

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL
RECORD OF EXECUTIVE / CHIEF OFFICER DECISION**

This form should be used to record key and other decisions made by individual Portfolio Holders and key decisions made by Chief Officers. The contact officer will ensure that the signed and completed form is given to Democratic Services as soon as reasonably practicable after the decision has been taken.

Permission has been obtained from the Chairman of Council and the Chairman of the Scrutiny and Overview Committee that this decision be treated as a matter of urgency and exempt from Rule 12.18/12.19 of the Scrutiny and Overview Committee Procedure Rules.

Portfolio	Deputy Leader of the Council
Subject Matter	Response to Cambridge and Peterborough Minerals and Waste Local Plan: Preliminary Draft Consultation
Ward(s) Affected	All Wards
Date Taken	Tuesday, 26 June 2018
Contact Officer	Caroline Hunt, Planning Policy Manager 01954 713196 (caroline.hunt@scambs.gov.uk)
Date Published	Tuesday, 26 June 2018
Call-In Expiry	Not Applicable
Key Decision?	No
In Forward Plan?	No
Urgent?	Yes

Purpose / Background
<p>Purpose</p> <p>To agree the response by the Greater Cambridge Shared Planning Service as a joint response on behalf of both Cambridge City Council and South Cambridgeshire District Council (“the Councils”) to the Minerals and Waste Local Plan: Preliminary Draft Consultation.</p> <p>Background</p> <ol style="list-style-type: none"> 1. Cambridgeshire County and Peterborough City Councils (“the County”) have prepared the Minerals and Waste Local Plan: Preliminary Draft (MWLP), and this is now subject to public consultation running from 16 May to 26 June 2018. This is the first of three rounds of consultation and puts forward various issues and options for mineral and waste development management up to 2036. The MWLP is prepared for the geographic area covered by the Cambridgeshire & Peterborough Combined Authority. 2. This proposed response is prepared by the Greater Cambridge Shared Planning Service as a joint response on behalf of both Cambridge City Council and South Cambridgeshire District Council (“the Councils”). Comments are provided on the basis that the preparation of the MWLP is in the early stages, and there is insufficient information available to provide more detailed comments. Comments are therefore restricted to matters of principle, and to highlight where further discussions will be required. 3. The County proposes the MWLP will be prepared in accordance with the following timescale:

Plan stages		Date
1	Consultation on Sustainability Appraisal Scoping Report	Dec 2017
2	Issues & Options Consultation (Reg 18)	May/June 2018
3	Preferred Options Consultation (Reg 18)	Mar/Apr 2019
4	Proposed Submission (Reg 19)	Nov/Dec 2019
5	Plan submitted (Reg 22)	Mar 2020
6	Independent Examination (hearings)	Jun 2020
7	Inspector's Report	Aug 2020
8	Adoption of Plan	Nov 2020

4. All consultation and background papers are available on the County Council website as follows: www.cambridgeshire.gov.uk/mwlp

Overall Approach

5. The Councils will seek to work closely with the County to ensure the adopted Plan meets the overall needs and aspirations of the area. The Councils wish to fully understand the approach to meeting the requirements of the Duty to Cooperate, and would encourage a constructive mechanism for ongoing and positive dialogue is formally established. The Councils are keen to fully engage in the further preparation of the MWLP.
6. Draft Policy 1 sets out a clear approach to achieve sustainable development in meeting objectives around minerals and waste provision. This is combined with detailed policy requirements on minimising greenhouse gases, requiring planning applications to demonstrate how schemes will achieve this. This policy approach to addressing the implications of climate change is largely bought forward from the adopted MWLP.
7. The MWLP proposes a set of objectives, including supporting sustainable economic growth and the delivery of employment opportunities. This is to be welcomed.

