Policy M2
Minerals - Aggregates

Mineral planning authorities should continue to work together to make provision for land won primary aggregates to 2016 on the basis of the apportionment agreed by the RPB, taking into account the National and Regional Guidelines for Aggregates Provision in England 2001- 2016 (June 2003) as set out below:

Apportionment of the Regional Guidelines 2001 - 2016 (million tonnes)

	Annual Apportionment 2001-2016	Annual Apportionment 2001-2005	Annual Apportionment 2006-2016
	Sand & Gravel	Crushed Rock	Crushed Rock
Hereford	0.283	0.424	0.424
Worcestershire	0.871	0.163	0.163
Shropshire	0.820	2.662	2.949
Staffordshire	6.602	1.395	1.395
Warwickshire	1.043	0.593	0.88
West Midlands County	0.506	0.575	0
Regional Total	**10.125**	**5.812**	**5.812**
Regional Total 2001-2016	**162**	**93**	

Source: WMRAWP sub-regional apportionment October 2003.

8.67 The apportionment of the new Guidelines should help sustain economic growth in the Region during the period of the Guidelines. The reduction in the level of land won resources required should also ensure that the Region's resources are managed in a sustainable way and its environmental assets are protected.

The Use of Alternative Sources of Materials

8.68 A key objective of national aggregates policy is to ensure that the proportion of supply from primary land won sources in England is minimised. The National and Regional Guidelines for Aggregates Provision in England 2001-2016 are based on the assumption that recycled and alternative materials will meet, nationally, 23% of total demand for aggregates over the period to which they apply.

8.69 The Guidelines assume that in the West Midlands 88 million tonnes (24.5%) of the 359 million tonnes will come from recycled and alternative sources. This amounts to 5.5 million tonnes per annum throughout the period of the Guidelines.

8.70 In 2001 it was estimated that around 5 million tonnes of recycled and other alternative materials were re-used in the West Midlands *(source: Symonds Group surveys for 2001).* In order to increase this figure to the required level of 5.5 million tonnes and thus minimise the risk of needing to exploit additional primary aggregates sources, the amount of construction and demolition material that needs to be recycled per capita must rise across the Region from 0.7 tonnes per annum to 0.8 tonnes per annum, assuming that supplies from other sources such as road planings and secondary aggregates, for example power station ashes, remain constant.

Policy M3: Minerals - The Use of Alternative Sources of Materials

A. Local authorities, minerals and construction industries, the West Midlands Regional Aggregates Working Party and the West Midlands Regional Technical Advisory Body should work together to reduce the reliance on land won primary aggregates by increasing the contribution of alternative sources of material in meeting the Region's requirements by:

i) developing better systems to monitor the level of usage and the way in which alternative sources of materials are used in construction projects

ii) developing targets for local authorities and for the construction industry to increase the use of alternative sources of materials in construction projects and

iii) encouraging local authorities and developers to recycle and reuse materials on site in construction projects having regard to the environmental implications of any proposed operations and their overall acceptability.

B. Development plans should:

i) identify sites or policy criteria to secure an appropriate provision of recycling plants in appropriate locations for example on the fringes of MUAs and

ii) include policies to increase the contribution of alternative sources of material, including adopting methods of operations that will assist reuse and recycling in construction projects.

8.71 The use of secondary and recycled aggregates is increasing within the Region, but it remains difficult to collect reliable quantitative information. To maintain and improve on the rate of use it will be important to improve the level of information available for strategic monitoring purposes. This will help ensure that the targets set at the Regional level are capable of being measured and delivered at the local level.

8.72 To sustain economic growth levels without increasing the use of land won aggregates it is vital that the assumptions contained in the Guidelines are met. It is recognised, however, that it will not be possible to utilise all potential sources of alternative material because of environmental, planning and technical constraints. Some examples of where improvements could be made are:

- local authorities utilising secondary and recycled aggregates in their own construction projects. A project audit should be undertaken of the level of usage of such materials and the way in which they are being used and the information supplied to MPAs for collection and collation;
- local authorities and developers could adopt methods of operations that will assist reuse and recycling and use wherever possible sustainable construction techniques;
- developers utilising secondary and recycled aggregates in development projects. Contractors to keep records of all usage of materials and to supply the information to LPAs for collection and collation at the end of the project;
- developers supplying information on proposed waste utilisation and utilisation of secondary and recycled aggregates; and
- maximising the opportunities for temporary recycling at both construction and demolition sites.

Energy Minerals

8.73 There are significant reserves of unworked coal in the West Midlands along with other hydrocarbon resources. In some areas, previous coal mining has left a legacy of untreated and unrecorded mineshafts, surface methane venting, minewater drainage arrangements and vegetated colliery spoil heaps. As land use changes, this legacy will diminish but the venting of methane and greenhouse gases to the atmosphere contributes to climate change. Using the methane to supply local energy needs could reduce this impact whilst also helping to release land for development.

