

14<sup>th</sup> February 2013

**Agenda Item: 10**

## **REPORT OF GROUP MANAGER, PLANNING**

### **REPORT ON THE CONSULTATIONS FOR NORTHAMPTONSHIRE LOCAL AGGREGATES ASSESSMENT AND THE WASTE AND MINERALS LOCAL PLAN**

#### **Purpose of the Report**

1. To set out the County Council's response to the consultation on the Northamptonshire Draft Minerals and Waste Local Plan and the Local Aggregate Assessment.

#### **Information and Advice**

2. Northamptonshire County Council is undertaking a partial review of the Minerals and Waste Development Framework. As part of this review the individual Development Plan Documents from the Development Framework will be combined into one document to form the Minerals and Waste Local Plan. The consultation on this commenced on 17 January 2013 for a period of eight weeks with the closing date for feedback being 14 March 2013. As this is a partial review, comments are only invited on changed parts of the plan.
3. Northamptonshire County Council are also consulting on a draft Local Aggregates Assessment with the same closing date for comments. This document details the current and future situation in Northamptonshire in terms of aggregate supply and demand including sales data, imports and exports and aggregate apportionment levels to 2031 based on rolling average of ten years sales data.
4. As a Minerals and Waste authority within the East Midlands it is important that Nottinghamshire County Council responds to this consultation to ensure that there is a consistent approach to policy formulation and future minerals apportionment.
5. The draft Minerals and Waste Local Plan (2011 to 2031) identifies what minerals and waste related development should go where, why it should go there, and how by doing so, it can make other land use and infrastructure systems function better. It considers the impact and design of new minerals and waste development, and focuses on how this development can best relate to the surrounding land use and link with the wider community.

6. It is also intended to act as a driver for new investment and identifies how investment in minerals and waste development can be optimised for everyone's benefit. It focuses and integrates minerals and waste development activity and investment with other development and investment in the county.
7. The majority of existing policies are being retained or merged although there are some detailed changes to policies on site restoration, environmental protection, sustainability, transport, and climate change to reflect the introduction of the National Planning Policy Framework. There are no changes to the spatial approach for either minerals or waste development but the minerals apportionment figures have been revised (see more detailed discussion below). Future waste forecasts have also been updated to take account of the continuing impacts of the recession. There is, however, still an assumption of long-term growth and the draft plan identifies a need for additional waste treatment and disposal capacity over the plan period.
8. A specific issue for Northamptonshire is the disposal of hazardous and low level radioactive waste. The existing site at King's Cliffe is one of the few sites available nationally for these categories of waste. The plan's approach is therefore to seek to safeguard this capacity for essential use by encouraging other areas to make adequate provision for any waste which can be managed safely at other, less-specialist, facilities. Hazardous and low level radioactive waste from Nottinghamshire is disposed of at Kings Cliffe.
9. Northamptonshire's overall approach to future waste management provision aims to be net self-sufficient. This means that they will provide for the equivalent of their own waste arisings, thereby allowing a degree of flexibility in waste movements between local authority areas. This is the same as the approach set out within Nottinghamshire's draft Waste Core Strategy.
10. The main mineral resources in Northamptonshire are sand and gravel and limestone.
11. The draft Local Aggregates Assessment sets out the aggregate apportionment levels to 2031 and is consistent with the National Planning Policy Framework (NPPF) and new guidance: 'Guidance on the Managed Aggregate Supply System' (DCLG, 2012) which has been published to assist Mineral Planning Authorities (MPA's) in planning for a steady and balanced supply of aggregates. The new guidance requires each Minerals Planning Authority to calculate their own apportionments on the basis of average aggregate sales over a ten year rolling period and other relevant local information. These new guidelines have marked a shift away from the previous 'historic shares' sub-regional approach to apportionment creation where a nationally prescribed regional apportionment figure was sub-divided proportionality within the region.
12. The sand and gravel apportionment based on the 10 year (2001-11) average sales methodology is 0.52 million tonnes. This is considerably lower than the existing adopted figure of 0.97 million tonnes and the draft 2009 apportionment figure of 0.78 million tonnes agreed by the East Midlands Aggregate Working Party (EMAWP). However Northamptonshire consider this to be the most

appropriate figure given the falling sand and gravel production over the last 10 years and the lack of new sand and gravel capacity in the future.

13. Northamptonshire County Council considers the existing limestone (crushed rock) apportionment figure of 0.39 is appropriate to maintain in the new plan. This is higher than the draft 2009 apportionment figure of 0.3 million tonnes agreed by the EMAWP and the 10 year average sales methodology of 0.35 million tonnes. It is considered suitable to maintain the higher apportionment figure as limestone production has been increasing over recent years despite the recession.
14. The Northamptonshire draft Local Aggregates Assessment will be submitted to the Aggregates Working Party (RAWP), an advisory body made up of Minerals Planning Authorities across the East Midlands and which Nottinghamshire County Council is a member of, for consideration and scrutiny. The working party has a role to monitor the operation of the managed aggregate supply system through providing technical advice, particularly on the apportionment of supply provision.

### Proposed Response

15. Merging the existing minerals and waste policy documents into a single Minerals and Waste local Plan will bring them into line with the latest guidance on plan preparation. There are no significant impacts for Nottinghamshire arising from these proposals and the commitment to net self-sufficiency for waste management and approach towards future minerals provision is supported.
16. Nottinghamshire County Council considers that the method utilised by Northamptonshire County Council to arrive at the future apportionment for sand and gravel and crushed rock is the most appropriate and realistic and is consistent with current national guidance contained within the National Planning Policy Framework (NPPF) and the DCLG document 'Guidance on the Managed Aggregate Supply System'.
17. The disposal of hazardous and low level radioactive waste from Nottinghamshire in Northamptonshire (Kings Cliffe) is included in the Nottinghamshire and Nottingham Waste Core Strategy. The County Council needs to be aware of Northamptonshire's proposals in this regard. Dialogue between the two authorities demonstrates that they are fulfilling the Duty to Co-operate as set out in the Localism Act and the National Planning Policy Framework.

### **Other Options Considered**

18. As the consultation requires representations to be made on Northamptonshire's draft Minerals and Waste Local Plan and draft Local Aggregates Assessment the only other option is not to make representations.

### **Reason for Recommendation**

19. To provide a considered response to Northamptonshire and the Aggregates Working Party.

## **Statutory and Policy Implications**

20. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Financial Implications**

21. There are no direct financial implications arising from this report.

### **Implications for Sustainability and the Environment**

22. The failure to consider the representations of the County Council on Minerals and Waste matters of a neighbouring authority could lead to unsustainable development taking place. The minerals and waste planning interests of the County Council could also be compromised.

## **RECOMMENDATION**

- 1) That Committee approve the above response to Northamptonshire's draft Minerals and Waste Local Plan and draft Local Aggregates Assessment.

**Sally Gill**  
**Planning Group Manager**

**For any enquiries about this report please contact: Lisa Bell, Team Leader – Planning Policy, ext 74547**

### **Constitutional Comments**

23. Committee have power to decide the recommendation (SHB 23.01.13)

### **Financial Comments**

24. The financial implications are set out in paragraph 19 of the report (TMR 22.01.13)

### **Background Papers**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

### **Electoral Division(s) and Member(s) Affected**

All.