Spatial Strategy for Minerals

8. A key driver for the choice of strategy is the future of the Block Fen/Langwood Fen area in East Cambridgeshire/Fenland District Council areas. This allocation, subsequently supported by a Supplementary Planning Document, is due to provide significant sand and gravel resources for the period to 2050. This has not come forward at the rate anticipated (see paras 6.3-6.6 of the MWLP) although a number of areas have received consent and are actively being worked. If it is found this area cannot deliver resources to the full scale originally envisaged, there may be a need to identify extensions to existing sites or entirely new sites for other sand and gravel extraction across the Plan area. A Call for Sites has also been launched as part of the current consultation, and it is not yet known whether additional sites will be promoted and whether any such sites may be within the Greater Cambridge area. The Councils would like to understand in more detail the issues affecting delivery at Block Fen/Langwood Fen and the potential implications for other areas. The consultation document talks of there having been questions raised around deliverability of the allocation and that progress has been slow 'partly' due to the economy, but it is not clear whether there is substance to those questions and what the probability is of failure. The Councils will need to work closely with the County to ensure the potential impacts of any sand and gravel extraction that may emerge in the area are considered carefully.
9. Views are invited on the most appropriate strategy approach, with a view to balancing certainty for land owners and communities whilst incorporating flexibility to ensure continued supply of minerals. The MWLP proposes that an "area of search" approach would provide the most flexibility, but recognises this may also cause significant uncertainty for communities. The MWLP asks whether any strategy approach should take into account the presence of existing infrastructure capacity. The Councils welcome this

approach in principle, however this must be balanced against the sites that are promoted, any competing or conflicting land uses, and how any such proposals may align with wider planning considerations. Draft Policy 2 of the MWLP does not propose an approach at this stage, and the proposed strategy will be contained in further iterations of the MWLP. The Councils may wish to provide further comment on this matter in light of any submissions made during the aligned Call for Sites process that is currently open. Officers will continue to seek a positive working relationship with the County as part of the duty to cooperate on the overall approach that would be most appropriate.

10. Extraction of other mineral resources are of less direct relevance to the Councils. Supplies of limestone in the area are more limited, and are found in a small geographical area to the north west of Peterborough. Brickclay deposits are extensive but located close to Whittlesey. Small deposits of for example, high quality chalk, exist throughout the Plan area but these are small in nature and any application to work these deposits is considered on an ad-hoc basis.

Spatial Strategy for Waste

11. The MWLP presents an option for the waste strategy in future which makes allocations for strategic waste management sites, and a criteria-based approach for any other proposal which may come forward. This is in light of only 10 of 34 allocations having been granted planning permission, and a number of consents being granted on non-allocated sites. A full review of the existing allocations and permissions is necessary to understand the reasons for non-delivery, and the Councils would expect the County to prepare this information at an early stage. The Councils are broadly supportive of an approach to investigate the provision of permanent waste management facilities within new settlements or growth sites in principle, subject to achieving a suitable balance between competing land uses. The impact of waste uses on the delivery of those sites, and the suitability of the use taking account of how the sites are being planned, must be explored to understand their suitability on a case by case basis.
12. New policies must put in place appropriate mechanisms to ensure any waste management facilities are not brought into conflict with neighbouring land uses. The MWLP seeks views on the strategy that should be adopted for the delivery of waste management sites and particularly whether allocations should be made, or a criteria-based approach pursued. It is difficult to express a clear view on this at present, as it is not yet understood why the currently adopted set of allocations have not been delivered. The Councils will seek to work with the County in further exploring this matter prior to the publication of the Further Draft Plan in Spring 2019.
13. The MWLP raises the potential use of existing employment areas for the provision of waste management operations, arguing that these facilities are often under cover and indistinguishable from other employment uses. Further information is required on the specific types of use this may entail before a full view could be provided. It will be important to consider this proposal in a wider context that includes the Councils' support for continued economic growth and having regard to the aspirations expressed by the Mayor in achieving a significant uplift in GVA across the Combined Authority area, and the important role of Greater Cambridge in that objective. If employment land is given over to waste management facilities this will need to be balanced against the economic growth impetus desired, recognising that such facilities would not provide a high job density.
14. Policy 4: The Spatial Strategy for Waste is to be developed for the next iteration of the emerging Plan, and as such there is no draft to comment on. However, comments on the approach as set out above will help shape the draft Policy.
15. Policy 5: Providing for Waste Management identifies the existing and forecast capacity across a range of waste management methods. There is a small surplus in capacity for all

types of waste management with the exception of “Treatment and energy recovery processes”, where there will be a deficit from 2026. It is understood this is the position at present, but if the proposed energy from waste facility in Waterbeach is granted planning permission (by the County Council as Waste Management Authority) the shortfall will be removed. It should be noted that that when consulted on the application South Cambridgeshire District Council raised a number of concerns on the grounds that the proposal would have a significant and adverse visual impact on local character and the surrounding countryside, and the heritage assets at Denny Abbey.

