

**MINERALS AND WASTE DEVELOPMENT SCHEME
(2005-2008) FOR THE CUMBRIA MINERALS AND
WASTE DEVELOPMENT FRAMEWORK**
[excluding the National Parks]



March 2005

C O N T E N T S

	Page
1. Introduction	1
2. The Content of the Minerals and Waste Development Framework	1
3. Profiles of Local Development Documents	3
4. Evidence Base	6
5. “Saved” Policies and the Transitional Period	6
6. Strategic Environmental Assessment and Sustainability Appraisal	6
7. Relationship with Community Strategies	7
8. Monitoring	7
9. Resources	7
10. The Programme for Preparation of the Development Framework	8
11. Risk Management	8
12. Conclusion	9
13. Contact Details	9
Table 1: Programme Chart for Preparation of the Development Framework	10
Appendix 1: Glossary of Abbreviations	11

1. INTRODUCTION

- 1.1 The County Council is now statutorily required to prepare local development documents (LDDs) which will comprise the local development framework (LDF). These local development documents will collectively deliver the minerals and waste spatial planning strategy for Cumbria outside the National Parks. They will guide the future provision of minerals and waste management facilities in the county for the period 2007-2018. Some of these local development documents will be development plan documents and form part of the statutory development plan. The development plan for Cumbria will consist of the regional spatial strategy prepared by the regional planning body, the development plan documents prepared by the district councils and two National Park authorities and the minerals and waste development plan documents prepared by the County Council. The Replacement Structure Plan to be adopted in 2005 will also be part of the development plan until 2008.
- 1.2 The principle of a plan-led system is well established nationally. The development plan will continue to be the starting point in the consideration of planning applications for the development or use of land. It provides the essential framework for planning decisions. The Minerals and Waste Development Framework will be the starting point for the consideration of planning applications for the development or use of land for minerals and waste management activities.
- 1.3 The programme for the preparation and monitoring of the local development documents is set out in a **Minerals and Waste Development Scheme (MWDS)**, which the Council is statutorily required to prepare and maintain. The County Council intends that this scheme shall come into effect on 18th April 2005. The MWDS also sets out how preparation of the local development documents will be resourced and how the community will be able and encouraged to participate through the process of their preparation. Some of the documents which make up the local development framework, in this case the Cumbria Minerals and Waste Development Framework (MWDF), will be publicly examined by the Secretary of State prior to adoption. When adopted, the MWDF will replace the Cumbria Minerals and Waste Local Plan adopted in 2000.
- 1.4 The Lake District and Yorkshire Dales National Park Authorities will produce Local Development Frameworks for the National Park areas, covering all development, including minerals and waste. Clearly there will be liaison with the National Park and other planning authorities in Cumbria to ensure policies are consistent where necessary.
- 1.5 In preparing the local development documents the County Council will have regard to relevant national, regional and local strategies and programmes. In addition to planning policy, these will include community strategies, waste management strategies, aggregate minerals guidelines, and strategies for biodiversity, sustainability, recycling, economic development and environmental protection and local transport plans.

