

# Surrey Minerals and Waste Development Scheme

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**How to contact us:**

**In writing**

Surrey County Council  
Planning and Development Group  
Environment and Infrastructure  
County Hall  
Kingston upon Thames  
Surrey KT1 2DN

**By phone**

03456 009 009

**Online**

Email: [mdf@surreycc.gov.uk](mailto:mdf@surreycc.gov.uk)  
[www.surreycc.gov.uk](http://www.surreycc.gov.uk)

Surrey Minerals and Waste Development Framework

Minerals and Waste Development Scheme

Katie Stewart  
Executive Director for Environment,  
Transport and Infrastructure  
Surrey County Council  
County Hall  
Penrhyn Road  
Kingston upon Thames  
KT1 2DN

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# 1 Introduction

- 1.1.1. The Local Planning Authority is required to produce a Local Development Scheme.<sup>1</sup> Surrey County Council is the Minerals and Waste Planning Authority and has produced a Minerals and Waste Development Scheme (MWDS) for Surrey.
- 1.1.2 The MWDS is a public statement identifying which local development documents will be produced and when they will be reviewed. The MWDS will be made available publicly on the Surrey County Council website and will be kept up-to-date.
- 1.1.3 The MWDS:
- Provides a brief description of the adopted minerals and waste local plans and the relationship between them.
  - Sets out the planned timetable for reviewing the joint development plan document and the key milestones in the process.
  - Indicates which supplementary planning guidance will continue to be used as a material consideration in determining planning applications.
  - Indicates how Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) are integrated into the preparation of the Minerals and Waste Development Framework (MWDF).

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<sup>1</sup> Under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).

## 2 Minerals and Waste Development Framework

### 2.1 Content of the Minerals and Waste Development Framework

2.1.1. The minerals and waste development framework for Surrey consists of a number of local development documents:

- Surrey Waste Local Plan (SWP)
- Surrey Minerals Plan (SMP)
- Minerals Site Restoration Supplementary Planning Document (SPD)
- Aggregates Recycling Joint DPD (ARJDPD)
- Statement of Community Involvement (SCI)
- Annual Monitoring Reports (AMR) including an annual Local Aggregates Assessment (LAA)

2.1.2 A full description of each document and details of adoption are provided in Appendix 1. The relationship between the documents that make up the Minerals and Waste Local Development Framework is illustrated in Appendix 2.

2.1.3 In addition to the document listed above reference is also made in Appendix 1 and Appendix 2 to the new Surrey Waste Local Plan (SWLP), which was found sound in May 2020 and is scheduled for adoption in December 2020. Upon adoption the SWLP will replace the SWP in the Surrey Minerals and Waste Development Framework.

2.1.4 Although currently separate publications, it is intended that when reviewed the SWLP and SMP will be combined in one consolidated document.

## 3 Arrangements for Review

### 3.1 Monitoring

- 3.1.1. An AMR is prepared as part of the framework documentation. Part of the role of the AMR will be to monitor implementation of the MWDS. This Includes:
- Reporting on the progress made and whether the authority has met targets and milestones
  - Where the authority has or will not meet targets, the reasons behind this and what steps will be taken to address these problems.
  - Monitor the extent to which policies in the MWDF are being implemented and any policy areas where change is needed.
  - Identify any significant changes to the evidence base which might affect the targets or policies in adopted plans.
- 3.1.2. The authority will also carry out any surveys and produce an LAA to monitor the supply of aggregates. Recognising the role that the authority has in planning for a steady and adequate supply of minerals (NPPF, Paragraph 146).
- 3.1.3. All minerals and waste local development documents are complete and have been adopted. Information on how and when minerals and waste local development documents will be reviewed is provided in Appendix 3. The authority will indicate if it is necessary to amend the LDS in the light of any assessment or ongoing monitoring.

## 4 Other documents and guidance

### 4.1 Minerals and Waste Submission Proposals Maps

#### 4.1.1 A Proposals Map has been prepared for the:

- Surrey Waste Plan Core Strategy
- Surrey Minerals Plan Core Strategy
- Surrey Minerals Plan Primary Aggregates DPD
- Aggregates Recycling Joint DPD

#### 4.1.2 These maps will be updated annually by the authority and maintained on the Surrey County Council webpages.

### 4.2 Minerals and Waste Planning Annual Monitoring Report

#### 4.2.1 Authorities are required to prepare an AMR to assess the implementation of the LDS and the extent to which policies in Local Plans are being achieved. The Surrey AMR monitors the indicators and targets in the adopted minerals and waste development documents.

