

⁸ SUB7

⁹ SUB9

¹⁰ SUB10

Sustainable Community Strategy (SCS)	The Council's SCS accords with the vision, aims and objectives of the 5 Districts' SCSs. The Plan accords with the Council's SCS and, therefore, also aligns with the Districts' SCSs.
2004 Act (as amended) and 2012 Regulations	The Plan complies with the Act and the Regulations except where indicated and Main Modifications are recommended.

Assessment of Soundness

Preamble

12. The RSS was still extant at the time of producing the Publication Version of the Plan and part of its evidence base was used in support of the Plan. Whilst the Order revoking the RSS comes into force from 20 May 2013, the evidence base that informed the preparation of the RSS may still be drawn upon¹¹. Although the revocation of the RSS does not impact on the legal compliance or soundness of the Plan, the Council has made additional modifications in response. Minor changes have also been made to the main modifications where appropriate. None of these additional modifications impact on the substance or application of the Plan.

Main Issues

13. Taking account of all the representations and written evidence I have identified six main issues upon which the soundness of the Plan depends.

Issue 1 – Whether the Vision, Objectives and Spatial Strategy are the most appropriate to meet the waste management requirements of the County, and whether they are effectively and positively reflected in the Plan policies, and accord with national policy.

Overview

14. The Plan's high level strategies have been developed from a comprehensive evidence base, starting with the former RSS Phase 2 Revision. The Issues and Options paper¹² was accordingly compiled to include a range of technical information drawn from regional and national research, from which the key issues for the County were generally derived. As more up-to-date and credible evidence became available, such as capacity requirements for waste treatment, this more recent information was relied upon. This reflects Government advice following the revocation of the RSS.
15. Following consultation and SA of the various options, Preferred Options and Proposals¹³ for the vision, objectives and policy principles were published to address the identified key issues. However, upon obtaining Government advice, issued to all WPAs after the Barker Report, the Council did not

¹¹ ¶ 218 of the Framework

¹² IO1 February 2006

¹³ PO1.1 August 2006

progress forward, but instead commissioned a Strategic Flood Risk Assessment¹⁴ and returned to the Options stage.

16. Taking account of legislative and policy changes such as the extensive review of the National Waste Strategy¹⁵, and updated data and information, the Emerging Spatial Options¹⁶ document was produced. This set out a proposed vision statement and key objectives and revisited the key issues. It also formulated revised policy principles and set out five options for a locational strategy for future facilities. After consultation and SA considerations, Preferred Option and Policies¹⁷ were produced, leading on to the Publication Document¹⁸.

Vision and Objectives

17. The thrust of the Plan's vision is to deliver equivalent self sufficiency, whilst continuing to recognise cross boundary waste management links. The identified gap in waste treatment capacity is to be met through the provision of a range of sustainable waste facilities in the most sustainable locations by 2028. Development would proceed in accordance with the Waste Management Hierarchy, and waste would be treated as a resource leading to a reduction in the use of natural resources. High quality design would mitigate against climate change, whilst communities, and the natural and built environment would be protected. Sustainable waste management would generally be promoted through engagement with local communities, industry and landowners.
18. The development of this vision has been shaped by SAs of the options, and a robust analysis of available data and information. The preferred option was assessed against the 16 SA Objectives set out in the final SA report¹⁹, and scored either "Major Beneficial" or "Beneficial" against most of them with the remaining two scoring neutral/beneficial. It has been informed by waste legislation and policy at the European, National, Regional and Local level, as applied to the particular circumstances of the County. To the extent that it is reasonable, it has attempted to integrate with Warwickshire's MWMS²⁰, although the latter is now out of date as it pre-dates extant Government waste policy. The Plan's eight objectives flow from this vision, and address the key issues for the County as refined through previous stages of consultation.

Spatial Strategy

19. In order to achieve the objectives of the Plan, stakeholders were consulted on five spatial options²¹. New development locations were considered for industrial estates and existing waste sites (Option 1), existing waste sites (Option 2), industrial estates and existing waste sites within main settlements

¹⁴ SUB25

¹⁵ Replacement of the Waste Strategy 2000 with the Waste Strategy 2007, and publication of the Government Review of Waste Policy in 2011

¹⁶ ESO1 March 2011

¹⁷ PO2.1 September 2011

¹⁸ PUB1 March 2012

¹⁹ SUB7

²⁰ OED1; adopted October 2005

²¹ Emerging Spatial Options March 2011 (ES01)

(Option 3), industrial estates and existing waste sites within or in close proximity to main settlements (Option 4), and a settlement hierarchy (Option 5).

20. SA of the options resulted in Option 5 performing best and receiving the most support. This Option is based on locations within industrial estates, brownfield industrial land, and existing waste sites and provides a hierarchy of primary settlements, secondary settlements and sites outside primary and secondary settlements.
21. It generally reflects the evidence base for Policy W3 of the former RSS Phase 2 Revision in that it facilitates new or enhanced waste management facilities within, or in close proximity to the key settlements identified. Priority would be given to development within and around the main primary centres of waste arisings of the major towns of Warwick, Leamington, Nuneaton, Bedworth, Kenilworth, Stratford and Rugby, or within 5km of the Coventry Major Urban Area, and then to the most sustainable secondary locations of Atherstone, Coleshill and Southam.
22. This option fits appropriately with the spatial portrait for Warwickshire and takes account of the County's other spatial planning concerns, such as population density, housing, employment, transport links, and the environment. It supports the provision of new facilities on sites close to where most of the waste arises, thereby contributing to sustainable management, and provides flexibility for new sites coming forward by identifying adequate, broad areas of development.
23. Overall, it allows sufficient opportunities for the development of new or enhanced facilities in appropriate locations. It also provides sufficient strategic guidance and spatial direction for the allocation of future sites for waste treatment.
24. However, although the Plan's vision makes brief reference to some of the potential areas of development, and the Plan policies cover locational criteria, the Plan's Spatial Strategy section does not provide text to accompany its key diagram. Therefore, it is not clear that Option 5 is the strategy being pursued, and this could lead to confusion. Consequently, **MM2** is recommended to remove any doubt as to what the Plan's Spatial Strategy actually is.

Assessment

25. I consider that the preparation of the vision, objectives and spatial strategy was systematic, comprehensive and convincing. These high level strategies reflect the principle of sustainable waste management and are focussed and locally distinctive. Their robust and pragmatic approach is sufficiently flexible to accommodate all reasonable and foreseeable eventualities and changing circumstances. In conclusion, the evidence demonstrates that, with the suggested main modification, the vision, objectives and spatial strategy are positively prepared, justified, effective, and consistent with national policy.

Issue 2 – Whether the baselines used to quantify waste arisings for the three main waste streams are the most appropriate and, whether the assumptions and methodologies used to calculate future waste projections and management requirements are justified.

Overview

26. The Plan is informed by the Waste Background Technical Document (WBTD)²², which assesses arisings for each of the main waste streams and forecasts waste management needs to 2027/28, being the lifetime of the Plan. Various methodologies and their limitations are considered for determining baselines and future projections, and the most robust approaches are relied upon. I am satisfied that this assessment of alternatives is reasonable and justified.

Local Authority Collected Municipal Waste (LACMW)

27. The Plan refers to LACMW, which is that proportion of waste which is under the control of local authorities and which mainly consists of household waste²³. Reliable and up-to-date data is available for this waste stream as WPAs are required to collect information on the waste they collect and manage, and submit it to Defra through its WasteDataFlow system.
28. Over the last four years the tonnage of LACMW has fallen, reversing the previous upward trend. Bearing this in mind, three alternative methods for calculating future arisings were considered. The first followed a methodology and assumptions within the former RSS Revisions. However, actual arisings for 2009/10 were significantly lower than the projected figures in the former RSS and the Council felt that they were not based on the most up-to-date and robust information available.
29. The four alternative methodologies within the Waste Strategy for England 2007 were then considered. However, they were based on growth in households and did not take account of changes to household numbers. As LACMW arisings are closely linked to housing provision, it was concluded that these methodologies were not sufficiently accurate or robust for predicting arisings over the Plan period.
30. The Council has chosen the third methodology based on collaborative working with Warwickshire County Council's Waste Management Group. As the Waste Disposal Authority, the Group is responsible for submitting LACMW information to Defra and for producing the MWMS²⁴, which gives details of past and projected future arisings. However, as the MWMS is now largely out of date, the Council's Planning Policy team worked directly with the Waste Management team to calculate projections based on the latest and most robust information available.
31. The assumptions used to predict future arisings take account of the Office of National Statistics' household growth forecasts to 2033, as well as the waste prevention and minimisation initiatives co-ordinated by the Warwickshire

²² SUB 13 dated March 2012

²³ LACMW also includes street litter, waste delivered to Council recycling points, municipal parks and gardens waste, Council office waste, waste from household waste recycling centres, and some commercial waste from shops and small trading estates where local authority waste collection agreements are in place. The Landfill directive (1999/31/EC) defines Municipal Waste as "waste from households, as well as other waste which, because of its nature or composition, is similar to waste from households".

