

Report to: **Lead Cabinet Member for Transport and Environment**

Date: **28 July 2008**

By: **Director of Transport and Environment**

Title of report: **Revision of the Minerals and Waste Development Scheme and Saving of Waste Local Plan Policies**

Purpose of report: **To seek approval of proposed revisions to the Minerals & Waste Development Scheme (MWDS), prior to submission to the Secretary of State, and to seek approval for an application to the Secretary of State for the saving of policies in the Waste Local Plan.**

RECOMMENDATIONS: The Lead Member is recommended to:

- (1) approve the Revisions of the Minerals & Waste Development Scheme;**
 - (2) authorise the Director of Transport and Environment, in consultation with the Lead Member for Transport and Environment, to finalise any drafting changes arising from the Government's consideration of the Revisions of the Minerals & Waste Development Scheme, and, to resolve to bring the revised Scheme into effect; and**
 - (3) authorise the Director of Transport and Environment to apply to the Secretary of State to save Waste Local Plan policies beyond the statutory minimum of three years (i.e. beyond February 2009).**
-

1 Financial Appraisal

1.1 There is little cost involved in producing a revised Minerals and Waste Development Scheme (MWDS) document or in preparing the application for the saving of policies in the Waste Local Plan (WLP). There is budget provision for 2008/09 for overall work on Waste and Minerals Development Framework.

2 Supporting Information Revision of the Minerals and Waste Development Scheme

2.1 Under the Planning & Compulsory Purchase Act 2004 (P&CPA), the County Council is required to prepare a MWDS that includes the timetables for preparing planning documents over the next three years. The Scheme assists the programming of Public Examinations and allows the public to know when and at what stage they can be involved. The last revision to the MWDS was approved by the Lead Member on 26 March 2007.

2.2 The Government has reflected on the lessons learned from the first three years of operation of the P&CPA and has revised its guidance on the preparation of planning documents. The Town and Country Planning (Local Development) (Amendment) Regulations 2008 came into effect on 27 June 2008, supported by a revised Planning Policy Statement 12 (PPS12).

2.3 The Government has advised that Core Strategies should make clear spatial choices about where developments should be located and that strategic sites should be allocated in this document. The evidence for infrastructure delivery must be strong enough to stand up to independent scrutiny. The time horizon for core strategies should be at least 15 years from

the date of adoption. Community engagement in the production of core strategies should be continuous with clearly articulated opportunities for involvement. To this end, the new regulations have removed the need for the 'Preferred Options' document to be produced.

2.4 The programme for the Waste & Minerals Core Strategy in the MWDS has therefore had to be revised. There is to be a new 'Options Testing Dialogue' stage in Autumn 2008, involving ongoing engagement with key stakeholders on revised Issues & Options following the earlier consultation this year. This is especially to assess deliverability. It will also be open to public comment. There will then be a major public consultation commencing in July 2009, on what the preferred way forward should be and the outline strategic locations for major waste and minerals development. The statutory consultation, submission and public examination will then take place in 2010 and the Core Strategy is intended to be adopted by the County Council and City Council in January 2011 just two months later than envisaged in the current MWDS. The proposed Revised Scheme is included as Appendix 1.

Saving Policies in the Waste Local Plan

2.5 The system provided by the P&CPA allows for policies in development plans to be automatically saved for three years after adoption. However, planning authorities may apply to the Secretary of State to extend this period six months before they are due to expire. The East Sussex and Brighton & Hove Waste Local Plan (WLP) is part of the development plan and provides policy for making decisions on the management of waste and judging the acceptability of planning applications for waste facilities. The WLP was adopted in February 2006.

2.6 'Saving' the policies in the WLP will ensure that they continue to form part of the framework to judge future applications for planning permission for waste developments in the County. A schedule detailing the justification for saving the policies is included as Appendix 2. The necessary application should now be made to Government.

3. Conclusions and Recommendations

3.1 The County Council needs to revise its three year MWDS in the light of Government changes to legislation affecting plan making. A new 'Options Testing Dialogue' stage will be introduced for the Waste & Minerals Core Strategy with further dialogue commencing in July 2009 on the way forward and the broad outline of locations for strategic developments. Formal stages will follow this and the whole programme will be completed with adoption intended in January 2011. The revised MWDS should be submitted to Government and, with any necessary changes, be brought into effect.

3.2 The WLP provides the statutory decision making framework used to judge future applications for planning permission for waste developments in the County. Replacement policies will not be developed for some time, therefore, under the P&CPA, the Council needs to apply to the Secretary of State for these policies to be saved beyond February 2009.

RUPERT CLUBB
Director of Transport and Environment
29 June 2008

Contact Officer: Tony Cook Tel. No. 01273 481653
Local member: All Councillors

BACKGROUND DOCUMENTS: 1. Minerals & Waste Development Scheme, revised March 2007 and Proposed Revision July 2008. 2. East Sussex and Brighton & Hove Waste Local Plan February 2006.

East Sussex Minerals & Waste Development Scheme

Revised July 2008

Contents	Page No.
Introduction	3
Schedule of Proposed Development Documents 2007/10	4
Saved Plans	5
Waste and Minerals Core Strategy	6
Minerals Sites Development Plan Document	6
Minerals Sites Proposals Map	7
Statement of Community Involvement	7
Waste Development Plan Documents	7
Waste Sites Proposals Map	8
Structure of Waste and Minerals Development Framework	9
Sustainability Appraisals and Strategic Environmental Assessment	10
Evidence Base	10
Monitoring and Review	11
Resources	11
Programme Management	11
Risk Assessment	12
Supplementary Planning Guidance	12
Appendices	
A. Profiles of each Local Development Document	13
B. Overall Programme for each Local Development Document	18
C. Risk Assessment for Minerals and Waste Development Scheme	19
D. Glossary / Abbreviations	

Introduction

This Minerals and Waste Development Scheme sets out the Waste and Minerals Development Plan Documents East Sussex County Council proposes to prepare, and the existing plans it intends to save, over the next three years. In accordance with the Government's new planning system, the County Council gradually intends to replace its Minerals and Waste Local Plans with Development Plan Documents (DPDs). These Development Plan Documents will have a similar function to the existing Local Plans, but will be more 'spatial' in that they will relate to all land use matters, and take into account other plans, such as the Community Strategy for the area. These Development Plan Documents will be contained within a folder known as the Waste and Minerals Development Framework (WMDF). This Framework will also contain other relevant documents, such as the adopted Statement of Community Involvement (SCI)¹. The new planning system also contains provisions to 'save' some existing policies. Under the Planning and Compulsory Purchase Act 2004, the adopted Minerals Local Plan was automatically saved until September 2007, and now has Government approval for all the policies contained within to be saved until replaced by DPDs within the WMDF. The adopted Waste Local Plan (WLP) came into operation in February 2006 and is therefore automatically saved for three years until February 2009. .

