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**TOPIC PAPER 6
DRAFT**

**THE IMPLICATIONS OF THE 2012 NATIONAL PLANNING
POLICY FRAMEWORK AND PLANNING POLICY FOR
TRAVELLER SITES FOR CONSIDERING THE
“SOUNDNESS” OF THE CUMBRIA MINERALS AND
WASTE DEVELOPMENT FRAMEWORK SITE
ALLOCATIONS POLICIES AND PROPOSALS MAP**



**CUMBRIA MINERALS AND WASTE DEVELOPMENT
FRAMEWORK**

**REPEATED SITE ALLOCATIONS POLICIES
AND
PROPOSALS MAP**

1. The National Planning Policy Framework (NPPF) was published on 27 March 2012. This was only four weeks before the commencement of the Hearing sessions for the Examination of the Site Allocations Policies. The NPPF came into immediate effect and, despite the late stage of their plan preparation process, it is now necessary to consider whether the Site Allocations Policies are consistent with the policies in the Framework.
2. Existing plans may need to be revised to take account of the new national policies. However, for a 12-month period full weight can be given to policies, such as those in the Core Strategy, that have been adopted since 2004, even if there is a limited degree of conflict with the Framework (NPPF paragraph 214).
3. This is a draft of a Topic Paper, which is intended for an additional consultation period. Details will be provided later, but it is likely to be for six weeks, starting soon after the Hearing sessions are completed.
4. The draft sets out initial views about the consistency of the Site Allocations Policies with the NPPF. I am sending it to you now in case there are matters that you may wish to raise at the Hearing session(s) that you are attending. No matters have been identified that would suggest that the Site Allocations Policies are not sound because of inconsistency with the NPPF.

Soundness (NPPF paragraph 182)

5. There is now an additional test of being “positively prepared”. This means seeking to meet objectively assessed development and infrastructure requirements. That approach was adopted in preparing the Core Strategy (CS) and is demonstrated by its spatial vision and strategic objectives (CS Boxes 1 and 2). The Core Strategy sets the context for the Site Allocations, which are themselves positive in identifying sites to meet identified needs.
6. The main soundness test that this Topic Paper has to address is consistency with national policy. The plan has to enable the delivery of sustainable development, in accordance with the policies in the Framework.

Sustainable development (NPPF paragraph 14)

7. In accordance with the NPPF, plan-making authorities should positively seek opportunities to meet the development needs of their area. The minerals and waste management needs of Cumbria, and of other parts of the country where relevant, were assessed in the Core Strategy. The most directly relevant Core Strategy policies are 8: Provision for waste; 9: Waste capacity; 12: Low Level Radioactive Waste; and 13: Supply of minerals.
8. The Core Strategy and the Site Allocations Policies make provision for the supply of minerals and the appropriate waste management facilities that are required for the county’s development and regeneration needs. This accords with the NPPF paragraph 156 strategic priorities and the relevant points in paragraph 157.

Waste policies

9. The NPPF does not contain specific waste policies, because they will be in the National Waste Management Plan when it is published. In the meantime, Planning Policy Statement 10: Planning for sustainable waste management (March 2011) and its Companion Guide have not been cancelled by the NPPF and remain in place. However, regard has to be given to policies in the Framework so far as relevant (NPPF paragraph 5).

Minerals policies (NPPF paragraphs 142 to 149 and 163)

10. With regard to paragraph 143, the Core Strategy and Site Allocations Policies provide for the extraction of construction aggregates and high specification roadstone to meet Cumbrian, and regional, needs and of nationally significant industrial limestone, brick making mudstones, gypsum and very high specification roadstone.
11. Core Strategy Policy 13 requires sites to be identified to enable at least one quarter of aggregates used within Cumbria to be met by secondary or recycled aggregates. Site Allocations Policy 7 identifies the hard rock quarries as suitable locations for the processing plants.
12. Site Allocations Policy 8 concerns Mineral Safeguarding and Consultation Areas and these are shown on the Proposals Map. A commitment is made to consider an MSA for slate (paragraph 38 of Topic Paper 4, document reference ED89).
13. Site Allocations Policy 9 safeguards two railheads. It has not been considered necessary, and no-one has requested, that the plan should safeguard other existing rail heads/links or concrete batching and coating plants.
14. Prior extraction of minerals is covered by Generic Development Control Policy 9. It is also a matter that is intended to be included in the Mineral Consultation Area guidance referred to in Site Allocations Policies paragraph 3.36.
15. Environmental criteria are set out in Core Strategy (CS) and Generic Development Control Policies (GDC). The most directly relevant ones are CS Policy 4: Environmental Assets and GDC Policies 2, 13, 14 and 16. Additional policies are likely to be needed to replace those that were in Minerals Policy Statement 2: Controlling and mitigating the environmental effects of mineral extraction in England and its Annexes.
16. CS Policy 5 and GDC Policies 15 and 16 are relevant to the reclamation of land. Aviation safety site consultation areas are identified on the Proposals Map.

Local Aggregates Assessment (NPPF paragraph 145)

17. This is a new requirement and authorities will have to decide how these will be prepared; it seems likely that this will have to be a joint approach. The Cumbria landbanks already exceed the minimum requirements and high specification roadstones have been separated out from the figures for crushed rock for general aggregate use.

Industrial minerals (NPPF paragraph 146)

18. Cumbria's industrial minerals are high purity limestone and gypsum. No issues have arisen that have required co-operation with "neighbouring or more distant authorities". In the past, lead and zinc were important. The old planning permissions for underground mining of these are shown on the Proposals Map. Similar permissions extend into Northumberland. There has been recent interest in borehole investigations, but none have yet commenced.

Policy for Traveller Sites

19. It is considered that this national policy does not have implications for the CMWDF Site Allocations Policies.