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Cumbria Mineral and Waste Development Framework: Repeated Site Allocations Policies and Proposals Map

Barrow Borough Council Statement

Issue 1: Legal Requirements, Evidence Base & Relationship to other M&W DPDs

The Borough Council are concerned about the overall coherence and effectiveness of the proposed Mineral and Waste strategy as a whole.

The Minerals and Waste Core Strategy, which was adopted 23 April 2009, includes, in Policy 9, the estimates of the number and type of waste facilities required across Cumbria. Supporting text, in paragraph 7.32 of the Core Strategy, makes it clear that this will be monitored in the County Council's Annual Monitoring Reports and, any identified significant differences may result in a review of the policy. The implication being that this will be via a review of the Core Strategy.

Policy 9 of the Mineral and Waste Core Strategy forms a fundamental element of the Mineral and Waste Strategy and is an important tool in the control of mineral and waste development.

Following the Hearing stage of the Examination in Public of The Site Allocations Policies and Proposals Map (SAP1) in Sept/Oct 2010, amended text was added to SAP1, with the specific purpose of reinterpreting Core Strategy Policy 9.

The amended text in SAP1 stated "...that it is not intended to use that policy [Core Strategy Policy 9] restrictively, to the extent of using those figures on the principle of this number and no more. There are considered too many uncertainties, in the rapidly changing context of planning for waste management, for that approach to be sustainable. It is acknowledged that proposals may be able to demonstrate a need for additional facilities".

This amendment was incorporated into the repeated Site Allocations Policies and Proposals Map Regulation 27 document, at paragraph 2.3, and remains within the repeated Site Allocations Policies and Proposals Map Regulation 30 document (RASP1), which is now subject to examination.

Whilst the Borough Council acknowledges that there will always be occasional 'windfall' sites that come forward and are approved, the inclusion of the text in paragraph 2.3 of RASP1 adds an unacceptable element of uncertainty.

The Minerals and Waste Local Development Framework should provide a clear indication of the likely number and location of mineral and waste facilities in the future.

Reinterpretation of Core Strategy Policy 9, would remove the limits of the policy, effectively removing the ability to control the amount and therefore the location of future Mineral and Waste development.

Barrow Borough Council will be identifying and consulting on the locational criteria and quantities of land required for development in its Local Plan and then identifying sites e.g. for housing and employment, without sufficient certainty as to whether the County Council will be granting planning permission for waste uses, on or near these sites.

RASP1, in line with the Minerals and Waste Core Strategy, identifies more than the minimum number of sites set out within Core Strategy Policy 9, in order to provide flexibility and a range of possible sites.

The Borough Council are unaware of any evidence (monitoring or otherwise) to support the County Council's proposed shift in strategic approach. However, even if such evidence could be provided the Borough Council consider it inappropriate to attempt to review and amend Core Strategy issues through lower level DPD's.

The Borough Council suggest that paragraph 2.3 of RASP1 be deleted in the interests of soundness.