The Council intends to produce the following three main DPDs:

- Waste and Minerals Core Strategy
- Minerals Sites DPD
- Waste Sites DPD

In preparing this Development Scheme, East Sussex County Council has informally consulted the following bodies:

<ul style="list-style-type: none">• Government Office for the South East• Planning Inspectorate• Brighton & Hove City Council• South East England Regional Assembly• Adjoining County Councils	<ul style="list-style-type: none">• Lewes District Council• Wealden District Council• Rother District Council• Eastbourne Borough Council• Hastings Borough Council
--	---

¹ The Statement of Community Involvement sets out how the Council intends to involve the public and stakeholders in the preparation of its DPDs. As the County Council's Statement of Community Involvement has now been completed, this updated Scheme does not include a timetable for this document's preparation.

Schedule of Proposed Development Documents 2007/10

Document Title	Status	Brief Description	Chain of Conformity	Consultation on preferred strategy	Publication of Proposed Submission Document	Date for Submission to SofS	Public Examination Period	Proposed Date for Adoption
Waste and Minerals Core Strategy	DPD	Sets out the vision, objectives and strategy for sustainable waste development and minerals production in the area, and will provide the policy framework for development control.	General conformity with the Structure Plan / RPG9 Waste & Minerals and national PPSs. The South East Plan will be considered when adopted.	September / October 2009	February – March 2010	June 2010	September 2010	January 2011
Minerals Sites Development Plan Document	DPD	Sets out the existing sites and commitments and any new site allocations for minerals development not covered in the Core Strategy	General conformity with the Structure Plan / RPG9 Waste & Minerals and national PPSs. The South East Plan will be considered when adopted. Sites DPD will be in conformity with Core Strategy	June / July 2010	February – March 2011	July 2011	January 2012	April 2012
Minerals Sites Proposals Map	DPD	Shows on a geographical basis the application of the policies in the Minerals Sites Development Plan Document	In conformity with Core Strategy	N/A	N/A	July 2011	January 2012	April 2012
Waste Sites Development Plan Document	DPD	Sets out the existing sites and commitments and any new site allocations for waste development not covered in the Core Strategy	General conformity with the Structure Plan / RPG9 Waste & Minerals and national PPSs. The South East Plan will be considered when adopted. Sites DPD will be in conformity with Core Strategy	TBC	TBC	TBC	TBC	TBC
Waste Sites Proposals Map	DPD	Shows on a geographical basis the application of the policies in the Waste Sites	In conformity with Core Strategy	TBC	TBC	TBC	TBC	TBC

		Development Document	Plan						
--	--	-------------------------	------	--	--	--	--	--	--

Saved Plans

The East Sussex and Brighton & Hove Structure Plan 1991-2011 was saved in its entirety until September 2007. Following this date the Secretary of State agreed to save some of its policies further until they are replaced by the South East Plan²; of these the sole minerals and waste policy to be saved further is MIN13, related to oil and gas exploration.

The Government has agreed to save all the policies contained within the East Sussex and Brighton & Hove Minerals Local Plan 1999 until replaced by Development Plan Documents (DPD) as part of the [Waste & Minerals Development Framework \(WMDF\)](#). It is intended that the Waste and Minerals Core Strategy and Minerals Sites Development Plan Document will cover all of the policy areas currently covered by the Minerals Local Plan.

The East Sussex and Brighton & Hove Waste Local Plan is automatically saved for at least 3 years from February 2006. A report has been sent to Lead Member to gain approval for an application to the Secretary of State for the saving of WLP policies beyond this statutory minimum.

Whilst existing Supplementary Planning Guidance cannot in itself be saved, where it follows from a saved policy in one of the above plans, it will remain a material planning consideration in the determination of planning applications. This applies to the SPGs listed on page 11 of this Scheme.

² The South East Plan is under preparation by the South East England Regional Assembly, and will form the revised regional spatial strategy under the new planning system. Meanwhile the current regional planning guidance RPG9 has RSS status, and, therefore, carries Development Plan status, which means that all planning applications will have to be determined in accordance with it unless material planning considerations indicate otherwise.

Waste and Minerals Core Strategy

The Waste and Minerals Core Strategy, which is a Development Plan Document, will set out the how the East Sussex County and Brighton & Hove City Councils propose that waste should be managed and minerals produced within their spatial context up to 2026, taking into account any particular environmental, demographic, and economic characteristics. The Core Strategy is intended to ensure that waste is managed and minerals are produced in ways which are sustainable. It is also required to identify strategic locations for key waste facilities and mineral extraction areas. More specifically, the Core Strategy will consider the promotion and protection of the environment and the economy of East Sussex as well as the well-being of its citizens and will include policies to this effect. There will be links to other plans including the Community Strategies.

Minerals Sites Development Plan Document

The Minerals Sites Development Plan Document will replace the current Minerals Local Plan sites policies. It will be a spatial plan allocating relevant sites.

This Development Plan Document will be produced jointly by East Sussex County Council and Brighton & Hove City Council, and will cover the administrative areas of East Sussex and Brighton & Hove. The proposed profile of the Minerals Sites Development Plan Document is included in the Appendices. As the Waste and Minerals Core Strategy will include policies affecting the location of Minerals sites, the public examination into the Minerals Sites DPD will be at a later date after the Waste and Minerals Core Strategy public examination.