8.74 Coal remains important as a main contributor to the diversity and flexibility of UK electricity production into the foreseeable future. Whilst access to the UK's coal resource by conventional mining is declining, other cleaner coal technologies are emerging such as coalbed methane (CBM) and underground coal gasification. These may extend the life of the Region's coalfields, may contribute to future energy needs and will need to be taken into account in the drafting of future plans.

8.75 MPG3 provides advice to mineral planning authorities and the coal industry in England on how to ensure that the development of coal resources and the disposal of colliery spoil only takes place in accordance with the full and proper protection of the environment and the principles of sustainable development. Paragraph 8 indicates that there will normally be a presumption against coal extraction unless the proposal meets stringent environmental and policy tests.

Policy M4
Energy Minerals

Development plans should include policies which:

i) recognise that energy minerals are of national and regional importance

ii) recognise the contribution that the exploitation and utilisation of energy minerals can make to meeting the Region's future energy needs in the medium to long term

iii) recognise the development and role of new technologies in releasing sources of energy from worked and unworked coal resources in the Region for local use and

iv) take account of existing national guidance in relation to coal mining, emerging guidance on oil and gas and new technologies and revisions to national energy policy.

8.76 In implementing this policy, development plans should recognise the importance of the Region's indigenous coal and hydrocarbon resources for meeting future energy needs. They should ensure that the resources are exploited and utilised sustainably where there is a clear and demonstrable case and where this will not lead to an unacceptable impact on local communities or their amenities or damage the Region's environmental assets.

Part 4 – Waste Policies

8.77 *When it is approved by the Secretary of State, the revised WMRSS will become the Regional Waste Strategy for the West Midlands.* PPS10 sets out how the planning system can contribute to sustainable waste management *"by providing sufficient opportunities for new waste management facilities of the right type, in the right place and at the right time". The WMRSS proposes to "deliver sustainable development through driving waste management up the waste hierarchy, addressing waste as a resource and looking to disposal as the last option". It also "provides a framework in which communities take more responsibility for their own waste" by seeking to be self-sufficient on a 'net' basis in its waste management as a Region and by requiring each Waste Planning Authority to manage an equivalent tonnage of waste to that arising within its boundary.*

8.78 *The importance of considering waste as a resource at every level of the hierarchy cannot be over emphasised with the current concern about 'sustainability' and 'climate change'. The work of organisations like the National Industrial Symbiosis Programme (NISP), which acts as a facilitator between businesses with surplus and residual material and businesses which can utilise those materials as a raw material and resource, is vital to the continued economic prosperity of the Region. Each level of the hierarchy needs to be taken into account from waste minimisation and the development of reprocessing of materials to recovering energy from the minimum residual material that remains after the maximum re-use, recycling, and processing.*

Policy W1
Waste Strategy

Waste should be considered as a resource and each Waste Planning Authority, or sub-region, should allocate enough land in its LDDs to manage an equivalent tonnage of waste to that arising from all waste streams within its boundary, taking into account the Waste Hierarchy. In addition to facilities to reprocess, reuse, recycle and recover waste an allowance will need to be made for waste transfer stations and where appropriate for landfill.

8.79 The policies in this guidance have been informed by *a series of background papers and studies which are available on the WMRA website. Using these studies as a base, the WMRSS* provides "a distribution of waste tonnage requiring management, a pattern of waste management facilities of national, regional or sub-regional significance, and identifies the tonnages of waste requiring management for the following waste sectors:

- commercial and industrial; and
- municipal."

It apportions these tonnages by Waste Planning Authority (WPA) area, or to sub-regions comprising more than one WPA, in the case of Staffordshire and Stoke-on-Trent; where these WPAs have indicated they intend to work jointly on their development plan documents. *The policies take into account the guidance in PPS11 (paragraph 1.17) on broad locations and the geography of the West Midlands Region with half of the population and economic activity in a single MUA. Around the conurbation are the three counties (Staffordshire, Worcestershire and Warwickshire) with the largest 'gap' in waste management facilities. To the north, east and south of the conurbation, within these counties, is a ring of Settlements of Significant Development and other large settlements which are connected by motorways and principal roads. These areas facilitate a mutual interdependence between the conurbation and major settlements. Towards the edge of the Region is another free standing MUA to the north, Stoke-on-Trent and Newcastle-under-Lyme, and a series of large settlements which serve hinterlands extending across the regional border to the east and the west.*

8.80 Data shows the Region is largely self-sufficient in terms of meeting its own needs for waste treatment and disposal *and movements across the Regional boundary are balanced.* However, the acknowledged net flow of household and *commercial* and industrial waste and *construction and demolition waste* from the metropolitan area to landfill in the shire counties and the reverse flow of *metal, waste electrical electronic equipment (WEEE), end of life vehicles (ELV), paper and hazardous wastes and other material* means there is continued importance in co-ordinating waste planning at the Regional level. Thus *providing more facilities to maximise its potential as a resource and to manage waste, close to where it arises, further up the waste hierarchy.*