16. There will be an overall challenge to the provision of waste management facilities, and particularly within the strategic sites where land is constrained and competing land uses will further increase land values. The policy approach will need to be clear in achieving a balance in such instances.
17. The approach to Water Recycling Allocation Areas and Water Recycling Consultation Areas is contained within draft Policy 12, and includes criteria that would be used to assess proposals to extend existing works or provide new works, along with a range of criteria based policies elsewhere in the plan in which address issues including design, amenity, biodiversity and heritage. The supporting text for draft Policy 12 references the aspiration to relocate the Cambridge Water Recycling Centre (WRC), in relation to the opportunities for regeneration of Cambridge Northern Fringe East, and that the adopted Cambridgeshire and Peterborough Minerals and Waste Development Plan provides the statutory local waste policy framework under which any proposals would be considered. It will be important that this policy continues to be supportive where new or replacement facilities are needed to support growth, but provide the right criteria to ensure sites for those facilities are appropriate to their location. The Draft MWLP does not allocate a potential site for a new WRC facility.
18. An overall approach of continued partnership working will be required in accordance with the Duty to Cooperate between the minerals and waste authorities, the local planning authorities and those involved in the wider growth agenda across Greater Cambridge, to enable future plan making.

Waste Needs Assessment

19. The Waste Needs Assessment identifies there are “no specific significant planned regeneration or major infrastructure projects identified within the plan area as per the National Infrastructure Delivery Plan 2016-2021 that would result in a significant increase in waste generation not accounted for through dwelling stock forecasts.” Whilst true, it is not clear that this fully takes account of the current proposed growth figures across the Greater Cambridge area (i.e. 33,500 new homes and 44,000 new jobs by 2031) or the significant transport schemes proposed by the Mayor/Combined Authority. Both would give rise to additional demand for household and other waste facilities, and cause further increases in construction waste. It is unclear to what extent the overall growth agenda has shaped the options now presented, and the forecasts of capacity and deficits.

Site Assessment Methodology

20. All sites submitted via the Call for Sites process will be assessed using the Site Assessment Methodology now proposed. The methodology is variable depending upon the potential use proposed, and the two Councils will continue to discuss the application of this methodology with the County.
21. There are several points to raise at this stage. The assessment criteria on Table 1 (page 4-5) and Table 2 (page 7-10) and Table 5 (page 13) refer to deliverability, but does not appear to include the issues in the Greater Cambridge area that have caused challenges in delivery of facilities i.e. high land values, congestion, lack of sites and competing land

requirements. It is suggested that site assessments should consider this issue in more detail, recognising that some of these matters will be dealt with in detail at any planning application stage.

22. It is not clear if the zones for potentially significant dust effects in Table A2.9 on page 26 just relate to mineral extraction sites or to mineral and waste processing facilities as well, but would be a further site challenge in urban areas.

Declaration(s) of Interest

Record below any relevant interest declared by any executive Member consulted or by an officer present in relation to the decision.

None

Dispensation(s)

In respect of any conflict(s) of interest declared above, record below any dispensation(s) granted by the Council's Standards Committee.

None

Consultation

Record below all parties consulted in relation to the decision.

Scrutiny and Overview Committee on 21 June 2018 considered the proposed response. The Committee endorsed the recommended response subject to consideration by Cllr de Lacey, Chairman of Council and a member of the Committee, with officers of two matters:

- whether Policy 1: Sustainable Development includes all appropriate criteria to ensure sustainable development principles underpin the Minerals and Waste Local Plan
- agree wording to strengthen the response in relation to delivery of the sand and gravel workings at Block Fen/Langwood Fen in view of the potential implications for Greater Cambridge if it is not brought forward as planned.

