

## TRAFFORD COUNCIL

**Report to:** Executive & Council  
**Date:** 04 March 2013 & 13 March 2013  
**Report for:** Decision  
**Report of:** Executive Member for Economic Growth and Prosperity

### Report Title

**GREATER MANCHESTER JOINT MINERALS DEVELOPMENT PLAN DOCUMENT (JMDPD): INSPECTOR'S REPORT AND ADOPTION**

### Summary

In August 2009 the ten Greater Manchester Districts agreed to produce a joint Development Plan Document (DPD) covering planning for minerals (the Minerals Plan). This document identifies sites/areas of search for extraction along with depots for transport and storage, areas for the safeguarding of minerals, and a suite of minerals planning policies.

Following a series of public consultations, the Minerals Plan was submitted to the Secretary of State in November 2011 for Examination. The Examination hearing sessions took place over two days during February 2012 and an additional session in November 2012.

The Inspector has now issued his Report which confirms the soundness of the Submission Plan, subject to a modest number of changes, and the Plan can now be adopted by each of the ten Districts in Greater Manchester.

### Recommendations

That the Executive recommends the Council to:

1. Note the publication of the Inspector's Report on the Greater Manchester Joint Minerals Development Plan Document, and;
2. Adopt the Greater Manchester Joint Minerals Development Plan Document, together with consequential changes to the Trafford Local Plan Policies Map, and bring it into force on the 26<sup>th</sup> April 2013.

Contact person for access to background papers and further information:

Name: Rob Haslam, Interim Strategic Planning Manager. Ext. 4788.

### **BACKGROUND PAPERS**

- Inspector's Report (*Available via the dedicated Minerals Plan website and at all Trafford libraries/contact centres from the 25th February 2013*)
- JMDPD proposed Adopted Plan (*Available via the dedicated Minerals Plan website*)

- Trafford Local Plan Policies Map changes (*Available via the dedicated Minerals Plan website*)

Due to their size, a hard copy of each of these documents will be available at the Executive and Council meetings. Electronic copies can also be made available on CD upon request.

## **1.0 Background**

- 1.1 In August 2009 the ten Greater Manchester Districts agreed to produce a joint Development Plan Document (DPD) covering planning for minerals (the Minerals Plan). The document was submitted to the Secretary of State in November 2011 for Examination and the Planning Inspectorate appointed Inspector Mr Andrew Mead BSc (Hons) MRTPI MIQ to undertake the Examination into the soundness of the Plan.
- 1.2 The Minerals Plan covers land-use planning matters in relation to minerals across the ten Greater Manchester Districts and includes detailed criteria-based policies, as well as policies covering Mineral Safeguarding Areas and Areas of Search. The document includes a set of development management policies which will assist in the consideration of minerals planning applications, as well as a set of plans identifying Mineral Safeguarding Areas and Areas of Search for each of the 10 Districts.
- 1.3 The Minerals Plan aims to ensure Greater Manchester contributes towards meeting the sub-regional requirement for sand and gravel and crushed rock. It also aims to ensure that other mineral resources are not needlessly sterilised by non-mineral development. No specific site allocation proposals came forward as part of the development of the Minerals Plan and therefore the Plan can only meet these requirements through the designation of Mineral Safeguarding Areas to protect mineral resources from needless sterilisation and the identification of Areas of Search for sand, gravel and sandstone/gritstone. All Mineral Safeguarding Areas and Areas of Search, as well as accompanying policies within the Minerals Plan, have been subject to extensive consultation with stakeholders. The following were identified in Trafford:-
  - Mineral Safeguarding Area (MSA) for glacio-fluvial sand and gravel  
This comprises extensive areas of open land around Warburton and Dunham, to the south east of Partington, east of Carrington, west of Ashton upon Mersey, in the Mersey Valley and smaller areas in the south east of the Borough close to the River Bollin and Timperley Brook.
  - Areas of Search for gravel  
These comprise a small number of areas in the Mersey Valley, adjacent to the Carrington Spur and M60.
- 1.4 The initial Examination hearing sessions took place over two days during February 2012. A further consultation on Proposed Modifications to the Minerals Plan then took place in August - September 2012. This was followed by a further hearing session which took place in November 2012.
- 1.5 In January 2013, the Report was received from the Planning Inspectorate confirming the soundness of the Minerals Plan – subject to a modest number of changes. As such the Minerals Plan can now be adopted as part of the Local Plan for each of the ten Greater Manchester Districts. Each District is also required to adopt proposed

changes to its adopted Local Plan Policies Map in order to show the allocations in the Minerals Plan, which are relevant to that District. All Districts have been asked to formally adopt the Minerals Plan in order for the Plan to come into force on the 26<sup>th</sup> April 2013.

- 1.6 Following adoption of the Minerals Plan by the Council any person aggrieved by the Plan may make an application to the High Court on the ground(s) that:
- a) the document is not within the appropriate power; and/or
  - b) a procedural requirement has not been complied with.

Any such application must be made within six weeks from the date of adoption.

### **Other Options**

The only alternative is to resolve not to adopt the Greater Manchester Joint Minerals Development Plan Document and consequential changes to the Trafford Local Plan Policies Map. This would mean that the Council does not have an up-to-date detailed planning framework to guide sustainable development of minerals resources and determine specific minerals planning applications.

### **Consultation**

Preparation of the Plan has involved extensive consultation at key stages and has been in full accordance with the relevant Regulations and the adopted Trafford Statement of Community Involvement.

Whilst there is no consultation at this final stage of Plan adoption, there is provision for High Court legal challenge on limited grounds once the Plan has been adopted.

### **Reasons for Recommendation**

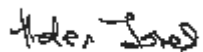
To ensure that the relevant Regulations are satisfied and that approval to adopt the Plan, together with consequential changes to the Trafford Local Plan Policies Map, is obtained.

### **Key Decision**

This is a key decision currently on the Forward Plan: Yes

**Finance Officer Clearance**      ...PC...

**Legal Officer Clearance**      ...MJ...



### **CORPORATE DIRECTOR'S SIGNATURE**

To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.

### **Implications:**

Relationship to Policy Framework/Corporate Priorities	The document has been developed to be consistent with the Trafford Partnership's Sustainable Community Strategy and the Trafford Core Strategy.
Financial	None directly from this report. Financial provision

	to prepare, and adopt, the Plan has already been made by the ten Districts in Greater Manchester.
Legal Implications	Adoption of the Joint Minerals DPD, and the consequential changes to the Trafford Local Plan Policies Map, are covered by the statutory provisions of the plan-making process. The proposed arrangements are in full accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012 and the adopted Trafford Statement of Community Involvement.
Equality/Diversity Implications	The Joint Minerals DPD has been subject to Equality Impact Assessment to ensure that equality issues have been considered as part of its preparation.
Sustainability Implications	The Joint Minerals DPD has been subject to Sustainability Appraisal throughout its preparation.
Staffing/E-Government/Asset Management Implications	Preparation and adoption of the Joint Minerals DPD has been co-ordinated by a Planning team based at the Greater Manchester Minerals and Waste Planning Unit, supported by Planning Officers from each Greater Manchester District.  Some of the Minerals Safeguarding Areas and Areas of Search identified in the Joint Minerals DPD may have implications for Council-owned/occupied land.
Risk Management Implications	Adoption of the Joint Minerals DPD will be a crucial element in securing sustainable minerals development to assist in meeting Greater Manchester's needs. Management of risks involved in the Plan preparation and adoption process has been addressed in the Council's Local Development Scheme.
Health and Safety Implications	N/A