8.81 The way in which waste is managed will need to change in response to *existing and emerging* waste management legislation. This involves the full implementation of the Waste Framework Directive, the Landfill Directive and any emerging legislation. In order to meet the requirements of the Landfill Directive, there will be a need for significant initiatives to *pre-treat waste and to* provide facilities for the recovery and treatment of all waste streams, including municipal, commercial and industrial. The Waste Strategy for England *2007 sets out targets for diverting waste from landfill and the approach which should be taken to providing facilities and the priority in providing different types of facility.*

8.82 The RPB *has undertaken an SA/SEA to ensure that the RSS policies are sustainable. Chapter 2 of this WMRSS incorporates the principles of the waste hierarchy and ensures that* priority should be given at the Regional *and local* level, by both individual authorities and other stakeholders, to initiatives and facilities which will encourage and promote waste reduction and the reuse of materials and products across all sectors in the West Midlands. These principles should also be communicated to businesses and members of the public.

8.83 Local authorities and industry and commerce are encouraged to apply the principles of life cycle assessment to ensure that the full range of environmental as well as other costs and benefits have been taken into account. *The Environment Agency has replaced its model for calculating the impact of various municipal waste management practices (Wizard) with a more accurate tool (WRATE).*

Targets for Waste Management in the Region

8.84 The Region must play its part in delivering the *more stringent targets and challenges* set out in the Waste Strategy *for England 2007. The Government has, in parallel, introduced more challenging fiscal and regulatory measures through the sharp increase in the Landfill Tax Escalator and the Landfill Allowance Trading Scheme (LATS) allowances for local authorities.* Given the present overall performance in the Region and the need for new contracts and investment in infrastructure in the short and medium term, *it is essential that at a minimum the targets in the WMRSS and LDDs conform to national planning guidance for diverting and recycling/recovering municipal waste. Without this policy framework the waste infrastructure projects needed to deliver this strategy are less certain to receive planning approval.* It is therefore proposed that the national targets are adopted *to indicate the direction of travel to minimise waste production and to provide new facilities to reprocess and manage waste* in the West Midlands. *The calculations for the quantities of municipal waste which need to be diverted from landfill and which can be landfilled in each WPA are based on the proposed housing figures in Chapter 6 and the LATS allowance allocated to each Waste Disposal Authority by Defra.*

The WMRSS policy for Commercial and Industrial Waste is based on a premise that reflects more waste being managed as a resource, and being managed by authorised recyclers or facilities further up the waste hierarchy, and at a greater level of change than that which is proposed in the Waste Strategy for England. This anticipates a higher level of diversion that will arise from the increase in the Landfill Tax Escalator from £3 per tonne to £8 per tonne and from producer responsibility obligations.

Landfilling as a % of total Commercial and Industrial Waste

2002	2010	2015	2020	2025
42%	*35%*	*30%*	*25%*	*25%*

Policy W2:
Targets for Waste Management

Each Waste Planning Authority, or sub-region, through their LDDs, will need to plan for a minimum provision of new facilities to reprocess and manage waste in accordance with the tonnages set out below in five year bands, at sites distributed across their areas.

Table 5 - Municipal Waste Minimum Diversion by Waste Planning Authority

	2005/6		2010/1		2015/6		2020/1		2025/6	
Municipal Waste Management	Min. Diversion from Landfill	Max. Landfill	Min. Diversion from Landfill	Max. Landfill	Min. Diversion from Landfill	Max. Landfill	Min. Diversion from Landfill	Max. Landfill	Min. Diversion from Landfill	Max. Landfill
Birmingham	498,000	62,000	551,000	57,000	575,000	53,000	602,000	46,000	612,000	56,000
Coventry	150,000	29,000	185,000	15,000	200,000	14,000	213,000	16,000	221,000	23,000
Black Country	388,000	237,000	504,000	177,000	565,000	139,000	615,000	114,000	632,000	122,000
Solihull	83,000	11,000	93,000	8,000	96,000	6,000	100,000	5,000	101,000	6,000
Met Area Total	**1,244,541**	**362,218**	**1,475,015**	**274,482**	**1,583,618**	**227,126**	**1,683,766**	**193,291**	**1,721,456**	**220,981**
Herefordshire	24,000	68,000	43,000	59,000	60,000	48,000	69,000	45,000	74,000	46,000
Shropshire	60,000	118,000	109,000	85,000	194,000	10,000	206,000	10,000	217,000	10,000
Staffordshire & Stoke-on-Trent	379,000	280,000	491,000	227,000	559,000	185,000	613,000	158,000	636,000	163,000
Borough of Telford & Wrekin	26,000	78,000	64,000	57,000	88,000	46,000	108,000	40,000	121,000	42,000
Warwickshire	92,000	223,000	181,000	165,000	236,000	126,000	272,000	107,000	288,000	110,000
Worcestershire	78,000	234,000	160,000	181,000	212,000	143,000	242,000	127,000	254,000	130,000
Shire Area Sub-Total	**533,310**	**978,345**	**906,151**	**756,612**	**1,201,752**	**543,212**	**1,356,219**	**475,909**	**1,434,545**	**488,750**
West Midlands Region Total	**1,777,850**	**1,340,563**	**2,381,167**	**1,031,094**	**2,785,369**	**770,338**	**3,039,985**	**669,199**	**3,156,001**	**709,731**

