



The Planning Inspectorate

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# **Report to Cambridgeshire County Council and Peterborough City Council**

**by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE**

**an Inspector appointed by the Secretary of State**

**Date: 26 March 2021**

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

## **Report on the Examination of the Cambridgeshire and Peterborough Minerals and Waste Local Plan**

The Plan was submitted for examination on 24 March 2020

The examination hearings were held between 15 and 17 September 2020

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## Abbreviations used in this report

AA	Appropriate Assessment
AWP	Aggregate Working Party
CA	Consultation Area
C&I	Commercial and Industrial Waste
CD&E	Construction, Demolition and Excavation Waste
DtC	Duty to Co-operate
EqIA	Equalities Impact Assessment
HRA	Habitats Regulations Assessment
LAA	Local Aggregates Assessment
MAA	Mineral Allocation Area
MDA	Mineral Development Area
MM	Main Modification
MPA	Mineral Planning Authority
MSA	Mineral Safeguarding Area
Mt	Million tonnes
Mtpa	Million tonnes per annum
NPPF	National Planning Policy Framework
NPPW	National Planning Policy for Waste
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SoCG	Statement of Common Ground
TIA	Transport Infrastructure Area
WMA	Waste management Area
WNA	Waste Needs Assessment
WPA	Waste Planning Authority
WRA	Water Recycling Area

## Non-Technical Summary

This report concludes that the Cambridgeshire and Peterborough Minerals and Waste Local Plan (the Plan) provides an appropriate basis for mineral and waste planning within the County of Cambridgeshire and the City of Peterborough, provided that a number of main modifications [MMs] are made to it. Cambridgeshire County Council and Peterborough City Council (the Councils), as joint Mineral Planning Authorities (MPAs) and joint Waste Planning Authorities (WPAs), have specifically requested that I recommend any MMs necessary to enable the Plan to be adopted.

Following the virtual hearing sessions, the Councils prepared schedules of the proposed modifications and, where necessary, carried out Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) of the changes. The MMs were subject to public consultation over a six-week period. In some cases I have amended their detailed wording where necessary. I have recommended the inclusion of the MMs in the Plan after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Ensuring that the calculation methodology used to determine that the provision required for the steady and adequate supply of sand and gravel is clear and reflects the requirement to maintain a seven-year landbank.
- Ensuring that the allocation of sites for mineral extraction adequately considers the significance of heritage assets, including any contribution made to their significance by their setting and that related policies and supporting text are consistent with the National Planning Policy Framework (NPPF).
- Ensuring that the approach to the safeguarding of mineral resources and infrastructure is robust and clear.
- Revising the approach to the provision of waste management facilities to be consistent with the locational strategy of the Plan.
- Revising the approach to the consideration of co-locational waste management development to be consistent with the broad spatial strategy for the location of new waste management development.
- Amending the Development Management Policies to provide clarification and consistency with the NPPF.
- A number of other modifications to ensure that the plan is positively prepared, justified, effective and consistent with national policy.

## Introduction

1. This report contains my assessment of the Plan in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the Duty to Co-operate (DtC). It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework 2019 (NPPF) (paragraph 35) makes it clear that, in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that Cambridgeshire County Council and Peterborough City Council have submitted what they consider to be a sound plan. The Cambridgeshire and Peterborough Minerals and Waste Local Plan, submitted in March 2020, formed the basis for my examination. It is the same document as was published for consultation in November 2019 to January 2020.

## Main Modifications

3. In accordance with section 20(7C) of the 2004, Act the Councils requested that I should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix to this report.
4. Following the examination hearings, the Councils prepared a schedule of proposed MMs. This was considered in the context of the SA and HRA. Where necessary, appropriate amendments were made to the SA. No further amendments were deemed necessary to the HRA. The MM schedule was subject to public consultation for a period of six weeks in November-December 2020.
5. I have taken account of the consultation responses in coming to my conclusions in this report and in this light I have made some amendments and deletions to the detailed wording of the MMs and added consequential modifications where these are necessary for consistency or clarity. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and SA and HRA that have been undertaken. Where necessary I have highlighted these amendments in the report. None of the responses to the MM consultation raised matters requiring further oral Hearings.

## Policies Map

6. The Councils (in collaboration with District Council's across Cambridgeshire) must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Councils are required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted Plan. In this case, the submission policies map comprises the set of plans identified as Proposed Submission

(Publication) Draft Policies Map – November 2019 as set out in Core Document CD05d.

7. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, none of the MMs recommended in this Report require corresponding changes to the policies map.

## **Context of the Plan**

8. The two Councils have previously produced a joint Minerals and Waste Development Plan Core Strategy Development Plan Document, adopted in July 2011, and a Minerals and Waste Development Plan Site Specific Proposals Development Plan Document, adopted in February 2012.
9. The Councils have identified that these two Plans are becoming out of date and in 2017 commenced a review of the adopted policies contained therein. This identified that some policies were in need of review and in light of the changes made to the national planning system since these Plans were adopted it was determined that a full review of the adopted Plans was necessary. Consequently, the new Plan submitted for examination is intended to replace both of the adopted Plans referred to above.

## **Public Sector Equality Duty**

10. Throughout the examination, I have had due regard to the equality impacts of the Plan in accordance with the Public Sector Equality Duty, contained in Section 149 of the Equality Act 2010. The Equalities Impact Assessment (EqIA) (CD09) identifies that the Plan does not lead to any adverse impacts or cause discrimination to any particular groups within the Plan area.
11. I have detected no issue that would be likely to impinge upon the three aims of the Act to eliminate discrimination, advance equality of opportunity and foster good relations or affect persons of relevant protected characteristics of age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.
12. In addition to the above protected characteristics, the EqIA also considers the impact on living in a rural area, particularly with regard to the impact of mineral development. Although where people live is not a characteristic protected by law, the Councils have taken into account how location may affect people's experience of a policy or service. By their nature, minerals can only be extracted where they occur. As most of the sites and allocations are in the rural areas, it is to be expected that residents living in areas around existing and proposed mineral sites will be affected more by the environmental and amenity impacts as opposed to those residing in urban areas.
13. The Plan seeks to mitigate any impact that comes to light as part of the more detailed planning application process. Policies in the Plan are proposed to be used to mitigate against any negative effects of a mineral/waste development proposal. Overall, I have no reason to question the conclusions of the

submitted EqIA that the Plan is not expected to discriminate against any sections of the community.

## **Assessment of Duty to Co-operate**

14. Section 20(5)(c) of the 2004 Act requires that I consider whether the Councils have complied with any duty imposed on it by section 33A in respect of the Plan's preparation. When preparing the Plan the Councils are required to engage constructively, actively and on an on-going basis with a range of local authorities and a variety of prescribed bodies in order to maximise the effectiveness of plan preparation with regard to strategic, cross-boundary matters.
15. Details of how the Councils have met this duty are set out in the 'Duty to Co-operate Statement' (CD08) and 'Statement of Consultation' (CD11a, CD11b and CD11c) and the Councils written responses to pre-hearing questions (WS30 – WS41). These documents set out where, when, with whom and on what basis co-operation has taken place over all relevant strategic matters.
16. The evidence demonstrates that the Councils have worked closely with neighbouring minerals and waste planning authorities, as well as some further afield where a strategic relationship was identified, and the relevant East of England Aggregate Working Party (AWP) and East of England Waste Technical Advisory Body throughout the plan-making process.
17. Also evident is the effective relationship the Councils have established and maintained with all of the relevant bodies listed in Part 2 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). In addition, consultation has taken place with a wide range of organisations and bodies as part of the formal consultation process. It is clear that many of the pre-submission changes to the Plan that were brought forward by the Councils were as a result of consultation with relevant parties to address their concerns in a constructive and active manner.
18. It should be emphasised that the DtC is not a duty to agree. Consequently, it is quite possible for it to be complied with, but for there to be outstanding matters between the Councils and other bodies. However, those matters do not lie with the DtC but with the content of the Plan which is addressed elsewhere in this report. Those disputes may relate to matters regarding the soundness of the Plan, but an unresolved dispute is not evidence of a failure in the DtC.
19. Overall, I am satisfied that, where necessary, the Councils have engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the DtC has therefore been met.

## **Assessment of Other Aspects of Legal Compliance**

20. The Plan has been prepared in accordance with the adopted Cambridgeshire Minerals and Waste Development Scheme (CD06a) and the Peterborough Local Development Scheme (CD06b). Both of these schemes share the same content and timetable for the production of the Plan.
21. Consultation on the Plan and the MMs was carried out in compliance with the adopted Cambridgeshire Statement of Community Involvement (SCI) (CD07a) and the adopted Peterborough SCI (CD07b). The Statement of Consultation – November 2019 (CD11b) and the Regulation 22(1)(c) Statement – March 2020 (CD11c) provide evidence of how community involvement has been achieved.
22. Sustainability Appraisal (SA) has been carried out on the Plan (CD02b and CD02c). In addition, each of the MMs were considered to determine whether further SA was required. Although some changes to the SA are necessary to reflect the content of some of the MMs, these do not change any of the scoring of the impacts evaluated therein nor do they change the conclusions of the SA. None of the MMs require additional SA assessments and overall, the SA is adequate.
23. The Habitats Regulations Report (HRA) – November 2019 (CD04c) includes an Appropriate Assessment (AA) to assess the effects of mineral and waste development on the Ouse Washes, Nene Washes and Fenland (Wicken Fen) Natura 2000 sites. The AA concluded that the Plan is compliant with the Habitats Regulations and will not result in likely significant effects on any of the Natura 2000 Sites identified, either alone or in combination with other plans and projects in the plan area. A HRA Addendum – January 2021 (CD04d) assessed the MMs to consider whether they affect the conclusions set out in the main HRA of November 2019. This identified that the MMs do not have any implications for the HRA.
24. The Plan includes aims, objectives and policies which address the strategic priorities for mineral and waste development and use of land for such purposes in the plan area.
25. The Plan includes objectives and policies designed to secure that mineral and waste development and use of land for such purposes within the plan area contribute to the mitigation of, and adaptation to, climate change (Headline Objective 3 and Policy 1).
26. The Plan complies with all other relevant legal requirements, including the 2004 Act (as amended) and the 2012 Regulations.



## Assessment of Soundness

### Main Issues

27. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified a number of main issues upon which the soundness of this Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

### **Issue 1 – Whether the Vision, Aims and Objectives of the Plan are appropriate, are soundly based and provide a suitable basis for meeting the future demand for minerals and future waste management needs sustainably.**

28. The overall vision of the Plan sets out the Councils' approach to the provision of a steady, adequate but sustainable supply of minerals over the Plan period (2016 to 2036) and includes a commitment to an increase in the use of secondary and recycled aggregates. It also seeks the retention and provision of a network of waste management facilities to enable the sustainable management of all wastes to achieve net waste self-sufficiency. The spatial vision provides an appropriate basis that guides the policies of the Plan.
29. The aims and objectives set out twelve objectives under eight key themes that demonstrate how the spatial vision is to be met. The first key theme relates to sustainable mineral development and refers to the need to safeguard mineral resources and maintain a steady and adequate supply of minerals. In this regard it is therefore generally compliant with paragraph 203 of the NPPF.
30. The second key theme sets out objectives for sustainable waste management which includes the achievement of net waste self-sufficiency. It also seeks to move the treatment of waste up the waste hierarchy and is therefore generally consistent with paragraph 3 of the National Planning Policy for Waste (NPPW).
31. The third key theme relates to resilience and restoration and includes three objectives that relate to the mitigation and adaptation to climate change, protection of water resources and the mitigation of flood risk and the safeguarding of productive agricultural land. However, for clarity and effectiveness, **MM01** is necessary to the criteria of objective three to ensure that operational practices and restoration recognise the need for the conservation of peat soils through sustainable soils management practices.
32. Other key themes provide support for sustainable economic growth associated with mineral and waste developments; maintain transport infrastructure but seek to promote more sustainable modes of transport; conserve and enhance the natural environment and landscape; protect and where possible enhance the character, quality and distinctiveness of the built and historic environment; protect and enhance the health and wellbeing of communities and minimise noise, light and air pollution.

33. The Plan is not clear in explaining how the effectiveness of its policies would be monitored to demonstrate whether the identified aims and objectives are being met or the extent to which progress is being made. **MM02** is therefore necessary to introduce new supporting paragraphs to the vision, objectives and aims to explain how the Plan will be monitored, including a commitment to publish an annual monitoring report. This is necessary to ensure that the Plan is effective.
34. The monitoring indicators themselves are set out in the SA (CD02c). There is no national legislative or policy requirement for an implementation and monitoring section to be provided in the Plan itself. Whilst historically local plans have included monitoring sections, in this case the Councils consider that the approach taken to provide the monitoring framework with the SA is consistent with that taken in the recently adopted Peterborough Local Plan (2019) and is consistent with the Planning Practice Guidance (PPG) (ID: 11-025-20140306).
35. The Councils' have suggested a modification to Appendix 2 of the SA which relate to the Plan Monitoring Indicators. However, I do not have the power to recommend main modifications to the SA. Therefore, I have not considered this suggested modification in this report.
36. Following on from the aims and objectives, Policy 1 of the Plan is an overarching policy applicable to all minerals and waste development that sets out a general approach to explain how development proposals will be assessed to ensure that they represent sustainable development and respond to the mitigation and adaptation of climate change.
37. Paragraph 3.6 is one of a number of paragraphs that provide supporting text to Policy 1. This paragraph relates to the impact of mineral extraction on high quality agricultural land. However, it does not recognise that restoration can also result in the loss of high-quality agricultural land by delivering biodiversity opportunities that are not associated with the after use of the restored site for productive agricultural operations. **MM03** is therefore necessary to reflect that restoration of a former mineral extraction site can also result in the loss of high-quality agricultural land and is necessary for clarity and effectiveness.
38. The Plan identifies that mineral products for infrastructure projects could come from existing or allocated mineral workings or from temporary 'borrowpits' sites located close to and specific to that project. Policy 7: Borrowpits sets out a criteria-based approach to the consideration of development proposals for borrowpits.
39. The use of borrowpits is also referred to in paragraph 3.13 which forms part of a series of paragraphs that sets out a general approach to the policies for the provision for mineral extraction in the Plan. However, paragraph 3.13, as currently worded, is inconsistent with the Statement of Common Ground (SoCG) agreed with Historic England (E005) and does not adequately reflect consideration of the planning balance in the determination of applications for borrowpits, particularly in respect of landscape impact. **MM04** addresses this matter which is necessary for the Plan to be effective.

