

MINERALS AND WASTE DEVELOPMENT SCHEME (2010-2013)
FOR THE CUMBRIA MINERALS AND WASTE DEVELOPMENT
FRAMEWORK

[excluding the National Parks]

This scheme comes into effect on 21 February 2011

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APPENDIX A: Saved Structure Plan policies

Map of the MWDF plan area

Programme chart

1. INTRODUCTION

- 1.1 Local authorities are statutorily required to prepare Local Development Documents (LDDs) which will comprise their Local Development Framework (LDF). In the case of the County Council, this is the Cumbria Minerals and Waste Development Framework (MWDF) because the council is the local planning authority with respect to these types of developments. The Minerals and Waste Local Development Documents collectively deliver the minerals and waste spatial planning strategy for Cumbria outside the National Parks. They guide the future provision of minerals and waste management facilities in the county for the period to 2020.
- 1.2 The principle of a plan-led system is well established nationally. It provides the essential framework for planning decisions. The Minerals and Waste Development Framework provides 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 County Council adopted the MWDF Core Strategy and Generic Development Control Policies in April 2009, following their Examination the previous year by the Planning Inspectorate, on behalf of the Secretary of State.
- 1.4 The Site Allocations Policies and Proposals Map were submitted to the Secretary of State in April 2010 and have been through their Examination process. This included Hearing in Public sessions over a four week period in September and October.
- 1.5 One matter that became clearer during the Hearing sessions was the need for an urgent review of the Core Strategy. This is because its context has changed so much in the last two years. The need for the review has been highlighted in the Annual Monitoring Report.
- 1.6 The reasons for the review are:-
 - revocation of the NW Regional Spatial Strategy has left a policy vacuum, because its policies could not be repeated in the Core Strategy;
 - extended life Structure Plan policies need to be considered for incorporation into the Core Strategy;
 - the Nuclear Decommissioning Authority has published its UK Low Level Radioactive Waste Strategy. The adopted Core Strategy had been required to include a commitment to a timely review of its radioactive waste policies, once the implications of national policies, such as this Strategy, became clearer. This involves Core Strategy Policy 12, its supporting text and the need for a policy for managing Very Low Level Waste;
 - it was agreed during the Examination of the Site Allocations Policies that the Mineral Safeguarding Area for gypsum in Cumbria would be reviewed, to include resources that may become economically viable in the future;
 - the national, regional and sub-regional aggregate minerals forecasts have been revised.
- 1.7 It may also be that Core Strategy Policies 10 and 11 will need to take account of progress, or otherwise, with the Managing Radioactive Waste Safely programme for a deep geological repository for higher activity wastes.

- 1.8 This revised Minerals and Waste Development Scheme includes the programme for reviewing the Core Strategy and for other work in connection with the Site Allocations Policies.

2. THE CONTENT OF THE MINERALS AND WASTE DEVELOPMENT FRAMEWORK

- 2.1 The Minerals and Waste Development Framework acts as a folder that contains the various minerals and waste development documents. This Minerals and Waste Development Scheme is one of these documents. The Framework also includes the Core Strategy, Site Allocations Policies, Generic Development Control Policies and Proposals Map. These form part of the statutory development plan. Other supporting documents include the Statement of Community Involvement, the Sustainability Appraisal, Habitats Regulations Assessment and the Annual Monitoring Reports.
- 2.2 The **Core Strategy** is at the heart of the Framework. It sets out the spatial vision and strategic objectives, the policies to deliver these and a monitoring and implementation framework to help achieve delivery. For minerals it takes account of the need to ensure an adequate and steady supply of minerals at acceptable social, environmental and economic costs. For waste, the aim is to ensure the adequate provision of waste management facilities to drive waste up the waste hierarchy, in accordance with sustainable waste management principles at acceptable social, environmental and economic costs. The Strategy also gives priority to policies relating to mitigating the impacts of minerals and waste management developments on climate change.
- 2.3 The process of preparing the local development documents allows and encourages all those with an interest to participate and, as appropriate, influence the strategy, policies and proposals. How the Council involves the community in the preparation, alteration and review of the Local Development Documents and significant planning applications is set out in the **Statement of Community Involvement**. Whilst this is not a Development Plan Document, it was subject to independent Examination by the Planning Inspectorate before it was adopted in January 2006.
- 2.4 A Sustainability Appraisal (SA) will be an integral part of the review of the Core Strategy. Sustainability Appraisal is needed in order to ensure the MWDF is based on sustainable development principles and to assess environmental, social and economic effects and alternative options. It is intended that the SA will be carried out internally by the sustainability and minerals and waste policy teams.
- 2.5 A revised Habitats Regulations Assessment will also be needed for the review of the Core Strategy. This is in accordance with the Habitats Directive 92/43/EEC and the Habitats Regulations 1994.