Table 6 - Commercial & Industrial Waste Diversion by Waste Planning Authority

	2005/6		2010/1		2015/6		2020/1		2025/6	
Industrial & Commercial Waste	Min. Diversion from Landfill	Max. Landfill	Min. Diversion from Landfill	Max. Landfill	Min. Diversion from Landfill	Max. Landfill	Min. Diversion from Landfill	Max. Landfill	Min. Diversion from Landfill	Max. Landfill
Birmingham	613,000	444,000	698,000	376,000	869,000	373,000	1,191,000	397,000	1,191,000	397,000
Coventry	216,000	156,000	246,000	132,000	306,000	131,000	419,000	140,000	419,000	140,000
Black Country	943,000	684,000	1,074,000	578,000	1,338,000	572,000	1,832,000	611,000	1,832,000	611,000
Solihull	99,000	71,000	111,000	60,000	139,000	59,000	190,000	63,000	190,000	63,000
Met Area Total	**1,871,000**	**1,355,000**	**2,129,000**	**1,146,000**	**2,652,000**	**1,135,000**	**3,632,000**	**1,211,000**	**3,632,000**	**1,211,000**
Shropshire	211,000	153,000	241,000	129,000	300,000	128,000	410,000	137,000	410,000	137,000
Telford & Wrekin	198,000	144,000	226,000	121,000	281,000	121,000	386,000	128,000	386,000	128,000
Staffordshire & Stoke-on-Trent	868,000	628,000	987,000	531,000	1,229,000	526,000	1,684,000	561,000	1,684,000	561,000
Warwickshire	353,000	256,000	402,000	216,000	501,000	214,000	686,000	228,000	686,000	228,000
Worcestershire	441,000	320,000	503,000	271,000	627,000	268,000	858,000	286,000	858,000	286,000
Herefordshire	97,000	71,000	110,000	59,000	137,000	59,000	188,000	62,000	188,000	62,000
Shire & Unitary Authorities Total	**2,169,000**	**1,571,000**	**2,469,000**	**1,327,000**	**3,075,000**	**1,316,000**	**4,212,000**	**1,402,000**	**4,212,000**	**1,402,000**
West Midlands Region Total	**4,040,000**	**2,926,000**	**4,598,000**	**2,473,000**	**5,727,000**	**2,451,000**	**7,844,000**	**2,613,000**	**7,844,000**	**2,613,000**

8.85 *In order* to maintain Regional self-sufficiency and Government targets for different forms of waste management, *the* Region's progress will be closely monitored *through the Annual Monitoring Reports at Regional and Waste Planning Authority level and through monitoring the adoption and content of the LDDs.* Relevant stakeholders will, through their involvement in the RTAB on Waste, contribute data that will be presented in an annual report to the RPB. *The RPB* will also need to consider how these targets relate to particular sub-regions and *monitor progress to achieving the* targets.

The Need for Waste Management Facilities by Sub-Region

8.86 Following the guidance in PPS10 the RPB has "considered the need for additional waste management capacity of regional or sub-regional significance and will reflect any requirement for waste management facilities identified nationally." The RPB has not been notified of the need to make provision for any facilities to meet a national need. The *RPB* has *through the RTAB* carried out technical work to determine a broad indication of the needs for reprocessing, recycling/composting and recovery facilities *for all waste streams* in the West Midlands. *It has taken into account that there may be a need for facilities of a regional and sub-regional nature arising from the economies of scale to manage certain waste streams and the technical requirements to locate some waste management facilities at a distance from "sensitive receptors". The work takes into account the extent to which existing, and consented waste management capacity, not yet operational, would satisfy any identified need.*

8.87 A number of authorities have been identified as having a significant shortfall in facilities to manage an equivalent tonnage of waste to that arising in their area. These particular authorities should make provision for larger facilities of a regional and sub-regional nature in the MUAs, Settlements of Significant Development or the other large settlements identified in the Broad Locations for Waste Management Facilities Diagram, or, depending on the characteristic of the waste management facility, in close proximity to these locations, by identifying a range of sites of different sizes and in a variety of locations to assist in meeting the shortfall in the tonnages which have been indicated. The broad locations are described in paragraph 8.79.

