

27 February 2012

OXFORDSHIRE MINERALS AND WASTE PLAN: CORE STRATEGY

Purpose

- 1. The Committee is invited to advise the Cabinet on the proposed amendments to the policies for the Minerals and Waste Plan.**

Background

2. The County Council is preparing a new Minerals and Waste Plan for Oxfordshire. The draft Minerals and Waste Planning Strategies were agreed by Cabinet on 20 July 2011 and were published for consultation in September.
3. Responses were received from 779 individuals and organisations. Most of these were on minerals, including 548 objections to a proposed new mineral working area at Cholsey. The responses have been published in full on the Council's website.
4. Overall the consultation has not resulted in any substantive issues being put forward that call into question the principles on which the draft strategies were prepared. However, through the consultation process a number of detailed issues were raised that require amendments to be proposed to the draft policies.
5. The revised Minerals and Waste Planning Strategies will be considered by the Cabinet at its meeting on 13 March, prior to seeking the approval of the full Council on 3 April to submit them to Government.
6. This committee is invited to consider the proposed amendments to the draft policies (set out in Annex 1) prior to their consideration by the Cabinet.
7. A summary of the responses was reported to the Minerals and Waste Working Group on 21 December. The proposed amendments to the policies will be considered at a further meeting of the group scheduled for 24 February.

Key Issues

Minerals Policies

Policy M2 - Provision for Sand and Gravel

8. There was a mix of objections received with regard to the use of locally-derived figures with some respondents arguing the proposed were too low and others arguing that there were too high. Some respondents suggested that there was insufficient consideration given to the potential for secondary/recycled aggregates to reduce the need for primary aggregates. Finally, there was concern expressed that insufficient weight had been given to cross-boundary movements and the need to take into consideration the needs of adjoining areas.
9. The figures in the draft strategy were based on a report prepared by consultants Atkins. This report has been reviewed further in light of the comments made; at the same time account has been taken of 2009 data on inter-authority movements which shows that Oxfordshire has been a net importer of sand and gravel in recent years. Notwithstanding the concerns expressed, no other figures were put forward through the consultation that can be demonstrated as being more soundly based than the evidence base prepared by the County Council.
10. On balance it is recommended that the figures set out in the draft strategy remain a sound basis for the Plan and that as a consequence there is no need to change the draft policy. The figures have sufficient flexibility to allow production to increase to allow local production to meet local needs and reduce the need to import material.
11. Whilst the Plan needs to provide a long-term framework, it will be reviewed on a regular basis (in keeping with other statutory planning frameworks. Those reviews provide the opportunity to take account of changes in local circumstances (for an example an increase in economic activity) and the implications this may have on the figures.
12. We have written to other mineral planning authorities in response to their comments explaining the reasoning underpinning the figures in the draft Plan. Some authorities have accepted our position, whilst others continue to express their concern.

Policy M3 - Strategy for the location of mineral working

13. The key issues raised through to the consultation in respect of this policy can be summarised as being:
 - General comments – the distribution of mineral workings was considered by some to have over-reliance on sand and gravel working in west Oxfordshire; concerns were expressed that the identification of only one new area (Cholsey) meant that the Plan lacked flexibility; the

level of assessment undertaken in respect of potential sand and gravel areas was considered by some to be inadequate (particularly in relation to Cholsey).

- Habitats Regulations Assessment – Natural England expressed concern in their response as to the possible impact of working on Oxford Meadows and Cothill Fen Special Areas of Conservation.
- Archaeology – English Heritage expressed concern in their response about the potential for further loss of archaeology in parts of the Lower Windrush Valley.
- Areas of Outstanding Natural Beauty (AONBs) – the AONB Board expressed concerns about potential visual impact of mineral workings at Cholsey and Caversham on adjacent AONBs.
- Flooding – objections to mineral workings in the Caversham area were put forward on the basis that the national policy on flooding had not been correctly applied; separately the Environment Agency raised a question as to whether the assessment of groundwater vulnerability had been undertaken fully.
- Birdstrike – the MoD in their response raised a concern about the lack of information on and feasibility of restoring mineral workings in an acceptable way for sites within airfield safeguarding areas (particularly at Cholsey).
- Cholsey area – the objections submitted suggested that there had been inadequate consultation on the proposal; expressed concern that the draft Plan was site-specific and lacked the detailed assessment that would be expected to support such a proposal; expressed concern as to the impact the proposal would have on residents in Cholsey and Wallingford (including new proposal for housing at Winterbrook); expressed concern as to the potential impact of mineral workings on the local economy and tourism.

14. In response to the issues raised the following actions have been undertaken:

- The proposed distribution of sand and gravel supply between west and southern Oxfordshire has been reviewed in relation to the locations of demand across the county and the availability of least constrained resources.
- Our approach to the application of the assessment methodology has been checked: the conclusion of that review has been to confirm that the methodology has been consistently applied and that all relevant strategic issues covered, including groundwater vulnerability.