²⁴ OED1 2005

Waste Partnership over the Plan period. Overall, I am satisfied that this methodology uses the most accurate baseline data available and that it is the most appropriate for the Plan.

32. The Waste Management Group figures show that from a baseline of about 292 thousand tonnes in 2009/10, LACMW arisings drop to about 281 thousand tonnes in 2014/15 and then gradually rise to about 300 thousand tonnes in 2027/28. If the landfill diversion targets set out in the Waste Strategy for England 2007²⁵ are then applied, the minimum quantities of arisings which must be diverted from landfill amount to about 189 thousand tonnes in 2014/15 (67%), rising to about 225 thousand tonnes in 2027/28 (75%). That means that no more than about 93 thousand tonnes should be landfilled in 2014/15, reducing to about 75 thousand tonnes by 2027/28.
33. To achieve these rates the former RSS Phase 2 Revision set targets for reuse, recycling and composting of 45% of total household waste by 2015 and 50% by 2020. However, the Warwickshire Waste Partnership is working towards a more aspirational recycling target²⁶ of 55% of LACMW being re-used, recycled or composted by 2015, rising to 67% by 2028. Applying these targets would equate to about 155 thousand tonnes in 2014/15, and around 201 thousand tonnes in 2007/8.
34. Historically, much of the County's residual municipal waste has been disposed of to landfill, due to Warwickshire's long tradition of mineral extraction and restoration by landfilling. However, with the introduction of the landfill diversion targets, this has reduced significantly. In 2009/10 Warwickshire landfilled 44.2% of its LACMW, recycled 48.1% and diverted 7.7% for energy recovery, thereby meeting the national target. In 2010/11 33.8% was landfilled, 23.6% was recycled, 24.0% was composted and 18.5% went to energy recovery, thereby surpassing the national target by some margin.
35. Enhanced recycling provisions, including District collection arrangements, are likely to further enhance recycling levels and reduce the quantities of LACMW being disposed of to landfill. Consequently, it is appropriate to assume that the Waste Strategy diversion targets will be met when considering capacity requirements, although the aim is to achieve the enhanced County targets, which I understand the Council is well placed to achieve²⁷. Therefore, I am satisfied that the predictions of the amounts of LACMW waste that may be landfilled, and the amounts that will need to be managed by methods higher up the hierarchy, are justified.

Commercial and Industrial (C&I)

36. For the purposes of the Plan, C&I waste does not include waste produced by businesses and collected by local authorities, which is classed as LACMW. In order to predict future arisings of C&I waste, a baseline needs to be determined. To do this, the Council considered various sources of information, whilst recognising the RTAB's observation that there are deficiencies in the data available.

²⁵ 53% of waste to be recycled, composted or used for energy recovery by 2010, 67% by 2015, 75% by 2020 and 75% by 2025.

²⁶ This does not include energy recovery

²⁷ Answer to Q6 Matters and Issues

37. On the information available, the Environment Agency (EA) estimated an approximate 1% increase in Warwickshire's C&I arisings between 2002/3 and 2006/7, although a subsequent 2009 ADAS study²⁸ suggested less. Information from the EA's Waste Data Interrogator 2009, which is based on operator input, does not distinguish between C&I and LACMW and significant quantities have been classified as "not codeable". Therefore, the Council did not consider this information to be sufficiently robust.
38. The Waste Strategy for England 2007 projections in C&I waste growth, which were modelled on EA data, estimated industrial waste to be 51% of the 2002/3 baseline figure, and commercial to be 49%, and applied a 0% growth rate for the former and an average 2.6% rate for the latter. However, the most up-to-date data was not used. The former RSS Phase 2 revision approach also had limitations in that it was not based on the most-up-to date data and used a methodology for calculating future arisings that preceded the Waste Strategy for England 2007 methodology.
39. The 2009 ADAS study assessed C&I waste produced per employee by organizational size band on the assumption that businesses in the same sector and in the same organisational size band, produced similar quantities of waste. The Waste Strategy for England 2007 growth rates were then applied, albeit businesses of 1 to 4 employees were not assessed. However, the Advantage West Midlands Landfill Diversion Strategy used the ADAS study and added the C&I waste produced by these small businesses to obtain a more accurate figure.
40. The Council, whilst recognising that there is no truly robust and accurate way of calculating C&I waste, has used the Advantage West Midlands figures as a baseline, and the Waste Strategy 2007 methodology for projecting future arisings. I am satisfied that this is the most appropriate option. It shows that from a baseline of about 546 thousand tonnes in 2009/10, C&I waste would rise to about 584 thousand tonnes in 2014/15, to reach about 709 thousand tonnes in 2027/28.
41. The former RSS Phase 2 Revision Preferred Option²⁹ provides aspirational targets for reducing the proportion of C&I waste sent to landfill to 35% by 2010, 30% by 2015 and 25% by 2020 and beyond. Applying these targets to projected C&I arisings would require about 409 thousand tonnes to be diverted from landfill by 2014/15, rising to about 532 thousand tonnes in 2027/28. Therefore, the maximum amount that should be disposed of to landfill by 2014/15 is about 175 thousand tonnes, and about 177 thousand tonnes in 2027/28.
42. Data from both the EA and ADAS studies shows that for 2002/3 45% of C&I waste was reused or recycled, and 46% was sent to landfill. However, this was ten years ago and there have been improvements in driving waste management up the hierarchy since then.
43. The Council has, therefore, chosen to incorporate targets derived from the former RSS evidence base, which were previously widely consulted upon

²⁸ ADAS: National Study into Commercial and Industrial Waste Arisings

²⁹ REB2

during the Revision process. This approach is reasonable in the circumstances and accordingly justified.

Organic LACMW and C&I Waste

44. Based on WasteDataFlow returns, it has been estimated that currently about 24% of LACMW is organic in nature. In consultation with Warwickshire County Council's Waste Management Group, the prediction is that this component is unlikely to rise beyond 25%, assuming that home composting will increase and food waste generation will decrease over the Plan period. Given the various initiatives to promote composting and encourage food waste reduction, I am satisfied that this is a reasonable percentage to use. Therefore, in 2014/15 the quantity of organic LACMW waste is estimated to be about 70 thousand tonnes, and in 2027/28 it is predicted to be about 75 thousand tonnes.
45. For C&I waste the Advantage West Midlands Landfill Diversion Strategy indicated that 10.8% of the waste surveyed was classed as "organics". For similar reasons relating to waste minimisation and food waste reduction, it has been assumed that the proportion of organic C&I waste will not increase over the Plan period. For the reasons given above, I am satisfied that this assumption is justified. Therefore, in 2014/15 the quantity of organic C&I waste is estimated to be around 63 thousand tonnes, and in 2027/28 it is predicted to rise to about 77 thousand tonnes.

Construction Demolition and Excavation (CD&E) Waste

46. The data on CD&E waste management is not as up-to-date, accurate or comprehensive as for other waste streams, and the Council acknowledges that there are no truly reliable assessments of arisings. The Council assessed several alternative estimates and methodologies for future projections.
47. The EA's 2009 Waste Data Interrogator was assessed but because of large quantities of "non codeable" information on origin within operator returns, it was considered to be insufficiently robust. A survey for the then Office of the Deputy Prime Minister was also analysed, but as the data sets used were over 10 years old, it was considered to be too out-of-date to use as a baseline. The RSS Phase 2 Future Capacity Requirements Study was also thought to be unsuitable because it used the same underlying 10 year old data and based its housing development growth on Regional Planning Guidance figures, which pre-dated the former RSS Phase 2 Revision housing numbers.
48. The Council rejected the above approaches. Instead it chose a baseline and projections methodology³⁰ that uses the most up-to-date data and relies on a development index which takes account of the former RSS Phase 2 Revision Preferred Option housing growth figures with adjustments for the economic downturn and waste reduction initiatives. The evidence suggests that this is the most appropriate approach. From this it is estimated that Warwickshire may produce up to about 15½ million tonnes of CD&E waste over the Plan period, equating to an average of about 858 thousand tonnes per annum.

