

Staffordshire and Stoke-on-Trent Waste Local Plan 1998 to 2011

Adopted

10 February 2003

'SAVED' POLICIES EXTENDED BEYOND 28 SEPTEMBER 2007

The policies contained in this document (i.e. not crossed out) are those which the Secretary of State for Communities and Local Government in exercise of the power conferred by paragraph 1(3) of schedule 8 to the Planning and Compulsory Purchase Act 2004 has deemed to be extended beyond 28th September 2007.

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If you need a copy of this document in large print, Braille, another language or on cassette, please ask us.

The front cover photographs:

At the top:

Green waste collection at a Household Waste Recycling Centre.

The green waste is composted and material is then sold as a soil conditioner or used to help restore landfill sites.

Road maintenance waste arisings being recycled at a Highways Depot. The material is crushed and screened before being re-used in road repair work.

The Sinergy Waste to Energy Plant in Stoke-on-Trent was re-commissioned during 1997 and became fully operational during 1998. It has the capacity to incinerate about 200,000 tonnes of waste per year and generate 14.5 Megawatts of electricity. About 60,000 tonnes of bottom ash is generated which is deposited at the Meece landfill site near Stone. A working group is currently investigating the possibility of recycling the bottom ash for use in road construction projects. A trial project, involving the construction of a new access road at the Bemersley Household Waste and Recycling Centre, was carried out in November 1999.

A landfill site.

At the bottom:

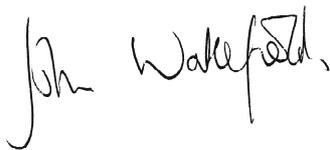
Foreword

By Councillor John Wakefield, Staffordshire County Council's Leader of Development Services and John Cornell, Stoke-on-Trent's Director of Environment and Transport.

The Waste Local Plan (the Plan) sets out the principles and policies that are central to the Councils' approach to waste planning at the beginning of the new millennium.

The Plan provides the criteria against which individual planning applications will be considered. It does not deal with day to day waste collection and disposal matters.

As Waste Planning Authorities, we wish to encourage more sustainable methods of waste management. But our success will depend on individuals, organisations and industries reducing the amount of waste produced and providing good environmental solutions to deal with the waste we all generate. We now encourage you to play your part.

Handwritten signature of John Wakefield in black ink.Handwritten signature of John Cornell in black ink.

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PART **1**

INTRODUCTION

In an effort to produce a clear and succinct Plan, technical words and phrases that appear in ***bold italics*** are explained in the Glossary at the end of the document. Background information or additional notes referred to are numbered and the source of the information or the note appear at the end of each part of the Plan.

This part explains:

- why we need to plan for waste;
- the purpose of the Waste Local Plan;
- who is responsible for the control, collection and disposal of waste; and
- the next steps in the preparation of the Plan.

Words appearing in ***bold italics*** are explained in the Glossary.

Reference to ‘Staffordshire and Stoke-on-Trent’ should be taken to mean Staffordshire County Council and Stoke-on-Trent City Council.

Why we need to plan for waste

- 1.1 It has been estimated that about 3.4 million tonnes of ***controlled waste*** was produced in Staffordshire and Stoke-on-Trent in 1998-9. This is equivalent to about 3.5 tonnes of waste per person per year or a football pitch covered to a depth of almost 500 metres every year.
- 1.2 The total amount of waste generated in 1998-9 consisted of about 561,898 tonnes of municipal solid waste – including civic amenity site waste, 1,202,000 tonnes of industrial waste, 428,000 tonnes of commercial waste and 1,255,449 tonnes of construction and demolition waste.
- 1.3 In 1995 about 3.2 million tonnes of waste was landfilled at 58 licensed sites in the Plan area (72% of the waste originated in the Plan area). A landfill survey in 1997 showed that this figure had fallen to 2.7 million tonnes of waste deposited at 50 licensed sites. The Environment Agency’s ‘Strategic Waste Management Assessment 2000: West Midlands’ (SWMA) indicates that the amount of waste being landfilled in 1998-9 had fallen still further to 1.9 million tonnes.
- 1.4 It is generally accepted that landfilling waste cannot continue to be the principal method of waste management, particularly as the amount of waste generated continues to rise along with our expectations about health and the environment. European directives have been issued and national legislation is being introduced which will require the development of more ***sustainable waste management*** practices during the period of the Plan. Targets have been set by the European Union to reduce the amount of ***biodegradable municipal waste*** we landfill and the UK Government has already introduced an escalating ***landfill tax*** to discourage landfilling and encourage waste minimisation, re-use and re-cycling.
- 1.5 We all need to generate less waste and we must manage the waste we generate by the ***Best Practicable Environmental Option***, whether that is through re-use, recycling, generating energy from waste or landfilling. At the same time we must seek to manage waste closer to where it is generated so that the impact of transporting waste is minimised.
- 1.6 The quantities of waste involved, the potential adverse health and environmental impacts that can arise if the waste is not properly managed, and the drive toward more sustainable methods of waste management, explain why there is a need for stringent planning and pollution controls to regulate how and where we deal with waste.

What is the purpose of the Waste Local Plan?

- 1.7 The purpose of the ***Waste Local Plan*** (WLP or the Plan) is to set out a clear statement of waste planning policies that will provide a framework for the consideration of planning applications for the development of waste management facilities or other forms of development with significant waste implications. The Plan policies must reflect the balance that has to be found between the provision of waste management facilities that are needed in order to achieve more sustainable methods of waste management, and the protection that must be given to people, transportation systems and the environment. The Plan does not deal with day to day waste collection and disposal matters. Staffordshire County Council and Stoke-on-Trent City Council, along with the 8 Staffordshire District Councils have separate responsibilities for such matters. [See paragraph 1.13 below]
- 1.8 Government guidance advises that where new or replacement waste management facilities are needed, preferred locations should be identified in Waste Local Plans. Waste Planning Authorities should either identify specific sites, areas of search or provide comprehensive criteria against which individual planning applications can be considered.¹ In this case, because there is adequate ***landfill capacity***, and because there is a considerable amount of uncertainty about the future requirements for ***waste treatment facilities***, the Plan provides criteria against which individual planning applications will be considered rather than attempting to identify preferred locations or areas of search.
- 1.9 The Plan is set out as follows:
- Part 1 introduces the Plan and explains its purpose;
 - Part 2 describes in more detail the context in which the Plan is being prepared;
 - Part 3 explains the principles that form the basis of the waste planning strategy and underpin the planning policies;
 - Parts 4 and 5 contain the 'written statement' of general and specific policies;
 - The ***Proposals Map*** defines the Plan area;
 - A Glossary explains the technical terms used in the Plan;
- 1.10 In addition, the following supporting documents have been produced separately.
- A ***Code of Practice*** to provide supplementary planning guidance for applicants.
 - A ***Sustainability Appraisal*** and a ***Statement of Publicity***, as required by the Regulations governing the preparation of land-use plans.
 - Two Technical Appendices provide additional background information to explain the basis for the projected waste arisings and details about the existing waste management facilities in the Plan area.
- 1.11 ***Staffordshire*** and ***Stoke-on-Trent*** could have opted to prepare separate plans, but decided to work in partnership, as waste management does not respect administrative boundaries. Therefore, in order to produce a more effective set of planning policies, a joint plan has been prepared.
- 1.12 WLPs are required to cover a period of at least 10 years. In this case the Plan will cover the period from 1998 to 2011. This period corresponds with the latest revision of the ***Structure Plan*** and ***Regional Planning Guidance***.

Who is responsible for the control, disposal, collection and licensing of waste and waste management facilities?

1.13 It is important to understand the different and separate responsibilities for waste management.

- **Waste Planning Authorities (WPAs)** – Staffordshire and Stoke-on-Trent Councils

Staffordshire and Stoke-on-Trent control the development of waste management facilities by determining planning applications submitted by the waste industry (including the Waste Disposal and Waste Collection Authorities). [See *county matters*] The WPAs issue planning permissions and monitor and enforce any planning conditions attached.

- **Waste Disposal Authorities (WDAs)** – Staffordshire and Stoke-on-Trent Councils

Staffordshire and Stoke-on-Trent are responsible for the disposal of municipal waste collected by the Waste Collection Authorities and the provision of sites where the public can dispose of their household waste free of charge.

- **Waste Collection Authorities (WCAs)** – Stoke-on-Trent and the 8 Staffordshire District Councils.

Stoke-on-Trent is a unitary authority and as such it has responsibility for both collection and disposal of municipal waste. Private sector companies including Biffa Waste Services Ltd. and Hanford Waste Services Ltd. together with some of the District Council's own Direct Service Organisations, carry out much of the waste collection and disposal in Staffordshire and Stoke-on-Trent on behalf of the WDAs and the WCAs. [For more details see Staffordshire and Stoke-on-Trent's *integrated municipal waste management strategy* '2020 Vision: Zero Waste to Landfill'.]

- **Waste Regulation Authority** – the **Environment Agency**

The Environment Agency is responsible for regulating the management and transportation of controlled waste; the facilities that receive, keep, treat and dispose of this waste; and the people who manage the treatment and disposal facilities. The Environment Agency is consulted on planning applications and policies in development plans to ensure that their technical expertise and information relating to the natural environment and waste management is considered, specifically matters relating to air, land and water, and statistics about waste arisings, treatment and disposal. The WPAs, the Environment Agency, and Environmental Health Authorities have complementary roles and maintain close liaison.

The plan preparation stages

- 1.14 The Plan was the subject of extensive public consultation to provide an opportunity for comments to be made. The various versions of the Plan were advertised through newspaper notices and in the London Gazette, and made available at the offices of the City and County Council. The Plans were also made available at public libraries and on the Internet, or to purchase. Copies of the Plans were sent to the statutory consultees including local authorities within and adjoining the Plan area, the Environment Agency, the Countryside Agency and English Nature. Copies of the Plans were also sent to parish councils within the Plan area. Other organisations including interest groups, the waste management industry and their representatives, and waste management industry trade bodies were notified of the publication of the Plans.²
- 1.15 All comments received were carefully considered and reported to both the City and County Councils. Having considered the comments received, changes were made to the Plan before the Inspector (Mr. R. Lyon) considered the remaining objections to the Plan. The Inspector's Report recommended a small number of modifications, which were all accepted by the Councils.
- 1.16 To ensure that the Plan is kept up to date, it will be reviewed on a regular basis.³
- 1.17 The timetable to the adoption of the Plan was as follows:
- Draft Waste Planning Strategy – November 1998
(comment period 21 January – 8 March 1999)
 - Deposit Draft Waste Local Plan – May 2000
(comment period 8 June – 21 July 2000 - 200 comments were received (including 148 objections from 28 objectors). The objections were assessed and negotiations took place between June and December 2000.
 - Interim report to Members on the comments made (6 September 2000)
 - Full report to Members describing in detail the comments made and the responses, including recommend revisions to the Plan (31 January 2001)
 - Revised Deposit Draft Waste Local Plan – January 2001
(comment period 16 April 2001 – 1 June 2001 - 173 comments were received (96 objections from 16 remaining objectors).
 - Pre-Inquiry Meeting – not required
 - Proposed Changes Waste Local Plan – October 2001
 - Public Inquiry – written representations only – 22 October 2001
(91 objections from 16 remaining objectors)
 - Inspector's reporting time (October 2001 – February 2002 (40 days))
 - Inspector's Report – 11 February 2002
(59 recommendations – 31 that the Plan should not be modified, 22 that the Plan should be modified in accordance with the proposed changes submitted by the Councils, and 8 made by the Inspector)
 - Proposed Modifications Waste Local Plan – March 2002
(comment period 12 April - 24 May 2002)
 - The Councils resolved to adopt the Plan without further modifications (25 July 2002)
(9 objections were received – no new matters were considered to have been raised)
 - Notice of intention to adopt after 20 September 2002
 - Notice of Adoption – February 2003
(the plan was adopted and came into operation on 10 February 2003)

Reference or Note:

1. 'Planning Policy Guidance Note 10: Planning and Waste Management' (PPG10), paragraph 29(f) and 33, DETR, dated September 1999.

2. See Statement of Publicity

For more detailed advice on the procedures for the preparation and adoption of Local Plans, refer to Planning Policy Guidance Note 12: 'Development Plans (December 1999) or 'Local Plans and Unitary Development Plans – A Guide to Procedures', published by the ODPM. A free copy of the guide can be obtained from the County Council or City Council, or by telephoning the ODPM Free Literature on 0870 1226236.

3. To check the timetable for the review of the Waste Local Plan, to view the related information (including the supporting documents), or to check the current status of the other planning policy documents that make up the 'development plan', visit the following 'Staffordshire web' sites at:

- www.staffordshire.gov.uk/planning
- www.staffordshire.gov.uk/waste

PART **2**

BACKGROUND

This part:

- explains the context in which Staffordshire and Stoke-on-Trent are preparing the Waste Local Plan;
- refers to the policy documents that have helped to shape the principles and policies in the Plan; and,
- describes the relevant local considerations.

Words appearing in ***bold italics*** are explained in the Glossary.

Reference to ‘Staffordshire and Stoke-on-Trent’ should be taken to mean Staffordshire County Council and Stoke-on-Trent City Council.

International and European Context

- 2.1 The International and European land-use planning policy is based around the objective of achieving ***sustainable development***. This concept was initiated at the Earth Summit in Rio de Janeiro in 1992 at which a number of international agreements were signed including ***Agenda 21***. Agenda 21 established the need for a comprehensive programme of action to achieve a sustainable pattern of development for the next century. The programme is also intended to raise awareness of environmental issues and highlight the fact that we all have a responsibility to achieve more sustainable development. This is particularly true as far as waste is concerned as we all generate waste, and therefore have a part to play in minimising the amount of waste we generate and ensuring that it is disposed of responsibly.
- 2.2 A number of European Directives in relation to waste place obligations on the UK Government. Waste Planning Authorities (WPAs), in preparing their Waste Local Plans and determining planning applications, are required to have regard to these Directives. The EC Framework Directive on Waste sets out objectives for the disposal of waste.¹ Article 4 for example, requires that “member states ... ensure that waste is recovered or disposed of without endangering human health and without using processes or methods which could harm the environment...” And, Article 5 requires the establishment of an “integrated and adequate network of disposal installations” to enable the EC to become self-sufficient in waste management. Article 5 also requires waste to be disposed of in one of the nearest appropriate installations in order to secure a high level of protection of the environment and for public health. [See also ***Packaging Waste Regulations and the Packaging Directive***]
- 2.3 In April 1999, the European Union agreed the ***Landfill Directive***. Amongst a number of important requirements, the Directive required that by 2001 all waste would need to be pre-treated before it is landfilled. By 2020 at the latest, the Directive requires that the amount of ***biodegradable municipal waste*** going to landfill in the UK should be reduced to a level equivalent to 35% of the amount of such waste produced in 1995. The Government has acknowledged in their national waste strategy ‘Waste Strategy 2000’, published in May 2000, that meeting the targets will require a “step change” in the way we think about and manage our waste and has set national goals in order to meet the European targets. In June 2002 the ‘The Landfill (England and Wales) Regulations 2002’ were made (Statutory Instrument 1559). The regulations set out how the Government has implemented the regulatory and technical requirements of the Directive. [See National Context below]

National Context

- 2.4 The Government's **sustainable development strategy** emphasises that tackling waste is a key priority.² The overall strategy, being promoted with a national advertising campaign, asks the question 'Are You Doing Your Bit?' The Government has also set out a more specific vision of **sustainable waste management** in its national waste strategy 'Waste Strategy 2000' published in May 2000. The strategy relies on a number of key principles;
- The **Best Practicable Environmental Option**, supported by,
 - The **waste hierarchy**,
 - The **proximity principle**, and
 - **Self-sufficiency / regional self-sufficiency**
- 2.5 These principles, together with the importance of **integrated waste management**, underpin the Government's approach and formed the basis of the general principles that appeared in Staffordshire and Stoke-on-Trent's Draft Waste Planning Strategy, produced in 1999. [See Part 3]
- 2.6 National planning policy guidance is set out in a series of **planning policy guidance** notes (PPGs). PPG23 "Planning and Pollution Control" (1994) and PPG10 "Planning and Waste Management" (September 1999), provide advice on planning for waste management, and of particular relevance, the production of Waste Local Plans. PPG10, which has replaced parts of PPG23, advises that the planning system (and Waste Local Plans) have an important role to play in achieving sustainable waste management.
- 2.7 In response to the EU Landfill Directive, the Government published 'The Landfill (England and Wales) Regulations 2002' in June 2002. The regulations have introduced some key changes to current landfill practice, including:
- The separation of landfills into three types: hazardous, non-hazardous, and inert - this will end the current UK practice of co-disposing of hazardous and non-hazardous waste by 2004.
 - The requirement to treat most wastes before landfill.
 - Bans on the disposal of certain wastes going to landfill for disposal including liquid wastes, certain hazardous wastes, and tyres.
 - The introduction of waste acceptance criteria setting out the types of waste that can be accepted at each of the three types of landfill.
- 2.8 For their part, Staffordshire and Stoke-on-Trent, along with the 8 Staffordshire District Councils, are preparing an '**integrated municipal waste management strategy**' to consider the changes that will be required to reduce the amount of biodegradable municipal waste being landfilled and increase the amount of municipal waste being recycled or composted. [See Local Context – Waste Management below]

National Waste Statistics

- 2.9 Statistics on waste are improving. In November 2000 the Environment Agency published 10 regional Strategic Waste Management Assessments (SWMAs), but a national SWMA has yet to be produced. In the meantime, Waste Strategy 2000 indicates that more than 100 million tonnes of controlled waste is generated in England and Wales each year. This comprises about 28 million tonnes of municipal waste (currently estimated to be growing nationally at 3% per annum), 48 million tonnes of industrial waste (excluding construction and demolition

waste) and 30 million tonnes of commercial waste. The UK currently landfills 83% of municipal waste, 47% of the industrial waste (excluding construction and demolition waste) and 66% of the commercial waste. ³ [See Technical Appendix 1]

Regional Context

- 2.10 The West Midlands Region covers 13,000 square kilometres and has a population of just over 5 million people. The Region consists of 7 metropolitan councils, 4 shire councils and 3 unitary councils. [See Figure 1] Regional guidance on planning is set out in '**Regional Planning Guidance for the West Midlands Region**' (RPG11 – April 1998). RPG11 describes the characteristics of the West Midlands Region and the vision for development within the Region. RPG 11 also describes the significant flow of household and industrial waste from the metropolitan area to landfill sites in the shire counties. The guidance highlights the serious problem of dealing with the production of waste in terms of the cost, planning and pollution implications for the Region. ⁴ And, the guidance reiterates the importance of the waste hierarchy and the principle of **regional self-sufficiency** when considering waste disposal and treatment proposals. ⁵
- 2.11 Taking its lead from RPG11, the **Structure Plan** describes 'The Regional Context' as it applies to the Plan area. The Regional Context includes the development of 70,400 houses, to be built between 1991 and 2011, and provision for Premium Employment Sites and a possible Major Investment Site. Urban regeneration is also seen as a critical part of sustainability, making efficient use of land and other resources, including existing buildings, minimising green field development and tackling dereliction and decay. ⁶
- 2.12 The **West Midlands Regional Waste Planning Technical Group** has prepared a **Regional Waste Planning Strategy** that was published in draft form for public comment in November 2001. When finalised, the Regional Strategy will inform Regional Planning Guidance and be a material consideration when planning applications for waste development are determined. [See Part 4 - Policy 1 and paragraph 4.6]

