

**DEVON COUNTY MINERALS  
AND WASTE DEVELOPMENT  
FRAMEWORK**

**ANNUAL MONITORING REPORT**

**2009/10**

**December 2010**

## **FURTHER INFORMATION**

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[www.devon.gov.uk/annualmonitoringreports](http://www.devon.gov.uk/annualmonitoringreports)

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## **1 INTRODUCTION**

### **1.1 MINERALS AND WASTE PLANNING IN DEVON**

- 1.1.1 Devon County Council is the minerals and waste planning authority for Devon, excluding Dartmoor and Exmoor National Parks and the unitary authority areas of Plymouth and Torbay which are responsible for their own minerals and waste planning.
- 1.1.2 The Planning and Compulsory Purchase Act 2004 (the 2004 Act) requires the County Council to produce a Mineral and Waste Development Framework containing a portfolio of Local Development Documents relating to minerals and waste planning in Devon, with the Annual Monitoring Report being one such document.
- 1.1.3 The timetable for the production and publication of Local Development Documents was originally set out in the Devon County Minerals and Waste Development Scheme which came into effect in July 2005. The Development Scheme has subsequently been revised in September 2006 and in March 2007.
- 1.1.4 The **Devon County Minerals Local Plan** was adopted in June 2004 and is “saved” until it is superseded by policies in the Minerals and Waste Development Framework (except policies MP1 and MP12, which lapsed in September 2007). The **Devon County Waste Local Plan** was adopted in June 2006 and confirmation was received in May 2009 that its policies are saved until superseded by new policies. Replacement policies for minerals and waste will be prepared within the Devon County Minerals and Waste Development Framework.

### **1.2 THE WIDER PLANNING CONTEXT**

- 1.2.1 Prior to the 2004 Act, the Development Plan for Devon comprised Local Plans together with the Structure Plan. The **Devon Structure Plan 2001 to 2016** was adopted in October 2004 and its policies are saved until replaced by policies within the Regional Spatial Strategy [RSS], or local authorities’ development plan documents.
- 1.2.2 Although not included within the Development Plan, further policy guidance was provided at national and regional levels, the latter in the form of RPG10<sup>1</sup>. Upon commencement of the 2004 Act, RPG10 became part of the Development Plan as the RSS.
- 1.2.3 The South West Regional Assembly published a Draft RSS for the period 2006-2026 in June 2006, and its Examination in Public took place between April and June 2007 with the Panel’s Report published

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<sup>1</sup> Government Office for the South West (2001) ‘Regional Planning Guidance for the South West (RPG10)’

in January 2008. The Secretary of State subsequently published proposed changes in July 2008. Publication of the final RSS had been anticipated to occur in summer 2010. However, the Government announced in September 2009 that further sustainability appraisal would be required, following which a decision on future progress would be made in 2010.

- 1.2.4 Following the 2010 General Election, the Secretary of State for Communities and Local Government outlined the commitment of the new Government to rapidly abolish Regional Spatial Strategies. This was reaffirmed in July 2010 through an announcement by Communities and Local Government. However, this position was successfully challenged in November 2010. As a result, Regional Spatial Strategies are still a material consideration for the purpose of preparing planning policy and determining planning applications.
- 1.2.5 Despite the successful legal challenges, the Government has confirmed its intention to abolish the Regional Spatial Strategies as part of the Localism Bill which was published in December 2010.
- 1.2.6 Government also confirmed in October 2010 that the responsibility for producing the local minerals and waste policy framework will remain with upper-tier Local Authorities, including County Councils, despite ongoing planning reform.

### **1.3 THE ANNUAL MONITORING REPORT**

- 1.3.1 The 2004 Act requires Devon County Council to produce Annual Monitoring Reports [AMRs] as one of the documents of the Minerals and Waste Development Framework. The first Monitoring Report was published for 2004/05.
- 1.3.2 The AMR must assess the implementation of Devon's Minerals and Waste Development Scheme and the County Council's success in implementing its adopted policies.
- 1.3.3 The scope and content of a planning authority's AMR is the subject of legislation and guidance<sup>1</sup> to which Devon County Council has had regard. This Report monitors the County Council's Minerals and Waste Development Framework (including the saved Local Plans) in four areas:
  - The general context for minerals and waste planning in Devon, including issues that may influence demand for minerals and the level of generation of waste, the characteristics of Devon and relevant developments in the policy background;
  - The progress of the County Council in implementing its Minerals and Waste Development Scheme;

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<sup>1</sup> Planning and Compulsory Purchase Act 2004; The Town and Country Planning (Local Development) (England) Regulations 2004; and ODPM (2005) 'Local Development Framework Monitoring: A Good Practice Guide'

- An assessment of the performance of the policies within the Minerals and Waste Development Framework which, for 2009/10, comprised the Devon County Minerals Local Plan and the Devon County Waste Local Plan; and
- Conclusions on the key findings of the AMR and any actions required to address the issues that have arisen, including any difficulties encountered in producing the AMR.

1.3.4 *Contextual Indicators* will be used to assess the characteristics of Devon and their influence on the Minerals and Waste Development Framework in terms of policy context. These will be the same indicators as used in the previous AMR, and to be used in future years, to achieve consistency.

1.3.5 Assessment of the County Council's minerals and waste policies will use *output indicators*. These will include:

- *Core indicators* stipulated by the Department for Communities and Local Government; and
- *Local indicators* selected by the County Council in accordance with those suggested in the Minerals Local Plan and the Waste Local Plan.

1.3.6 The ODPM guidance recommends the use of *significant effects* indicators to inform monitoring of policy impact on sustainability. The AMR for previous years did not include these because Sustainability Appraisal had not been progressed for new development plan documents. This is still the case and so again these indicators have not been included.

1.3.7 The 2004/05 AMR acknowledged that, as it was the first monitoring report, improvements and alterations would be needed for future reports. Regard has been had to these recommendations in the preparation of this Report, with any ongoing issues identified in the final section of the Report.

## **2 THE CONTEXT FOR MINERALS AND WASTE PLANNING IN DEVON**

### **2.1 PORTRAYING THE CONTEXT**

2.1.1 Regional and national policy provides the strategic framework for the development of local county policy. However, the distinct environmental, economic and social characteristics of Devon provide the local context for the County Council's mineral and waste planning. These characteristics create the demand for minerals and the need for waste management infrastructure whilst also framing the way in which these issues are addressed.