## **Conclusion on Issue 1**

40. Subject to the identified MMs, I am satisfied that the Vision, Aims and Objectives of the Plan are soundly based and provide an appropriate basis for meeting the future demand for minerals and the management of waste sustainably and reflect an appropriate strategic approach for the Plan area.

## **Issue 2 - Whether the Plan makes appropriate provision for the steady and adequate supply of aggregate minerals.**

41. The NPPF looks to MPAs to plan for a steady and adequate supply of aggregates by preparing a Local Aggregates Assessment (LAA) based on a rolling average of ten years sales data and other relevant local information, and an assessment of all supply options (including marine-dredged, secondary and recycled sources). The approach to the calculation of the future demand for aggregate minerals over the Plan period is set out in the supporting Evidence Paper *Level of Provision and a Spatial Strategy for Minerals – November 2019* (PE01).

### *Sand and Gravel Provision*

42. The Evidence Paper (PE01) calculates the average sales rate of sand and gravel over a ten-year period based on the LAA 2018 (PE12b). This identifies that the rolling average of ten years sales data is 2.36 Million tonnes per annum (Mtpa). However, the PPG advises that LAA's must also consider other relevant local information in addition to the ten-year rolling supply and seek to look ahead at possible future demand, rather than rely solely on past sales. Such information may include, for example, levels of planned construction and housebuilding in their area and throughout the country. MPAs should also look at average sales over the last three years, in particular to identify the general trend of demand as part of the consideration of whether it might be appropriate to increase supply (PPG ID: 27-064-20140306).
43. The Evidence Paper considers, amongst other matters, aggregates sales trends over the past three years; cross boundary aggregate movements; performance of the local economy; past and proposed future housing development trends; and major construction projects and infrastructure. The Evidence Paper identifies that the three-year average sales (2015 - 2017) increased above the ten-year average to 2.89Mtpa.
44. However, the Evidence Paper also identifies that the 2017 sales figure appears to have been inflated by several sites recommencing production and that sales were also affected by the provision of sand and gravel from quarries (in addition to borrowpits), to supply the A14 road improvement scheme. The paper suggests that, in the future, there is likely to be a period of fluctuating production. It is therefore considered that utilising the three-year figure (2.89Mtpa) as the basis for the Plan provision is not sufficiently robust.
45. Taking account of the 2008 - 2017 ten-year average (2.36Mtpa) and the uplift shown by the 2015 - 2017 three-year average (2.89Mtpa), the Councils have

determined that an appropriate annual provision rate for sand and gravel over the Plan period is 2.6Mtpa. This represents the mid-point between the ten-year sales average and the three-year sales average and gives rise to a total requirement of 54.6Mt of sand and gravel over the Plan period.

46. Taking off sales in 2016 and 2017 (2.56Mt and 2.56Mt respectively) gives a remaining Plan period requirement of 48.48Mt. The LAA identifies that Cambridgeshire and Peterborough, at the end of 2017, had permitted reserves of 41.43Mt. This leaves a shortfall of 7.05Mt to be addressed in the Plan.
47. The question arises whether there would be an under-provision of sand and gravel resources over the Plan period due to the likelihood of increased demand caused by economic growth in the region, particularly associated with the Oxford-Cambridge Growth Corridor. However, without dismissing the possibility of significant future growth in the region, I consider that the annual LAA should be able to identify the consequences and impact there might be on sand and gravel resources, reserves and landbanks and whether a review of the Plan would be triggered earlier than might otherwise be the case. Consequently, at this time, I see no convincing reason to depart from the basis of the supply figures outlined above.
48. Therefore, I consider that the calculation of the annual provision of 2.6Mt of sand and gravel to the end of 2036 is sound and I conclude that the Plan as submitted adequately identifies the required provision for sand and gravel over the Plan period.
49. Whilst the Plan identifies the methodology used to calculate the annual provision of 2.6Mt, no calculation is provided to numerically demonstrate how the shortfall over the Plan period has been arrived at. **MM05** introduces a new paragraph that sets out numerically how the identified shortfall of 7.05Mt has been calculated. This is necessary for clarity and to ensure that the Plan is justified and effective.
50. Policy 2 of the Plan, amongst other things, identifies a number of allocations, identified as Mineral Allocation Areas (MAAs) on the Policies Map, where, in principle, and subject to the consideration of other policies within the Plan, would be suitable for sand and gravel extraction to meet the identified need. The site allocations themselves will be discussed later in this report.
51. Whilst potential reserves for each of the allocated sites is identified, the Plan does not numerically identify how the sites individually and collectively contribute to meeting the identified shortfall in sand and gravel provision over the plan period. **MM06** introduces a new table that sets out the anticipated extraction rate and start date for each of the allocated sites. This is necessary to provide clarity and justification in setting out how the allocations individually and collectively contribute to meeting the required supply over the Plan period.
52. **MM06** identifies that the allocations will provide 17.625Mt over the plan period leaving a potential surplus of 10.575Mt. Whilst Policy 2 of the Plan identifies that a steady and adequate supply of sand and gravel will be facilitated over the plan period, it does not clearly identify a need to maintain

a seven years landbank. In this regard, the Plan is not consistent with paragraph 207 of the NPPF.

53. **MM07** provides for an addition to the opening sentence of Policy 2 to reflect that the facilitation of a steady and adequate supply also includes the need to maintain a landbank of seven years. In addition, this MM also proposes an amendment to the wording in the footnote to Policy 2 to require that planning applications submitted in respect of the allocated sites also consider whether any land affected by the proposed development is functionally linked to the Nene Washes Special Protection Area and Ramsar Site. This MM is necessary in order for the Plan to be consistent with national policy and legislation.
54. Criterion 'a' of Policy 2 identifies, with certain exceptions, that permission for mineral extraction will only be granted on the MAAs identified in the policy but also from Mineral Development Areas (MDAs). Whilst MAAs are defined in the supporting text and the policy itself, MDAs are not defined until much later in the Plan. **MM08** provides an additional footnote to Policy 2 to explain that MDAs are defined as existing operational sites and committed sites (sites with planning permission but which are not yet operational or are dormant). This MM is necessary in order for the Plan to be effective.
55. The Plan recognises that a degree of flexibility will be required to ensure that a steady and adequate supply of aggregate minerals is maintained over the Plan period. Criterion 'b' of Policy 2 provides general development principles for mineral extraction from new sites outside of the MAAs and MDAs that may be required to maintain the landbank or are required to meet a proven need that cannot reasonably be met from the permitted or allocated reserves. Subject to compliance with other relevant policies in the Plan, this part of the policy provides the requisite degree of flexibility to enable the consideration of sand and gravel development proposals on unallocated sites that are necessary in order to maintain an adequate level of provision and meet any identified shortfall in the landbank.

#### *Allocated Sites for Sand and Gravel Provision*

56. Policy 2 of the Plan identifies nine sites to be allocated as MAAs for the extraction of sand and gravel. Each allocation has been subject to a comprehensive site assessment process set out in the *Site Assessment Methodology* (PE05), the *Outcomes Report* (PE06a) and *Technical Annex* (PE06b). I consider that these documents provide an appropriate and robust methodology for the identification of the allocated sites.
57. For each of the allocated sites, Policy 2 also identifies a number of individual site-specific requirements that need to be considered as part of any subsequent planning application. Amongst other considerations, these identify where development would have an impact on heritage assets and where assessment and mitigation may be required.
58. However, Historic England have identified that some of the site-specific requirements in relation to heritage assets may be unclear and insufficient to meet the requirement for the conservation and enhancement of the historic environment as set out in the NPPF. **MM09** and **MM11** provide additional site-specific requirements for Sites MO19 (Bare Fen & West Fen,

Willingham/Over), MO21 (Mitchell Hill Farm South, Cottenham), MO35 (Block Fen/Langwood Fen East, Mepal), MO29 (Gores Farm, Thorney), MO33 (Land off Main Road, Maxey) and MO34 (Gores Farm, Thorney) to include reference to the 'significance' of heritage assets including any contribution made to their significance by their settings.

59. **MM10** strengthens the requirements in relation to sites MO29 (Gores Farm, Thorney) and MO34 (Willow Hall Farm, Thorney) to ensure that development proposals must include a no-development buffer around on-site and off-site scheduled monuments. **MM12** provides for an additional site-specific requirement in relation to site MO33 (Land off Main Road, Maxey) requiring that any planning application for development proposals include a Heritage Impact Assessment to inform a heritage led restoration scheme.
60. In order to recognise the proximity and heritage value of an Iron Age and Roman Settlement located to the north west of site MO34 (Willow Hall Farm, Thorney), **MM13** provides an additional site-specific requirement which sets out that a comprehensive programme of archaeological investigation and possible mitigation will be required to be submitted as part of any planning application for mineral development on the site.
61. The above MMs are necessary in order for the Plan to be effective and consistent with the NPPF.

#### *Crushed Rock Provision*

62. Limestone extraction for aggregate production is limited to a small geographical area located to the north west of Peterborough. The LAA identifies only two limestone quarries with combined permitted reserves of 2.53Mt. The ten-year rolling average of sales of crushed rock in the Plan area is 0.3Mtpa. On that basis, the current permitted reserves provide 8.4 years supply which is insufficient to maintain a steady and adequate supply and the ten-year landbank required over the Plan period.
63. During the call for sites process in 2018 one additional site for limestone extraction was submitted which was not deemed to be suitable for allocation. Against this background, no evidence has been provided to conclusively demonstrate a practical need for the Plan to allocate any sites for primary aggregate provision. Therefore, no new allocations are proposed in the Plan. However, criterion 'b' of Policy 2 applies to all mineral development proposals outside of MDAs and MAAs and therefore also provides a degree of flexibility to enable the consideration of crushed rock development proposals. In the circumstances, I consider that the Plan is sound in the way it has dealt with crushed rock primary aggregate.

#### **Conclusion on Issue 2**

64. I am satisfied that the Plan, when considered with the recommended MMs, makes adequate provision for the steady and adequate supply of aggregate minerals and is fully justified by the evidence and is soundly based.

### **Issue 3 – Whether the Plan makes adequate provision for the encouragement of the use of secondary and recycled aggregates.**

65. The Plan's Vision, amongst other things, states that there will be an *'increased commitment to the use of secondary and recycled aggregates over land won material'*. This is reinforced by the Plan's third Objective which seeks to *'minimise the use of virgin mineral by encouraging the efficient use of materials (including the recycling and re-use of waste and the minimisation of construction waste)'*.
66. Although this matter is discussed elsewhere in this report in relation to the consideration of waste management, Policy 8 of the Plan is the principal policy which explicitly supports *'proposals which assist in the production and supply of recycled/secondary aggregates'*. It identifies suitable locations such as operational committed and allocated mineral sites, strategic development sites throughout the construction phase and appropriate waste management sites. In addition, it states that all development sites of 100 homes or more, or 5ha or more for employment sites, should include temporary inert and construction waste recycling facilities throughout all phases of construction.
67. However, the wording of Policy 8 is ambiguous in parts and lacks some clarity in defining whether the suitable locations identified in the policy are applicable only to proposals for concrete batching plants and/or also apply to proposals for secondary and recycled aggregate production. **MM27** is therefore necessary to provide the clarity to ensure that the provisions of the policy that relate to suitable locations are applicable to proposals for concrete batching plants and also secondary and recycled aggregate production.
68. This MM also provides further amendments to criterion 'a' of Policy 8 to make it clear that the suitability of such proposals on operational, committed and allocated mineral development sites is applicable for the duration of the working life of the mineral site only, unless a recycling operation would be compatible with the restoration scheme and linked to a temporary planning permission. This MM is necessary to ensure that the Plan is positively prepared and effective.
69. **MM26** provides additional supporting text to Policy 8 to reflect the changes made to criterion 'a'. **MM25** provides further supporting text to explain that the use of materials arising as a by-product of waste management facilities is encouraged to be used in construction activities. These MMs are necessary for the Plan to be effective.

### **Conclusion on Issue 3**

70. I am satisfied that the Plan, when considered with the recommended MMs, makes adequate provision for the encouragement of the use of secondary and recycled aggregates and is fully justified by the evidence and is soundly based.