³⁰ Scenario 1 of the West Midlands Landfill Capacity Study – Update Report June 2009 by Scott Wilson on behalf of the WMRA

49. The Waste Framework Directive demands significant reductions on landfilling. By 2020 it requires an annual percentage of 70% of non-hazardous CD&E waste, excluding naturally occurring materials, to be recovered. Essentially this means waste that is diverted from landfill, although some CD&E materials deposited for landscaping developments would not constitute recovery operations³¹. According to the WBTD 70% of the 2020/21 CD&E waste arisings figure of about 817 thousand tpa equates to about 572 thousand tonnes each year. Therefore, by 2020, no more than about 245 thousand tonnes of CD&E waste should go to landfill.
50. There are no recycling targets for CD&E waste at regional level. However, the Waste and Resources Action Programme (WRAP) developed a voluntary agreement with the construction industry which aimed to halve the 2008 quantities of CD&E waste sent to landfill by 2012.
51. I understand that the EA's waste interrogator figures indicate that about 327 thousand tonnes of CD&E type waste was disposed of to landfill in 2008³². Despite the interrogator's shortcomings, the Council has used this figure as the baseline to compare against its 2012 figures as this is the best comparative information available to monitor progress. Consequently, the 2012 target was to dispose of no more than about 163½ thousand tonnes to landfill.
52. The latest comparable figure for 2011 is about 281 thousand tonnes going to landfill³³. Therefore, the 2012 figure may seem demanding against what has been achieved to date. Nonetheless, I am satisfied that good progress is being made in reducing the quantities of CD&E waste being disposed of to landfill. Consequently, whilst the WRAP target is unlikely to be achieved on time, from the submitted evidence, it is likely to be achievable in the foreseeable future and, therefore, should remain an aim of the Plan.
53. Taking account of the data limitations, I am satisfied that the above figures provide the best estimates of CD&E waste arisings, and the maximum quantities that should go to landfill. In these circumstances this is a reasonable basis upon which to consider capacity requirements.

Issue 3 – Whether there will be sufficient waste management capacity provided within the County during the Plan period to manage the equivalent of Warwickshire's waste arisings, thereby contributing to achieving equivalent self sufficiency.

LACMW and C&I Capacity

54. LACMW and C&I waste generally share similar properties for waste management purposes and, therefore, the Council has considered the management of both of these waste streams together. This is an appropriate approach to take.

Treatment

³¹ WBTD ¶4.63

³² Answer to Q25 Matters and Issues

³³ Answer to Q25 Matters and Issues

55. The EA's categorisations have been used for ease of data collection. LACMW and C&I waste fall within the EA's "household/C&I" (HCI) category, which the WBTD splits into existing and permitted treatment capacity. The HCI basic waste category is further broken down into 1)"HCI treatment", 2)"organic treatment" and 3)"metal recycling" to reflect the different types of processes for these facility types.
56. From paragraphs 32 & 41 above, it is estimated that, to meet the Waste Strategy for England's targets, about 598 thousand tonnes of LACMW and C&I waste (189 thousand tonnes & 409 thousand tonnes respectively) will require treatment by 2014/15. This is predicted to rise to about 757 thousand tonnes (225 thousand tonnes & 532 thousand tonnes respectively) in 2027/28. Even greater treatment capacities would be required to meet the County's aspirational targets.
57. Taking the first category of HCI treatment, the WBTD indicates that these sites account for 453,797tpa of operational capacity, with another 923,797tpa permitted³⁴. It is understood that one of the permitted sites, Palm Recycling Materials Recovery Facility (MRF), which has a capacity of 50,000tpa, has now become operational³⁵.
58. Pre-commencement conditions for another permission relating to a 365,000tpa mechanical biological treatment (MBT) facility at Malpass Farm have been submitted for discharge, and I understand from the Council that work is due to commence in 2013 with an estimated commissioning date in 2014³⁶, although there is some dispute over this³⁷. Nonetheless, the Council has indicated that other permissions for 50,000tpa at Horizon Recycling and 5,000tpa at the Dunchurch Trading Estate are both changes of use and, therefore, these may be more readily delivered³⁸. Consequently, in my opinion it is likely that at least some of the remaining permitted capacity will come forward.
59. I understand from the evidence that none of the existing HCI facilities have any specific time limits on their operation and for this reason the authors of the WBTD do not envisage any loss of this treatment capacity during the Plan period. Nonetheless, should there be any capacity loss, it seems likely that this will be sufficiently compensated for by new development, which should provide a margin of comfort.
60. Turning to the second category, being organic treatment, organic waste requires different treatment methods to non-organic waste. From paragraphs 44 & 45 above, it is predicted that by 2014/15 around 133 thousand tonnes of organic LACMW and C&I waste (70 thousand tonnes & 63 thousand tonnes respectively) will require treatment, rising to about 152 thousand tonnes (75 thousand tonnes & 77 thousand tonnes respectively) in 2027/28. The evidence shows that there is currently 174,000tpa of operational organic

³⁴ WBTD ¶4.54 1st bullet

³⁵ Answer to Q8 Matters and Issues

³⁶ Answers to Q10 and Q16 Matters and Issues

³⁷ E-mail 19.2.13 Lillian Pallikaropoulos

³⁸ Answer to Q10 Matters and Issues

treatment capacity³⁹, although 60,000tpa of open windrow composting is due to expire in November 2013.

61. Nonetheless, there is additional permitted capacity. Work on an approved 25,000tpa in-vessel composting facility at Brinklow quarry has commenced, and conditions have been discharged on a 50,000tpa in-vessel composting facility at Kingston Grange Farm⁴⁰. In August 2012 permission was granted for a 50,000tpa anaerobic digester at Packington, which the Council indicates has a strong chance of being delivered⁴¹. Consequently, at least some of these facilities are likely to come forward resulting in sufficient treatment capacity being available during the lifetime of the Plan to satisfy the equivalent of County needs.
62. With respect to the third category, being scrap metals, I understand that the EA Waste Data Interrogator returns since 2008 show that capacity of approximately 272 thousand tpa has been operational⁴². However, bearing in mind the limitations of the Interrogator, and the Council's evidence that only one of the scrap metal sites in the County is known to be non-operational⁴³, capacity could be closer to the 735,432tpa stated in the WBTD⁴⁴. Adding this to the above two categories should provide an overall equivalent capacity well in excess of what is likely to be required to treat the County's LACMW and C&I waste.
63. However, some types of waste go through more than one type of treatment, and in the process might undergo some form of transformation in properties including weight. Consequently, when considering demand for treatment facilities, it is not simply a matter of balancing treatment capacity against arisings, but rather a more holistic approach should be taken. Furthermore, some facilities, such as transfer stations, also handle CD&E waste, and this must be borne in mind when assessing available capacity.
64. From the Council's figures I understand that the total capacity for all three of the above treatment categories is broken down into 321,710tpa sorting capacity, 742,365tpa pre-treatment capacity and 826,075tpa final treatment capacity⁴⁵. I take the view that globally this mix should adequately cover the equivalent of what is broadly required to meet the County's needs for LACMW and C&I waste treatment. Consequently, there is no identified capacity gap.
65. In addition, there are nine household waste recycling centres spread across the County with at least one site located in each district/borough to ensure a good geographic spread. During 2010 a review of these centres showed that there were more than sufficient sites to meet requirements, and it was decided that one of the sites should reduce its hours of opening⁴⁶. Consequently, I am satisfied that the County has sufficient capacity in this respect.

³⁹ WBTD p.43 final ¶ and p.44 Table 4.19, (SUB13)

⁴⁰ Answers to Q10 and Q17 Matters and Issues

⁴¹ Answer to Q10 Matters and Issues

⁴² Answer to Q12 Matters and Issues

⁴³ Watts Rugby Ltd permitted to handle 300tpa

⁴⁴ WBTD ¶4.54 3rd bullet

⁴⁵ Answer to Q13 Matters and Issues

⁴⁶ Answer to Q14 Matters and Issues

Landfill

66. From paragraphs 32 & 41 above it is predicted that a maximum of 268 thousand tonnes of residual LACMW and C&I waste (93 thousand tonnes & 175 thousand tonnes respectively) will require landfilling in 2014/15, reducing to a maximum of 252 thousand tonnes (75 thousand tonnes & 177 thousand tonnes respectively) by 2027/28.
67. There is currently in excess of 9 million m³ of remaining operational landfill void space capable of taking LACMW and C&I waste, which has both planning permission and an operational permit. However, 4.43 million tonnes, equating to about 4.90 million m³ is due to become time expired during the lifetime of the Plan⁴⁷.
68. Nonetheless, the WBTD estimates that there is potentially more than 15 million m³ of additional void space for disposing of this type of waste. Although it has no agreed restoration scheme or operating permit it does have either a planning permission or it is subject to an obligation to restore, thereby making it a potential disposal resource for the future.
69. Overall, it seems that the landfill capacity for LACMW and C&I waste within the County exceeds requirements by some margin. Consequently, there is no identified capacity gap in this respect.