Cllr de Lacey has advised that following consideration of Policy 1: Sustainable Development, he does not consider any changes need to be made to the recommended response. He agrees the addition of an additional sentence before the last sentence of paragraph 15 of the report to South Cambridgeshire's Scrutiny and Overview Committee, to read:

"...The Councils would like to understand in more detail the issues affecting delivery at Block Fen/Langwood Fen and the potential implications for other areas. The consultation document talks of there having been questions raised around deliverability of the allocation and that progress has been slow 'partly' due to the economy, but it is not clear whether there is substance to those questions and what the probability is of failure."

That change is incorporated into paragraph 8 of this decision report. An addendum will be provided to the Cambridge Planning and Transport Scrutiny Committee for consideration.

The intention on the basis of discussions with the County Council had been to submit the joint response after the Cambridge Planning and Transport Scrutiny Committee and Cambridge City Council's decision has been confirmed by the Executive Councillor, with South Cambridgeshire's formal decision to be submitted after its Cabinet meeting on 28 June. However, officers have now been advised that responses to the consultation cannot be changed in any way after the close of the consultation, which is end of the day 26 June. It is therefore necessary to make an urgent Portfolio Holder decision, informed by the outcome of Scrutiny and Overview Committee.

This issue was introduced at the Scrutiny and Overview Committee by the Deputy Leader and the Chairman of the Committee and the Chairman of Council (a member of the committee) endorsed the need for an urgent decision.

Other Options Considered and Reasons for Rejection
<p><u>Alternative Option 1:</u> to not submit a response to the consultation. <u>Reason for rejection:</u> Submitting a response will form part of the Council's duty to cooperate on plan making and will ensure the interests of Greater Cambridge are included in the plan making process.</p> <p><u>Alternative Option 2:</u> continue to consideration of the report at Cabinet on 28 June. <u>Reason for rejection:</u> the Council's response will be formally recorded as a view supported by South Cambridgeshire's Scrutiny and Overview Committee but will not be recorded as the Council's formal view, even if agreed subsequently by Cabinet.</p>

Final decision	Reason(s)
<p>1) To agree:</p> <p style="padding-left: 20px;">(i) the response to the Cambridgeshire and Peterborough Minerals and Waste Local Plan: Preliminary Draft Consultation that is consistent with the views set out in this report; and</p> <p style="padding-left: 20px;">(ii) that officers may submit the final response to Cambridgeshire County Council.</p> <p>2) That the Portfolio Holder agree any changes arising from the Cambridge City Council consideration of the report that are consistent with the interests of SCDC.</p>	<p>So that Cambridge City Council and South Cambridgeshire District Council can jointly shape the preparation of the next Minerals and Waste Local Plan.</p>

Signed	Name (CAPITALS)	Signature	Date
Portfolio Holder	Signed copy available upon request from Democratic Services (democratic.services@scambs.gov.uk)		
Chief Officer			

Further Information
<p><i>Where the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require documents to be open to inspection by members of the public, they must be available for inspection: -</i></p> <p>(a) <i>at all reasonable hours at the offices of South Cambridgeshire District Council;</i></p> <p>(b) <i>on the Council's website; and</i></p> <p>(c) <i>in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.</i></p> <p>(a) <i>Cambridgeshire and Peterborough Minerals and Waste Local Plan: Preliminary Draft Consultation (May 2018)</i></p> <p>(b) <i>Sustainability Appraisal Scoping Report (May 2018)</i></p> <p>(c) <i>Waste Needs Assessment (May 2018)</i></p> <p>(d) <i>Mineral Safeguarding Areas Methodology (May 2018)</i></p> <p>(e) <i>Site Assessment Methodology (May 2018)</i></p> <p>(f) <i>Flood Risk Assessment Methodology (May 2018)</i></p> <p><i>Papers available on www.cambridgeshire.gov/mwlp</i></p>