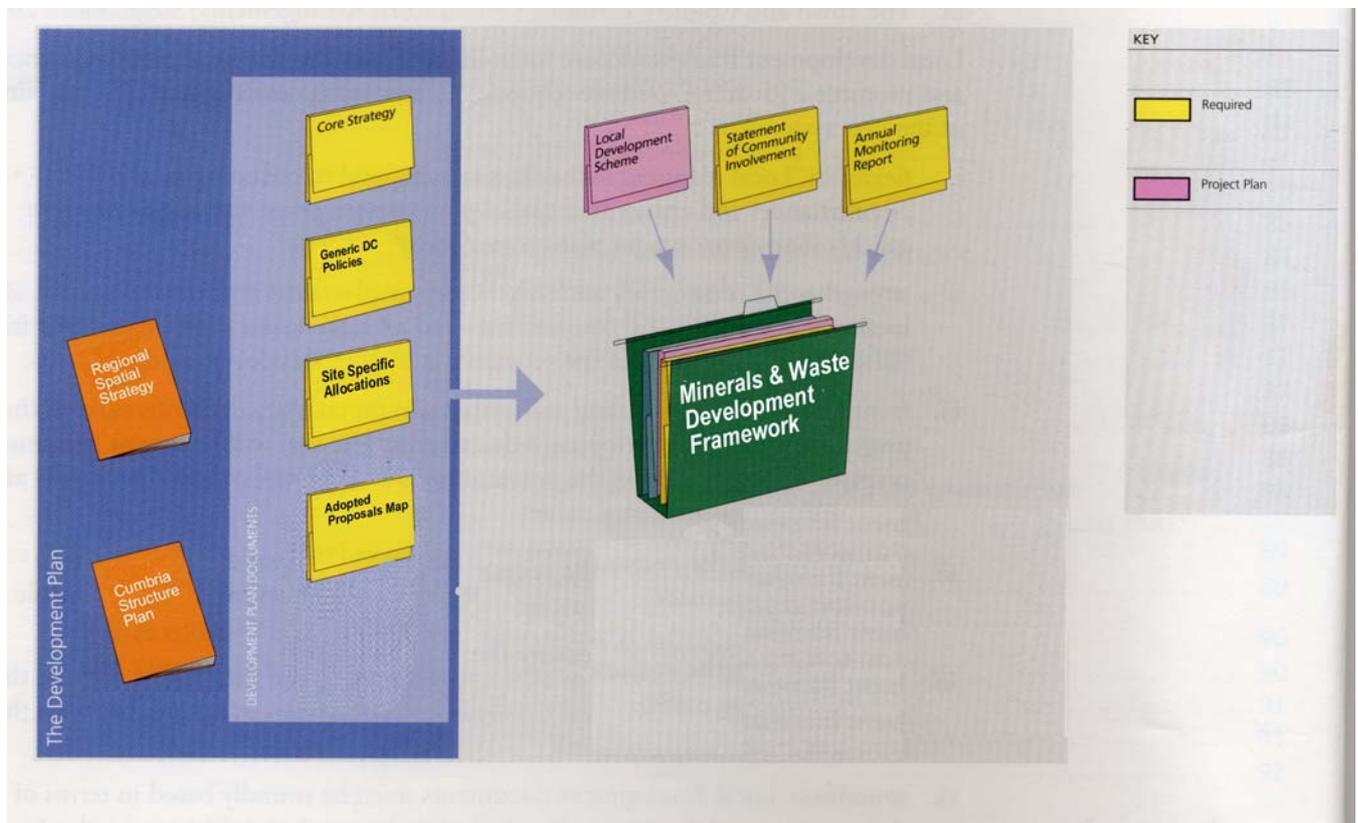
2. THE CONTENT OF THE MINERALS AND WASTE DEVELOPMENT FRAMEWORK

- 2.1 **The documents which will sit within the portfolio of documents called the Minerals and Waste Development Framework are shown in figure 1.**
- 2.2 At its heart will be the **core strategy** setting out a spatial vision and strategic objectives and policies to deliver this. It will set out a monitoring and implementation framework to help achieve delivery. For minerals it will take account of the need to ensure an adequate and steady supply of minerals at acceptable social, environmental and economic costs. For waste, the aim will be to ensure the adequate provision of waste management facilities in accordance with sustainable waste management principles at acceptable social, environmental and economic costs.
- 2.3 The Government emphasises the need for local development frameworks to identify and allocate land for minerals and waste management facilities to provide more certainty for industry and that the necessary number and range of sites will be granted planning permission and more certainty as to where they will be

located. The allocation of sites will need to be based on a robust assessment of the suitability, availability and accessibility of land for the use indicated. The policies relating to the specific allocation of sites will be set out in a **site policies allocation development plan document**.

- 2.4 **A generic development control policies development plan document** will also be prepared containing general policies which set out important criteria against which planning applications for minerals and waste development will be considered. These will relate to topics such as protecting landscape and natural resources, nature conservation, the historic environment, highway and transport issues and protecting the amenity of adjoining occupiers etc. These will not repeat national planning policy statements but will focus on the County Council's expectations and standards in respect of specific topics.
- 2.5 The County Council must include within the local development framework, a **Proposals Map**. This will show on an ordnance survey map base how policies and proposals in the three development documents outlined in paragraphs 2.2 to 2.4 above apply to areas of land and specific sites in Cumbria. The proposals map will also identify areas of protection, for example nationally protected landscapes and areas of land around existing or potential mineral sites where the County Council will need to be consulted by the District Councils regarding notified non minerals and waste development. The latter are called Mineral Consultation Areas.
- 2.6 The four documents outlined in paragraphs 2.2 to 2.5 above, are the **four development plan documents** that are proposed to be prepared under the MWLDF. These will be subject to independent examination by the Secretary of State before they are adopted and become part of the statutory development plan.
- 2.7 The County Council has not identified a need for any Area Action Plans to be prepared