Overview Assessment

70. Overall, there is a comprehensive range of waste management facilities within Warwickshire. From the evidence it appears that the County has sufficient organic treatment, recycling and recovery capacity to meet its minimum landfill diversion targets for both LACMW and C&I waste. There is also significant potential capacity from facilities with planning permission which, if delivered, would enable the County to surpass its minimum targets and drive more waste up the waste management hierarchy. For residual waste requiring disposal, there is currently more than enough landfill capacity, and although some may be lost during the lifetime of the Plan, the remaining capacity should be sufficient. Consequently, there is no identified capacity gap for managing LACMW and C&I waste.

CD&E Waste

71. Based on the Waste Framework Directive requirements, it is reasonable to take 70% of the predicted 2020/21 arisings figure to estimate CD&E treatment demand. From paragraph 49 above, this equates to about 572 thousand tonnes per annum. In order to meet the WRAP aspirational target, an additional 81½ thousand tonnes of capacity would be needed.
72. There are currently 20 facilities, which primarily treat CD&E waste, not including HCI facilities, which may handle CD&E waste for transfer⁴⁸. Treatment capacity, which is permitted for the lifetime of the Plan, currently

⁴⁷ Assuming CD&E waste equates to 1.2tonnes/m³ and HCI equates to 0.8 tonnes/ m³ - Answer to Q20 Matters and Issues

⁴⁸ Answer to Q27 Matters and Issues

stands at 490,250tpa, which comprises six MRFs for CD&E type waste⁴⁹. At present there is an additional 140,000tpa of treatment capacity, although some of this is due to expire in October 2014, with the remainder expiring in August 2015. I understand that although Southfields Farm MRF (capacity 3,000tpa) is also operational, its permission has expired and a new application would have to be submitted to formalise the use of the site again⁵⁰.

73. Although, some CD&E waste is recycled or re-used on site and does not require treatment, it would nonetheless, appear that there is still a material capacity gap for CD&E treatment facilities. To meet the 70% Waste Framework Directive diversion target, the shortfall could be in the region of 81,750tpa, although to meet the WRAP target it would be higher with a best estimate of approximately 163,250tpa. A main modification is needed to deal with this potential shortfall as referenced in paragraph 100 below.

Landfill

74. Whilst about 281 thousand tonnes of the County's CD&E waste was deposited to landfill in 2011, from paragraphs 49 above, this figure should reduce to less than about 245 thousand tonnes by 2020 to meet the Waste Framework Directive requirements.
75. The WTBD refers to there being 9 landfills available to manage inert/CD&E type waste⁵¹, which provide sufficient capacity for inert waste arisings. The Griff IV landfill alone, which was approved in 2012, allows for void space to be filled until 2032 with up to 8.4 million tonnes of inert waste.
76. From the information provided it seems that there is plenty of inert/CD&E landfill capacity to meet County requirements. Consequently, there is no capacity gap.

Hazardous Waste

77. The Plan indicates that the total quantity of hazardous waste arisings in Warwickshire in 2009 was 38,309 tonnes⁵², and an additional modification shows that in 2010 it was 36,320 tonnes⁵³. It is estimated that arisings will remain static at approximately 37,115 tpa⁵⁴. In 2009 76% of this waste was disposed of to landfill and in 2010 the corresponding figure was 66.8%. However, if the Cleansing Services Group's facility, which has a Coventry postcode but is within Warwickshire, were to be included (see ¶79 below) the figure would come down to nearer 52%⁵⁵.
78. The Council indicates that there are currently no national, regional or local targets for the treatment of hazardous waste. However, the former RSS evidence base apparently predicts that less hazardous waste will be disposed

⁴⁹ Answer to Q32 Matters and Issues

⁵⁰ Answer to Q30 Matters and Issues

⁵¹ WBTB §4.84 and tables 4.34 & A.1 (SUB13)

⁵² EA hazardous Waste Data Interrogator 2009

⁵³ EA hazardous Waste Data Interrogator 2010

⁵⁴ West Midlands Regional Assembly – West Midlands Landfill Capacity Study 2009 update (Scott Wilson)

⁵⁵ Answer to Q38 Matters and Issues

of to landfill due to increasing costs. Furthermore, there is a requirement to drive hazardous waste up the waste management hierarchy in accordance with the Waste Strategy for England.

79. The one main hazardous treatment plant within Warwickshire is the Cleansing Services Group's treatment facility for liquid waste. Although it is currently functioning well below capacity, being 14,830 tonnes in 2011, its permission allows it to take up to 40,000tpa. There is also Hinckley Hazardous Waste Transfer Station in the north east of the County, which is sited partly in Warwickshire and partly in Leicestershire, and has a capacity of 25,000tpa⁵⁶. Consequently, these facilities seem able to provide sufficient treatment capacity to handle more than the equivalent quantity of hazardous waste to that which is produced within Warwickshire.
80. With respect to disposal, there are currently two landfill sites in Warwickshire that contain stabilised non-reactive cells for hazardous waste, namely Ufton which takes asbestos and polluted soils and rubble⁵⁷, and Packington which takes asbestos⁵⁸. Only a fraction of this hazardous waste comes from Warwickshire. Moreover, a greater amount of hazardous waste is imported into Warwickshire for disposal than is produced in the county⁵⁹.
81. I am told that Ufton, with a current land void of about 20,000 tonnes, will close in 2014, and Packington with a remaining void of 830m³ only has an estimated lifespan of 3 years, largely due to the level of imported waste. If these landfills close, there will be no merchant landfills for hazardous waste within the County.
82. There is one other hazardous waste landfill, which is Southam Quarry with a permitted capacity of 340,000 tonnes. At an estimated deposition rate of between 10,000 and 20,000tpa, the Council estimates that it has a remaining lifespan of at least 17 years, due to some material being recycled as agricultural fertiliser⁶⁰. However, it is owned and operated by Cemex exclusively for its own purposes of disposing of cement kiln dust.
83. Consequently, despite Warwickshire appearing to be self sufficient overall, due to the restrictions on using Southam Quarry, there could possibly be a shortfall of merchant landfill capacity for hazardous waste during the Plan period. A main modification is needed to deal with this potential shortfall as referenced in paragraph 100 below.

Other Waste

Radioactive Waste

84. Whilst some low level radioactive waste from non-nuclear sources is produced in Warwickshire, the level of arisings is considered by the Council to be

⁵⁶ Answer to Q45 Matters and Issues

⁵⁷ Council's e-mail of 25.1.13 refers to 9,763.09 tonnes of asbestos and 1,729 tonnes of polluted soils and rubble in 2010 according to the Hazardous Waste Data Interrogator

⁵⁸ Ibid. Refers to 4,504 tonnes of asbestos in 2010

⁵⁹ Ibid. In 2010 127 tonnes of asbestos were exported and 14.71 tonnes remained in Warwickshire

⁶⁰ Answer to Q43 Matters and Issues

extremely low, in the order of a couple of tonnes each year. No planning applications for this type of waste have been submitted to the Council over the past 20 years⁶¹. Disposal is largely through incineration or controlled landfill, and the Council do not consider there to be a capacity gap. On the basis of this information I am satisfied that there is unlikely to be any significant capacity gap within the lifetime of the Plan.

Sewage Sludge

85. Sewage sludge is handled by the water utility company, Severn Trent Water, at two treatment works at Finham and Coleshill, which have a combined capacity in the order of 73,000tpa. Some sludge is dried in open beds and applied to the land as fertilizer, and some is processed using anaerobic digestion to produce biogas after which it is dried and applied to the land. A sewage sludge incinerator takes about 47,000tpa of this dried sludge. Further capacity has been permitted for thermal treatment at Coleshill.
86. It is estimated that sewage sludge arisings within Warwickshire amount to about 13,650tpa⁶². Consequently, there is more than sufficient existing capacity to accommodate the County's needs.

Agricultural Waste

87. It is estimated that about 600,00tpa of organic waste is produced in the County, most of which is applied back to the land as fertiliser. An additional 4,000 tpa⁶³ approximately is produced, which is similar to and disposed of in the same way as C&I waste, and for which there is sufficient capacity. Very small amounts of hazardous waste are handled through existing provisions. Consequently, there is no material requirement for additional capacity.

Issue 4 - Are current and projected Cross boundary waste flows indicative of Warwickshire achieving net self sufficiency?

88. Due to the contractual nature of the waste business, cross-boundary waste flows are expected. However, national policy requires communities to take more responsibility for their own waste and the Plan's vision is to achieve equivalent self sufficiency. Sometimes the permitted capacity of a particular facility is greater than the capacity at which it is operating. Therefore, the amount of waste permitted might not reflect the actual levels of waste being managed.
89. Accordingly it is important to examine the quantities of waste imported into the County and exported out of it, so as to understand the actual waste flows which impact on net self sufficiency, thereby informing the Plan with respect to any unacceptable imbalances.
90. As regards hazardous waste, because of its specialist nature and relatively small quantity of arisings, treatment and disposal facilities are often more than of local significance, and some are of at least regional significance.