Regional Waste Statistics

- 2.13 The Environment Agency published regional statistics on waste in November 2000. The Agency's SWMA estimated that the West Midlands Region generated about 16.5 million tonnes of controlled waste in 1998-9 (about 10% of the national waste arising). This figure comprised about 2.7 million tonnes of municipal waste (about 60% was landfilled) and 7.5 million tonnes of industrial and commercial waste (about 42% was landfilled) and about 6.3 million tonnes of construction and demolition waste. In total about 7.1 million tonnes of waste was landfilled in the Region (1.9 million tonnes, or 27% was landfilled in Staffordshire). ⁷

Figure 1: The West Midlands Region

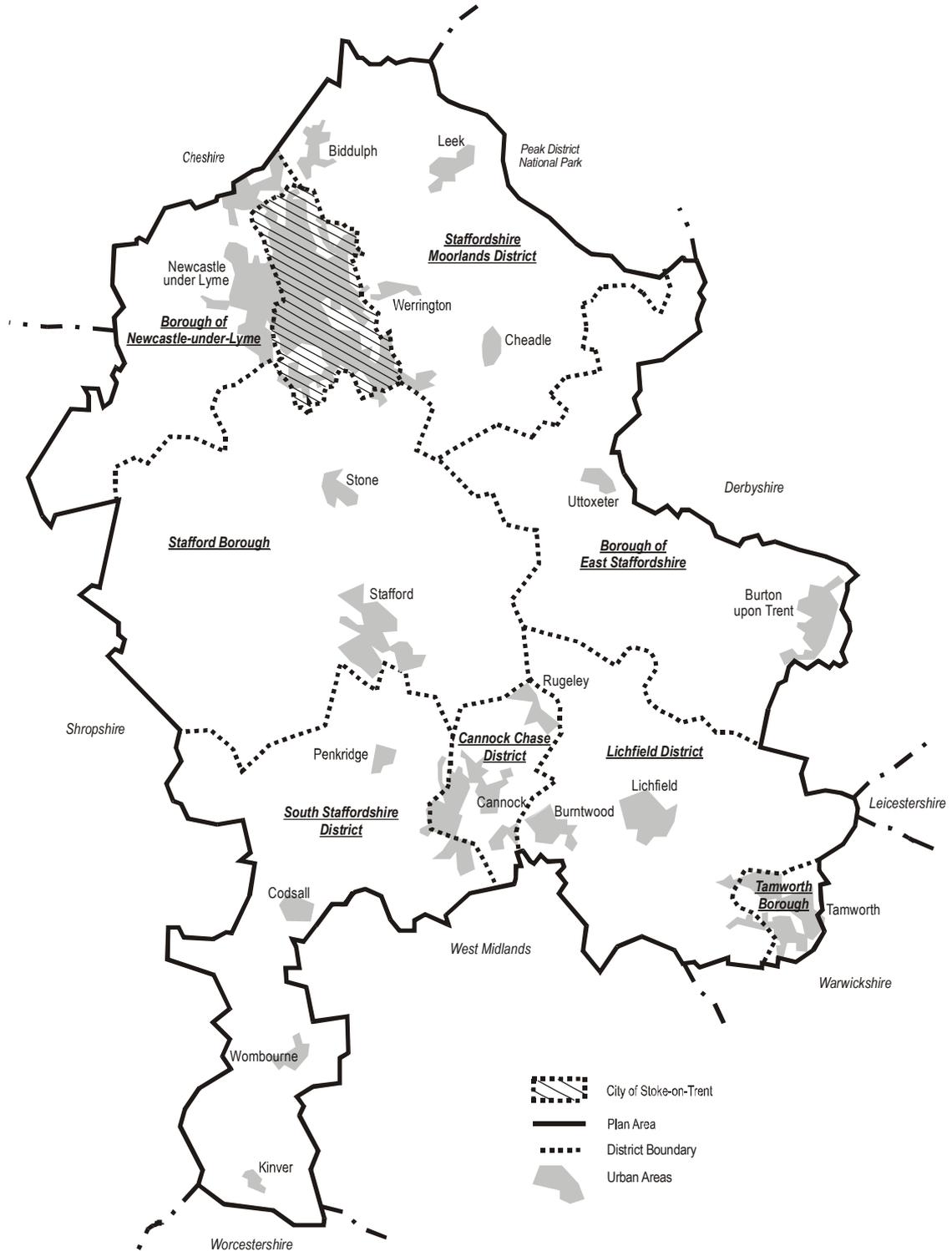


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Local Context

2.14 The Plan area covers the County of **Staffordshire** (which includes 8 Staffordshire Districts) and the City of Stoke-on-Trent, but excludes that part of the Peak District National Park which lies within Staffordshire [See Figure 2]. The Plan area contains a population of just over 1 million people within an area of 270,000 hectares. The distribution of the population by District has been included in Technical Appendix 1.

Figure 2: The Plan Area



- 2.15 The Structure Plan describes the local context for the Plan. [See 'Waste Planning' below] The description includes 'The Strategy' for the plan area and defines 3 sub-areas identified in RPG11, Stoke-on-Trent and North Staffordshire, Southern Staffordshire, and Eastern Staffordshire. For the purposes of the Plan, consideration is first given to the provision of waste management facilities within the plan area as a whole. But consideration is also given to local circumstances in accordance with the **proximity principle**. [See Part 4 - Policy 2 and the proximity principle]

Local Waste Statistics

- 2.16 Statistics on waste in Staffordshire and Stoke-on-Trent contained in the Environment Agency's (SWMA) indicate that about 3.4 million tonnes of controlled waste was generated in 1998-9. The waste mainly comprised 561,898 tonnes of municipal waste, 1,202,000 tonnes of industrial waste, and, 428,000 tonnes of commercial waste and 1,255,449 tonnes of construction and demolition waste.⁸
- 2.17 In 1995, 3,195,270 tonnes of waste was landfilled in Staffordshire and Stoke-on-Trent. This comprised of 2,354,333 tonnes of waste generated within the plan area, 533,693 tonnes of waste imported from other parts of the West Midlands Region (mainly from the West Midlands conurbation) and 307,244 tonnes of waste imported from outside the Region. Staffordshire and Stoke-on-Trent also exported 273,230 tonnes of waste to other parts of the Region (mainly to Warwickshire).⁹ Figures for exports to other regions were not available. Figures for 1997 indicate that 2,684,846 tonnes of waste was landfilled at 50 sites with licensed landfill capacity.¹⁰ The Agency's SWMA indicates that the amount of waste being landfilled in Staffordshire in 1998-9 had fallen still further to 1.9 million tonnes. [See 'Waste Management Facilities' below and Technical Appendices 1 and 2]

Council Mission Statements and Policy Objectives

- 2.18 Staffordshire County Council and Stoke-on-Trent City Council have adopted Mission Statements that are important in the context of preparing the Waste Local Plan.
- 2.19 Staffordshire County Council's Corporate 'Mission' or purpose is to:

"improve the quality of life for the people of Staffordshire both through the services for which we are responsible and through the influence we exercise as a major democratically elected body."

- 2.20 Staffordshire County Council's Development Services Department, which is responsible for the preparation of the Waste Local Plan, has a 'Mission' or purpose which is:

"to create opportunities for the people of Staffordshire to live, prosper, move and play in a safe, pleasant and sustainable environment."

- 2.21 To achieve the departmental Mission, the County Council exercises its statutory planning responsibilities by planning:

"to meet the needs of existing Staffordshire residents without compromising the needs of future residents."

2.22 Stoke-on-Trent City Council's Corporate Aims include a requirement to:

“improve the quality of life and equality of opportunity for all those who live and work in Stoke-on-Trent”;

“work closely with the community from the young to the old to identify needs, raise aspirations, promote higher standards of achievement for all and to create the environment, internally and in partnership with others, to meet those needs and aspirations”; and,

“secure the provision of high quality services as a modern, effective and well managed local authority.”

2.23 To achieve these corporate aims the City Council includes within its priorities:

“facilitating transport and environmental improvements throughout the City.”

2.24 The exercise of the City Council's land-use planning functions has an important role to play in controlling and directing development within the City. The Environment and Transport Department's 'Mission' is to:

“provide a planning service that regenerates, improves and protects the City”

Waste Planning

2.25 Waste planning policies are to be found in a series of documents that are collectively referred to as the **'development plan'**. The development plan includes the Structure Plan, Stoke-on-Trent's City Plan, the **Minerals Local Plan**, the Local Plans prepared by the 8 Staffordshire District Councils and the Waste Local Plan.

2.26 The **Structure Plan**, adopted in May 2001, contains strategic planning policies, including broad waste planning policies that the Waste Local Plan must conform with. It was prepared jointly by Staffordshire and Stoke-on-Trent.

2.27 The Structure Plan contains the following waste policies:

- sustainable waste management (Policy MW5);
- the evaluation of proposals (Policy MW6);
- the relationship to conservation and/or Development initiatives (Policy MW7);
- transportation of minerals and waste (Policy MW8); and,
- reclamation (Policy MW9).

2.28 As part of the preparation for the Waste Local Plan, Staffordshire and Stoke-on-Trent published a **Draft Waste Planning Strategy** for public comment in the spring of 1999. The draft strategy explained the approach that would be taken toward the preparation of the Plan and the principles that would underpin the policies to be incorporated in the Plan. Following consideration of the comments made, the Councils approved the Waste Planning Strategy in the autumn of 1999. The Waste Planning Strategy has been incorporated into the Waste Local Plan. [See Part 3]

Waste Management

- 2.29 Waste management in Staffordshire and Stoke-on-Trent is strongly influenced by the Stoke-on-Trent and Newcastle under Lyme conurbation in the north and in the southern and eastern part of the Plan area, by the towns of Codsall, Wombourne, Cannock, Stafford, Lichfield, Tamworth, Burton upon Trent and Uttoxeter. But the West Midlands conurbation also has a strong influence on the southern part of the Plan area, particularly the Metropolitan Districts of Dudley, Wolverhampton, Walsall and Birmingham. Waste is also transported between north Staffordshire and Cheshire, and between Burton upon Trent and Tamworth and Derbyshire, Leicestershire and Warwickshire. However it is important to realise that the movement of waste is largely determined by commercial considerations, not by WPAs, the Environment Agency or the Government. [See 'Regional Context' above and Technical Appendix 1 for more details about the movement of waste between the Plan area and adjoining areas.]
- 2.30 Staffordshire County Council's Draft Waste Management Plan, dated March 1996, provides detailed information about the pattern of waste management in the Plan area. There was a requirement to take account of the Waste Management Plan when formulating the Waste Local Plan until the national waste strategy was finalised. The Government published Waste Strategy 2000 in May 2000 [See Waste Management Plan below]. The SWMA provides more up to date information about the patterns of waste arisings and waste management in the Region, but not specifically to district level within Staffordshire. [Technical Appendices 1 and 2 provide updated information where possible]

The Staffordshire Draft Waste Management Plan, March 1996

- 2.31 Account has been taken during the preparation of this Plan of the Staffordshire Draft **Waste Management Plan**, March 1996 and this is stated in the reasoned justification at the beginning of Part 4. More specifically the Waste Local Plan has incorporated the Draft Waste Management Plan's waste management strategy, namely to support:
- sustainable development
 - an integrated waste strategy,
 - the Best Practicable Environmental Option,
 - the precautionary principle,
 - the waste hierarchy,
 - regional self-sufficiency, and,
 - the proximity principle
- 2.32 The Draft Waste Management Plan also recognised that a holistic approach is needed which acknowledges that all waste management options have a role to play.
- 2.33 The 1996 Draft Waste Management Plan concluded as follows.
- i) For the Household Waste Stream:
- The waste to energy plant in Stoke-on-Trent would serve north Staffordshire.
 - Landfill sites at Cannock, Himley, Wilnecote and Marchington would serve southern and eastern Staffordshire.
 - The closure of the Marchington site would provide an opportunity to develop a **Materials Reclamation Facility** (MRF) in East Staffordshire.
 - Green waste composting is carried out at a number of sites in the south and one site in the north of the County.

- It would be important to develop an integrated approach with some form of pre-sorting either prior to or during collection and some central sorting coupled with materials recycling. This is particularly true in the southern and eastern Staffordshire where there is a heavy reliance on landfill.
 - Bring systems, collect systems and centralised segregation will have to be developed in partnership between the WDAs, WCAs and the private sector.
- ii) For the Industrial and Commercial Waste Stream:
- The first priority for the industrial and commercial sector is to minimise the quantity of waste arising and secondly to re-use as much waste as possible at the point of production.
 - About 30% of the waste is recycled but there is considerable scope for improvement.
 - Any increase however would require an expansion of recovery and recycling facilities.
 - Where the waste is similar to household waste there may be opportunities to work in partnership with the WDAs and WCAs.
 - A large amount of the waste is construction and demolition waste that could be recycled as secondary aggregate or soil substitutes.

2.34 The Draft Waste Management Plan made a simple statement that that “sustainable waste management costs money”. The Government acknowledged this in its draft waste strategy where it stated that “the move to more integrated, sustainable waste management could incur costs to local authorities” and is considering options to make more resources available to them as part of the Spending Review 2000. There may be instances where savings can be made, but overall sustainable waste management will mean higher standards and this will require investment in waste minimisation and new waste management facilities.

Integrated Municipal Waste Management Strategies for Staffordshire and Stoke-on-Trent, 2000 to 2015

2.35 Staffordshire and Stoke-on-Trent, in their role as Waste Disposal Authorities, along with the 8 Staffordshire Waste Collection Authorities are jointly preparing an ***‘integrated municipal waste management strategy’*** for the period 2002 to 2020 titled ‘2020 Vision: Zero Waste to Landfill’. A draft strategy is due to be published for public comment in 2003. The Waste Local Plan provides the planning policy framework for the waste management strategy.

2.36 It is anticipated that the waste management strategy will address the following:

- The requirement to achieve more sustainable waste management practices by adopting a series of policies and targets.
- The requirement to reduce the amount of biodegradable municipal waste landfilled and meet recycling targets by considering a number of possible waste management options available to the WDAs and the WCAs, either on their own or in partnership with other public or private organisations.
- The need to overcome the heavy reliance on landfill in the south of the County.
- The need to find alternative waste management facilities to replace the Marchington Landfill, near Uttoxeter, which is due to close in 2004.
- The need to find a temporary or permanent replacement facility for the Wilnecote Landfill, near Tamworth, which is programmed to suspend landfilling for a time during the Plan period. [See paragraph 2.43 below]
- The requirement under the Best Value process to review the provision of household waste recycling centres. [The County Council has set itself a target to increase recovery activities at household waste recycling centres by 5% by March 2001].

Waste Management Facilities

- 2.37 Technical Appendix 2 contains details of the waste management facilities in the plan area at January 2001. Technical Appendix 1 contains aggregated landfill capacity figures derived from confidential landfill surveys and other related information, including the Environment Agency's SWMA figures, to October 2002. In summary, Technical Appendix 2 lists almost 100 licensed and unlicensed **landfill sites** and about 170 licensed and unlicensed **waste treatment facilities** in the plan area, at January 2001. At the beginning of the plan period (1998), the landfill sites had a total void capacity of 54.3 million cubic metres (of which 30 million cubic metres was permitted and licensed and 24 million cubic metres was permitted but currently unlicensed). The waste treatment facilities had a total capacity to treat about 3.5 million tonnes of waste per annum. The SWMA refers to licensed waste treatment capacity of 237,000 tonnes, transfer capacity of 1,933,000 tonnes and incineration capacity of 260,000 tonnes in 1998-9. However the new figure may not be directly comparable. The Councils' landfill and waste treatment capacity figures have not so far been updated.
- 2.38 About 3.2 million tonnes of waste was disposed of to licensed landfill sites in the plan area in 1995, this fell to just under 2.7 million tonnes in 1997, and fell still further to 1.9 million tonnes in 1998-9 (a 40% overall reduction). Landfill nevertheless remains a significant method of waste management and is therefore an important consideration for the Waste Local Plan. For this reason Staffordshire and Stoke-on-Trent conduct a confidential **annual landfill survey** to monitor **landfill capacity**.
- 2.39 Staffordshire County Council's 'Draft Waste Management Plan', having assessed the range of waste management facilities and the size and nature of the waste arisings, concluded that "there (was) a significant potential for minimisation, re-use, recycling and energy recovery from waste produced in Staffordshire which (was) not ...being utilised". The Management Plan anticipated that changes in legislation would "undoubtedly lead to a greater realisation of these potentials leading to a reduction in the quantity of waste going to landfill." The legislation referred to should begin to have an effect during the plan period.

Northern Staffordshire

- 2.40 Since 1998, 90% of northern Staffordshire's household waste has been taken to a modernised waste to energy plant at Hanford, Stoke-on-Trent with the remaining 10% taken directly to the Meece Landfill, near Swynnerton, to the west of Stone. The waste to energy plant, which is operating near its capacity, serves Stoke-on-Trent, Newcastle under Lyme, Staffordshire Moorlands and part of Stafford Borough. It has the capacity to incinerate about 200,000 tonnes of waste per annum with the residual **furnace bottom ash** (about 60,000 tonnes per annum) being disposed of to the Meece Landfill site. The contract to deliver northern Staffordshire's household waste to the plant runs until 2020 and, at the current rate of infilling, the Meece site is expected to close in 2013. Alternative uses for the ash are being examined, including a use as a replacement for primary aggregate. There are currently 2 household waste recycling centres in northern Staffordshire and 3 in Stoke-on-Trent and 3 green waste composting facilities. A waste transfer station at Leek bulks up the waste collected in the Staffordshire Moorlands, before it is transported to the Hanford plant. The Leek contract expires in 2008. There is also planning permission to develop a similar waste transfer station at the St. Albans Road Household Waste Recycling Centre in Stafford, should the need arise. [Technical Appendix 2 lists the facilities, at January 2001]
- 2.41 Northern Staffordshire's industrial and commercial waste, which is primarily derived from the ceramics industry, is generally managed in-house by recycling or it is disposed of at private landfill sites. There are also two large landfills with planning permission to deposit industrial and commercial waste, Fenton Manor in Stoke-on-Trent and Walley's Quarry in Newcastle

under Lyme. Fenton Manor is licensed but is not currently operational and Walley's Quarry is only receiving inert waste under a current licence.

Southern and eastern Staffordshire

- 2.42 In the southern and eastern part of the Plan area, the Poplars Landfill near Cannock is the principal waste disposal facility for municipal and commercial waste. The Poplars Landfill has the capacity to take waste until about 2020, at the current rate of infilling. The site also utilises the landfill gas to produce electricity that is fed into the national grid; green and kitchen waste is composted; and, there is a household waste recycling centre.
- 2.43 There are also municipal waste disposal facilities at Wyrley Grove, near Cannock, Marchington, near Uttoxeter, Wilnecote, near Tamworth and Himley, near Wombourne. Marchington is due to close in 2004 and waste disposal at Wilnecote may be temporarily suspended between phases 4 to 6 to allow mineral extraction to advance sufficiently to create a new landfill void. The mineral extraction company and the landfill company operating the Wilnecote site are currently considering alternative working arrangements that may reduce or remove the need to temporarily suspend the landfill operations. In any event there are alternative waste management facilities in close proximity in Leicestershire and Warwickshire that could bridge the gap, should the need arise. Landfilling at Himley is expected to cease in 2002/3, but there are alternative waste management facilities nearby in Dudley and Wolverhampton. There are currently 9 household waste recycling centres and composting has been permitted at 5 sites in southern and eastern Staffordshire. [Technical Appendix 2 lists the sites at January 2001.]
- 2.44 Southern and eastern Staffordshire's industrial and commercial waste is primarily disposed of at the major landfill sites at Wilnecote, near Tamworth, at Poplars and Wyrley Grove, near Cannock, or in Warwickshire. Waste is also recovered by a wide range of waste treatment facilities, particularly in the Cannock area.