**Issue 4 - Whether the Plan adequately balances the safeguarding of mineral resources and infrastructure and the needs of competing development.**

71. Objective 1 of the Plan provides for the safeguarding of mineral resources, and existing mineral development. This is consistent with paragraph 204 of the NPPF.
72. The mechanism for balancing the needs of competing non-mineral development with the need to protect the resource is through the identification of Mineral Safeguarding Areas (MSAs). The approach taken to define MSAs is set out in the evidence provided in *Mineral Safeguarding Areas – November 2019* (PE03). The boundaries of the MSAs are identified on the Policies Map (CD05d) where known deposits of sand and gravel, limestone, chalk and brickclay are to be found and constitute the extent of known reserves plus a 250m buffer.
73. Policy 5 – Mineral Safeguarding Areas (MSAs) provides for the MPA to be consulted on all proposals for non-mineral development which would occur within MSAs, subject to several exceptions of development types that are identified in the policy. Development not comprising any of these exceptions is required to meet one of four criteria identified in the policy.
74. Where specific sites are identified for current or future mineral development, namely MDAs and MAAs, Policy 16 – Consultation Areas (CAs) provides a 250m buffer around the edge of the identified site and a similar set of criteria to Policy 5. Policy 16 is also applicable to Waste Management Areas (WMAs), Transport Infrastructure Areas (TIAs) and Water Recycling Areas (WRAs) which are considered later in this report.
75. Policies 5 and 16 do not prohibit non-mineral development within 250m of the MSA, MDA or MAA, rather the policies ensure that the MPA is consulted so that the mineral is not unnecessarily sterilised or the operation of the MDA/MAA is not prejudiced.
76. Criterion 'I' of Policy 5 identifies that development within MSAs will only be permitted where there is an overriding need for the development in circumstances where prior extraction is not feasible. However, the question arises whether this provides sufficiently clear guidance as to how an overriding need for the non-mineral development and the feasibility of prior extraction is to be assessed. **MM23** provides a new footnote to Policy 5 to provide guidance on the factors that the MPA will take into account in the consideration of overriding need and explains that the viability of mineral extraction will be taken into account in determining whether prior extraction is appropriate. This MM is necessary for the Plan to be effective.
77. Criterion 'a' of Policy 5 relates to development within a settlement boundary and is one of the exceptions where the MPA does not require prior consultation on development proposals within such a boundary. The definition of a settlement boundary is provided in a footnote to Policy 5. However, the question arises whether this definition is clear and consistent with other development plans within the Plan area. **MM23** also includes



amendments to this footnote to provide clarity of the definition of settlement boundary.

78. Policy 6 of the Plan identifies that MDAs and MAAs are defined on the Policies Map and that within a MAA only development for which it is allocated will be permitted. Paragraph 4.5 provides supporting text to this policy to explain that the requirements of Policy 16 relating to CAs also covers proposals which fall within 250m of a MDA or MAA and that Policy 6 relates to development of the MDAs and MAAs themselves. However, the question arises whether paragraph 4.5 is sufficiently clear. **MM24** is necessary to expand on the guidance provided and the relationship between Policy 6 and Policy 16.
79. Evidence suggests that Policies 5 and 16 do not adequately reflect the 'agent of change' principle. This indicates that where the operation of an existing business or community facility could have a significant effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development is completed. I do not consider that any modifications are required to Policy 5 in this regard. However, I consider that **MM35** is required to Policy 16 of the Plan to make it clear that, in the consideration of proposals for non-mineral and non-waste management development within a CA, then the 'agent of change' principle will be applied. This is necessary in order for the Plan to be effective.
80. The requirements of Policies 5 and 16, the identification of MSAs, and the use of CAs are consistent with national policy. As such, they provide an appropriate framework that supports the objectives of the Plan for the safeguarding of mineral resources, mineral sites and associated infrastructure from non-minerals development.

#### **Conclusion on Issue 4**

81. I am satisfied that the Plan, when considered with the recommended MMs, appropriately balances the needs of competing development and makes adequate provision for the safeguarding of mineral resources and associated infrastructure.

#### **Issue 5 – Whether the Plan makes adequate provision for other minerals of significance in Cambridgeshire and Peterborough.**

##### *Brickclay*

82. The Plan identifies that brickclay extraction is to continue at existing consented sites that are located broadly in an area to the south and east of Peterborough. The NPPF requires that a stock of permitted reserves of at least twenty-five years is provided for brickclay to support new or existing plant (brickworks).
83. The Plan recognises that the current reserves are adequate to support the continued manufacturing of bricks in the Plan area over the Plan period and that the extensive reserves of brickclay close to the Whittlesey brickworks

should provide approximately twenty-five years of supply, thereby meeting the requirements of the NPPF.

84. However, the Plan recognises that there may be a need to release additional reserves to ensure continuity of supply and meet any potential identified shortfall in the reserve position if there is any future significant increase in demand. Policy 2 identifies two MMAs for brickclay. Site M023 provides for 0.04Mt of reserve to supply a localised specialist brickworks at Burwell. Site M028 provides for approximately 27Mt of reserve at Kings Delph, Whittlesey.
85. Overall, the Plan makes adequate provision for a steady and adequate supply of brickclay to maintain at least twenty-five years permitted reserves. Therefore, I consider that the provisions in the Plan for brickclay are sound.

#### *Building Stone (including Clunch)*

86. The Plan does not make any allocations for building stone which the Councils suggest is due to the very limited resources within the Plan area. However, the question arises whether the Plan should make provision for the supply of building stone, in particular clunch (hardened chalk), that is necessary for maintenance of the historic environment in the plan area. Clunch was periodically extracted as part of the working of the Barrington Chalk Quarry which has now closed.
87. No sites for the working of clunch came forward during the preparation of the Plan. However, reserves are protected by the MSA for chalk which is identified on the Policies Map and is subject to the provisions of Policy 5 as discussed earlier in this report. Should the working of building stone or clunch be proposed during the Plan period, criterion 'a' and 'b' of Policy 2 provide an appropriate basis for the consideration of any such proposals.

#### *Other Industrial Minerals*

88. Very limited resources of chalk and limestone for non-aggregate purposes exist within the Plan area. Given the limited resources available, no specific MAAs are proposed for these minerals. However, the Plan seeks to continue extraction on a small scale to meet specialist needs. Such provision would be made via the working of existing permitted sites or via the provisions of Policy 2.
89. The potential for industrial chalk extraction from a site at Steeple Morden came to light during the consultation exercise on the Proposed Submission Plan. Consequently, this was not considered and evaluated through the *Site Assessment Methodology* (PEO5) that informed the MAAs. The extent to which this site may have been suitable to be allocated as a MAA is a matter of conjecture. Nonetheless, Policy 2 enables any such proposals to be considered through the submission of a planning application as the policy provides 'in principle support' for other mineral proposals subject to meeting the criteria set out in the policy.

## Conclusion on Issue 5

90. I am satisfied that the Plan, when considered with the recommended MMs, provides an appropriate basis for the provision of minerals of significance (other than aggregates) in Cambridgeshire and Peterborough and is positively prepared, justified, effective and consistent with national policy in this respect.

## Issue 6 – Whether the methodology used to identify the waste that needs to be managed in the Plan area is robust and justified.

91. The overall objective of the Plan is to deliver a net self-sufficiency in waste management capacity within the Plan area and move the treatment of waste up the waste hierarchy. Whilst I recognise that there is no national policy requirement to achieve net self-sufficiency, this approach is not unusual and is increasingly adopted in Local Plans.
92. The '*Waste Needs Assessment - November 2019*' (PE04) identifies that jointly, in 2017 Cambridgeshire and Peterborough produced approximately 2.782Mtpa of various types of waste comprising 0.415Mt of municipal waste (15%); 0.674Mt of commercial and industrial (C&I) waste (24%); 1.649Mt of construction, demolition and excavation (CD&E) waste (59%); and 0.044Mt of hazardous waste (2%).
93. In general, three quarters of waste arisings can be attributed to Cambridgeshire with a quarter to Peterborough. The Waste Needs Assessment (WNA) suggests that waste arisings are likely to increase to 3.163Mtpa by the end of the Plan period (2036).
94. The majority of waste produced in the Plan area is currently managed via the following broad methods: processing of waste in preparation for reuse or recycling accounts for around a third, inert recovery accounts for another third, other recovery and treatment accounts for a tenth with disposal to landfill for the remaining waste.
95. The baseline data informing the WNA is supported by the *East of England Waste Technical Advisory Body (WTAB) Waste Arisings Methodology Paper – Section 2: Waste Arisings* (PE10). Consideration of local future growth forecasts was incorporated into the waste arisings forecasts set out in the WNA over the Plan period. Overall, I consider that the background evidence supports my view that the approach taken in the Plan to identify the waste capacity needs at five yearly intervals from 2021 onwards is sound.
96. Policy 3: Waste Management Needs, and the supporting text, identifies the capacity gap, which is the future need for waste management facilities, and where capacity surplus may exist for various waste streams. The policy contains two tables that consider indicative waste management capacity needs. The first considers capacity needs for recovery, treatment and recycling operations and the second considers deposit to land and disposal.
97. **MM17** is necessary for effectiveness and provides for a replacement of the first table in Policy 3 to be consistent with Table 14 of the WNA. Further text is also provided to explain that existing capacity includes permitted but not

operational capacity and that the new figures show the adjusted capacity gap (or surplus) that would result if the permitted but not yet operational capacity comes on stream.

98. The question arises whether recently permitted sites that are not yet operational, but where implementation is considered likely, should be included in the calculation of existing waste management capacity in the Plan area. In my view, the inclusion of these sites in the calculation is neither unusual nor unsound.
99. **MM16** provides additional text and a footnote to paragraph 3.41 to explain the relationship of Policy 3 to the WNA and to explain that permitted, but not yet operational, sites have been taken into account in determining future needs. This MM is necessary in order for the Plan to be effective.
100. The approach enables a fuller picture of potential waste management capacity to be gained over the Plan period. However, I recognise the concerns that the existence of permitted non-operational sites could be given weight in the consideration of planning applications for waste management development.
101. In response to this issue, **MM17** also provides for the amendments to the table to show the capacity gap if the approved facilities do not come on stream as anticipated. In addition, **MM14** and **MM15** provides changes to paragraphs 3.37 and 3.39 respectively of the supporting text to Policy 3. These identify that the identification of the capacity needs in Policy 3 do not form a ceiling and that, in principle, the Councils are supportive of proposals for additional capacity where this would drive waste management up the waste hierarchy. These MMs are necessary in order for the Plan to be justified and effective.
102. **MM17** also provides for additional text to Policy 3 that confirms that the net capacity figures in the table are not ceilings for recycling, treatment or the recovery of waste. In addition, three criteria are added that identify that waste management proposals would be supported where they assist in closing any identified gap or any future gap identified in the annual monitoring of the Plan, or moves waste capacity already identified in the table contained within Policy 3 up the waste hierarchy.
103. When taken as a whole, I consider that the Plan sets out a clear intent to support opportunities for additional waste management capacity to drive waste up the hierarchy and does not suggest that undue weight would be attached to non-operational capacity in the consideration of planning applications.
104. The WNA and the supporting text to Policy 3 identifies that there is sufficient waste management capacity within Cambridgeshire and Peterborough (jointly) to achieve net self-sufficiency with respect to composting, inert recycling and soil treatment throughout the Plan period; and for re-use and recycling, including treatment of waste, and other forms of recovery mid-way through the Plan period.
105. There may be a capacity gap of approximately 0.120Mtpa by the end of the Plan period for materials recycling. However, this would be dependent on the

actual recycling capacity provided by sites undertaking transfer/treatment that would be likely to undertake increasing recycling activities over the Plan period.

106. There is sufficient inert landfill and recovery void space to accommodate most of the Plan area's needs over the Plan period. The Plan acknowledges that any required additional capacity can be accommodated by void space associated with the restoration of mineral extraction sites. Consequently, no new inert landfill or recovery sites (not associated with restoration of mineral extraction sites) are required over the Plan period.
107. Corresponding changes to paragraphs 3.37 and 3.39 of the supporting text to Policy 3 are necessary to reflect the fact that disposal of waste is the least desirable option in the waste hierarchy and that the approach of the Plan is to support opportunities that move waste management away from landfill. These are provided by **MM14** and **MM15**.

### **Conclusion on Issue 6**

108. I am satisfied that the Plan, when considered with the recommended MMs, provides an appropriate and robust basis to identify the provision that needs to be made for waste management capacity over the Plan period and is fully justified by the evidence and is soundly based.

### **Issue 7 – Whether the Plan makes appropriate provision for the future management of waste.**

109. The Plan has been prepared on the basis that across the plan area, existing and committed waste sites will meet the majority of identified needs over the Plan period. This is on the basis that the indicative future waste management needs of the Plan area (to achieve net self-sufficiency) are relatively low. In addition, existing and committed sites have a potential to increase recycling capacity and other recovery capacity is likely to come forward on permitted but not yet operational sites.
110. As such the strategy of the Plan is not to make specific allocations for new waste sites. Instead, Policy 4: Providing for Waste Management sets out a broad spatial strategy for the location of new waste management development. It identifies settlements where such facilities should be located and provides criteria which direct proposals to suitable sites.
111. Whilst no specific allocations are made, the Plan recognises that facilities may be required for development that supports more sustainable waste management, assists in moving the management of waste up the waste hierarchy and responds to the proximity principle requiring facilities to be located close to the source of waste generation.
112. Paragraph 4 of the National Planning Policy for Waste (NPPW) sets out criteria for identifying suitable sites and areas for waste management facilities. They include the consideration of a broad range of locations including industrial sites, opportunities to co-locate waste management facilities and giving priority to re-using previously developed land and sites identified for employment purposes.