- Consultants have undertaken further work on the application of the Habitats Regulations Assessment, the scope of which was agreed with Natural England. That has concluded that, subject to the exclusion of parts of the Eynsham/Cassington/Yarnton area and the inclusion of appropriate safeguards in the policy framework, the Special Areas of Conservation should not be adversely impacted.
 - Clarification has been received from English Heritage as to the areas in the Lower Windrush Valley that they wish to see protected from mineral working: we have established that the remainder of the area could be worked without affecting important archaeology.
 - A landscape assessment of the Cholsey and Caversham areas has been undertaken, in consultation with AONB Officers: this assessment has concluded that future mineral workings would not adversely impact on the AONBs.
 - Confirmation has been received from the Environment Agency that national flooding policy has been correctly applied in the preparation of the Plan.
 - The MoD has confirmed they have no fundamental concerns about the proposed strategy and that any concerns they might have with regard to the potential for birdstrike can be adequately addressed as part of specific planning applications.
 - The consultation process to date has been reviewed; we have reconsidered the suitability of the Cholsey area for inclusion within the Plan as a strategy and considered whether the housing proposal at Winterbrook has any implications for the Plan.
15. As a result of the work set out above, it has been concluded that the strategy set out in the draft Plan is soundly based and forms an appropriate base for submitting the Plan to Government.
16. As a consequence there is no substantive change proposed to the draft policy: the only change being that part of the Eynsham/Cassington/Yarnton area is taken out of the policy to reflect the outcome of the work undertaken in accordance with the Habitats Regulations Assessment.

Waste Policies

Policy W2 - Waste Imports

17. Representations made through the consultation suggested that the proposals for dealing with the provision for waste from elsewhere was too inflexible, was not compliant with national policy and demonstrated a lack of concern for the need to co-operate with other authorities.

18. In light of the comments received we have reviewed the draft policy with the Environment Agency and sought the views of other waste planning authorities.
19. As a result of this work we have concluded that the policy needs to be amended. The revised policy wording emphasises the need for any proposal for a new facility dealing with waste from outside the county (including London) to be able to demonstrate that either there is no prospect of a site nearer to the source of the waste or that there are wider benefits to Oxfordshire arising from the proposal.

Policies W3 & W4 - Waste Management Targets and Provision of Additional Waste Management Capacity

20. Representations to the draft policies argued that the recycling targets were too low and that the landfill reduction targets were unrealistically high. Objections were received suggesting that the need for additional residual waste treatment facilities (e.g. waste to energy or mechanical biological treatment) was overstated and that inadequate consideration had been given to the implications of non-delivery of already permitted facilities.
21. The recycling targets have been reconsidered in the light of proposals emerging through the review of the Joint Municipal Waste Management Strategy and in consultation with the Environment Agency.
22. As a result we have concluded that the recycling and composting targets for municipal and commercial and industrial wastes should be increased, to 70% by 2025 and that the maximum landfill target should be increased to 5%. This reduces the residual waste treatment target to 25%.
23. As a consequence of these changes there is a need to increase the provision made for additional recycling capacity (particularly for commercial and industrial waste). This in turn removes the need to make provision for additional residual waste treatment capacity.

Policy W5 - Provision for Waste Management

24. Objections to the draft policy highlighted concerns that the strategy was too prescriptive and lacks flexibility with regard to the siting of facilities (particularly for recycling) and to allowing for provision to be made for contingencies. Representations also highlighted the need for more focus on facilities to serve Oxford and that the need for a waste treatment plant in southern Oxfordshire was not proven.
25. We have reconsidered the strategy for provision of waste facilities in the light of the amended requirements for new capacity and locations of existing and planned facilities in relation to where waste will arise.

26. As a consequence it is proposed that policy W5 is amended so that it sets out a broad approach to the provision of strategic facilities, with emphasis given to serving the Bicester-Oxford-Abingdon-Didcot area and other facilities being provided to serve the other main towns and small-scale facilities elsewhere.
27. A statement will be included within the supporting text of the final document that gives general encouragement to the provision of additional recycling and composting facilities.
28. It is proposed that the requirement in the draft policy for a treatment plant in the Abingdon-Didcot-Wantage/Grove area has been replaced by a more general requirement that the need for any new facility has to be demonstrated on a case-by-case basis.

Policies W8 & W9 - Hazardous and Radioactive Waste

29. Objections were received that the draft policies were too restrictive policy on facilities in Oxfordshire. In particular concerns were expressed that the policies failed to appreciate the need to consider the storage and management of radioactive waste in the wider context of national policy on disposal of such material.
30. We have reviewed the draft policies with the Nuclear Decommissioning Authority – the Government agency responsible for the storage and management of radioactive waste. This work has considered at greater length the expected waste arisings and storage requirements, together with the availability of facilities in Oxfordshire and elsewhere in the Country. The proposed changes to policies W8 and W9 reflect the outcome of this work.
31. The revised policy framework would enable new facilities to be constructed to accommodate waste from outside the county only where there is no adequate provision elsewhere.

