

# Cabinet

8 September 2020

## Screening Review of the Bournemouth, Dorset and Poole Minerals Strategy 2014

### For Decision

**Portfolio Holder:** Cllr D Walsh, Planning

**Local Councillor(s):** All Wards

**Executive Director:** John Sellgren, Executive Director of Place

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**Report Status:** Public

**Recommendation:** That:

- i) it be noted that following Screening of the Bournemouth, Dorset and Poole Minerals Strategy 2014 for Review, a full or partial Review of the Minerals Strategy will not be undertaken this year. Officers will continue monitoring the Minerals Strategy 2014 and it will be screened again in 2021.
- ii) the Dorset Council Local Development Scheme is updated accordingly to reflect these actions.
- iii) the 2020 Review of the Bournemouth, Dorset and Poole Minerals Strategy 2014 , attached as an Appendix to this report, is made publicly available.

**Reason for Recommendation:** Paragraph 33 of the National Planning Policy Framework 2019 requires that a local plan should be reviewed after five years to consider whether a formal full or partial Plan Review is required. To ensure that Dorset Council

complies with this requirement, the Bournemouth, Dorset and Poole Minerals Strategy 2014 was screened to assess whether a full or partial Review was required. It was found that a Review did not need to be initiated this year. The Dorset Council Local Development Scheme needs to be updated to reflect this, and planning guidance requires that the report of the screening exercise is made publicly available.

## **1. Executive Summary**

The Bournemouth, Dorset and Poole Minerals Strategy 2014 (MS) was adopted more than five years ago, and as required by the National Planning Policy Framework 2019 it has been assessed to determine whether a formal full (the whole document) or partial (only selected policies) Review is required. Each policy was assessed based on use over the period 2014-2018, and was given a RAG (Red, Amber, Green) score with Red identifying issues that might need to be addressed; Amber identifying issues for further consideration and Green no issues identified. Of the 47 policies the majority were scored Green. Some were scored Red or Amber.

A number of external factors were identified which are likely to have an impact on the market for minerals and the ongoing use and implementation of the Minerals Strategy. Particularly relevant is the adoption of the Mineral Sites Plan 2019 at the end of 2019. The Mineral Sites Plan 2019 will complement the Minerals Strategy, and contribute to delivering the mineral strategies. It is considered that these two Plans need time to be implemented together, without making any changes to the MS. Actions are proposed to improve the effectiveness of the current MS policies in the meantime, and they will be assessed again in 2021. All policies will continue to be monitored.

It is considered that although the Minerals Strategy is over five years old, the most appropriate action is to continue monitoring its policies, and to repeat the assessment in 2021. Guidance on the application of the policies, which could include preparation of Supplementary Planning Documents, will be prepared as appropriate. The Dorset Council Local Development Scheme will be updated to reflect this approach.

## **2. Financial Implications**

There are no financial implications resulting from not undertaking a Review of the Minerals Strategy this year. The Review, when undertaken, will have financial implications but there is funding in reserves to cover these costs.

## **3. Climate implications**

The Minerals Strategy has a role in mitigating against the effects of climate change, in particular through influencing the way in which minerals sites are developed, worked and restored. However, a minerals plan has limited influence over the location of development as a means of mitigating climate influences, as minerals have to be worked where they are found. The Minerals Strategy currently includes a policy specifically addressing the mitigation of climate impacts. It is intended to issue guidance to officers to increase the

application of this policy and recognise that the importance of ensuring the issue of climate change is appropriately addressed in minerals applications. When the Minerals Strategy is reviewed this will provide the opportunity to update and strengthen climate impact mitigation.

#### **4. Other Implications**

There are no direct implications of not initiating a Review of the Minerals Strategy in 2020. Updating the Minerals Strategy would provide opportunities to review and where appropriate improve its provisions, however it is considered that the Minerals Strategy is functioning adequately at present and no urgent changes are needed.

