



**Gloucestershire**  
COUNTY COUNCIL

# **Gloucestershire Minerals & Waste Development Scheme**

**01/04/2018 – 31/03/2021**

**9<sup>th</sup> Version**

## 1 Introduction

1.1 Gloucestershire County Council is the Minerals and Waste Planning Authority (M&WPA) for Gloucestershire. It is required under the Planning and Compulsory Purchase Act (2004) as amended by the Localism Act (2011), to prepare and maintain a Minerals and Waste Development Scheme (MWDS)<sup>1</sup>.

### **What is a Minerals & Waste Development Scheme (MWDS)?**

1.2 A MWDS is a timetable for the future preparation of minerals and waste related planning documents proposed by the local M&WPA. It is required to identify:-

- Documents that are intended to form part of the local development plan for minerals and waste and their coverage over the administrative area;
- Documents which aim to supplement and support the implementation of minerals and waste policies contained within the development plan or that aid the delivery of development; and
- Milestones for measuring the completion of each part of the document preparation process.

1.3 Where appropriate, a MWDS must also highlight future minerals and waste planning documents that are to be produced jointly with one or more other local planning or minerals and waste authority and any planning matters that are to be handled by a constituted joint authority committee.

### **The Gloucestershire Minerals & Waste Development Scheme (9th Version)**

1.4 Gloucestershire County Council published its first MWDS in May 2005. Numerous updated versions have been produced since this time. This document represents the 9th Version of the Gloucestershire MWDS and covers the period from 1st April 2018 until 31st March 2021. It replaces the 8th Version, which was published in April 2016.

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<sup>1</sup> The Localism Act (2011), part 6, chapter 1, section 111 sets out revisions to section 15 the Planning and Compulsory Purchase Act (2004) in respect of the preparation, revision and publication of local development schemes - <http://www.legislation.gov.uk/ukpga/2004/5/section/15> and <http://www.legislation.gov.uk/ukpga/2011/20/section/111/enacted>

## Preparing minerals and waste planning documents: - Post Localism Act 2011

- 1.5 The Planning and Compulsory Purchase Act (2004) introduced Local Development Frameworks (LDFs) – a portfolio of different local development documents (LDD) some of which should have development plan status and be known as development plan documents (DPDs). From 2004, local planning authorities were encouraged to produce multiple local planning documents to include within their LDFs, often separating out strategic issues from detailed local site matters. This approach brought about the creation of Core Strategies (CSs) and other planning policy documents such as site allocation plans and development control policy documents.
- 1.6 The reforms contained within the Localism Act (2011) have brought about notable changes to the way in which local planning authorities should prepare their local plans. National policy and guidance set out in the National Planning Policy Framework (NPPF) and national Planning Practice Guidance (nPPG) specifically discourages the preparation of lots of different local planning documents. It re-introduces the concept of a single 'local plan' for an area as was previously the case prior to 2004, unless it is justified to do something different<sup>2</sup>.
- 1.7 Gloucestershire County Council is working towards the reforms introduced by the Localism Act (2011) supporting through the NPPF. During this transition different approaches to preparing new plans have been required to accommodate the different stages of plan making that have already occurred since the introduction of the Planning and Compulsory Purchase Act.
- 1.8 In the case of waste planning matters, the County Council has successfully adopted a Waste Core Strategy (WCS). This document has been in force since November 2012 and was considered at examination against the requirements of the NPPF as well as specific national waste policy contained in Planning Policy Statement 10 (PPS10): Planning for Sustainable Waste Mgmt. that was in place at the time<sup>3</sup>. The WCS has replaced a significant proportion of the former adopted Gloucestershire Waste Local Plan (2004). The WCS includes a strategic vision, objectives and planning strategy for future waste development including a suite of strategic waste sites.
- 1.9 Future waste planning documents will be necessary in order to complete the process of replacing the remaining parts of the adopted Waste Local Plan. However, a review of the WCS is also needed to ensure full compliance with revised national waste policy known as National Planning Policy for Waste (NPPW), which was published in October 2014<sup>4</sup>.

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<sup>2</sup> NPPF paragraph 153 states that; 'Each local planning authority should produce a Local Plan for its area. Any additional development plan documents should only be used where clearly justified.'

<sup>3</sup> PPS10 was first introduced as government planning policy on waste in 2005 and was not withdrawn until October 2014 after the publication of National Planning Policy for Waste (NPPW).

<sup>4</sup> National Planning Policy for Waste (NPPW) was published on 16th October 2014 by the Department for Communities and Local Government (CLG). It can be obtained at: - <https://www.gov.uk/government/publications/national-planning-policy-for-waste>

There has also been revised regulatory requirements issued that introduce mandatory plan making reviews<sup>5</sup>.

