

# Minerals and Waste Development Scheme

**Hertfordshire Minerals and Waste  
Local Plan 2040**

**Hertfordshire County Council**



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# 1 Introduction

## Purpose of the Minerals and Waste Development Scheme

- 1.1 The County Council, as Minerals and Waste Planning Authority (MWPA) for the area, is required to prepare Minerals and Waste Local Plans, in order to guide minerals and waste management development to the most appropriate locations, and provide the necessary planning policies to deal with the planning applications it receives relating to such development.
- 1.2 The Planning and Compulsory Purchase Act 2004 requires every Local Planning Authority (LPA) to produce a Development Scheme, which sets out the details of the planning policy documents it will prepare, along with a timetable for their preparation. County Councils, as the MWPA for the area, are required to prepare a Minerals and Waste Development Scheme (MWDS).
- 1.3 This MWDS, in line with the 2004 Act, has been prepared to support the preparation of the Hertfordshire Minerals and Waste Local Plan, and contains the following information:
  - existing policy documents and their status;
  - the planning policy documents that are to be prepared;
  - the subject matter and geographical area to which the documents relate;
  - the timetable for their preparation and review;
  - the resources needed to ensure that the planning policy documents are produced in a timely fashion; and
  - how the progress of document production will be monitored against the development scheme.
- 1.4 This MWDS will be kept under review and subsequent revisions taken through the appropriate process for approval. Once adopted, this MWDS will be published on the County Council's website: [hertfordshire.gov.uk](http://hertfordshire.gov.uk).

## 2 The Development Plan

- 2.1 The Development Plan for Hertfordshire consists of all of the adopted planning policies which are currently in effect in the County. These include those Core Strategies and Local Plans prepared by the County Council, District and Borough Councils, and any Neighbourhood Plans or Neighbourhood Development Orders prepared by Neighbourhood Planning Groups and Forums.

## 3 Existing Policy Documents and their Status

- 3.1 The policy documents listed below have been produced by the County Council, as Minerals and Waste Planning Authority (MWPA), and set out the County Council's objectives and policies for minerals and waste management development in the

County. Relevant planning applications that are submitted to the County Council for determination are tested against the policies in these documents.

### ***Waste Core Strategy and Development Management Policies DPD 2011-2026***

- 3.2 The Waste Core Strategy and Development Management Policies Development Plan Document (DPD) was adopted in November 2012 and is a strategic document setting out the spatial vision and strategic objectives for waste planning in Hertfordshire.
- 3.3 This document contains the core policies needed to implement these objectives, as well as detailed development management policies to be used when making decisions on waste planning applications. This is to ensure that proposed waste management development takes place in accordance with the highest standards and meets the sustainable development objectives as set out in the document. This document identifies areas of search for waste management facilities but does not identify specific sites.

### ***Waste Site Allocations DPD 2011 – 2026***

- 3.4 The Waste Site Allocations Development Plan Document (DPD) was adopted in July 2014 and identifies the Allocated Sites and Employment Land Areas of Search (ELAS) required to meet the need for additional waste management capacity in the county. This ensures the sustainable development objectives, as set out in the Waste Core Strategy and Development Management Policies DPD, are met.
- 3.5 This document includes maps and waste site briefs for allocated sites and identified ELAS. The document also identifies existing strategic sites that are to be safeguarded for waste management purposes. This document has been written to conform with the Waste Core Strategy and Development Management Policies DPD and therefore the two should be read in conjunction.

### ***Minerals Local Plan 2002 - 2016***

- 3.6 The Minerals Local Plan was adopted in March 2007 and is a strategic document setting out the aims, objectives and spatial strategy for minerals planning in Hertfordshire over the period 2002-2016.
- 3.7 This document includes strategic policies that aim to meet the need for mineral extraction alongside more detailed development management policies to be used when determining planning applications for minerals related development. The document also identifies preferred areas for sand and gravel extraction along with other safeguarded mineral extraction sites and rail aggregate depots.
- 3.8 In March 2010 the policies in the Minerals Local Plan were 'saved' until such time as they are replaced by the adoption of a new Minerals Plan (i.e. the new Minerals and Waste Local Plan)

## **Supplementary Planning Documents**

- 3.9 Whilst not part of the Development Plan for the area, Supplementary Planning Documents (SPDs) can be prepared by Local Planning Authorities, including County Councils, to provide additional guidance on certain aspects of adopted policies. The Council currently has two adopted SPDs.