The Minerals Sites DPD will not allocate areas or sites for processing of secondary and recycled aggregates as these will be allocated in the Waste Sites DPD (see below).

The time period covered by the Minerals Sites DPD will be up to 2021³.

³ The Regional Planning Guidance 9 Waste and Minerals is now Regional Spatial Strategy. The Strategy covers the period up to 2016. At this stage this is the only guidance local authorities have on such crucial issues as the sub-regional apportionment of aggregates. The SE Plan will look at the period up to 2026 and ultimately minerals policies will be brought forward covering the extended period up to 2026.

Minerals Sites Proposals Map

The Adopted Proposals Map will be produced in conjunction with the Minerals Sites Development Plan Document. It will show all the areas of protection, such as Areas of Outstanding Natural Beauty, the proposed National Park boundaries and Sites of Special Scientific Interest. It will identify all the safeguarding areas, minerals consultation areas and sites allocated for development in the Minerals Sites Development Plan Document. It will need to be updated in conjunction with any review of the Minerals Sites Development Plan Document in the East Sussex Waste and Minerals Development Framework. The Minerals Proposals Map will cover the administrative area of East Sussex and will be incorporated into Local Development Frameworks Proposals Maps produced by the Borough / District Councils.

Statement of Community Involvement

The SCI is a statement of the County Council's policy for involving interested parties in preparing and revising Minerals and Waste Development Documents and for consulting on major planning applications. The SCI was reviewed in 2007.

Waste Sites Development Plan Document

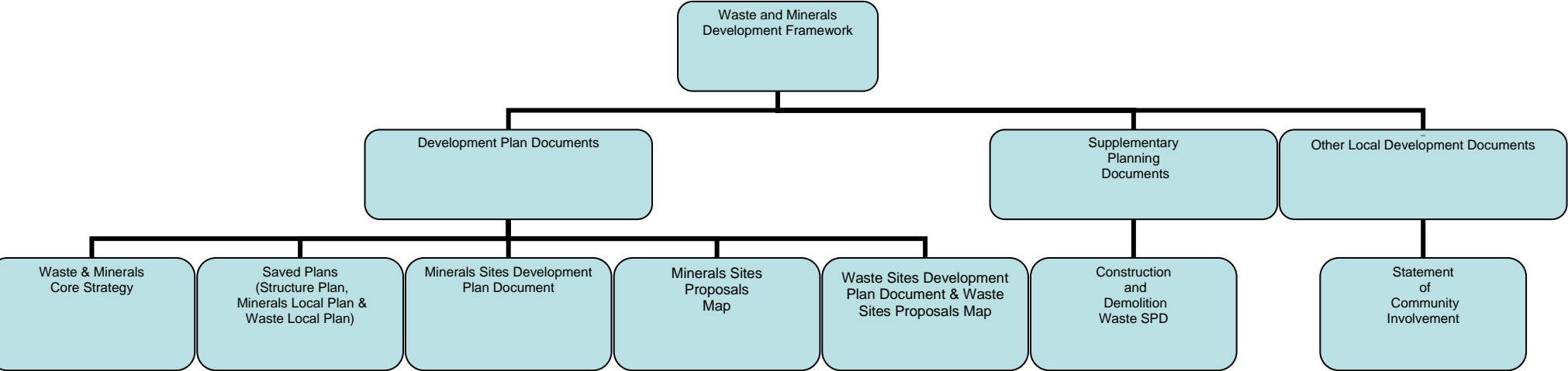
The Waste Sites DPD will replace the current Waste Local Plan sites policies. It will set out existing waste sites and commitments as well as new site allocations for waste treatment, handling and final disposal not covered by the Core Strategy.

This DPD will be produced jointly by East Sussex County Council and Brighton & Hove City Council, and will cover the administrative areas of East Sussex and Brighton & Hove. The proposed profile of the Waste Sites DPD is included in the Appendices. As the Waste and Minerals Core Strategy will include policies affecting the location of waste sites, the public examination into the Waste Sites DPD will be at a later date after the Waste and Minerals Core Strategy public examination.

Waste Sites Proposals Map

The Adopted Waste Proposals Map will be produced in conjunction with the Waste Sites Development Plan Document. It will show all the areas of protection, such as Areas of Outstanding Natural Beauty, the proposed National Park boundaries and Sites of Special Scientific Interest. It will identify all the safeguarding areas, waste consultation areas and sites allocated for development in the Waste Sites Development Plan Document. It will need to be updated in conjunction with any review of the Waste Sites Development Plan Document in the East Sussex Waste and Minerals Development Framework. The Waste Proposals Map will cover the administrative area of East Sussex and Brighton & Hove and will be incorporated into Local Development Frameworks Proposals Maps produced by the Borough / District Councils.

Structure of Waste and Minerals Development Framework



Sustainability Appraisals and Strategic Environmental Assessment

Sustainability Appraisals (SAs) will need to be carried out for all Development Plan Documents and Supplementary Planning Documents. These will look at the social, economic and environmental effects of the options considered and the proposals in the Documents. SAs will be carried out at the same time as the Documents are prepared, and will feed into the preparation at various stages, to allow the DPDs and SPDs to be influenced by the findings of the SA. It is intended that the requirement to carry out Strategic Environmental Assessment of plans and programmes⁴ will be incorporated within the SA.

Evidence Base

Evidence on the environmental, social and economic characteristics of East Sussex and Brighton & Hove will be gathered as part of the Sustainability Appraisal / Strategic Environmental Assessment of the Waste and Minerals Core Strategy and Minerals Sites Development Plan Document. This work will be carried out using in-house resources, supported by consultants. This will result in a Sustainability Appraisal Report, which will be consulted on and published alongside the Waste and Minerals Core Strategy and Minerals Sites Development Plan Document. A separate Sustainability Appraisal will be completed for the Waste Sites DPD.

Technical evidence on capacity of existing and approved waste management facilities will be gathered using information collected by the waste planning & disposal authorities and the Environment Agency. This may need to be supplemented by primary survey work. Options for the Core Strategy will be gathered from available data and by consultation with the industry and interested parties. Any Information needed on sites will be gathered from previous site search work held in the County Council offices, from primary survey work and from consultation with the industry and interested parties.