⁶¹ Answer to Q51 including EA response

⁶² Answer to Q56 Matters and Issues

⁶³ West Midlands Regional Assembly Waste Scenarios Study 2005

Consequently, it is not unusual for a WPA to have significant cross border flows for various hazardous waste types, as is the case with Warwickshire.

91. Energy from waste (EfW) plays an important role in the County's MWMS. However, there are no mass burn EfW facilities within Warwickshire. Some residual LACMW is deposited within the County at Bubbenhall landfill, but other residual untreated LACMW is exported to an EfW plant at Whitley, Coventry, which has a 240,000tpa capacity, and for which there is a contract in place for Warwickshire to input a maximum tonnage of 50,000tpa. The actual quantities of residual LACMW that have been exported to Whitley in recent years are 29,367 tonnes (2009/2010), 49,349 tonnes (2010/2011), and 37,816 tonnes (2011/2012)⁶⁴.
92. Whilst the expected lifespan of Whitley is about 27 years to 2040, Warwickshire's contract is due to expire on 31/3/2016, although there is the possibility of an extension to 31/3/18⁶⁵. However, the Council has said that there is a high likelihood that it will continue to use this facility for the plan period. In the unlikely event that the use of this facility stopped sooner, residual LACMW could be sent to Four Ashes in Staffordshire.
93. Four Ashes is an EfW facility with a capacity of 300,000tpa of untreated waste, which is due to become operational by Autumn 2013. Warwickshire has a 25 year Private Finance Initiative Inter Authority Agreement with Four Ashes starting in 2013, and is set to export between 29,600 and 40,500tpa of untreated residual waste to this facility. Tonnages could be increased through a 5 year review process or in the event of other counties not using up their own waste input limits.
94. Consequently, Warwickshire relies heavily on EfW facilities outside of the County. However, this is balanced by its acceptance of significant quantities of imported waste. For example, I understand that more than 50% of the 47,000 tonnes of dry sludge that it incinerates is imported from outside of the County⁶⁶.
95. Overall, taking 2011 data for the main waste streams⁶⁷, it would appear that Warwickshire imports considerably more waste than it exports as set out in the following table⁶⁸.

Waste Stream	Waste Management	Exports 000s tonnes	Imports 000s tonnes
LACMW/C&I	Landfill	79,750	812,419
	Treatment	59,108	185,674
	MRS ⁶⁹	13,692	140,070

⁶⁴ Answer to Q62 Matters and Issues

⁶⁵ Answer to Q63 Matters and Issues

⁶⁶ WBTD ¶4.100 (SUB 13)

⁶⁷ Source – Environment Agency Waste Data Interrogator 2011

⁶⁸ Answer to Q58 Matters and Issues

⁶⁹ Metal Recycling Site is a classification used by the EA Waste Data Interrogator

CD&E	Landfill	48,706	247,469
	Treatment	8,003	8,208
	MRS	2,259	17,496
	Use of waste	9,860	9,258
Hazardous	Landfill	931	20,526
	Treatment	16,900	755 ⁷⁰

96. Over the Plan period there is an expectation that each WPA should become more self sufficient and, consequently, over time the collective aim should be to reduce any significant imbalances. In any event, as matters stand, I am satisfied that Warwickshire is achieving self sufficiency overall.

Issue 5 - Whether the Plan's policies are sound, and whether they reflect its Vision, Objectives, and Spatial Strategy, thereby addressing the County's Key Issues for Waste?

97. The Plan contains two sets of policies, namely the Core Strategy Policies, which are strategic in nature, and the Development Management Policies, which provide a base for development control purposes. An additional modification to the Plan⁷¹ connects each Policy to the County's 12 Key Issues⁷² and its 8 objectives⁷³, thereby providing a useful overview of what the policies are intended to address.

Core Strategy Policies

98. Policy CS1 seeks to provide sufficient capacity to manage the equivalent quantity of waste to that which arises within the County, and to achieve its landfill diversion targets. However, the Policy does not distinguish between the main waste streams, but instead refers globally to all waste.

99. The Plan indicates that the former RSS Phase 2 Revision Preferred Option only required the identification of any treatment gaps for LACMW and C&I waste. As it did not require the identification of treatment gaps for CD&E waste or hazardous waste, the Council did not fully address this. A proposed additional modification to the Policy's Justification does, however, recognise the County's obligation to consider final disposal facilities for hazardous waste.

100. PPS10, in requiring communities to take more responsibility for their own waste⁷⁴, is not restricted to any particular waste streams, but applies to waste in general. Also, within the County's Key Issues, self sufficiency is identified for each of the main waste streams. Consequently, there should be clear

⁷⁰ Excluding the Cleansing Services Group's facility which has a postcode for Coventry

⁷¹ SUB3 Schedule of Changes

⁷² SUB2; §6 of the Publication document

⁷³ SUB2; §5 of the Publication document

⁷⁴ PPS10 ¶3 2nd point

policy direction for the provision of facilities to meet any identified waste management capacity gap for each of the waste streams. There may be gaps in waste management capacity during the lifetime of the Plan, and specifically with respect to CD&E and hazardous waste. Therefore, it is appropriate for Policy CS1 to make it clear that the Plan aims to meet any identified gaps.

MM3 is recommended to ensure soundness in this respect.

101. The Framework requires local plans to actively support the presumption in favour of sustainable development⁷⁵, and the Secretary of State has published wording for a model policy to address this. The Plan does not adequately reflect this presumption and, therefore, the Council has proposed **MM4** to Policy CS1, which ensures that the Plan conforms with national policy in this regard.
102. Policy CS2 identifies broad locations for waste management facilities by site type, and links in with the Spatial Strategy's location diagram. Policies CS3 and CS4 build on this by differentiating between locations for small scale⁷⁶ and large scale⁷⁷ facilities. However, the phrase "close proximity" is used within these policies without always defining what this means, and therefore potentially leading to inappropriate confusion. Consequently, **MM5** is recommended to both Policies CS3 and CS4 to give clearer guidance on the meaning of close proximity.
103. Policies CS5, CS6 and CS7 all seek to manage waste in accordance with the waste hierarchy by, in principle, supporting facilities that seek to divert waste away from landfill, and by restricting landfill and other disposal options⁷⁸. Whilst they provide opportunities for facilities to come forward to treat all waste streams, there is no specific encouragement for facilities to meet identified waste management gaps.
104. Possible capacity gaps have been identified for CD&E treatment and for merchant cells for hazardous waste disposal. I note that Policy Principle 8 within the *Emerging Spatial Options*⁷⁹ document suggests that, as a large proportion of hazardous waste cannot be fully treated, Warwickshire should plan for the final disposal of stabilised non-reactive hazardous wastes (in particular asbestos).
105. With respect to low level radioactive waste, Policy Principle 9 within the *Emerging Spatial Options* document refers to a requirement for Warwickshire to make some provision for managing low level radioactive wastes although, given the very small amounts involved, which are already catered for, this may not be necessary.
106. However, to ensure that sufficient policy opportunities are available in appropriate circumstances, the Council has requested changes to Policies CS5 and CS6, and to the supporting text of CS7 to add positive wording which better encourages facilities where there is an identified waste management gap. **MM6** is, therefore, recommended.

⁷⁵ The Framework ¶15

⁷⁶ Facilities managing less than 50,000 tpa

⁷⁷ Facilities managing more than 50,000 tpa

⁷⁸ Generally thermal treatment without energy recovery

⁷⁹ ES01

107. Although the County has sufficient treatment facilities to meet its LACMW and C&I landfill diversion targets, these are minimum requirements. Therefore, by not limiting new facilities to waste streams with identified capacity gaps, the Plan provides opportunities for greater quantities of waste to be driven up the waste management hierarchy for all types of waste.
108. Given the policy justification for driving waste up the management hierarchy, the restrictions on landfill and incineration only permissions are justified. Nonetheless, although there is excessive available capacity for non-hazardous landfill within the County, this policy ensures flexibility by still allowing landfill capacity in accordance with strict set criteria, including the demonstration of an overriding need. In this way any future shortage, for example in hazardous landfill, could be provided for.
109. The last Core Strategy Policy, CS8, seeks to safeguard existing waste facilities from the inappropriate siting of non-waste facilities, such as housing. This is completely justified, as sensitive uses could adversely affect the functioning of waste sites.

