

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

**Date of meeting:** 16 March 2020

**By:** Director of Communities, Economy and Transport

**Title:** Waste and Minerals Local Plan Review

**Purpose:** To inform Lead Member of progress on the Review of the Waste and Minerals Local Plan and to seek approval to the undertaking of consultation on the draft revised policies of the Waste and Minerals Local Plan.

---

## ***RECOMMENDATIONS***

- 1) To note progress on the Waste and Minerals Local Plan Review;**
  - 2) To agree the Waste and Minerals Local Plan: Draft Revised Policies, as set out in Appendix 1 of this report, for publication and consultation in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012; and**
  - 3) To authorise the Director of Communities, Economy and Transport, in consultation with the Lead Member for Transport and Environment, to agree to any minor amendments to the Waste and Minerals Local Plan: Draft Revised Policies, prior to publication and consultation.**
- 

## **1 Background**

1.1 East Sussex County Council work in partnership with the South Downs National Park Authority and Brighton & Hove City Council (the Authorities) in the preparation of minerals and waste planning policy for East Sussex, Brighton & Hove and the area of the National Park within the County and City. Together, the Authorities have prepared the Waste and Minerals Plan (WMP, 2013), and the Waste and Minerals Sites Plan (WMSP, 2017). These adopted plans form the Waste and Minerals Local Plan (WMLP) which is used by each of the Authorities in the determination of planning applications for waste management activities, and minerals extraction and infrastructure in the Plan area. The WMLP forms part of the Development Plan and is, therefore, also applicable to the District and Borough Councils as local planning authorities.

1.2 During the Public Examination into the WMSP the Planning Inspector considered that a Review of the WMP would be necessary to ensure planning policies are in place for a steady and adequate supply of aggregate minerals. The National Planning Policy Framework (2019) also requires that Local Plans should be reviewed to assess whether they require updating at least once every five years.

1.3 A review of the WMLP commenced with consultation on a scoping document for the review along with a 'Call for Mineral Sites' in late 2017. Since that time the Authorities have been reviewing the response to that consultation and have now drafted a Revised Policies Document (RPD) that contains proposed amendments to the WMP and WMSP. There are several legal requirements that must be met when preparing planning policy, one of which is

that the RPD be subject to a 'Regulation 18' public consultation. This report is seeking approval for the publication of the RPD for public consultation.

## **2 Supporting information**

2.1 The Review of the WMLP initially identified three topics that ought to be addressed. The first two relate to the provision of aggregates to the Plan Area and safeguarding of minerals resources and minerals infrastructure. The third topic seeks to make amendments to a small number of policies where it has been identified that their wording could be improved. A further fourth topic in relation to the continued provision of specialist clay arose as a result of the scoping consultation and this is also addressed in the RPD.

2.2 In respect of aggregate provision, the Plan Area has always been a low producer of aggregate due to the geology and environmental constraints as well as internationally important environmental designations. Two permitted quarries are located within the Plan Area: Lydd quarry near the Kent border which produces sharp sand and gravel; and Novington Sandpit in the National Park which is permitted to produce soft sand, although there has not been any extraction from this site in recent years. As reported in the East Sussex Local Aggregates Assessment 2019, at the recent rate of extraction it is expected that the permitted resource at Lydd Quarry will be exhausted within the next 18 months.

2.3 As detailed within the RPD, the Authorities propose that the Plan Area should increasingly rely on sea, rail and road imports from marine and other land won sources and recycled aggregate. To support this, the existing minerals infrastructure, particularly those wharves and ports required to land marine aggregate, will be safeguarded. An existing requirement for the prior extraction of minerals where development occurs on safeguarded minerals resources, mostly located within the National Park, will also be strengthened. An allocation for a small (0.2ha) extension to an existing clay quarry near Sedlescombe is proposed, but no new sites for aggregate extraction are identified.

2.4 At the Call for Sites stage the operator submitted a proposed extension to the quarry at Lydd. The area surrounding the quarry is constrained by both National and European environmental designations, which also cover or are adjacent to all the sand and gravel resource in this part of the county. Following consideration of advice from Natural England and the availability of alternative materials, the Authorities are not proposing to allocate an extension to Lydd Quarry.

2.5 A number of minor amendments to improve policy, but not to change the existing strategy or thrust of the WMLP, are being proposed, including: (i) clarifying the wording of a small number of policies; (ii) adding reference to net-gain in biodiversity to the Environment and Environmental Enhancement policy; and (iii) updating the protected landscapes policy to include specific references to the High Weald AONB. Full details are contained within the RPD.

## **3. Conclusion and reasons for recommendations**

3.1 The Waste and Minerals Local Plan: Draft Revised Policies (RPD) is a Local Plan document. Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires that Local Planning Authorities "invite ... representations to the local planning authority about what a local plan with that subject ought to contain." The consultation(s) on the RPD will ensure that the RPD meets this requirement. If all partner Authorities agree, the draft Local Plan Review will be published for public consultation in spring 2020 for a period of at least eight weeks, in line with the Authorities' various Statements of Community Involvement.

3.2 The RPD may, prior to consultation, be subject to minor amendments owing to possible requests by Brighton & Hove City Council and the South Downs National Park Authority, who are co-authors of the Plan, through their own approvals processes. To ensure that the project timetable is met, the Lead Member is recommended to authorise the Director

of Communities, Economy and Transport (CET) to agree, in consultation with the Lead Member for Transport and Environment, any minor amendments to the RPD, as a result of RPD being considered by the partner authorities, and undertake a consultation on the document in accordance with Regulation 18 of the aforementioned Regulations.

**RUPERT CLUBB**

**Director of Communities, Economy and Transport**

Contact Officer: Sarah Iles

Tel. No. 01273 481631

Email: [sarah.iles@eastsussex.gov.uk](mailto:sarah.iles@eastsussex.gov.uk)

LOCAL MEMBERS

All Members

APPENDICES

1. Waste and Minerals Local Plan – Draft Revised Policies
2. Sustainability Appraisal of the Waste and Minerals Local Plan – Draft Revised Policies

BACKGROUND DOCUMENTS

- Existing Waste and Minerals Local Plan, see:  
<https://www.eastsussex.gov.uk/environment/planning/mineralsandwaste/>
- Earlier consultation material and evidence base documents for the Waste and Minerals Local Plan Review, see:  
<https://www.eastsussex.gov.uk/environment/planning/mineralsandwaste/>