8.88 In managing waste, the characteristics and properties of the material and the proximity to economic quantities of material are more important than the source of the material as municipal or commercial and industrial waste. To allocate specific waste streams or technologies to particular locations would stifle the opportunity for innovation in managing waste as a resource, therefore the sites which are identified in the LDDs should be capable of accommodating a variety of technologies and size of facility. The changes in the Landfill Tax are already having a significant impact in making it viable to introduce and to develop new markets to utilise what is currently considered to be waste as a resource. Over the life of the WMRSS there will be a 'sea change' in 'resource management' and the waste scene as it is today will rapidly be overtaken as business and local authorities seek to avoid paying the Landfill Tax and LATS penalties. There is no evidence base to support the allocation of facilities to manage particular waste streams or apply particular technologies to any one broad location and by being too rigid and specific in allocating specific technologies to sites the WMRSS could have an adverse affect on the introduction of new developments in resource management and innovation and enterprise.

Table 7 - Gap analysis by WPA utilising the estimated projected capacity plus quantifiable expansion plans (million tonnes)

Projection Option - C&I High - MSW 3	Treatment Capacity Required	Projected Throughput + Quantified Expansion	Treatment Gap
Birmingham	*1.81*	*1.27*	*0.54*
Coventry	*0.62*	*0.36*	*0.26*
Shropshire	*0.61*	*0.45*	*0.15*
Staffordshire & Stoke-on-Trent	*2.39*	*1.13*	*1.25*
Borough of Telford & Wrekin	*0.54*	*0.05*	*0.49*
Warwickshire	*1.04*	*0.45*	*0.60*
Worcestershire	*1.22*	*0.31*	*0.91*

A Table showing the 'Treatment Gap' for all WPAs in the West Midlands is available on the Assembly web site at http://www.wmra.gov.uk/page.asp?id=121
Final WMRTAB Report May 2007.

Policy W3
The Need for Waste Management Facilities

Authorities which have a 'Treatment Gap' in facilities to manage waste should make provision in their LDDs for a pattern of sites and areas suitable for new or enhanced waste management facilities in, or in close proximity to, the MUAs, Settlements of Significant Development, and other large settlements identified in the Broad Locations for Waste Management Facilities Diagram. In addition to meeting local needs, these locations are well placed to accommodate facilities of a regional and/or sub regional scale to reprocess, re-use, recycle or recover value from waste, allowing for the requirements of different technologies.

These settlements include:

- *Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall, Wolverhampton, Stoke-on-Trent, Newcastle-under-Lyme, Hereford, Rugby, Shrewsbury, Telford, Worcester, Bromsgrove, Burton-upon-Trent, Cannock, Droitwich, Kidderminster, Lichfield, Nuneaton and Bedworth, Redditch, Rugeley, Stafford, Stratford-upon-Avon, Tamworth, Warwick and Leamington Spa.*

Criteria for the Location of Waste Management Facilities

8.89 Given the need for a major investment programme in new waste management facilities it is important to safeguard the sites of existing waste management facilities. The only exception to this is where such facilities are in locations which do not meet current environmental and amenity considerations of local, national or European importance, or they are required for more appropriate land uses, in which case they should normally be relocated, not extinguished. It is also important to protect these sites from residential development and community facilities being developed very close to their boundaries which may subsequently result in complaints from the new neighbours.

Policy W4
Protection of Existing Waste Management Facilities

Waste Planning Authorities should safeguard and/or expand suitable sites with an existing waste management use, provided that they meet local environmental and amenity criteria, and do not pose risks to European and National protected sites. Waste Planning Authorities should not allow the continued operation of existing sites to be compromised by new development on adjoining land.

8.90 Waste management facilities are generally classified as 'sui generis', i.e. they do not fall within any of the Use Classes in the Town & Country Planning Use Classes Order, and therefore a specific planning permission is required to operate each waste management facility. However, some waste management activities might be considered to be 'not materially different' from an industrial activity which took place in the building or on the land immediately prior to the proposed waste management activity. In these circumstances it might be held that a specific planning permission is not required. It is probable that each case will need to be considered on its own merits and no general guidance can be given as to whether planning permission is required or not.