Development Management Policies

110. Policy DM1 provides policy protection for the natural and built environment. However, it does not fully reflect national policy within the Framework in that it does not adequately distinguish between international, national and locally designated sites, so that protection is commensurate with their status⁸⁰. Furthermore, it does not deal sufficiently with mitigation and compensatory measures as set out in the Framework⁸¹. Consequently, the Council proposed amendments within its Schedule of Changes⁸². **MM7** is recommended so that Policy DM1 properly aligns with national policy.
111. The Warwickshire Wildlife Trust has some concerns about amended Policy DM1, including how the level of protection referred to therein will be applied. However, MM7 covers this issue in sufficient detail to render it sound. Furthermore, no objections to MM7 were raised by Natural England.
112. Policy DM2, which seeks to manage impacts on health, the economy and amenity, does not fully reflect the guidance on mitigation within the Framework⁸³. Consequently, the Council has put forward an amendment in its Schedule of Changes⁸⁴, which is recommended as **MM8**. This resolves the issue of consistency with national policy.
113. Sustainable transportation and design of new facilities are covered in Policies DM3 and DM4, which set out appropriate criteria for waste management proposals. Policy DM5 satisfactorily seeks to protect recreational assets and Policy DM6 properly deals with flood risk and water quality. Aviation safeguarding and restoration are appropriately covered in Policies DM7 and DM8. These policies are, therefore, sound.

⁸⁰ ¶113

⁸¹ ¶152

⁸² SUB3

⁸³ ¶152

⁸⁴ SUB3

Overall assessment

114. The Core Strategy policies are sufficiently flexible to enable suitable modern waste facilities to come forward in sustainable locations and to drive more waste up the waste management hierarchy. The Development Management policies encourage sustainability through high quality design and transport mode, whilst safeguarding communities and the environment.
115. There is a clear link between the high level strategies and objectives and the Plan's policies, which identify how it is proposed to deliver them. With the recommended main modifications, the policies are all sound.

Issue 6 – Whether there are clear and effective arrangements for implementing and monitoring the Plan

116. The Council will take on a lead role in implementing the Plan policies when carrying out its waste planning control functions. It will also encourage co-operation from others, including the waste management industry, by collaborative working. Consultation and engagement is intended to take place with a wide range of stakeholders, including constituent District and Borough Councils, Parish Councils, adjoining WPAs, and a variety of Government Agencies and other interest groups. The Council will encourage co-operation and compliance by issuing advice and guidance as and when required.
117. PPS10 refers to the timely provision of new facilities⁸⁵, and sufficient opportunities being provided for new waste management facilities of the right type, in the right place and at the right time⁸⁶. The Framework also refers to delivery in a timely fashion⁸⁷. Although a capacity gap has been identified for the treatment of CD&E waste and possibly the merchant disposal of hazardous waste, the Plan does not indicate how the timeliness of providing additional capacity might be addressed. The Council has proposed **MM9** to address the monitoring of capacity over time, and this is recommended to ensure compliance with national policy.
118. PPS10 says that policy objectives should be linked to measurable indicators of change⁸⁸. The Plan sets out a table of performance indicators, targets, and information sources, which are linked to each of the Plan's policies, but not to the objectives, which the Policies are intended to meet. **MM10** is, therefore, recommended to make the appropriate link.
119. Responsibility for monitoring lies with the Council and PPS10 says that monitoring and reviews are essential to securing sustainable waste management⁸⁹. It goes on to suggest that reviews take place at least every five years, whilst advising that indicators of change should be reported in WPAs' Annual Monitoring Reports (AMRs), which should form the basis for

⁸⁵ PPS10 ¶1

⁸⁶ PPS10 ¶2 2nd point

⁸⁷ ¶177

⁸⁸ PPS10 ¶4 3rd point

⁸⁹ PPS10¶ 39

review⁹⁰. Furthermore, the SA refers to AMRs being the most appropriate monitoring vehicle⁹¹.

120. The Plan's Implementation and Monitoring section makes no reference to AMRs or reviews, although a proposed addition to this section incorporates these requirements⁹². **MM11** is, therefore, recommended to reflect this change and to align this section with national policy.

121. With the modifications suggested, the Plan would provide for proper, regular assessment of how effective the policies were proving to be in meeting their objectives, thereby facilitating the identification of any changes needed. Consequently, I conclude that the arrangements for implementing and monitoring the performance and delivery of the Plan's vision, strategies and objectives, and for taking appropriate action if required, are sound.

Other Issues

122. Pillerton Priors Parish Council objected to the Plan effectively on the basis of a lack of policy provision for animal carcasses. There is no requirement for a waste plan to have separate policies for the wide range of wastes that might exist in a plan area. This is supported by guidance, which suggests that a plan should contain widely applicable policies rather than provide individual policies for every eventuality⁹³.

123. Issues concerning animal carcasses may be determined in accordance with the Plan's existing proposed policies, which are sufficient for this purpose. The absence of a policy on animal carcasses does not make the Plan unsound. Consequently, there is no need for any modification in this respect.

Overall Conclusion and Recommendation

124. The Plan has a number of deficiencies in relation to legal compliance and soundness for the reasons set out above, which means that I recommend non-adoption of the Publication version of the Plan, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.

125. The Council has requested that I recommend main modifications to make the Plan legally compliant and sound and capable of adoption. I conclude that, with the recommended main modifications set out in the Appendix, the Core Strategy of Warwickshire's Waste Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

Elizabeth C. Ord

Inspector

⁹⁰ PPS10 ¶4 5th point

⁹¹ SUB7, p. 124

⁹² SUB3 Schedule of Changes

⁹³ Companion Guide to PPS10 ¶3.5

This report is accompanied by the Appendix containing the Main Modifications.

Appendix – Main Modifications

The modifications below are expressed in the form of a red ~~strikethrough~~ for deletions and blue underlining for additions of text. Other instructions are set out in *italics*.

The page numbers and paragraph numbering below refer to the publication local plan, and do not take account of the deletion or addition of text.

Ref	Page/section of 'Publication' document (March 2012)	Policy/Paragraph	Main Modification																		
MM1	95	After Chapter 12	<p><i>Insert a list of 'Waste Local Plan (1995) policies to be superseded' within new Chapter 13.</i></p> <table border="1"> <tr> <td><u>Waste Core Strategy policy</u></td> <td><u>Save Waste Local Plan (1995) policies to be superseded</u></td> </tr> <tr> <td><u>Policy CS1</u></td> <td><u>Policies 3 (Landfilling), 5 (Incinerators), 6 (Materials Recycling Facilities) and 9 (Large Scale Composting)</u></td> </tr> <tr> <td><u>Policy CS2</u></td> <td><u>Policies 1 (General Land Use), 3 (Landfilling), 5 (Incinerators), 6 (Materials Recycling Facilities), 9 (Large Scale Composting) and 13 (Proposed Facilities)</u></td> </tr> <tr> <td><u>Policy CS3</u></td> <td><u>Policies 1 (General Land Use), 3 (Landfilling), 5 (Incinerators), 6 (Materials Recycling Facilities), 9 (Large Scale Composting) and 13 (Proposed Facilities)</u></td> </tr> <tr> <td><u>Policy CS4</u></td> <td><u>Policies 1 (General Land Use), 3 (Landfilling), 5 (Incinerators), 6 (Materials Recycling Facilities), 9 (Large Scale Composting) and 13 (Proposed Facilities)</u></td> </tr> <tr> <td><u>Policy CS5</u></td> <td><u>Policies 1 (General Land Use), 6 (Materials Recycling Facilities), 9 (Large Scale Composting) and 13 (Proposed Facilities)</u></td> </tr> <tr> <td><u>Policy CS6</u></td> <td><u>Policies 5 (Incinerators) and 6 (Materials Recycling Facilities)</u></td> </tr> <tr> <td><u>Policy CS7</u></td> <td><u>Policy 3 (Landfilling) and 5 (Incinerators)</u></td> </tr> <tr> <td><u>Policy CS8</u></td> <td><u>N/A</u></td> </tr> </table>	<u>Waste Core Strategy policy</u>	<u>Save Waste Local Plan (1995) policies to be superseded</u>	<u>Policy CS1</u>	<u>Policies 3 (Landfilling), 5 (Incinerators), 6 (Materials Recycling Facilities) and 9 (Large Scale Composting)</u>	<u>Policy CS2</u>	<u>Policies 1 (General Land Use), 3 (Landfilling), 5 (Incinerators), 6 (Materials Recycling Facilities), 9 (Large Scale Composting) and 13 (Proposed Facilities)</u>	<u>Policy CS3</u>	<u>Policies 1 (General Land Use), 3 (Landfilling), 5 (Incinerators), 6 (Materials Recycling Facilities), 9 (Large Scale Composting) and 13 (Proposed Facilities)</u>	<u>Policy CS4</u>	<u>Policies 1 (General Land Use), 3 (Landfilling), 5 (Incinerators), 6 (Materials Recycling Facilities), 9 (Large Scale Composting) and 13 (Proposed Facilities)</u>	<u>Policy CS5</u>	<u>Policies 1 (General Land Use), 6 (Materials Recycling Facilities), 9 (Large Scale Composting) and 13 (Proposed Facilities)</u>	<u>Policy CS6</u>	<u>Policies 5 (Incinerators) and 6 (Materials Recycling Facilities)</u>	<u>Policy CS7</u>	<u>Policy 3 (Landfilling) and 5 (Incinerators)</u>	<u>Policy CS8</u>	<u>N/A</u>
<u>Waste Core Strategy policy</u>	<u>Save Waste Local Plan (1995) policies to be superseded</u>																				
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<u>Policy CS2</u>	<u>Policies 1 (General Land Use), 3 (Landfilling), 5 (Incinerators), 6 (Materials Recycling Facilities), 9 (Large Scale Composting) and 13 (Proposed Facilities)</u>																				
<u>Policy CS3</u>	<u>Policies 1 (General Land Use), 3 (Landfilling), 5 (Incinerators), 6 (Materials Recycling Facilities), 9 (Large Scale Composting) and 13 (Proposed Facilities)</u>																				
<u>Policy CS4</u>	<u>Policies 1 (General Land Use), 3 (Landfilling), 5 (Incinerators), 6 (Materials Recycling Facilities), 9 (Large Scale Composting) and 13 (Proposed Facilities)</u>																				
<u>Policy CS5</u>	<u>Policies 1 (General Land Use), 6 (Materials Recycling Facilities), 9 (Large Scale Composting) and 13 (Proposed Facilities)</u>																				
<u>Policy CS6</u>	<u>Policies 5 (Incinerators) and 6 (Materials Recycling Facilities)</u>																				
<u>Policy CS7</u>	<u>Policy 3 (Landfilling) and 5 (Incinerators)</u>																				
<u>Policy CS8</u>	<u>N/A</u>																				