#### 4.2.2 The AMR will contain the relevant information required under the regulations<sup>2</sup>, and an annual Local Aggregates Assessment. Recent reports will be available on the Surrey County Council webpages.

### 4.3 Statement of Community Involvement

#### 4.3.1 The Statement of Community Involvement (SCI) sets out how local communities and stakeholders will be involved in the preparation of the Minerals and Waste Development Framework and in the consideration of planning applications and the steps that the authority will take to facilitate this.

### 4.4 Supplementary Planning Documents

#### 4.4.1 Supplementary Planning Documents (SPDs) are intended to expand upon policy or provide further detail to policies in development plan documents. Restoration of mineral workings is covered in the *Minerals Site Restoration SPD* which was formally adopted in July 2011.

#### 4.4.2 The Minerals Site Restoration SPD document sets out best practice in restoration techniques and presents indicative restoration schemes for all of the preferred areas for working of primary aggregates and silica sand as identified in the Surrey Minerals Plan and is kept under review.

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<sup>2</sup> The Town and County Planning (Local Planning)(England) Regulations 2012

## 5 Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA)

### 5.1 Sustainability Appraisal and Strategic Environmental Assessment

- 5.1.1 The new Minerals and Waste Local Plan will be subject to the requirements for Sustainability Appraisal<sup>3</sup> (SA) and Strategic Environmental Assessment<sup>4</sup> (SEA) as part of the plan preparation process. The adopted Surrey Waste Plan and the adopted Surrey Minerals Plan were both subject to SA and SEA as part of their preparation, as was the new Surrey Waste Local Plan which is awaiting adoption. SPDs are not subject to the requirement for SA but may need to undergo SEA. The SEA of the Surrey Minerals Plan took account of the Restoration SPD, as a key means of enabling the timely restoration of minerals sites.
- 5.1.2 The SA and SEA for the new joint Surrey Minerals and Waste Local Plan will form a key part of the plan preparation process. Recommendations arising from the SA and SEA will feed into the plan preparation process and will help to guide the development of the policies and proposals set out in the new plan.
- 5.1.3 In practice the SA and SEA processes are combined, and the findings and recommendations set out in a single report and accompanying non-technical summary.

### 5.2 Habitat Regulations Assessment

- 5.2.1 The new Minerals and Waste Local Plan will be subject to the requirement<sup>5</sup> for Habitat Regulations Assessment (HRA) as part of the plan preparation process. The HRA process is specifically concerned with the likely significant effects of the proposed plan on sites of European importance for nature conservation.
- 5.2.2 There are four Special Protection Areas (SPAs) and three Special Areas of Conservation (SACs) located wholly or partly within Surrey. Consequently in order to adopt the new Minerals and Waste Local Plan the MWPA will need to be able to prove that implementation of the plan, alone and in combination with other plans and projects, will not have significant impacts on the ecological integrity of the SPAs and SACs within and close to the county. The HRA is the mechanism by which the MWPA will meet that obligation.

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<sup>3</sup> Under section 19(5) of the Planning & Compulsory Purchase Act 2004.

<sup>4</sup> The Environmental Assessment of Plans & Programmes Regulations 2004.

<sup>5</sup> Regulation 63 of the Conservation of Habitats & Species Regulations 2017 (as amended)