Sustainability Appraisal/Strategic Environmental Assessment
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32. A sustainability appraisal (incorporating strategic environmental assessment) of proposed changes to the policies is currently being carried out by consultants. This is scheduled to be completed by 22 February: the Committee will receive a verbal briefing on the outcome of the appraisal at the meeting.

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February 2012

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Proposed Key Changes to Minerals and Waste Policies

Deletions shown by ~~strike through~~;
 Insertions shown by underline.

Policy M3: Strategy for the Locations ~~for~~ of mineral working aggregate minerals

The principal locations for sharp sand and gravel working, as ~~shown~~ indicated in figure 7, will be at:

- i. existing areas of working at:
 - Lower Windrush Valley;
 - Eynsham / Cassington / Yarnton;
 - Sutton Courtenay; and
 - Caversham;
 through extensions to existing quarries or new quarries to replace exhausted quarries; and
- ii. a new area of working at Cholsey, to replace Sutton Courtenay when reserves there become exhausted;

~~Permission for further working~~ Within the Lower Windrush Valley and Eynsham / Cassington / Yarnton areas further working will ~~not~~ only be permitted if it would not lead to an increase in the overall level of mineral extraction or mineral lorry traffic above past levels within these areas combined.

Within the Eynsham / Cassington / Yarnton area further working will only be permitted if it can be demonstrated that it would not lead to changes in water levels in the Oxford Meadows Special Area of Conservation; and land to the east and north east of the River Evenlode will not be identified as specific sites for mineral working in a site allocations development plan document.

The principal locations for soft sand working, as ~~shown~~ indicated in figure 7, will be:

- East and south east of Faringdon;
- North and south of the A420 to the west of Abingdon; and
- Duns Tew.

Within the area north and south of the A420 to the west of Abingdon further working will only be permitted if it can be demonstrated that it would not lead to changes in water levels in the Cothill Fen Special Area of Conservation.

The principal locations for crushed rock working, as ~~shown~~ indicated in figure 7, will be:

- North of Bicester to the east of the River Cherwell;
- South of the A40 near Burford; and
- East and south east of Faringdon.

Additional working of ironstone for aggregate use will only be permitted in exchange for revocation, without compensation, of an existing permission containing workable resources.

Preference will be given to extensions to existing soft sand and crushed rock quarries. New quarries will only be permitted if sufficient provision cannot be made through extensions.

Planning permission will not be granted for mineral working aggregate minerals outside the locations identified above in this policy unless the required provision cannot be met from within these areas.

Further working of minerals for aggregate use will not be permitted within Areas of Outstanding Natural Beauty.

Sites for mineral working will be identified in a site allocations document.

(Note: It is proposed that the parts of draft Policy M3 that relate to aother minerals be transferred to a new policy, leaving this policy to cover aggregate minerals only.)

Policy W2: Waste Imports of residual non-hazardous waste

Provision will be made for disposal of a declining amount of residual non-hazardous waste from London and elsewhere outside Oxfordshire at existing landfill sites. New facilities which provide substantially for the treatment of residual non-hazardous waste from outside Oxfordshire will not be permitted unless there is no prospect of a site nearer to the source of waste being identified or there are would be clear benefits within to Oxfordshire.

Policy W3: Waste management targets

Provision will be made for waste to be managed in accordance with the following targets, to provide for the maximum diversion of waste from landfill.

Oxfordshire waste management targets 2010 – 2030

Waste Management / Waste Type	Target Year				
	2010	2015	2020	2025	2030
Municipal waste:					
Composting & food	29 28%	30 31%	31 33%	31 35%	31 35%

waste treatment					
Dry Recycling	2524%	3131%	3132%	3135%	3135%
Treatment of residual waste	0%	3730%	3630%	3625%	3625%
Landfill	4648%	28%	25%	25%	25%
Total	100%	100%	100%	100%	100%
Commercial & industrial waste:					
Composting & food waste treatment	0%	5%	5%	5%	5%
Recycling and composting & food waste treatment	50%	5060%	5565%	6070%	6070%
Treatment of residual waste	0%	4315%	3825%	3325%	3325%
Landfill	50%	225%	210%	25%	25%
Total	100%	100%	100%	100%	100%
Construction, demolition & excavation waste:					
Recycling	50%	50%	60%	60%	60%
Landfill/Restoration	50%	50%	40%	40%	40%
Total	100%	100%	100%	100%	100%

MSW targets for 2010 approximate to actual performance for 2010/11

Policy W4: Provision of additional waste management capacity

Provision for additional waste management capacity will be made in accordance with the following guideline figures.