			<table border="1"> <tr> <td>Policy DM1</td> <td>Policy 1 (General Land Use)</td> </tr> <tr> <td>Policy DM2</td> <td>Policy 1 (General Land Use)</td> </tr> <tr> <td>Policy DM3</td> <td>Policy 1 (General Land Use)</td> </tr> <tr> <td>Policy DM4</td> <td>Policy 1 (General Land Use)</td> </tr> <tr> <td>Policy DM5</td> <td>Policy 1 (General Land Use)</td> </tr> <tr> <td>Policy DM6</td> <td>Policy 1 (General Land Use)</td> </tr> <tr> <td>Policy DM7</td> <td>Policy 1 (General Land Use)</td> </tr> <tr> <td>Policy DM8</td> <td>Policies 1 (General Land Use), 3 (Landfilling), 5 (Incinerators), 6 (Materials Recycling Facilities), 9 (Large Scale Composting) and 13 (Proposed Facilities)</td> </tr> </table>	Policy DM1	Policy 1 (General Land Use)	Policy DM2	Policy 1 (General Land Use)	Policy DM3	Policy 1 (General Land Use)	Policy DM4	Policy 1 (General Land Use)	Policy DM5	Policy 1 (General Land Use)	Policy DM6	Policy 1 (General Land Use)	Policy DM7	Policy 1 (General Land Use)	Policy DM8	Policies 1 (General Land Use), 3 (Landfilling), 5 (Incinerators), 6 (Materials Recycling Facilities), 9 (Large Scale Composting) and 13 (Proposed Facilities)
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MM2	49	Chapter 7	<p><i>Add text before Fig. 7.1.</i></p> <p>The spatial strategy for Warwickshire is a 'Settlement Hierarchy' approach based on enabling waste development in areas of higher population and /or existing waste management capacity.</p> <p>This chosen Spatial Strategy was one of the five options consulted on during the Emerging Spatial Options stage. Based on the results of the Sustainability Appraisal and assessment of the consultation responses, the Settlement Hierarchy Option ('Option 5') was taken forward as the Preferred Option. The strategy seeks to locate the largest new waste developments in and around (ie within 5km of) the main towns in the county (those with a population larger than 20000).</p> <p>New waste facilities will be developed on industrial estates, brownfield industrial land and existing waste management facilities within the following locations:</p> <p>i. priority given to within and/or in close proximity to the 'primary' settlements of Nuneaton, Rugby, Leamington Spa, Bedworth, Warwick, Stratford-upon-Avon and Kenilworth; or within 5km of the Coventry Major Urban Area (MUA); or</p> <p>ii. within and/or in close proximity to the 'Secondary Settlements' of Atherstone, Coleshill and Southam where it is demonstrated that the development provides significant transport, operational and environmental benefits; or</p> <p>iii) sites outside Primary and Secondary Settlements where specific types of waste development might be acceptable where there are no unacceptable adverse environmental</p>																

			<p><u>effects.</u></p> <p><u>Secondary Settlements were also proposed from a number of smaller settlements (over 6000 in population) which had a good waste infrastructure and were well located to the major road network. These can also accommodate large waste developments which were defined as sites with over 50000 tonnes capacity, where it could be justified that there were significant transport, operational and environmental benefits. Evidence shows that the largest concentrations of waste arisings for commercial and industrial waste are produced in these Primary and Secondary locations and similar patterns are expected for other waste streams.</u></p> <p><u>Smaller waste facilities under 50000 tonnes capacity can be located outside primary and secondary locations where it can be justified that there are significant transport, operational and environmental benefits.</u></p>
MM3	50	Core Strategy Policy 1	<p><i>Add text in line three of Policy CS1</i></p> <p><u>The Council will seek to meet identified capacity gaps (and where applicable, treatment gaps to meet landfill diversion targets) for each waste stream, where a shortfall is indicated through the Authority Monitoring Report process. Where it is demonstrated that there is no identified waste capacity gap or where the capacity gap has been exceeded, then any planning application will be assessed against the CS and DM policies and the Principle of Proximity and driving waste up the Waste Hierarchy.</u></p> <p><i>Delete the following text from para. 8.10</i></p> <p>Depending on how much 'temporary' treatment capacity is lost, between 468,250 tpa (best case scenario) and 72,250 tpa (worst case scenario) would be available, assuming that no new capacity came 'on stream' in the meantime. This would mean that between 103,450 tpa and 496,458 tpa of additional capacity may be required, equating to between 2 and 10 facilities at 50,000 tpa. However, this would exclude C&D waste that is recycled or re-used on site at the point of origin, so the figures should be taken as 'maximum' treatment capacity requirements.</p> <p><i>Replace the deleted text in para. 8.10 with the</i></p>

53	Para. 8.10	<p><i>following text:</i></p> <p><u>The latest information indicates that 490,250tpa of C,D&E waste treatment capacity is currently permitted for the period up to 2020, excluding any potential extensions to time limited operations. If all the permitted capacity is implemented and assuming no new capacity came 'on stream' in the meantime, this would leave a potential treatment gap of 81,458tpa by 2020 (i.e. approximately 1.5 facilities at 50,000tpa), assuming the EU Waste Framework Directive target of recovering 70% of C,D&E waste is met.</u></p> <p><i>Add text after para. 8.11</i></p> <p><u>Hazardous waste</u></p>
53	After para. 8.11	<p><u>The policy in the former adopted RSS did not require Warwickshire to identify new sites for the management of hazardous waste as evidence showed that the majority of arisings in the region were from the Major Urban Areas (MUAs). Consequently, only the MUAs and Staffordshire were required to look at the treatment of hazardous waste in their core strategies.</u></p> <p><u>Warwickshire is currently self-sufficient in terms of providing sufficient treatment capacity to meet its hazardous waste arisings. However, in the former RSS Phase 2 Revision, Warwickshire was required to continue to plan for the final disposal of hazardous waste, including where necessary the creation of separately engineered cells for stabilised non-reactive hazardous waste (SNRHW), by identifying suitable landfill sites where appropriate. There are two such landfill sites already operating in Warwickshire at Ufton and Packington, however landfill capacity at these sites may not be available through to the end of the plan period if waste continues to be imported into the County for final disposal of SNRHW. Therefore any new proposals for the disposal of hazardous waste (including SNRHW and low level radioactive waste) via landfill will be assessed in accordance with all relevant development plan policies and national policy and guidance, taking into account all other relevant material planning considerations. The Council will therefore seek to permit the timely provision of hazardous waste disposal capacity where there is an identified capacity gap.</u></p> <p><u>There are currently no waste management capacity or treatment capacity targets set out in</u></p>