2.1.2 This section of the AMR will provide a brief portrait of Devon by illustrating the key characteristics of the County that provide the context for minerals and waste planning through the use of contextual indicators, which are included within the text of this section and summarised together in Appendix 1.

2.1.3 Although the spatial scope of the AMR is limited to that area for which Devon County Council is the minerals and waste planning authority (see 1.1.1), the contextual indicators in this section relate to the historic County of Devon (including Plymouth, Torbay and the National Parks of Dartmoor and Exmoor) on the grounds that:

- Demand for the minerals produced within the AMR area will originate in part from Plymouth and Torbay, and minerals produced in those areas, together with Dartmoor National Park, will be used to some extent in the AMR area; and
- Waste produced within Plymouth, Torbay and the National Parks is likely, in part, to require management outside of those areas.

### **2.2 DEVON'S ENVIRONMENT**

#### **Climate Change<sup>1</sup>**

2.2.1 The mean annual temperature in Devon has increased since the 1960s in line with global and national trends, with an unusual sequence of warm summers. The warmest decade has been that since 1995. Although the considerable level of natural variability in annual precipitation rates results in there being no clear signal of climate change, there has been a significant change in the seasonality of Devon's rainfall, with wetter winters and drier summers. The relative sea level continues to rise.

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<sup>1</sup> This part of the Report is drawn from: Devon County Council (2005) 'A Warm Response – Our Climate Change Challenge', which provides a detailed discussion of the climate change issues facing Devon

2.2.2 It is forecast that Devon’s mean annual temperature of 9.9°C is expected to rise by up to 2.5°C by the middle of the 21<sup>st</sup> century, with precipitation likely to decrease but with more intense rainfall during the winter. Sea level around Devon’s coast is likely to rise by up to 7cm per decade.

**Natural Resources and Waste**

2.2.3 Although air quality in Devon is generally good, there are twelve Air Quality Management Areas in the County (not including Plymouth and Torbay). The major source of pollution is road transport. The quality of river, coastal, drinking and groundwater is very high within both a regional and national context, but further improvements are needed to meet stricter standards for public health, wildlife and fisheries.

<b>Contextual Indicator CX1 – Water Quality</b>	
<b>Description</b>	<b>2009/10 Result<sup>1</sup></b>
<b>The proportion of river stretches tested in Devon that were rated of ‘good’ or ‘very good’</b> - <b>Biological quality</b> - <b>Chemical quality</b>	<b>91% (312 of 342 samples)</b> <b>98% (257 of 262 samples)</b>
Notes 1 Figures are from the Environment Agency’s GQAHl Assessment 2008 as the 2009 assessment was not available	

2.2.4 Devon’s land is an important resource for its agricultural sector but is under pressure in some areas from the need for new development. Although the use of previously-developed (brownfield) land is to be preferred for new development, Devon has less of this resource than many other parts of the Country because it is a predominantly rural county. Last year the area of land in Devon used for agriculture decreased by 21,532ha, reducing the overall total to 504,598ha, representing 76% of Devon’s land.

<b>Contextual Indicator CX2 – Agricultural Land</b>	
<b>Description</b>	<b>2009/10 Result</b>
<b>Area of Devon (and proportion of the County) that is currently in agricultural use</b>	<b>504,598 ha</b> <b>76%</b>
Notes 1 From the June 2009 Agricultural Survey	

2.2.5 Devon’s varied geology<sup>1</sup> is reflected in the presence of a wide range of minerals that are, or have been, exploited for the County’s needs or for use elsewhere in Britain or abroad. Aggregate minerals are produced in the form of crushed rock from sandstone, limestone and igneous rock resources, together with sand and gravel. Relatively small quantities of building stone are produced, together with brick clay to

<sup>1</sup> Detailed information on Devon’s geology and mineral production can be found in the ‘Devon County Minerals Local Plan’ and the Technical Report produced for the Devon County Minerals Core Strategy

serve the one remaining brickworks in the County. Devon has a major role in the production of china clay and ball clay, which only occur within Britain in Devon and adjoining counties, with much of the output being exported.

- 2.2.6 Devon (including Torbay and Plymouth and the National Parks) produced 620,007 tonnes of municipal waste in 2009/10, a decrease of 24,105 tonnes, or just under 3.7% compared with 2008/09. Devon, Torbay and Plymouth also generated 699,823 tonnes of commercial and industrial waste in 2009, and a larger, but currently unquantified, volume of construction and demolition waste.

<b>Contextual Indicator CX3 - Waste</b>	
<b>Description</b>	<b>2009/10 Result</b>
<b>Total annual arisings (tonnes) of municipal waste</b>	<b>620,007t</b>
Notes: Figure for Devon, Plymouth, Torbay and the National Parks	

### **Biodiversity and Landscape**

- 2.2.7 Devon possesses an outstanding network of sites of biodiversity and geological importance, with over 200 Sites of Special Scientific Interest including a number of internationally-designated sites. The latter include a wide variety of habitats including moor land, dry heathland and wet grassland, estuarine and coastal areas, river valleys, woodland and caves. The Devon Biodiversity Action Plan<sup>1</sup> identifies 17 key habitats and 20 key species for which action plans have been produced. Devon's outstanding geological interest has been recognised by the inclusion of the East Devon coast within the Dorset and East Devon World Heritage Site.

<b>Contextual Indicator CX4 - Biodiversity</b>	
<b>Description</b>	<b>2009/10 Result</b>
<b>(a) number of Sites of Special Scientific Interest</b>	<b>(a) 211</b>
<b>(b) number of sites subject to international designations<sup>1</sup></b>	<b>(b) 25</b>
Notes <sup>1</sup> Ramsar sites, Special Protection Areas and Special Areas of Conservation (including Marine SACs)	

- 2.2.8 More than half of Devon's area is protected by national landscape designations, in the form of National Parks and Areas of Outstanding Natural Beauty, or by local designation as Areas of Great Landscape Value and Coastal Preservation Areas. The variety and distinctiveness of Devon's landscapes is illustrated by the identification of 32

<sup>1</sup> Devon Biodiversity Action Plan (1998, revised 2005) 'The Nature of Devon: A Biodiversity Action Plan'

Landscape Character Zones, derived from an assessment of the County's landscape<sup>1</sup>.