Figure 1 – The Minerals and Waste Development Framework



- 2.8 The process for preparation of the local development documents needs to allow and encourage all those with an interest to participate and as appropriate influence the strategy, policies and proposals. How the Council intends to involve the community in the preparation, alteration and review of the local development documents and significant planning applications will be set out in a **Statement of Community Involvement**. Whilst this is not a development plan document, it will be subject to independent examination by the Secretary of State.
- 2.9 The Council has not identified a need to prepare any **Supplementary Planning Documents** but this will be kept under review. These are not development plan documents.
- 2.10 To ensure the MWDF is based on sustainable development principles and to assess the environmental effects and alternative options, Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) will be an integral part of the preparation of the development plan documents..
- 2.11 The next section outlines in further detail the local development documents that the Council will prepare, including a brief description of their characteristics, the timetable for preparation and the resourcing of their preparation.

3. PROFILES OF LOCAL DEVELOPMENT DOCUMENTS

Statement of Community Involvement

Document Details	<ul style="list-style-type: none"> • Sets out how the Council will involve the community and other stakeholders in producing this MWDF. • Not a DPD. • Will apply to all DPDs to be prepared for minerals and waste development in Cumbria outside the National Parks.
Timetable	<ul style="list-style-type: none"> • Commence preparation in February 2005 • Submission to SoS July 2005 • Examination, October 2005. • Inspector's Report, November 2005. • Adoption, January 2006.
Arrangements for Production	<ul style="list-style-type: none"> • Work to be led by policy officer with support from Community Unit area team staff and consultants. • Member steering group to approve SCI prior to submission to SoS and consultation. • Planning Inspector to examine and produce binding report prior to adoption.

Core Strategy

Document Details	<ul style="list-style-type: none"> • A DPD • Will set out the long term spatial vision and the strategic policies and proposals for minerals and waste development and how they will be monitored to deliver it. • Will conform to and seek to implement relevant policies of the Regional Spatial Strategy and the Structure Plan. It will relate to the Cumbria Sub-Regional Strategy, local community strategies, Local Transport Plan and other strategies relevant to the use of land. • For minerals, will take account of the need to contribute appropriately to national, regional and local requirements based on sustainable development principles • For waste, will set out the overall planning strategy for waste management integrated with the Council's Municipal Waste Management Strategy. • Will include the safeguarding of mineral resources. • Covers the area of Cumbria outside the National Parks. • All LDDs must conform to Core Strategy. • Will provide the link between RSS and other DPDs (which must conform to it).
Timetable	<ul style="list-style-type: none"> • Commence preparation, June 2005. • Preferred Options Consultation, June 2006. • Submission to SoS, January 2007. • Examination in Public, July 2007. • Inspector's Report, January 2008. • Adoption and Publication, March 2008.

Arrangements for Production	<ul style="list-style-type: none"> • Work to be undertaken mainly by staff in the Environment Unit DC team and Nuclear Issues team. • Administrative support from staff in Environment Unit Support Services • Political management via member steering group, cabinet and County Council as appropriate • Planning Inspector to examine on behalf of SoS, with public examination as necessary, and produce binding report. • Community and stakeholder involvement in accordance with the SCI. • To be subject to SEA and SA using staff in Environment Unit Sustainability Team and/or by consultants managed by them.
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Generic Development Control Policies