## APPENDIX 1 – Existing Minerals and Waste Development Framework

Table 1 Profiles of Minerals and Waste Local Development Documents

Document	Description	Status
Surrey Waste Plan (SWP)	<p>Core Strategy: Sets out the authority's vision, objectives and waste development spatial strategy for Surrey and provides the policy framework for development management</p> <p>Waste Development: Policy framework to address need for waste facilities and identification of sites for such facilities</p> <p>Development Control Policies: Policy framework for the consideration of planning applications for waste development in Surrey</p>	Adopted May 2008 Amended by Order of the High Court on 5 March 2009
Surrey Minerals Plan (SMP)	<p>Core Strategy: Sets out the vision, objectives and spatial strategy for mineral development to 2026 incorporating specific policies on silica sand, brick clay and oil and gas, together with generic policies to determine planning applications for mineral development.</p> <p>Primary Aggregates: Policy framework to address the need for and provision of sharp sand, gravel and soft sand in Surrey. The document identifies preferred areas to meet need for aggregates and contains policies for controlling primary aggregate extraction.</p>	Adopted July 2011 Undergoing full review
Minerals Site Restoration Supplementary Planning Document (SPD)	The purpose of the SPD is to set out the County Council's vision of how existing and proposed mineral workings should be restored in Surrey during the period to 2026.	Adopted July 2011
Aggregates Recycling Joint DPD (ARJDPD)	Aggregates Recycling Joint Development Plan Document: Sets out delivery of the visions and aims of the Surrey Minerals and Waste Plans for aggregates recycling. The document identifies sites to meet the targets set out in the Surrey Minerals Plan.	Adopted February 2013 Undergoing full review
Statement of Community Involvement (SCI)	Sets the Council's service level agreement with stakeholders and the community and their involvement in preparation of the Minerals and Waste Development Framework.	Agreed October 2019
Annual Monitoring Reports (AMR) including an annual Local Aggregates Assessment (LAA).	These reports measures performance of the Minerals and Waste Plans against their strategic objectives and Key Performance Indicators.	Published annually
<i>Surrey Waste Local Plan (SWLP)</i>	<i>Sets out the authority's vision, objectives and waste development spatial strategy for Surrey and provides the policy framework for development management. Land suitable for waste development is identified under Policy 10 and specific site allocations are made under Policy 11a and Policy 11b.</i>	<i>Adoption pending – scheduled for December 2020</i>

APPENDIX 2 – Minerals and Waste Development Framework



## APPENDIX 3 – Review of Minerals and Waste Local Development Documents

Table 2 Profiles of Minerals and Waste Local Plan Documents

Document	Trigger for Review	Timetable for Review (if applicable)	
		Stage	Timescale
<p>Joint Surrey Minerals and Waste Local Plan (SMWP)</p> <p>Following the a ‘Review of the Surrey Minerals Plan 2011 and the Aggregates Recycling DPD 2013’ it was found that both require updating. That assessment sets out in full the reasoning behind why a full review is required. However, in short it was concluded that the Surrey Minerals Plan contains policies that no longer fully reflect current planning and environmental policy, and therefore should be replaced by a new Surrey Minerals Local Plan. It is important that Surrey County Council’s minerals and waste plans remain effective and compliant with national legislation and policy.</p> <p>The current Surrey Waste Plan was adopted in 2008 and requires updating. The new Surrey Waste Local Plan was found sound in May 2020 following Examination in Public, and is awaiting adoption which is scheduled for December 2020. There is a growing overlap between minerals and waste planning, particularly in respect of the role that the recycling of construction, demolition and excavation wastes can play in providing substitute materials for primary aggregate minerals.</p> <p>Officers are of the view that now would be an appropriate time to move away from our previous approach of two separate plans and to produce a single combined Minerals and Waste Local Plan. Bringing both elements together will allow us to reflect on and address overlaps in issues, policy and approach as we plan for the future.</p>	Issues and Options Consultation	Start: November 2020 Public Consultation: June 2021	
	Preferred Options Consultation	Start: December 2021 Public Consultation: May 2022	
	Pre-Submission for Representations	December 2022	
	Submission to SoS	Early 2023	
	Examination in Public	Summer 2023	
	Inspectors Report and Consultation on any modifications	Late 2023	
	Adoption	Early 2024	

Document	Trigger for Review	Timetable for Review (if applicable)	
		Stage	Timescale
Aggregates Recycling Joint DPD (ARJDPD)	The Aggregates Recycling Joint DPD was adopted in 2013, and is concerned specifically with the production of secondary and recycle aggregate as a substitute for primary aggregate minerals. The review of the adopted SMP and the AR JDPD (see Annex 2) concluded that both documents required updating. The review of the policies and approach set out in the AR JDPD will be rolled into the production of the new combined Minerals and Waste Local Plan.	Some aspects were updated as part of the new SWLP. However, a complete review is required alongside the new joint SMWLP. The timetable for this review will be the same as for the SMWLP.	
Statement of Community Involvement (SCI)	The AMR will identify when a review is required, based on changes to legislation or relevant government guidance.	An update to this was agreed in October 2019. This can once again be looked at for update as part of the new joint SMWLP.	

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