Projected Waste Arisings and Landfill Capacity

- 2.45 Projections have been made to see whether there will be sufficient **landfill capacity** within the Plan area during the period to 2011. The projections make an allowance for the amount of waste that is likely to be generated and how much of that waste is likely to require final disposal to landfill. However it is important to appreciate that projections of waste generation and landfilling over such a long period of time are fraught with difficulties. Changes to European and national legislation referred to above, will have a major influence on the way waste is managed in the future. For this reason three scenarios have been considered.
- 2.46 The three scenarios are as follows.
- a) **Scenario 1 "the worst case"**
Scenario 1 assumes that there will be a continuation of the current level of waste generation and waste management (as indicated in the SWMA for 1998-9, published in November 2000). This scenario also assumes that there will be no further improvement in the rate of recycling and recovery, and no further reduction in the amount of waste being landfilled.
 - b) **Scenario 2 "the middle case"**
"Scenario 2 assumes that waste recycling and recovery achieves the national targets set in the Government's national waste strategy 'Waste Strategy 2000'. For municipal waste the target is 40% recovery by 2005, rising to 45% by 2010 and 67% by 2015.

By 2005, 25% of household waste should be recycled or composted, rising to 30% by 2010 and 33% by 2015.

For industrial and commercial waste the target is to reduce landfill to 85% of the 1998 levels by 2005.

c) **Scenario 3 “the best case”**

Scenario 3 assumes that there will be an overall 5% improvement in waste recycling and recovery each year.

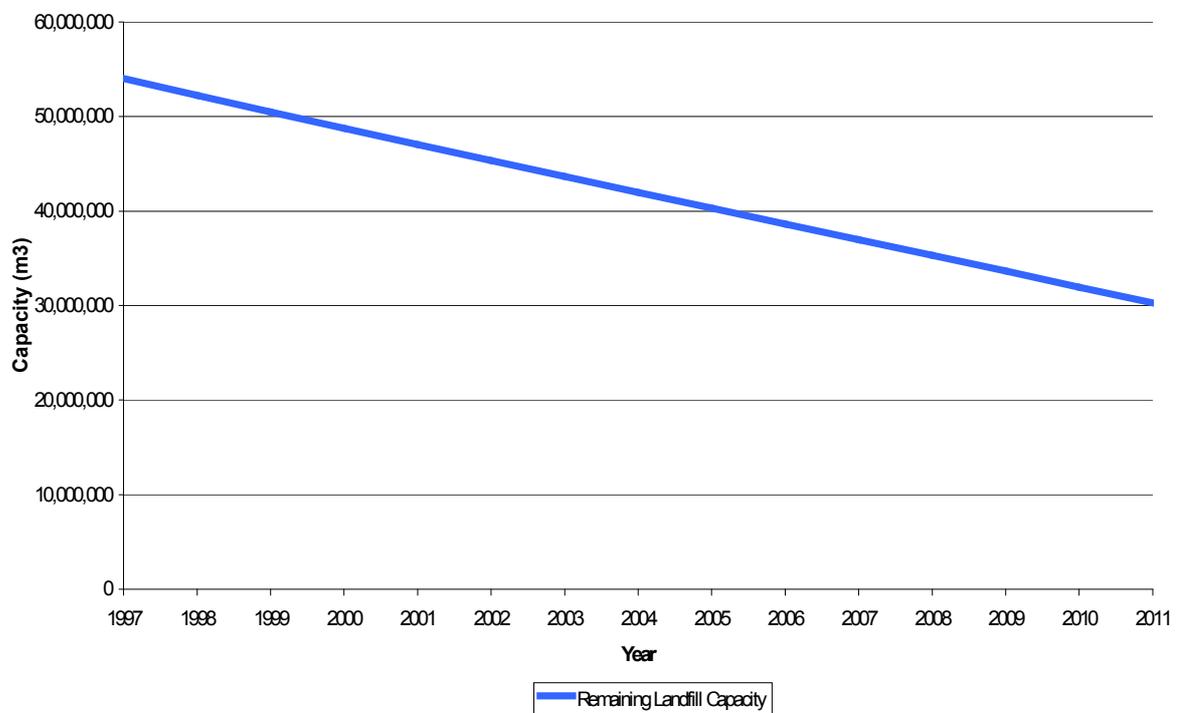
- 2.47 The methodology used to project the waste arisings and the amount of waste to be disposed of to landfill is based on guidance in Table 1 of PPG10. Technical Appendix 1 provides a clear explanation of the methodology and information used as the basis for the projections.
- 2.48 For the purposes of the Waste Planning Strategy and the Waste Local Plan, Scenario 2 has been adopted to determine the need to allocate additional landfill capacity.
- 2.49 In overall terms, there was about 54 million cubic metres of permitted landfill capacity in the Plan area at the start of the Plan period. Figure 3 below indicates how the landfill capacity will reduce over the Plan period, assuming no new capacity is permitted.
- 2.50 The projections and landfill capacity figures for inert, municipal, industrial and commercial, and special waste landfill sites are set out in Technical Appendix 1. Technical Appendix 2 lists the sites permitted and licensed to landfill waste, at January 2001. The landfill capacity figures have not so far been updated since the 1998 Landfill Survey. Briefly the implications of the projections can be summarised as follows.

At the beginning of the Plan period (January 1998): There were 39 sites with planning permission solely to receive inert waste, with about 22 million cubic metres of landfill capacity. The Scenario 2 waste projections indicate that about 20 million tonnes of inert waste will be generated during the plan period and about 9.6 million tonnes will require landfilling, primarily to restore mineral sites. Inert waste can be landfilled in inert sites and non-inert waste sites (including municipal and industrial and commercial waste sites) and also at sites not requiring planning permission and exempt from waste licensing. [Technical Appendix 2 listed 51 sites permitted to deposit only inert waste, at January 2001.]

- b) There were 11 sites with planning permission to receive municipal waste (including sites permitted to receive non-inert waste and the permission does not specifically exclude municipal waste), with about 25 million cubic metres of permitted landfill capacity. The Scenario 2 waste projections indicate that about 9 million tonnes of municipal waste will be generated during the plan period and about 6.8 million tonnes will require landfilling. [Technical Appendix 2 listed 15 sites permitted to deposit non-inert waste and were the planning permission does not specifically exclude the deposit of municipal / household waste, at January 2001.]
- c) There were 38 sites with planning permission and / or a licence to receive industrial and commercial waste, with about 32 million cubic metres of landfill capacity. The Scenario 2 waste projections indicate that about 22.8 million tonnes of industrial and commercial waste will be generated during the Plan period and about 9 million tonnes will require landfilling. [Technical Appendix 2 listed 41 sites permitted or licensed to deposit non-inert waste and were the planning permission does not specifically exclude the deposit of industrial and commercial waste, at January 2001.]

- d) There were 11 sites with planning permission or a licence to receive a range of waste including special waste, with about 25 million cubic metres of landfill capacity. The Scenario 2 waste projections indicate that about 1.1 million tonnes of special waste will be generated during the Plan period and about 670,000 tonnes will require landfilling. [Technical Appendix 2 listed 16 sites permitted to deposit non-inert waste and were the planning permission does not specifically exclude the deposit of special / hazardous wastes, at January 2001.]

Figure 3: Remaining Landfill Capacity (Scenario 2)



Summary and Conclusions

2.51 In summary, there are a number of key issues that establish the context for the Plan principles and policies that follow in Parts 3, 4 and 5.

- a) European and national policy is driving toward more sustainable waste management.
- b) **Sustainable waste management** means waste reduction, and where waste is produced it means putting waste to good use by increasing re-use, recycling, composting, energy recovery, reducing our reliance on landfill, and managing waste in more integrated ways, where this represents the **Best Practicable Environmental Option**.
- c) The European Union's Landfill Directive requires that all landfilled waste will have to be pre-treated and has set targets to reduce the amount of biodegradable waste that is landfilled in order to cut methane emissions. The EU targets are that biodegradable municipal waste being landfilled should be reduced to:
 - 75% of the 1995 levels by 2006
 - 50% by 2009 and
 - 35% by 2016

For the UK, these dates have been extended by 4 years, i.e. to 2010, 2013 and 2020. The Government has published Waste Strategy 2000 and taken various steps, including the publication of the Landfill Regulations, in an effort to achieve these targets. [See paragraphs 2.3 to 2.7].

- d) There is a national policy to encourage regional self-sufficiency in the management of waste. A West Midlands Regional Waste Planning Strategy is being prepared. Staffordshire and Stoke-on-Trent are willing to support the principle of regional self-sufficiency provided that there are no unacceptable adverse impacts [See Part 3 Waste Planning Strategy]
- e) The West Midlands Region generates about 16.5 million tonnes of controlled waste, comprising about 2.7 million tonnes of municipal waste, 7.5 million tonnes of industrial and commercial waste, and 6.3 million tonnes of construction and demolition waste. About 7.1 million tonnes of waste was landfilled in the Region (27% in the plan area).
- f) Within the Plan area, 4.5 million tonnes of controlled waste was generated in 1994-5, comprising of 464,900 tonnes of municipal waste, 2.72 million tonnes of commercial and industrial waste, and 1.29 million tonnes of construction and demolition waste. In 1995 about 3.2 million tonnes of waste was landfilled and this figure fell to 2.7 million tonnes in 1997. In 1998-9, 3.4 million tonnes of controlled waste was generated in the plan area, comprising 561,898 tonnes of municipal waste, 1,630,000 tonnes of industrial and commercial waste, and 1,255,449 tonnes of construction and demolition waste. The amount of waste landfilled in the plan area fell to 1.9 million tonnes in 1998-9 (a 40% reduction since 1995).

At the beginning of the Plan period (January 1998):

- g) There were about 50 sites containing about 30 million cubic metres of licensed landfill capacity (28.6 million cubic metres in 1998-9). There were also 32 sites with planning permission to deposit waste containing about 24 million cubic metres of unlicensed landfill capacity, including 8 licensed sites with additional unlicensed landfill capacity. [Technical Appendix 2 listed a total of 96 landfill sites, at January 2001. Landfill capacity figures have not so far been updated since the 1998 Landfill Survey.]

- h) The waste projections in Technical Appendix 1 and the 1998 Landfill Survey indicated that:
- i. About 9.6 million tonnes of inert waste will require landfilling during the plan period and there was about 22 million cubic metres of landfill capacity permitted solely for inert waste, in 39 sites. [Technical Appendix 2 listed 51 sites permitted to deposit only inert waste, at January 2001.]
 - ii. About 6.8 million tonnes of municipal waste will require landfilling during the plan period and there was about 25 million cubic metres of permitted landfill capacity for municipal waste, in 11 sites. [Technical Appendix 2 listed 15 sites permitted to deposit non-inert waste and were the planning permission does not specifically exclude the deposit of municipal / household waste, at January 2001.]
 - iii. About 9 million tonnes of industrial and commercial waste will require landfilling during the plan period and there was about 32 million cubic metres of landfill capacity permitted or licensed to receive industrial and commercial waste, in 38 sites. [Technical Appendix 2 listed 41 sites permitted or licensed to deposit non-inert waste and were the planning permission does not specifically exclude the deposit of industrial and commercial waste, at January 2001.]
 - iv. About 675,000 tonnes of special waste will require landfilling during the plan period and there were 11 sites with planning permission or a licence to receive a range of wastes, including special waste, with about 25 million cubic metres of landfill capacity. [Technical Appendix 2 listed 16 sites permitted to deposit non-inert waste and were the planning permission does not specifically exclude the deposit of special / hazardous wastes, at January 2001.]
- i) There were about 120 licensed waste treatment facilities within the Plan area, with a capacity to manage about 3.5 million tonnes of waste per annum. The SWMA refers to licensed waste transfer and treatment capacity of 2.2 million tonnes in 1998-9. However the new figure may not be directly comparable. [Technical Appendix 2 (January 2001) listed about 170 licensed and unlicensed waste treatment facilities. The Councils' figures for the total capacity of the waste treatment facilities have not so far been updated.]
- j) The WDAs and the WCAs are preparing a joint integrated municipal waste management strategy. In broad terms, the strategy would address about 20% of the waste generated in the plan area.

2.52 It is therefore reasonable to conclude as follows.

- a) In overall terms, **there is sufficient permitted landfill capacity in the Plan area** to dispose of waste arising in Staffordshire and Stoke-on-Trent and a share of the waste from the West Midlands conurbation during the Plan period.
- b) **The existing pattern of waste management will have to change** in response to European, national, regional and local initiatives to achieve more sustainable methods of waste management.
- c) **Efforts to drive waste management up the waste hierarchy** and away from landfill and the required reduction in the amount of biodegradable municipal waste disposed of to landfill, **will extend the life of the existing permitted landfill capacity.**
- d) **New waste treatment facilities will be required, particularly in southern and eastern Staffordshire** where there is currently a heavy reliance on landfill.

Reference or Note:

1. EC Directive 75/442/EEC dated 15 July 1975 known as “the Waste Framework Directive” as amended by Council Directive 91/156/EEC dated 26 March 1991.
2. ‘A better quality of life – A strategy for sustainable development for the United Kingdom’, DETR dated 17 May 1999
3. Waste Strategy 2000 for England and Wales– Part One’, paragraphs 1.1 to 1.4, DETR dated September 2000
4. ‘Regional Planning Guidance for the West Midlands Region (RPG11)’, paragraph 13.13, DETR dated April 1998
5. RPG11, paragraph 13.14
6. See the adopted Structure Plan, paragraphs 3.4 and 3.5, dated May 2001; and the Waste Local Plan Policies 6 and 7.
7. See the Environment Agency’s ‘Strategic Waste Management Assessment 2000: West Midlands’ (SWMA), published in November 2000, which provides more details about the amount and the movement of waste landfilled within the West Midlands Region.
8. See the Environment Agency’s SWMA
9. See the Environment Agency’s SWMA
10. The Staffordshire and Stoke-on-Trent Landfill Survey 1998. See Technical Appendix 1 for summary results of the survey and Technical Appendix 2 for a list of the waste management facilities in the plan area, at January 2001.

PART **3**

WASTE PLANNING STRATEGY

This part describes

- the Waste Planning Strategy that underpins the policies and approach to the Plan; and,
- the strategy principles that have been translated into policies in Parts 4 and 5.

Words appearing in ***bold italics*** are explained in the Glossary.

Reference to 'Staffordshire and Stoke-on-Trent' should be taken to mean Staffordshire County Council and Stoke-on-Trent City Council.

Staffordshire and Stoke-on-Trent's Waste Planning Strategy

3.1 As a forerunner to the Waste Local Plan, a ***Draft Waste Planning Strategy*** was published for public comments early in 1999. The Draft Strategy set out a series of general and specific principles that were developed in the context of the European, national, regional and local strategies and policy guidance described in Part 2 earlier. In the autumn of 1999, the two Councils, having considered the comments made, approved the Waste Planning Strategy as the basis for the preparation of the Waste Local Plan. The Strategy has therefore been incorporated here, subject to a number of minor textual changes to take account of recent guidance.

General Principles

3.2 In response to European directives, national, regional and local policy guidance and strategies, including the adopted Structure Plan....

Staffordshire and Stoke-on-Trent will support the following general principles:

- **proposals which will not endanger human health or harm the environment in accordance with the precautionary principle;**
- **waste minimisation initiatives;**
- **integrated waste management proposals; and,**
- **proposals that will reduce the overall amount of waste being landfilled.**

3.3 These principles will be achieved by, for example:

- establishing detailed policies to protect people, transportation systems and the environment from any unacceptable adverse impacts; [See Part 4 and Part 5]
- drawing attention to the implications of waste generation and the importance of minimisation; [See Part 4 – Policy 6]
- permitting the development of integrated waste management facilities; [See Part 4 – Policy 2 and Part 5 – Policy 12] and,
- permitting proposals that help to reduce the amount of waste being landfilled. [See Part 4 – Policy 2 and Part 5 – Policy 12]

3.4 Also in response to the national policy guidance....

Staffordshire and Stoke-on-Trent will also support the following general principles:

- **the ‘Best Practicable Environmental Option’ (BPEO);**
- **the proximity principle;**
- **the waste hierarchy; and,**
- **self-sufficiency / regional self-sufficiency.**

3.5 These principles will be achieved by, for example:

- considering whether proposals represent the best overall balance between the benefits and impacts, both in principle and for the specific site in question. [See Part 4 – Policy 2 and Part 5 – Policies 8 to 16]
- permitting development that will manage waste as close as practicable to the point where it is generated; [See Part 4 – Policy 2]
- permitting proposals that help to reduce the amount of waste being generated, or help to re-use or recover value from waste. In some cases, however, disposal may remain the BPEO. [See Part 5 – Policies 8 and 10]
- ensuring that there is adequate provision of waste management facilities to meet an appropriate share of the regional requirement, having regard to Staffordshire and Stoke-on-Trent’s ability to absorb further waste development without unacceptable adverse impacts upon people, transportation systems or the environment. [See Part 4 – Policies 1 and 2]

Specific Principles

3.6 In the Plan area, there is sufficient **permitted landfill capacity** to dispose of the waste arising in Staffordshire and Stoke-on-Trent and a share of the waste from the West Midlands conurbation during the Plan period. Currently, there is also sufficient provision of **waste treatment facilities**. But, it is anticipated that the pattern of waste management will change in response to initiatives to move waste up the waste hierarchy and away from landfill as explained in Part 2. Hence the Waste Local Plan has been prepared on the basis of the following specific principles.

Staffordshire and Stoke-on-Trent will:

- **plan for self-sufficiency in the management of waste generated in the Plan area and an appropriate share of the regional requirement;**
- **propose no new waste disposal sites in the Waste Local Plan;**
- **permit new waste treatment facilities where they accord with the principles and policies in the development plan;**

- 3.7 These principles will be achieved by ensuring that the Waste Local Plan will for example:
- continue to make provision for waste management facilities to deal with the waste generated within the Plan area (and an appropriate share of the regional requirement) in accordance with the proximity principle and the principle of regional self-sufficiency; [See Part 4 – Policies 1 and 2]
 - make no provision for additional **waste disposal sites / landfill sites**, as there is already adequate landfill capacity. Waste planning policy is directing waste management up the waste hierarchy and away from landfill, and the development of new waste treatment facilities will extend the life of the existing permitted landfill capacity. Therefore there is no need to identify new landfill sites in the WLP. [See Part 4 – Policy 2 and Part 5 – Policies 12 to 15]
 - favour the development of new or improved **waste treatment facilities** provided that they accord with the principles and policies in the Waste Local Plan or contribute toward the overall implementation of the development plan. [See Part 4 – Policy 2 and Part 5 – Policies 12 to 15]

- 3.8 To respond to the changing pattern of waste management...

Staffordshire and Stoke-on-Trent will also:

- **provide detailed policies to assist in the determination of individual planning applications for waste management facilities**
 - **provide guidance to encourage developers to comply with best practices which minimise adverse impacts and maximise environmental benefits**
 - **encourage developers and local planning authorities to consider the waste implications of all types of major new development proposals**
 - **monitor the provision of waste management facilities**
- 3.9 These principles will be achieved by ensuring that the Waste Local Plan includes for example:
- policies to protect people, transportation systems and the environment; [See Part 4 – Policy 3]
 - policies and an accompanying **Code of Practice** to encourage developers to adopt best practices; and, [See Part 4 – Policy 1]
 - policies to draw the attention of developers and local planning authorities to the importance of considering the waste implications of all types of major new development proposals. [See Part 4 – Policies 6 and 7]
- 3.10 To ensure that the Plan remains up to date, and to determine what progress is being made toward more sustainable waste management, the WPAs will monitor changes to waste planning policy. The WPAs will also monitor changes to the provision of waste management facilities in the Plan area and nearby and, changes in the amount of waste being treated or landfilled. The monitoring of facilities will be carried out on an annual or biannual basis in conjunction with the Environment Agency where appropriate.
- 3.11 Progress toward more sustainable waste management will very much depend on applicants proposing the right type of development in the right place. Technical Appendices 1 and 2 provide the basic information needed to begin the monitoring process, but effective monitoring will require the co-operation of waste operators.

