

Subject:	Review of the Waste & Minerals Local Plan		
Date of Meeting:	22 June 2017		
Report of:	Executive Director - Economy Environment & Culture		
Contact Officer:	Name:	Steve Tremlett	Tel: 01273 29-2108
	Email:	Steve.tremlett@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The purpose of this report is to seek the approval of Tourism, Development & Culture Committee to commence a review of policies in the adopted East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan. This process is primarily intended to address a specific identified issue relating to the supply of minerals needed to support new development and economic growth in the Plan Area.
- 1.2 This will ensure that the planning policy framework for waste and minerals remains up-to-date and compliant with national policy as set out in the National Planning Policy Framework.

2. RECOMMENDATIONS:

- 2.1 That Tourism, Development & Culture Committee:
- 2.2 Note the purpose and proposed timetable for the review of the Waste and Minerals Local Plan.
- 2.3 Agree that a review may be initiated, to commence with a consultation inviting representations about its scope and a 'call for minerals sites'.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The City Council, together with its partner authorities East Sussex County Council and the South Downs National Park Authority has adopted a Waste and Minerals Local Plan, comprised of two documents – the Waste and Minerals Plan (WMP, adopted 2013), and Waste and Minerals Sites Plan (WMSP, adopted 2017), which contains planning policies used in the determination of planning applications for waste management and minerals extraction in the Plan Area.
- 3.2 Paragraph 145 of the National Planning Policy Framework sets out how Minerals Planning Authorities should plan for a steady and adequate supply of aggregates to support the construction of new development. Amongst other requirements, a

landbank of at least 7 years should be maintained for sand and gravel (a key element of 'aggregate'). A landbank is defined as a reserve of unworked minerals for which planning permission has been granted. The landbank can be measured in years using the expected length of time it will take for the permitted reserves to be extracted.

- 3.3 The WMP states that, at expected rates of extraction, existing planning permissions were sufficient to maintain a 7 year landbank for the extraction of sand and gravel throughout the Plan Period to 2026. No additional sites for sand and gravel extraction are therefore allocated in the Local Plan.
- 3.4 However, this issue was considered during the examination of the WMSP in August 2016, where evidence was provided indicating that the landbank of sand and gravel is being eroded four times as quickly as expected. At this rate of extraction the landbank is less than seven years and will be exhausted well before the end of the Plan Period.
- 3.5 Consequently, in his report, the examining Inspector indicated that a review of the minerals policies within the WMP including consideration of the allocation of additional extraction sites is required, as without further planning permissions being granted the workable reserves will soon be depleted at current rates of production. The Authorities' Local Aggregate Assessment, published in early 2017, provides further information setting out the justification for the review of these policies.
- 3.6 It is therefore considered necessary to proceed with a review of the relevant policies and a 'call for minerals sites'. The call for sites will allow minerals operators to put forward sites for consideration for inclusion in the revised Local Plan as allocated sites for future minerals extraction. The future contribution of recycled aggregate and marine-won aggregate (imported through ports in the Plan Area, including Shoreham), will also be considered.
- 3.7 In line with the plan making Regulations¹, in the preparation of local plans planning authorities must invite representations about what the plan ought to contain. An initial scoping consultation will therefore also invite representations on whether there are any other aspects of the Local Plan which may need to be re-examined. Representors would need to provide supporting evidence to justify the need for a review of other aspects of the Plan. It is considered unlikely that waste policies will need reviewing or that additional waste sites will be required as this would also have come to light during the recent Sites Plan examination.
- 3.8 The projected timetable for the partial review is as follows:
 - Call for Sites / Scoping (Reg18): Summer / Autumn 2017;
 - Draft Plan Consultation (Reg 18): Spring 2018;
 - Pre-Submission Consultation (Reg 19): Autumn / Winter 2018;
 - Submission to Secretary of State for public examination: early 2019;
 - Adoption: Summer 2019

¹ The Town and Country Planning (Local Planning) (England) Regulations 2012

- 3.9 The review will be undertaken as a joint piece of work with East Sussex County Council and the South Downs National Park Authority.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The alternative option is to not proceed with the review. The consequences of this are permitted reserves of sand and gravel are likely to be exhausted before the end of the current plan period. Give the long lead in time for new planning permissions for minerals extraction to be drawn up and implemented, this would risk interruptions to the supply of minerals necessary to support new development and economic growth within the Plan Area. Furthermore the Local Plan would be inconsistent with national planning policy.

5 COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The need for this review was identified through evidence presented by external stakeholders during the public examination of the WMSP. Public consultation will occur on the scope of the partial review should the recommendations in this report be approved.

6. CONCLUSION

- 6.1 A need for a partial review of the Waste and Minerals Local Plan is required to determine how the Plan can continue to provide for a steady and adequate supply of aggregates taking into account future demand and the contribution of different supply options.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 There are no direct financial implications resulting from this report at this point in time. It is anticipated that the cost of officer time, production of documents and the consultation and review associated to the recommendations in this report will be funded from existing revenue budget within the Economy Environment and Culture service.

Finance Officer Consulted: Rob Allen

Date: 18/05/17

Legal Implications:

- 7.2 As noted in the body of the report, the procedure for reviewing a local plan is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012, the first step of which is consultation on what the revised plan ought to contain. In preparing the revised plan the LPA has a duty to take into account any representations made in response to the consultation.

- 7.3 It is not considered that the report's recommendations raise any adverse human rights implications.

Lawyer Consulted:

Hilary Woodward

Date: 17/5/17

Equalities Implications:

7.4 None identified.

Sustainability Implications:

7.5 None identified as a direct result of this report.

Any Other Significant Implications:

7.6 None

SUPPORTING DOCUMENTATION

Appendices:

None

Documents in Members' Rooms

None.

Background Documents

1. Waste & Minerals Plan (2013)
2. Waste & Minerals Sites Plan (2017)
3. Local Aggregate Assessment (2017)