

BOROUGH OF KETTERING

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Report Originator	Head of Development Services	<i>Fwd Plan Ref No:</i> -	
Wards Affected	All	21 st July 2016	
Title	MINERALS AND WASTE LOCAL PLAN UPDATE – FINAL DRAFT PLAN CONSULTATION		

1. PURPOSE OF REPORT

To inform Members of the outcome of the Northamptonshire Minerals and Waste Local Plan Update: Draft Minerals and Waste Local Plan Consultation. As set out in Section 4 and 5 of the report, it is proposed that no further comments are required from Kettering Borough Council with respect to the latest changes included in the final draft plan.

2. BACKGROUND

- 2.1 The Northamptonshire Minerals and Waste Local Plan (MWLP) was adopted by Northamptonshire County Council on 1 October 2014 and rolled the statutory components of the Minerals and Waste Development Framework (MWDF) into one combined document and updated it, extending the plan period from 2026 to 2031.
- 2.2 Policy 13 of the National Planning Policy Framework (NPPF) requires Mineral Planning Authorities (MPAs) [e.g. Northamptonshire County Council] to plan for a steady and adequate supply of aggregates to meet anticipated needs of the construction industry and growth by preparing a Local Aggregates Assessment (LAA). The National Planning Policy for Waste (NPPW) also requires Waste Planning Authorities (WPAs) to “*identify sufficient opportunities to meet the identified needs of their area for the management of waste streams*” (paragraph 3), and in preparing Local Plans, should identify sites and/or areas for waste management facilities (paragraph 4).
- 2.3 The emerging MWLP is now in its final draft [proposed submission] stage of the update process. The final draft plan sets out a preferred policy approach which takes into account the responses to the earlier MWLP Issues and Options and MWLP draft plan consultations. This update will not change the status or period of the Plan, but will concentrate on the minerals and waste allocations and designations and the approach to be taken, particularly with regards to waste sites.
- 2.4 The final draft plan was approved by Northamptonshire County Council’s Cabinet, and is out to public consultation for 6 weeks until 21st July 2016. The MWLP final draft plan consultation only seeks comments on parts of the plan which are to be amended, and not on existing parts of the plan which remain unchanged. Furthermore, only comments which highlight a key matter that the

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authority had not previously accounted for in developing the final draft plan will be considered.

- 2.5 A copy of the MWLP final draft plan (with marked up proposed changes) is available as Appendix 1 to this report on the Council's website on the following link.

http://www.kettering.gov.uk/meetings/committee/45/planning_policy_committee

- 2.6 Following examination of the plan (scheduled to take place in August 2016) any changes required to be made to the Plan to meet the Inspector's requirements would probably be consulted on during December 2016 and January 2017. It is anticipated that the Local Plan will be adopted in early 2017.

3. ISSUES AND OPTIONS AND DRAFT PLAN CONSULTATION

- 3.1 Kettering Borough Council previously issued comment to both the MWLP Issues and Options Consultation and MWLP draft plan consultation.
- 3.2 A summary copy of the Northamptonshire County Council's response to Kettering Borough Council's comments to the MWLP draft plan is attached as Appendix 2.
- 3.3 Through the last consultation, Kettering Borough Council gave no comment or raised no issue with respect of key issues 2A - 2B, 3A - 3E, 4C, and 7 of the MWLP draft plan consultation. Detailed comments were provided on all other key issues (1, 4A - 4B, 4D - 4E, 5, 6A - 6B. Comments to specific paragraphs of the draft plan relating to these key issues were made. These key issues are broadly categorised in table 1 below:

Table 1: Summary of Key Issues

Issue No.	Key Issue Topic	Key Area Issue
1	Planning for land banks	Minerals
2	Progress on the adopted allocations	Minerals
3	Potential Allocation for the Local Plan Update	Minerals
4	Approach to be taken to allocation of waste sites / locations	Waste
5	The distribution of waste management facilities in the central spine	Waste
6	Managing the risk of fires on waste sites	Waste
7	Other matters for consideration	Minerals and Waste

- 3.4 Section 3.3 of the Planning Policy Committee report of 27th January 2016, summarises the key areas between the MWLP draft plan (preferred approach) and Kettering Borough Council's comments to the MWLP Issues and Options consultation. Areas of concern related to issues 4A, 4B, 4E, 6A and 6B.