3.12 Staffordshire and Stoke-on-Trent, in conjunction with the Environment Agency, where appropriate, intend to monitor the following:

Waste Management Facilities (Landfill Sites or Waste Treatment Facilities)

- The number of permitted waste management facilities in the Plan area or nearby and the number of new facilities that have been permitted in the year
- The type of waste that the sites are permitted and licensed to receive
- The operational status and capacity of the permitted sites (licensed and unlicensed capacity)

The Waste Hierarchy – the amount of waste, the type of waste and the method by which the waste has been managed in the year

- The amount of waste that has been re-used, by what method and where
- The amount of waste that has been recycled, by what method and where
- The amount of waste that has been composted, and where
- The amount of energy that has been recovered from waste, by what method and where
- The amount of waste that has been landfilled and where

- Collecting documentary evidence, if any, to show that operators have adopted or have changed their method of operations to follow best practice advice

- Evidence to show what consideration, if any, has been given to the waste implications of other types of development – for example consultations with the Districts

- The number of ‘integrated waste management facilities’ in the Plan area or nearby and the number of new facilities that have been permitted in the year (for example MRFs and composting facilities on a landfill site, or secondary aggregate recycling facilities at mineral sites or other places where primary aggregate is used such as highways depots or construction sites) and how many are operational

- The amount of waste that was imported from other parts of the Region and the amount of waste that was exported to other parts of the Region or elsewhere.

PART **4**

GENERAL POLICIES

This part

- describes the general policies to be taken into account when determining planning applications for the development of waste management facilities

Part 4, together with Part 5 represent the written statement of policies.

The policies are contained in a box and in bold type, followed by the reasoned justification or supporting information. Words appearing in the reasoned justification in ***bold italics*** are explained in the Glossary.

Reference to 'Staffordshire and Stoke-on-Trent' should be taken to mean Staffordshire County Council and Stoke-on-Trent City Council.

4.1 Account has been taken during the preparation of this Plan of the following documents:

- Staffordshire Draft Waste Management Plan, March 1996
- Staffordshire Structure Plan 1986 – 2001, adopted April 1991
- Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011, Deposit Draft October 1998, the subsequent Panel Report dated December 1999; the modifications dated August 2000; adopted May 2001
- Staffordshire and Stoke-on-Trent Minerals Local Plan 1994 – 2006, adopted December 1999
- Regional Planning Guidance for the West Midlands (RPG11), April 1998
- The Environment Agency's 'Strategic Waste Management Assessment 2000: West Midlands' (November 2000)
- National Planning Policy Guidance (PPGs), specifically PPG10 and those parts of PPG23 not replaced by PPG10, and Minerals Planning Guidance (MPGs), specifically MPG7
- 'A way with waste' – the Government's draft waste strategy (September 1999)
- 'Waste Strategy 2000 for England and Wales' (May 2000)
- European policy guidance – (including the Framework Directive on Waste, as amended, and the Landfill Directive (agreed April 1999))

4.2 To review the implementation and effectiveness of the Plan, Staffordshire and Stoke-on-Trent will monitor the changes to waste planning policy and changes to the way waste is being managed in the Plan area. This will help the WPAs to determine the need to update the Plan and to assess what progress is being made toward more sustainable waste management. [See Part 3, paragraphs 3.10 to 3.12.]

~~Policy 1: General Considerations~~ 

~~Planning permission for the development of waste management facilities will be granted where the proposed development accords with the development plan, except where material considerations indicate otherwise.~~

~~Material considerations are likely to include:~~

- ~~i) European Directives, national, regional and local policy guidance or strategies;~~
- ~~ii) the impact upon people, transportation systems or the environment;~~
- ~~iii) the need for the development where need is an issue;~~
- ~~iv) material representations from interested parties; and,~~
- ~~v) the supplementary planning guidance 'A Code of Practice for Waste Developers'.~~

- 4.3 Applicants should demonstrate in their planning applications, supporting statements and/or environmental statements that they have had regard to the general considerations in Policy 1. [See Code of Practice referred to below, for further advice.]

The development plan and material considerations

- 4.4 Government guidance states that “Where an adopted or approved **development plan** contains relevant policies, section 54A requires that an application for planning permission or an appeal shall be determined in accordance with the plan, unless material considerations indicate otherwise”. Conversely, applications that are not in accordance with relevant policies in the plan should not be allowed unless material considerations indicate otherwise. ¹
- 4.5 Government guidance also states that planning decisions on proposals to build on land, or change its use, should be considered against clearly set out criteria. ² The policies in Part 4 and Part 5 of the Plan, provide the criteria against which applications for the development of waste management facilities, development with significant waste implications, or development in the vicinity of waste management facilities, will be considered.
- 4.6 Planning decisions must take account of relevant policies or guidance, including that contained in or accompanying:
- The Structure Plan
 - The Minerals Local Plan
 - Stoke-on-Trent’s City Plan or any of the 8 Staffordshire District Local Plans
 - Regional Planning Guidance (RPG11)
 - The Regional Waste Planning Strategy
 - National planning guidance (PPGs and MPGs,)
 - The national waste strategy; and,
 - European Directives
- 4.7 According to government guidance a ‘material consideration’ can in principle include “...any consideration which relates to the use and development of land is capable of being a planning consideration” but the relevance can only be determined on a case by case basis. ³ PPG23 gives specific guidance with respect to waste. ⁴ As a result of case law material considerations are required to be genuine planning considerations and must fairly and reasonably relate to the application concerned. Case law continues to clarify what may be regarded as a material consideration.

- 4.8 Material considerations can include positive and negative implications of the proposed development. Positive implications may include, for example, assistance with the clearance of derelict land; proposals that help to integrate waste management and cut down the number of vehicle movements; or, proposals that help to reduce the amount of waste being deposited at landfill sites. Negative implications on the other hand may include the cumulative impact of the proposals; concerns about health or environmental effects; or, the fact that no particular need for the development has been demonstrated which overrides the negative impacts. In determining planning applications the balance between the positive and negative implications of the development has to be weighed in order to reach a decision that represents the Best Practicable Environmental Option. [See Policy 2]

The impact on people, transportation systems and the environment

- 4.9 It is important to ensure that the proposed facilities are located, designed and operated insofar as is practicable, so that they will have the least adverse impact on the environment in its widest sense, including the quality of life and living and working conditions of people. [See Structure Plan policy MW6]
- 4.10 Appropriate mitigation measures may help to reduce the impact along with distance from sensitive locations. Each case would have to be carefully assessed, for example, is there any natural screening provided by the existing topography or woodland, or are there existing noise generators such as traffic on local roads. Specific consideration is given later to the proximity of landfill operations to residential areas, areas of public use and areas of particular sensitivity or interest.⁵ [See Part 5, paragraph 5.3, Part 4 - Policy 3, and the Code of Practice for further advice]. Consideration should also be given to the implications of proposals to develop residential areas, areas of public use and areas of particular sensitivity or interest in the vicinity of waste management facilities. [See Policy 7]

Need for the development

- 4.11 Government guidance states that applicants do not usually have to prove the need for the proposed development or discuss the merits of alternative sites, except where an Environmental Statement is required, or where the planning benefits do not outweigh the material planning objections. Hence need may be a material consideration, or it is appropriate to examine the need for the facility, where the proposals do not accord with the development plan, the applicant contends that there is a need for a facility, or where the planning benefits do not outweigh the material planning objections. This approach is the same as that accepted for the Minerals Local Plan and is consistent with Government guidance.⁶ Need will also be a consideration where waste management facilities are proposed that are lower down the waste hierarchy against the thrust of European and national waste planning policy, for example, where landfill is proposed, or incineration without energy recovery. [See Part 5 - Policy 8 and Policy 16]

Material representations

- 4.12 Material considerations should also take account of material representations from interested parties.⁷ This would include material planning considerations raised by the local community, regulatory bodies, government agencies or departments, and environmental and amenity groups.

Supplementary Planning Guidance - 'A Code of Practice for Waste Developers'

- 4.13 To encourage applicants and operators to adopt best practices and to assist them in the design, preparation of planning applications, and operation, restoration or aftercare of waste management facilities, supplementary planning guidance entitled 'A Code of Practice for Waste Developers' has been produced. The Code of Practice does not have the special

status of development plan policies in determining planning applications. Nevertheless, as supplementary planning guidance, the Code of Practice will be regarded as a material consideration when planning applications are determined.⁸

Departure applications

- 4.14 In some circumstances material considerations may override certain policies in the development plan. The application may in those circumstances be regarded as a **departure application** and be treated in accordance with the guidance contained in the Government Circular 07/99.⁹

~~Policy 2: General Principles~~

~~Planning permission for the development of waste management facilities will be granted where the proposed development accords with the principles listed below, except where material considerations indicate otherwise.~~

- ~~i) Protection of human health and the environment;~~
- ~~ii) The 'Best Practicable Environmental Option' (BPEO);~~
- ~~iii) The proximity principle;~~
- ~~iv) The waste hierarchy;~~
- ~~v) Self-sufficiency / regional self-sufficiency;~~
- ~~vi) Waste minimisation;~~
- ~~vii) The development of integrated waste management facilities; and,~~
- ~~viii) A reduction in the amount of waste being landfilled.~~

- 4.15 The 'general principles' described in Part 3 have been translated into Policy 2.
- 4.16 In determining planning applications more often than not a balance has to be found between various aspects of the proposed development and the environmental, social and economic implications. [See **Sustainability Appraisal**] The issues can be one of principle, relate to the site itself, or a combination of the two. In all cases, the proposals would need to be considered against all of the principles in Policy 2 and weighed against any other material considerations, before a decision is reached, as Policy 1 explained.

Human health and the environment

- 4.17 Protecting **human health and the environment** is a guiding principle when examining proposals for waste management facilities or development in the vicinity of existing facilities. It will therefore be important to consider the potential harm to human health and to the environment. In determining the implications for human health and the environment, the following considerations may be relevant:
- the '**precautionary principle**' and 'making the **polluter pay**';
 - research being undertaken by the Government into the possible health effects of various types of waste management facility;
 - the complementary role of the Environment Agency and the City and District Council Environmental Health Officers in providing effective pollution control measures; and,
 - material considerations such as the potential effects on amenity, nuisance implications and possible restrictions and constraints that could be imposed on adjoining land or a permitted **waste management facility**. [See Policy 7]

Best Practicable Environmental Option

4.18 **Best Practicable Environmental Option** is also a guiding principle when examining proposals for waste management facilities. It has been defined as:

“the outcome of a systematic consultative and decision making procedure which emphasises the protection and conservation of the environment across land, air and water.”¹⁰

4.19 The planning system operates such a procedure and the Waste Local Plan policies reflect the need to attain the most benefit or least damage to the environment, as a whole, at an acceptable cost, in the short, medium or long term. [See Policy 3]

4.20 In determining the Best Practicable Environmental Option, the following considerations may be relevant.

- The development plan, including the Structure Plan, Minerals Local Plan, District-wide Local Plans and the WLP policies, in particular Policies 1 to 4; [See Policy 1]
- Any material considerations, including material representations from interested parties [See Policy 1];
- The appropriateness of the proposed development to manage waste from a particular waste stream. In considering this matter information from the applicant and advice from other regulatory bodies, for example the Environment Agency and their ‘Wisard’ life cycle analysis tool may be used;
- the proximity principle;
- the waste hierarchy; and,
- self-sufficiency / regional self-sufficiency.

The proximity principle

4.21 The **proximity principle** is another guiding principle when examining proposals for waste management facilities. According to PPG10;

“Waste should generally be managed as near as possible to its place of production, because transporting waste itself has an environmental impact.”¹¹

4.22 In determining the implications of the proximity principle, the following considerations may be relevant.

- The catchment area considered to be the source for the waste to be managed by the proposed **waste management facility** [See also paragraphs 4.23 and 4.24 below];
- The alternative facilities available to manage the waste within or near to the catchment area;
- The mode of transport; or,
- The ease of access to the proposed facility and the implications for the highway network.

4.23 Within the Plan area local catchment areas may be relevant, for example:

- in northern Staffordshire, a catchment area consisting of Staffordshire Moorlands, Newcastle under Lyme, Stoke-on-Trent and the northern part of Stafford Borough; or,
- in the southern and eastern Staffordshire, a catchment area consisting of the southern part of Stafford Borough, East Staffordshire, South Staffordshire, Cannock Chase, Lichfield and Tamworth.

4.24 Cross boundary catchment areas may also be relevant, for example:

- northern Staffordshire with southern Cheshire and northern Shropshire;
- the southern part of South Staffordshire, known locally as the 'pan handle', with the adjoining West Midlands conurbation, Shropshire and Worcestershire
- Uttoxeter with south and west Derbyshire
- Burton upon Trent with south-east Derbyshire and north-west Leicestershire; or,
- Tamworth with north Warwickshire and north-west Leicestershire

The waste hierarchy

4.25 The **waste hierarchy** is another guiding principle when examining proposals for waste management facilities. It is defined as a conceptual framework, which acts as a guide to the options that should be considered when assessing the BPEO.¹² For example, government advice suggests that recycling and composting should be considered before recovery of energy from waste. [See Policy 16] In determining the implications of the waste hierarchy, the following consideration may be relevant:

- the relative merits, in terms of the waste hierarchy, of any alternative facilities available to manage the waste within or near to the catchment area. [See 'The proximity principle']

Self-sufficiency / Regional self-sufficiency

4.26 **Self-sufficiency** or **regional self-sufficiency** is another guiding principle when examining proposals for waste management facilities. Government guidance states that most waste should be treated or disposed of within the region in which it is produced. The Waste Planning Strategy, which underpins the Plan, supports this principle. [See Part 3] Staffordshire and Stoke-on-Trent therefore accept the need to ensure that there are sufficient waste management facilities permitted to meet an appropriate share of the regional requirement, so long as further waste development can be absorbed within the Plan area without unacceptable adverse impacts upon people, transportation systems or the environment. [See Policy 3]

4.27 A **Regional Waste Planning Strategy** is being prepared which, when finalised, should provide information about the existing provision of waste management facilities throughout the Region and the strategy for new provision. It should assist in the consideration of regional self-sufficiency and will therefore become a material consideration.

4.28 The principle of regional self-sufficiency cannot be rigidly applied, as waste management is influenced by commercial considerations, not administrative boundaries. Local catchment areas can include areas within adjoining regions, for example, with Cheshire (in the North West Region), or Derbyshire and Leicestershire (in the East Midlands Region). [See 'The proximity principle']

Waste minimisation

4.29 **Waste minimisation** or waste reduction is another guiding principle when examining proposals for waste management facilities. Government guidance requires WPAs to take account of the potential for waste minimisation, as this is seen as the key to sustainable waste management. In the context of the Government's definition of waste minimisation, that is 'preventing materials from being discarded in the first place (for example through the careful design of goods), or reducing the hazardousness of those materials to be discarded', the WPAs role or influence is however limited. Nevertheless, in determining the waste minimisation implications of waste management facilities, or when the WPA is asked to

comment on the waste implications of major development proposals (Policy 6), it may be relevant to consider the extent to which proposals support waste minimisation by:

- reducing the amount of waste generated;
- increasing the amount of waste that can be recovered for re-use or recycling; or,
- reducing the amount of waste requiring disposal to landfill, or requiring management by other means.

Integrated waste management facilities

4.30 **Integrated waste management** is another guiding principle when examining proposals for waste management facilities. According to government advice, the most effective waste management decisions are achieved by adopting an integrated approach.¹³ This approach applies to the consideration of proposals for waste management facilities and also to the waste implications of major development proposals. [See Policy 6] In determining the extent to which proposals support integrated waste management, the following considerations may be relevant:

- what part would the proposals play in the waste management process within the Plan area or the Region;
- what contribution would the proposals make toward local or regional goods and services, for example, recovering materials such as compost, glass, metals, secondary aggregates or energy; or,
- what contribution would the proposals make toward common goals and objectives, including the development plan and the national waste strategy. For example, the requirement to pre-treat waste before it is disposed of to landfill; the benefits of composting material at landfill sites to provide restoration material; crushing and screening demolition waste to produce secondary aggregate on construction sites or mineral sites, where it can be blended with lower quality primary aggregate; or, the treatment of contaminated land on site to enable brown field sites to be re-developed.

A reduction in the amount of waste being landfilled

4.31 A reduction in the amount of waste being landfilled is another guiding principle when examining proposals for waste management facilities. European legislation requires a significant reduction in the amount of **biodegradable municipal waste** being landfilled and the pre-treatment of all waste sent to landfill. The emphasis in the Plan policies is on waste reduction, followed by re-use and recovery. Landfill is seen as the last resort in terms of waste management.

4.32 There is adequate provision of landfill capacity during the Plan period, as described in Part 2 earlier. As a consequence there is no need to allocate new landfill sites in the Plan. [See Policies 8 and 10]

4.33 In determining proposals for waste management facilities or commenting on major development proposals, the WPAs will consider the extent to which the proposed development would help to reduce the amount of waste being landfilled by waste minimisation or integrated waste management.

Policy 3: General Protection

Planning permission for the development of waste management facilities will not be granted where the proposed development would cause materially harmful impacts, except where the material planning benefits outweigh the material planning objections.

In determining the impact of the proposed development, consideration will be given to the effect of the proposals on the following.

- i) People and local communities;**
- ii) Natural or cultural assets;**
- iii) Protected wildlife;**
- iv) The countryside;**
- v) The landscape;**
- vi) The Green Belt;**
- vii) The highway network and other public rights of way;**
- viii) Public open space (including recreational and sporting facilities)**
- ix) Air, soil and water resources;**
- x) Agricultural land;**
- xi) Protected trees and hedgerows; and,**
- xii) Any other interests of acknowledged importance.**

Potential impacts

- 4.34 Government guidance lists a wide range of planning considerations that may be relevant to the determination of planning applications and offers guidance on the location of waste management facilities that may also be relevant. ¹⁴
- 4.35 The Structure Plan, the Minerals Local Plan, Stoke-on-Trent's City Plan and the 8 Staffordshire District Local Plans also contain local policies that may be relevant. [See Policy 1 and the Structure Plan policy MW6]
- 4.36 At the earliest opportunity, applicants should discuss with the WPA the need for, scope and requirements of an environmental impact assessment. Even where a formal environmental impact assessment is not required, applicants will nevertheless need to consider whether there would be any potential direct, indirect, cumulative, short, medium or long-term impacts arising from the proposed development. ¹⁵

People and Local Communities

- 4.37 Whilst attempting to accommodate demands for future waste development, it is important to ensure that the proposed operations are located, where practicable, in areas where they will have the least adverse impact on the environment and the quality of life and living and working conditions of people. It is therefore important that the sensitivity of the site and its surroundings are taken into account. ¹⁶
- 4.38 The potential ***cumulative impact*** of proposals may be an important consideration particularly as the Plan seeks to encourage the development of integrated waste management facilities. Parts of the Plan area have been, are currently, or may in the future be subject to a variety of large-scale development activities. If such activities are in close proximity to each other in terms of time and/or space then there may be the risk that this would give rise to materially harmful cumulative impacts. For example, where there is a concentration of mineral extraction and waste management activities. As a consequence of this, people and the local

environment are likely to be particularly sensitive to the prospect of further development that prolongs or increases any adverse impacts beyond what has already been accepted. If the adverse impacts are not properly addressed then cumulative impacts can result in an unacceptable diminution of the quality of life of neighbouring communities or the local environment.

