

<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	MINERALS AND WASTE PLAN: FURTHER CHANGES
<b>DATE OF DECISION:</b>	18 SEPTEMBER 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR RESOURCES
<b>STATEMENT OF CONFIDENTIALITY:</b>	
Not applicable	

**BRIEF SUMMARY:**

The Minerals and Waste Plan will guide the determination of relevant planning applications within the city. The Council has approved a 'submission' plan which is in the process of being examined by an independent planning inspector. This Cabinet report seeks approval for further changes to the plan to respond to comments made by the inspector. These changes will then be the subject of public consultation before the inspector finalises his report. The changes include stronger support for new wharf proposals (which might in the future enable the relocation and regeneration of existing wharves within the city).

**RECOMMENDATIONS:**

- (i) To approve the "Minerals and Waste Plan: Further Changes", document in Members Rooms.

**REASONS FOR REPORT RECOMMENDATIONS:**

1. To respond to comments made by the independent planning inspector.
2. Some of the further changes exceed existing delegated powers of approval.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:**

3. Not to respond to comments made by the inspector: this would mean that the Council was failing to make proposals to address his concerns. The inspector would then be likely to propose his own changes to the plan, which would be binding on the Council.

**DETAIL (Including consultation carried out):**

4. The Hampshire Minerals and Waste Plan will form part of the development plan for the city. Planning applications for or affecting minerals and waste development will be considered against this plan.
5. The plan is being prepared jointly by Southampton City Council, Hampshire County Council, Portsmouth City Council, and the national park authorities for the New Forest and the South Downs.

**The Plan as Approved in October 2011**

6. The Cabinet approved the plan to be submitted on the 24<sup>th</sup> October 2011. Some additional changes were then approved under delegated powers. This section sets out the main approach of the approved plan, as it affects Southampton. This provides the background context for the Cabinet decision sought now on the 'Further Changes' (as requested by the inspector). The plan has been submitted to the inspector so the Councils can not now change the approach as set out in paragraphs 5 – 15 (unless requested to do so by

the inspector).

## **Minerals**

7. The plan aims to ensure an adequate supply of aggregates to meet the needs of the economy and the construction industry. It sets a target to supply 5.56 million tonnes per annum (mtpa) of aggregates. This target is made up of locally 'land won', recycled and rail imported aggregates; as well as the safeguarding of capacity at South Hampshire's wharves to land 2 mtpa of marine dredged aggregates.
8. Southampton's mineral wharves are situated along the River Itchen. Three are situated on its west bank by the football stadium; one on its east bank. These wharves alone supply about half of South Hampshire's aggregate needs. The plan safeguards the wharves from redevelopment or incompatible nearby development. However the plan recognises that if the wharves could be made available for redevelopment this would make an important contribution to city centre and waterside regeneration. Therefore if the wharves can be relocated or are no longer needed, the plan supports their redevelopment.
9. The plan also recognises that there may be opportunities for new wharves, and that the relevant locations should be safeguarded. These include "land identified in the Port of Southampton Master Plan" (eg Dibden Bay) and "military / naval land" (eg Marchwood military port). Whilst the plan considers the existing wharves can meet needs through the plan period, it explains that the position should be monitored. This will identify whether the existing wharves continue to meet modern needs, and whether opportunities for new more efficient wharves have arisen which would enable the regeneration of the existing wharves.
10. The Plan also safeguards mineral resource areas (eg sand and gravel) from sterilisation. Small parts of the city are covered by these areas at Stoneham / Mansbridge and the eastern edge of the city.