- 1.10 In line with the structural expectation for up-to-date local plans articulated in the NPPF, the adopted WCS is defined as a Development Plan Document (DPD) that forms part of the Gloucestershire Waste Local Plan. All future waste planning documents will be considered in the same way whether they relate solely to policies yet to be replaced or form part of a review of the adopted WCS.
- 1.11 The circumstance regarding minerals planning matters is much simpler. No new mineral planning documents have been adopted since the introduction of the Planning and Compulsory Purchase Act or the amendments made by the Localism Act. As a consequence, the County Council propose a single, full replacement of the adopted Minerals Local Plan (2003) with no additional mineral planning documents.
- 1.12 Nevertheless, previous minerals planning preparatory work undertaken between 2004 and 2012, and entitled either draft or emerging Mineral Core Strategy (MCS) remains relevant. The content and consultation responses received during this time will contribute towards the evidence base for the new Minerals Local Plan. In particular when demonstrating how early public consultation was carried out in line with the requirements of the Gloucestershire Statement of Community Involvement (SCI) in force at the time<sup>6</sup> and Planning Regulations<sup>7</sup>.

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<sup>5</sup> The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 include an amendment to regulation 10 of the Local Planning Regulations (2012). It introduces a 5-year review requirement (regulation 10A) for all local development documents (including development plan documents and SCIs) calculated from the date of their adoption.

<sup>6</sup> The 1st Gloucestershire Statement of Community Involvement (SCI) was adopted in December 2005. A reviewed version was adopted by the County Council in March 2013. All SCI documents can be viewed at – <http://www.goucestershire.gov.uk/extra/article/107999/Statement-of-Community-Involvement-SCI>

<sup>7</sup> Consultation requirements for plan making are currently set out within the Town & Country Planning (Local Planning) (England) Regulations 2012 [http://www.legislation.gov.uk/uksi/2012/767/pdfs/uksi\\_20120767\\_en.pdf](http://www.legislation.gov.uk/uksi/2012/767/pdfs/uksi_20120767_en.pdf)

## **2 The Development Plan for minerals and waste – as of April 2018**

2.1 The Development Plan for minerals and waste development in Gloucestershire as of April 2018 consists of the following: -

- **The adopted Gloucestershire Waste Core Strategy (WCS) (2012);**
- **The ‘saved’ and as yet not replaced policies of the adopted Gloucestershire Waste Local Plan (WLP) (2004); and**
- **The ‘saved’ policies of the adopted Gloucestershire Minerals Local Plan (MLP) (2003).**

2.2 The term ‘saved’ policies refers to arrangements put in place by the Government of the time after the introduction of the Planning and Compulsory Purchase Act in 2004. These sought to encourage local planning authorities to update their adopted local plans by instigating a review of the status of the policies contained within them. The review for Gloucestershire concluded that not all policies contained within the adopted minerals and waste plans should be ‘saved’, and remain part of the local development plan. Two schedules of ‘saved’ policies were published in autumn 2007 – one covering the adopted Minerals Local Plan (2003) and the other for the adopted Waste Local Plan (2004)<sup>8</sup>.

2.3 In November 2012, the County Council adopted the Gloucestershire WCS. This document includes development plan policies that replace some of those previously saved within the adopted Waste Local Plan (2004). As a result the current local development plan for waste is made up of two planning documents – the WCS and the ‘saved’ parts of the adopted Waste Local Plan (2004).

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<sup>8</sup> The full schedules of ‘saved’ and ‘unsaved’ policies from the adopted minerals and waste local plans can be viewed online at - <http://www.goucestershire.gov.uk/extra/article/108052/Adopted-Minerals-and-Waste-Local-Plans>

### 3 Proposed changes to the Development Plan for minerals and waste – from April 2018 onwards

#### Minerals-related Local Development Documents

- 3.1 The County Council proposes to replace in full, all of the 'saved' policies contained within the adopted Gloucestershire Minerals Local Plan (2003). This replacement will take the form of a single Minerals Local Plan DPD. No other minerals-specific LDDs are planned for at this time.
- 3.2 An annually prepared Minerals & Waste Authority Monitoring Report (AMR) will also be produced to assist in the ongoing review of local minerals policy.
- 3.3 Table 1 below outlines the County Council's current timetable for preparing a new Minerals Local Plan DPD. It includes the preparation milestones and the target for completion over the current MWDS timeframe: -

Table 1: Timetable for preparation of a new Minerals Local Plan DPD (from April 2018)

| Proposed DPD               | Coverage   | Future preparation milestone   | Target for completion <sup>#</sup>             |
|----------------------------|------------|--|--|
| <b>Minerals Local Plan</b> | Countywide | Publish the Pre-submission (Publication) document <sup>9</sup>             | Q1 – 2018/19<br><i>Apr – Jun 2018</i>          |
|                            |            | Submission of Publication document to the Secretary of State <sup>10</sup> | Q2 – 2018/19<br><i>Jul – Sept 2018</i>         |
|                            |            | Independent Examination  | Q3 to Q4 2018/19<br><i>Oct 2018 – Mar 2019</i> |
|                            |            | Adoption   | Q1 to Q2 2019/20<br><i>Apr – Sept 2019</i>     |