<b>Contextual Indicator CX5 - Landscape</b>	
<b>Description</b>	<b>2009/10 Result</b>
<b>Proportion of area that is protected by national landscape designations<sup>1</sup></b>	<b>39.9%</b>
Notes <sup>1</sup> National Parks and Areas of Outstanding Natural Beauty	

2.2.9 Devon's landscape and built environment are also important for their historic interest, with thousands of sites and areas of archaeological interest providing a record of human activity from prehistoric times through to the recent past. This is illustrated by the granting of UNESCO World Heritage Site status to the Dorset and East Devon Jurassic Coast and the Cornwall and West Devon Mining Landscape.. Devon also has a wealth of urban and rural historic buildings, including more than 20,000 Listed Buildings, and the historic character of the County's settlements is recognised by the designation of 309 Conservation Areas and 39 Registered Parks and Gardens. The finite nature of the historic resource, however, is illustrated by the inclusion of 33 properties within Devon on English Heritage's Register of Buildings at Risk.

<b>Contextual Indicator CX6 – Historic Environment</b>	
<b>Description</b>	<b>2009/10 Result</b>
<b>Number of Scheduled Ancient Monuments</b>	<b>1,778</b>
<b>Number of Listed Buildings</b>	<b>20,680</b>
Notes Data obtained from English Heritage	

## **2.3 DEVON'S ECONOMY**

### **Environment as an Economic Driver**

2.3.1 The relationship between Devon's environment and its economy is particularly strong in the tourism sector, with 80% of holiday trips being motivated by the County's conserved landscapes, and in agriculture which accounts for the use of over 500,000 hectares in Devon. However, the farming industry has experienced decline over recent years, and faces further restructuring of funding support.

2.3.2 There are opportunities for deriving economic benefits from the environment, with potential for new jobs in the environmental technology sector and through initiatives such as sustainable tourism and sustainable waste management.

<sup>1</sup> Devon County Council (2002) 'The Devon Landscape – an Appraisal of Devon's Landscape at the Beginning of the 21<sup>st</sup> Century'

## Enterprise and Productivity

- 2.3.3 Devon has a growing and diverse economy, but one that is lagging behind much of the country in terms of productivity, possibly due to an under-representation in the County of the more productive sectors such as manufacturing, business and financial services. There is also a contrasting picture of productivity between the different sectors within Devon and between different parts of the County.

Contextual Indicator CX7 - Economy	
Description	2009/10 Result <sup>1</sup>
Number of VAT- registered businesses	42,295
Notes	
1 For start of 2009, Source: Office for National Statistics	

- 2.3.4 Devon has a strong tradition of enterprise, with 85% of businesses employing no more than 10 people, and also has a relatively high proportion (12.8%) of its population being self-employed – which is higher than the national average. .
- 2.3.5 In August 2009, the level of unemployment was 10,267 in Devon<sup>1</sup>. This is lower than the national average, but relatively high levels of self-employment and part-time working may limit access to well-paid jobs that utilise people's skills. Average earnings in Devon are 14% lower than in the rest of the country, partly explained by the higher-than-average proportions of female, part-time and self-employed employee group.

## Transport and Traffic

- 2.3.6 Devon has good transport links with the rest of the country through the M5 and A30/A303, rail routes and air services, and with Europe through sea and air routes. The continued availability of these is an important element of the County's future prosperity. However, the increase in road traffic has resulted in congestion in and around the main urban areas, with some routes experiencing growth in traffic flows of more than 40% over the last decade. Total traffic flows for Devon have increased by 25% over the period 1993-2008, although 2009 saw a small decrease of 0.6% over the previous year.

Contextual Indicator CX8 - Traffic	
Description	2009/10 Result <sup>1</sup>
Total traffic flow (million vehicle km)	9730
Notes	
<sup>1</sup> Figure is for 2009 calendar year. From Department for Transport's National Road Traffic Survey	

<sup>1</sup> Source: Department for Transport

2.3.7 Although car ownership in Devon rose by 30% between 1991 and 2001<sup>1</sup>, those people without access to a car or adequate public transport (notably the elderly, disabled people and young people) suffer from poor access to employment, educational, health and social facilities. This naturally affects rural areas to a greater degree, and only 26% of Devon's population living within settlements of less than 3,000 people are within 13 minutes walk of an hourly or better bus service.

## 2.4 DEVON'S PEOPLE

2.4.1 Devon's population (including Plymouth and Torbay) was estimated in 2009 to be 1.14 million, showing little change over 2008. The average age of Devon's population is rising as people live longer and young adults move away. There has been a marked increase in the number of small households, and social changes mean that even if population numbers were to remain static, more houses would be needed to accommodate the same number of people living in smaller household units.

<b>Contextual Indicator CX9 - Population</b>	
<b>Description</b>	<b>2009/10Result<sup>1</sup></b>
<b>Total Population</b>	1,138,100
Notes	
<sup>1</sup> Mid year estimate for 2009 from Office for National Statistics	

The Devon Structure Plan proposes to accommodate the anticipated increase in population and households by providing for 65,500 new dwellings over the period 2001 to 2016 (an annual rate of 4,094), including the development of new communities near Plymouth (Sherford) and Exeter (Cranbrook). House building in 2008/09 totalled 4,145 units in comparison 3022 during 2007/08, but figures for 2009/10 are not yet available.

<b>Contextual Indicator CX10 – House Building</b>	
<b>Description</b>	<b>2009/10Result</b>
<b>Number of new dwellings built<sup>1</sup></b>	<b>Data unavailable</b>
East Devon	
Exeter	
Mid Devon	
North Devon	
Plymouth	
South Hams	
Teignbridge	
Torbay	
Torridge	
West Devon	
Dartmoor National Park	
<b>TOTAL</b>	
Notes	

<sup>1</sup> Source: 1991 and 2001 Censuses

- 2.4.2 The rapid increase in house prices over recent years has had a serious impact on the ability of people on lower incomes to afford housing. This has been exacerbated by the relatively low levels of average earnings in Devon.
- 2.4.3 Although 87% of those interviewed in a survey for the Devon Strategic Partnership were satisfied with Devon as a place to live, the County exhibits significant variations in quality of life for its population. More than 95,000 (13%) of the County's population live in wards ranked in the most deprived quartile nationally, and are clustered predominantly in coastal resorts, larger towns and 'remote' rural parishes.
- 2.4.4 The health of Devon's people is generally good, but there are inequalities in health and life expectancy across the County caused by a range of social and economic factors.