### ***Mineral Consultation Areas in Hertfordshire SPD***

- 3.10 The Mineral Consultation Areas SPD was adopted in November 2007 and identifies areas of the county where particular considerations are needed to prevent the unnecessary sterilisation of sand and gravel resources. It sets out the procedure by which the District and Borough Councils will work together to protect the resources in those areas.
- 3.11 The Minerals and Waste Planning Authority will consider the need to review this SPD as part of the Minerals and Waste Local Plan review process.

### ***Employment Land Areas of Search SPD***

- 3.12 The Employment Land Areas of Search (ELAS) SPD was adopted in November 2015 and provides further planning guidance on the suitability of waste related development on each of the 60 ELAS and is linked to the general ELAS Waste Brief that is contained in the Waste Site Allocations DPD.
- 3.13 This document can be used as a material consideration in the decision of relevant waste related planning applications within ELAS. The SPD is in conformity with the Waste Core Strategy and Development Management Policies DPD and the Waste Site Allocations DPD.

## **Status**

- 3.14 All of the adopted Core Strategies, Local Plans (DPDs) and SPDs will remain in force until the adoption of the new Minerals and Waste Local Plan, which is intended to replace them all. It should be noted however, that as the new Minerals and Waste Local Plan progresses, increasing weight can be attributed to the policies contained within it, for development management purposes.

## **Other Minerals and Waste Planning Documents**

- 3.15 In addition to the documents mentioned above, there are a number of other documents that the County Council is required to produce. These are explained below. It should be noted however that these documents do not form part of the statutory Development Plan for the county.

### **Statement of Community Involvement (SCI)**

3.16 The County Council's Statement of Community Involvement (SCI) was adopted in December 2020 and sets out how the Council will engage with communities in relation to the preparation of the minerals and waste planning policy documents (e.g. the Minerals and Waste Local Plan). It also sets out how the Council will engage with communities in relation to development management planning decisions. These could relate to planning applications for mineral extraction and waste management, as well as development for County Council services such as schools, libraries etc.

### **Authority Monitoring Report (AMR)**

3.17 The Town and Country Planning (Local Planning) (England) Regulations 2012, require the County Council to produce an Authority Monitoring Report (AMR), containing information on the implementation of this MWDS and the extent to which the policies in the Minerals and Waste Local Plan are implemented. Performance against the targets and indicators of the Waste Core Strategy and Development Management Policies DPD are also reported within the AMR. The AMR is published annually.

### **Local Aggregates Assessment (LAA)**

3.18 The National Planning Policy Framework (NPPF) requires Minerals Planning Authorities to prepare a Local Aggregates Assessment (LAA). This document monitors the sales and reserves of sand and gravel in the County, along with other information such as the use of secondary and recycled aggregate. The LAA forecasts the demand for sand and gravel, looks at the various supply options, and makes an assessment of the balance between supply and demand. The LAA is published annually.

## **4 New Minerals and Waste Local Plan**

4.1 This MWDS sets out the timetable and details of the production of the new Minerals and Waste Local Plan. The document schedule is as follows:

<b>Document Name</b>	Hertfordshire Minerals and Waste Local Plan
<b>Role and Content</b>	Sets out the policies and site/area allocations for minerals and waste management development to 2040
<b>Conformity</b>	The Plan will conform to National Planning Policy, Guidance, Regulations and Law
<b>Geographic Coverage</b>	The administrative area of Hertfordshire County Council
<b>Timetable</b>	See Appendix 1
<b>Resources</b>	The Plan will be prepared by Hertfordshire County Council

<b>Monitoring</b>	The Plan will be monitored through the annual Hertfordshire Authority Monitoring Report
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## 5 Resources & Management