113. The identification of broad locations for strategic and non-strategic waste management facilities is consistent with the guidance provided in the NPPW and offers the opportunity for waste development proposals to come forward across the Plan area in locations that are likely to experience development. The Plan does not place any ceiling on operations for recycling, treatment or recovery of waste. Therefore, in addition to existing and committed sites, it provides for the opportunity for a range of sites to come forward which can contribute to reducing the capacity gap and move future waste management up the waste hierarchy.
114. Whilst Policy 4 sets out the broad strategy for the location of waste management development, it does not adequately reflect the Plan's Objective for sustainable waste management, which includes supporting development that enables waste to be managed as far up the hierarchy as possible and contributing to the aspiration for net-self-sufficiency. Furthermore, it does not adequately explain that part of the locational strategy is that new or extended waste management facilities should be located within the settlement boundary of existing or planned main urban areas. **MM22**, as amended below, is necessary to address these matters and is required in order for the Plan to be effective.
115. **MM22** also provides further support for co-location where there are benefits to the restoration of a mineral site or where the proposal is specifically linked to existing waste management operations already taking place on a site, subject to the consideration of other policies of the Development Plan. It also identifies that additional capacity for the disposal of non-hazardous waste should be through extensions to existing sites, unless such extensions would prejudice other strategic objectives.
116. The question arises whether Policy 4 is sufficiently clear and unambiguous with regard to the approach to the consideration of proposals for the co-locational of waste management facilities. **MM22** and the modifications to the supporting text of the policy, which are considered below, have sought to address this matter. However, there remains some concern that the Plan is unclear in its approach to waste management development on existing sites that are located outside of main settlements in circumstances where this may not contribute to co-location benefits.
117. **MM22**, as proposed and consulted on by the Councils, includes, amongst other things, a new paragraph 6 of Policy 4 relating to new waste management facilities that are unable to demonstrate the benefits of co-location but are within the planning permission boundary of existing waste management sites and are located outside of the main settlement. The paragraph sets out that new waste management facilities in such circumstances will, in principle, be supported where they can demonstrate benefits, such as existing transport links and/or moving waste management up the hierarchy.
118. However, paragraph 2 of Policy 4 already identifies that waste management proposals must demonstrably contribute towards sustainable waste management by moving waste up the hierarchy. In addition, I accept the view that an existing waste site would already have existing transport links.

119. Consequently, I consider that the part of the consulted upon **MM22** that provides for a new paragraph 6 is unnecessary in its reference to existing transport links and/or pushing waste management up the hierarchy. I have therefore deleted these aspects from **MM22** and the relevant supporting text as set out in the Appendix to this report.
120. In circumstances where future waste management sites may not be available in employment areas or strategic employment areas, the existing paragraph 5 of Policy 4 provides support to the location of new waste management proposals on other suitable sites within the urban area or on the edge of them. However, I recognise that there are existing operational waste management sites, that may have significant capital investment in plant and machinery but are not located within or on the edge of the urban area. It is these sites that the proposed paragraph 6 provided by **MM22** sought to address.
121. Paragraphs 3.42, 3.44, 3.45 and 3.47 are part of a number of paragraphs that provide supporting text to Policy 4. Corresponding modifications are necessary to these paragraphs to reflect the changes to Policy 4 as a consequence of **MM22** and also to reflect those aspects of the **MM22** which I consider should be deleted. **MM18, MM19, MM20** and **MM21** addresses these matters and are necessary in order for the Plan to be effective.
122. **MM21** provides additional text to explain how Appendix 3 of the Plan (*The Location and Design of Waste Management Facilities*) should be taken into account in considering the design and location of new facilities. This is necessary to ensure that the Plan is consistent with paragraph 7 of the NPPW in respect of the design of new waste management facilities in relation to the character and quality of the area in which they are located.
123. A question also arises whether Policy 4 should specifically identify support for Energy from Waste facilities which can assist in moving residual waste from landfill and up the hierarchy and provide secondary aggregate in the form of 'Incinerator Bottom Ash'.
124. The Plan, together with the suggested modifications, is clear that support will be given to waste management development that moves waste up the hierarchy. I also note that the Councils' approach in the Plan and in the WNA is technology neutral. Energy from Waste is one form of such movement and sits towards the top of the hierarchy. I therefore do not consider that specific reference is required to energy recovery as support for proposals that move the management of waste up the hierarchy, irrespective of the technology proposed to be used. This is already implicit in Objective 2 and Policy 4. In addition, the benefits of by-products of waste management activities, including their use as a source of construction materials, are recognised in **MM25** which has been considered earlier in this report.
125. Paragraph 5.1 of the Plan is one of a number of paragraphs that provide supporting text to Policy 10: Waste Management Areas (WMAs). This paragraph explains that WMAs are specific sites identified on the Policies Map for waste management facilities and consist of existing operational sites and committed sites.

126. Policy 10 identifies that non-waste management development will not be permitted on a WMA unless it is compatible with the use of the site as identified in the Development Plan or is a development that would provide clear regeneration benefits that would outweigh the harm of discontinuing the site as a WMA. **MM31** provides additional text to Policy 10 to define WMAs, identify that waste management development proposals within WMAs would be considered under Policy 4 and identify that other development proposals would need to be identified on non-Mineral and Waste Plans that are part of the Development Plan for the area. This MM is necessary in order for the Plan to be effective.
127. Corresponding changes to the supporting text provided in paragraphs 5.1 and 5.2 are necessary. These are provided in **MM28** and **MM29**.
128. Paragraph 5.3 identifies that Policy 16: Consultation Areas also relates to proposals which fall within a WMA or within 250m of its boundary. However, the current paragraph lacks clarity and **MM30** is necessary to address this matter.
129. Policy 11: Water Recycling Areas (WRAs) provides a criteria-based approach to the consideration of development proposals for sewage and wastewater infrastructure. However, the text of the policy does not wholly accord with that contained in the SoCG agreed with the Environment Agency (PE11) and fails to require the application of the sequential and exception tests in the consideration of such development within flood zones 3. Also, as currently worded, the policy requires that new water recycling development has ready access to the sewerage infrastructure, which may not be the case in circumstances where significant new development is proposed. **MM33** therefore addresses these issues and is necessary in order for the Plan to be effective.
130. Existing and planned facilities for water recycling are identified on the Policies Map as WRAs. Paragraph 5.5 of the Plan provides supporting text to Policy 11 and refers to the fact that the requirements of Policy 16: Consultation Areas (CAs) also applies to development proposals which fall within 400m of a WRA. However, the paragraph does not make it clear that the requirements of Policy 16 also apply to development proposals on the WRA itself, as well as within 400m of its boundary. **MM32** addresses this matter for effectiveness.

### **Conclusion on Issue 7**

131. I am satisfied that the Plan, when considered with the recommended MMs, provides appropriate provision for the future management of waste in Cambridgeshire and Peterborough and is positively prepared, justified, effective and consistent with national policy in this respect.



**Issue 8 - Whether the policies for minerals and waste management proposals strike an appropriate balance between seeking to provide necessary development and protecting people and the environment.**

132. The Plan contains a number of development management policies (Policies 15 and 17 to 26) that collectively seek to control impacts from future mineral and waste development. These include criteria-based policies that consider, amongst other things, the impacts of development on transport infrastructure; design considerations; amenity considerations; restoration and aftercare; biodiversity and geodiversity; the historic environment; water resources; traffic, highways and public rights of way; sustainable use of soils; aerodrome safeguarding and other developments requiring the importation of soils.
133. Apart from Policies 18, 19, 21, 24, 25 and 26 and the supporting text, which are sound without modification, the remaining development management policies are considered below.

*Policy 15: Transport Infrastructure Areas (TIAs)*

134. Whilst this policy is sound without modification, changes are required to the supporting text provided in paragraph 6.3 to clarify that the Policy only applies to development within TIAs themselves. This is provided in **MM34** which is necessary in order for the Plan to be effective.

*Policy 17: Design*

135. This policy sets out a criteria approach to the consideration of design issues in mineral and waste management development, including restoration, with particular regard to local character and distinctiveness. However, the opening paragraph of the policy fails to fully reflect paragraph 127 of the NPPF in terms of requiring development and restoration to be sympathetic to local character. In addition, none of the criterion of the policy reflect paragraph 127(c) of the NPPF.
136. **MM36** is therefore necessary to address the inconsistency in the opening paragraph of Policy 17 and **MM37** provides a new criterion that is reflective of the guidance contained within paragraph 127(c) of the NPPF. These MMs are necessary to ensure that the Plan is effective and consistent with the NPPF.
137. Criterion (g) of the policy relates to landscape enhancement, including the consideration of the historic landscape. However, this criterion does not refer to the need to take into account historic landscape characterisation. **MM38** addresses this matter and is necessary in order for the Plan to be effective.

*Policy 20: Biodiversity and Geodiversity*

138. This policy, amongst other things, relates to the consideration of development proposals that may affect 'International Sites' and 'National Sites' of nature conservation or geological importance. In relation to 'National Sites', this part of the policy relates to development proposals located within or outside of a Site of Special Scientific Interest (SSSI). However, as currently worded, this part of the policy is inconsistent with paragraph 175(b) of the NPPF by failing

to reflect the location of development. **MM39** addresses this matter and is necessary in order for the Plan to be effective and consistent with national policy.

*Policy 22: Water Resources*

139. This policy sets out the factors to be taken into account in the consideration of the impact of mineral development proposals on water quality and the integrity of water bodies and watercourses. As currently worded, the policy and supporting text are inconsistent with the revised wording and title of the policy as set out in the SoCG agreed between the Councils and the Environment Agency, dated May 2020 (PE11). The suggested revised wording set out in the SoCG provides a coherent basis for the application of the policy and revises its title to 'Flood and Water Management'. **MM41** is therefore necessary to ensure that the Plan is effective and consistent with the SoCG.
140. Corresponding additions are necessary to the supporting text to reflect the modifications made to Policy 22. **MM40** is therefore necessary to address this matter to ensure consistency with the SoCG and to recognise that the use of Sustainable Drainage Systems may not be feasible in all cases.

*Policy 23: Traffic, Highways and Rights of Way*

141. This policy, amongst other things, provides a criteria-based approach to the consideration of the impact of minerals and waste management proposals on the highway network and rights of way. Part 'e' of the policy requires binding agreements covering lorry routing and/or signage if necessary and reasonable to make a development acceptable. However, neither the policy nor the supporting text provide any explanation of the legal provisions through which such agreements would be made or how these would be enforced. **MM42** addresses this matter and is necessary to ensure that the Plan is effective.
142. The final paragraph of the policy requires that development proposals should make provision for the enhancement of the public rights of way network where practicable. However, this part of the policy does not clearly explain at what stage of development such enhancements should be made and in particular whether this can be interpreted erroneously to mean that they should be considered only at the restoration stage of a mineral working. Furthermore, the policy does not take into account how any necessary diversions of public rights of way to facilitate mineral extraction can also provide opportunities for enhancement to the public rights of way network by the provision of new routes. **MM43** addresses these matters and is necessary to make the Plan effective.

**Conclusion on Issue 8**

143. Subject to the identified MMs, the policies for minerals and waste management proposals and their supporting text provide a balanced and comprehensive approach to the control and management of development that accords with national policy. Accordingly, with those MMs in place, I find this part of the Plan to be sound.

**Issue 9 – Whether the detailed development requirements for the Plan allocations as set out in Appendices 1 to 3 to the Plan provide appropriate guidance for the submission of development proposals.**

144. Appendices 1 and 2 to the Plan identify the main environmental and amenity impacts that need to be considered in any planning applications for mineral development proposals on the proposed MMAs identified in Policy 2.
145. **MM44** is necessary to modify the text provided for Site MO19 (Bare Fen & West Fen, Willingham/Over) to recognise the presence of peat soils and the proximity of the site to the RSPB Ouse Fen Nature Reserve. In addition, the MM provides for a preferred restoration to a reedbed habitat as an extension to the existing approved restoration scheme at Needingworth Quarry.
146. Modification is required to the 'archaeology' theme of Site MO28 (Kings Delph, Whittlesey) to require development proposals to include a detailed programme of archaeological mitigation which ensures that de-watering of archaeological sites does not occur. In addition, restoration should provide appropriate context for the setting of the nearby 'Must Farm Bronze Age Settlement'. This modification is provided by **MM45** and is necessary in order for the Plan to be effective and to ensure that the archaeological implications of mineral extraction within the allocation area are properly taken into account.
147. **MM46** provides additions to the text for Site MO33 (Land off Main Road, Maxey) to reflect the proximity of the site to the Maxey, Northborough and Etton Conservation Areas. This MM reflects the proximity of the site to heritage assets as identified within the content of the SoCG agreed with Historic England, dated July 2020 (E005). This MM is therefore necessary to ensure that the Plan is effective and consistent with the NPPF and SoCG.
148. Additional text for Site MO35 (Block Fen/Langwood Fen East, Mepal) is necessary to refer to the presence of deep peat soils and to require development proposals to consider any measures necessary to conserve this resource. This necessary modification is provided by **MM47**.
149. Appendix 2 of the Plan provides a more detailed Master Plan for mineral extraction on the Block Fen/Langwood Fen sites which includes Sites MO35 (Block Fen/Langwood Fen East, Mepal) and MO36 (Block Fen/Langwood Fen West, Mepal). Paragraph 2.2 sets out a number of objectives that sand and gravel extraction should achieve and includes the need to create flood storage with an ambition to eventually create 24,100 m<sup>3</sup> per hectare of water storage capacity. **MM48** provides modifications to the seventh objective of this paragraph to ensure that any created flood storage accords with the Environment Agency's *Cranbrook/Counter Drain (Welches Dam) Strategy*. This is necessary to ensure consistency with the SoCG agreed with the Environment Agency (PE11). In addition, this MM also provides additional text to the eleventh objective to require that the sustainable use of soils also includes the conservation of peat soils.
150. Section 6 of Appendix 2 provides more detailed consideration of the need for flood water storage. Paragraph 6.11 identifies that the Environment Agency is seeking to maintain a flood risk of 1 in 25 years but does not refer to the

requirements of the *Cranbrook/Counter Drain (Welches Dam) Strategy*. Therefore, **MM49** is necessary in order for this paragraph to be consistent with the modification provided by **MM48** and the SoCG agreed with the Environment Agency (PE11).