Natural or Cultural Assets

- 4.39 There are a wide range of natural and cultural assets within the Plan area, which have been designated in order to afford them protection from inappropriate development. [See section 9 to the Structure Plan] In accordance with government guidance, the degree of protection afforded to such assets will depend on their level of designation/importance.
- 4.40 The Structure Plan includes a policy to ensure that the appearance and valued characteristics of the National Park are not adversely affected. [See Structure Plan policy NC4] For nature conservation sites or habitats, for example, there are three categories, international, national and regional/local.¹⁷ The preservation of historic and archaeological sites and their setting is also an important consideration.¹⁸ PPG10 provides general guidance and the Structure Plan provides up to date policies in this regard.¹⁹
- 4.41 The identification of designated natural or cultural assets should not be taken to imply that non-designated sites or areas have little or no asset value and will not be protected. As part of a planning application, the applicant should include a site assessment to help in understanding the natural or cultural value of the site and the contribution the site makes to the diversity, character and distinctiveness of the area. [See Code of Practice]

Protected Wildlife

- 4.42 A large range of wildlife species, and in some cases the habitats on which they depend, are protected in accordance with European and national legislation. PPG9 'Nature Conservation' sets out the Government's policy guidance and includes advice on the protection of species (plants and animals). The Structure Plan contains relevant policies to protect the habitats of protected species, and to promote biodiversity in accordance with the objectives of the Staffordshire Biodiversity Action Plans. [See Structure Plan policy NC5 and paragraphs 9.20 and 9.21]

The Countryside

- 4.43 Government guidance for land-use planning policy for rural areas emphasises that development in the countryside, which would include the development of waste management facilities, should both benefit economic activity and maintain or enhance the environment.²⁰ The Structure Plan provides a number of relevant policies to support this approach.²¹ The Structure Plan specifically includes a policy to safeguard the countryside for its own sake. The new policy also seeks to ensure that development respects the character of the countryside and maintains or improves the environment; and where economic or social considerations outweigh the need to protect the environment, to ensure that adequate mitigation or compensation is provided for the adverse environmental impacts.

Landscape

- 4.44 The Structure Plan contains policies to conserve, enhance and restore the landscapes within the Plan area. The Structure Plan is accompanied by supplementary planning guidance entitled 'Planning for Landscape Change'. The supplementary guidance has been prepared in accordance with government advice in PPG7.²² This new approach to landscape assessment has resulted in the identification of 5 landscape policy zones, covering the whole of the Plan area. In accordance with the advice in the supplementary planning guidance, when proposals

for the development of waste management facilities are being considered, the following aspects will be relevant:

- the local landscape character and how sympathetic the development would be in terms of location, siting, scale, materials and design; and,
- the extent to which the proposed development would contribute to either the regeneration, restoration, enhancement, maintenance or active conservation of the landscape likely to be affected.

The Green Belt

4.45 Green Belts have been an important concept in planning policy for many years and their principal aim, which is to prevent urban sprawl by keeping land permanently open, has remained unchanged. It is estimated that the **Green Belt** covers about 90,000 hectares of land in the Plan area. In the south the Green Belt buffers the County from the West Midlands conurbation and in the north it contains the Stoke-on-Trent and Newcastle under Lyme conurbation.²³

4.46 Government guidance in PPG2 'Green Belts' states that development within the Green Belt, which does not comply with the objectives of the Green Belt or the purposes of including land in the Green Belt, should be regarded as inappropriate development and therefore only be permitted in very special circumstances which must be demonstrated by the applicant. Specifically PPG2, paragraphs 3.12 and 3.13 indicate that operations are inappropriate unless they maintain openness, and do not conflict with the purposes of including land in the Green Belt. Whereas mineral extraction need not be inappropriate development because minerals can only be worked where they are found, there is not the same limitation on the location of waste management facilities. Waste development may therefore be regarded as inappropriate development where it fails to maintain the openness of the land or conflicts with the purposes of including land in the Green Belt. The Structure Plan provides specific Green Belt policies.²⁴

The Highway Network and other Public Rights of Way

4.47 Traffic generation arising from waste management facilities, particularly in relation to its impact on the highway network, environment and communities, is a major consideration both in formulating planning policy and determining planning applications. The impact of development and associated traffic on pedestrian movements is also a relevant consideration. In addition to the inconvenience arising from the diversion of established routes, development may also adversely affect the enjoyment arising from the continued use of rights of way, some of which may be promoted as recreational routes.

4.48 The use of rail transportation can alleviate many traffic concerns. Indeed it is the Staffordshire and Stoke-on-Trent's strategic policy to encourage the use of non-road transport systems where practicable. Staffordshire and Stoke-on-Trent's 'Local Transport Plans' (LTPs) were published in July 2000 and cover the period 2001 to 2006. Developers should consider the LTPs when they are preparing proposals as they contain a number of important objectives. They include the objective to:

- reduce the impact of transport on the environment;
- promote efficiency and good practice in freight movement by managing the routing of heavy goods vehicles; and,
- encourage the use of rail freight wherever possible.

4.49 Developers will also need to consider the following:

- Staffordshire and Stoke-on-Trent's Freight Strategies, which were published as part of the final version of their respective LTPs;
- the guidance in PPG13 'Transport';
- RPG11 'Regional Planning Guidance for the West Midlands'; and,
- the Structure Plan, in particular policies T8 Improving the Rail Network, T11 Freight Transport and MW8 Transportation of Minerals and Waste.

4.50 Traffic implications arising from planning applications will be considered by Staffordshire and Stoke-on-Trent as part of their duty as Highway Authorities, and by the Highways Agency who are responsible for motorways and trunk roads. To examine whether a proposed development is acceptable in transportation terms, a **Traffic Assessment** or TA may be required. In all cases, early consultation with the appropriate Highway Authority is recommended to establish the need for, scope and requirements of a TA. Staffordshire County Council has also prepared advice for developers to assist them with the preparation of TA's. [Go to www.staffordshire.gov.uk/structureplan - supplementary planning guidance - for more details]

Public Open Space (including recreational and sporting facilities)

4.51 Public open spaces, including recreational and sporting facilities, have an important amenity value. The Structure Plan contains policies to protect amenity and specific policies to protect and promote public open space, recreational and sporting facilities within the Plan area.²⁵ Where the proposed development would have a materially harmful impact on public open space, recreational or sporting facilities, either directly or indirectly, the WPA would expect the proposals to be amended to reduce the impact or compensatory measures to replace or enhance the existing provision. In such cases, the proposals would need to be accompanied, where applicable, by a comprehensive management plan to ensure the long-term viability of the public facility. District-wide local plans may also contain relevant policies that should be taken into account.

Air, Soil and Water Resources

4.52 The Government's strategy for sustainable development refers to the need to control air pollution in order to reduce risks of harm to human health and damage to the environment. A National Air Quality Strategy is in place to reduce air pollution and to ensure that air quality continues to improve. The Structure Plan requires that development should minimise air pollution and the Government has published a guidance note 'Air Quality and Land Use Planning'.²⁶

4.53 Waste management proposals can generate impacts in terms of gases, odours, dust and plumes of smoke or vapour. The WPA will consult the relevant District Council Environmental Health Officer and the Environment Agency for technical advice. To control the impact of operations it may be necessary to locate waste management facilities in buildings or to require management schemes (or action plans) to control dust, gases, odours or plumes of smoke or vapour. These schemes or plans would either complement **waste management licence** requirements, or serve to protect local amenity where operations are exempt from licence requirements. [See the Code of Practice]

4.54 Soil is an important natural resource that underlies our best and most versatile agricultural land, and in its different forms, supports the habitats that are important to our wildlife and the landscape. Government policy guidance and the development plan policies protect best and most versatile agricultural land and important wildlife habitats and landscapes. But it is increasingly recognised that soil should be protected as an important natural resource in its

own right. The Government has indicated in its sustainable development strategy that soil protection should receive the same priority as air and water protection and intends to publish a soil strategy. The WPA will consider the need to protect and improve soil resources by requiring for example, soil handling and storage measures, the treatment of contaminated land, or the introduction of soil improvers such as compost or soil making material. [See Policy 6 and the Code of Practice]

- 4.55 Waste operations can have significant adverse impacts upon the groundwater and surface water environments of an area if not properly controlled. In particular the risk of pollution, and disruption to drainage patterns, including the potential for dewatering watercourses, groundwater and water bodies. There may also be potential adverse impacts on habitats, fisheries, flood protection measures, and existing water abstraction arrangements. Mitigation measures may be required to minimise adverse impacts. Nevertheless, there may be circumstances where, even allowing for such measures, the residual impacts are such that permission should not be granted.
- 4.56 Complementary planning and waste management licensing systems operate to protect the environment, including water resources, from the harmful effects of development.²⁷ Close co-operation between the WPAs and the Environment Agency is therefore necessary to ensure the conservation of water resources and the effective and efficient control over potentially polluting development. The Environment Agency produce **Local Environment Agency Plans** (LEAPs) to highlight key local environmental issues and plans to tackle them. The WPAs will continue to consult with the Environment Agency in respect of all waste planning applications.

Agricultural Land

- 4.57 Government guidance in PPG7 (including the amendments to paragraphs 2.17 and 2.18) advise that best and most versatile agricultural land (grades 1, 2 and 3a) should be protected, in accordance with the principles of sustainable development, as a resource for future generations. PPG7 states that the conservation of the best and most versatile agricultural land as a high quality agricultural resource should not be prejudiced by development. More recently, the Government's Rural White Paper 'Our Countryside: the future - A fair deal for rural England', published in November 2000, proposes that development of such land requires "*a more holistic approach*" which takes account of the "*overall value of the land*".²⁸ Policy 3 reflects this approach by identifying the range of considerations that may need to be taken into account in any decision such as the quality of landscapes, wildlife and habitats, recreational amenity and historic and cultural heritage.²⁹
- 4.58 Applicants proposing to locate waste management facilities on the best and most versatile agricultural land should provide details to demonstrate the feasibility of protecting the soil resource and the prospect of restoring the land to its original agricultural quality as this will be a material consideration when determining planning applications. The impact of development on the viability of farms may also be relevant. [See also paragraph 4.54, Policy 8, Policy 10, and the Code of Practice]
- 4.59 Where alternative after-uses, for example forestry and recreation, are proposed on such land then the methods used in restoration and aftercare should enable the land to retain the capability of being farmed to its agricultural land classification potential.

Protected Trees and Hedgerows

- 4.60 As existing trees, woodlands and hedgerows play an important role in the landscape and provide important habitats for wildlife, they may be protected. Trees and woodlands may also offer commercial or recreational value. New woodland planting is also important. Parts of the Plan area have been designated for woodland planting, for example, the National Forest which

affects parts of East Staffordshire, the Forest of Mercia between Cannock and the West Midlands Conurbation, along with zones identified in the Staffordshire District Local Plans. The Structure Plan contains relevant policies to protect or enhance trees, woodlands and hedgerows.³⁰

Any Other Interests of Acknowledged Importance

- 4.61 Government guidance explains that “those deciding ... planning applications or appeals should always take into account whether the proposed development would cause demonstrable harm to interests of acknowledged importance.”³¹ Policy 3 identifies a wide range of interests of acknowledged importance, but there may be other interests, not listed, that could be important and would therefore be regarded as a material consideration in reaching a decision. [See Policy 1]

Policy 4: Restoration, Aftercare and After-use

Where restoration and aftercare is an issue, planning permission for the development of waste management facilities will not be granted except where the proposed development includes comprehensive, detailed, practical and achievable restoration and aftercare proposals for the site, that would achieve, at the earliest opportunity, an acceptable after-use(s) compatible with the development plan.

Restoration, Aftercare and After-use

- 4.62 Some waste management facilities may be regarded as a temporary use of land, albeit that they may operate for a long period of time, for example landfill. In the context of sustainable development, it is important in such cases that proper provision is made for the restoration and aftercare of the land so that the site is restored to a standard suitable for the intended after-use. The after-use should be compatible with the development plan, and achieved as soon as possible.³²
- 4.63 The role of restoration and aftercare is vital to ensure that the long-term impact of waste developments, particularly landfill, on the environment is kept to a minimum. A critical factor in respect of minimising the impacts is the limitation of the area in use at any one time and the total duration of operations. Efficient and effective control of the operations and comprehensive, phased restoration can help to achieve this.
- 4.64 Detailed restoration and aftercare proposals should be designed to take account of the existing land-uses and the provisions of the development plan. Consideration should also be given, where appropriate, to the surrounding landscape character, the agricultural quality of the land, opportunities for positive provision for nature conservation, recreation or amenity after-uses, proposals for forestry expansion and measures to protect or enhance our cultural assets.³³
- 4.65 The success of restoration and aftercare is dependent on having practical and achievable measures that will ensure that the after-use is satisfactorily established and is sustainable. Aftercare proposals for agriculture, forestry, amenity and nature conservation schemes will need to provide for up to five years rehabilitation although a longer timescale may be required for certain after-uses. For example, applicants should show how and when they intend to install, maintain and where appropriate, remove any pollution control infrastructure such as gas and leachate pipe work and lagoons.³⁴ In some instances a legal agreement may be required, for example to extend the aftercare period.

Policy 5: Legal Agreements

Where planning conditions cannot satisfactorily secure specific matters relevant to the development of waste management facilities, the Waste Planning Authority will seek to secure them by appropriate legal agreements.

4.66 In some situations waste management proposals on a particular site may only be acceptable if certain ameliorative measures are undertaken outside the application area. The Environment Agency have powers, from a pollution control point of view, to secure financial provision for restoration and aftercare, where it forms an integral part of the site engineering. However, in some circumstances environmental matters can legitimately be the subject of legal agreements, particularly when the dividing line between planning and pollution controls is not always clear-cut. Where appropriate, therefore, the WPAs will seek to negotiate **legal agreements** to secure elements of the development proposals where necessary in accordance with government advice including Circular 1/97 'Planning Obligations'. For example legal agreements may address the following:

- highway requirements
- off site environmental improvements or nature conservation works
- long term management requirements (beyond the statutory aftercare period)
- the relinquishment or modification of existing planning permissions to consolidate existing consents
- the physical, planning and financial requirements needed to secure the after-use of a site
- provision for long term environmental monitoring and control systems

~~**Policy 6: The Waste Implications of Major Development Proposals**~~ 

~~**Planning permission for major development proposals should not be granted, except where the proposals include comprehensive, detailed, practical and achievable proposals to deal with the waste that is likely to arise from the development and the opportunities to use recycled and waste materials.**~~

~~**The Waste Planning Authority will support on-site waste management where this represents the Best Practicable Environmental Option.**~~

4.67 The Government's national waste strategy highlights the importance of adopting a holistic approach when considering **major development proposals**.³⁵ This means the waste implications of major development proposals should be taken into account by:

- applicants when they are preparing planning applications,
- local planning authorities when they are considering planning applications or reviewing their Local Plan, and,
- the WPAs when they are consulted.

4.68 The **Structure Plan** identifies the future requirements for housing, employment and highways development during the Plan period. The Structure Plan also refers specifically to the need to consider the waste implications (Policy MW5) and more generally to the need to improve the quality of development by minimising waste generation (Policy D2).

- 4.69 The WPAs wish to encourage the management of the waste generated by the major development proposals on-site, where this represents the Best Practicable Environmental Option. Consideration will also be given, where applicable, to the other general principles (Policy 2), the impact of the proposals (Policy 3), and to how in practicable terms it is intend to manage the waste that is likely to arise during each phase of the proposed development. It will also be important to consider the amount, nature and source of the recycled and waste materials that may be imported to facilitate the development. For example, the use of crushed, inert, construction and demolition waste as fill material. [See Policy 10]
- 4.70 Planning policy encourages the re-use of previously developed land and the conversion of buildings to new uses. For example, the Structure Plan Policy D1 promotes the re-use of land and buildings, including the reclamation of contaminated and derelict land, before using green field land. Major development proposals may therefore have to include measures to deal with:
- contaminated land
 - redundant buildings
 - the waste materials generated by the re-profiling of the land or required to re-profile the land and the opportunity to recycle that material
 - the waste materials generated or the recycled materials that could be used during the construction phase
 - any waste materials generated during the operational phase or after the development has been completed
 - the decommissioning phase where part or all of the development is temporary
- 4.71 Planning policy also encourages the recycling of waste in order to conserve natural resources. The Structure Plan policy D7 includes reference to “greater use of recycled materials”. There will be opportunities to incorporate recycled and waste materials in the construction of the major development proposals, for example, during road maintenance and construction, or the development of employment land. As part of the design process it will therefore be important to consider the appropriate specification for the materials to be used to make sure that higher quality materials are not used where lower quality or recycled materials are available.³⁶

~~**Policy 7: The siting of development in the vicinity of Waste Management Facilities**~~ 

~~Planning permission for development proposals in the vicinity of permitted or allocated waste management facilities should only be granted where the determining authority is satisfied that the proposed development would not:~~

- ~~i) unduly restrict or constrain the activities permitted or allocated to be carried out within the waste management facility; or,~~
- ~~ii) give rise to unacceptable adverse impacts in terms of people, transportation systems or the environment.~~

- 4.72 Waste management facilities carry out an important function in the treatment and disposal of waste but waste treatment or disposal, if not properly managed, can sometimes have serious consequences for people or the environment which should be taken into account when considering planning applications to develop land nearby.
- 4.73 Government guidance explains that planning control should enable waste management facilities to be permitted in appropriate locations, without causing any unacceptable adverse impacts.³⁷ [See Policy 3] But government guidance also explains that planning control should consider the acceptability of “development in proximity to potential sources of pollution”.³⁸ Consideration will therefore need to be given to the sensitivity of any new development,

including residential areas, areas of public use and areas of particular sensitivity or interest, proposed or allocated in the vicinity of waste management facilities.³⁹

- 4.74 It will be important that all parties considering the development of sites in the vicinity of waste management facilities have regard to the implications in terms of people, transportation systems and the environment.⁴⁰ The parties involved will include:
- applicants preparing planning applications and environmental statements;
 - local planning authorities considering planning applications or reviewing their Local Plan;
 - the Environment Agency when they are consulted; and,
 - the WPAs when they are consulted by district councils on planning applications.
- 4.75 There are specific requirements in respect of polluting and potentially polluting uses, and special or hazardous wastes. PPG23 'Planning and Pollution Control', for example, advises that local plans should aim to keep apart housing and other developments sensitive to pollution or potentially polluting uses, where such uses cannot reasonably coexist.⁴¹ Similarly, the Seveso II Directive (EU Directive 98/82/EC), which came into force in the UK on 3 February 1999, requires land-use plans to consider the location of hazardous installations. Specifically the need to maintain an appropriate distance between establishments where hazardous substances are present and residential areas, areas of public use or sensitive areas of nature conservation interest.⁴²
- 4.76 The EU Landfill Directive, when implemented, will require landfill sites or areas within landfill sites to be dedicated specifically for the deposit of special or hazardous waste. The Directive will also extend the list of hazardous substances that should not be landfilled. As a result new waste treatment facilities will be needed to treat hazardous waste.
- 4.77 The Environment Agency has particular responsibilities for monitoring the movement, treatment and disposal of special waste in accordance with the Special Waste Regulations 1996 (as amended).