			<p><u>national guidance. This is likely to be due to the specialist nature of the wastes involved and the relatively small volumes of hazardous waste produced by each authority. Therefore, hazardous waste facilities can be regional or sub-regional in nature due to the economies of scale.</u></p> <p><u>The latest Environment Agency Waste Data Interrogator 2010 information indicates that Warwickshire produced only 36,000 tonnes of hazardous waste. However, the County managed 43,000 tonnes of waste, thus making it a net importer of hazardous waste. This indicates that Warwickshire is currently self sufficient in terms of providing sufficient capacity to meet its hazardous waste arisings. However, if new proposals for hazardous waste treatment are submitted (including the treatment of low level radioactive waste), they will be judged on their merits when assessed against all relevant development plan policies, and taking into account national policy and guidance and all other relevant material planning considerations.</u></p>
MM4	50	Core Strategy Policy 1	<p><i>Add text in Policy CS1 to include Policy on 'Presumption in favour of Sustainable Development'.</i></p> <p><u>When considering development proposals for all waste streams the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</u></p> <p><u>Planning applications that accord with the policies in the Development Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.</u></p> <p><u>Where there are no policies in the Development Plan which are relevant to the application, or relevant policies are out of date at the time of making the decision, then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:</u></p> <p><u>i) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies</u></p>

			<p>in the National Planning Policy Framework and national waste planning policy [FOOTNOTE]Currently Planning Policy Statement 10 – Planning for Sustainable Waste Management[FOOTNOTE] taken as a whole; or ii) specific policies in the National Planning Policy Framework, or national waste planning policy, indicate that development should be restricted.</p>
MM5	56	Core Strategy Policy 3 (ii) Core Strategy Policy 4 (i)	<p><i>Insert footnotes to CS3 (point ii) and CS4 point i) to provide clearer guidance on the meaning of close proximity. Add the following text:</i></p> <p>[FOOTNOTE]Within approximately 5km[FOOTNOTE].</p>
MM6	57	Core Strategy Policy 5	<p><i>Add text to policy CS5:</i></p> <p>The Council will seek to meet identified capacity gaps for each waste stream (and where applicable, treatment gaps to meet landfill diversion targets), where a shortfall is indicated through the Authority's Annual Monitoring Report process.</p>
	59	Core Strategy Policy 6	<p><i>Add text to Policy CS6:</i></p> <p>The Council will seek to meet identified capacity gaps for each waste stream (and where applicable, treatment gaps to meet landfill diversion targets), where a shortfall is indicated through the Authority's Annual Monitoring Report process.</p>
	61	Core Strategy Policy 7	<p><i>Add text to supporting text in Policy CS7:</i></p> <p>The former RSS Phase 2 Revision required non MUA authorities, such as Warwickshire, to encourage final disposal of hazardous waste, particularly for the disposal of stabilised non-reactive hazardous waste, where the geological conditions are suitable. Any proposals for the disposal of hazardous waste (including SNRHW and low level radioactive waste) will be assessed in accordance with all relevant development plan policies and national policy and guidance, taking into account all other relevant material planning considerations. The Council will therefore seek to permit the timely provision of hazardous waste disposal capacity where there is an identified capacity gap. Where it is demonstrated that there is no identified capacity gap, or where the capacity gap has</p>

			<p><u>been exceeded, then any application will be assessed against the CS and DM policies and the principles of proximity and driving waste up the Waste Hierarchy.</u></p>
MM7	69	Development Management Policy 1	<p><i>Add text in title of Policy DM1:</i></p> <p>Policy DM1 – Protection <u>and enhancement</u> of the natural and built environment.</p> <p><i>Amend Policy DM1 to:</i></p> <p>New waste development should protect <u>conserve, and where possible enhance</u>, the natural and built environment by ensuring that there are no unacceptable adverse impacts upon:</p> <ul style="list-style-type: none"> • natural resources (including water, air and soil); • biodiversity; • geodiversity; • archaeology; • heritage and cultural assets and their settings; • the quality and character of the landscape; • adjacent land uses or occupiers; and • the distinctive character and setting of the County's settlements; <p>and <u>the development</u> satisfy<u>ies</u> Green Belt policies.</p> <p>Waste management proposals should demonstrate that features, species and sites valued landscapes and sites, species, habitats and heritage assets[FOOTNOTE]<u>[an indicative list of sites, species, habitats and heritage assets is contained in Table 9.1[FOOTNOTE]]</u> (and, <u>where relevant</u>, their settings) of international and national importance will be preserved or protected conserved and, where possible, enhanced. <u>The level of protection to be afforded to the asset will be commensurate with its designation and significance. Such sites will include (but are not confined to):</u></p> <p>–European designated sites that form part of the Natura 2000 network</p> <p>–Areas of Outstanding Natural Beauty (AONB)</p> <p>–Sites of Special Scientific Interest (SSSI)</p>

			<p>–Scheduled Ancient Monuments</p> <p>–Registered Battlefields</p> <p>–Conservation Areas</p> <p>–Registered Parks and Gardens</p> <p>–Listed buildings</p> <p>Proposals should also maintain or, where possible, enhance biodiversity and recognised sites, features, species and habitats sites[FOOTNOTE]the level of protection to be afforded to such assets will be commensurate with their level of importance and contribution to wider ecological or geological/geomorphological networks[FOOTNOTE], species, habitats and heritage assets[FOOTNOTE]an indicative list of sites, species, habitats and heritage assets is contained in Table 9.1[FOOTNOTE] of sub-regional or local importance, <u>as well as designated Local Green Spaces or open space, sports and recreational facilities and land identified in Local Development Documents as of specific importance.</u> Such sites will include (but are not confined to):</p> <p>–Local Geological Sites (LGSs) and potential Local Geological Sites (pLGSs)</p> <p>–Local Wildlife Sites (LWSs) and potential Local Wildlife Sites (pLWSs)</p> <p>–Local Nature Reserves</p> <p>–Species and habitats identified in the Warwickshire, Coventry and Solihull Local Biodiversity Action Plan and those on national and local rare, endangered and vulnerable lists</p> <p>–Features of local archaeological importance identified on the Warwickshire Historic Environment Record</p> <p>–Open space, sports and recreational facilities and land identified in Local Development Documents as of specific importance.</p> <p><u>If it is considered that the development is justified against the above criteria,</u> proposals will only be permitted where the adverse impacts will be</p>
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		Implementation and Monitoring section	<p><i>section</i></p> <p><u>In particular, new applications and existing capacity will be monitored to ensure that if capacity is added through new permissions, or lost through expiration of temporary permissions, that the correct amount of treatment required is properly planned over time and any potential shortfall is met. In doing so, the Council will ensure the timely provision of capacity to meet any treatment gap.</u></p>																										
MM10	87	Implementation and Monitoring (Table 10.1)	<p><i>Add extra column and text in table 10.1 to show the objectives.</i></p> <table border="1"> <thead> <tr> <th>Policy Number</th> <th>Objectives</th> </tr> </thead> <tbody> <tr> <td>CS1</td> <td><u>1, 2, 4</u></td> </tr> <tr> <td>CS2, 3 & 4</td> <td><u>3, 5, 6</u></td> </tr> <tr> <td>CS5, 6 & 7</td> <td><u>1, 2, 4</u></td> </tr> <tr> <td>CS8</td> <td><u>7</u></td> </tr> <tr> <td>DM1</td> <td><u>3, 6, 8</u></td> </tr> <tr> <td>DM2</td> <td><u>5</u></td> </tr> <tr> <td>DM3</td> <td><u>3</u></td> </tr> <tr> <td>DM4</td> <td><u>3, 5, 6, 8</u></td> </tr> <tr> <td>DM5</td> <td><u>2, 6</u></td> </tr> <tr> <td>DM6</td> <td><u>8</u></td> </tr> <tr> <td>DM7</td> <td><u>6, 7</u></td> </tr> <tr> <td>DM8</td> <td><u>1, 6</u></td> </tr> </tbody> </table>	Policy Number	Objectives	CS1	<u>1, 2, 4</u>	CS2, 3 & 4	<u>3, 5, 6</u>	CS5, 6 & 7	<u>1, 2, 4</u>	CS8	<u>7</u>	DM1	<u>3, 6, 8</u>	DM2	<u>5</u>	DM3	<u>3</u>	DM4	<u>3, 5, 6, 8</u>	DM5	<u>2, 6</u>	DM6	<u>8</u>	DM7	<u>6, 7</u>	DM8	<u>1, 6</u>
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MM11	86	Implementation and Monitoring	<p><i>Add text as paragraph 10.2</i></p> <p><u>Monitoring.</u></p> <p><u>Warwickshire County Council has a legal duty to monitor policy implementation as part of its Authority Monitoring Report (AMR). The table below provides a proposed monitoring framework to assess the implementation of the policies by establishing performance indicators, targets and possible sources of information. On reviewing policy implementation on an annual basis (as a minimum), it will allow the Council to gather information to shape future policy formulation and decision making, to examine the effectiveness of its policies and, where necessary, to identify policy changes or interventions.</u></p>																										