## **Waste Management**

11. The overall aim is to manage waste in the following order of priority: reduce; re-use; recycle; recovery (of energy); and as a last resort, landfill. The target is to achieve a 60% recycling rate and divert 95% of waste from landfill by 2020. By 2030 there is a need for a minimum of 0.29 mtpa of additional recycling and 0.39 mtpa of additional energy recovery capacity. The aim is for Hampshire to achieve net self sufficiency in the management of waste; and to focus facilities, where possible, close to urban areas and existing waste management facilities. The Plan supports appropriate low carbon energy from waste plants. It also includes policies to control specialist forms of waste (eg construction; landfill; hazardous / low level radioactive and liquid waste). The Plan does not make provision for London's waste.
12. The Plan does not allocate specific sites for waste management use (except for 2 landfill sites). However, it sets out the types of location where waste management uses will generally be supported. These include suitable industrial areas or similar previously developed land. The indicative spatial diagrams indicate the Southampton area as being suitable for waste management, including waste transfer, recycling and recovery. Publically

available background documents do identify sites which are potentially suitable. These documents do not have 'plan status', and specific proposals (on these or other sites) will be assessed further at the planning application stage to test their acceptability. The sites identified in Southampton as potentially suitable are as follows:-

13. Port of Southampton – Western Docks (new site). An appropriate small scale renewable energy plant. The acceptability of larger facilities would need to be demonstrated (eg given the proximity to residential areas).
14. Redbridge Lane (greenfield site); Millbrook, Empress Road, Central Trading Estate, Willments ship yard / Hazel Road, Ashley Crescent (existing industrial areas). In general these sites are identified as suitable for enclosed facilities (eg transfer stations, material recycling facilities). Some sites are also likely to be suitable for more open uses which already operate in parts of the city, such as aggregate and metal recycling, a household waste recycling centre, or for an appropriate energy from waste facility. Individual proposals will be assessed on their merits.
15. Woolston Waste Water Treatment Works (existing). The odours from the current facility constrain the ability to fully develop the adjacent Centenary Quay site. An on site upgrade should meet higher standards to remove this constraint.
16. The Plan safeguards existing significant waste management facilities from redevelopment and incompatible nearby development. However redevelopment will be supported where there is a strong justification, or the facility is no longer needed or is relocated. The facilities safeguarded in Southampton are at Ashley Crescent and Empress Road (metal recycling and waste transfer); Princes Street (metal recycling wharf); Dock Gate 20 (the new household waste recycling centre); and Millbrook Waste Water Treatment Works.
17. The Plan includes policies to manage and control minerals and waste development. These policies relate to design, pollution, access, climate change, habitats and landscapes.

### **The Further Changes (Approval Sought Now)**

18. Interested parties made formal representations on the 'submission' plan in November / December 2011. These are being considered by an independent planning inspector, who held examination hearing sessions in June 2012. The inspector has recommended during these sessions that the Councils propose some changes to the plan. These are the changes in the document which has been placed in the members room, which have been suggested through the hearing sessions (as identified in the last column) and are the subject of recommendation 1 of this report.
19. The main changes which affect Southampton are:

### **General**

20. A new policy to refer to the presumption in favour of sustainable development set out in the National Planning Policy Framework.

## **Wharves**

21. A number of changes are proposed, which will have the effect of supporting appropriate new wharves. This may also enable existing wharves within the city to be relocated and regenerated for other uses:
22. New policy wording to support and consider proposals for new wharves (with an emphasis on deep water and rail connected wharves). New text to set out the associated facilities that should be provided.
23. More explicit references that the 'Port of Southampton Master Plan' land to be safeguarded refers to Dibden Bay and to the existing port. Further clarification that safeguarding simply allows for consideration of the appropriateness of a new wharf, not a presumption in favour of development (eg the words 'possible location' are deleted).
24. A reference to the National Ports Policy Statement, which promotes sustainable new wharves.
25. Further clarification that issues affecting wharves need to be monitored throughout the plan period.
26. Clarification of the importance of overall mineral wharf capacity and that if, to enable regeneration, wharves are relocated, the new wharf site should be deliverable and sustainable.

## **Location of Waste Management Facilities**

27. A spatial dimension is introduced to the policy on the location of waste management facilities: they will be steered towards urban areas and strategic road corridors (and these are indicated on the key diagram). The emphasis on focussing facilities on suitable industrial estates is maintained. Other sites will be considered if they have good transport connections, are suitable, and there is a special need. There is additional guidance and support for facilities on suitable sites adjacent to existing waste water treatment works.
28. The text now recognises that where appropriate combined heat and power facilities may be encouraged near sources of fuel feedstocks, which may also include non waste fuel sources. This is in response to a representation from Helius, whose fuel will predominately be shipped in to the Port. However in terms of assessing the specific scheme that Helius are currently proposing, this does not alter other parts of the plan (for example, that waste development should not cause an unacceptable visual impact). Equally it does not alter the background document's conclusion for this site (see paragraph 11).