Reference or Note:

1. 'Planning Policy Guidance: General Policy and Principles' (PPG1), paragraph 40, DETR, dated February 1997.
2. 'Planning Policy Guidance Note 12: Development Plans' (PPG12), paragraph 1.6, DETR, dated December 1999.
3. PPG1, paragraph 50.
4. 'Planning and Pollution Control' (PPG23), paragraphs 3.1 to 3.4, DETR, dated July 1994.
5. Town and Country Planning (Development Plan) (England) Regulations 1999 section 20 (1) (d) (i).
6. 'Minerals Planning Guidance: General Considerations and the Development Plan System' (MPG1), paragraph 40, DETR, dated June 1996
7. PPG1, paragraphs 50 to 56, and, PPG12, paragraph 1.6.
8. PPG12, paragraphs 3.15 to 3.18.
9. Circular 07/99 'The Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999', DETR, dated 23 August 1999.
10. 'Planning Policy Guidance Note 10: Planning and Waste Management' (PPG10), Box 1, sub-paragraph (a), page 7, DETR, dated September 1999; and 'Waste Strategy 2000 for England and Wales' - Part 1, paragraph 4.4 and 4.13, and, Part 2 paragraph 3.3, DETR dated May 2000.
11. PPG10, Box 1, sub-paragraph (c); Waste Strategy 2000, Part 1, paragraph 4.5, and, Structure Plan Policy MW5 (b).
12. 'Waste Strategy 2000' Part 1, paragraph 4.5.
13. 'Waste Strategy 2000', Part 1, paragraph 4.13.
14. PPG10 - Annex A, and Staffordshire and Stoke-on-Trent's Draft Code of Practice for Waste Developers, which accompanies the Waste Local Plan.
15. PPG10, paragraph 43, PPG23 Annex 9, the Code of Practice and best practice advice on the preparation of environmental statements.
16. For example, see PPG10 - Annex A, and the Structure Plan policies, in particular Policy MW6.
17. PPG9 'Nature Conservation', DETR, dated October 1994, and relevant development plan policies.
18. PPG15 'Planning and the Historic Environment', DETR, dated September 1994, PPG16 'Archaeology and Planning', DETR, dated November 1990, and relevant development plan policies, including the Structure Plan policies NC14 to NC19.
19. For example, see PPG10 - Annex A and the Structure Plan policies, in particular NC1 to NC19.
20. PPG7 'The Countryside – Environmental Quality and Economic and Social Development', paragraph 2.3, DETR, dated February 1997.
21. For example, see the Structure Plan policies D1, D4, D6, E9, NC1, NC2 and NC5.
22. PPG7 'The Countryside – Environmental Quality and Economic and Social Development'.
23. See Structure Plan paragraphs 5.21 to 5.26 and the relevant District-wide Local Plans.
24. See Structure Plan policies D5A and D5B.
25. See Structure Plan Policies MW6, and R1 to R8.
26. See Structure Plan Policy D2 (c) and Guidance Note 'Air Quality and Land Use Planning', DETR, March 2000.
27. See Structure Plan policy NC9 and NC10
28. See Structure Plan policy D6, PPG7 and the Rural White Paper 'Our Countryside: the future - A fair deal for rural England', published November 2000, chapter 9, paragraph 9.3.4.
29. In the Rural White Paper, the Government has stated that it intends to produce good practice guidance on evaluating in a more integrated way factors such as landscape quality, local character, biodiversity and soil quality. (paragraph 9.3.4, bullet 3). The Rural White Paper also advises that the Government intend to update PPG7. (paragraph 9.2.4, bullet 5). PPG7, paragraphs 2.8, 2.17, 2.18, 3.4 and 4.8 were subsequently amended (DETR news release dated 21 March 2001)
30. See the Structure Plan policies NC11, NC12 and NC13, and the Code of Practice.
31. PPG1, paragraph 40.
32. See the Structure Plan Policy MW9.
33. See relevant development plan policies, supplementary planning guidance for landscape change which accompanies the Structure Plan, the Codes of Practice that accompany the Minerals Local Plan and Waste Local Plan, and relevant best practice advice for further information.
34. Relevant technical guidance on the preparation of restoration and aftercare proposals is contained in MPG7 'The Reclamation of Mineral Workings', Waste Management Papers and the Code of Practice that accompanies the Plan.
35. 'Waste Strategy 2000' – Part 2, paragraphs 3.31 and 3.34, bullet 2.

36. 'A better quality of life - A strategy for sustainable development in the United Kingdom', paragraph 8.62, bullet 2, DETR, dated May 1999.
37. PPG10, paragraph 39 and also PPG23 paragraph 1.32.
38. PPG10, paragraph 39.
39. Town and Country Planning (Development Plan) (England) Regulations 1999 section 20 (1) (d) (i).
40. PPG23, paragraph 2.18
41. PPG23, paragraph 2.19, 3.2, 3.3 and 3.10 to 3.18
42. PPG12, paragraphs 6.22 and 6.23; and, Circular 4/2000 'Planning Controls for Hazardous Substances', 8 May 2000, paragraphs 46 and 47.

PART **5**

SPECIFIC POLICIES

This part

- describes the specific policies to be taken into account when determining planning applications for the development of waste management facilities;

Part 5, together with Part 4 represent the written statement of policies.

The policies are contained in a box and in bold type, followed by the reasoned justification or supporting information. Words appearing in the reasoned justification in ***bold italics*** are explained in the Glossary.

Reference to ‘Staffordshire and Stoke-on-Trent’ should be taken to mean Staffordshire County Council and Stoke-on-Trent City Council.

~~Policy 8: Landfill or Landraising~~ 

~~Proposals for new landfill or landraising facilities or extensions to existing facilities will not be permitted except where they represent the Best Practicable Environmental Option; and,~~

- ~~i) there is a need for the facility which cannot be met by alternative waste management facilities located closer to the source of the waste arisings, within or outside the Plan area; or,~~
- ~~ii) the proposals would achieve material planning benefits that outweigh the material planning objections.~~

- 5.1 Waste disposal or landfill is at the present time the most common method of waste management in the UK. European and national policy is however seeking to change this and to drive waste management up the ***waste hierarchy***. National policy is also seeking to ensure that waste is managed as close as practicable to the point at which it is generated in accordance with the ***proximity principle***. These guiding principles were described in Part 2, Part 3 and Policy 2 earlier.
- 5.2 It was explained in Part 2 that Staffordshire and Stoke-on-Trent has adequate landfill provision beyond the Plan period, and Part 3 set out, as part of the Waste Planning Strategy, that there is no need to allocate new waste disposal sites during the plan period. An over provision of landfill capacity could delay the completion of existing sites and reduce the incentive for alternative methods of waste management, further up the waste hierarchy, to come forward.
- 5.3 Landfill or landraising can sometimes be a valuable tool for the restoration of degraded, contaminated or derelict land and former mineral workings. As a result, while planning permission for additional landfill capacity will not normally be granted, there may be certain circumstances where waste disposal represents the Best Practicable Environmental Option. As stated as a guideline in the adopted Minerals Local Plan Code of Practice, where there is built development within 500 metres of a proposed landfill site, particularly rigorous examination of the site circumstances and proposals will be required in order to ensure that there will be no unacceptable adverse impacts by way of factors such as odour, noise or visual impact. Also as a guideline, only in special circumstances, would landfill areas within 250 metres of residential property be considered appropriate. To up date the guideline to take account of new Regulations, this approach will also apply to “areas of public use and areas of particular sensitivity or interest”.¹

- 5.4 Given the aim to reduce the amount of waste deposited in landfills, and the fact that there is adequate provision within the Plan area, it is reasonable to require those wishing to develop new or existing waste disposal sites to demonstrate that there is a need for the site. [See Policy 1] Applicants must demonstrate that the need cannot be met by other waste management facilities, or demonstrate that there are other material considerations that override the lack of need, for example the opportunity to reclaim degraded, contaminated or derelict land and former mineral workings. [See Policy 1 and Structure Plan Policy MW7]
- 5.5 The Landfill Regulations 2002 have implemented the requirements of the EU Landfill Directive and require existing and new waste disposal sites to be defined as inert, non-hazardous or hazardous landfills. There will be a ban on the co-disposal of hazardous and non-hazardous waste and a requirement to pre-treat waste before landfilling. The Directive is bringing about changes in current practices. As a result of these changes there may be land-use implications that will have to be monitored, for example, possible changes to working and restoration plans, and the timescales involved.²

~~Policy 9: Landfill Gas Utilisation~~ 

~~Where planning permission is required to provide, modify or replace landfill gas management facilities, the Waste Planning Authority will support the installation of landfill gas utilisation plant, where this would represent the Best Practicable Environmental Option, provided that there are no unacceptable adverse impacts.~~

- 5.6 One of the main aims of the Landfill Directive is to reduce the emissions of methane (landfill gas) from landfill sites.³ The majority of the landfill sites in Staffordshire and Stoke-on-Trent that generate landfill gas, passively vent the gas to the atmosphere or flare it off at the present time. However, new permissions granted in 2000 mean that all the sites in Staffordshire contracted to dispose of Staffordshire and Stoke-on-Trent's municipal waste now generate electricity from the landfill gas. [Technical Appendix 2 lists the sites that are permitted to generate electricity from the landfill gas and their current operational status, at January 2001]
- 5.7 The Landfill Directive requires that all landfills receiving biodegradable waste must include measures to treat and use the gas. If the gas cannot be used to produce energy, it must be flared.⁴ In the event that the WPAs receive planning applications to change existing vents to flares, or to deposit biodegradable waste, the opportunity will be taken to encourage landfill operators to install landfill gas utilisation plant. In such cases consideration will have to be given to whether in principle such arrangements would represent the Best Practicable Environmental Option. [See Policy 2] And, consideration would have to be given to the location of the plant or associated pipe work to ensure that there would no unacceptable adverse impacts, for example, the visual or noise impacts, or unacceptable interference with the restoration of the site. [See Policy 3]

Policy 10: Waste Disposal on Agricultural, Forestry, or Other Land

Where planning permission is required to deposit waste to improve agricultural or forestry land, or for landscaping, screening or engineering purposes, the proposed development will not be permitted except where:

- i) the proposals represent the Best Practicable Environmental Option;**
- ii) only inert waste would be deposited;**
- iii) the amount of waste proposed to be deposited is the minimum necessary for the intended purpose;**
- iv) the material planning benefits of the proposed development outweigh any material planning objections; and,**
- v) the proposals are comprehensive, detailed, practical and achievable.**

- 5.8 There is adequate landfill provision in the Plan area and there is a drive to move waste up the waste hierarchy. Also, the type of waste that is often deposited on agricultural, forestry or other land could be recycled, or used to help restore mineral sites.
- 5.9 Permitted development rights set out in the Town and Country Planning (General Permitted Development) Order 1995, allow farmers to bring waste on to their land if it is reasonably necessary for the purposes of agriculture or forestry. For example, farmers may wish to provide a base to a farm building or form a hard surface or a private driveway. In such cases the waste material must be incorporated forthwith, not stockpiled or processed.⁵ Farmers must give the local planning authority prior notification before commencing such work to confirm that the proposed development falls within the permitted development rights, or to confirm whether planning permission is required. Farmers must also contact the Environment Agency to establish whether or not the proposed operations require a **waste management licence**, or whether the proposed operations should be registered as an exempt activity. Farmers should also contact Customs and Excise to establish whether they would be required to pay the **landfill tax**.
- 5.10 In practice over recent years, more particularly since the introduction of the Landfill Tax in 1996, a number of planning permissions have been issued that have allowed waste materials to be deposited on agricultural, forestry or other land. Often the case has been made that the proposals would result in agricultural improvements, or that the importation of material was needed for forest tracks, or for landscaping, screening or engineering purposes in association with other types of development, for example golf courses. In some cases however, the prime purpose of the development was the disposal of waste and not simply to enable acceptable development to take place. Local planning authorities should therefore consider carefully the waste implications of the proposed development in consultation with the WPA. [See Policy 6]
- 5.11 A number of retrospective planning permissions have also been issued to regularise the position where unauthorised waste disposal has taken place. In some instances sites have failed to achieve a satisfactory standard of operation, restoration and aftercare and as a result the land has not been improved to the standard proposed. Enforcement action has also been required to secure the removal of waste material tipped on agricultural land without planning permission, or to secure the satisfactory restoration and aftercare of sites.

- 5.12 It may be claimed that waste disposal on agricultural or other land would represent the Best Practicable Environmental Option (Policy 2) and would offer planning benefits. But such matters would have to be weighed against any unacceptable adverse impacts (Policy 3). For example, the proposed development may require the use of large vehicles on unsuitable roads, thereby introducing a noisy and disruptive activity into the countryside. The development may also result in the loss of natural or cultural assets including features of nature conservation interest or landscape character such as ponds and naturally regenerated land.
- 5.13 Therefore, in order to satisfy the WPA that waste disposal is necessary for the proposed purpose, applicants should provide supporting information to demonstrate that their proposals would meet all the policy criteria set out in Policy 10.

~~Policy 11: Re-working of deposited waste~~ 

~~Proposals to re-work deposited waste will not be permitted except where:~~

- ~~i) the proposals represent the Best Practicable Environmental Option; and,~~
- ~~ii) re-working would achieve material planning benefits that outweigh any material planning objections.~~

- 5.14 There may be technical reasons why it is proposed to re-work the deposited waste, for example, in order to re-engineer a landfill site to resolve pollution problems or to allow development to take place on the land or nearby. Alternatively, a change in economic circumstances, for example, the introduction of an Aggregates Tax, may prompt interest in re-use or recycling of deposited waste such as inert waste or pulverised fuel ash (PFA). However, re-working deposited waste can create additional landfill capacity or void space which will require refilling. There is no need for additional landfill capacity, therefore there is no need to re-work deposited waste simply to create additional landfill capacity.
- 5.15 When considering proposals for re-working deposited waste, the WPA must strike a balance between encouraging re-use and recycling, and the impact that re-working may have on the site and its surroundings. It is therefore necessary to determine whether the proposed development represents the Best Practicable Environmental Option (Policy 2) and weighed the benefits against any unacceptable adverse impacts (Policy 3).

Policy 12: Criteria for the location of Waste Treatment Facilities

Proposals for new waste treatment facilities will be permitted where the proposed development represents the Best Practicable Environmental Option and would be compatible with other adjoining or nearby land-uses; and,

- i) complement existing activities or form part of an integrated waste management facility; or,**
- ii) bring degraded, contaminated or derelict land back into productive use, or re-use existing or redundant buildings.**

- 5.16 Staffordshire and Stoke-on-Trent adopted an interim planning policy ‘Waste Transfer Stations and Material Recycling Facilities’ in June 1997. The interim policy has been updated and expanded to collectively refer to **waste treatment facilities**. For the purposes of the Waste Local Plan, waste treatment facilities include the following:
- waste transfer stations (WTS)
 - **materials reclamation facilities** (MRFs)
 - secondary aggregate recycling facilities
 - household waste recycling centres / civic amenity sites, and bring facilities
 - recycling facilities
 - composting facilities
 - scrapyards
 - treatment facilities, including sewage treatment works
 - incinerators, with or without energy recovery
 - landfill gas utilisation facilities
 - any similar treatment or handling facilities new and emerging technologies such as facilities for anaerobic digestion, gassification, pyrolysis and the production of waste derived fuels and energy recovery technologies.
- 5.17 An adequate provision of waste treatment facilities is important and will be encouraged as they have an essential part to play in an integrated network of waste management facilities. Waste treatment facilities re-use, recover or recycle waste materials, reduce the hazardousness of wastes, and reduce the amount of waste being deposited at landfills. There can also be benefits in terms of the integration of the waste treatment facilities close to the source of the waste arisings, close to the point where the waste is to be re-used, or close to other waste management facilities. It will therefore be helpful for applicants to demonstrate the benefits of their proposals, having regard to the general principles described in Policy 2 and the Waste Planning Strategy. [See Part 3]
- 5.18 When considering proposals for waste treatment facilities, the WPA must strike a balance between encouraging re-use and recycling, and the impact that waste treatment facilities may have on the site and its surroundings. It is, therefore, necessary to determine whether the proposed development represents the Best Practicable Environmental Option (Policy 2) and weighed the benefits against any unacceptable adverse impacts (Policy 3).
- 5.19 The WPA would consider whether a proposal to integrate the proposed development with an existing facility would cause any unacceptable direct, indirect, cumulative, short, medium or long-term adverse impacts. For example, there may be benefits in locating a recycling facility to produce secondary aggregate within a mineral void or alongside existing processing plant.⁶ However, care would need to be taken to ensure that the proposals would not adversely affect the overall restoration of the site and any additional noise, dust or traffic would be acceptable. Equally there may be potential benefits to consider such as the opportunity to reclaim derelict land or re-use vacant or redundant buildings.⁷
- 5.20 As waste treatment facilities carry out essentially industrial activities, they should be guided towards areas where they would be compatible with their neighbours. In all cases, proposals for waste treatment facilities would be assessed against Policy 3, any other development plan policies and government guidance. For example if the proposals fall within the Green Belt, then the impact of the proposals on the openness of the Green Belt and their contribution towards the objectives of Green Belt policy would be considered in the context of Policy 3, the Structure Plan, the Local Plan and PPG2. Also, if the proposals are to be located on existing or allocated industrial land, then the land should already be used or allocated for general industrial purposes rather than land used or allocated for high quality industrial purposes

Policy 13: Time limits for Waste Treatment Facilities on Landfill and Mineral Sites

Planning permission for waste treatment facilities on landfill or mineral sites will be limited to the operational life of the landfill or mineral site.

5.21 Landfill and mineral sites are temporary uses of the land, albeit some can last for a considerable length of time. In order to ensure the satisfactory restoration of landfill and mineral sites within the permitted time frame, it is important that any secondary activities that are permitted, do not in the end become the primary use of the land, or delay the restoration of the site.⁸ For this reason the planning permission for the waste treatment facility will be related to the operational life of the permitted landfill or mineral site unless there are material considerations which indicate that a different time period should be permitted.⁹

Policy 14: Waste Treatment Facilities within buildings and in the open air

Proposals for waste treatment facilities will be permitted if the proposed development is to be carried out within a purpose built or appropriately modified existing building and would not give rise to any unacceptable adverse impacts due to the location, nature or scale of the proposed development.

Proposals for waste treatment facilities will not be permitted if the proposed development is to be carried out in the open air except where the proposals would not give rise to any unacceptable adverse impacts due to the location, nature or scale of the proposed development; and,

- i) part or all of the proposed development is required by statutes or regulations to be carried out in the open; or,**
- ii) due to the nature of the proposed development, part or all of the proposed operations can reasonably only be carried out in the open.**

5.22 The WPAs, together with the Environment Agency, wish to encourage the provision of waste treatment facilities within buildings to secure higher environmental standards for the management of waste and to minimise the impact on adjoining land-uses. However it is clearly impractical to require all activities to be under cover at all times. Where proposals do not include the provision or use of a building, then the WPA will expect the applicant to demonstrate how the proposed development meets the exceptions set out above, or demonstrate any other material considerations which should be taken into account.

5.23 Experience in dealing with operational waste treatment facilities has indicated that if the facility handles over 100 tonnes of waste per day then processing operations should normally be within buildings. In some circumstances however, sites processing less than 100 tonnes per day would also be required to be enclosed if the operations are likely to generate unacceptable adverse impacts. The 100 tonne threshold has been in use for some time as policy guidance and has generally proved effective. In circumstances where waste is deposited directly into a hopper, compactor or similar facilities then effectively the waste is under cover. Some operations are required by regulations to take place in the open, for example, drum crushing, and others can reasonably only be conducted outside, for example composting windrows. The policy is also flexible to allow for circumstances when it is reasonable for parts of the operation to be carried out in the open. For example, to allow the

open-air storage of wastes and recycled products, as long as they are controlled so that they are would not become windblown or produce odours or leachate.