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Appendix 2 of the same report set out detailed comments (paragraph by paragraph) issued by Kettering Borough Council through the draft plan consultation.

3.5 These issues are summarised in table 2 below:

Table 2: Summary of Kettering Borough Council's comments to the MWLP Draft Plan.

Key Issue	Summary of KBC's comments
4A	The Council supported the identification of site specific allocations, particularly to address the shortage of windrow composting facilities (advanced treatment). The draft plan removes the majority of site specific allocations, relying predominantly on industrial area designations and introducing policy wording to direct (market led) applications for new waste sites along the central distribution spine.
4B	The Council stated there was no need to amend the boundaries of existing industrial area designations. The boundaries of sites WL16 (Earlstreet, Corby), WL18 (North Eastern Industrial Area, Corby) and WL 17 (Weldon Rd, Corby) are amended.
4E	The Council supported a watching brief over non-inert waste disposal capacity. The draft plan does not mention its position on this matter.
6A	The Council supported additional criterion to Policy 27: Layout and Design Quality to address managing the risk of fires. The draft plan re-numbers the previous policy 27 as Policy 23 and includes reference to guidance on reducing risk to fire.
6B	The Council supported a revision to the Development and Implementation SPD. The draft plan does not confirm a revision to the SPD.

3.6 Through the MWLP draft plan consultation, Kettering Borough Council reiterated comments relating to issues 4A, 4E, and 6B. In particular, Kettering Borough Council highlighted the importance of robust assessment criteria if greater reliance on non-allocated sites coming forwards through the planning process was the preferred approach. NCC's approach to 4B was endorsed as it was considered a minor issue. A small amendment to the wording of 6A was recommended. Members also sought for separate objection to be made in relation to the location of waste treatment facilities in areas of significant residential development, where sensitive receptors may be affected by odour. This comment relates to Key Issue 5: The distribution of waste management facilities in the central spine.

4. THE MWLP FINAL DRAFT PLAN

4.1 As was the case at draft plan stage, the final draft plan highlights the changes

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from the currently adopted Plan and it is these changes that NCC are specifically seeking comments on during the period for representations.

Mineral Sites (Section 4, of MWLP final draft)

- 4.2 Since the draft plan was agreed the allocation at Wakerley (minerals site located within the district of East Northamptonshire) has gained planning permission. As mineral extraction will commence earlier than originally anticipated, an additional four years at 0.25 mtpa (years 2017-2020) has been factored in to increase the assumptions made over what Wakerley could provide to 2041 (increase from 5 mt to 6 mt). The proposed allocations at Harlestone (0.81 mt) and Pury End (0.85 mt) will lead to a small overprovision of 0.92 mt, but these sites will remain allocated to achieve a more even geographical distribution of sites.
- 4.3 The change in the final draft plan from the draft plan is therefore to reference that the Wakerley site now has planning permission and an assumption that 6 mt rather than 5 mt will come from this site up to 2041 (plan period to 2031 plus a 10 year land bank). Whilst this amendment would seem reasonable, no comments were previously made on minerals issues by Kettering Borough Council, either through the MWLP issues and options or draft plan Consultations. In addition, Wakerley is located within East Northamptonshire and is not considered likely to impact on the area of Kettering Borough.
- 4.4 As a consequence of representations received through the MWLP draft plan consultation, there are a few other minor text changes to aid clarification. The final draft plan has also updated permissions and sales figures for aggregates to 1 January 2016. No additional comment is recommended.

Waste Sites (Section 5, of MWLP final draft)

- 4.5 Northamptonshire County Council highlight that the commercial interest for waste management sites is fluid, with a low uptake of allocated sites being historically evident. As a result, there has been a reduced requirement for site specific allocations with allocated sites temporarily shut down in response to falling demand. A centralised distribution of advanced treatment facilities supported by a network of local and neighbourhood preliminary treatment facilities is proposed by the MWLP final draft plan. The Plan (Policies 11 and 12 and para 5.50) also sets out a strategy which identifies a central spine that runs from Corby through Kettering and Wellingborough to Northampton. Along with Daventry this is where the majority of facilities are to be sited and evenly distributed (including the limited number of allocated sites and industrial area designations). This approach is supported, as it follows the proximity principle approach to new waste development. It is considered that no further comment is required.
- 4.6 The MWLP final draft plan seeks to designate two industrial locations for waste processing, rather than allocate additional waste sites due to the low uptake of

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allocated sites. This is stated to offer more flexible and react to market demands for providing suitable waste processing sites as required. The central spine is identified as the preferred location for future waste treatment facilities which are assessed through the planning process. This general [central spine] approach accords with Kettering Borough Council's earlier comments, although the Council had previously sought for site allocations to be provided specifically for open air windrow composting facilities.