## **2.5 KEY ISSUES, CHALLENGES AND OPPORTUNITIES**

### **The Sustainable Community Strategy's Vision and Priorities**

- 2.5.1 Devon's Sustainable Community Strategy, which was published in July 2008, has identified the following vision of Devon being "England's greenest county with strong local communities that are prosperous and welcoming with a excellent quality of life and a sustainable future": Seven priorities are identified in support of the vision:
- A Growing Economy
  - A world Class Environment
  - Health and Wellbeing
  - Homes and Housing
  - A safer Devon
  - Strong and Inclusive Communities
  - Inspiring Young People
- 2.5.2 The intention of the County Council is that the Minerals and Waste Development Framework will, wherever possible, contribute to the vision and priorities of the Sustainable Community Strategy. This will be achieved through the scoping of each of the local development documents to establish areas of common interest with the Community Strategy, and through the associated sustainability appraisal process, which will have regard to the social, economic and environmental themes of the Strategy.

### **3 IMPLEMENTATION OF THE DEVON COUNTY MINERALS AND WASTE DEVELOPMENT SCHEME**

- 3.1 The 2004 Act required the County Council to prepare a Minerals and Waste Development Scheme [MWDS] for submission to the Government Office for the South West [GOSW] by 31 March 2005. This Scheme is intended to provide a three year programme for the preparation of the local development documents that will be contained within the Minerals and Waste Development Framework, and progress in implementing the MWDS is to be monitored through the AMR.
- 3.2 Devon County Council submitted its MWDS in 2004 but it did not come into force until July 2005 due to amendments to the Scheme. A First Revision of the MWDS came into effect in September 2006 but this was superseded by the Second Revision, which came into effect on 30 March 2007 and it is the milestones in this latter document that will be used in this AMR. However, the milestones included within this second revision have now been superseded by a new timetable which will be included in a further revision to the Scheme.
- 3.3 Within the Second Revision of the MWDS, milestones were included in 2009/10 for five documents as outlined below.

#### **Statement of Community Involvement**

- 3.4 The Statement of Community Involvement [SCI] was adopted in December 2007.

#### **Minerals Core Strategy**

- 3.5 The Second Revision of the MWDS timetabled submission of the Minerals Core Strategy [MCS] to the Secretary of State was anticipated to occur in July 2008, followed by its examination in January 2009. However, no formal milestones have been achieved with the Minerals Core Strategy since consultation on the Issues and Options Report in November 2007.

#### **Minerals Development Control Policies & Site Proposals**

- 3.6 Commencement of this document was timetabled in the MWDS to occur in January 2008 followed by publication of a Scoping Report in May 2008 and consultation on Issues and Options in August 2008. However, no action has been taken and the need for this document is being reviewed in the preparation of a Third Revision of the MWDS in the light of changes to PPS12 and the expansion of the scope of the Minerals Core Strategy.

### **Bovey Basin Area Action Plan**

- 3.7 It was anticipated that commencement of the Area Action Plan would have occurred in August 2007, with Preferred Options consultation taking place in November 2008. While some informal evidence gathering has taken place, no formal steps have been undertaken with this document.

### **Waste Core Strategy**

- 3.8 The MWDS Second Revision timetables commencement of the Waste Core Strategy for June 2007, with Preferred Options consultation taking place in January 2009. By the end of March 2010 no action had been taken on this document. However, work on the Waste Core Strategy began in April 2010 which will result in an Issues and Options consultation in spring 2011.

### **Waste Development Control Policies and Site Proposals**

- 3.9 Commencement of this DPD was scheduled for March 2009. However no action has been taken on this document.

### **Waste Audits and Infrastructure**

- 3.10 Commencement of this Supplementary Planning Document was scheduled to occur in June 2007, with adoption in September 2008. However, no action has been taken on this document and the need for it is being reconsidered.

### **Analysis of Progress**

- 3.11 Although adoption of the Statement of Community Involvement was achieved only a little behind the programmed timetable, progress with the other documents within the Minerals and Waste Development Framework has generally been challenging in 2009/10. However, additional resources have now been focused onto the development of the Minerals and Waste Core Strategies which has led to significant progress in 2010. This however is not considered in this Report. The limited availability of staff resources makes it difficult to predict when the other documents in the Minerals and Waste Development Framework can be commenced.
- 3.12 The slippage in meeting the milestones is regrettable, and the County Council will keep this under review and endeavour to avoid further delays.

## **4 MINERALS POLICY: ASSESSMENT OF PERFORMANCE AND EFFECTS**

- 4.1 The **Devon County Minerals Local Plan** was adopted in June 2004 and, under the provisions of the Planning and Compulsory Purchase Act 2004, was initially 'saved' for a period of three years from commencement of the Act (i.e. until 28 September 2007). A direction from the Secretary of State has since been issued which allows all policies in the Minerals Local Plan to be saved until they are superseded by the production of Minerals Development Documents, except MP1 (International Designations) and MP12 (Protected Species) which have now lapsed.
- 4.2 This part of the AMR will assess the performance of the Minerals Local Plan through the use of output indicators (including those specified by the ODPM as core output indicators; unless otherwise stated, the spatial coverage of indicators within this section of the AMR is that part of Devon for which the County Council is the Mineral Planning Authority), and by analysing the effectiveness of the policies contained within the Plan. It should, however, be borne in mind that the number of planning applications for minerals development received by the County Council in any one year is small, and that a large proportion of the Plan policies may not be used in the determination of planning applications every year.
- 4.3 Within 2009/10, one planning application for new mineral working was approved, relating to the extension of Town Farm at Burlescombe to provide a further 2 million tonnes of sand and gravel. In addition, permission was given for the removal of china clay waste from a tip at Lee Moor for processing to provide secondary aggregates.

<b>Local Output Indicator LO1</b>	
<b>Description</b>	<b>2009/10Result</b>
<b>Number of mineral permissions granted that were advertised as a departure from the Development Plan</b>	<b>None</b>
Notes	

- 4.4 Within 2009/10, one other application was determined for minerals development that did not include the working of minerals. This was for the tipping of ball clay waste at Rixey Park in the Bovey Basin. A schedule of the planning applications for mineral sites and for the production of recycled aggregates is included in Appendix 3.