Policy 15: Temporary consent for open air waste treatment facilities

Where it is proposed to operate part or all of the waste treatment facility in the open air, and the proposed development is considered acceptable in all other respects, but doubts remain about the character or effect of the proposed development, planning permission will be issued for a temporary period. The temporary period will be up to one year from the commencement of development, but this period may be varied, having regard to the location, nature or scale of the proposed development.

- 5.24 Where it is proposed to carry out waste treatment in the open air, but there are doubts about the character or effect of the proposed development, government advises that:

“where an application is made for permanent permission for a use which may be ‘potentially detrimental’ to existing uses nearby, but there is insufficient evidence to enable the authority to be sure of its character or effect, it might be appropriate to grant a temporary permission in order to give the development a trial run, provided that such a permission would be reasonable having regard to the capital expenditure necessary to carry out the development.”¹⁰

- 5.25 A one-year trial period should be sufficient to determine the acceptability of the development, for example the standards of the operations and the effectiveness of the proposed mitigation measures. But the development of some waste management facilities can involve significant expenditure, or take time to become fully operational, and a one-year trial period may not always be appropriate. If the applicant considers that a longer trial period should be allowed, evidence should be provided with the application to demonstrate why a longer period should be permitted. During the trial period the onus rests with the operator to demonstrate that the waste management activities can be carried out in an environmentally acceptable manner. One way of doing this might be for the operator to establish a **liaison group** to meet at regular intervals during the trial period to discuss the operation of the site.

Policy 16: Incineration

Proposals for waste incineration will be permitted where the proposed development:

- i) represents the Best Practicable Environmental Option;**
- ii) includes energy recovery, either by combined heat and power or electricity generation; and,**
- iii) will not undermine the provision of waste management facilities operating further up the waste hierarchy, including composting and material recycling and waste to energy facilities.**

- 5.26 ‘Waste Strategy 2000’, the Government’s national waste strategy, states that ‘The Government ...believe that recovery of energy from waste, through using it as a fuel has an important role to play alongside recycling and composting in a system of integrated sustainable waste management.’¹¹ However, incineration can represent a major investment, require long term contracts and substantial quantities of waste to guarantee viability. It is therefore important in the context of the Best Practicable Environmental Option, the waste hierarchy and the proximity principle, to consider the economic implications of the proposed development, along with the environmental and social implications. [See Policies 1, 2 and 3].

Hence the effect on the provision of waste management facilities must be considered so that the proposed development would not undermine more sustainable methods of waste management.

Reference or Note:

1. The Town and Country Planning (Development Plan) (England) Regulations 1999, section 20 (3) (a) which refers to section 20 (1)]
2. The Landfill (England and Wales) Regulations 2002' made in June 2002 (Statutory Instrument 1559)
3. 'Waste Strategy 2000 – England and Wales', Part 1, paragraph 1.7.
4. The Environment Agency's best practice advice on the flaring of landfill gas 'Interim internal technical guidance for best practice flaring of landfill gas' dated March 1999
5. The Town and Country Planning (General Permitted Development) Order 1995 – Schedule 2, Part 6.
6. 'Controlling the Environmental Effects of Recycled and Secondary Aggregates Production - Good Practice Guidance' DETR, dated March 2000
7. The Structure Plan policies MW6 and MW7 and Minerals Local Plan Policy 55.
8. Unlike planning permissions for waste management facilities which may be time limited, waste management licences issued by the Environment Agency are not time limited.
9. 'Planning Policy Guidance Note 10: Planning and Waste Management' (PPG10), paragraph A47, DETR, dated September 1999.
10. Circular 11/95 'The use of conditions in planning permissions', paragraph 111, DETR, dated 20 July 1995.
11. 'Waste Strategy 2000', Part 1, paragraph 2,23.

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Proposals Map

The policies in the Plan relate to the whole of the Plan area.

The Proposals Map is available separately on the Waste Local Plan web page at www.staffordshire.gov.uk/waste

GLOSSARY

Glossary

Agenda 21 / Local Agenda 21

At the Earth Summit in Rio de Janeiro in 1992 a number of international agreements were signed including Agenda 21. It is intended to be “*a comprehensive programme of action needed throughout the world to achieve a sustainable pattern of development for the next century*”. Agenda 21 is also intended to raise awareness of environmental issues and highlight the fact that we all have a responsibility to achieve more sustainable development. The signatories to Agenda 21 agreed to draw up national action plans, and “*local authorities would then work with their communities, through a process of consultation and consensus, to produce Local Agenda 21 programmes*”.

Annual landfill survey

Staffordshire and Stoke-on-Trent Councils conduct annual landfill surveys on a confidential basis to monitor the provision of landfill capacity. The first survey was conducted in February 1998. The surveys target operators and owners of sites with planning permission to deposit waste material (i.e. landfill sites, and mineral sites where there is a requirement to import material for restoration purposes). [Technical Appendix 1 provides aggregated results of the surveys.]

Best Practicable Environmental Option (BPEO)

Defined by the Royal Commission on Environmental Pollution as “*the outcome of a systematic consultative and decision making procedure which emphasises the protection and conservation of the environment across land, air and water. The BPEO procedure establishes, for a given set of objectives, the option that provides the most benefits or least damage to the environment, as a whole, at acceptable cost, in the long term as well as in the short term.*”

The Government’s national waste strategy ‘Waste Strategy 2000’, published in May 2000, identifies the Best Practicable Environmental Option (BPEO) as the key principle that underpins the Government’s vision of sustainable waste management. Three additional principles, the waste hierarchy, the proximity principle and self-sufficiency/regional self-sufficiency support BPEO. Government advice explains that BPEO does not explicitly embrace the social implications of waste management, but the Government acknowledges that social implications should be taken into account. The DETR are carrying out research on the land-use planning aspects of BPEO. Any forthcoming guidance would be a material consideration in determining waste planning applications.

Biodegradable municipal waste (BMW)

[See waste below]

The *Landfill Directive* sets targets to reduce BMW and the Government’s national waste strategy ‘Waste Strategy 2000’ and ‘The Landfill (England and Wales) Regulations 2002’ were made (Statutory Instrument 1559) describe the strategy and the regulatory requirements to achieve the landfill targets.

Code of Practice / ‘A Code of Practice for Waste Developers

Supplementary planning guidance entitled “**A Code of Practice for Waste Developers**” has been prepared to accompany the Plan. The Code of Practice provides guidance to applicants on the information that will be required to accompany planning applications for waste management facilities. It also encourages developers to comply with best practices that minimise adverse impacts and maximise the environmental benefits of their proposals.

The Code of Practice does not have the special status of development plan policies in determining planning applications. Nevertheless, as supplementary planning guidance, the Code of Practice will be regarded as a material consideration when planning applications are determined.

The Code of Practice will be sent out with copies of waste planning application forms and will also be made available for purchase with the adopted Waste Local Plan.

Controlled waste (waste)

[See *waste* below]

Refers to household/municipal, industrial and commercial waste. It excludes for example, mineral waste and agricultural waste. For a precise definition see the Waste Management Licensing Regulations 1994 and 'Waste Strategy 2000', Part 2, Annex B, paragraph B.19 and B.20. For a more general explanation see 'Waste Strategy 2000' Part 2, paragraph 2.2 and Annex D.

County matter

Stoke-on-Trent City Council is a unitary authority and so is responsible for all planning matters within its area.

Within Staffordshire County Council's area, there are two planning authorities, the County Council and the District Councils. Schedule 1 of the Town and Country Planning Act 1990 draws the distinction between the planning applications that should be dealt with by the County Council and applications that should be dealt with by the District Council. These are referred to as county or district matters.

The Town and Country Planning (Prescription of County Matters) Regulations 1980 define "the use of land or the carrying out of operations in or on land for the deposit of refuse or waste materials and the erection of any building, plant or machinery designed to be used wholly or mainly for purposes of treating, storing, processing or disposing of refuse or waste materials" as a county matter.

Annex C to PPG10 gives guidance on what constitutes a county or district matter in respect of the managing, processing and recycling of waste. Annex C lists the type of development that the ODPM considers to be county matters. The guidance urges close liaison between county and district planning authorities where the distinction is not clear-cut. However the distinction is not always clear-cut and so the ODPM is currently reviewing this issue with a view to clarifying the type of development that should be regarded as a county matter.

Cumulative impacts

Cumulative impacts can embrace the following circumstances, which are not mutually exclusive.

- i) The combined impacts from a single site on the environment or local communities, for example, traffic, noise, dust, odour, and visual intrusion.
- ii) The combined impacts from two or more sites.
- iii) The combined impacts on the landscape arising from the lack of, poor or immature restoration of a number of sites over time.
- iv) The cumulative impact on the quality of life of an area arising from a sequence of similar activities.

Departure applications

[See *Development plan*]

Development plan

In Staffordshire and Stoke-on-Trent, the 'development plan' includes the Structure Plan, Stoke-on-Trent's City Plan, the Minerals Local Plan, the Local Plans prepared by the 8 Staffordshire District Council's and the Waste Local Plan when it is adopted. For more details, including links to the planning policy documents and information about the current status of the documents, visit the 'Staffordshire web' site at www.staffordshire.gov.uk/planning

PPG1, paragraph 39 sets out the purposes of the planning system and the role of the development plan. It says:

"The planning system regulates the development and use of land in the public interest. The system as a whole, and the preparation of development plans in particular, is the most effective way of reconciling the demand for development and the protection of the environment. Thus it has a key role to play in contributing to the Government's strategy for sustainable development by helping to provide for necessary development in locations which do not compromise the ability of future generations to meet their needs."

Planning decisions are required to be determined in accordance with the policies contained in the 'development plan' unless material considerations indicate otherwise. Conversely planning applications that do not accord with the plan, should not be allowed unless material considerations justify granting a planning permission. [See Planning Policy Guidance 1 'General Policy and Principles' (PPG1, paragraph 40)].

In some circumstances the WPA may be minded to permit a waste development, even though it represents a significant departure from the development plan, because material considerations justify granting a planning permission. In such cases particular arrangements exist whereby the application must be advertised as a departure application and the Secretary of State notified. The Secretary of State must then determine whether the application raises planning issues of more than local importance and should be called in for determination. [See DETR Circular 07/99 'The Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999'.]

Draft Waste Planning Strategy, 1998 to 2011, November 1998

The Draft Waste Planning Strategy was the subject of formal public consultation between 21 January 1999 and 8 March 1999. About 900 copies of the document were sent out to a wide range of consultees and 62 responses were received.

Following careful consideration of the comments made, the two Councils approved the Waste Planning Strategy as the basis for the preparation of the Waste Local Plan (Staffordshire County Council on 28 September 1999 and Stoke-on-Trent City Council on 15 October 1999). A schedule entitled 'Deposit Waste Planning Strategy - Comments and Responses – September 1999' was produced. [See *Statement of Publicity*]

The general and specific principles that made up the Waste Planning Strategy have been incorporated as Part 3 in the Waste Local Plan.

Environment Agency

The Environment Agency was formed in April 1996, and inherited the responsibilities of the former Waste Regulation Authorities, Her Majesty's Inspectorate of Pollution and the National Rivers Authority.

Two Regional offices and three Area offices administer the Plan area. The majority of the Plan area falls within the Midlands Region and is administered from the Upper Trent Area Office at Lichfield. The north-western edge of the Plan area, near Biddulph, is within the North West Region and is administered by the South Area Office at Sale, near Manchester. The Upper Severn Area Office, based at Shrewsbury, administers the south-western part of the Plan area.

The Environment Agency produce Local Environment Agency Plans (LEAPs) based around river catchments. LEAPs set out the Agency's plans to tackle key local environmental issues in line with principles and objectives of national strategies and plans. To date LEAPs have been published for 'The Dove', 'Staffordshire Trent Valley', 'West Midlands-Tame', 'Burton, Nuneaton and Tamworth' and the 'Middle Severn'

Furnace Bottom Ash (FBA), Pulverised Fuel Ash (PFA) and Fly Ash

Incinerators and coal-fired power stations produce FBA, PFA and Fly Ash.

The Sinergy waste to energy plant at Hanford, Stoke-on-Trent, incinerates about 200,000 tonnes of household waste each year and produces 60,000 tonnes of furnace bottom ash. The plant also produces about 5-6,000 tonnes of fly ash, which is classified as being Special Waste. Whilst the Meece landfill near Swynnerton is currently being used for the disposal of furnace bottom ash and fly ash, options for diverting them from landfill on a permanent basis are being pursued.

A working group made up of officers from Staffordshire and Stoke-on-Trent Councils, together with representatives from the interested parties, have promoted a pilot project to construct a new access road and hard surfaced areas using FBA at the Bemersley Household Waste and Recycling Centre. The project was completed in November 1999. Other possible uses currently being considered include the surfacing of back alleyways in Stoke-on-Trent and block making. Use of FBA in this way would increase the recycling of waste, reduce the consumption of landfill void capacity and reduce the need for primary aggregate.

The Rugeley Power Station produced about 60,000 tonnes of FBA and 200,000 tonnes of PFA (including Fly Ash) in 1998. The ash, which is inert in nature, has a wide range of uses including block making and road construction. Ash is sometimes landfilled at Newbold Gravel Pit, near Barton under Needwood, when ash generation outstrips sales. The amount of ash would decrease if the power station switches to dual fuel (natural gas and coal).

Green Belt

PPG2 'Green Belts' indicates that the aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, but Green Belts also serve to protect the countryside and assist in moving toward more sustainable patterns of urban development (PPG2, paragraph 1.5). There is a general presumption against inappropriate development. Inappropriate development is defined as development that is harmful to the Green Belt. The Government attaches "substantial weight to the harm to the Green Belt" (PPG2, paragraph 3.2). More specifically government guidance, indicates that operations are inappropriate unless they maintain openness, and do not conflict with the purposes of including land in the Green Belt (PPG2, paragraphs 3.12 and 3.13).

Whereas mineral extraction need not be inappropriate development because minerals can only be worked where they are found, there is not the same limitation on the location of waste management facilities. Waste development may therefore be regarded as inappropriate development where it fails to maintain the openness of the land or conflicts with the purposes of including land in the Green Belt.

Structure plan policies seek to protect Staffordshire's Green Belt, around the north Staffordshire conurbation, the West Midlands conurbation and a small area to the east of Burton upon Trent, from inappropriate development, except in exceptional circumstances. The relevant adopted Structure Plan policies are numbered D5A and D5B. [See *Structure Plan*]

Human health and the environment

There are number of useful references that explain what is meant by human health and the environment and how this aspect should be considered.

- The European Framework Directive on Waste (Article 4) requires that "member states ... ensure that waste is recovered or disposed of without endangering human health and without using processes or methods which could harm the environment...."
- The Government's strategy for sustainable development 'A better quality of life' refers to the importance of the '*precautionary principle*' and '*making the polluter pay*'.
- The Government's national waste strategy explains that research is underway into the possible health effects of various types of waste management facility so that the effects can be taken into account when assessing the Best Practicable Environmental Option.(Waste Strategy 2000, Part 1, page 39)
- PPG23 explains that complementary planning and pollution control systems exist that are both designed to protect the environment from potential harm (harm means harm to health and the environment).
- PPG23 goes on to explain that the role of the planning system is to determine whether the development itself is an acceptable use of the land rather than the control of the processes or substances themselves. The planning system must also assume that the pollution control regime will operate effectively.
- PPG23 nevertheless recognises that issues such as the impact on amenity, the effect on the use of other land from the risk and potential pollution, or the potential nuisance may be material considerations (PPG23, paragraph 1.33).
- PPG10 explains that one of the objectives of *sustainable waste management* is to preserve or enhance the overall quality of the environment and avoid risks to human health (PPG10, paragraph 5 c)).
- The Structure Plan policy MW6 refers to the need to assess the social, environmental and economic effects of the proposals.

Integrated municipal waste management strategies

The Government is encouraging waste disposal and waste collection authorities to jointly prepare municipal waste management strategies. For their part, Staffordshire County Council's Waste Management Unit and Stoke-on-Trent City Council are, in co-operation with the 8 Staffordshire District Councils, preparing a joint integrated municipal waste management strategy for the period 2002 to 2020. A pre-consultation version of the document '2020 Vision: Zero Waste to Landfill' dated 20 September 2002, is available on the Staffordshire Web at www.staffordshire.gov.uk/live/pdf/waste/wastezero.pdf . The document is due to be formally publicised and made available for public comment by mid 2003 and finalised before the end of 2003.

The aim of the strategy will be to co-ordinate the management of municipal waste between the Waste Disposal Authorities (Staffordshire and Stoke-on-Trent) and the Waste Collection Authorities (Stoke-on-Trent and the 8 Staffordshire Districts). The strategy will also provide the framework for initiatives to be undertaken by the Waste Disposal Authorities, the Waste Collection Authorities and the private sector.

The strategy will describe the current arrangements for the collection and disposal of municipal waste and the targets set by the European Landfill Directive and the provisional Best Value performance indicators.

The strategy will consider several waste management options, including possible joint arrangements between adjacent WDAs, WCAs and the private sector. And, the strategy will establish policies and targets for the management of municipal waste. The Waste Local Plan will provide the planning policy framework for the implementation of the strategy.

Integrated waste management / “an integrated approach to waste management”

[See ‘A way with waste’ Part 1, paragraph 2.12, ‘Waste Strategy 2000’ Part 1, Summary page 8 and paragraph 4.13 bullet 3]

Integrated waste management means:

- recognising each step in the waste management process is part of a whole;
- ensuring that decisions take account of the collection, transport, sorting, processing and recovery or disposal of wastes; and in the case of recovery, identification of end uses or markets for the resulting materials or energy;
- recognising the role of all key players and the contributions which all interested parties (which might include waste producers and managers, waste re-processors, waste regulators, waste management planners, community groups, individuals and households, and Government) can make to the development and achievement of common goals and objectives;
- recognising the fact that there may need to be a mixture of waste management solutions, to deal with significant quantities of mixed or diverse wastes; and,
- recognising the need to avoid an over-reliance on a single waste management option, as it is unlikely that one approach will represent BPEO for all elements of a waste stream.

Landfill capacity

[See *Permitted landfill capacity*]

Landfill Directive / Council Directive 1999/31/EC

The European Union agreed the Landfill Directive on 26 April 1999 and it came into force in the EU on 16 July 1999 when it was published in the Official Journal. The Government must bring the requirements of the Directive into law by 16 July 2001. [See ‘The Landfill (England and Wales) Regulations 2002’ made in June 2002 (Statutory Instrument 1559)]

The Directive requires the pre-treatment of all waste to be deposited in landfills and a reduction in the amount of *biodegradable municipal waste* (BMW) to landfill equivalent to 35% of total BMW produced in 1995 by 2020 at the latest. The Directive also introduces a ban on co-disposal of hazardous and non-hazardous wastes and requires hazardous, non-hazardous and inert wastes to be landfilled separately. There will be a ban on landfilling of tyres by 2003 and shredded tyres by 2006. A ban on landfilling liquid waste, infectious waste and certain hazardous waste by 16 July 2001 and changes to the waste management licensing regime. [See *waste*]

Landfill site

The place where controlled waste is deposited.

Reference to landfill in this document may also refer to landraising and waste disposal.

In Staffordshire and Stoke-on-Trent landfill has generally involved the infilling of voids following mineral extraction. Whereas landraising, which is less common, involves the deposit of waste above ground, often in naturally occurring depressions or as part of a reclamation scheme.

Landfill Tax

The Landfill Tax, introduced on 1st October 1996, imposed a charge for the deposit of ‘active’ and ‘inactive’ waste at licensed landfill sites. The charge for active waste was initially set at £7 per tonne and the charge for inactive waste at £2 per tonne. In his 1999 Budget Statement the Chancellor announced that the Landfill Tax for active waste would escalate from the current £10 per tonne by £1 per year, with a review in 2004.