Technical evidence on the geological characteristics of the County and the details of existing and potential mineral extraction sites is held in the Council's Minerals and Waste Team, and will be supplemented by further research where necessary. It is intended that most of this work should be carried out 'in-house'.

⁴ Environmental Assessment of Plans & Programmes Regulations 2004

Monitoring and Review

In December of each year the Council produces an Annual Monitoring Report (AMR) that sets out its progress in achieving set goals over the previous financial year. The AMRs cover the following issues:

- whether the Council has met the targets and milestones set out in the Schedule of Proposed Development Documents
- if the Council has fallen behind or progressed further than the Schedule, the reasons for this
- any need to update the Scheme (for instance to add the preparation of other documents such as SPD)
- any other matters referred to in guidance
- whether the targets and indicators included in the saved Local Plans are being achieved
- whether the adopted policies need adjusting, replacing or saving

Resources

The Minerals and Waste Policy Team currently comprises a Team Leader (post vacant since July 2004), a part-time Principal Planner, and two Senior Planners/ Planners. Technical support is shared with the Policy Division of the Council's Transport and Environment Department. These resources are supplemented by Brighton & Hove City Council covering joint working. The Team has also been supplemented by the use of consultants.

Finances for work on all the documents have been allocated for 2008/9. The budgets for 2009/10, 2010/11 and 2011/12 are currently under discussion.

Programme Management

Work on the Waste and Minerals Development Framework will be managed by the Head of Service - Planning and consultants. They will report to a Project Board comprising the Assistant Director (Policy), the Head of Service - Planning and others. Close liaison will be maintained with the Transport and Environment Lead Member. Decisions on Council policy will be made by Lead Member, Cabinet and, where necessary, Full Council.

Risk Assessment

A risk assessment for the completion of all the work in the Development Scheme within the timescales set out is included in the Appendices.

Supplementary Planning Guidance

Existing Supplementary Planning Guidance entitled 'A New Approach to Development Contributions' (October 2003) is linked to Policies S2 and S3 of the East Sussex and Brighton & Hove Structure Plan, and will continue to be a material planning consideration whilst these policies are saved. The County Council would like to see this guidance incorporated into DPDs or SPDs by the District and Borough Councils.

Guidance on reducing and recycling construction and demolition waste was produced as a Supplementary Planning Document in February 2006. On 6 April 2008 the Site Waste Management Plans Regulations came into force. These regulations have similar requirements to this SPD in that they require the preparation of a Site Waste Management Plan. As a result of this, the SPD will be reviewed accordingly and re-issued in due course.

APPENDICES

A: Profiles of each Local Development Document

Waste and Minerals Core Strategy	
Document details	<p>Title: Waste and Minerals Core Strategy</p> <p>Role and Subject: The Waste and Minerals Core Strategy is a joint document with the Brighton & Hove City Council that will set out the vision and spatial strategy for the sustainable reduction, recycling, treatment and disposal of waste, and, a sustainable approach to minerals development in the area. It will identify strategic locations and set the context for identifying sites for waste management and minerals development. It will also include a suite of development control policies.</p> <p>Geographic coverage: East Sussex and Brighton & Hove</p> <p>Status: Development Plan Document</p> <p>Chain of conformity: General conformity with the Structure Plan / Regional Spatial Strategy (RPG9) Waste and Minerals and National Planning Policy Statements. The Minerals Sites Development Plan Document to be in conformity with Waste and Minerals Core Strategy.</p>
Timetable	<p>Commencement of Document: April 2006</p> <p>Consultation on SA Scoping: March 2007</p> <p>Early Community Involvement: May – October 2007</p> <p>Issues & Options Consultation: February – April 2008</p> <p>Options Testing Dialogue with Community and Key Stakeholders: Autumn 2008</p> <p>Consultation on preferred strategy: September / October 2009</p> <p>Publication of Proposed Submission Document: February – March 2010</p> <p>Submission of DPD to S of S: June 2010</p> <p>Pre-Examination Meeting: July 2010</p> <p>Examination period, including target date: September 2010</p> <p>Adoption and Publication: January 2011</p>
Arrangements for production	<p>Department leading the process: Transport & Environment</p> <p>Management arrangements (e.g. steering group): Project Management – Head of Service - Planning and consultant (ESCC) and Local Development Team Manager (BHCC). Project Board - Assistant Director (Policy) and Head of Service - Planning (ESCC) and Assistant Director City Planning and Head of Planning Strategy</p> <p>Resources needed, including from stakeholders: ESCC – 3 planning officers BHCC 1.5 planning officers</p>

	<p>plus administrative support and occasional input from other disciplines, and consultants. In-house support and consultants for Sustainability Appraisal. Stakeholders: time and personnel for input into consultation.</p> <p>Approach to involving stakeholders and the community: consultation with stakeholders and public set out in the Councils' Statements of Community Involvement.</p>
Post Production	<p>Performance of the Core Strategy will be monitored through Annual Monitoring Reports, and the need for review considered on an annual basis.</p>

Minerals Sites Development Plan Document & Minerals Sites Proposals Map	
Document details	<p>Title: Minerals Sites Development Plan Document</p> <p>Role and Subject: Sets out the existing sites and commitments and any new site allocations for minerals development not covered in the Core Strategy</p> <p>Geographic coverage: East Sussex and Brighton & Hove</p> <p>Status: Development Plan Document</p> <p>Chain of conformity: General conformity with the Structure Plan / Regional Spatial Strategy (RPG9 Waste and Minerals and National Planning Policy Statements).</p>
Timetable	<p>Early Community Involvement: May – October 2007</p> <p>Issues & Options Consultation: February – April 2008</p> <p>Options Testing Dialogue with Community and Key Stakeholders: Autumn 2008</p> <p>Consultation on preferred strategy: June / July 2010</p> <p>Publication of Proposed Submission Document: February – March 2011</p> <p>Submission of DPD to S of S: July 2011</p> <p>Pre-Examination Meeting: Autumn 2011</p> <p>Examination period, including target date: January 2012</p> <p>Adoption and Publication: April 2012</p>
Arrangements for production	<p>Department leading the process: Transport & Environment</p> <p>Management arrangements (e.g. steering group): Project Management – Head of Service - Planning and consultant (ESCC) and Local Development Team Manager (BHCC). Project Board - Assistant Director (Policy) and Head of Service - Planning (ESCC) and Assistant Director City Planning and Head of Planning Strategy</p> <p>Resources needed, including from stakeholders: ESCC – 3 planning officers BHCC 1.5 planning officers plus administrative support and occasional input from other disciplines, and consultants. In-house support and consultants for Sustainability Appraisal. Stakeholders: time and personnel for input into consultation.</p> <p>Approach to involving stakeholders and the community: consultation with stakeholders and public set out in the Councils' Statements of Community Involvement.</p>
Post Production	<p>Performance of the DPD will be monitored through the Annual Monitoring Report, and the need for review considered on an annual basis.</p>