8.91 Circumstances across the Region vary from densely populated urban areas to very sparsely populated rural areas and the level of investment in infrastructure to handle and dispose of waste differs. *Provision will need to be made in LDDs for sufficient land to provide facilities to manage waste. In some cases this may involve identifying specific sites which are suitable for particular waste management facilities but more frequently it will be a case of identifying which particular industrial areas are suitable for waste management facilities, provided that they meet a range of environmental and amenity criteria and have good transport connections, and ensuring sufficient land is available on a range of sites of different sizes and locations, either within or on the edge of settlements, or at a distance from sensitive receptors.*

Policy W5
The Location of New Waste Management Facilities

Where there is evidence that additional capacity is required the basis on which WPAs identify additional sites should be based on the following criteria:

- *ensuring a range of sites of different size and geographical distribution and*
- *good accessibility to the source of waste arisings and/or end users and*
- *good transport connections including, where possible, rail or water.*

In the first instance such sites should be either:

- *Sites with current use rights for waste management purposes*
- *Active mineral working sites or landfills where the proposal is both operationally related to the permitted use and for a temporary period commensurate with the permitted use of the site*
- *Previous or existing industrial land*
- *Contaminated or derelict land*
- *Land within or adjoining a sewage treatment works or*
- *Redundant agricultural or forestry buildings and their curtilage.*

In every case the proposal should be capable of meeting local environmental and amenity criteria, and not pose risks to European and National protected sites.

8.92 *The management of waste in rural areas can pose particular problems due to the dispersed nature of settlements. This will be exacerbated by the increase in the quantity of controlled waste that will arise due to the reclassification of agricultural waste as controlled waste meaning much of it will now need to be managed at licensed facilities.*

8.93 *The number of facilities which manage 'green waste', whether from gardens or from kitchens and retail and catering premises, are increasing. The Environment Agency may require a health risk assessment for bio-aerosols for certain categories of waste facility such as 'open windrow' and 'in-vessel' composting where these are within 250 metres of 'sensitive receptors'. The requirement to locate these facilities away from 'sensitive receptors' means they are frequently located in the open countryside and sometimes in the Greenbelt (and in adjoining authorities) if they are to be close to and to serve the MUAs and major settlements. In many cases these facilities will not have any greater visual or amenity impact than agricultural activities which are an integral part of maintaining the Greenbelt in an attractive and economically sound basis. The policy for locating facilities on open land must respect the need to keep that land open whilst at the same time allowing facilities to manage green waste and waste arising in rural areas in a sustainable way.*

Policy W6
Sites outside the Major Urban Areas and Other Larger Settlements

All Waste Planning Authorities outside the MUAs should identify sites for the treatment and management of waste arising from areas of low population and scattered communities and for facilities which need to be at a distance from 'sensitive receptors'. Additional sustainable waste management capacity in rural areas for waste recovery or recycling should be based on:

- *effective protection of amenity and the environment and*
- *the proposed activity being appropriate to the area proposed.*

Businesses, including agricultural undertakings, should adopt sustainable waste management practices, and where relevant, best agricultural practice, with regard to their waste arisings.

Policy W7
Waste Management Facilities and Open Land

Waste management facilities should only be permitted on open land, including land within the greenbelt:

- *where they are close to the communitiesproducing the waste and*
- *where there are no preferable alternative sites and*
- *where it would not harm the openness of land, or the objectives of greenbelt*
- *where it can be demonstrated to be necessary to support an existing essential activity and to facilitate other key development*
- *would assist in agricultural diversification or*
- *would not adversely affect the biodiversity and geodiversity value of the area.*

Hazardous Waste

8.94 *The West Midlands Region, although traditionally a relatively more industrialised region than elsewhere, does not generate proportionately more Hazardous Waste than other regions. The Region produced 665,000 tonnes of Hazardous Waste in 2003 and is a net importer, treating more hazardous waste than it generates. There are various generic types of Hazardous Waste which need to be managed in different ways. There are only two sites in the UK which treat highly volatile liquid wastes, and there has been no indication from national government that there is a need for a new facility of national importance in this Region, or elsewhere, to manage this waste.*

8.95 Since the change in name, from Special Waste, and the change in definition of Hazardous Waste, the construction and demolition sector has been much more careful about the categorisation of which wastes on a site are hazardous, and which are not. As a consequence the quantity of Hazardous Waste arising from construction and demolition projects has reduced significantly and more contaminated soils are being treated 'in situ' rather than being removed from site and landfilled. There has also been a reduction in the number of landfill sites accepting Hazardous Waste and, because of the increasing costs of disposal and transport, alternative methods of managing Hazardous Waste have been developed, substantially reducing arisings, and greater care is being taken by the industry in categorising waste as hazardous.

8.96 It has not been possible to estimate a figure for the facilities that will be required to manage Hazardous Waste as the industry is still adjusting to the changes in regulation. Without information on tonnages, discussions are taking place with the Environment Agency and Government Office for the West Midlands to make sure that adequate and safe provision will be made for Hazardous Waste arising within the Region.

8.97 WMRSS policies focus development in the MUAs and by definition these areas are already developed. In the majority of cases any new development will involve demolition of existing buildings. In some cases the ground must be stabilised and decontaminated, depending on the previous use, before the sites can be redeveloped.

