

**FD.EVR13**

## **Cambridgeshire and Peterborough Minerals and Waste Local Plan**

### **Policy 13: Landfill Mining and Reclamation**

(was Policy 15 at the Preliminary Draft stage)

March 2019

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# 1. Introduction and National Policy Context

## Introduction

- 1.1. Cambridgeshire County Council and Peterborough City Council are reviewing their joint adopted Minerals and Waste Development Plan and supporting documents. These comprise the following documents (with adoption date):
  - Core Strategy Development Plan Document (DPD) (July 2011)
  - Site Allocations DPD (February 2012)
  - Block Fen and Langwood SPD (July 2011)
  - Location and Design of Waste Management Facilities SPD (July 2011)
  - RECAP Waste Management Design Guide SPD (February 2012)
- 1.2. The above Local Development Documents are to be replaced by a single Minerals and Waste Local Plan (MWLP) covering the period to 2036. The new Local Plan will set the overall spatial framework and development management policies for sustainable mineral and waste management development across the plan area.
- 1.3. This Evidence Report provides a narrative on the development of and justification for Policy 13: Landfill Mining and Reclamation in the emerging new Local Plan.

## National policy

- 1.4. The National Planning Policy Framework (NPPF 2019) and National Planning Practice Guidance (NPPG) provide the basis of national planning policy. Of specific relevance to Policy 13 are the following areas of the NPPF:
  - Paragraph 170 - *“Planning policies and decisions should contribute to and enhance the natural and local environment by:... e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality...; and f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”*
  - Paragraph 178 - *“Planning policies and decisions should ensure that: a) a site is suitable for its proposed use taking account of ground conditions and any risks from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation); b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and...”*
- 1.5. There is no known national policy specifically on landfill mining. However, the interest in landfill mining, as a concept, is growing across Europe, in recognition of the around 500,000 landfill sites in existence (20,000 in the UK), and the potential for valuable resources (especially metals) which can be found in them.

- 1.6. For example, Dr Stuart Wagland, Senior Lecturer in Energy & Environmental Chemistry at Cranfield University, said: *“There are a number of potential advantages in recovering materials from closed landfill sites. These sites are a long-term environmental burden, requiring careful monitoring and management, with evidence showing that nearby groundwater can be affected. Enhanced landfill mining will effectively reduce this burden, recover valuable materials and enable the use of land for redevelopment.”* (18 Sept 2018 - source <https://www.cranfield.ac.uk/press/news-2018/recovering-value-from-landfilled-plastics>)

## 2. Local Context in Relation to Policy 13: Landfill Mining and Reclamation

- 2.1. There are no known instances of landfill mining in the plan area to date. There are, however, the presence of a number of former and live landfill sites in the plan area. It is not known whether any of these have any realistic prospect of being viably mined, need to be mined for other reasons, nor any harm which may arise if one was done so.

## 3. Minerals & Waste Local Plan Policy

- 3.1. The Preliminary Draft Plan was published on 16 May 2018 and consulted on over a six week period to 26 June 2018.
- 3.2. Within the Preliminary Draft was Policy 15: Landfill Mining and Reclamation (now numbered Policy 13) which set out the two councils policy approach on this subject.
- 3.3. During the Preliminary Draft Consultation, there were no representations made on this policy.
- 3.4. However, due to the growing interest in landfill mining, the supporting text has been amended to acknowledge the growing interest in commercially based mining proposals, but that such proposals are not supported in the plan area at the present time. The last paragraph of the policy has also been slightly reworded, but the intent remains the same.

## 4. Alternative Reasonable Options

- 4.1. The following alternative options have been considered (including in the Sustainability Appraisal Report):
  - Option 1 (proposed policy): This option is a policy approach, which is the same as set out in the adopted Plan (i.e “business as usual”), refers to ‘exceptional circumstances’ where mining would be possible. This option has been preferred, because it provides clarity and effectiveness as to when such mining might be appropriate.
  - Option 2: No Policy / rely on national policy: this has been rejected due to the lack of national policy on the matter.
  - Option 3: Similar to Option 1, but with some amendments to make it support, in principle, commercial mining of landfill sites. This has been rejected due to the lack of national policy support for such a position, and a lack of substantive evidence to justify the benefits and lack of harm which might arise from such proposals.

## 5. Conclusion

- 5.1. This evidence report demonstrates the rationale for the inclusion of this policy in the Further Draft Plan, and also demonstrates a summary of the issues raised at the earlier Preliminary Draft stage, and how the Councils have considered those issues raised.
- 5.2. Any representations received at the Further Draft consultation stage will be carefully considered, and this Evidence Report will be updated prior to the third and final consultation stage due in late 2019.