The introduction of the tax has resulted in a sharp decline in the amount of inert waste being landfilled at licensed sites. But, this has caused difficulties in achieving the satisfactory restoration of some mineral sites. As a consequence, it was announced in the April 1998 Budget that infilling at mineral sites with inactive waste would be exempt from the tax from October 1999. The effects of that change have not yet been felt but will be monitored.

Legal agreements

Legal agreements can include for example;

- planning obligations, either planning agreements or unilateral undertakings (in accordance with the Town and Country Planning Act 1990, section 106, as amended by the Planning and Compensation Act 1991); or,
- agreements related to development in the vicinity of trunk roads (in accordance with the Highways Act 1980, section 278)

The guidance on planning obligations states that they must be sought only where they meet the following tests; i.e. where they are necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development; and reasonable in all other respects. [See Circular 1/97 Planning Obligations]

Liaison group

A meeting arranged by the operator of a waste management facility to discuss the operation of that site at regular intervals. The group would normally be made up of representatives from the company, local residents, elected Members from the County, District and Parish Councils, and an officer from the Environment Agency, the WPA and the LPA.

Local Environment Agency Plans

[See *Environment Agency*]

Major development proposals

For the purposes of the Waste Local Plan, major development proposals would include:

- proposals for large scale housing, retail and industrial development,
- transport related development proposals; or,
- proposals that would generate substantial quantities of construction or demolition waste.

Materials Reclamation Facility / Materials Recovery Facility / Materials Recycling Facility

(MRF – pronounced “murf” or “M R F”)

Such facilities can vary in scale from small, community based recycling activities, to large multi-stream separation and recovery operations in purpose designed buildings.

Minerals Local Plan

Staffordshire and Stoke-on-Trent Councils adopted the Minerals Local Plan on 7 December 1999. The Plan, which covers the period 1996 to 2006, contains detailed policies and proposals to assess and control proposed mineral development. The document also contains a Code of Practice to advise applicants on the preparation of planning applications. The policies and advice in the Minerals Local Plan may be relevant to applicants preparing planning applications for waste developments, particularly where the development involves an element of mineral extraction or is on land currently or previously used for mineral extraction or processing.

Mineral Planning Guidance (MPG)

[See *Planning Policy Guidance*]

Packaging Waste Regulations and the Packaging Directive

Under the EC Directive on Packaging and Packaging Waste, at least 50% of the UK's packaging waste must be re-used through recycling and other recovery methods by the year 2001. The legislation implementing the Directive is the Producer Responsibility Obligations (Packaging Waste) Regulations 1997. The Regulations aim to ensure that the real environmental costs of producing, using and disposing of packaging fall directly on those who produce or use it. The targets will be reviewed in 2000 and further targets set for the next 5 years.

Permitted landfill capacity

The area or void where there is planning permission to deposit waste material.

The landfill capacity in Staffordshire and Stoke-on-Trent is usually the result of mineral extraction.

In some cases the landfill capacity may not yet exist, as mineral extraction has not yet taken place.

Before landfilling can commence, operators are normally required to hold a *waste management licence*, issued by the Environment Agency.

Technical Appendix 2 provides details of the permitted landfill sites and other waste management facilities in the Plan area, at January 2001.

Planning Policy Guidance (PPG) and Mineral Planning Guidance (MPG)

PPGs and MPGs set out the Government's policies on different aspects of planning. They must be taken into account by local planning authorities as they prepare their development plans and may be material to decisions on individual planning applications.

Polluter pays

The Government's strategy for sustainable development 'A better quality of life', published in May 1999, explains that 'making the polluter pay' gives incentives to reduce harm, and means that costs do not fall on society at large. At the same time, it may not always be possible for everyone to bear all such costs, particularly for essential goods and services. (Chapter 4, paragraph 4.1)

Precautionary principle

The Government's strategy for sustainable development 'A better quality of life', published in May 1999, explains that the Rio Declaration defined the principle as 'where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation'. Precautionary action requires assessment of the costs and benefits of action, and transparency in decision-making. (Chapter 4, paragraph 4.1) The strategy goes on to explain how the principle should be applied. (Chapter 4, paragraph 4.2)

Proposals Map

The Proposals Map accompanies the Waste Local Plan. In this case there are no proposals but the Map does identify the extent of the Plan area and the administrative areas of Staffordshire and Stoke-on-Trent, excluding that part of the Peak District National Park which lies in Staffordshire.

Proximity principle

"Waste should generally be managed, as near as possible to its place of production, because transporting waste itself has an environmental impact." (PPG10, Box 1)

Regional self-sufficiency / Self-sufficiency.

Government guidance in PPG10 requires that most of the waste arising should be treated or disposed of within the region in which it is produced. Each region should provide for facilities with sufficient capacity to manage the quantity of waste expected to need to be dealt with in that area for at least 10 years. In some cases however it may be necessary to recognise units smaller than regions but larger than WPAs. WPAs should make adequate provision in their development plans for any waste management facilities which may be needed, taking account of the advice of the Regional Planning Body for their area." (PPG10, Box 1).

According to the Waste Strategy 2000, 'self-sufficiency' is a key consideration in determining the Best Practicable Environmental Option. The strategy explains that "The Government believes that waste should not be exporting waste from the UK for disposal. And, explains that "Waste Planning Authorities and the waste management industry should aim, wherever practicable, for regional self-sufficiency in managing waste." (Part 1, paragraph 4.5).

This principle is supported in the Structure Plan (Policy MW5 (c)) and the Waste Local Plan (Policy 2).

Regional Planning Guidance for the West Midlands Region (RPG11, April 1998)

RPG 11 provides the regional land use and transportation context for all the West Midlands local authorities to prepare their development plans and local transport plans. The guidance covers the period to 2011.

The RPG sets out a vision for the Region, development principles and sub-regional strategies. The review of RPG11 began in February 2000 and is programmed to be completed by autumn 2003.

Regional Technical Advisory Body (RTAB)

[See *Regional Waste Planning Strategy* and *West Midlands Regional Waste Planning Technical Group*]

Regional Waste Planning Strategy

PPG10 advises each region to prepare a Regional Waste Planning Strategy. In the West Midlands Region this document is being prepared by the West Midlands Regional Waste Technical Group. A draft version of the Regional Strategy is due to be published during 2001 for public comment. WPAs are required to take account of the Regional Waste Planning Strategy during the preparation of their WLPs and when finalised it will become a material consideration. The strategy will inform the Regional Planning Body responsible for the review of RPG11.[See Policy 1]

Self-sufficiency

[See *regional self-sufficiency*]

Staffordshire

Staffordshire refers to the County of Staffordshire, excluding Stoke-on-Trent, and excluding that part of the County that lies within the Peak District National Park. The Peak District National Park Authority is the WPA for its area, and the Park Authority falls within the East Midlands Regions for planning purposes. However that part of the Staffordshire Moorlands District falling within the National Park, is the responsibility of Staffordshire Moorlands District Council for waste collection and Staffordshire County Council for waste disposal purposes.[See *Proposals Map*]

Statement of Publicity

A Statement of Publicity has been produced in accordance with the 'Town and Country Planning (Development Plan) (England) Regulations 1999'. Specifically in accordance with Regulation 21, the Statement of Publicity:

- lists the persons who have been consulted;
- describes the steps taken to publicise the plan; and,
- describes the opportunity that has been given to make representations in respect of the plan.

The Statement of Publicity can be seen at the offices of Staffordshire County Council's Development Services Department and Stoke-on-Trent City Council's Planning, Environment, Transportation and Engineering Department. It is also possible to purchase a copy of the Statement or to view it on the 'Staffordshire web' (Staffordshire County Council's web site at www.staffordshire.gov.uk).

Stoke-on-Trent

Stoke-on-Trent refers to the City of Stoke-on-Trent.

[See *Proposals Map*]

Structure Plan

The Structure Plan provides the strategic planning framework for the Waste Local Plan. As well as minerals and waste policies, the Structure Plan contains strategic policies relating to economic development, transportation, housing, the Green Belt, the environment, recreation and the countryside.

A replacement Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011, was adopted in May 2001. The Plan contains updated waste policies (MW5, MW6 MW7, MW8 and MW9) and other policies which may be relevant, for example, general development policies and policies to protect natural and cultural assets.

To view the Plan, or to find out how to purchase a copy of the Plan telephone Tony Lovett (01785 277363), or go to the 'Staffordshire web' site at www.staffordshire.gov.uk/structureplan

Sustainability Appraisal

A Sustainability Appraisal has been produced in accordance with the 'Town and Country Planning (Development Plan) (England) Regulations 1999'. Specifically in accordance with Regulation 20, paragraph 1 (a), which requires the local planning authority to have regard to economic, environmental and social considerations.

The Sustainability Appraisal can be seen at the offices of Staffordshire County Council's Development Services Department and Stoke-on-Trent City Council's Planning, Environment, Transportation and Engineering Department. It is also possible to purchase a copy of the appraisal or to view it on the 'Staffordshire web' site at www.staffordshire.gov.uk/waste.

Sustainable development

According to the Brundtland Report 'Our Common Future' 1987, sustainable development is 'development which meets the needs of the present without compromising the ability of future generations to meet their own needs'. [See *Sustainable development strategy*]

Sustainable development strategy

The Government's strategy for sustainable development is contained in a document titled 'A better quality of life', published in May 1999. The strategy has four main aims:

- social progress which recognises the needs of everyone
- effective protection of the environment
- prudent use of natural resources; and
- maintenance of high and stable levels of economic growth and employment.

The strategy identifies 'headline indicators' that will be monitored annually. The indicators include waste arisings and management.

[See *Sustainability Appraisal*]

Sustainable Waste Management

According to government advice, the planning system has an important role to play in achieving sustainable waste management. It should meet the following objectives (PPG10, paragraph 5)

- a) to provide a planning framework which enables adequate provision to be made for waste management facilities to meet the needs of society for the re-use, recovery and disposal of waste, taking account of the potential for waste minimisation and the particular needs in respect of special waste;
- b) to help meet the needs of business and encourage competitiveness;
- c) to encourage sensitive waste management working practices in order to preserve or enhance the overall quality of the environment and avoid risks to human health;
- d) to have regard to the need to protect areas of designated landscape or nature conservation value from inappropriate development;
- e) to minimise any adverse environmental impacts resulting from the handling processing, transport and disposal of waste;
- f) to consider what new facilities may be needed, in the light of waste forecasts; and,
- g) to ensure that opportunities for incorporating re-use/recycling facilities in new developments are properly considered.

The Government considers that waste management decisions should be based on the following principles, (PPG10, paragraph 6):

- a) consideration of the Best Practicable Environmental Option for each waste stream;
- b) regional self-sufficiency;
- c) the proximity principle; and
- d) a waste hierarchy

These principles are supported in the Structure Plan (Policy MW5) and the Waste Local Plan (Policy 2).

Transport Assessment (TA)

Developers may need to prepare TAs where there are likely to be significant transport implications. Planning Policy Guidance 'Transport' (PPG13, March 2001), sets out the requirements for TAs, which replace Traffic Impact Assessments (TIAs). The Government intends to publish good practice advice on the content of TAs and their preparation in due course. In the meantime Staffordshire County Council has prepared supplementary planning guidance to the Structure Plan (or 'Code of Practice') to assist minerals and waste developers on the preparation of TA's. For more details contact Steve Clarke (01785 276640) or go to the 'Staffordshire web' site at www.staffordshire.gov.uk/structureplan

Waste

Waste is defined as any substance or object which the producer or the person in possession of it discards or intends or is required to discard. [See *controlled waste* and the definitions contained in 'Waste Strategy 2000' Part 2, paragraph 2.2, Annex B, paragraph B.19 and B.20, and Annex D]

For the purposes of the Waste Local Plan, the types of waste have been categorised as follows:
[source: the EU Landfill Directive, April 1999]

'inert waste' means waste that does not undergo any significant physical, chemical or biological transformation. Inert waste will not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental

pollution or harm human health. The total leachability and pollutant content of the waste and the ecotoxicity of the leachate must be insignificant, and in particular not endanger the quality of surface water and/or groundwater. (Article 2 (e))

'non-hazardous waste' means waste which is not covered by Article 2 (c) i.e. hazardous waste

'hazardous waste' means waste which is covered by Article 1 (4) of Council Directive 91/689/EEC of 12 December 1991 on hazardous waste [as amended by European Council Decision 94/904/EC, which established a list of hazardous waste pursuant to Article 1(4)] In summary - hazardous waste will display a low flash point; be classified as toxic, harmful, or corrosive; or contain an irritant or carcinogenic substance.

Biodegradable Municipal Waste (BMW)

The EU Landfill Directive defines BMW in two parts:

1. 'Biodegradable waste' means any waste that is capable of undergoing anaerobic or aerobic decomposition, such as food and garden waste, and paper and paperboard; (Article 2 (m));
2. 'Municipal waste' means waste from households, as well as other waste which, because of its nature or composition, is similar to waste from households. (Article 2 (b)).

The national waste strategy 'Waste Strategy 2000' defines municipal waste as follows:

"Municipal waste includes all waste under the control of the local authorities or agents acting on their behalf. It includes all household waste, street litter, waste delivered to council recycling points, municipal parks and garden wastes, council office waste, civic amenity site waste, and some commercial waste from shops and smaller trading estates where local authority waste collection agreements are in place." (Part 2, paragraph 2.2 bullet 2)

Waste Collection Authority (WCA)

In shire counties, the district councils carry out the function of waste collection. WCAs also have a duty to prepare and publicise waste recycling plans and strategies. Stoke-on-Trent City Council, being a unitary authority, has combined waste collection and disposal responsibilities.

Waste Disposal Authority (WDA)

In shire counties, the county councils are responsible for the safe disposal of all waste collected by the Waste Collection Authorities.

The Environmental Protection Act 1990 required local authorities to transfer their waste disposal facilities to either a partly-owned arms length Local Authority Waste Disposal Company (LAWDC, pronounced "law dac") or directly into the private sector and to carry out their waste disposal responsibilities exclusively by means of letting contracts. In Staffordshire, Poplars Resource Management Company (PREMCO) was formed in 1991 as a LAWDC. In April 1999, PREMCO was sold to Biffa Waste Services Ltd. In Stoke-on-Trent the City Council's Director of Engineering lets waste collection and disposal contracts to the private sector.

Waste disposal site / facility

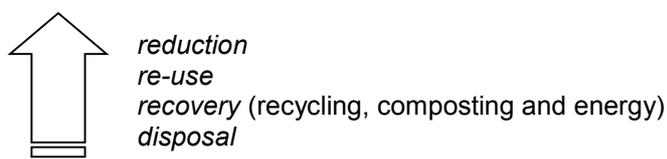
[See *landfill site*]

Waste hierarchy

Government guidance refers to the principle of a waste hierarchy in PPG10 (paragraph 6 and Box1) and in the national waste strategy 'Waste Strategy 2000' (May 2000). The national waste strategy explains that:

- "the most effective environmental solution is often be to reduce the generation of waste - . reduction;
- products and materials can sometimes be used again, for the same or a different purpose - re-use;
- value can often be recovered from waste, through recycling, composting or energy recovered;
- only if none of the above offer an appropriate solution should waste be disposed of."

The strategy explains that "the waste hierarchy is a conceptual framework, which acts as a guide to the framework that should be considered when assessing BPEO." 'Waste Strategy 2000' Part 2, paragraph 3.7 table)



Waste Local Plan (WLP)

The preparation of Waste Local Plan's is a requirement of the Planning and Compensation Act 1991 (the Act) which amends the Town and Country Planning Act 1990. Section 38 of the Act defines a 'waste local plan' as a plan containing waste policies. 'Waste policies' are defined in the Act as detailed policies in respect of development that involves the depositing of refuse or waste materials other than mineral waste.

Annex A, paragraph 11 of PPG 12 (December 1999) advises as follows:

"The plans should set out local authorities' detailed land-use policies for the management and disposal of waste, within the broad strategic framework of the structure plan. The Regulations require authorities to draw up waste local plans that have regard to the national waste strategy. The waste local plan should address the need for sites and facilities in particular areas, suitable locations, and planning criteria likely to apply, including geological, hydrogeological, and other considerations. Further guidance on the preparation of waste local plans is contained in PPG 10: 'Waste Disposal and Management'."

PPG10 advises on the preparation of Waste Local Plan's at paragraphs 33 and 34.
[See *Development plan*]

Waste Management Facility

For the purposes of the Waste Local Plan, waste management facilities include *waste disposal facilities* and *waste treatment facilities*. [See also PPG10, Annex A, paragraph A4]

Waste Management Licence (WML)

The Environment Agency issue waste management licences to control the day to day operation of waste management facilities. Where waste related development requires planning permission, a licence cannot be issued before planning permission has been granted. Some activities may be exempt from waste licensing. Nevertheless operators are required to register exempt activities with the Environment Agency. Exempt activities may still require planning permission. Unlike planning permissions for waste management facilities which may be time limited, waste management licences are not time limited.

Waste Management Plan

Prior to the transfer of waste regulation responsibilities from County Councils and Unitary Authorities to the Environment Agency in April 1996, there was a requirement under the Environmental Protection Act 1990 to produce a Waste Management Plan. The Plan sought to provide a framework to enable strategic decisions to be taken for the management of waste and set out policies to achieve this.

Staffordshire County Council produced a 'Draft Waste Management Plan' in March 1996. The Secretary of State for the Environment confirmed that the consultation draft version of the Management Plan complied with the requirements of Section 50(3) of the Environmental Protection Act 1990.

Staffordshire and Stoke-on-Trent are required to take account of the Waste Management Plan during the preparation of the Waste Local Plan and make a statement that they have done so. The Waste Management Plan continued in force until the national waste strategy was finally determined.

Waste Planning Authority (WPA)

As WPAs Staffordshire and Stoke-on-Trent are responsible for planning control over waste management. They are also responsible for ensuring that there is an adequate planning framework to facilitate the establishment by the industry of appropriate waste management facilities, and to balance this provision with the need to protect the environment. [See *Sustainable waste management*]

Waste treatment facility or site

Waste treatment facilities or sites are the location where waste is handled, stored, sorted, processed, separated, recycled or treated.

For the purposes of the Waste Local Plan they include:

- waste transfer stations (WTS)
- *materials reclamation facilities* (MRFs)
- secondary aggregate recycling facilities
- household waste recycling centres / civic amenity sites, and bring facilities
- recycling facilities
- composting facilities

- scrapyards
- treatment facilities, including sewage treatment facilities
- incinerators, with or without energy recovery
- landfill gas utilisation facilities
- any similar treatment or handling facilities new and emerging technologies such as facilities for anaerobic digestion, gassification, pyrolysis and the production of waste derived fuels and energy recovery technologies. [See 'Waste Strategy 2000' Part 2, Chapter 5]

West Midlands Local Government Association

The Association is made up of representatives of all the local planning authorities within the West Midlands Region. The Association advises the Government Office for the West Midlands who produce Regional Planning Guidance for the West Midlands (RPG11). The latest version was published in April 1998. Staffordshire and Stoke-on-Trent are required to take account of the Regional Planning Guidance during the preparation of the Waste Local Plan.

West Midlands Regional Waste Planning Technical Group

Government advice recommends the establishment of Regional Technical Advisory Bodies to provide advice on the options and strategies for dealing with the waste that will need to be managed within each region (PPG10, paragraph 17 and Annex B). The West Midlands Regional Waste Technical Group, made up of officers from the WPAs, the Environment Agency, and representatives from WCAs and the waste industry was set up to provide advice to the West Midlands Regional Planning Conference. The Technical Group is currently preparing a Regional Waste Planning Strategy. [See *Regional Waste Planning Strategy*]