8.98 In order to meet the housing proposals more land will be required for residential development. In addition to brownfield sites this will, in some authorities, include greenfield sites, due to the limitations of urban capacity. The quantity of Construction and Demolition Waste arising from new housing development will grow in proportion to the number of new houses if there is an increase in demolitions outside the MUAs or the use of contaminated or uncontaminated previously developed land. The construction industry also has improved site supervision resulting in less waste being generated and more being re-used and recycled.

8.99 The management of Construction and Demolition Waste can either take place on-site or off-site. The decision on which course of action to follow has usually been made by developers, based on the perceived time that it will take to process the material on-site and the cost. If the material is managed on site there are potential consequences in terms of noise, dust and odour from the activities. If the material is taken off-site there is the potential problem of intensive heavy goods vehicle (HGV) traffic movements on roads which may be unsuited to such movements, as well as potential problems in where the material is taken.

8.100 If developers adhere to 'considerate construction' practices, the recycling of demolished structures which takes place on the demolition site need not cause nuisance to adjoining occupiers. In calculating the amount of employment land that will be required in the future, and how much existing employment land can be redeveloped for housing, the need for recycling sites, and urban quarries to accommodate 'off-site' recycling should be taken into account by WPAs. Urban quarries are modern sites for recycling Construction and Demolition Waste for use as recycled aggregates with very little material going to landfill and which can be located in the built up area without causing a visual or environmental nuisance.

8.101 *Two regionally significant facilities reprocessing Hazardous Waste are already located in the Black Country. The residues from these processes are further treated, but a large proportion of the residual material is landfilled. On the basis of current information these plants are well placed to manage the Region's Hazardous Waste and they could be expanded, if required. However, there remains a need to make provision for additional facilities to manage contaminated soils arising from redevelopment activity in the Region.*

8.102 *The redevelopment of 'brownfield sites' in the Region will produce some waste which cannot be recycled on site because of its hazardous nature. However it can be treated at specialist facilities to remove or neutralise the hazardous substances and allow it to be used again. Authorities at the centre of the West Midlands and North Staffordshire MUAs, where most of the contaminated soils are likely to arise, would therefore be the most appropriate and sustainable locations for any new facilities which are required to manage contaminated soils arising in these broad locations. In preparing their Joint Core Strategy for Waste, the Black Country Councils and Staffordshire and Stoke-on-Trent should give specific priority to identifying new sites for facilities, to store, treat and remediate contaminated soils.*

Policy W8
Hazardous Waste – Safeguarding Sites

Waste Development Frameworks and Local Development Frameworks should safeguard existing sites for the treatment and management of Hazardous Waste, where they meet local environmental and amenity criteria, and do not pose risks to European and National protected sites.

Policy W9
Construction and Demolition Waste

All Waste Development Frameworks and Local Development Frameworks should give specific priority to identifying new sites for facilities, to store, treat and recycle soils and Construction and Demolition waste.

More Construction and Demolition Waste should be recycled through:

a) maximising 'on-site' recycling and

b) promoting 'urban quarries' where material can be recycled to a high standard where there is evidence that there is a need for additional facilities.

Policy W10
Sites for Contaminated Soils

The Core Strategies for the Black Country Councils and for Staffordshire and Stoke-on-Trent should give specific priority to identifying new sites for facilities, to store, treat and remediate contaminated soils.

8.103 A survey of existing *landfill* facilities shows *that depending on the success in diverting waste from landfill* no additional landfill capacity is necessary until between 2016-2022, unless it is a means of achieving other essential planning objectives. *In order to protect groundwater, the Environment Agency has introduced new guidelines which are set out in Regulatory Guidance Note 3 (RGN3). Whilst there is a shortage of landfill capacity in the west of the Region (Herefordshire and Shropshire), the geology of the West Midlands is such that it is very unlikely that any site which is not on the Etruria Marls, which are located in the north east of the Region (Staffordshire and its immediate surroundings), would obtain a Permit from the Environment Agency. On the basis of this information it is not proposed to require individual Waste Planning Authorities to identify any new landfill sites in the LDDs.* There will, however, be a significant need for additional waste management, recovery and treatment facilities throughout the Region.

8.104 There is only one landfill in the Region which is licensed to receive "Stabilised non-reactive hazardous waste". If the Region is to continue to be largely self sufficient in its waste management, additional facilities to receive this category of waste will need to be provided. It arises either from hazardous waste treatment facilities, where the hazardous waste is stabilised to become non-reactive, or it is collected at a limited number of waste transfer stations which receive such material as cement asbestos. This material is packaged in such a way that it can be landfilled in separately appropriate engineered cells on a wide range of landfill sites without posing a risk. Each WPA with landfills should look to provide some dedicated cells on the sites within their area.