- 4.7 The MWLP final draft plan relies heavily on applying relevant MWLP policies to address any shortfall in open air windrow composting facilities (rather than allocate them), and protect non-designated industrial site locations from being developed for waste purposes where this is not appropriate to do so. Policy 18 provides an overarching approach to assessing the acceptability of waste related applications, and [together with supporting policy text under para 6.4 of the final draft plan) is considered sufficiently robust to ensure these aims are achieved. Since Kettering Borough Council made its comments to the MWLP draft plan, additional waste treatment capacity has come forwards in Corby which satisfies local demand. As a result, a site by site approach to considering any additional new sites (rather than additional allocations) is considered acceptable and no further comment is necessary.
- 4.8 Kettering Borough Council made comment to the MWLP draft plan to ensure the most current guidance for managing fire risk is secured through the plan. The final draft plan (para 6.36) has been amended accordingly, in line with this comment. This is relevant to key issue 6A set out in table 2 (above in para 3.5).
- 4.9 Through the MWLP draft Plan, Kettering Borough Council highlighted that it would be useful for Policy 12 (Development criteria for waste management facilities (non-inert and hazardous) to refer to policy 18 (Addressing the impact of proposed minerals and waste) within it. This has not been taken forwards as NCC consider that the policies stand alone and that the plan should be considered as a whole. As this is a minor point, this approach is accepted, and does not warrant further comment.
- 4.10 Para 6.4 of section 6 of the MWLP final draft plan clarifies the requirements of Policy 18 (Addressing the impact of proposed minerals and waste development) by incorporating a provision to consider the impact of new waste sites which may be located close to residential development. This addresses Kettering Borough Council's previous concern. No further comment is required on this point.

5. CONCLUSIONS

- 5.1 In conclusion, many of the changes which have been made to the final draft plan are minor. Where more significant changes have been made since the draft plan issued, these have sought to address a number of issues raised by Kettering Borough Council (as discussed throughout this report). In addition, due to a material change in the provision of local waste treatment facilities,

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previous concerns regarding composting capacity have been addressed. As a result, it is recommended that no further comment to the final draft plan is necessary.

6. CONSULTATION AND CUSTOMER IMPACT

- 6.1 Kettering Borough Council is a consultee in the creation of the Minerals and Waste Local Plan Update – Final Draft Plan update. Consultation responses should be made by Thursday 21st July 2016. In accordance with paragraph 4.15 of this report, it is recommended that no comment to the final draft plan is required.

7. POLICY IMPLICATIONS

- 7.1 When adopted the updated Minerals and Waste Development Plan Documents will be a policy document, which will provide an up to date Development Plan framework for the control of mineral working and waste disposal. Planning proposals will be determined in accordance with the plans unless material considerations indicate otherwise.

8. USE OF RESOURCES

- 8.1 There are no direct financial implications resulting from this report on Kettering Borough Council.

9. RECOMMENDATION

That Members note the MWLP final draft plan update and agree that no further comment is required in respect of the document.

Background Papers:

Title of Document: Minerals and Waste Local Plan Update - Final Draft Plan Consultation

Date: May 2016

Title of Document: Northamptonshire Minerals and Waste Local Plan Update – Draft Plan for Consultation

Date: December 2015

Title of Document: Minerals and Waste Local Plan Update – Issues and Options Consultation

Date: May 2015

Previous Reports/Minutes:

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Title of Document: Northamptonshire Minerals and Waste Local Plan Update – Draft Plan for Consultation

Date: 27th January 2016

Title of Document: Minerals and Waste Local Plan Update – Issues And Options Consultation

Date: 23rd June 2015.

Title of Document: Northamptonshire Minerals And Waste Development Framework - Control And Management Of Development DPD: Proposed Submission Consultation

Date: 24th June 2010

Title of Document: Northamptonshire Minerals and Waste Development Framework

Date: 21st October 2008

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