

BRIEFING PAPER

SUBJECT: MINERALS AND WASTE PLAN: FURTHER CHANGES
DATE: 13TH SEPTEMBER 2012
RECIPIENT: OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

THIS IS NOT A DECISION PAPER

SUMMARY:

On 18th September 2012 Cabinet will consider a report which recommends approval of further changes to the emerging Minerals & Waste Plan. These changes are in response to comments made by the Inspector at the recent public examination of the plan which, when adopted, will guide the determination of relevant planning applications within the city. The plan has been jointly prepared for the whole of Hampshire by the relevant planning authorities, and its preparation has been led by Hampshire County Council.

The proposed changes will be the subject of public consultation, with the comments received being taken into account by the Inspector in finalising his report. As regards the impact on the city, the changes include stronger support for new wharf proposals which might in the future enable the relocation and regeneration of existing wharves within the city.

BACKGROUND and BRIEFING DETAILS:

1. The Hampshire Minerals and Waste Plan will form part of the development plan for the city. Planning applications for, or affecting minerals and waste development will be considered against this plan. The plan is being prepared jointly by Southampton City Council, Hampshire County Council, Portsmouth City Council, and the national park authorities for the New Forest and the South Downs.
2. Following Cabinet approval on 24th October 2011 the plan was submitted for public examination which was held in June 2012. Only changes requested by the Inspector can now be made, and such further changes are the subject of the cabinet report. The following paragraphs set out the approach in the main plan as it affects Southampton in order to provide the background for the suggested further changes.

The Plan as Approved in October 2011

Minerals

3. The plan aims to ensure an adequate supply of aggregates to meet the needs of the economy and the construction industry. It sets a target to supply 5.56 million tonnes per annum (mtpa) of aggregates. This target is made up of locally 'land won', recycled and rail imported aggregates; as well as the safeguarding of capacity at South Hampshire's wharves to land 2 mtpa of marine dredged aggregates.

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4. Southampton's mineral wharves are situated along the River Itchen. Three are situated on its west bank by the football stadium and one on its east bank. These wharves alone supply about half of South Hampshire's aggregate needs. The plan safeguards the wharves from redevelopment or incompatible nearby development. However, the plan recognises that if the wharves could be made available for redevelopment this would make an important contribution to city centre and waterside regeneration. Therefore, if the wharves can be relocated or are no longer needed, the plan supports their redevelopment.
5. Whilst the plan considers the existing wharves can meet needs through the plan period, it explains that the position should be monitored. This will identify whether the existing wharves continue to meet modern needs, and whether opportunities for new, more efficient, wharves have arisen which would enable the regeneration of the existing wharves. Consequently the plan also identifies and safeguards locations that may provide opportunities for new wharves in the future. Two such locations are at "land identified in the Port of Southampton Master Plan" (eg Dibden Bay) and "military / naval land" (eg Marchwood military port).
6. The Plan safeguards mineral resource areas (eg sand and gravel) from sterilisation. Small parts of the city are covered by these areas at Stoneham / Mansbridge and the eastern edge of the city.

Waste Management

7. The overall aim is to manage waste in the following order of priority: reduce; re-use; recycle; recovery (of energy); and, as a last resort, landfill. The target is to achieve a 60% recycling rate and divert 95% of waste from landfill by 2020. By 2030 there is a need for a minimum of 0.29 mtpa of additional recycling and 0.39 mtpa of additional energy recovery capacity. The aim is for Hampshire to achieve net self sufficiency in the management of waste, and to focus facilities, where possible, close to urban areas and existing waste management facilities. The Plan supports appropriate low carbon energy from waste plants. It also includes policies to control specialist forms of waste (eg construction; landfill; hazardous / low level radioactive and liquid waste). The Plan does not make provision for London's waste.
8. The Plan does not allocate specific sites for waste management use (except for 2 landfill sites). However, it sets out the types of sites where waste management uses will generally be supported and these include suitable industrial areas or similar previously developed land. The indicative spatial diagrams in the plan show the Southampton area as being suitable for waste management, including waste transfer, recycling and recovery. Publically available background documents identify potential sites which might be suitable for such waste management uses. These documents are not specific allocations and proposals (on these or other sites) will be assessed further at the planning application stage to test their acceptability. The sites identified in Southampton as potentially suitable are as follows:-
9. **Port of Southampton – Western Docks (new site)**. An appropriate small scale renewable energy plant. The acceptability of larger facilities would need to be demonstrated (eg given the proximity to residential areas).

