

Planning Committee

15 November 2006



Northumberland County Council Minerals and Waste Development Framework: Preferred Options Reports for: Core Strategy; Development Control and Site Specific Allocations and Policies

Report of Rod Lugg, Head of Environment and Planning

Purpose of the Report

- 1 Northumberland County Council has consulted Durham County Council as an adjoining authority on its Minerals and Waste Development Framework 'Core Strategy'; 'Development Control Framework'; and 'Site Specific Allocations and Policies' Preferred Options Reports. Members are asked to endorse the comments in paragraph 13 as the County Council's response. A copy of the consultation reports and accompanying Sustainability Appraisal has been placed in the Members' Resource Centre.

Background

- 2 The Planning and Compulsory Purchase Act 2004 requires Northumberland County Council to replace its existing Minerals and Waste Local Plans with new style minerals and waste development plan documents. Once prepared these documents will include updated policies and proposals to guide minerals extraction and waste management facilities within Northumberland (outside the Northumberland National Park) in the period up until 2021.

The Preferred Options Reports

- 3 Consultation on the Preferred Options Reports follows previous consultation on Issues and Options in June 2005 and consultation on Options for Site Specific Allocations in February 2006.
- 4 The Core Strategy Preferred Options is the most important of the three consultation documents as it sets out the future policy framework for minerals and waste development in Northumberland and includes a vision, spatial strategy, strategic policy principles and objectives for minerals and waste development as well as strategic policies to implement the vision and objectives. Individual policies address a range of issues including:
 - conserving and enhancing the environment and protecting the quality of life of Northumberland's residents;

- the protection of mineral resources from sterilization, the provision of minerals to meet future needs including aggregates (crushed rock and sand and gravel), sandstone, peat, clay, oil and gas and opencast coal;
 - safeguarding existing waste management sites and, potential locations for new waste management facilities; and
 - securing effective and imaginative restoration of mineral and landfill sites.
- 5 The Development Control Preferred Options Report sets out the detailed policies against which planning applications for minerals and waste development will be considered. The Site Specific Allocations and Policies Preferred Options Report sets out seven preferred locations for new minerals sites (including two sites for sand and gravel extraction, three extensions to hard rock quarries and two opencast coal sites) and thirty-six preferred locations for new waste development.

Comments

- 6 Northumberland's Core Strategy Preferred Options Report acknowledges the requirement for Northumberland to make an appropriate contribution to local, regional and national needs for minerals and to make provision for more than sufficient aggregates (sand and gravel and crushed rock) to deliver their sub regional share of the Government's National and Regional Aggregates Guidelines. This is welcomed. The Preferred Options Core Strategy Report also acknowledges the need to provide for sufficient waste recovery capacity to manage Northumberland's own waste arisings to meet the targets identified in the Submission Draft Regional Spatial Strategy for the North East and to provide for sufficient landfill capacity for residual waste arisings. This should serve to discourage significant cross boundary movements in line with the proximity principle and is also welcomed.
- 7 Northumberland's policy approach to opencast coal extraction raises a number of important issues. The Core Strategy Preferred Options Report highlights the increasing difficulty of finding environmentally acceptable sites. This issue was recognised by Durham County Council during the preparation of its own Minerals Local Plan and was recently subject to debate during the examination into the Submission Draft Regional Spatial Strategy for the North East. Given the difficulty over acceptable sites, the closure of Ellington Colliery and the need to protect regeneration areas within Northumberland, the County Council's approach is to discontinue the current policy of ensuring continuity of supply of locally produced coal for local markets. This new policy stance is important as coal producers will need to look at sites outside Northumberland to meet indigenous demand, particularly the needs of the Alcan works at Lynemouth.