3. PROFILE OF THE CORE STRATEGY

<p>Document Details</p>	<ul style="list-style-type: none"> • A Development Plan Document (DPD) • Its purpose is to 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. • It relates to the Cumbria Community Strategy, Local Community Strategies, Local Transport Plan and other strategies relevant to its spatial context and the use of land. • Sustainability Appraisal will be integrated with the preparation of the Document. • For minerals, it takes account of the need to contribute appropriately to national, regional and local requirements based on sustainable development principles. • For waste, it sets out the overall planning strategy for the management of different waste streams. It takes account of the Council's Joint Municipal Waste Management Strategy and national and Local Area Agreement targets. • It includes the safeguarding of mineral resources. • It covers the area of Cumbria outside the National Parks. • All other Local Development Documents must conform to the Core Strategy.
<p>Arrangements for Production</p>	<ul style="list-style-type: none"> • Work will be undertaken mainly by staff in the Environment Unit Development Control 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. • Community and stakeholder involvement in accordance with the Statement of Community Involvement.

4. Timetable for reviewing the Core Strategy

January 2011	Commence preparation.
March/April 2011	Regulation 25 consultations.
July 2011	Report to Cabinet and Full County Council.
September/October 2011	Regulation 27 publication and consultations on the document the Council intends to submit to the SofS.
December 2011	Annual Monitoring Report.
January 2012	Report to Cabinet.
February 2012	Submit documents to the Secretary of State.
June 2012	Pre-Hearing Meeting.
September 2012	Hearing in Public sessions.
January 2013	Receive Inspector's Report.
March 2013	Report to Cabinet.
April 2013	Report to Full County Council for adoption of the Core Strategy.
December 2013	Annual Monitoring Report

Note: The above timetable is based on the current planning system. The coalition government has announced that it intends to introduce a simpler system, which may mean that the programme can be speeded up.

- 4.1 In addition to the Core Strategy, work also needs to be undertaken on a protocol, agreed with the district councils and adjacent authorities, on the implementation of the Mineral Consultation Area procedures and on supplementary guidance relating to planning applications for energy from waste schemes. This work is programmed over the period December 2010 to July 2011.

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

5.1 The Sustainability Appraisal incorporates Strategic Environmental Assessment together with assessments of social and economic impacts. It involves evaluating the plan against the five shared principles of sustainable development –

- living within environmental limits;
- achieving a sustainable economy;
- promoting good governance;
- ensuring a strong, healthy and just society; and
- using sound science responsibly.

5.2 The Sustainability Appraisal reports that have been prepared to date for the current Core Strategy and other documents have all been published on the Council's website. The sustainability information will need to be kept up to date. Further statutory periods of public consultation will be required for the Sustainability Appraisal of the reviewed Core Strategy.

6. RELATIONSHIP WITH COMMUNITY STRATEGIES

6.1 The Core Strategy will have regard to the Community Strategies of the five Local Strategic Partnerships in Cumbria and the strategy of the Cumbria Strategic Partnership. The opportunities for it to deliver and not conflict with their objectives and actions will be examined.

7. MONITORING

7.1 The Council is required to submit an Annual Monitoring Report [AMR] to the Secretary of State by the end of each year. These Reports assess whether the key milestones for delivering the MWDF are being met, how effective the policies are and how they contribute to national strategies and targets. The 2009/10 Report has identified the need for an urgent review of the Core Strategy.