### Staffing and Support

- 5.1 The Minerals and Waste Policy team sits within the Spatial Planning Unit and includes:
- Team Leader x 1 full time;
  - Policy Officer x 4 full time;
- 5.2 Input from Unit support staff may be required from time to time, mainly in relation to public participation exercises. This is provided to both the Minerals and Waste Policy and Development Management teams. It is anticipated that this resource should be adequate for the requirements of the review of the Minerals and Waste Local Plans.
- 5.3 Throughout the preparation of the Minerals and Waste Local Plan, input and assistance from other Environment Department staff within the County Council and partner agencies may be sought as follows:
- GIS and mapping;
  - Review of Strategic Flood Risk Assessment (assisted by the Environment Agency and County Council Lead Local Flood Authority);
  - Review of Strategic Environmental Assessment / Sustainability Appraisal / Habitats Regulations Assessment reports; and
  - Data gathering and other technical input from most sections of the Environment Department. Specifically, this includes:
    - Communications Team;
    - Environmental Resource Planning Team (includes the Lead Local Flood Authority, Historic Environment, Ecology, Landscape and the Built Environment);
    - Highways Operations and Strategy Team;
    - Information Management Team;
    - Access and Rights of Way Team; and
    - Strategic Transport and Rail Team.
- 5.4 In addition to the above, the County Council considers it appropriate to obtain some assistance from external consultants, when preparing some technical studies that will form part of the evidence base for the Minerals and Waste Local Plan.
- 5.5 This assistance may include, but not be limited to, work in the following areas:
- Sustainability Appraisal / Strategic Environmental Assessment;
  - Habitats Regulation Assessment; and
  - Waste Needs Assessment.



5.6 Consultants were appointed to undertake some technical work throughout the preparation of the previous emerging Minerals Local Plan and Waste Local Plan. It is intended however that much of this work can now be brought in-house, instead using the services of consultants largely to act as 'Critical Friend' to assess the in-house studies.

## Budget Provision

5.7 An estimate of budget required for the next three years is as follows:

	<b>April 2021 – March 2022</b>	<b>April 2022 – March 2023</b>	<b>April 2023 – March 2024</b>	<b>Comments</b>
<b>Staff</b>	£214,143	£219,497	£224,954	Currently 1 x FTE Manager, 4 x FTE Officers
<b>Public Participation</b>	£2,000	£2,000	£2,000	Consultations
<b>Printing</b>	£3,000	£3,000	£3,000	Letters and documents
<b>Consultants</b>	£20,000	£20,000	£20,000	e.g. HRA, Critical Friend work
<b>Legal</b>	£5,000	£5,000	£5,000	Legal Advice for Policy Matters
<b>Examination (Programme Officer)</b>			£120,000 (£40,000) <sup>6</sup>	Examination / Employment of Programme Officer
<b>Sub-Total (excluding staff and legal costs)</b>	£25,000	£25,000	£185,000	
<b>Total (including staff and legal costs)</b>	<b>£244,143</b>	<b>£249,497</b>	<b>£414,954</b>	

### Notes:

Staff commitments are included in existing budgets. This is an estimate of budget requirements.

<sup>6</sup> The cost of the Examination, including the Programme Officer, is met from an Inquiries budget.

## Appendix 1: Minerals and Waste Local Plan Programme Timetable

2021		2022												2023												2024							
Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	

1	Sustainability Appraisal (SA) Scoping Report Consultation	The SA Scoping Report establishes the sustainability objectives used to appraise the economic, social and environmental effects of the policies in the Plan
2	Public Consultation (Regulation 18)	Consultation period for statutory bodies, organisations and individuals to comment on the policies in the emerging Plan. Analysis of responses and changes to the Plan then takes place throughout the remainder of 2022 with committee decisions scheduled for early 2023
3	Proposed Submission Publication (Regulation 19)	The Draft Plan is published for a period of 6 weeks for formal representations to be made. Analysis of responses and committee decisions then takes place in May/June 2023
4	Submission (Regulation 22)	The Plan is submitted to the Secretary of State along with any representation received at the Regulation 19 stage
5	Independent Examination	The Plan is subject to independent examination to assess its soundness and legal compliance
6	Inspector's Report	The Inspector's Report will state whether the Plan is 'Sound' or not, and may recommend certain modifications to the Plan to make it 'Sound'
7	Adoption	The Council will formally 'Adopt' the Plan, at which point it will be fully used in the determination of planning applications