- 8 The principal issue that requires scrutiny is Policy CS9 of the Core Strategy Preferred Options Report. This policy seeks to continue Northumberland County Council's existing Minerals Local Plan policy approach towards opencast coal extraction. It includes a general presumption against opencast coal extraction within defined constraint areas. It is considered that the detailed policy wording of Policy CS9 is more rigorous than national policy as set out within MPG3 and Policy M7 of Durham County Council's Minerals Local Plan which does not include an absolute presumption against opencast coal extraction in any area and is in accordance with MPG3 in this respect.
- 9 The issue of constraint areas are also important because Northumberland's opencast coal constraint areas comprise large areas of the exposed coalfield within Northumberland, including land within the North Pennine Area of Outstanding Natural Beauty (AONB), the Tyne/Derwent valleys and the Northumberland Coast. While it is recognised that these areas were previously identified within Northumberland's existing Minerals Local Plan (which pre-dates the publication of Minerals Policy Guidance Note 3 (MPG3) 'Coal Mining and Colliery Disposal') they are of potential concern given that the general presumption against extraction within these areas may lead to increased pressure for opencast coal extraction within other parts of the region including the exposed coalfield in County Durham.
- 10 The Core Strategy Preferred Options Report states that the aim of the constraint areas are to help regeneration initiatives, protect sensitive landscapes and environments and to direct opencast working to less sensitive areas. These arguments were rehearsed by Durham County Council during our own Minerals Local Plan Inquiry. In contrast to the position in Northumberland the Inspector who was appointed to examine the County Durham Minerals Local Plan concluded that opencast coal working had not constrained regeneration in the County and that the protection of the landscape and other environmental concerns could be adequately addressed by ensuring appropriate conditions are imposed on suitable permissions.
- 11 While MPG3 does not prohibit the idea of constraint areas it does not exclude the possibility of opencast coal working within AONB's and areas of special or high landscape value. Instead MPG3 provides specific advice on the policy tests that should apply to planning applications for opencast coal extraction in nationally designated areas (i.e. AONBs) and other environmentally sensitive areas (i.e. areas of special or great landscape value). Accordingly, it is recommended that Northumberland County Council be asked to reconsider their overall policy approach to opencast coal in the light of the guidance set out in MPG3 in order to prevent a continuation of differing policy approaches to opencast coal extraction within the region. In this respect proposed changes to the emerging Regional Spatial Strategy for the North East (expected January 2007) will set out a regional approach to opencast coal extraction in the light of the Panel report's recommendation which recommends a MPG3 compliant approach to opencast coal extraction.

- 12 In relation to the Preferred Options Site Specific Allocations and Policies Preferred Options Report Members should note that none of the sites within the document are located near to the County boundary. However, one industry proposed site, an extension to Broadoak Quarry (a 15 year sand and gravel scheme), north of Ebchester was rejected as a preferred option. This extension is considered to have potential for significant visual impact from views within County Durham and its exclusion from the document as a preferred option is therefore welcomed.

Conclusions

- 13 Northumberland's Preferred Options Reports concisely set out the future policy and decision making framework for minerals and waste development in Northumberland. The consultation documents are well written and appear to address the wide range of policy considerations which a minerals and waste development framework needs to address. The following issues are particularly welcomed:

- i) Northumberland's commitment to make an appropriate contribution to local, regional and national needs for minerals and make provision for more than sufficient aggregates to deliver their sub regional apportionment of the Government's National and Regional Aggregate Supply Guidelines.
- ii) Northumberland's acknowledgement of the need to provide for sufficient waste recovery capacity for Northumberland's own waste arisings to meet the targets identified in Submission Draft RSS and to provide for sufficient landfill capacity for residual waste arisings.
- iii) The exclusion of the industry proposed extension for additional sand and gravel working at Broadoak Quarry, north of Ebchester.

However, Northumberland's proposed policy approach to opencast coal extraction is more restrictive than national guidance unlike Durham County Council's Minerals Local Plan and could result in pressure for extraction being diverted to County Durham. Accordingly, Northumberland County Council is requested to reconsider its overall policy approach to opencast coal in the light of the guidance set out in MPG3 and GONE's proposed changes to Regional Spatial Strategy for the North East (expected January 2007). In addition it is also recommended that Northumberland County Council reconsiders whether a constraint approach is justified given the guidance set out in MPG3.

Next Steps

- 14 Results of this consultation will be used by Northumberland County Council to prepare its documents for submission for independent examination by a Government appointed Planning Inspector.

Recommendation and Reasons

- 15 Members are recommended to agree that the comments in paragraph 13 be submitted to Northumberland County Council as the County Council's response to consultation on Preferred Options.

Background Papers:

Northumberland Minerals and Waste Development Framework Core Strategy: Preferred Options, September 2006.

Northumberland Minerals and Waste Development Framework Development Control Framework: Preferred Options, September 2006.

Northumberland Minerals and Waste Development Framework Site Specific Allocations and Policies: Preferred Options, September 2006.

Contact: Jason McKewon Tel: 0191 383 3071

Appendix 1: Implications

Finance

None.

Staffing

None.

Equality and Diversity

None.

Accommodation

None.

Crime and disorder

None.

Sustainability

Achieving sustainable development is a central component of the Preferred Options Reports. In addition a Sustainability Appraisal Report accompanies the Preferred Options Reports.

Human rights

None.

Localities and Rurality

The Preferred Options Reports set out policies and proposals which will impact upon Northumberland.

Young people

The planning system promotes community involvement including that of young people.

Consultation

Northumberland County Council required a response to their Preferred Options Reports by 10 November 2006. Accordingly, in order to meet the consultation deadline officer based comments have been forwarded to the Northumberland County Council. These will be confirmed or otherwise once Members have considered this report.

Health

The promotion of healthy communities will be a key consideration and desired outcome from Northumberland's policies and proposals.