151. **MM50**, **MM51** and **MM52** provide additional text to paragraphs 6.14, 6.17 and 6.18 respectively of Appendix 2. These paragraphs provide more guidance on the floodwater storage requirements of the Master Plan and are also necessary to ensure consistency with the SoCG agreed with the Environment Agency (PE11).
152. Appendix 3 provides detailed guidance on the location and design of waste management facilities. It is referenced in paragraph 3.47 of the Plan which provides supporting text to Policy 4: Providing for Waste Management and in Policy 17: Design. The guidance provided in Appendix 3 is intended to expand on the locational and design requirements of these policies. On adoption of the Plan the existing '*Location and Design Supplementary Planning Document – July 2011*' will be revoked and superseded by this Appendix.
153. Paragraph 2.8 of Appendix 3 relates to the provision of appropriate buffer areas between waste management facilities and residential areas. The Appendix also contains an indicative graphical representation titled 'Urban Location Plan' that shows how landscaping buffers could be applied between waste management proposals and residential development. **MM53** provides necessary additional text to paragraph 2.8 to refer to the indicative Urban Location Plan in consideration of landscaping and open space to form appropriate buffers to nearby residential areas.
154. Appendix 3 contains a number of air quality considerations and provides a table '*Air Quality Principles*' that should be taken into account in the submission of planning applications for waste management facilities. **MM54** provides for necessary clarity by the replacement of the existing text in this table with new text that includes the protection of 'sensitive receptors'.

### **Conclusion on Issue 9**

155. Subject to the recommended MMs, the detailed development requirements for the Plan allocations, as set out in Appendices 1 to 3, provide appropriate guidance for the submission of development proposals.

### **Issue 10 - Whether the implementation and monitoring of the Plan will be effective.**

156. As explained earlier, **MM02** introduces new supporting paragraphs to the vision, objectives and aims of the Plan to explain how the Plan will be monitored and commits to monitoring through the publication of an annual Authorities Monitoring Report. LAAs also provide a monitoring mechanism specific to aggregate landbanks.
157. I consider that the publication of an annual Authorities Monitoring Report provides an appropriate regular assessment of how effective the policies are proving to be in meeting their objectives, thereby facilitating the identification of any changes needed including the need for any early review of the Plan.

### **Conclusion on Issue 10**

158. Subject to the recommended **MM02**, I am satisfied that the Plan provides a comprehensive, effective and robust framework for monitoring its delivery.

### **Overall Conclusion and Recommendation**

159. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend that it not be adopted as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.

160. The MPAs have requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that the Duty to Cooperate has been met and that, with the recommended main modifications set out in the Schedule of Main Modifications, the Cambridgeshire and Peterborough Minerals and Waste Local Plan satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

*Stephen Normington*

Inspector

This report is accompanied by an Appendix containing the Main Modifications.

## Appendix – Main Modifications

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining and bold font for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification
MM01	9	Objective 3	<p>Amend Objective 3 to include specific reference to peat soils as follows:</p> <p>Support climate change mitigation and adaptation, and seek to build in resilience to the potential effects of climate change</p> <p>encourage operational practices and restoration proposals <b><u>(including the conservation of peat soils through sustainable soil management)</u></b> which minimise or help to address climate change</p>
MM02	12	Paragraph 2.7	<p>Add the following text after Paragraph 2.7:</p> <p><b><u>Implementation and Monitoring</u></b></p> <p><b><u>2.8 The policies in this Plan will be implemented through the Councils' Development Management activities, and in some cases those of the Cambridgeshire City / District Councils. These activities include pre-application advice and discussions, the making of decisions on planning applications, and the operation of the Councils' compliance functions to ensure planning control is properly enforced.</u></b></p> <p><b><u>2.9 Preparation of a plan is not a 'one-off' activity, it is part of a process that involves keeping a check on how successful the Plan is, in delivering what it sets out to do, and making adjustments to the Plan if the checking and monitoring process reveals that changes are needed.</u></b></p> <p><b><u>2.10 The Councils each produce an annual Authority's Monitoring Report (AMR). The AMRs will report on the progress of allocated mineral sites and mineral landbank figures, alongside a review of the amount of waste managed and the existing waste</u></b></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<b><u>management capacity across the Plan area (including new capacity that has been achieved through the grant of planning permission) in line with the strategic objectives of this Plan. This will allow the Councils to identify any potential changes required if a particular policy in the Plan is not operating as intended. The Councils have developed a set of monitoring indicators with which to help measure this. These monitoring indicators can be found in the accompanying Sustainability Appraisal, which was prepared alongside the preparation of this Plan and is available on the Councils' websites.</u></b>
MM03	14	Paragraph 3.6	Make textual change as follows:  Mineral development especially <b><u>and the subsequently restored mineral site</u></b> can cause considerable loss of high quality agricultural land and/or peat land, and is an important consideration for proposals. However....
MM04	16	Paragraph 3.13	Insert at the end of the paragraph additional text:  the landscape or other <b><u>matters from borrowpits, and permission of any such site must take account of the full planning balance.</u></b>
MM05	17	Paragraph 3.19	After paragraph 3.19 insert new paragraph, as follows:  <b><u>An annual provision rate over the plan period (2016 to 2036) of 2.6Mt would give rise to a total requirement for 54.6Mt of sand and gravel. Taking off sales in 2016 and 2017 (2.56Mt and 3.56Mt respectively), this leaves a remaining plan period requirement of 48.48Mt. At the end of 2017, the plan area had permitted reserves of 41.43Mt. Subtracting permitted reserves of 41.43Mt from the remaining requirement (48.48Mt) leaves a potential shortfall of 7.05Mt to be addressed.</u></b>
MM06	17	Paragraph 3.21	After paragraph 3.21 insert new paragraph, as follows:  <b><u>The proposed allocations will provide 17.625Mt over the plan period, leaving a potential surplus of 10.575Mt. This provides an additional margin of flexibility and equates to just over 4 years supply at the provision rate of 2.6Mtpa. The reserves, anticipated start date, and indicative extraction rate of each allocation are shown in the table below, and for the avoidance of doubt, the extraction expected</u></b>

Ref	Page	Policy/ Paragraph	Main Modification																																				
			<p><b><u>to take place at sites beyond 2036 has been discounted in the table below and does not contribute to the provision to be made during the plan period.</u></b></p> <table border="1"> <thead> <tr> <th><u>Site</u></th> <th><u>Estimate of Plan Period Reserve (Mt)</u></th> <th><u>Anticipated Start Date</u></th> <th><u>Indicative Extraction Rate (Mtpa)</u></th> </tr> </thead> <tbody> <tr> <td><u>M019: Bare Fen &amp; West Fen, Willingham/Over</u></td> <td><u>3.000</u></td> <td><u>2031</u></td> <td><u>0.800</u></td> </tr> <tr> <td><u>M021: Mitchell Hill Farm South, Cottenham</u></td> <td><u>0.140</u></td> <td><u>2036</u></td> <td><u>0.140</u></td> </tr> <tr> <td><u>M022: Chear Fen, Cottenham</u></td> <td><u>0.820</u></td> <td><u>2030</u></td> <td><u>0.140</u></td> </tr> <tr> <td><u>M028: Kings Delph, Whittlesey</u></td> <td><u>0.350</u></td> <td><u>2030</u></td> <td><u>0.050</u></td> </tr> <tr> <td><u>M029: Gores Farm, Thorney</u></td> <td><u>1.600</u></td> <td><u>2026</u></td> <td><u>0.300</u></td> </tr> <tr> <td><u>M033: Land off Main Road Maxey</u></td> <td><u>1.925</u></td> <td><u>2030</u></td> <td><u>0.275</u></td> </tr> <tr> <td><u>M034: Willow Hall Farm, Thorney</u></td> <td><u>2.800</u></td> <td><u>2023</u></td> <td><u>0.200</u></td> </tr> <tr> <td><u>M035: Block Fen/ Langwood Fen East, Mepal</u></td> <td><u>4.680</u></td> <td><u>Landwood Fen East &amp; Hundreds Farm 2022 / Witcham Meadlands 2020</u></td> <td><u>0.350</u></td> </tr> </tbody> </table>	<u>Site</u>	<u>Estimate of Plan Period Reserve (Mt)</u>	<u>Anticipated Start Date</u>	<u>Indicative Extraction Rate (Mtpa)</u>	<u>M019: Bare Fen &amp; West Fen, Willingham/Over</u>	<u>3.000</u>	<u>2031</u>	<u>0.800</u>	<u>M021: Mitchell Hill Farm South, Cottenham</u>	<u>0.140</u>	<u>2036</u>	<u>0.140</u>	<u>M022: Chear Fen, Cottenham</u>	<u>0.820</u>	<u>2030</u>	<u>0.140</u>	<u>M028: Kings Delph, Whittlesey</u>	<u>0.350</u>	<u>2030</u>	<u>0.050</u>	<u>M029: Gores Farm, Thorney</u>	<u>1.600</u>	<u>2026</u>	<u>0.300</u>	<u>M033: Land off Main Road Maxey</u>	<u>1.925</u>	<u>2030</u>	<u>0.275</u>	<u>M034: Willow Hall Farm, Thorney</u>	<u>2.800</u>	<u>2023</u>	<u>0.200</u>	<u>M035: Block Fen/ Langwood Fen East, Mepal</u>	<u>4.680</u>	<u>Landwood Fen East &amp; Hundreds Farm 2022 / Witcham Meadlands 2020</u>	<u>0.350</u>
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			M036: <u>Block Fen/ Langwood Fen West, Mepal</u>	<u>2.310</u>	<u>Wenny Farm 2031</u>	<u>0.400</u>
MM07	18	Policy 2	<p>Amend first paragraph as follows:</p> <p>The Mineral Planning Authorities (MPAs) will facilitate a steady and adequate supply of the following minerals over the plan period (2016- 2036), <b><u>including seeking to maintain a landbank of 7 years of Sand and Gravel:</u></b></p> <p>Change footnote ‡ as follows:</p> <p>‡Part of meeting this requirement will <del>require</del> <b><u>be</u></b> the submission of sufficient information from the applicant to enable the completion of a project-level screening exercise under The Conservation of Habitats and Species Regulations 2017 (as amended), <del>which identifies</del>. <b><u>This should identify</u></b> whether <b><u>any</u></b> the land affected by the proposed development is <b><u>functionally linked to</u></b> regularly used by qualifying species (especially foraging and roosting swans) of the Nene Washes <b><u>SPA and Ramsar site i.e. it is regularly used by qualifying species (especially foraging and roosting swans)</u></b>, SAC, SPA, and SSSI and whether the proposal will have a likely significant effect <b><u>on the SPA through loss of, or disturbance and displacement of birds from, functional land</u></b>. If that screening concludes that full Appropriate Assessment (AA) is needed, sufficient information will need submitting to enable Peterborough City Council to complete that AA. This process will need to demonstrate that the development will not have <del>an</del> <b><u>significant</u></b> adverse effect on the integrity of the Nene Washes'</p>			
MM08	21	Policy 2, Criterion a	<p>Add in footnote as follows:</p> <p>a. on MAAs or Mineral Development Areas (MDAs) <del>§</del> as identified on the Policies Map for that purpose; or</p> <p><b><u>§Mineral Development Areas (MDAs) are specific sites identified on the Policies Map. They consist of existing operational sites and committed sites (i.e. sites with planning permission but which are not yet operational or are dormant).</u></b></p>			
MM09	19	Policy 2, Site M019	Amend the following bullet point under 'Site Specific Requirements':			

Ref	Page	Policy/ Paragraph	Main Modification
		M021 and M035	Development should conserve and where appropriate enhance <b><u>the significance of</u></b> heritage assets and <b><u>including any contribution made to their significance by</u></b> their settings.
MM10	20	Policy 2, site M029 and M034	Amend text as follows:  'This is likely to <b><u>must</u></b> include a significant no development buffer around the onsite and off-site scheduled monuments...'
MM11	20	Policy 2, Site M029, M033 and M034	Add the following additional bullet point under 'Site Specific Requirements' for each site listed left:  <b><u>Development should conserve and where appropriate enhance the significance of heritage assets including any contribution made to their significance by their settings.</u></b>
MM12	20	Policy 2, Site M033	Insert a new bullet point as follows:  <b><u>A comprehensive Heritage Impact Assessment will be required to inform a heritage-led restoration scheme and must be submitted with any planning application.</u></b>
MM13	20	Policy 2, Site M034	Insert a new bullet point as follows:  <b><u>A comprehensive programme of archaeological mitigation will be required which takes into account the proximity of the Iron Age and Roman Settlement to the north west of the site.</u></b>
MM14	23	Paragraph 3.37	Insert additional text as follows:  The existing non-hazardous (including SNRHW) landfill void space is sufficient to accommodate the plan area's disposal needs over the plan period with a small surplus potentially to accommodate some of London's non-apportioned household and C&I waste. Although disposal is the least desirable option <b><u>using the waste hierarchy principle,</u></b> there is likely to be an ongoing need for such facilities (e.g. disposal of residues from treatment processes that cannot otherwise be recovered) and so it is one that must be provided for, either within the plan area or at a wider scale. Close monitoring of this situation will be key in determining timing and quantum of future need <b><u>and the Councils are supportive, in principle, of proposals to move waste as high up the hierarchy as possible to ensure that</u></b>

Ref	Page	Policy/ Paragraph	Main Modification
			<b><u>opportunities to move as much waste away from landfill can be achieved over the plan period.</u></b>
MM15	24	Paragraph 3.39	<p>Make changes to the final sentence of the paragraph as follows:</p> <p>...However, the Plan's indicative capacity needs do not form a ceiling; where justified and <b><u>in line with the wider aims and policies of this plan the Councils would be supportive of opportunities</u></b> appropriate it may be possible for additional capacity to be approved for a range of waste management methods where this will drive waste up the waste management hierarchy.</p>
MM16	24	Paragraph 3.41	<p>Insert additional text as follows:</p> <p>The Waste Needs Assessment (WNA) November 2019 details the current estimated waste arisings, waste forecasts, existing capacity* and other information from which the indicative capacity needs over the plan period were determined.</p> <p>*add footnote that reads: <b><u>The existing capacity is taken to be that which is operational, however there are several sites that are permitted but not yet operational that are likely to contribute towards the waste management capacity during the plan period and so should be taken into consideration in determining future needs</u></b></p>
MM17	24	Policy 3	<p>The following changes are suggested to the policy wording and table footnotes:</p> <p>[First para – no change]</p> <p>The following sets out the present capacity gap (indicated by a '-' figure) or surplus (indicated by a '+' figure). <b><u>Figures in brackets in the 'existing capacity' rows indicate permitted capacity that is not yet operational but is considered likely to come online and contribute towards the waste management capacity within the plan period. Figures in brackets in the 'capacity gap' rows indicate the adjusted capacity gap (or surplus) that would result if permitted but not yet operational capacity becomes operational.</u></b></p>