Oxfordshire: additional waste capacity required (tonnes per annum)

Waste Type / Management Type	2010	2015	2020	2025	2030
Composting:					
Municipal / Commercial & Industrial	–	–	–	–	–
Recycling:					
Municipal / Commercial & Industrial	–	–*	–*	50,000 190,000**	100,000 210,000
Construction, Demolition & Excavation	–	–	80,000	390,000	500,000
Residual Treatment:					
Commercial & Industrial	–	200,000	180,000	160,000	160,000

All figures rounded to nearest 10,000 tonnes.

Figures based on estimates of waste arising +10% contingency.

* Zero requirement assumes that facilities with permission but not yet built will be delivered; if permitted facilities are not built, there may be a requirement for additional recycling capacity in these years.
** The requirement for additional capacity begins soon after 2020.

Policy W5: Strategy for provision of additional waste management facilities

Strategic facilities will be located in a broad area around Bicester, Oxford, Abingdon and Didcot as identified in the key diagram (figure 7). Facilities to serve more local needs will be located in relation to the other main sources of waste (Witney/Carterton, Wantage/Grove and Banbury). Only small scale facilities, in keeping with their surroundings, will be located elsewhere in Oxfordshire.

Facilities for reuse, recycling and composting of waste and for food waste treatment will generally be encouraged in order to move the management of Oxfordshire's waste further up the waste management hierarchy. Provision will in particular be made for:

~~For municipal waste, provision will be made for:~~

- **A household waste recycling centre to serve Banbury;**
- **Two residual Municipal waste transfer stations in the Abingdon / Didcot / Wantage & Grove and the Witney / Carterton areas to serve the south and west of the county.**
- **Recycling plants for commercial and industrial waste and for construction, demolition and excavation waste (to produce recycled aggregates and soils).**

Additional plants for treatment of residual municipal and/or commercial and industrial waste arising in Oxfordshire will only be permitted if it can be demonstrated that there is a need for additional treatment capacity to divert residual waste away from landfill that cannot reasonably be met by existing capacity within the county.

Sites for waste management facilities will be identified in a site allocations document. Waste sites will be expected to meet the criteria in policy W6 and the Core Policies.

~~For the other main waste types, provision will be made for:~~

- ~~**Additional permanent recycling plants for commercial and industrial waste at or close to towns in the northern (Bicester) and southern (Abingdon; Didcot; Faringdon; Henley; Thames) areas of the county;**~~
- ~~**A plant for treatment of and recovery of resources from residual commercial and industrial waste (which is not recycled) in the Abingdon / Didcot / Wantage & Grove area;**~~
- ~~**Additional permanent recycling plants for construction, demolition and excavation waste (to produce recycled**~~

~~aggregates and soils) at or close to Oxford and the large and smaller towns in the rest of the county; and temporary recycling plants located at landfill and quarry sites across Oxfordshire.~~

~~Broad locations that are proposed for strategic waste facilities are identified in the key diagram (figure 7). Waste management facilities will be permitted at suitable sites within these broad locations.~~

~~Small scale facilities to serve local needs may be acceptable outside these locations where they meet the criteria in policy W6. Sites for new waste management facilities will be identified in a site allocations document.~~

Policy W8: Hazardous and non-legacy radioactive wastes

Permission will be granted for facilities for the management of hazardous waste where they are designed to meet a requirement for the management of waste produced in Oxfordshire. Facilities that also provide capacity for hazardous waste from a wider area should demonstrate that they will meet a need for waste management that is not adequately provided for elsewhere. ~~and they are reasonably required to meet a need for waste management that is not adequately provided for elsewhere.~~

Policy W9: Legacy radioactive waste

Provision will be made for:

- Storage of Oxfordshire's intermediate level legacy radioactive nuclear legacy waste from sites in Oxfordshire at Harwell Oxford Campus, pending its disposal at a planned removal to a national disposal facility elsewhere;
- Temporary storage (if required) of low level legacy radioactive nuclear legacy waste at Harwell Oxford Campus and Culham Science Centre pending its disposal.

~~Broad locations that are proposed for strategic waste facilities are identified in the key diagram (figure 7).~~

~~Permission will only be granted for the storage of intermediate level radioactive waste from outside Oxfordshire at Harwell if there is an overriding need and there would be clear benefits within Oxfordshire.~~

Permission will only not be granted for the management or disposal of low level legacy radioactive waste at existing landfill sites or at a new bespoke facility facilities at Harwell Oxford Campus or Culham Science Centre unless if it can be

demonstrated that no other suitable disposal facility is available elsewhere and there is an overriding need to dispose of the waste in Oxfordshire.

~~Permission will not be granted for the management or disposal of radioactive waste at other locations in Oxfordshire.~~