## **Minor Changes**

29. There are a wide range of other minor changes. For example:
  - a. Shortening, restructuring and clarifying the vision and spatial strategy;
  - b. Changes to the terminology of the key diagram;
  - c. Clarifying references to the sustainable community strategies;

- d. Clarifying that:
  - i. where redevelopment of a wharf is proposed there should be no prospect of it returning to a transport use in a reasonable period of time (text to policy 16);
  - ii. any additional need for aggregates will be met through recycled, marine dredged or rail imported aggregates first where possible (text to policy 17);
- e. Strengthening references to:
  - i. assessing the cumulative impacts of development (policy 9);
  - ii. good design and the co-location of facilities (policy 12 and 24);
- f. Deleting the policy on conditions and obligations (policy 13). This is replaced by text to policy 1, which also sets out the role of the Community Infrastructure Levy.
- g. Broadening out the reference to hazardous waste from landfill to all waste management facilities (policy 32).

### **Major Changes Which Do Not Affect Southampton**

- 30. There are also major changes which do not affect Southampton, for example regarding the provision of silica sand and brick making clay. Brief references to not providing for landfill waste from London are deleted.

### **Next Steps**

- 31. The Cabinet decision on 24<sup>th</sup> October 2011 approved delegated powers for the Head of Planning and Sustainability, in consultation with the relevant Cabinet member, to approve minor changes to the plan (or major changes which do not affect Southampton). This power is still available and it is possible that approval for further changes will be sought in this way.
- 32. There will be public consultation on the 'Further Changes' in October / November 2012. The inspector will then consider the changes, and the comments on them, before finalising his report. The Inspector's report is 'binding', which means that if the Councils wish to adopt the plan they must incorporate his main changes. The plan forms part of the Council's 'Policy Framework', so the decision to adopt will need to be taken by the full Council.

### **RESOURCE IMPLICATIONS:**

#### **Capital/Revenue:**

- 33. Southampton City Council has contributed 14% of the cost of producing the Plan. The latest contribution was £66,200 in 2011/12. This is anticipated to be the last payment, with no need for a further contribution in 2012 / 13.

#### **Property/Other:**

- 34. The Council has land interests on the following sites and areas:  
 Millbrook / Central Trading Estate – see paragraph 12  
 Stoneham – see paragraph 8  
 Town Depot. (The effect of adopting the Plan will be to delete an earlier 1998 plan which identified the site as suitable for waste uses. This will facilitate the

regeneration of Town Depot for other uses).

**LEGAL IMPLICATIONS:**

**Statutory power to undertake proposals in the report:**

35. The report is prepared in accordance with sections 16, 17 and 19 of the Planning and Compulsory Purchase Act, 2004

**Other Legal Implications:**

36. None

**POLICY FRAMEWORK IMPLICATIONS:**

37. The Hampshire Minerals and Waste Plan will form part of the Council's policy framework and development plan. Planning applications have to be determined in accordance with the Plan unless material considerations indicate otherwise.

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**KEY DECISION?** Yes

<b>WARDS/COMMUNITIES AFFECTED:</b>	All
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**SUPPORTING DOCUMENTATION**

**Appendices:**

1.	None.
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**Documents In Members' Rooms:**

1.	Minerals and Waste Plan: Further Changes
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**Integrated Impact Assessment**

Do the implications/subject of the report require an Integrated Impact Assessment (IIA) to be carried out.	Yes/No
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**Other Background Documents**

**Integrated Impact Assessment and Other Background documents available for inspection at:** <http://consult.hants.gov.uk/portal> or contact report author.

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	Minerals and Waste Plan 'Submission'.	
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