Statement of Community Involvement	
Document details	<p>Title: Statement of Community Involvement</p> <p>Role and Subject: Sets out the County Council's Policy for involving interested parties in preparing and revising Minerals and Waste Development Documents and for consulting on planning applications</p> <p>Geographic coverage: East Sussex</p> <p>Status: Local Development Document</p> <p>Chain of conformity: Minimum standards set out in Town and Country Planning (Local Development)(England) Regulations 2004</p>
Timetable	<p>Reviewed: 2007</p>
Arrangements for production	<p>Department leading the process: Transport & Environment</p> <p>Management arrangements (e.g. steering group): Project Management – Head of Service - Planning and consultant. Project Board - Assistant Director (Policy) and Head of Service - Planning</p> <p>Resources needed, including from stakeholders: 1 planning officer, administrative support and input from stakeholders</p> <p>Approach to involving stakeholders and the community: Consultation at scoping, preferred options stage and post-submission</p>
Post Production	<p>Performance of SCI will be monitored generally and during the preparation of the Core Strategy and Minerals Sites DPD, and it will be reviewed if necessary.</p>

Waste Sites Development Plan Document & Waste Sites Proposals Map	
Document details	<p>Title: Waste Sites Development Plan Document</p> <p>Role and Subject: Sets out existing sites and commitments and any new site allocations for waste treatment, handling and final disposal not covered in the Core Strategy.</p> <p>Geographic coverage: East Sussex and Brighton & Hove</p> <p>Status: Development Plan Document</p> <p>Chain of conformity: General conformity with the Structure Plan / Regional Spatial Strategy (RPG9) Waste and Minerals and National Planning Policy Statements.</p>
Timetable	Timetable of further stages awaiting confirmation. It is anticipated only early development work on document will take place during the three years of this MWDS.
Arrangements for production	<p>Department leading the process: Transport & Environment</p> <p>Management arrangements (e.g. steering group): Project Manager – Head of Service - Planning and consultant (ESCC) and Local Development Team Manager (BHCC), Project Board - Assistant Director (Policy) and Head of Service - Planning (ESCC) and Assistant Director City Planning and Head of Planning Strategy</p> <p>Resources needed, including from stakeholders: ESCC – 3 planning officers BHCC 1.5 planning officers plus administrative support and occasional input from other disciplines, and consultants. In-house support and consultants for Sustainability Appraisal. Stakeholders: time and personnel for input into consultation.</p> <p>Approach to involving stakeholders and the community: consultation with stakeholders and public set out in the Councils' Statements of Community Involvement.</p>
Post Production	Performance of the DPD will be monitored through Annual Monitoring Reports, and the need for review considered on an annual basis.

C: Risk Assessment for Minerals and Waste Development Scheme

Risk ID	Description	Category	Impact	Probability	Countermeasures
R1	Competition for resources between the Waste and Minerals Core Strategy and the Minerals Sites Development Plan Document	Resources	High	High	Close liaison to minimise conflicts. Potential need for increased resources if pressure points coincide.
R2	Delay to schedule caused by adverse public reaction	Interface with public	Medium	Medium	Effective consultation to achieve commitment to proposed documents.
R3	General constraints on resources in the Council could restrict the use of internal staff and consultants.	Resources	High	High	Project Board to maintain importance of Development Scheme in discussions with the Lead Member to secure continued funding. Alternative methods of funding for some areas of work to be investigated.
R4	Staff recruitment problems could result in a gap in resources or skills if any current staff chose to leave.	Resources	High	Medium	Project Manager to ensure existing team members remain motivated and have job satisfaction, including meeting training needs where possible. If vacancy does arise, recruitment must be carried out promptly, and if necessary include agency or consultant resources.
R5	Guidance and best practice on the new planning system still emerging. This could delay the project.	Legal	Medium	Medium	Project Manager to keep up to date with any new guidance and practice , and consider any changes in the timetable for implementation.

D. Glossary / Abbreviations

Annual Monitoring Report (AMR): part of the Local Development Framework, the AMR will report on the progress of the Local Development Scheme and the extent to which policies in Local Development Documents are being successfully implemented.

Community Strategy: local authorities are required by the Local Government Act 2000 to prepare these, with aim of improving the social, environmental and economic well being of the area. Responsibility for producing Community Strategies is undertaken by Local Strategic Partnerships, which include local authority representatives.

Core Strategy: sets out the long-term spatial vision for the subject being covered. It has the status of a Development Plan Document.

Development Plan: Section 38(3) of the Planning & Compulsory Purchase Act 2004 defines the Development Plan as the relevant Regional Spatial Strategy and the Development Plan Documents.

Development Plan Documents (DPDs): spatial planning documents that are subject to independent Examination. They can include a Core Strategy, Site Specific Allocations of land, and Area Action Plans. Other Development Plan Documents can cover generic Development Control Policies.

Issues and Options: produced during the production stage of the preparation of Development Plan Documents and may be issued for consultation to meet the requirements of Regulation 25.

Local Development Documents (LDDs): the collective term for Development Plan Documents, Supplementary Planning Documents and the Statement of Community Involvement.

Local Development Framework (LDF): the name for the portfolio of Local Development Documents. It consists of Development Plan Documents, Supplementary Planning Documents, a Statement of Community Involvement, the Local Development Scheme and Annual Monitoring Reports.

