Report to Planning Committee
Date 8 October 2015
By Director of Planning
Title of Report East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan – Regulation 19 Consultation
Purpose of Report To report on progress with the Waste and Minerals Sites Plan and seek approval for the public consultation on the Proposed Submission version of the Plan and the subsequent submission of the Plan to the Secretary of State.

Recommendation: The Committee is recommended to:

1) Note progress on the Waste and Minerals Sites Plan;

2) Approve for publication, subject to the endorsement of Brighton & Hove City Council and East Sussex County Council, the Draft Proposed Submission Waste and Minerals Sites Plan, attached as Appendix 1 to the report, in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and subsequently submitted to the Secretary of State; and

3) Authorise the Director of Planning to make, if necessary, minor changes to the document arising from any views of the City Council and East Sussex County Council prior to publication.

1. Introduction and Summary

1.1 This Report seeks the agreement of the Planning Committee for an eight week public consultation on the Proposed Submission Waste and Minerals Sites Plan (WMSP) for the part of the South Downs National Park within East Sussex and Brighton & Hove. The document is being prepared jointly with East Sussex County Council and Brighton & Hove City Council and will sit underneath the adopted East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (WMP), providing site allocations and safeguarding to meeting the requirements identified in the WMP.

1.2 The draft consultation on the WMSP took place in 2014 (following SDNPA approval on 12 June 2014) and approval is now required to publish and consult on the soundness of the Proposed Submission WMSP.

2. Background

2.1 The Waste and Minerals Plan (WMP) was adopted by the County Council, Brighton & Hove City Council (BHCC) and the South Downs National Park Authority (SDNPA) in February 2013. The Plan set out the Authorities’ planning policy for waste and minerals development in the Plan Area. It included ambitious targets for diverting 98% of all waste from landfill by 2020/21 and proposed that the Plan be net self-sufficient in waste management capacity. In order to achieve this, additional recycling and recovery facilities are required for the Plan period up to 2026. The WMP did not identify any specific sites but saved certain previous site allocations.

2.2 The Waste and Minerals Sites Plan (WMSP) has been prepared to provide spatial guidance on locations that would satisfy the requirements for waste facilities identified in the WMP. A ‘Call for Sites’ was carried out in Summer/Autumn 2013, whereby waste operators,
agents, landowners and other individuals were invited to propose sites for consideration as part of the site selection process. This was carried out simultaneously with an open invitation for comments on what the WMSP ought to include. Detailed appraisal work was then undertaken on the location possibilities for waste facilities and other matters.

2.3 Public consultation on a draft WMSP was carried out over nine weeks in the summer of 2014. Following this, the proposed site allocations were reviewed and a Proposed Submission Draft Version has been prepared. The Proposed Submission Draft Waste and Minerals Sites Plan is attached as Appendix 1. The Proposed Submission Draft will now be subject to further public consultation under Regulation 19, before formal submission of the Proposed Submission WMSP to Government and Public Examination, prior to its adoption. A proposed Communications Strategy is enclosed as Appendix 2. The public consultation will be for a minimum period of eight weeks following approval by all three Authorities.

3. Supporting information

3.1 The consultation on the Draft Waste and Minerals Sites Plan received a total of 120 comments from 108 consultees. These comments were considered and, where appropriate, the Plan was altered to accommodate the views submitted.

3.2 Site appraisals of possible locations have been undertaken which considered the effects of waste management development on environmental and historic designations and residential amenity, as well as transport and flood risk issues. Consideration of ‘opportunities’ such as the possibility of co-locating with existing facilities to reduce transport of waste and the possibility of avoiding the use of greenfield sites, also formed part of the appraisal. A multi-faceted approach has been developed to give a range of guidance to potential developers.

3.3 The sites assessed are outside the National Park and the High Weald Area of Outstanding Natural Beauty, save for one on the northern edge of Hastings. The ‘Area of Opportunity SP-O/B Former Gasworks’ (Roedean Road, Brighton) and ‘Site SP-A/B Hangleton Bottom’ (Hangleton Link Road) are both close to the SDNP boundary and this has been identified as a constraint that may need to be considered for each site. North Quay in Newhaven (SP-O/F) has been identified as an Area of Opportunity in proximity to the SDNP. This means that consideration will have to be given, at the planning application stage, to the impact of any proposals on the SDNP.

3.4 The approach identifies sites for allocation, areas of opportunity on previously developed or allocated land, areas of search for new mixed development, physical extensions of existing sites, and, existing industrial estates suitable for waste development. Discussions with Borough and District Councils about the proposed sites have been held. A Sustainability Appraisal has been prepared as well as a Policies Map. It is considered that sufficient allocations/guidance is included in the WMSP to satisfy the capacity gap for recycling and recovery waste facilities.

3.5 The WMSP will also safeguard waste and minerals resources. In accordance with Policy WMP6 of the WMP, the WMSP will identify waste consultation areas which are intended to ensure that the capacity to recycle and recover waste within the Plan Area can be maintained. In accordance with Policies WMP14 and WMP15, the WMSP also identifies mineral resources and wharves to be safeguarded including reinforcing the need for potential greater capacity at Shoreham Harbour. All this will help ensure a steady supply of aggregates to support the construction of new development and economic growth across the whole Plan Area.