### **Production of Aggregates**

- 4.5 Policy MP19 of the Minerals Local Plan confirms that the County Council will maintain its contribution to the regional aggregate supply. The existing sub-regional apportionment undertaken by the South West Regional Assembly requires that Devon (including Plymouth, Torbay and Dartmoor National Park) should make provision for 3.5

million tonnes (mt) of crushed rock and 1.36 mt of sand and gravel (with Cornwall and Somerset) per annum for the period 2001 to 2016. The total primary aggregate provision from Devon therefore equates to 4.86 mt per annum.

- 4.6 Core Output Indicator 5a provides details of primary aggregate production in Devon.

<b>Core Output Indicator CO5a<sup>1</sup></b>	
<b>Description</b>	<b>2009/10 Result<sup>2</sup></b>
<b>Production of Primary Land Won Aggregates: Total</b>	<b>2.19 mt</b>
<ul style="list-style-type: none"> <li>• Sand and Gravel</li> <li>• Crushed Rock</li> </ul>	0.48 mt 1.71 mt
Notes <sup>1</sup> The area for this indicator includes Plymouth, Torbay and Dartmoor National Park as those areas cannot be disaggregated for reasons of operator confidentiality. <sup>2</sup> The figures are for the calendar year of 2009, expressed as million tonnes	

The total figures for primary aggregate production show a decrease from 2008/09 to 2009/10 of 0.71 mt reflecting the significantly reduced production of sand, gravel and crushed rock. This production is less than half of the 4.86 mt annual figure forecast by the sub-regional apportionment.

<b>Core Output Indicator LO21<sup>1</sup></b>	
<b>Description</b>	<b>2009/10 Result<sup>2</sup></b>
<b>Actual Production of Primary Land Won Aggregates as a % of Devon's Annual Sub-Regional Apportionment 2001-2016: Total</b>	<b>45.1</b>
<ul style="list-style-type: none"> <li>• Sand and Gravel</li> <li>• Crushed Rock</li> </ul>	35.3 48.9
Notes <sup>1</sup> The area for this indicator includes Plymouth, Torbay and Dartmoor National Park as those areas cannot be disaggregated for reasons of operator confidentiality. <sup>2</sup> The figures are for the calendar year of 2009, expressed as % of Devon's sub regional annual apportionment.	

- 4.7 Devon has important sources of secondary aggregates in the form of the by-products of the extraction of ball clay and china clay which produce sand and, in the case of the latter mineral, crushed rock. These materials have in the past been tipped, but are increasingly being processed and utilised as secondary aggregates and thereby reducing the need for quarrying of primary materials.

- 4.8 The County also produces a significant quantity of recycled aggregates through the processing of construction and demolition waste, and the adopted Devon County Waste Local Plan identifies a network of 19 existing facilities for the recycling of inert waste materials. There is no reliable data at a County level on the annual production of construction and demolition waste, and even regional-level data is heavily qualified.

No information is therefore provided in this AMR on actual production of recycled aggregates but work by Capita Symonds Ltd on behalf of the South West Regional Assembly has provided an estimated figure for Devon.

<b>Core Output Indicator CO5b</b>	
<b>Description</b>	<b>2009/10 Result<sup>1</sup></b>
<b>Production of (a) secondary aggregates (b) recycled aggregates (tonnes)</b>	<b>391,207t 845,000t<sup>2</sup></b>
Notes <sup>1</sup> The figure is for the calendar year of 2009 <sup>2</sup> The figure for is an estimate for 2003 produced by Capita Symonds Ltd for the South West Regional Assembly, and represents the most recent and reliable information available. The area for this figure includes Plymouth, Torbay and Dartmoor National Park	

- 4.9 There was a steady annual increase in the production of secondary aggregates from 2004 to 2008, but the economic downturn saw a significant drop in production in 2009. Local Output Indicator LO2, which expresses the proportion of the combined total of primary and secondary aggregates produced in Devon that is accounted for by secondary aggregates, illustrates that the proportion decreased in 2009 from 17.8% in the previous year to 14.6%.

<b>Local Output Indicator LO2</b>	
<b>Description</b>	<b>2009/10 Result<sup>2</sup></b>
<b>Production of secondary aggregates expressed as % of total primary and secondary aggregates produced<sup>1</sup></b>	<b>14.6%</b>
Notes <sup>1</sup> Within Devon including Plymouth, Torbay and Dartmoor National Park <sup>2</sup> The figure is for the calendar year of 2009	

### **Aggregate Landbanks**

- 4.10 Policy MP20 of the Minerals Local Plan states that landbanks for aggregate minerals will be maintained throughout the Plan period. The calculation of the landbanks in Policy MP20 uses the average rate of production over a preceding period, and the current landbanks are shown below. The figure for sand and gravel does not include the additional reserves permitted at Town Farm in January 2010.

<b>Local Output Indicator LO3</b>	
<b>Description</b>	<b>2009/10 Result<sup>1</sup></b>
<b>Landbank for crushed rock (years)</b>	<b>70.3 years</b>
<b>Landbank for sand and gravel (years)</b>	<b>12,8 years</b>
Notes <sup>1</sup> The figures are the position at 31 December 2009, and include aggregate quarries in Plymouth, Torbay and Dartmoor National Park	

### **Mineral Working Areas for Aggregates**

- 4.11 The Minerals Local Plan identifies eight Mineral Working Areas for the working of aggregate minerals where continued working will be acceptable in principle. The extension of these Areas will be given priority over the extension of other sites or the permitting of new aggregate mineral sites where additional resources are required to maintain the County's landbank.

<b>Local Output Indicator LO4</b>	
<b>Description</b>	<b>2009/10 Result</b>
<b>Number of Mineral Working Areas for aggregates that have not been worked during the year</b>	<b>Three</b>
Notes	

- 4.12 No working has taken place at the Hayes Quarry Mineral Working Area since March 2003, with the planning permission lapsing in October 2008, while Venn Quarry ceased production during 2006/07. The status of these sites as Mineral Working Areas will be reviewed in the preparation of the Minerals Core Strategy. During 2009, no production occurred at Rockbeare Quarry, but it is understood that working of the limited remaining reserves will recommence in 2011.

### **Safeguarding of Mineral Resources**

- 4.13 The Minerals Local Plan identifies 44 Mineral Consultation Areas [MCAs] around individual mineral sites or groups of sites, together with a further ten MCAs around wharves or rail sidings that have been, or may be, used for the transportation of minerals. The Plan contains a procedure whereby District Councils within Devon receiving a planning application for non-mineral development are required to consult the County Council and the appropriate mineral industry body. Within 2009/10, twelve MCA consultations were received by the County Council.