Local Development Scheme (LDS): A three year project plan setting out the programme for preparing Local Development Documents. All authorities must submit a Scheme to the Secretary of State within six months of commencement of the Planning & Compulsory Purchase Act 2004.

Waste and Minerals Development Framework (W MDF): County Councils are responsible for producing Minerals and Waste Development Frameworks. These are akin to Local Development Frameworks but covering minerals and waste issues.

Minerals and Waste Development Scheme (MWDS): County Councils have to produce the Scheme which is a three years project plan covering minerals and waste documents.

Options Testing Dialogue: This is a systematic process of targeted consultation with key stakeholders and others intended to test the options for deliverability.

Preferred Strategy: The 'Preferred Strategy' will set out the Councils' proposed way forward and will be published for informal public consultation as part of the ongoing dialogue with stakeholders ahead of the production of the final document to be submitted to the Secretary of State for consideration. To an extent this document replaces the 'Preferred Options' document which was to be produced and issued for formal public participation as required by Regulation 26 of the original regulations.

Proposals Map: the adopted proposals map illustrates on a base map all the policies contained in Development Plan Documents, together with any saved policies. It must be revised as each new Development Plan Document is adopted. District Council Proposals maps must include any minerals and waste matters.

Public Examination: independent examination of the Development Plan Document. The Inspector's Report will be binding on the local planning authority.

Regional Spatial Strategy (RSS): sets out the region's broad development strategy for a fifteen to twenty years period. Regional Planning Guidance has now become Regional Spatial Strategy. Revisions to Regional Spatial Strategy now have to be prepared by the Regional Planning Body.

Regulations: The principal regulations relevant to the Minerals and Waste Development Scheme are Town and Country Planning (Local Development) (England) Regulations 2004, as amended by The Town and Country (Local Development) (England) (Amendment) Regulations 2008 and the Town and Country Planning (Transitional Arrangements) Regulations 2004.

Saved Policies or Plans: existing adopted development plans are saved for three years from the date of commencement of the Planning and Compulsory Purchase Act. Any old style development plans adopted after commencement of the Act can be saved for three years from their adoption or approval.

Site specific allocations: allocations of sites to be included in Development Plan Documents.

Statement of Community Involvement (SCI): sets out the standards which authorities will achieve with regard to involving local communities in the preparation of Local Development Documents and development control decisions. The statement of community Involvement is not a development plan document but is subject to independent examination.

Strategic Environmental Assessment (SEA): Environmental Assessment as applied to policies, plans and programmes. The European 'SEA Directive' (2001/42/EC) requires a formal 'environmental assessment of certain plans and programmes, including those in the field of planning and land use'.

Supplementary Planning Documents (SPDs): provide further details in respect of the policies in Development Plan Documents. They do not form part of the Development Plan and are not subject to independent examination.

Sustainability Appraisal (SA): tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and required in the Planning and Compulsory Purchase Act to be undertaken for all local development documents.

Appendix 2

WLP Policy No.	Issue	Conformity with/Avoidance of Repetition of National Policy	General Conformity with the Aims and Objectives of Plans	Policy Objective	Justification and Reasons for Wishing to Save Policy
1	Plan Strategy	PPS10 (para 1, 20)	RPG9 (W5, W6), Draft SEP (CC1, CC2, W5, W6)	To provide the principles for considering waste planning applications, and targets for the recycling and recovery of waste.	The policy is necessary to ensure the sustainable recovery and disposal of waste. It sets out the current local interpretation of targets and demonstrates the Council's minimum commitment towards achieving these. The Waste & Minerals Development Framework (WMDF) currently in preparation will review the Council's targets in due course. The policy also refers to the Best Practicable Environmental Option (BPEO) as a guiding principle in waste management. Government documents published since the WLP have reconsidered the role of the BPEO and concluded that in future identifying the BPEO would effectively be delivered through considering a range of options as part of the sustainability appraisal. The WMDF will consider these changes, however in the interim retaining the reference to BPEO will ensure decisions are supported by information that includes sufficient systematic analysis of the impacts associated with waste management.
2	Transport Strategy		RPG9 (W16), Draft SEP (W16)	To minimise the transportation of waste and ensure more sustainable transport methods are considered.	The policy ensures waste facilities are located as close as practicable to the source of the waste and transported in the most sustainable way possible.

Appendix 2

WLP Policy No.	Issue	Conformity with/Avoidance of Repetition of National Policy	General Conformity with the Aims and Objectives of Plans	Policy Objective	Justification and Reasons for Wishing to Save Policy
3	AONBs	PPS7 (para 21), PPS10 (annex e)	RPG9 (W17), Draft SEP (C2, W17)	To protect Areas of Outstanding Natural Beauty.	In view of the large amount of AONB designation within the Plan area and consequent local sensitivity the policy is necessary to emphasise that development in AONBs is only permitted where the development would not compromise the objectives of the designation.
4	Transportation of waste by rail or water	PPG13 (para 45)	RPG9 (W16), Draft SEP (W16)	To look favourably on proposals that utilise rail or water transportation.	The policy seeks to encourage the use of sustainable forms of transport, and provides a policy benchmark in determining future applications.
5	Safeguarding sites		RPG9- (W16, W17), Draft SEP (W16, W17)	To resist development proposals which would prevent or prejudice the use of existing waste management sites and the preferred sites and search areas identified in this Plan	The policy is necessary to protect suitable sites for future waste management facilities which are required to meet local and regional targets.
6	Expansions or alterations to existing facilities		RPG9 (W17), Draft SEP (W17)	To facilitate the modernisation or expansion of existing facilities to improve efficiency and output.	A significantly used policy that is necessary to promote modern and efficient waste management facilities at existing sites in the Plan area.
7	Site specific allocations for road to rail transfer facilities	PPS10 (paras 17, 18), PPG 13 (para 45)	RPG9 (W16, W17), Draft SEP (W16, W17)	To support the provision of a road to rail transfer facility at Sackville Trading Estate, Hove.	Policy encourages and facilitates the use of sustainable rail transportation by providing a specific allocated site in the Plan area.