Document Details	<ul style="list-style-type: none"> • A DPD • Will set out policies with criteria against which planning applications for minerals and waste development will be determined and will conform with the core strategy. They will relate to various topics applied to the local context, for example protecting landscape and natural resources and highways and transport. • Covers the area of Cumbria outside the National Parks.
Timetable	<ul style="list-style-type: none"> • Commence preparation, June 2005. • Preferred Options Consultation, June 2006. • Submission to SoS, January 2007. • Examination in Public, July 2007. • Inspector's Report, January 2008. • Adoption and Publication, March 2008.
Arrangements for Production	<ul style="list-style-type: none"> • Work to be undertaken mainly by staff in the Environment Unit DC team with input from transport policy, ecology, archaeology staff etc. • Administrative support from staff in Environment Unit Support Services • Political management via member steering group, cabinet and County Council as appropriate • Planning Inspector to examine on behalf of SoS with public examination as necessary and produce binding report. • Community and stakeholder involvement in accordance with the SCI. • To be subject to SEA and SA using staff in Environment Unit Sustainability Team and/or by consultants using planning delivery grant.

Site Specific Policies and Allocations

Document Details	<ul style="list-style-type: none"> • A DPD • Site specific policies and allocations for minerals and waste development where this is appropriate. • Identify areas where minerals and waste facilities will be restricted because of important amenity/environmental constraints. • Covers parts of Cumbria outside the National Parks • Will conform to Core Strategy
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Timetable	<ul style="list-style-type: none"> • Commence preparation, June 2005. • Preferred Options Consultation, June 2006. • Submission to SoS, January 2007. • Examination in Public, July 2007. • Inspector's Report, January 2008. • Adoption and Publication, March 2008.
Arrangements for Production	<ul style="list-style-type: none"> • Work to be undertaken mainly by staff in the Environment Unit DC team with liaison with staff working on municipal waste management strategy. • Administrative support from staff in Environment Unit Support Services • Political management via member steering group, cabinet and County Council as appropriate • Planning Inspector to examine on behalf of SoS, with public examination as necessary, and produce binding report. • Community and stakeholder involvement in accordance with the SCI. • To be subject to SEA and SA using staff in Environment Unit Sustainability Team and/or by consultants using planning delivery grant.

Proposals Map

Document Details	<ul style="list-style-type: none"> • A DPD • To show, on an Ordnance Survey base, the geographical areas to which development plan policies and proposals apply, including identified sites for minerals and waste development. • Inset maps will be included, where appropriate, to show parts of the proposals map in more detail • Covers the area of Cumbria outside the National Parks. • Will show minerals consultation areas and safeguarding areas. • Will identify areas of protection, for example for their landscape or nature conservation importance where there will be more constraints on finding acceptable sites. • Will conform to Core Strategy and Site Specific Policies and Allocations
Timetable	<ul style="list-style-type: none"> • Commence preparation, June 2005. • Preferred Options Consultation, June 2006. • Submission to SoS, January 2007. • Examination in Public, July 2007. • Inspector's Report, January 2008. • Adoption and Publication, March 2008.
Arrangements for Production	<ul style="list-style-type: none"> • Work to be undertaken mainly by staff in the Environment Unit DC team. • Administrative support from staff in Environment Unit Support Services • Political management via member steering group, cabinet and County Council as appropriate • Planning Inspector to examine on behalf of SoS and produce binding report. • Community and stakeholder involvement in accordance with the SCI. • To be subject to SEA and SA using staff in Environment Unit Sustainability Team and/or by consultants using planning delivery grant.

4. EVIDENCE BASE

4.1 The preparation of the MWDF will be informed by a sound evidence base. The following sources will constitute the main elements of the existing evidence base:

- Review of national and regional planning policy and associated strategies, plans including community strategies
- British Geological Survey on minerals
- Published reports on government funded minerals and waste planning research
- Planning Constraints [mapped on the GIS system]
- Local Transport Plan
- Environmental information and indicators
- The Municipal Waste Management Strategy
- Reports and Statistics of the North West Aggregates Working Party
- Reports and Statistics of the Environment Agency
- Reports and Statistics of the Regional Technical Advisory Body on Waste Matters
- Reports on Nuclear Waste Management including the work of the Committee on Radioactive Waste Management (CoRWM) and the DEFRA review of low level waste management.
- Detailed knowledge and information of existing sites in Cumbria and national, regional and local supply patterns.

4.2 Surveys will be undertaken to supplement current in-house extensive knowledge of operating sites and to identify sites for consideration as allocations in the MWDF. This will provide detailed information of permitted minerals reserves, capacity at waste facilities, annual throughput/output capacities and assessments of need related to proximity principle and other considerations. The minerals and waste operators in the area will be asked to provide information on the demand and supply of minerals and waste facilities for the period of the MWDF and beyond. Industry and those with an interest in specific areas of land plus other stakeholders will be consulted on the suitability, availability and accessibility of land for particular uses.