<b>Local Output Indicator LO5</b>	
<b>Description</b>	<b>2009/10 Result</b>
<b>Proportion of County Council responses to Mineral Consultation Area consultations that were not supported by the District Council's decision</b>	<b>None</b>
Notes	

### **Control of Mineral Working**

- 4.14 Mineral working typically occurs over a considerable period of time, and it is therefore important that sites are monitored to ensure compliance with their planning permissions. The percentage of mineral sites to have received at least one monitoring visit in 2009/10 was 53%, which reflects the County Council's new power to charge operators for the monitoring of minerals and landfill sites.

<b>Local Output Indicator LO6</b>	
<b>Description</b>	<b>2009/10 Result</b>
<b>Proportion of total mineral sites which have received at least one monitoring visit</b>	<b>53%</b>
- Active Sites monitored	34 of 40 sites (85%)
- Inactive Sites monitored	33 of 86 sites (38%)
Notes	

- 4.15 Where breaches of planning permission occur, or are perceived by local residents to have occurred, complaints can be made by the public to the County Council. The County Council endeavours to resolve the issue as promptly as possible.

<b>Local Output Indicator LO7</b>	
<b>Description</b>	<b>2009/10 Result</b>
<b>Enforcement complaints concerning (a) existing quarries or (b) unauthorised mineral working</b>	<b>(a) Not available (b) Not available</b>
Notes	

- 4.16 Public understanding of mineral sites and effective liaison between site operators and their neighbours is aided by the network of local liaison groups that the County Council has facilitated for the major quarries. As in previous years, the number of local liaison group for mineral sites meeting at least once in 2009/10 is ten.

<b>Local Output Indicator LO8</b>	
<b>Description</b>	<b>2009/10 Result</b>
<b>Number of local liaison groups for mineral sites that have met at least once</b>	<b>Ten</b>
Notes	

- 4.17 Devon contains more than 50 mineral sites that, although having a current planning permission, are classed as 'Dormant' and are unlikely to resume working. The Minerals Local Plan proposes that these sites should be the subject of Prohibition Orders in order to prevent inappropriate working. As in previous years, no progress has been made on this issue to date. It is anticipated that the introduction of the ability for Mineral Planning Authorities to recover the costs of the monitoring of mineral sites in April 2006 will provide the platform for Prohibition Orders to be pursued on an active basis in the future.

<b>Local Output Indicator LO9</b>	
<b>Description</b>	<b>2009/10 Result</b>
<b>Number of Prohibition Orders issued</b>	<b>None</b>
Notes	

- 4.18 The development of mineral sites has the potential, if not properly controlled, to exacerbate flooding problems if developed in a floodplain, or to adversely affect water quality. The County Council consults the Environment Agency on all planning applications for mineral

development and aims to avoid granting planning permission where the Agency raises concerns.

<b>Core Output Indicator CO7 (mineral)</b>	
<b>Description</b>	<b>2009/10 Result</b>
<b>Number of planning permissions for mineral development granted contrary to the advice of the Environment Agency on either flood defence grounds or water quality</b>	<b>None</b>
Notes	

### **Restoration and Aftercare**

- 4.19 One of the main benefits of the Review of Old Mineral Permissions [ROMP] procedure introduced by the Environment Act 1995 has been the ability to secure modern schemes for the restoration and aftercare of mineral sites, as the original planning permission permissions often failed to provide for this. At the end of 2009/10, ROMP schemes for eight quarries remained undetermined due to the failure of applicants to submit additional information requested by the County Council. In future years, all sites will be reviewed at 15 year intervals through the Schedule 14 procedure, and this will give further opportunity to improve restoration and enhancement measures.

<b>Local Output Indicator LO10</b>	
<b>Description</b>	<b>2009/10 Result</b>
<b>Proportion of Active<sup>1</sup> mineral sites that are subject to modern<sup>2</sup> restoration and aftercare conditions</b>	<b>81.3%</b>
Notes <sup>1</sup> As defined by the Environment Act 1995 <sup>2</sup> Covering the whole mineral site, requiring detailed restoration and aftercare schemes, and requiring an aftercare period of five years	

- 4.20 One of the key areas in which mineral working can deliver benefits is biodiversity, with the restoration of mineral sites having the potential for the creation of new habitats following the cessation of mineral working. In addition, the ongoing management of mineral sites that contain designated areas of biodiversity or geological importance should be encouraged through the granting of planning permission and ongoing monitoring.

<b>Local Output Indicator LO11</b>	
<b>Description</b>	<b>2009/10 Result</b>
<b>Proportion of Active<sup>1</sup> mineral sites which are subject to conditions requiring mitigation, enhancement or restoration works for biodiversity purposes</b>	<b>55.9%</b>
Notes <sup>1</sup> As defined by the Environment Act 1995	

<b>Local Output Indicator LO12</b>	
<b>Description</b>	<b>2009/10 Result</b>
<b>Proportion of Active<sup>1</sup> mineral sites which are subject to conditions requiring the retention of a geological exposure</b>	<b>25.4%</b>
<sup>1</sup> As defined by the Environment Act 1995	

<b>Local Output Indicator LO13</b>	
<b>Description</b>	<b>2009/10 Result</b>
<b>Proportion of Sites of Special Scientific Interest within Active<sup>1</sup> mineral sites that are in favourable condition</b>	<b>73.3%</b>
Notes <sup>1</sup> As defined by the Environment Act 1995. Figure is for 2008/09 as 2009/10 figure not available.	

### **Performance of the Minerals Local Plan Policies**

- 4.21 It was highlighted in 4.2 that the number of planning applications for mineral development in any one year tends to be small, and this limits the scope to use some of the Minerals Local Plan policies in the determination of planning applications.
- 4.22 An analysis has been undertaken of the use of the Local Plan policies in the determination of applications for mineral development in 2009/10; however, a large proportion of policies have not been used due to the low number of relevant applications during the year. Three planning applications for mineral development were determined in 2009/10. Only one involved new working of minerals, while one of these applications failed to consider Minerals Local Plan policies. Where reference has been made to policies in the Minerals Local Plan, the following observations can be made:
- 18 of the policies within the Minerals Local Plan were used in determining the two relevant mineral planning applications in 2009/10;
  - Given the limited number of minerals applications, a large number of policies have not been used in the determination of applications; however, this does not mean that they are not relevant, but reflects the limited number of applications;
  - Devon is satisfactorily meeting its contribution to regional aggregate supply (Policy MP19) and has adequate landbanks of aggregate minerals with planning permission (Policy MP20); and
  - The continued status of Hayes Quarry, Venn Quarry and Meeth Ball Clay Works as Mineral Working Areas should be reviewed following the cessation of working (Policies MP21 and MP29).