Appendix 2

WLP Policy No.	Issue	Conformity with/Avoidance of Repetition of National Policy	General Conformity with the Aims and Objectives of Plans	Policy Objective	Justification and Reasons for Wishing to Save Policy
8	Site specific allocations for MRF and waste transfer facilities	PPS10, paras 17, 18	RPG9 (W17), Draft SEP (W17)	To identify specific sites that could be suitable for the development of MRF and waste transfer facilities	The policy provides specific allocated sites for the development of further MRF and waste transfer facilities in the Plan area which are essential if landfill diversion targets are to be met.
9	Site Specific Allocations for EfW / MRF Facilities	PPS10, paras 17, 18	RPG9 (W17), Draft SEP (W17)	To identify the site at North Quay, Newhaven as being suitable for a EfW facility.	The policy provides a specific allocated site in the Plan area for an Energy from Waste and Materials Recovery Facility which would assist in achieving landfill diversion targets.
10	Site specific allocations for disposal to land	PPS10, paras 17, 18	RPG9 (W17), Draft SEP (W17)	To identify specific sites that are suitable for the disposal of waste to land.	There is a need to provide further final disposal capacity within the Plan area, and the allocation of these two sites remains appropriate.
11	Reduction, re-use and recycling during demolition and design, and construction of new developments		RPG9 (M1, W1, W2) Draft SEP (CC4, W2)	To minimise waste produced and maximise re-use and recycling during demolition and the design and construction of new developments.	The policy promotes the use of processes higher up the waste hierarchy, and exists as the policy basis for the East Sussex and Brighton & Hove Construction and Demolition Waste SPD. Its relevance is not restricted to waste facility development, as it relates to all new developments of any kind in the County.
12	Recycling as part of major development		RPG9 (W8), Draft SEP (W8)	To ensure all development proposals employing, attracting or accommodating a large number of people consider the extent to which recycling facilities can be integrated into the development.	The policy is necessary to help achieve recycling targets for the Plan area, and is relevant to all new developments across the County, rather than being restricted to waste related developments. It encourages the provision of recycling facilities in order to achieve national policy waste separation aims.

Appendix 2

WLP Policy No.	Issue	Conformity with/Avoidance of Repetition of National Policy	General Conformity with the Aims and Objectives of Plans	Policy Objective	Justification and Reasons for Wishing to Save Policy
13	Recycling, transfer and materials recovery facilities	National policy does not provide specific guidance for recycling, transfer and MRF proposals.	RPG9 (W17), Draft SEP (W17)	To ensure such facilities are suitably located and of a suitable scale for the location.	Policy has been significantly used to assess planning applications, providing necessary waste infrastructure.
14	Recycling and recovery facilities for C&D waste	National policy does not provide specific guidance for proposals for recycling and recovery facilities.	RPG9 (W17), Draft SEP (W17)	To ensure such facilities are suitably located.	Policy has been used to assess planning applications, providing necessary waste infrastructure.
15	Small scale recycling collection facilities	National policy does not provide specific guidance for small scale recycling proposals.	RPG9 (W17), Draft SEP (W17)	To ensure such facilities are suitably located.	Policy is necessary to encourage the future sustainable management of waste by providing necessary waste infrastructure.
16	New household waste sites	National policy does not provide specific guidance for household waste site proposals.	RPG9 (W17), Draft SEP (W17)	To provide the context and principles for considering energy from waste facility applications	Policy has been used to assess planning applications, and is necessary to encourage the sustainable management of waste in the future by providing necessary waste infrastructure.

Appendix 2

WLP Policy No.	Issue	Conformity with/Avoidance of Repetition of National Policy	General Conformity with the Aims and Objectives of Plans	Policy Objective	Justification and Reasons for Wishing to Save Policy
17	Reprocessing Industries	Waste Strategy for England 2007 (Ch. 5)		To provide support for reprocessing facility proposals.	The policy provides further encouragement for the sustainable management of waste by providing necessary local waste infrastructure.
18	Composting facilities	National policy does not provide specific guidance for composting proposals.	RPG9 (W17), Draft SEP (W17)	To provide the context and principles for considering composting facility applications.	Policy has been used to assess planning applications, assisting in providing local waste infrastructure.
19	Energy from waste facilities	National policy does not provide specific guidance for energy from waste proposals.	RPG9 (W12), Draft SEP (EN2, EN3, W12)	To provide the context and principles for considering energy from waste facility applications.	Policy provides the necessary criteria to judge any future EfW applications, assisting in providing necessary local waste infrastructure..
20	Landfilling - non-inert waste	National policy does not provide specific guidance for non inert waste landfill proposals.	RPG9 (W13, W14), Draft SEP (W12, W13)	To ensure there is a need for further capacity, that such facilities are suitably located, and sympathetically restored after use.	The County has a shortage of final disposal capacity, the policy is therefore necessary to judge potential future applications to address this problem through landfilling.

Appendix 2

WLP Policy No.	Issue	Conformity with/Avoidance of Repetition of National Policy	General Conformity with the Aims and Objectives of Plans	Policy Objective	Justification and Reasons for Wishing to Save Policy
21	Landraising-non-inert waste	National policy does not provide specific guidance for non-inert waste landraise proposals.	RPG9 (W13, W14), Draft SEP (W12, W13)	To ensure there is a need for further capacity, that such facilities are suitably located, and sympathetically restored after use.	The County has a shortage of final disposal capacity, the policy is therefore necessary to judge potential future applications to address this problem through landraising.
22	Landfill gas	National policy does not provide specific guidance for landfill gas proposals.	RPG9 (W14), Draft SEP (W14)	To permit proposals for EfW facilities using landfill gas, provided conflict is minimised with restoration and afteruse of the site.	Policy is necessary to judge potential future applications for energy from waste facilities using landfill gas.
23	Landfilling - inert waste	National policy does not provide specific guidance for inert waste landfill proposals.	RPG9 (W14), Draft SEP (W14)	To provide the principles for considering applications for inert waste landfill facilities.	Policy is necessary to judge potential future applications for inert waste landfill facilities.
24	Landraising/improvement with inert waste	National policy does not provide specific guidance for inert waste landraise proposals.	RPG9 (W14), Draft SEP (W14)	To provide the principles for considering applications involving landraising or improving with inert waste.	Policy is necessary to judge potential future applications for landraising and improvements using inert waste.