4.3 The County Council has considerable knowledge of nuclear issues at a national and local level and will use the 'nuclear issues network' to formulate and consult on policy and proposals relating to nuclear waste management.

5. "SAVED" POLICIES AND THE TRANSITIONAL PERIOD

5.1 In the transitional period the Cumbria Minerals and Waste Local Plan, which was adopted in June 2000, will continue to be the main relevant existing Development Plan. The policies of the Local Plan are "saved" for a period of three years from the commencement of the Act, until September 2007. Before then a review of the Minerals and Waste Development Scheme will need to seek the Secretary of State's approval to save the policies until the adoption of the new plan.

5.2 The current Cumbria and Lake District Joint Structure Plan was adopted in November 1995. Following its Examination in September 2004, the new Structure Plan will be adopted and replace the current Structure Plan. The policies in the new Structure Plan will be "saved" for three years from the date of adoption.

5.3 If there is any point on which the adopted Minerals and Waste Local Plan does not generally conform to the new Structure Plan when it is adopted, the Structure Plan will take precedence on that point.

5.4 Regional Spatial Strategies will replace Structure Plans and provide the broad policy framework for minerals and waste development. On the assumption that the RSS will contain a sub-regional element for minerals and waste matters, it is not expected that the Core Strategy will have to perform any of the roles previously covered by the Structure Plan, but this position will be kept under review.

6. STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND SUSTAINABILITY APPRAISAL (SA)

- 6.1 Directive 2001/42/EC requires the formal SEA of any plans and programmes which are likely to have significant effects on the environment and on which preparation begins after 21 July 2004. It therefore applies to the DPDs for minerals and waste which also require a SA. The SEA and SA will be integrated to speed up the process and avoid unnecessary confusion and duplication.
- 6.2 The SEA and SA will be part of the process from the start,. Reports will be produced during the pre-submission consultations for the Issues and Options and Preferred Options formal public participation stages and at the Submission stage for each of the DPDs.
- 6.3 The work will be undertaken by staff in the Environment Unit's Sustainability Team and/or by consultants under their management.

7. RELATIONSHIP WITH COMMUNITY STRATEGIES

- 7.1 The LDDs will have regard to the Community Strategies of the four Local Strategic Partnerships in Cumbria and the strategy of the Cumbria Strategic Partnership. The opportunities for the MWDF to deliver and not conflict with their objectives and actions will be examined. In turn, the Community Strategies when they are updated must have regard to the MWDF. There will be close liaison on the Community Strategies through the County Council's Area Support Managers, the Cumbria Strategic Partnership Officer and the Council's sustainability officers who undertake sustainability appraisals of the strategies.

8. MONITORING

- 8.1 The Council is required to submit Annual Monitoring Reports [AMRs] to the Secretary of State. These will assess whether the key milestones for delivering the MWDF are being met and how effective the policies are in implementing the vision and objectives set out in the Core Strategy and how they contribute to national and regional strategies and targets. Other changes that influence the future scale and pattern of minerals and waste development, such as national and regional policies and priorities, supply and demand, availability of new information and technology, will also be monitored. Indications will be given in the AMR on what policies need changing and how this will be achieved. The AMR will also review the implementation of the MWDS against its targets and milestones. It will explain why targets have not been met and amend the scheme as necessary.
- 8.2 The first AMR, for the financial year 2004-05, is scheduled to be published and submitted to the Secretary of State in December 2005.

9. RESOURCES

- 9.1 Preparing the MWDF requires significant staff resources, particularly as the process is to be completed in three years, must fully involve the community and stakeholders and be subject to SEA/SA.
- 9.2 The Environment Unit Development Control Team, which will undertake and manage the work, currently comprises a Manager, two Team Leaders, five Planning Officers and a Planning Technician. The group is responsible for all minerals, waste and County Council development control functions. A new post of Minerals and Waste Planning Policy Officer has been created and filled to lead on the preparation of the plan.
- 9.3 The following sets out an assessment of staff resources to be allocated for producing the MWDF. No calculation has been made for support staffing within the Environment Unit or for staffing from legal services. Neither have specific time calculations been made of staff resources required from the Area Support Teams to help prepare and implement the Statement of Community Involvement or the Sustainability Team for undertaking the Sustainability Appraisal/Strategic Environmental Assessment.