## 5 WASTE POLICY: ASSESSMENT OF PERFORMANCE AND EFFECTS

- 5.1 The Devon County Waste Local Plan was adopted on 30 June 2006 and, up to this date, the Minerals and Waste Development Framework did not contain any adopted waste policies requiring monitoring. This is therefore only the third AMR since the Waste Local Plan has been adopted that covers a whole year of use of its policies.
- 5.2 The indicators in this part of the AMR are accompanied by targets derived from the Waste Local Plan.

### Municipal Solid Waste

- 5.3 Arisings of Municipal Solid Waste [MSW] in 2009/10 within Devon (including the National Parks but excluding Plymouth and Torbay) amounted to 414,636 tonnes, which represents a decrease of 24,105 tonnes (-3.7%) compared to 2008/09. This is significantly lower than the target in the Waste Local Plan, which assumes annual growth of 1%. The proportion of this waste that was recycled or composted increased further to 52.7% in comparison with the 2007/08 rate of 50%, and exceeds the County Council's statutory target for 2009/2010 of 40%.

<b>Core Output Indicator CO6b</b>		
<b>Description</b>	<b>2009/10 Result</b>	<b>Target</b>
<b>Amount of municipal waste arising</b>	<b>414,636t</b>	
<b>Amount (and %) recycled or composted</b>	<b>218,483 t (52.7%)</b>	<b>40%<sup>1</sup></b>
<b>Amount (and %) landfilled</b>	<b>195,381 t (47.1%)</b>	<b>50%<sup>2</sup></b>
Notes		
<sup>1</sup> Minimum proportion recycled or composted by 2009/10		
<sup>2</sup> Maximum proportion landfilled by 2009/10		

<b>Local Output Indicator LO14</b>		
<b>Description</b>	<b>2009/10 Result</b>	<b>Target</b>
<b>Annual rate of growth in municipal waste</b>	<b>-3.7%</b>	<b>1.0%<sup>1</sup></b>
Notes		
<sup>1</sup> Maximum growth in 2008/09-2009/10		

### Commercial and Industrial Waste

- 5.4 In previous years, accurate and up to date figures on Commercial and Industrial Waste [CIW] have not been collected on a regular basis. However, in December 2010 the results of a new national survey were published by Defra. Devon County Council contributed to the survey in order that it would cover the Local Authority area in some detail. As a result, there is now accurate and up to date data on CIW waste for the 2009 calendar year. This study considers how much waste was generated and how it was managed.

- 5.5 Total arisings of CIW in the Local Authority area of Devon County Council in 2009 amounted to 473,509 tonnes. Of this, 245,799 tonnes, or 51.9% was reused, recycled or composted. A total of 116,248 tonnes, or 24.6% was landfilled, and 20,610 tonnes, or 4.4%, underwent thermal treatment.

<b>Local Output Indicator LO15<sup>1</sup></b>		
<b>Description</b>	<b>2009/10 Result<sup>2</sup></b>	<b>Target</b>
<b>Amount of commercial and industrial waste arising</b>	<b>473,509 t</b>	
<b>Amount (and %) re-used or recycled</b>	<b>245,799 t (51.9%)</b>	<b>32%<sup>3</sup></b>
<b>Amount (and %) landfilled</b>	<b>116,248 t (24.6%)</b>	<b>46%<sup>4</sup></b>
Notes		
<sup>1</sup> For Devon (including the National Parks but excluding Plymouth and Torbay)		
<sup>2</sup> This figure is for the calendar year of 2009		
<sup>3</sup> Minimum proportion recycled in 2009/10 as set out in the Waste Local Plan		
<sup>4</sup> Maximum proportion landfilled in 2009/10 as set out in the Waste Local Plan		

<b>Local Output Indicator LO16<sup>1</sup></b>		
<b>Description</b>	<b>2009/10 Result<sup>2</sup></b>	<b>Target</b>
<b>Annual rate of growth in commercial and industrial waste<sup>3</sup></b>	<b>-8.3%</b>	<b>No target</b>
Notes		
<sup>1</sup> For Devon (including the National Parks but excluding Plymouth and Torbay)		
<sup>2</sup> The figures are for 2009		
<sup>3</sup> Based on the annualised growth between the 2002/03 and 2009 surveys on the basis of a reduction from the 2002/03 figures		

- 5.6 In the previous Annual Monitoring Reports, the figures reported were for Devon, including Plymouth, Torbay and the National Parks. This means it is not possible compare CIW arisings in just the Devon County Council Waste Planning Authority area in 2002/03 and 2009. However, as way of comparison, the total CIW generated in Devon, Torbay and Plymouth in 2009 was 699,823 tonnes compared to 1,132,000 tonnes in 2002/03, when CIW was previously surveyed accurately. This shows a reduction of approximately 38.2% in approximately seven years.

### **Construction and Demolition Waste**

- 5.7 Reliable data at the waste planning authority level are also difficult to collect for construction and demolition waste [CDW], and any analysis needs to 'apportion' regional data based on assumptions on the sub-regional distribution of arisings of CDW.
- 5.8 In October 2004, ODPM published the results of a survey of arisings of CDW undertaken in 2003, which provided estimates of national and regional arisings and the methods by which the waste was managed. Within the South West region, it was estimated that approximately 10 million tonnes of CDW was produced in 2003.
- 5.9 Subsequently, consultants acting on behalf of the South West Regional Assembly undertook a sub-regional breakdown for the purposes of

developing the minerals policies for the emerging Regional Spatial Strategy. This suggested that, of the 4.47 million tonnes of recycled aggregates produced in the region, 18.9% were produced in Devon (including Plymouth and Torbay). If it is assumed that Devon accounted for the same proportion of CDW arisings (although there is no evidence available to indicate whether or not such an assumption is accurate), then the County would have produced 1.9 million tonnes of CDW in 2003.