Appendix 2

WLP Policy No.	Issue	Conformity with/Avoidance of Repetition of National Policy	General Conformity with the Aims and Objectives of Plans	Policy Objective	Justification and Reasons for Wishing to Save Policy
25	Landfill mining	National policy does not provide specific guidance for landfill mining proposals.	RPG9 (W12), Draft SEP (W12)	To ensure that proposals for landfill mining include measures to keep pollutants within acceptable standards and ensure re-use and recycling of recovered materials is integral to the proposals.	Policy is necessary to ensure any future proposals for landfill mining operations are sustainable and in accordance with national policy.
26	Mineral waste	National policy does not provide specific guidance for mineral waste proposals.		To provide the principles for considering applications involving the management of mineral waste.	Policy is necessary to judge any future applications involving the management of mineral waste.
27	Special & Difficult Waste	Hazardous Waste (England and Wales) Regs 2005	RPG9 - W15, Draft SEP (W15)	To provide the principles for considering applications involving the management of special and difficult wastes.	Policy is necessary to provide the planning context for judging future proposals for facilities handling hazardous waste, in line with the Hazardous Waste Regs 2005.
28	On-site Clinical Waste Facilities	National policy does not provide specific guidance for clinical waste facility proposals.	RPG9 (W17), Draft SEP (W17)	To provide the principles for considering applications for on-site clinical waste facilities.	Policy is necessary to judge any future proposals for on-site clinical waste facilities.
29	Independent Clinical Waste Facilities	National policy does not provide specific guidance for clinical waste facility proposals.	RPG9 (W17), Draft SEP (W17)	To provide the principles for considering applications for independent clinical waste facilities.	Policy is necessary to judge any future proposals for independent clinical waste facilities.

Appendix 2

WLP Policy No.	Issue	Conformity with/Avoidance of Repetition of National Policy	General Conformity with the Aims and Objectives of Plans	Policy Objective	Justification and Reasons for Wishing to Save Policy
30	Wastewater & Sewage Sludge	Urban Waste Water Treatment (England & Wales) Regs 1994		To provide the principles for considering applications for facilities for the management, treatment and disposal of wastewater and sewage sludge.	Policy has been used in determining applications involving the management and disposal of wastewater and sewage sludge , and will continue to be relevant to future applications.
30a	Wastewater & Sewage Sludge (B&H/ Peacehaven Catchment)			To identify the site search area for a new wastewater treatment works for the Brighton & Hove/ Peacehaven drainage catchments.	Policy is necessary to provide the specific area of search for selecting the location for the proposed facility.
31	Disposal of Liquid Waste & Dredgings on Land for Improvement	Sewage Sludge (Use in Agriculture) Regs 1989		To provide the principles for considering applications involving the disposal of liquid waste and dredgings to land.	Policy is necessary to ensure that the disposal of liquid waste and dredgings to land is carried out in a sustainable fashion in accordance with best agricultural practice.
32	Liquid Waste Facilities	National policy does not provide specific guidance for liquid waste facility proposals.	RPG9 (W17), Draft SEP (W17)	To provide the context and principles for considering applications for facilities dealing with liquid waste.	Policy necessary to judge future applications for liquid waste facilities.
33	Agricultural & Stable Waste	National policy does not provide specific guidance for agricultural and stable waste disposal proposals.		To provide the context and principles for considering applications for facilities dealing with agricultural and stable waste.	Policy necessary to judge future applications for the development of facilities for the handling, storage, treatment, processing and disposal of agricultural and stable wastes.

Appendix 2

WLP Policy No.	Issue	Conformity with/Avoidance of Repetition of National Policy	General Conformity with the Aims and Objectives of Plans	Policy Objective	Justification and Reasons for Wishing to Save Policy
34	Animal Carcass Waste	National policy does not provide specific guidance for the treatment and disposal of animal carcass waste.		To provide the context and principles for considering applications for facilities dealing with the disposal of animal carcasses.	Policy necessary to judge future applications for facilities disposing of animal carcasses.
35	General amenity considerations	PPS10 (para 29)	Draft SEP (CC12, NRM7, NRM8)	To ensure there is no demonstrable harm to the general amenity of the vicinity of a proposed site.	Policy has been frequently used in determining applications and provides greater detail and local expression than similar national policies.
36	Transport considerations	PPS10		To ensure adequate access arrangements to sites and to mitigate against the adverse impacts of traffic caused by developments.	Policy has been frequently used in determining applications and is necessary to judge future applications.
37	Development in flood risk areas, affecting flood defences and/or impacting surface water run-off	PPS1 (para 20), PPS10 (annex e), PPS25	Draft SEP (NRM1, NRM3)	To prevent development which would be detrimental to flood defences, is within a flood plain unless there are exceptional circumstances, increase the flood risk, and/or have an adverse impact on the conservation and amenity of marine environments.	Policy is necessary to determine applications on sites susceptible to flooding.

Appendix 2

WLP Policy No.	Issue	Conformity with/Avoidance of Repetition of National Policy	General Conformity with the Aims and Objectives of Plans	Policy Objective	Justification and Reasons for Wishing to Save Policy
38	Surface and Groundwater	PPS10 (annex e)	Draft SEP (NRM1)	To prevent development which would adversely affect surface and groundwater quality, or cause adverse environmental impact through changes in groundwater levels.	Policy has been regularly used when determining applications to protect the quality of surface and groundwater, and adverse effects resulting from changes to groundwater levels.
39	Design Considerations	PPS1 (para 13), PPS10 (paras 35, 36)	Draft SEP (CC12)	To ensure sympathetic, appropriate and innovative design, siting and external appearance of proposals.	Policy is important in protecting against potential adverse effects on visual amenity caused by developments.
40	Environmental Improvements and Other Benefits			To allow the WPAs to seek environmental improvements to offset or compensate for any adverse impacts associated with a development.	Policy has been used to enable WPAs to offset or compensate for adverse effects as a result of developments.