

FD.EVR9

Cambridgeshire and Peterborough Minerals and Waste Local Plan

Policy 9: Reservoirs and Other Incidental Mineral Extraction

(was Policy 10 at the Preliminary Draft stage)

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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 9: Reservoirs and Other Incidental Mineral Extraction 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 9 are the following areas of the NPPF and NPPG:
 - Paragraph 118 - *“Planning policies and decisions should:
a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains - such as developments that would enable new habitat creation or improve public access to the countryside;...”*
- 1.5. In addition to the NPPF and NPPG, other national legislation or policy relevant to Policy 9 is the emerging National Policy Statement for Water Resources.
- 1.6. The Consultation on the Development of a National Policy Statement for Water Resources (NPS) and proposals to amend definitions of nationally significant water resources infrastructure in the Planning Act 2008 (November 2017) set out proposed revised thresholds for nationally significant reservoir schemes. The two options consulted on were:
 - i. To retain the current threshold of 10 million m³ water held back; or
 - ii. To amend the threshold to: reservoirs that hold back a volume greater than 10 million m³ of water OR supply at least 10 million m³ per year of water.
- 1.7. Following review of the comments received during the consultation, the government has, in the ‘Consultation on National Policy Statement for Water Resources Infrastructure – types and sizes of projects Summary of responses and government response’ (August 2018), set out that a qualifying figure of 80 megalitres per day is to be included within the NPS. There will also be an increase in the threshold of the volume of water held back to 30 million m³ (30,000

megalitres) per day deployable output. The amended definitions aim to include reservoirs with large volumes which are likely to be more resilient to longer drought periods and smaller reservoirs with a high daily output, which could be vital in maintaining supplies during short term drought or supply interruption.

- 1.8. More widely, there is other national policy and legislation on reservoirs, including guidance at the following: <https://www.gov.uk/guidance/reservoirs-owner-and-operator-requirements>

2. Local Context in Relation to Policy 9: Reservoirs and Other Incidental Mineral Extraction

- 2.1. The availability of water resources within Cambridgeshire and Peterborough already poses and significant challenge, with Anglian Water identifying the area as being one where water resources are under stress. It is therefore necessary for more sustainable use of water resources to be made.
- 2.2. Anglian Water is, across its operating area, working on new supply options as would be essential to meet the population growth and corresponding employment in the plan area. Total annual rainfall is expected to drop significantly in the coming century, especially in summer months. Current groundwater extraction is likely to be reduced to sustainable levels by abstraction reform, whilst additional surface water abstraction is unlikely to be granted except in selective locations during high flow periods.
- 2.3. Reservoirs for potable use are an uncommon proposal and are only feasible in a limited range of circumstances. None are known to be forthcoming in the plan area. However, reservoirs for agricultural purposes are becoming more common proposals (eg winter rain storage, for future summer agricultural use). Whilst, in principle, such proposals may have considerable sustainability benefits, the implications for minerals extraction also needs careful consideration.

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 10: Reservoirs and Other Incidental Mineral Extraction (Policy 9) which was predominantly a carry over of current adopted policy. The two councils consider it necessary to include a comprehensive policy which reflects the authorities proposed approach, and provides a policy framework for developers and decision makers.
- 3.3. During the Preliminary Draft Consultation, there were 3 representations made on this policy, of which 1 was in support and 2 were in objection to it. In summary, the main issues raised were:
 - The policy should include a requirement for proposals to identify opportunities for net biodiversity gain where possible;
 - The policy should be more supportive, rather than appearing to presume against new facilities that the plan area may need to rely on to service growth and the economy. Concern the policy may unintentionally constrain reservoir supply.
- 3.4. The representations were carefully considered.

- 3.5. The Councils have decided not to take forward the suggestion to include a requirement to identify opportunities for net biodiversity gain because national policy and other policies in the Plan make it clear in terms of the need for a net biodiversity gain. As the Plan should be read as a whole it is not necessary to repeat the same point in each policy.
- 3.6. Some changes have been made in respect of the suggestion that the policy should be more supportive. Whilst the policy and its wording are largely a carry over of an existing adopted policy, some additional words relating to sustainability benefits and water resource plans have been included. The opening line has also been amended to 'will be supported where...' rather than 'only permitted where...', to demonstrate a more 'positively prepared' approach of the policy.
- 3.7. Finally, a new supporting text paragraph has been added, to highlight to the reader the emerging national policy position on water resources.

4. Alternative Reasonable Options

- 4.1. The following alternative options have been considered (including in the Sustainability Appraisal Report):
 - Option 1 (Proposed Policy): A positive policy for dealing with the subject matter, broadly retaining the existing policy approach as set out in the adopted Plan (i.e. "business as usual"), albeit written in a more positive way. This is the preferred option, it acknowledges the benefits of such proposals, but also gives a decision maker a clear framework for considering proposals. The adopted policy is considered to be effective and not require substantial amendment.
 - Option 2: no policy - rely on national policy. This option has been rejected, as there is no specific NPPF policy or NPPG guidance in relation to reservoirs or other incidental mineral extraction, therefore decision makers and developers would have no starting position in relation to the authorities approach in relation to reservoirs and other incidental mineral extraction.
 - Option 3: a less restrictive policy than Option 1, which supports new reservoirs etc, without any substantive criteria which requires certain measures to be met in order for a proposal to be supported. This has been rejected because whilst support for new reservoirs would have sustainability benefits, such a flexible and open support for reservoirs could risk inappropriate mineral extraction, contrary to the broad strategy of the Plan.

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.