Additionally, consultancy support will be engaged for specific areas of work, for example, in evidence gathering.

Post	% of Time
Existing Head of Environment	10%
Existing Development Control Manager	25%
Minerals and Waste Planning Policy Officer	90%
Existing Team Leaders (2)	25%
Existing Planning Officers (5)	100% of one person's time in total
Existing Technician/Admin Support	30% of one person's time in total
Nuclear Issues Team (2)	10% of one person's time in total

9.4 The Environment Unit's Sustainability Team and/or consultants under their management will undertake the SEA and SA work.

9.5 It is proposed to use the expertise and resources of the six County Council Area Support Teams to help prepare and implement the SCI. Additional consultancy support will be brought in if required.

9.6 £68,000 from the Planning Delivery Grant allocation for 2004/05 will be used to assist the financing of the preparation of the MWDF, both to employ staff and appoint consultants. An additional £10,000 has been allocated to the facilitating of e-government targets, part of which will benefit the MWDF preparation process, e.g. web site development. A further £20,000 has been budgeted in 2004/05. Further budget bids for funding are being made for 2005/6 and 2006/7. The Council also hopes to have future PDG awards in these two years,

10. THE PROGRAMME FOR PREPARATION OF THE DEVELOPMENT FRAMEWORK

10.1 The MWDF process is scheduled to be completed by March 2008. The programme, which is summarised in the chart in Table 1, has been constructed and the staffing requirements estimated, by working back from that date. The delivery of this programme depends on Planning Inspectors being available to examine the SCI and DPDs and to report within the timescale proposed. This will be secured by entering into the necessary service level agreements with the Planning Inspectorate in connection with examination of the LDDs. There has been liaison with the Inspectorate and GONW on the programme for preparation.

11. RISK MANAGEMENT

11.1 The Council has taken a realistic view to the programme but delivery against the milestones is still a challenge because contributions are required from a range of planning and non-planning officers. To help ensure delivery a new post of an experienced dedicated officer has been created. Advanced project management training has also been provided for this officer. Use of the existing Area Support structure in the Council with developed community engagement mechanisms plus an experienced sustainability officer with extensive sustainability appraisal expertise will aid meeting quality standards and deadlines.

11.2 Recruitment and retention of planning staff is a problem at present and may get worse. Ways to address this are being examined. Consultants will be used to provide extra capacity where appropriate.

11.3 The LDS has been submitted for the approval of Cabinet and Council which aids political understanding of the function and importance of the MWDF. To help avoid political delay a small steering group of members is being set up to oversee and politically endorse the development of the local development documents. Key decision making stages in the process will still be considered by Cabinet and Council.

12. CONCLUSION

12.1 This Minerals and Waste Development Scheme (MWDS) outlines the programme of work which will be undertaken to produce the Cumbria Minerals and Waste Development Framework. This complies with Government guidance and legislation. The MWDS will be reviewed annually. It sets out the timescales for the respective documents it comprises and when and how stakeholders will be involved.

13. CONTACT DETAILS

13.1 If you have any queries on the MWDS, please contact:
Minerals and Waste Planning Policy Officer
Cumbria County Council
Environment Unit
County Offices
Kendal LA9 4RQ

Email: mwdf@cumbriacc.gov.uk

Tel: 01539 773425

13.2 You can view this MWDS and other information on the Minerals and Waste Development Framework on the Council's website at www.cumbriacc.gov.uk