#### **5. Risk Assessment**

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Medium

Residual Risk: Medium

#### **6. Equalities Impact Assessment**

Equalities impacts were taken into consideration when the Minerals Strategy was first prepared. Impacts due to mineral working are more likely to affect rural communities, as mineral working is more likely to be located in rural areas. However, minerals must be worked where they are found. The Minerals Strategy contains protective measures to mitigate environmental and amenity impacts. Since no change is proposed to the Minerals Strategy, it is accepted that no Equalities Impact Assessment is required. When a formal Review or partial Review is undertaken, it will include an Equalities Impact Assessment.

#### **7. Appendices**

Appendix 1 - 2020 Review of the Bournemouth, Dorset and Poole Minerals Strategy 2014

#### **8. Background Papers**

The Bournemouth, Dorset and Poole Minerals Strategy 2014

The Bournemouth, Christchurch, Dorset and Poole Mineral Sites Plan 2019

#### **9. Background to the Report**

- 9.1 Paragraph 33 of the National Planning Policy Framework 2019<sup>1</sup> requires that policies in local plans should be reviewed at least once every five years to assess whether they need updating, and should then be updated as necessary. Undertaking a formal Review is not always necessary, but if a decision is taken to not carry out a Review, this should be justified and recorded. As the Bournemouth, Dorset and Poole Minerals Strategy was adopted in 2014 it needed to either be reviewed, or justification provided that a Review was not considered necessary at this time.
- 9.2 It was decided that rather than initiating a formal Review, the Minerals Strategy should be screened to assess whether a full or partial Review was required. Depending on the outcome of the screening, a Review could be undertaken now or, if indications were that Review was not necessary or appropriate at the current time the Strategy could be assessed again in the future. This allows the Mineral Planning Authority to take into consideration the other issues that could affect the timing of beginning a Review of the strategy.
- 9.3 A recent update to online Planning Practice Guidance suggests that if a local planning authority decides not to update their policies, they should publish their reasoning<sup>2</sup>, therefore the report of the Screening exercise would be publicised whatever the outcome. The Dorset Council Local Development Scheme should be amended to reflect the outcome of the screening.

## **10. Screening of the Policies**

- 10.1 All 47 policies of the Minerals Strategy have been screened, using monitoring data collected over the review period of 2014-2018. The frequency of use and relevance of each policy were reviewed to determine its effectiveness, and each policy was given a RAG (Red, Amber or Green) Monitoring Status to indicate how it has performed against the relevant monitoring indicator(s) for that policy. Monitoring indicators are set out in Chapter 17 of the MS within a Monitoring Framework.
- 10.2 The RAG Monitoring Status is shown below. Policies scored as 'Green' are considered to be functioning and being applied as intended, and no issues were identified. If some issues are identified, but these do not appear significant, the policy is scored 'Amber'. If significant issues were identified the policy is scored 'Red'. An Amber or Red does not mean that the policy, or the whole Minerals Strategy, must be reviewed but it does flag up where further consideration and attention are needed.

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<sup>1</sup> National Planning Policy Framework, February 2019: Ministry of Housing, Communities and Local Government

<sup>2</sup> Paragraph: 070 Reference ID: 61-070-20190315 Revision date:15 03 2019 <https://www.gov.uk/guidance/plan-making#plan-reviews>

Monitoring shows no issues	Green
Monitoring shows some issues - further consideration required	Amber
Monitoring shows issues - further consideration required and these may need to be addressed	Red