Ref	Page	Policy/ Paragraph	Main Modification					
						Indicative total waste management capacity 2016 - 2036		
				Total need	Estimated void space	Balance		
			Waste management – Deposit to land and Disposal (Mt)					
			Other recovery	CD&E	Inert recovery**	16.063	13.954	-2.109
			Disposal	CD&E	Inert landfill**	3.856	1.932	-1.924
				Mixed Municipal, C&I	Non-hazardous (including SNRHW)	11.187	12.466	+1.278
					Non-hazardous landfill	10.817	8.525	-2.291
					Non-hazardous (SNRHW) landfill	0.371	3.940	+3.569
			<p>[Replace the first table in Policy 3 with a similar new table and footnote, derived from Table 14 of Waste Needs Assessment (WNA), to be inserted here – See Appendix ` 1 for that table and footnote]</p> <p>[Retain the second table in Policy 3 unaltered, except for updating the asterisk relating to the footnote for this table].</p> <p>**Inert recovery and landfill have a total indicative need of 19.919Mt over the plan period, with an estimated remaining void space of 15.886Mt (around 90% of which is associated with the restoration of mineral extraction sites), leaving a deficit of 4.033Mt. This deficit is able to be accommodated however through void space created from mineral extraction operations that are or will be permitted over the plan period.</p> <p><del>Where an indicative total waste management capacity gap is identified</del> <b><u>The net capacity figures in the table above are not ceilings for recycling, treatment or recovery of waste. As such,</u></b> proposals will, in principle (<u>and</u></p>					

Ref	Page	Policy/ Paragraph	Main Modification
			<p><b><u>provided they are in accordance with Policy 4: Providing for Waste Management</u></b>), be supported <b><u>if any of the following scenarios apply</u></b>: where  <b><u>(a) it would assist in closing that a gap identified in the table, provided such a gap has not already been demonstrably closed; or</u></b>  <b><u>(b) it would assist in closing a new gap identified in the future, with such identification to be set out in the annual monitoring of the Plan; or</u></b>  <b><u>(c) it moves waste capacity already identified in the above table up the waste hierarchy,</u></b> provided it is in accordance with Policy 4: Providing for Waste Management.</p>
MM18	26	Paragraph 3.42	<p>Make changes to the paragraph as follows:</p> <p>This Policy sets out an overarching spatial strategy for waste <b><u>recycling, treatment and recovery processes, alongside landfill and landraising,</u></b> together with appropriate policy criteria <b><u>to take account of all new waste management sites and facilities. It also clarifies how new waste management proposals within the planning permission boundary of existing waste management sites will be considered, particularly where these fall outside of the locational criteria set out in Policy 4, but are already established waste sites; whilst also clarifying that new and/or improved Water Recycling Centres will be considered outside of this policy and instead in Policy 11.</u></b> It is important to guide future waste management development to the most appropriate locations, particularly in the absence of site specific allocations to meet identified needs, <b><u>whilst acknowledging the important part played by existing waste management sites in the plan area.</u></b></p>
MM19	26	Paragraph 3.44	<p>The entire paragraph 3.44 has been incorporated into the end of 3.43, and a new paragraph inserted as follows:</p> <p><b><u>3.44 Whilst new waste management sites and facilities will be directed to the main settlements that exist in the plan area through the locational criteria of Policy 4, the Councils acknowledge that there may be instances where waste management sites or facilities that already exist outside of these main settlements may be appropriate for either:</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>temporary recycling opportunities e.g. landfill sites where additional facilities linked to the life of the</u></b></li> </ul>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><b><u>temporary permission could help push waste up the hierarchy; or</u></b>  <b><u>• alternative or additional waste management facilities within the planning permission boundary of existing permanent waste sites.</u></b></p> <p><b><u>In such instances, when considering the locational criteria based assessment the Councils will, in principle, support the use of an existing waste site for new waste management facilities. However, the consideration and support in principle to such uses, including temporary uses linked to the life of an existing waste site, should not be taken as support for permanent facilities, or for an intensification of a site where the benefits do not outweigh the harm when assessed against the wider policies of their Development Plan.</u></b></p>
MM20	26	Paragraph 3.45	<p>Insert two new paragraphs below paragraph 3.45, as follows:</p> <p><b><u>In line with Objective 2 of this Plan, the Councils are keen to support opportunities to contribute positively to the sustainable management of waste, thereby seeking to move waste up the hierarchy, especially where proposals are able to demonstrate that they align with the wider objectives and policies contained within this Plan, in addition to the principles contained within Policy 4 below. In particular, support for recycling and re-use proposals that sit at the upper end of the waste hierarchy (just below prevention and minimisation) are encouraged to come forward to assist the Councils in not only achieving the aspiration of moving waste up the hierarchy set out in Objective 2 of this Plan (which is set in the context of net self-sufficiency for the Plan area), but also helping to achieve the wider climate change aspirations set out in Policy 1.</u></b></p> <p><b><u>The benefits of co-location of waste management facilities is also acknowledged by the Councils, particularly where facilities can show why co-location would be beneficial or can complement existing waste streams e.g. where the outputs of one recycling waste stream can benefit further recycling or recovery from waste that is already taken to the original waste site or where the synergies of the operations can be understood and justified; which is why a locational criteria based</u></b></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><b><u>assessment is not required in such instances by the second half of Policy 4. For the avoidance of doubt, such benefits will need to be considered on a case-by-case basis, and the policy should not be read as a blanket approval for further waste management extensions or new sites or facilities, just because a waste site already exists in the area.</u></b></p>
MM21	27	Paragraph 3.47	<p>To include additional text as follows:</p> <p>3.47 As well as being a strategic policy for waste management, the policy below also sets out specific policy for specialist types of waste management <b><u>i.e. medical and research waste, agricultural waste and hazardous waste streams</u></b>. Appendix 3: The Location and Design of Waste Management Facilities also provides guidance on the location of waste management facilities, and should be used to inform the location of waste management facilities in the plan area.</p>
MM22	27	Policy 4	<p>Amendments to the policy text, as follows:</p> <p>Across the plan area, existing and committed waste sites meet the majority of identified needs <b><u>as set out in Policy 3</u></b>, with the <b><u>present forecast</u></b> capacity gap over the plan period being less than substantial. As such, the strategy of this plan is not to make specific allocations for new waste sites. Instead this policy sets out a broad spatial strategy for the location of new waste management development; and criteria which will direct proposals to suitable sites, consistent with the spatial strategy.</p> <p><b><u>In line with Objective 2 of this Plan, the Councils aim to actively encourage, and will in principle support the sustainable management of waste, which includes encouraging waste to move as far up the waste hierarchy as possible, whilst also ensuring net self-sufficiency over the Plan area. In order to ensure this aim can be met, w</u></b>Waste management proposals must demonstrably contribute towards sustainable waste management, by moving waste up the waste hierarchy; and proposals for disposal must demonstrate that the waste has been pre-treated and cannot practicably be recycled. Proposals which do not comply with this spatial strategy for waste management development must also demonstrate the quantitative need for the development.</p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>Unless otherwise supported by policy provision under one of the sub-headings in the second half of this Policy, <b><u>the locational strategy of this Plan is that</u></b> new or extended waste management facilities should be located within the settlement boundary* of the existing or planned main urban areas of: Cambourne, Cambridge, Chatteris, Ely, Huntingdon, Littleport, March, Northstowe, Peterborough, Ramsey, Soham, St. Ives, St. Neots, Waterbeach New Town, Whittlesey or Wisbech.</p> <p>Where the proposed use and operations are potentially suitable within an urban setting (with suitability predominantly determined by applying policies in the Development Plan), then proposals should first consider the use of either:</p> <p>a. employment areas (as identified in <del>the</del><b><u>the</u></b> Development Plan <b><u>as being suitable for industrial and storage or distribution type uses</u></b><del>Documents for B2 and/or B8 Uses</del>) within the settlement boundary of the above identified urban areas; or</p> <p>b. any 'strategic' employment areas over 10ha (as identified in <del>the</del><b><u>the</u></b> Development Plan <b><u>as being suitable for industrial and storage or distribution type uses</u></b><del>Documents for B2 and/or B8 Uses</del>), which might not necessarily be located at one of the above identified urban areas. Where such sites are demonstrated not to be available or suitable, using a proportionate amount of evidence, then support will be given, in principle, to locating facilities on other suitable sites within the urban areas identified above; or on the edge of them where it is demonstrated that the development is compatible with surrounding uses (including the physical size and throughput of the proposed development); and where there is a relationship with the settlement by virtue of landscape, design of the facility, and highway access. In applying these provisions, proposals should prioritise, and substantial weight will be given to, the use of suitable brownfield land within the above identified urban areas.</p> <p><b><u>New waste management proposals that are unable to demonstrate benefits of co-location under part 2 of this policy, that are within the planning permission boundary of existing waste management sites (i.e. where extensions to the site area is not required) that already operate outside of the main settlements identified in the locational criteria above will, in principle, be supported. Each case will be considered on its own merits and will be assessed against all the</u></b></p>