3.6 The existing permitted sand and gravel quarry at Stanton’s Farm, Novington is the only minerals site within the SDNP that will be safeguarded under Policy SP 8. The following waste sites within the SDNP will be safeguarded (as set out in Appendix B of the WMSP): Beddingham Composting Facility and Greystone Quarry (Lewes).

3.7 There are waste water treatment capacity issues related to potential new development within the Plan Area. The Authorities have continued to have discussions with Southern Water about this matter. Southern Water issued a Position Statement in June 2015, which indicated that it is no longer seeking a new location for waste water treatment works in the
South Wealden or Eastbourne areas, and instead it is proposed that additional capacity will be found within existing waste water treatment plants (Hailsham North and Hailsham South); the WMSP has been updated to reflect this.

3.8 The WMSP is a joint plan between the three authorities, each of which have their own Member processes to agree the public consultation document.

4. Conclusion and recommendation

4.1 Progress on the WMSP should be noted. Appraisal and analysis work has resulted in the preparation of a flexible approach to options to meet the requirements for additional waste recycling and recovery facilities identified in the WMP. Progress has been made on waste water requirements and the need to safeguard minerals resources. The public consultation document for the Proposed Submission WMSP has now been prepared. The Proposed Submission Draft Waste and Minerals Sites Plan should be agreed for publication for consultation and subsequent submission and the Director of Planning authorised to make any minor changes arising from the views of the City Council and East Sussex County Council.

5. Resources

5.1 The costs of preparing for the public consultation on the Proposed Submission Waste and Minerals Sites Plan (WMSP) document are already included in the Planning Directorate budget for this project. Total costs for the public consultation exercise are estimated to be about £12,000 but as the WMSP is being prepared jointly with BHCC and the SDNPA, costs on the WMSP will be shared, with the SDNPA contributing 13% of the costs.

6. Risk management

6.1 The risk of not publishing the Proposed Submission WMSP would be the continued reliance on older site allocations which do not include references to the SDNP or conform with the WMP. Consulting on, and submitting, the Proposed Submission WMSP would mitigate this risk and help steer waste development to appropriate sites within the Area of Focus and therefore outside the SDNP.

7. Crime and Disorder Implication

7.1 It is considered that the proposal does not raise any crime and disorder implications.

8. Human Rights Implications

8.1 This Report has been considered in light of statute and case law and any interference with an individual’s human rights is considered to be proportionate to the aims sought to be realised.

9. Equality Act 2010

9.1 Due regard has been taken of the South Downs National Park Authority’s equality duty as contained within the Equality Act 2010.

10. External Consultees

10.1 East Sussex County Council and Brighton and Hove City Council

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Appendices

1. Proposed Submission Draft Waste and Minerals Sites Plan (attached as separate document)

2. Proposed Submission Waste and Minerals Sites Plan Communications Strategy

SDNPA Consultees

Legal Services, Chief Finance Officer, Monitoring Officer, Planning Policy Manager

Background Documents

East Sussex, South Downs and Brighton and Hove Waste and Minerals Plan (2013)

Planning Committee 12 June 2014 Agenda Item 9, Report PC52/14 ‘East Sussex, South Downs and Brighton and Hove Waste and Minerals Sites Plan – Regulation 18 Consultation’
Proposed Submission Waste and Minerals Sites Plan Consultation Communications Strategy

As part of the development and production of the Proposed Submission Waste and Minerals Sites Plan, there are statutory requirements which form part of the “Regulation 19” consultation (e.g. making available on the website etc.). In addition to these, we will be seeking to ensure members of the public, businesses, other local authorities and key stakeholders are made fully aware of the consultation on the Sites Plan. We will be producing factsheets and FAQs, information papers and other documents to support the consultation and ensure that consultees are fully informed of what the Sites Plan is seeking to achieve and helping those concerned to understand what potential development may take place.

Audiences and method for consultation are broadly as follows:

• Public = media, internet, engagement events, posters, FAQs
• Businesses (around potential sites) = direct mail, media, internet, engagement events, posters, FAQs
• Waste contractors = as above (Businesses)
• Media = media briefings, press releases, advertorials
• Districts and Boroughs = briefings, engagement events
• Members = briefings, intranet
• Staff = intranet
• Partners = project/board meetings
• MPs = briefings

The key messages we will be making are:

• ESCC, Brighton & Hove City Council and the South Downs National Park Authority welcomes input on the development of this Sites Plan;
• This consultation is about future planning of where additional sites might be located. It does not affect existing waste and minerals operations.
• New sites need to be identified to help meet very high targets for recycling and recovery;
• Modern waste facilities need not necessarily be a “bad neighbour”;
• The Authorities are not identifying and new sites for landfill of waste;
• Sites have been identified by criteria which ensures that they are away from environmentally sensitive areas and areas of natural beauty;
• Sites identified in the Plan are under consideration and there are NO definite plans to use them for waste and minerals.

A member of the Communications Team from all 3 Authorities will be involved throughout the consultation exercise.