# - 'target for completion' is based on quarters of the UK financial year (1st April to 31st March)

<sup>9</sup> Consultation undertaken in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>10</sup> Submission of the plan in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012

## Waste-related Local Development Documents

3.4 The County Council seeks to prioritise the replacement of all of the remaining 'saved' policies contained within the adopted Gloucestershire Waste Local Plan (2004). However, consideration will also be given to policy revisions to the adopted Waste Core Strategy. Whatever work programme is eventually agreed upon; a new single Waste Local Plan DPD will most likely be proposed to cover all relevant matters. No other waste-specific LDDs are planned for at this time.

3.5 An annually prepared Minerals & Waste Authority Monitoring Report (AMR) will also be produced to assist in the ongoing review of local waste policy.

3.6 Table 2 outlines the County Council's proposed timetable for preparing a new Waste Local Plan DPD. The table below includes the preparation milestones and the targets for completion over the current MWDS timeframe: -

**Table 2: Timetable for preparation of a new Waste Local Plan DPD (from April 2018)**

| Proposed DPD     | Coverage   | Future preparation Milestone   | Target for Completion                      |
|------------------|------------|--|--|
| Waste Local Plan | Countywide | Early scoping of waste issues consultation <sup>11</sup>                   | Q1 to Q2 2019/20<br><i>Apr – Sept 2019</i> |
|                  |            | Pre-Publication draft document consultation <sup>12</sup>                  | Q4 2019/20<br><i>Jan – Mar 2020</i>        |
|                  |            | Publish the Pre-submission (Publication) document <sup>13</sup>            | Q2 to Q3 2020/21<br><i>Jul – Dec 2020</i>  |
|                  |            | Submission of Publication document to the Secretary of State <sup>14</sup> | Q4 2020/2021<br><i>Jan – Mar 2021</i>      |

<sup>11</sup> Consultation undertaken in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>12</sup> Albeit this still represents relatively early consultation under Regulation 18 of Town and Country Planning (Local Planning) (England) Regulations 2012, the production of a draft document that sets out in some detail proposed new or revised policies is largely considered to be an important and influential milestone for interested parties to be aware of

<sup>13</sup> Consultation undertaken in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>14</sup> Submission of the plan in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012

## **Jointly prepared minerals and waste related Local Development Documents**

3.7 The County Council does not propose to undertake any jointly-prepared local development documents including development plan documents affecting Gloucestershire at this time. In addition, none of the planning documents proposed within this MWDS are to be considered by a constituted joint authority committee.

## 4 Proposed changes to supporting Local Development Documents for minerals and waste – from April 2018 onwards

### **Gloucestershire County Council Statement of Community Involvement (SCI)**

4.1 The County Council proposes to review the adopted Gloucestershire County Council Statement of Community Involvement (SCI) (1st Review), which has been in place since March 2013<sup>15</sup>. This review is in response to recent regulatory changes that introduce mandatory 5-yearly reviews for all local development documents from April 2018 onwards<sup>16</sup>. The table below includes the proposed preparation milestones and the targets for completion over the current MWDS timeframe: -

**Table 3: Timetable for preparation of a revised Gloucestershire County Council Statement of Community Involvement SCI (from April 2018)**

| Proposed LDD   | Coverage   | Future Preparation Milestone                                     | Target for Completion                     |
|--|------------|--|---|
| <b>Gloucestershire County Council Statement of Community Involvement (SCI)</b> | Countywide | Internal officer-led review of SCI                               | Q1 to Q3 2018/19<br><i>Apr - Dec 2018</i> |
|  |            | Draft revised SCI document for public consultation <sup>17</sup> | Q4 2018/19<br><i>Jan – Mar 2019</i>       |
|  |            | Publication of revised SCI consultation statement                | Q2 2019/20<br><i>Jul – Sept 2019</i>      |

<sup>15</sup> The Gloucestershire County Council Statement of Community Involvement (SCI) (1st Review) can be obtained at: -

<https://www.goucestershire.gov.uk/planning-and-environment/planning-policy/statement-of-community-involvement-sci/>

<sup>16</sup> The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 include an amendment to regulation 10 of the Local Planning Regulations (2012). It introduces a 5-year review requirement (regulation 10A) for all local development documents (including development plan documents and SCIs) calculated from the date of their adoption.

<sup>17</sup> Consultation undertaken in accordance with Regulation 12a of the Town and Country Planning (Local Planning) (England) Regulations 2012