Ref	Page	Policy/ Paragraph	Main Modification
			<p><b><u>policies within this Development Plan. For the avoidance of doubt, proposals for Water Recycling Centres will be considered under the provisions of Policy 11, rather than this Policy.</u></b></p> <p><b>Waste Management Facilities - New Strategic Development Areas:</b> Waste management facilities in new strategic development areas (i.e. 1,500 homes or more, or 10ha or more for employment sites) will be supported where they are of a scale, use and accessibility to enable communities and businesses within that strategic development area to take some responsibility for their own waste.</p> <p><b>Waste Management Facilities - Rural Areas:</b> Only waste management facilities which are located on a farm holding, and where the proposal is to facilitate agricultural waste recycling or recovery (the majority of which is generated by that farm holding) will, in principle, be supported. Outdoor composting proposals which require the importation of waste material will be determined in accordance with wider policies of the Development Plan.</p> <p><b>Waste Management Facilities - Medical or Research Sites:</b> Waste management facilities which are located on a medical or research site, and where the proposal is to facilitate the suitable management of waste generated by that site will, in principle, be supported.</p> <p><b>Waste Management Facilities - Co-location:</b> Opportunities to co-locate waste management facilities together, or with complementary activities, <b><u>as explained within the supporting text for this policy</u></b> will, in principle, be supported, particularly where relating to:</p> <ul style="list-style-type: none"> <li>• employment sites;</li> <li>• industrial estates;</li> <li>• mineral extraction and processing sites (for temporary proposals for aggregate and/or inert recycling facilities associated with extraction and processing <b><u>and, where benefits are demonstrated, to the restoration of a mineral site</u></b>); or</li> <li>• planned integrated waste management development <b><u>that has specific links to the existing waste management operations already taking place on a site.</u></b></li> </ul>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><b><u>Proposals for co-location will not be supported if the benefits do not outweigh the harm when assessed against the wider policies of the Development Plan.</u></b></p> <p><b>Waste Management Facilities - Non-Hazardous Waste Disposal:</b> Where the need for additional capacity for the disposal of non-hazardous waste is demonstrated such capacity must be provided through extension to existing Non-Hazardous Waste and <b><u>Stable Non-Reactive Hazardous Waste (SNRHW)</u></b> disposal sites, unless <b><u>the extension for additional capacity would prejudice the wider strategic objectives of this plan and supporting appendices or</u></b> it is demonstrated that a new standalone site would be more sustainable and better located to support the management of waste close to its source. It may also be supported where it is demonstrated that it is required for reasons of site stability or to address a potential pollution risk.</p> <p><b>Waste Management Facilities - Inert Waste Disposal:</b> The deposit of inert waste to land will normally be permitted only within a Mineral Development Area (MDA) or Mineral Allocation Area (MAA). Proposals for the deposit of inert waste to land in other areas may only be permitted where:</p> <ul style="list-style-type: none"> <li>c. there are no MDAs or MAAs within the plan area which can accommodate the inert waste in a timely and sustainable manner; or</li> <li>d. there is clear and convincing evidence that the non-MDA/MAA site would be more suitable for receiving the inert waste; or</li> <li>e. landfill engineering is required for reasons of land stability.</li> </ul> <p><b>Waste Management Facilities - Stable Non-Reactive Hazardous Waste (SNRHW) Disposal:</b> Where the need for additional capacity for the disposal of SNRHW is demonstrated such capacity will only be permitted at, or through an extension to, existing SNRHW and Non-Hazardous Waste disposal sites <b><u>unless the extension for additional capacity would prejudice the wider strategic objectives of this plan and supporting appendices.</u></b></p> <p><b>Waste Management Facilities - Hazardous Waste Treatment and Disposal:</b></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>Proposals for the disposal of hazardous waste will only be supported in exceptional circumstances, and where it is demonstrated that there is a clear need for such a facility to be located in the plan area. Proposals for hazardous waste treatment will be supported where there is a demonstrated need, and will be considered in the context of the Development Plan <b><u>and opportunities to move waste up the hierarchy in line with Objective 2.</u></b></p> <p><b>Waste Management Facilities - Landraising:</b> Landraising will only be permitted in exceptional circumstances where there is a need for a waste disposal facility to accommodate waste arising that cannot be accommodated by any other means.</p> <p><del><b>Waste Management Facilities – Water Recycling Centres:</b></del> <del>Proposals for Water Recycling Centres will be considered under the provisions of Policy 11, rather than this Policy.</del></p> <p>Amendments to the footnote text as follows:</p> <p>*a 'settlement boundary' is that which is defined on the relevant Policies Map for the area (e.g. a village envelope or urban area boundary). If no such boundary is identified <b><u>on the Policies Map</u></b>, it will constitute the edge of the built form of the settlement <b><u>or, should an edge be defined in words (rather than map form) in a Local Neighbourhood Plan, then that definition will be used in that local area.</u></b></p>
MM23	30	Policy 5	<p>Amend Policy 5(I) as follows, together with a new footnote:</p> <p>I. there is an overriding need for the development (where prior extraction is not feasible)<b><u>**.</u></b></p> <p><b><u>** within (I), 'overriding need' will need to be judged in the planning balance when any planning application is assessed, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy. That judgement should also consider the cost of, and scope for, developing outside the MSA, or meeting the need for it in some other way. By 'not feasible' in (I), this could include viability reasons.</u></b></p> <p>Make changes to the definition of settlement boundary as follows:</p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>*a 'settlement boundary' is that which is defined on the relevant Policies Map for the area (e.g. a village envelope or urban area boundary). If no such boundary is identified <b><u>on the Policies Map</u></b>, it will constitute the edge of the built form of the settlement <b><u>or, should an edge be defined in words (rather than map form) in a Local or Neighbourhood Plan, then that definition will be used in that local area.</u></b></p>
MM24	31	Paragraph 4.5	<p>Amend text as follows:</p> <p>Please note that Policy 16: Consultation Areas (CAs), <b><u>which should be read in conjunction with the Policy below, also</u></b> covers proposals which fall within 250m of a MDA or MAA <b><u>as well as within 250m of their boundaries</u></b>. The following policy focuses <b><u>only</u></b> on the development of <b><u>within</u></b> MDAs and MAAs themselves.</p>
MM25	32	Paragraphs 4.8 and 4.9	<p>Amend text as follows:</p> <p>4.8 The processing of secondary and recycled aggregates (including inert recycling) represents a potentially major source of materials for construction, helping to conserve primary materials and minimising waste (recognising the fact that minerals are a finite resource). <b><u>Materials that can result as a by-product of other waste facilities are also being used as a source of materials for construction, also helping to conserve primary materials and minimising waste (once again recognising the fact that minerals are a finite resource)</u></b>. Sites for the handling, storage and processing of recycled and secondary aggregates (including recycled inert waste <b><u>and suitable materials arising as a by-product of other waste facilities</u></b>) are therefore required to ensure provision of 'alternative materials'.</p> <p>4.9 ...aggregate (rocks, gravel, etc), fly ash, potash...</p>
MM26	32	Paragraph 4.9	<p>Insert new paragraph after 4.9, as follows:</p> <p><b><u>Temporary facilities for the handling, storage and processing of recycled and secondary aggregates (including inert recycling) can be just as important as permanent facilities, to ensure that the Councils continue to maximise the opportunities to recycle and preserve primary aggregate as a finite resource. In addition to temporary facilities being supported</u></b></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><b><u>on strategic development sites throughout the construction phase, the Councils will also, in principle, support recycling operations linked to the winning and working of minerals, including the restoration of a mineral site where there are clear benefits for the recycling process to remain while restoration takes place. As the winning and working of minerals (including any subsequent restoration) is seen as a temporary land use, any approved recycling facilities will also be restricted to link to the temporary planning permission, and the support of such operations should not therefore be taken as support for permanent facilities. The retention of these facilities on a permanent basis will be considered under Policy 4 and assessed against the wider policies of this Plan.</u></b></p>
MM27	32	Policy 8	<p>Amend the text as follows:</p> <p>In principle, the authorities will support proposals which assist in the production and supply of recycled/secondary aggregates, particularly where it would assist in reducing the use of land won aggregates. Similarly, in principle, the authorities will support suitable concrete batching proposals.</p> <p>Such <del>p</del><b>Proposals <u>for the production of recycled and secondary aggregates and for concrete batching plants</u></b> are likely to be suitable in the following locations:</p> <ol style="list-style-type: none"> <li>on operational, committed and allocated mineral sites (for the duration of the working life of the mineral site only, <del>and where this</del> <b><u>unless the recycling operation is compatible with an agreed restoration scheme to allow the temporary use to be extended in line with the restoration proposals and linked to the temporary planning permission rather than the duration of the winning and working of minerals</u></b>);</li> <li>on strategic development sites, such as major urban extensions and new settlements (throughout the construction phase); or</li> <li>on appropriate waste management sites, designated employment land and existing/disused railheads and wharves.</li> </ol>
MM28	34	Paragraph 5.1	<p>Amend the text as follows:</p> <p>Waste Management Areas (WMAs) are specific sites identified on the Policies Map for waste management</p>

Ref	Page	Policy/ Paragraph	Main Modification
			facilities and consist of <b>both</b> existing operational <b>sites, and committed sites (i.e. those with planning permission but which are not yet operational), that</b> <del>(which make a significant contribution to managing any waste stream) and committed sites (i.e. sites with planning permission but which are not yet operational).</del> Policy 3: Waste Management Needs sets the policy framework for WMAs.
MM29	34	Paragraph 5.2	Amend the text as follows:  This Plan does not allocate any sites for future waste management development. An up-to-date Waste Needs Assessment prepared alongside this Plan did not identify any capacity gaps which justify the allocation of sites. Proposals for any future waste management development, <b>including new waste proposals within a WMA,</b> can be dealt with through Policy 4: Providing for Waste Management and other policies in this document. <b>As such, Policy 10 has been created to first, enable WMAs to be identified on the Policies Map and second, to deal with alternative development coming forward e.g. household or employment uses, rather than new waste proposals that will be considered under Policy 4. Furthermore</b> <del>F</del> for the avoidance of doubt, criterion <del>(b</del> <b>a</b> ) below includes Neighbourhood Plans.
MM30	34	Paragraph 5.3	Amend text as follows:  Please note that Policy 16: Consultation Areas (CAs), <b>which should be read in conjunction with the Policy below, also</b> covers proposals which fall within 250m of a WMA <b>as well as within 250m of its boundary.</b> The following policy focuses <b>only</b> on the development of <b>within</b> WMAs themselves.
MM31	34	Policy 10	Amend the text as follows:  Waste Management Areas (WMAs) are defined on the Policies Map <b>and identify existing or committed waste management facilities that make a significant contribution to managing any waste stream. Waste management proposals within WMAs will be considered under Policy 4.</b> Within a WMA, <b>new non-waste management</b> development will not be permitted other than: a. that which meets Policy 4: Providing for Waste Management; or

Ref	Page	Policy/ Paragraph	Main Modification
			<p><del>a</del>b. proposals which are compatible for that specific site as identified in <b><u>the non-Mineral and Waste Plans that make up the</u></b> Development Plan for the area;</p> <p>or</p> <p><del>b</del>e. proposals which demonstrate clear wider regeneration benefits which outweigh the harm of discontinued operation of the site as a WMA, together with a demonstration to the Waste Planning Authority as to how the existing (or recent) waste stream managed at the site will be (or already is being) accommodated elsewhere.</p>
MM32	34	Paragraph 5.5	<p>Amend text as follows:</p> <p>Please note that Policy 16: Consultation Areas (CAs), <b><u>which should be read in conjunction with the Policy below, also</u></b> covers proposals which fall within <del>400m</del> of a WRA <b><u>as well as within 400m of its boundary</u></b>. The following policy focuses <b><u>only</u></b> on the development of <b><u>within WRAs</u></b> themselves.</p>
MM33	35	Policy 11	<p>Make amendments to the policy criteria as follows:</p> <p><b>Policy 11: Water Recycling Areas (WRAs)</b> Water Recycling Centres (WRCs) are essential infrastructure, and are identified on the Policies Map as Water Recycling Areas (WRAs).</p> <p>Proposals for new water recycling capacity or proposals required for operational efficiency, whether on WRAs or elsewhere (with such proposals including the improvement or extension to existing WRCs, relocation of WRCs, provision of supporting infrastructure (including renewable energy) or the co-location of WRCs with other waste management facilities) will be supported in principle, particularly where it is required to meet wider growth proposals identified in the Development Plan. Proposals for such development must demonstrate that:</p> <p>a. there is a suitable water course to accept discharged treated water and there would be no <del>unacceptable</del> increase in the risk of flooding to others;</p> <p><del>b.</del> <del>there is a ready access to the sewer infrastructure or area to be served;</del></p> <p><del>c.</del> <b>b.</b> if a new site, or an extension to an existing site, is less than 400 metres from existing buildings normally occupied by people, an odour assessment demonstrating that the proposal is acceptable will</p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>be required, together with appropriate mitigation measures;</p> <p>d. <b>c.</b> if a new site, or an extension to an existing site, it has avoided land within flood zone 3 unless there is clear and convincing justification to do so, and the proposal is supported by thorough evidence of need, <b><u>sustainability benefits, evaluation of site options and risk management through the application of the sequential and exception tests</u></b>; and</p> <p>e. <b>d.</b> adequate mitigation measures will address any unacceptable adverse environmental and amenity issues raised by the proposal, which may include the enclosure of odorous processes.</p>
MM34	38	Paragraph 6.3	<p>Amend text as follows:</p> <p>Please note that Policy 16: Consultation Areas (CAs), <b><u>which should be read in conjunction with the Policy below, also</u></b> covers proposals which fall within 250m of a TIA <b><u>as well as within 250m of its boundary</u></b>. The following policy focuses <b><u>only</u></b> on the development of <b><u>within</u></b> TIAs themselves.</p>
MM35	39	Policy 16	<p>At the end of Policy 16 (but before the footnote in that policy), add a new paragraph as follows:</p> <p><b><u>When considering proposals for non-mineral and non-waste management development within a CA, then the agent of change principle will be applied to ensure that the operation of the protected infrastructure (i.e. MAA, MDA, WMA, TIA or WRA) is not in any way prejudiced. Any costs for mitigating impacts on or from the existing minerals and/or waste-related uses will be required to be met by the developer. It is for the developer to demonstrate that any mitigation proposed as part of the new development is practicable, and the continued use of existing sites will not be prejudiced.</u></b></p>
MM36	40	Policy 17	<p>Amend first paragraph of policy (for consistency with NPPF paragraph 127) as follows:</p> <p>All waste management development, and where relevant mineral development, should secure high quality design. The design of built development and the restoration of sites should seek to complement <b><u>be sympathetic to</u></b> and <b><u>where opportunities arise</u></b>, enhance local distinctiveness and the character and quality of the area in which it is</p>