Policy W11
New Sites for Landfill

Waste Development Frameworks and Local Development Frameworks should restrict the granting of planning permission for new sites for landfill to proposals which:

a) are necessary to restore despoiled or degraded land, including mineral workings

b) are otherwise necessary to meet specific local circumstance

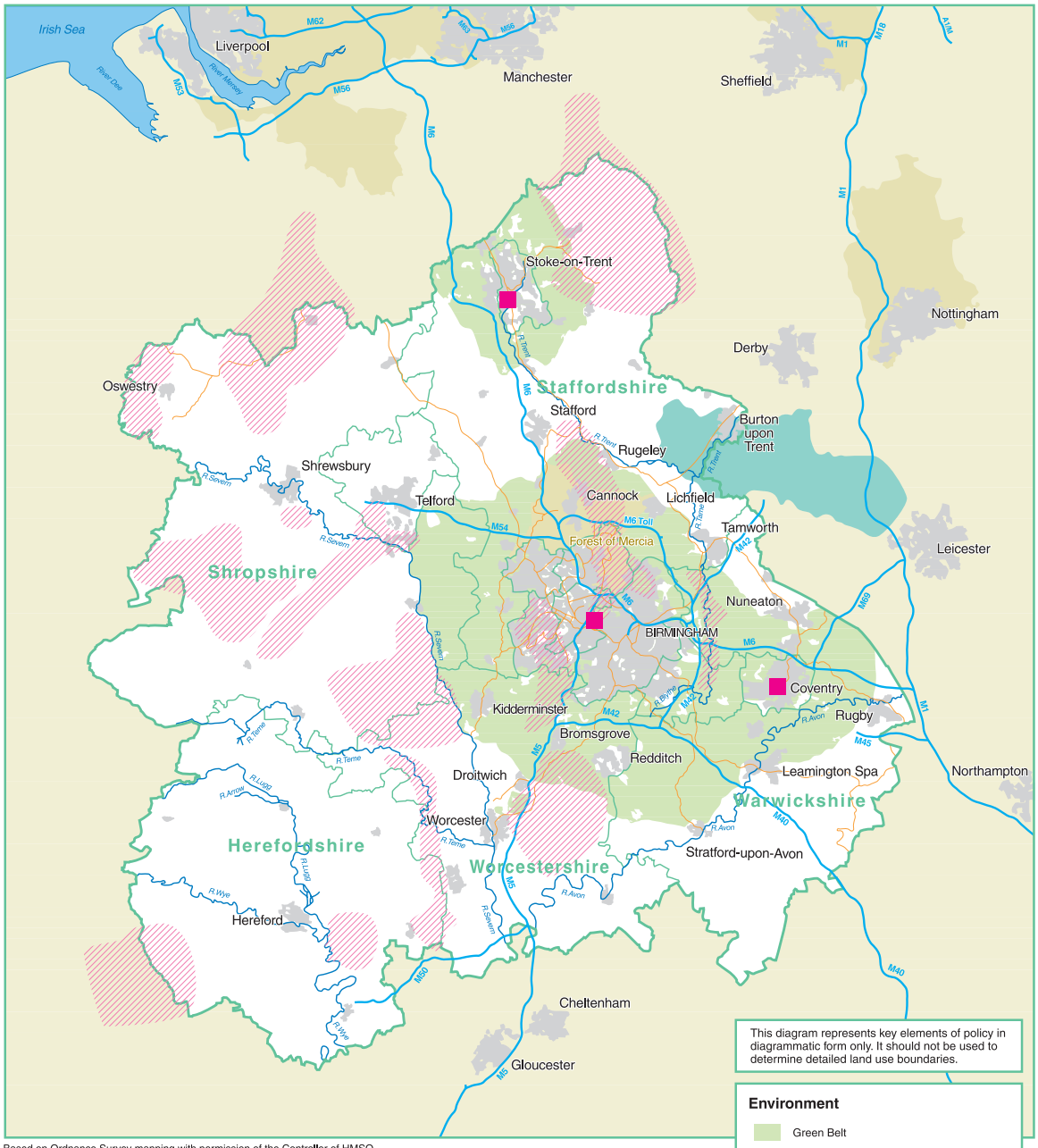
c) are supported by robust evidence of suitability and need arising from a shortage of local capacity that exists in the plan period and

d) where geological conditions are suitable for landfill operations.

Policy W12
Hazardous Waste – Final Disposal Sites

Waste Development Frameworks for the non MUAs, should identify final disposal sites for Hazardous Waste, including where necessary encouraging the creation of separately appropriate engineered cells in landfills for Stabilised Non-Reactive Hazardous Waste, where the geological conditions are suitable.

Quality of the Environment – Areas of Enhancement



This diagram represents key elements of policy in diagrammatic form only. It should not be used to determine detailed land use boundaries.

Environment

- Green Belt
- National Forest
- Community Forest
- Area for Concentrated Bio-Diversity Enhancement
- Strategic River Corridor for Enhancement
- Major Urban Environmental Improvement Initiatives

Infrastructure

- Motorway
- Canal
- Built-up Area
- Strategic Authority Boundary

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