

RSS Regional Conformity Assessment

Application/ Document Title:	Core Strategy in respect of Minerals and Waste Development Framework Mineral Resources Development Plan Document Submission Proposals Map
Application No./ Council reference	
RPB File Ref.	RSS 12.40
Local Planning Authority:	Shropshire County Council
County/Group/PAG:	Regional Minerals and Waste Conformity Panel
Regional Conformity Advisor:	Paul Wilcox
Date Sent to the RCA:	20/10/06
Assessment to the RPB from RCA :	22/11/06
Date Opinion Required :	29/11/06

Refer to the RSS General Conformity Assessment Dossier Sheet to complete the section/s above. The information for example the dates should be consistent with the dossier sheet.

Description of Development Plan Document

Shropshire County Council have submitted two Development Plan documents:

- Core Strategy – Submission. The Core Strategy sets out the strategic vision for all mineral and waste development in Shropshire and covers the period 2007-2021.
- Mineral Resources – Submission. This document covers the period 2007-2017 and sets out policies against which mineral proposals will be tested, the controls on the release of additional mineral reserves to meet local needs and encourages the development and application of a sustainable approach to mineral development.

Relevant Planning History

In August 2005 Shropshire County Council published its Core Strategy Issues and Alternative Options Report and Mineral Resources Issues and Alternative Options Discussion document.

In February 2006 the Authority published its Preferred Options Report for both the Core Strategy and Mineral Resources DPD's and the Regional Assembly issued its views on general conformity in April 2006.

The description of the Development Plan Document or Regionally Significant Planning application should be a clear concise accurate and precise account. Consider in Development Plan Documents for example the status of the document; its relationship to previous plans any related planning history considered under the new planning system or is it in transitional stages was there a first deposit draft). Consider in the case of Regionally Significant Planning applications for example, the type, scale, size and nature of the proposed development and its planning history.

Regional Spatial Strategy Objectives (Para 3.14 a-j)

The relevant objectives are:-

(b) to secure the regeneration of the rural areas of the Region

(e) to support the cities and towns of the Region to meet their local and sub regional development needs

(f) to support the diversification and the modernisation of the Region's economy while ensuring that opportunities for growth are linked to meeting needs and reducing social exclusion

(g) to ensure the quality of the environment is conserved and enhanced across all parts of the Region

RSS Spatial Strategy Policies : Topic Chapters

Urban renaissance (Policy checklist: UR1 UR2 UR3 UR4)

Policy UR3 sets out the requirements to enhance the role of City, Town and District Centres including identifying local distinctiveness and ensuring the highest standards of design.

Rural renaissance (Policy checklist: RR1 RR2 RR3 RR4)

Policy RR1 refers to the prudent use of natural resources.

Policy RR2 : A large part of rural Shropshire lies in the Rural Regeneration Zone.

Communities for all (Policy checklist: CF1 CF2 CF3 CF4 CF5 CF6)

Policy CF2 : Shrewsbury is identified as a sub-regional foci for development.

Policy CF3 : Table 1 sets out the housing provision for Shropshire and Table 2 the demolition assumptions.

Policy CF4 deals with the reuse of land and buildings for housing.

Prosperity for all (Policy checklist: PA1 PA2 PA3 PA4 PA5 PA6 PA7 PA8 PA9 PA10 PA11 PA12 PA13 PA14 PA 15)

Policy PA10 refers to Shrewsbury and Ludlow

Policy PA11 refers to Shrewsbury

Policy PA14 says that support should be given to sustainable diversification and development of the rural economy.

Policy PA15 says that development plans should recognise the continuing importance of the agricultural sector in the region.

Quality of the Environment (Policy checklist: QE1 QE2 QE3 QE4 QE5 QE6 QE7 QE8 QE9 EN1 EN2 M1 M2 M3 M4 WD1 WD2 WD3)

QE1; QE5/6 : Deals with conserving the environment, historic environment and landscapes.

QE2 : Refers to restoring degraded areas and managing and creating high quality new environments.

QE3 : Refers to creating a high quality built environment through sustainable construction.

QE5 : Refers to need to protect, conserve and enhance the region's diverse historic environment and mentions the strategic river corridor of the Severn.

QE6 : Refers to identifying opportunities for restoration of degraded landscapes, including current and proposed mineral workings.

QE7 : Protecting, managing and enhancing the Region's biodiversity and nature conservation areas.

EN1 : deals with energy generation and the need to encourage proposals for the use of renewable energy resources.

M1 : Sets out the need to provide an appropriate provision for minerals and the policy requirements for mineral planning in the region.