APPENDIX 1

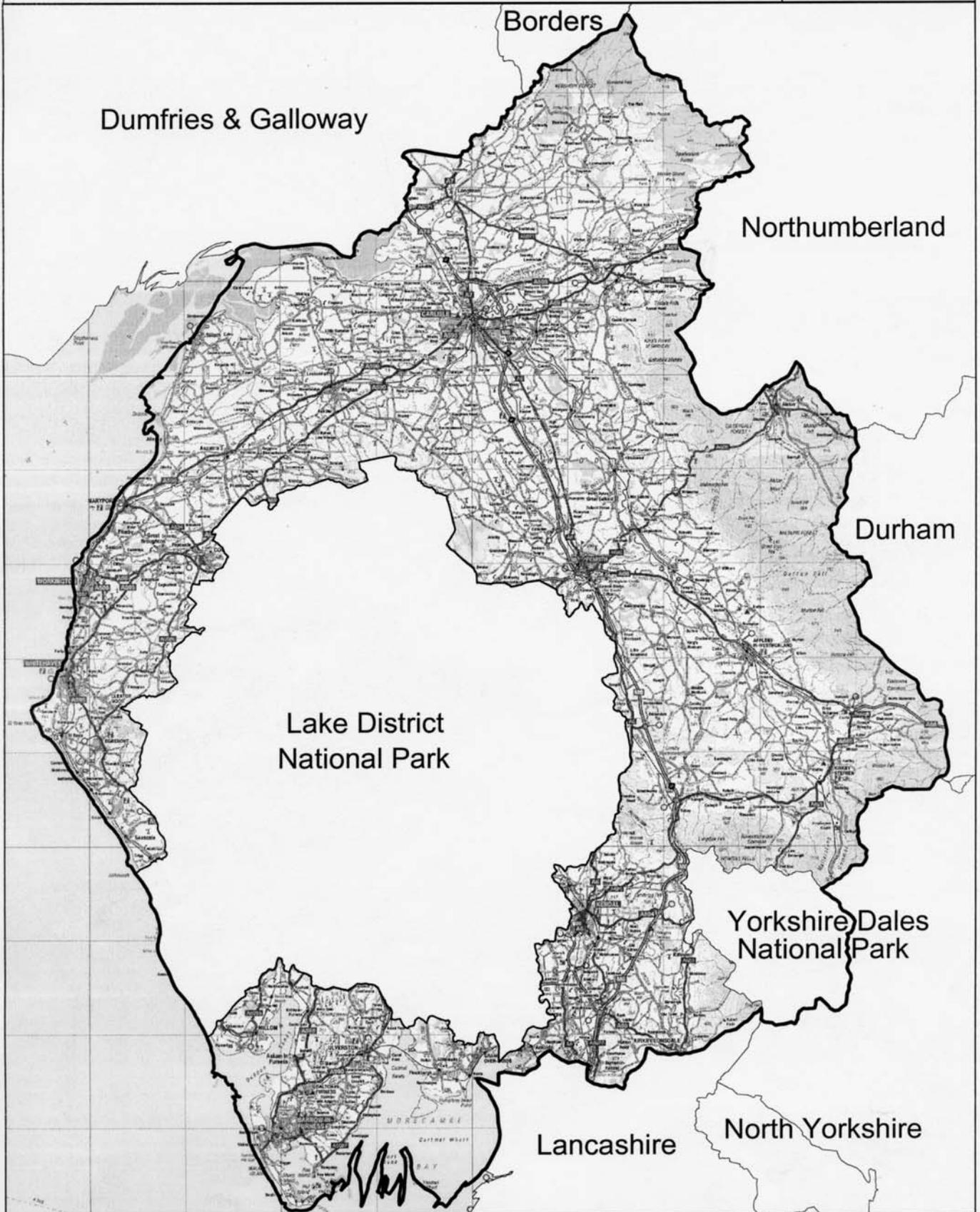
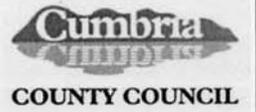
GLOSSARY OF ABBREVIATIONS

LDS	Local Development Scheme – the programme for the MWDF
MWDF	Local Development Framework
LDD	Local Development Document – contained within the MWDF
DPD	Development Plan Document – a statutory LDD
SPD	Supplementary Planning Documents – a non-statutory LDD
RSS	Regional Spatial Strategy – the statutory regional plan with which the MWDF must conform
SCI	Statement of Community Involvement – the approach to involving stakeholders in the MWDF preparation
SEA	Strategic Environmental Assessment – a Government requirement for certain strategic plans
SA	Sustainability Appraisal – assessment of LDDs against sustainability principles
AMR	Annual Monitoring Report – the annual review of the MWDF
BPEO	Best Practicable Environmental Option

MWDF Plan Area

Cumbria Outside the National Parks

MAP 1



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