7.2 Monitoring for aggregate minerals sales and needs is undertaken through the research and surveys organised by the North West Regional Aggregates Working Party. For other minerals, monitoring will be undertaken primarily in conjunction with development control case officers and the site monitoring officer.

7.3 Monitoring of waste management will use reports published by the Environment Agency and any additional work that has been undertaken by the north west region's Officers Working Group.

7.4 Other changes that influence the future scale and pattern of minerals and waste development will be monitored. These include national policies, supply and demand, availability of new information and technology. The Annual Monitoring Reports will also review the preparation of the Core Strategy review against its target dates and milestones. They will explain whether targets have been met and, if not, the reasons why and identify any need to amend the Scheme.

7.5 The Annual Monitoring Reports can be seen on the Council's website www.cumbriacc.gov.uk under Environment and Planning, then Minerals and Waste Policy and Minerals and Waste Development Framework.

8 RESOURCES

8.1 The Minerals and Waste Policy team comprises a Principal Planning Officer and a Senior Planning Officer with technical and administrative support from other members of the Development Control team.

8.2 The following sets out an assessment of staff resources to be allocated for the remaining work on 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 implement the Statement of Community Involvement.

Post	% of Time
Development Control Manager	10%
Minerals and Waste Planning Policy Officer	90%
Senior Planning Officer	90%
Existing Technician/Admin Support	25% of one person's time in total
Nuclear Issues Team	10% of one person's time in total
Sustainability Team	5% of one person's time in total

8.3 Funding for this ongoing work on the plan will be provided for in the Council's budget.

9 RISK MANAGEMENT

9.1 The Council has taken a realistic view of the programme, but delivery against the milestones can be a challenge because contributions are required from a range of consultees. The council is confident that the timescales realistically reflect the abilities and capacities of staff, partners and stakeholders to contribute to the process.

9.2 The delivery of this programme also depends on Planning Inspectors being available to examine the Core Strategy and to report within the timescale proposed. This will be secured by entering into the necessary Service Level Agreements with the Planning Inspectorate.

10 MEMBER INVOLVEMENT

10.1 The Minerals and Waste Development Scheme has been approved by Cabinet, which aids political understanding of the function and importance of the MWDF. To help avoid delay, a Steering Group of a Cabinet Member and three Members of Development

Control and Regulation Committee oversees and endorses the preparation of MWDF documents.

10.2 Key decision making stages in the process will still be considered by Cabinet or Full County Council. These stages are:-

- by Cabinet and Full County Council prior to the Regulation 27 publication and consultation on the review of the Core Strategy;
- by Cabinet prior to submission of the reviewed Core Strategy to the Secretary of State (subject to Full County Council agreeing to delegate this to Cabinet);
- by Cabinet and full County Council for the adoption of the reviewed Core Strategy.

11 CONCLUSION

11.1 This Minerals and Waste Development Scheme (MWDS) outlines the programme of work which will be undertaken to review the Core Strategy. This work will be in accordance with the 2008 Regulations, unless changes are introduced to the planning system. The Scheme will be reviewed each year in the Annual Monitoring Reports.

12 CONTACT DETAILS

12.1 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 713425

12.2 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 under Environment and Planning; Minerals and Waste Planning Policy and Minerals and Waste Development Framework.

Appendix A Cumbria and the Lake District Joint Structure Plan 2001 – 2016

The Cumbria and the Lake District Joint Structure Plan 2001 – 2016 was adopted in April 2006. Thirty five of its policies were replaced in September 2008 by North West Regional Spatial Strategy (RSS) policies. The life of the remaining Structure Plan policies was extended.

Local authorities are encouraged to consider whether these saved Structure Plan policies can be expressed within the Local Development Frameworks. The most obvious Structure Plan policies that will need to be considered with regard to minerals and waste policies are ST 4; E 35, 37 and 38; R 47, 48, 49, 50 and 51.

The RSS policies have been revoked, the review will consider whether equivalent ones need to be included in the Core Strategy.