M2 : Sets out the sub-regional apportionment for aggregates.

M3 : Sets out the requirements for reducing the reliance on land won primary aggregates by increasing the contribution of alternative sources of materials.

M4 : Sets out the policy context for dealing with energy minerals.

Transport & Accessibility (Policy checklist: T1 T2 T3 T4 T5 T6 T7 T8 T9 T10 T11 T12)

Policy T1 : Deals with the development of accessibility and mobility within the region.

Policy T2 : Deals with reducing the need to travel.

Policy T8 : Deals with the management of demand for travel.

Policy T9 : Deals with the management and development of national and regional transport networks.

Policy T10 : Sets out how freight should be dealt with.

Paras. 9.68 and 9.69 deal with the A49 transport corridor between Shrewsbury and Hereford.

Consider how the proposal relates to the key RSS objectives (refer to Chapter 3 para. 3.14 of the RSS) which provide the context for the RSS policies. Ensure that the case is considered against the RSS Objectives and are referred to in this section. Consider the case against all the RSS topic chapters: Urban renaissance; Rural renaissance; Communities for all; Prosperity for all; Quality of the Environment; Transport & Accessibility. The relevant policies to the case should be referred to in this section and how they will be considered in the overall assessment.

Comments Received

Rural Renaissance Policy Lead

Core Strategy

The Core Strategy and key policies appear to conform to the aims and objectives of the rural renaissance agenda subject to the following comments:

Core Policy CP1 : there is a need to be more explicit about the importance of minerals and waste development in strengthening and diversifying the rural economy (RSS Policies RR1 and PA14).

Core Policy CP3 : It is not clear how paragraphs (c) and (d) “maintain” a sustainable approach to waste management.

Core Policy CP4.A : It is unclear how the sequential process can apply to minerals which can only be worked where they are found.

Core Policies 6, 7, 10, 11, 12-16, 17 are supported.

Submission Proposals Map : The boundary of the Rural Regeneration Zone (RR2) needs to be delineated on the proposals map.

Mineral Resources

The DPD and key policies appear to conform to aims and objectives of the rural renaissance agenda subject to the following comments:

Policy M1 : Should be cross referenced to the Key Core Strategy policies which are to be used to assess potential mineral development sites.

Policy M2 : Should be cross referenced to the Key Core Strategy policies.

Policy M3 : Fails to identify mechanisms for resolving conflict between competing uses or to accommodate other uses in the short or medium term before mineral resources can be won.

Policies M4, M5 and M6 are supported.

All Comments received for example from the RSS Policy Leads; The RA's Strategic Advisors and the Other Stakeholder Groups and the Business Council to be recorded in this section.

The Assessment/Evaluation

Key relevant issues

- The extent to which the Development Plan documents address and take account of the relevant objectives in the RSS.
- The extent to which the Development Plan documents address and take account of Policies M1-M4 in the RSS.
- The extent to which the documents address the national and regional policy context set out in MPS1 and the 4 annexes published on 6 November 2006.

Relevant RSS Objectives

The documents produced by Shropshire County Council set out a policy framework for a holistic view to be taken of resource management within the County and minerals development in particular.

There is a balance to be struck between the competing objectives of regenerating the rural areas, meeting local development needs, diversifying the economy and conserving and enhancing the quality of the environment in Shropshire. This is recognised in the Core Strategy and is given expression through the policy framework provided by Policies CP1-CP17.

According to para. 1.12 the Core Strategy covers the period 2007-2021 which is consistent with the current RSS.

Core Policy CP4 introduces a sequential test process to both minerals and waste. However, para. 4.14 recognises that one of the tests "alternative locations" may not always be practical. In which case the application of the sequential tests need not be separated out in the policy.

Minerals Policies

Policies M1-M4 in the RSS set out the regional mineral policy context for the preparation of development plan documents.

- Policy M1 in the RSS requires that appropriate provision should be made for national and regionally significant minerals and this includes amongst other things permitted reserves, landbank considerations and the release of new resources. This policy is based partly on guidance set out in MPG6 para. 64 that landbanks should be maintained “throughout the plan period”. Policy M7 in the Mineral Resources DPD does not provide a landbank for aggregates throughout the plan period 2007-2021. MPG6 has now been replaced by MPS1 and landbanks for aggregates are dealt with in paras. 4.1-4.5 in Annex 1. None of those paragraphs contain a statement requiring the maintenance of landbank throughout the plan period.