- 10.3 Of the 47 policies screened, one was classified as 'Red - issues may need to be addressed' and one was classified as 'Red/Amber', also indicating issues that may need to be addressed. Ten were classified as 'Amber - further consideration required'. One of these is no longer relevant now that Dorset Council has become a unitary authority. The rest were 'Green - no issues'.
- 10.4 **Policies DM1 to DM11 Development Management policies:** The development management policies DM1 to DM11, used to determine planning applications, are considered to be working well. Policies DM1 and DM2 scored Amber, not being used as frequently as they could have been, but it is accepted that this was due to officers familiarising themselves with the policies of the Minerals Strategy following its adoption.
- 10.3 **Policy CC1 Preparation of Climate Change Assessments:** This policy scored red, due to a relatively low level of use. It seeks to ensure developers of mineral sites minimise production of CO<sub>2</sub> and maximise resilience to climate change impacts through the design of the development and restoration of mineral sites.
- 10.4 When the Minerals Strategy is reviewed the opportunity will be taken to strengthen climate change mitigation requirements. However it is considered that the current policy is adequate and appropriate at present. Further guidance will be provided to users of the policy, stressing the importance of this policy. The policy will continue to be monitored over the next year, and will be assessed again in 2021.
- 10.7 **Policy IS1 Industrial sand:** Some of the aggregate produced in Dorset has a relatively high silica content and can be used for purposes other than construction, such as industrial, leisure or agricultural uses. However the silica is not pure enough for high end industrial uses such as glass making, which would justify a separate silica sand landbank. This policy has not been used, and was scored Amber. The overall topic of availability of sand for non-aggregate use needs to be carefully considered when the Minerals Strategy undergoes formal Review. The policy will continue to be monitored over the next year, and will be assessed again in 2021.
- 10.8 **Policies SG1 to SG3 Mineral Safeguarding:** Each of these policies were assessed as Amber largely due to inconsistencies in their use and application. Policy SG2 is no longer needed, now that Dorset Council is a unitary authority.

This is another policy area where the Minerals Strategy would benefit from the provision of guidance to users in the short term, and more detailed assessment and amendments in the longer term, when the strategy is formally reviewed. In addition to preparation of guidance to officers using this policy, consideration will be given to the preparation of a Supplementary Planning Document (SPD) on Mineral Safeguarding, as referred to in the Minerals Strategy but not yet prepared. Policies SG1 and SG3 will continue to be monitored over the next year, and will be assessed again in 2021.

**10.9 Policy RS1 Restoration, Aftercare and Afteruse of Minerals Development:**

This policy scored Amber, partly due to potential inconsistencies in its application and the fact that the Minerals Strategy referred to the preparation of another SPD, this time on mineral site restoration. Once again guidance on the application of the policy will be prepared for users, and consideration will be given to the preparation of an SPD to explain the application of this policy. The policy will continue to be monitored over the next year, and will be assessed again in 2021.

**11. Conclusions**

- 11.1 While issues have been identified with the implementation and use of some of the policies during the 5-year review period 2014-2018, the Minerals Strategy is considered to remain effective. The policies where there is a greatest lack of clarity regarding their use are Policies CC1 (climate change), IS1 (industrial sand), RS1 (restoration, aftercare and after use) and safeguarding (SG1 and SG3).
- 11.2 Each of these along with the other policies scoring Amber have been separately considered, and although some action is needed in certain cases it is considered that no urgent Review of the overall Minerals Strategy, or any of the component policies, is required in the short term. The key actions are to provide further guidance to development management officers using the Minerals Strategy, and to validation teams and planning officers from the local planning Area Teams, on the operation of these policies; and to bring forward the preparation of one and possibly two Supplementary Planning Documents - on mineral safeguarding and possibly site restoration.
- 11.3 The Mineral Sites Plan 2019 (MSP) is intended to complement the Minerals Strategy and to contribute to delivering the strategies set out in it. As the MSP was only adopted at the end of 2019, it is considered that the two plans should have at least one year of working together before considering making changes to the MS (as the older of the two). This is considered a strong reason not to move to an early review of the MS.
- 11.4 In addition it is recognised that there are a number of current uncertainties nationally and internationally which could impact on future demand and supply for minerals:
- The Government is driving forward development to boost the housing market and enable the necessary infrastructure to support this.

- The publication of the recent Planning White Paper and the changes to the planning system this proposes are significant, and difficult to predict. Given the ongoing, and increasing, priority given to construction projects and house building, the need for minerals may increase.
- Offsetting this are Britain's exit from the European Union, and the uncertainty surrounding the ramifications of this.
- The far-reaching impact of the COVID-19 pandemic and the effects of this on the market are also difficult to predict, certainly in terms of mineral planning.

11.5 Given the recent adoption of the Mineral Sites Plan 2019 together with the current high level of uncertainty in mineral planning terms, it is considered appropriate to continue monitoring of all policies, and undertake another assessment in 2021. The Dorset Council Local Development Scheme will be amended accordingly to reflect this approach.

**Footnote:**

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.