Ref	Page	Policy/ Paragraph	Main Modification
			located. Permission will be refused for development of poor design that fails to take the opportunities available to achieve this.
MM37	40	Policy 17	Add new criterion (for consistency with NPPF para 127), and renumber all subsequent criteria:  <b><u>(f) be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);</u></b>
MM38	40	Policy 17	Amend criterion (g) (which will be renumbered as (h)) as follows:  provide a landscape enhancement scheme which takes account of any relevant landscape character assessments (including any historic landscape assessment <b><u>characterisation</u></b> ) and...
MM39	43	Policy 20	Amend the first paragraph as follows:  Development proposals <b><u>on land</u></b> within or outside a Site of Special Scientific Interest (SSSI), <del>or</del> <b><u>and which is</u></b> likely to have an adverse effect on <b><u>it</u></b> a SSSI (either individually or in combination with other developments), will not be permitted unless...
MM40	46	Paragraph 6.20	After paragraph 6.20, insert two new paragraphs as follows:  <b><u>Development proposals which include hard surfaces and buildings should incorporate Sustainable Urban Drainage Systems (SuDS) wherever feasible to address the risk of surface water and sewer flooding and provide wider environmental benefits including biodiversity net gain and water quality enhancement. However, this will not be feasible in all cases and the Councils will consider the nature of the use proposed and whether this places any limitations on the incorporation of SuDS when determining planning applications.</u></b>  <b><u>The Environment Agency (EA) advises that in areas of severe water stress or where aquifers or surface water resources are abstracted to environmental limits, a licence or permit may not be issued or could be issued with significant restrictions, e.g. seasonal</u></b>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><b><u>only abstraction. Operators are advised to seek advice from the EA early in the site selection and design process. The issuing of de-watering licences, where all water is returned to the environment, is likely to be less restrictive than for consumptive water use e.g. mineral washing, discharged dewatering and concrete batching. The EA has a presumption against issuing new water abstraction licences for consumptive activities. If a developer or any other interested party has any questions on the contents of this paragraph, including the definition of terms used, then please seek advice from the EA.</u></b></p>
MM41	47	Policy 22	<p>Amend the wording to Policy 22 as follows:</p> <p><b><u>POLICY 22: FLOOD AND WATER RESOURCES MANAGEMENT</u></b></p> <p>Mineral and waste management development will only be permitted where it can be demonstrated (potentially through a detailed hydrogeological assessment) that there would be no significant adverse impact on:</p> <ul style="list-style-type: none"> <li>a. the quantity and quality of surface or groundwater resources; and</li> <li>b. <b><u>the quantity and quality of water abstraction currently enjoyed by abstractors unless acceptable alternative provision is made;</u></b> and</li> <li><del>c. b.</del> the flow of groundwater at or in the vicinity of the site; and</li> <li><del>d.</del> increased flood risk, both on-site and off-site.</li> </ul> <p><b><u>Development located on sites in areas known to be at risk from any form of flooding will only be permitted following:</u></b></p> <ul style="list-style-type: none"> <li><del>e.</del><del>d.</del> <b><u>the successful completion of a sequential test (if necessary) and an exception test if required, with both tests applying climate change allowances to define flood risks;</u></b></li> <li><del>d.</del><del>e.</del> <b><u>the submission, where appropriate (as defined by national policy), of a site-specific Flood Risk Assessment, setting out appropriate flood risk that:</u></b> <ul style="list-style-type: none"> <li><b><u>i. defines the flood zones in relation to the proposal;</u></b></li> </ul> </li> </ul>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><b><u>ii. demonstrates the impacts of climate change on the flood zones, over the lifetime of the development;</u></b></p> <p><b><u>iii. demonstrates that a sequential approach has been taken to the design of the layout of the proposal, placing those aspects of the development most sensitive to the impacts of flooding in the area of lowest flood risk;</u></b></p> <p><b><u>iv. demonstrates that appropriate mitigation measures have been incorporated into the development so that there will be no negative off-site impacts to people and property and that the users will be safe for the lifetime of the development; and</u></b></p> <p><b><u>v. demonstrates that all reasonable actions have been taken to contribute to the overall reduction of flood risk.</u></b></p> <p><b><u>e.f. the consideration of any necessary ongoing maintenance, management of mitigation measures and adoption and that any relevant agreements are in place; and</u></b></p> <p><b><u>f.g. where built development is proposed, the incorporation of Sustainable Drainage Systems (SuDS) wherever feasible into the proposals.</u></b></p> <p>All proposed development will be required to incorporate adequate water pollution control and monitoring measures.</p> <p>Proposals should also have due regard to the latest policies and guidance in the Cambridgeshire Flood and Water SPD and the Peterborough Flood and Water Management SPD (or their successors).</p>
MM42	47	Paragraph 6.23	<p>Insert new paragraph after paragraph 6.23 as follows:</p> <p><b><u>On occasions when HCV routing arrangements and/or HCV signage are deemed necessary and reasonable to make a development acceptable, binding agreements will be sought either through planning conditions or legal agreements, to ensure suitable routes and signage are identified and controlled in line with guidance from the Highway Authority, in accordance with any identified HCV Route Maps. Any binding agreements will be agreed on a case by case basis, and will be monitored, including investigations into any alleged breaches, in line with the adopted Enforcement Plans*.</u></b></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><b>*The authorities enforcement plans can be found at:</b></p> <p><a href="https://www.peterborough.gov.uk/council/strategies-policies-and-plans/compliance-and-enforcement-policy">https://www.peterborough.gov.uk/council/strategies-policies-and-plans/compliance-and-enforcement-policy</a></p> <p><a href="https://www.cambridgeshire.gov.uk/business/planning-and-development/planning-applications/planning-enforcement-and-monitoring">https://www.cambridgeshire.gov.uk/business/planning-and-development/planning-applications/planning-enforcement-and-monitoring</a></p>
MM43	48	Policy 23	<p>Amend text as follows:</p> <p><b>Public Rights of Way</b> Proposals <b><u>During all phases of development, including construction, operation and restoration, proposals must make provision for suitable and appropriate diversions to affected public rights of way, and ideally</u></b> the enhancement of the public rights of way network where practicable. <b><u>Opportunities should be taken for the provision of,</u></b> with a view to providing new routes and links between existing routes, <b><u>especially at the restoration stage.</u></b> Priority should be given to meeting the objectives of any Rights of Way Improvement Plans. Where development would adversely affect the permanent use of public rights of way (including temporary diversions) planning permission will only be granted where alternative routes are provided that are of equivalent convenience, quality and interest.</p>
MM44	53	Appendix 1: Site M019	<p>Additional text to be added to bullet point 6 and a new bullet point 7 added to 'Key Known Site Sensitivities' to say:</p> <ul style="list-style-type: none"> <li>• Small area of BMV Grade 3a at Bare Hill (located in the north western section of site) <b><u>and the presence of peat soils in the area.</u></b></li> <li>• <b><u>Proximity to RSPB Ouse Fen Nature Reserve.</u></b></li> </ul> <p>New bullet point 2 added to 'Preferred Restoration' in the 'Potential Implementation Issues (non-exhaustive)' section to say:</p> <p><b><u>Restoration to reedbed priority habitat, as an extension to the existing approved restoration scheme for Needingworth Quarry.</u></b></p>

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MM45	61	Appendix 1: Site M028	<p>Amend text as follows:</p> <p><b>Archaeology and Historic Environment</b> This site is archaeologically sensitive. It is understood that evaluation has taken place. However, a detailed programme of archaeological mitigation, <b><u>including a strategy to ensure that de-watering of archaeological sites would not occur as a result of excavation</u></b>, will be required. Proposals must also have regard to proximity to Must Farm Bronze Age settlement; and the Horsey Hill Civil War Fort Scheduled Monument, and the need to conserve and if appropriate enhance its <b><u>their</u></b> settings.</p> <p><b>Preferred Restoration</b> Restoration should include biodiversity gains (enhance otter and water vole habitat), and public access as part of the wider restoration / after-use strategy for the strategy for the brickworks complex. Consideration could be given to the potential to provide sustainable flood alleviation and water resource. <b><u>Restoration should also be informed by the nearby Must Farm Bronze Age settlement and provide an appropriate context for the historical setting of this heritage asset.</u></b></p>
MM46	65	Appendix 1: Site M033	<p>Insert additional bullet point under the heading 'Key Known Site Sensitivities':</p> <p><b><u>The nearest Conservation Areas are Maxey (530m), Northborough (560m) and Etton (620m).</u></b></p>
MM47	70	Appendix 1: Site M035	<p>Additional text to be added to bullet point 4 to 'Key Known Site Sensitivities' to say:</p> <ul style="list-style-type: none"> <li>Small area BMV Grade 1, remainder BMV Grade 2 land within the site <b><u>and the likely presence of deep peat soils in the area.</u></b></li> </ul> <p>Addition of a new bullet point 2 added to 'Other Issues' to say:</p> <p><b><u>Consideration of the deep peat soils in the area and the steps proposed to conserve this resource and limit any CO2 emissions as part of the development.</u></b></p>
MM48		Appendix 2: Paragraph 2.2	<p>Suggested change to 7th objective to read:</p> <ul style="list-style-type: none"> <li>create flood storage <b><u>in accordance with the Environment Agency's Cranbrook/Counter Drain (Welches Dam) Strategy</u></b> with the capacity of at least 10 million m3 and an ambition <b><u>allowance</u></b></li> </ul>

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			<p>to achieve nearer 16.5 million m<sup>3</sup> of storage (approximately 14,600 m<sup>3</sup> to 24,100 m<sup>3</sup> per hectare in the water storage areas). The higher storage ambition <b>allowance</b> is to mitigate climate change using the latest guidance on climate change allowance;</p> <p>Amend Objective 11 penultimate bullet point to read:</p> <p>secure the sustainable use of soils as a resource for the future <b><u>including the conservation of peat soils to limit future CO2 emissions</u></b>; and</p>
MM49		Appendix 2: Paragraph 6.11	<p>Amend the paragraph to read:</p> <p>To manage the risk of flooding and mitigate climate change the Environment Agency is looking to maintain a flood risk of 1 in 25 years, <b><u>so in accordance with the Cranbrook/Counter Drain (Welches Dam) Strategy</u></b>, is looking for water storage to accommodate 16.5 million m<sup>3</sup> (approximately 24,100 m<sup>3</sup> per hectare in water storage areas). The Block Fen / Langwood Fen area could contribute significantly to this scheme. Water from the Counter Drain could be transferred <b><u>at times of flood</u></b> into the reservoirs either via the Forty Foot or by a parallel channel. If water transfer was to be achieved via the Forty Foot these leakage control measures would be required which could be addressed through quarry engineering.</p>
MM50		Appendix 2: Paragraph 6.14	<p>Amend the paragraph to read:</p> <p>Any scheme of this nature would need to be completely clay lined and any embankments would need to be engineered and comply with the Reservoirs Act. Operators would need to consider the original ground contours depths of deposits and the available void space in order to calculate the capacity of storage and other uses. <b><u>Restoration would need to be sensitive to the use of the voids for flood storage and have no adverse impacts or prohibit the storage of floodwater.</u></b> Groundwater would also need to be monitored and modelled to show that there are no adverse impacts on the surrounding area and the surrounding surface water drainage. Also, proposals would need to show to the Environment Agency's satisfaction how water would be managed and transferred in and out of the storage areas. Any proposals involving inert landfill in the</p>

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			creation of the flood water storage would need to ensure that imported waste would not come into contact with the groundwater, and infilled areas would need to be fully lined with clay. Any imported waste would also be subject to strict waste acceptance criteria.
MM51		Appendix 2: Paragraph 6.17	Amend the paragraph to read:  It is proposed that <del>six or more smaller</del> <b>a number of</b> water bodies will be formed, with the aim of achieving a <del>minimum of 10 million m<sup>3</sup>, but ideally 16.5 million m<sup>3</sup> of water storage capacity</del> <b>the water storage capacity in accordance with the Environment Agency's Cranbrook/Counter Drain (Welches Dam) Strategy</b> (approximately 14,600 m <sup>3</sup> to 24,100 m <sup>3</sup> per hectare in the water storage areas). These water bodies will be created in a phased way, corresponding to the timing for mineral extraction, with progressive restoration taking place. <b><u>Proposed restoration will need to take into consideration the requirements for Flood Storage to ensure no adverse impacts arise from frequent flooding of restored land.</u></b> This should give rise, <del>as a minimum</del> to the following capacity:
MM52		Appendix 2: Paragraph 6.18	Amend the paragraph to read:  The above table reflects the total minimum capacity of the water storage bodies, but to safeguard the engineering some water will need to be kept in them at all times, and there will be a 'rest level'. <del>If there is a rest level of between 0.5 to 1.0 metres, the volume available for storing external water is between 6 million m<sup>3</sup> in an average year, increasing to 7 million m<sup>3</sup> in a dry year. The above table reflects the total minimum capacity of the water storage bodies, but to safeguard the engineering some water will need to be kept in them at all times, and there will be a 'rest level'. If there is a rest level of between 0.5 to 1.0 metres, the volume available for storing external water is between 6 million m<sup>3</sup> in an average year, increasing to 7 million m<sup>3</sup> in a dry year.</del>
MM53	6	Appendix 3: Paragraph 2.8	Amend text as follows:  Appropriate buffer areas should be provided between the facility and any adjacent <del>nearby</del> residential areas. These areas could include other employment land uses, or a buffer zone including uses such as car and cycle parking, landscape planting or open space. Waste management

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			<p>facilities can also act as a buffer between sensitive land uses and other forms of development such as between residential areas and main roads, railways, and Water Recycling Centres. The actual size and treatment of the buffer would depend on the location and facility proposed. <b><u>The indicative Urban Location Plan shown below demonstrates how landscaping and open space may be used to form appropriate buffers in the urban context. However, where such facilities are designed into industrial or employment led areas, such buffers may well be significantly different to take account of the local circumstances.</u></b></p>
MM54	16	Appendix 3: Air Quality Principles	<p>Amend the table as follows:</p> <p><b>Air Quality Principles</b></p> <ul style="list-style-type: none"> <li>• <del>Measures to control air quality, dust and odour.</del></li> <li>• <del>Potential use of energy efficient low emission fuels.</del></li> <li>• <del>Locating waste management facilities downwind from sensitive receptors.</del></li> <li>• <b><u>Protect sensitive receptors by including measures to control air quality, dust and odour.</u></b></li> <li>• <b><u>Potential use of energy efficient low emission fuels.</u></b></li> </ul>



### Appendix 1: Updated Table for Insertion in Policy 3

The following table is to be included in Policy 3 (MM17) and will replace in full the similar first table currently located in Policy 3. The second table in Policy 3 will be retained unaltered. The source of the Table below is Table 14 of the published Waste Needs Assessment (evidence document PE04).

			Indicative total waste management capacity needs					
			2016	2017	2021	2026	2031	2036
Non-hazardous waste management – Recovery (million tonnes per annum)								
Preparing for re-use and recycling	Materials recycling  (Mixed – Municipal, C&I)	Forecast arisings	0.613	0.662	0.696	0.754	0.806	0.852
		Existing capacity	0.670	0.746	0.734	0.732	0.732	0.732
		Capacity gap	+0.056	+0.084	+0.038	-0.022	-0.074	-0.120
	Composting  (Mixed – Municipal C&I)	Forecast arisings	0.169	0.199	0.207	0.225	0.240	0.249
		Existing capacity	0.332	0.324	0.349	0.349	0.349	0.349
		Capacity gap	+0.163	+0.124	+0.142	+0.124	+0.109	+0.100
	Inert recycling (CD&E)	Forecast arisings	0.056	0.087	0.066	0.067	0.068	0.068
		Existing capacity	0.149	0.184	0.435 (0.190)	0.410 (0.190)	0.410 (0.190)	0.410 (0.190)
		Capacity gap	+0.093	+0.097	+0.370 (+0.560)	+0.343 (+0.533)	+0.342 (+0.532)	+0.342 (+0.532)
Other recovery	Treatment and energy processes*  (Mixed - Municipal, C&I)	Forecast arisings	0.156	0.160	0.226	0.314	0.393	0.416
		Existing capacity	0.295	0.327	0.349 (0.035)	0.337 (0.575)	0.337 (0.575)	0.337 (0.575)
		Capacity gap	+0.139	+0.166	+0.124 (+0.159)	+0.023 (+0.598)	-0.057 (+0.518)	-0.080 (+0.495)
	Energy recovery (CD&E wood waste)	Forecast arisings	0.001	0.001	0.002	0.002	0.002	0.002
		Existing capacity	0	0	0	0 (0.048)	0 (0.048)	0 (0.048)

		Capacity gap	-0.001	-0.001	-0.002	-0.002 (+0.046)	-0.002 (+0.046)	-0.002 (+0.046)
	Soil treatment (CD&E)	Forecast arisings	0.084	0.112	0.095	0.097	0.099	0.099
		Existing capacity	0.147	0.278	0.315	0.315	0.315	0.315
		Capacity gap	+0.062	+0.166	+0.220	+0.217	+0.216	+0.216

\*Treatment and energy recovery processes refers to Anaerobic Digestion (AD), Energy from Waste (EfW) and other physical/chemical treatment processes.