Appropriate provision is also required for a minimum of 10 years from adoption (see para. 8.60 in RSS). At para. 1.8 the Mineral Resources DPD says the plan period is 2007-2017. Assuming adoption of the Plan in 2007, 10 years would be provided consistent with the RSS.

Policy M1 in the Mineral Resources DPD at (e) refers to “other relevant policies in the Development Plan”. There appears therefore no need to cross reference to Core Policies CP1, CP2, CP4, CP6 and CP17.

- Policy M3 in the Minerals Development DPD addresses the issue of safeguarding, but may need to be reviewed in the light of para. 13, Annex 2 – 3.1 and Annex 3 – 3.3 and 3.9 in MPS1 (November 2006).

It is noted that there is a proposal in para. 4.31 and Tables 4.1 and 4.2 for part of Shropshire’s sub-regional apportionment is to be assigned to Telford and Wrekin. This has yet to be agreed by the Regional Assembly and WMRAWP. As para. 3.2 of Annex 1 makes clear it is for the RPB to apportion the Regional guidelines.

In the Practical Guide accompanying MPS1 para. 70 provides guidance on dormant and inactive sites and how they should be considered for landbank purposes. Table 4.2 in the DPD needs to be checked to see if it is consistent with para. 70.

New Mineral Guidance – MPS1 and Practical Guide (November 2006)

New mineral guidance was published during this consultation on the DPD’s and therefore will need to be taken into account at the EIP. Shropshire may have to look closely at the following paragraphs to determine if changes are required to the Submission document, in addition to those already stated above, and these are Annex 1, paras. 4.1, 4.4 and 4.5. Annex 2 para. 3.4 and Annex 4 paras. 3.21 and 3.25.

Comments Received

See above comments from the Rural Renaissance Policy Lead.

Summary and Assessment

The relevant objectives in the RSS are addressed in the two development plan documents.

Core Strategy

1. The Core Strategy and Key Policies appears to generally conform with the RSS.
2. The submission Proposals Map needs to define the Rural Regeneration Zone (RR2).

Mineral Resources

3. Policy M1 in the Mineral Resources DPD does not need to be cross referenced to Core Policies CP1, CP2, CP4, CP6 and CP17 because that is provided for in Item (e) in the policy.
4. Policy M2 – whilst the Rural Renaissance Policy Lead advocates similar cross references to Core Policies in this instance since comprehensive working relates specifically to the site no changes are required.
5. Policy M3 – whilst the Rural Renaissance Policy Lead makes some valid points the responsibility for resolving conflicts rests with the LPA and not the MPA. The MPA is in this context only a statutory consultee. The issue needs to be addressed by the LPA in their LDF.
6. Table 4.2 needs to be checked and rolled forward.
7. The local apportionment of the Shropshire sub-regional share needs to be agreed by the Regional Assembly after consultations with the WMRAWP.
8. The DPD's may need to be reviewed in the light of the publication of MPS1 since the consultation commenced in particular para. 13 Annex 1 paras. 4.1, 4.4 and 4.5, Annex 2 paras. 3.1 and 3.4, Annex 3, paras. 3.3 and 3.9 and Annex 4 paras. 3.21 and 3.25.

An overall assessment and evaluation should (i) highlight the key relevant issues of the development plan document or regionally significant planning application with the RSS; (ii) relate them against the relevant RSS objectives and the RSS policies; (iii) consider all the comments received from for example the Policy Leads etc. (iv) summarise all the issues and comments received and weigh up the critical factors in reaching a 'balanced view' of the circumstances and (v) provide a clear logical 'step by step' assessment of the particular case.

Conclusion and Opinion of General Conformity

Overall the plans address the objectives and policies in the RSS and therefore are in general conformity with the RSS.

The documents are in general conformity with the RSS. The Regional Assembly recommends that Point 2 be addressed to ensure that the DPD is in alignment with the RSS. In relation to Point 6 that Shropshire ensures that the information base on which the plan is drafted is up to date. The publication of MPS1 introduces new policy advice and guidance which Shropshire will need to address by the time the EIP commences. This policy advice and guidance is more up to date than in the current RSS and therefore material to the consideration of the soundness of the plans. Accordingly the Regional Assembly would advise the authority to address these points now rather than await the outcome of the Phase 3 revision to the RSS or the first review of the DPDs.

The opinion of general conformity should be based on the overall assessment and sound judgement and provide a clear and unambiguous opinion of whether the case is in general conformity with the RSS or whether it will significantly harm the implementation of the RSS.

Regional Conformity Advisor

Date 21 December 2006

On completion of all of the whole assessment form please sign/type your name and date the form and return it to the RPB by email by the date agreed on the dossier form.