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10. **Redbridge Lane (greenfield site); Millbrook, Empress Road, Central Trading Estate, Willments ship yard / Hazel Road, Ashley Crescent (existing industrial areas).** In general these sites are identified as suitable for enclosed facilities (eg transfer stations, material recycling facilities). Some sites are also likely to be suitable for more open uses which already operate in parts of the city, such as aggregate and metal recycling, a household waste recycling centre, or for an appropriate energy from waste facility. Individual proposals will be assessed on their merits.
11. **Woolston Waste Water Treatment Works (existing).** Southern Water is currently assessing the options for this site. The odours from the current facility constrain the ability to fully develop the adjacent Centenary Quay site. Any on site upgrade should meet higher standards to remove this constraint.
12. The Plan safeguards existing significant waste management facilities from redevelopment and incompatible nearby development. However redevelopment will be supported where there is a strong justification, or the facility is no longer needed or is relocated. The facilities safeguarded in Southampton are at : Ashley Crescent and Empress Road (metal recycling and waste transfer); Princes Street (metal recycling wharf); Dock Gate 20 (the new household waste recycling centre); and Millbrook Waste Water Treatment Works.
13. The Plan includes policies to manage and control minerals and waste development. These policies relate to design, pollution, access, climate change, habitats and landscapes.

The Further Changes (the subject of the Cabinet report)

14. During the public examination the independent planning inspector, recommended that the Councils jointly propose some changes to the plan. The main changes which affect Southampton are:

General

15. A new policy to refer to the presumption in favour of sustainable development set out in the National Planning Policy Framework.

Wharves

16. The changes below in paragraphs 18a – 18e, will have the effect of supporting appropriate new wharves. This may also enable existing wharves within the city to be relocated and regenerated for other uses.
 - a. New policy wording to support and consider proposals for new wharves (with an emphasis on deep water and rail connected wharves). New text to set out the associated facilities that should be provided.
 - b. More explicit references that the 'Port of Southampton Master Plan' land to be safeguarded refers to Dibden Bay and to the existing port. Further clarification that safeguarding simply allows for consideration of the appropriateness of a new wharf, not a presumption in favour of development (eg the words 'possible location' are deleted).
 - c. A reference to the National Ports Policy Statement, which promotes sustainable new wharves.
 - d. Further clarification that issues affecting wharves need to be monitored throughout the plan period.

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- e. Clarification of the importance of overall mineral wharf capacity and that if, to enable regeneration, wharves are relocated, the new wharf site should be deliverable and sustainable.

Location of Waste Management Facilities

- 17. A spatial dimension is introduced to the policy on the location of waste management facilities: they will be steered towards urban areas and strategic road corridors (and these are indicated on the key diagram). The emphasis on focussing facilities on suitable industrial estates is maintained. Other sites will be considered if they have good transport connections, are suitable, and there is a special need. There is additional guidance and support for facilities on suitable sites adjacent to existing waste water treatment works.
- 18. Before introducing an Additional HMO Licensing Scheme, the council must comply with the specific requirements set out within sections 56 and 57 of the Housing Act 2004. This includes being satisfied that a significant proportion of the HMOs proposed under the additional scheme are being managed sufficiently ineffectively. The council must also consider whether there are any other courses of action available to them that might provide an effective method of achieving the objectives of any proposed designation and how the making of the designation will significantly assist the council in achieving its objectives. The council must also consider the Departmental guidance document, "Approval Steps for Additional and Selective Licensing Designations in England". Consultation must also take place and the scheme must be consistent with the authority's overall housing strategy.

Minor Changes

- 19. There are a wide range of other minor changes, including :
 - a. Editing, shortening and use of terminology
 - b. Clarifying that:
 - i. where redevelopment of a wharf is proposed there should be no prospect of it returning to a transport use in a reasonable period of time (text to policy 16);
 - ii. any additional need for aggregates will be met through recycled, marine dredged or rail imported aggregates first where possible (text to policy 17);
 - c. Strengthening references to:
 - i. assessing the cumulative impacts of development (policy 9);
 - ii. good design and the co-location of facilities (policy 12 and 24);
 - d. Broadening out the reference to hazardous waste from landfill to all waste management facilities (policy 32).

Major Changes Which Do Not Affect Southampton

- 20. There are also major changes which do not affect Southampton, for example regarding the provision of silica sand and brick making clay. Brief references to not providing for landfill waste from London are deleted.

Next Steps

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21. If the council (and the other Hampshire authorities) support the changes requested by the inspector there will be public consultation on the 'Further Changes' in October / November 2012. The inspector will then consider the changes, and the comments on them, before finalising his report. The Inspector's report is 'binding', which means that if the Councils wish to adopt the plan they must incorporate his main changes. The plan forms part of the Council's 'Policy Framework', so the decision to adopt will need to be taken by the full Council.

RESOURCE/POLICY/FINANCIAL/LEGAL IMPLICATIONS:

Capital/Revenue:

22. Southampton City Council has contributed 14% of the cost of producing the Plan with the last payment occurring in 2011/12.

Property/Other:

23. The Council has land interests on the following sites and areas:
Millbrook / Central Trading Estate – see paragraph 12
Stoneham – see paragraph 8
Town Depot. (The effect of adopting the Plan will be to delete an earlier 1998 plan which identified the site as suitable for waste uses. This will facilitate the regeneration of Town Depot for other uses).

Legal:

24. The report is prepared in accordance with sections 16, 17 and 19 of the Planning and Compulsory Purchase Act, 2004

Policy Framework Implications:

25. The Hampshire Minerals and Waste Plan will form part of the Council's policy framework and development plan. Planning applications have to be determined in accordance with the Plan unless material considerations indicate otherwise.

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