- 5.10 A national survey has been produced by the Department for Communities and Local Government<sup>1</sup> which provides figures for the arisings of construction and demolition waste. In this report, the figures for Devon and Cornwall are presented together. The report estimates that 1,028,991 tonnes of recycled aggregate (graded and ungraded) were produced in 2005 in Devon and Cornwall.

### **Capacity of Waste Management Facilities**

- 5.11 Analysis has been undertaken of the new waste management capacity that received planning permission in 2009/10. This information is summarised by the indicator below.

<b>Core Output Indicator CO6a</b>		
<b>Description</b>	<b>2009/10 Result</b>	<b>Target</b>
<b>Capacity (tonnes) of new waste management facilities by type</b>		<b>No target</b>
<b>(a) Waste transfer/MRF</b>		
<b>(b) Composting</b>	40,000t	
<b>(c) Anaerobic digestion</b>	37,000t	
<b>(d) Gasification</b>	12,800t	
<b>(e) Other</b>	72,000t	
	26,200t	
Notes		
<sup>1</sup> Includes gasification and anaerobic digestion		

- 5.12 Total waste management capacity is summarised in the indicator below.

<sup>1</sup> Communities and Local Government (2007) 'Survey of Arisings and Use of Alternatives to Primary Aggregates in England, 2005 – Construction, Demolition and Excavation Waste'

Local Output Indicator LO20		
Description	2009/10 Result	Target
<b>Total capacity of waste management facilities by type</b>		
<b>(a) Non-hazardous landfill</b>	3,939,000m <sup>3</sup>	
<b>(b) Inert landfill</b>	2,606,000m <sup>3</sup>	
<b>(c) Inert recycling</b>	1,281,200t	
<b>(d) Waste transfer/MRF</b>	1,989,745t	<b>(d) 225,000t<sup>1</sup></b>
<b>(e) Composting</b>	251,075t	<b>(e) 120,000t<sup>2</sup></b>
<b>(f) Metals recycling</b>	343,200t	
<b>(g) Household recycling centres</b>	227,500t	
<b>(h) Energy from Waste<sup>3</sup></b>	224,800t	
Notes		
<sup>1</sup> Capacity of MRFs for MSW and C&I waste by 2009-10		
<sup>2</sup> Capacity of composting facilities for MSW by 2009-10		
<sup>3</sup> Includes incineration, gasification and anaerobic digestion		

### Control of Waste Management Activity

- 5.12 In 2009/10, the County Council determined 48 applications relating to waste management activity, and a list of these, together with mineral developments, is included in Appendix 3.
- 5.13 Some waste management facilities, notably landfilling, operate over a considerable period of time, and it is therefore important that sites are monitored to ensure compliance with their planning permissions. Where breaches do occur, or are perceived by local residents to have occurred, the County Council will endeavour to resolve the issue as promptly as possible. Public understanding of waste sites and effective liaison between site operators and their neighbours is aided by the network of local liaison groups that the County Council has facilitated for some of the larger sites.

Local Output Indicator LO17		
Description	2009/10 Result	Target
<b>Proportion of waste<sup>1</sup> sites which have received at least one monitoring visit</b>	<b>68.2%</b>	<b>100%</b>
Notes		
<sup>1</sup> This figure relates to visits to operational landfill sites only		

Local Output Indicator LO18		
Description	2009/10 Result <sup>1</sup>	Target
<b>Enforcement complaints concerning (a) existing waste management facilities or (b) other unauthorised waste activity</b>	<b>(a) Not available (b) Not available</b>	<b>Decrease on previous year</b>
Notes		

Local Output Indicator LO19		
Description	2009/10 Result	Target
<b>Number of local liaison groups for waste sites that have met at least once</b>	<b>Six</b>	<b>No target</b>
Notes		

- 5.14 The development of waste management facilities has the potential, if not properly controlled, to exacerbate flooding problems if developed in a floodplain, or to adversely affect water quality. The County Council consults the Environment Agency on all planning applications for waste management facilities and aims to avoid granting planning permission where the Agency raises concerns.

<b>Core Output Indicator CO7 (waste)</b>		
<b>Description</b>	<b>2009/10 Result</b>	<b>Target</b>
<b>Number of planning permissions for waste management facilities granted contrary to the advice of the Environment Agency on either flood defence grounds or water quality</b>	<b>None</b>	<b>No target</b>

### **Renewable Energy**

- 5.15 The development of waste management facilities has the potential to achieve the provision of renewable sources of electricity generation, with disposal incorporating energy recovery being higher in the waste hierarchy than other forms of disposal. Within Devon, the generation of energy from waste management facilities is currently achieved through anaerobic digestion at the Holsworthy biogas facility, and from landfill gas at Heathfield, Deep Moor and Broadpath.

<b>Core Output Indicator CO9</b>		
<b>Description</b>	<b>2009/10 Result</b>	<b>Target</b>
<b>Renewable energy capacity installed by type – Gasification Anaerobic digestion</b>	<b>13Mw 0.1Mw</b>	<b>No target</b>
Notes		

### **Performance of the Waste Local Plan Policies**

- 5.16 Analysis has been undertaken of the use of the Waste Local Plan policies in the determination of the 48 waste management applications, with the results being shown in Appendix 4. The following observations can be made:

- Of the 43 policies, all but 19 were used on determining planning applications in 2009/10, with those not used relating to specific environmental designations and types of waste management facility. This has changed significantly from the previous year when only nine of the policies were not applied in that year;
- As in previous years, the greatest use was made of Policy WPC2 concerning development control considerations, which was used in the determination of 35 applications, and Policy

WPC1 which addresses sustainable waste management and was used 33 times;

- Other policies that were used regularly, but less often than those mentioned above, related to specific development control considerations. For example, WPP 20 (Transportation of waste), WPP 21 (Road transport), WPP 22 (Health and air quality) and WPP 24 (Site design and appearance) were all used in the determination of more than ten applications. This suggests the importance in transport issues when considering waste management proposals.
- The Local Plan's policies for the identification of new sites for waste management facilities were used to varying degrees, with WPP1 (strategic facilities) not being used, WPP2 (other significant facilities) used five times, WPP3 (minor facilities) used once, and WPP4 (sites not allocated in the Plan) used on six occasions. This situation has altered from the previous year when WPP1 was used four times; and
- The Local Plan contains a suite of policies (WPP28-43) covering the various types of waste management facilities, with those for transfer, recycling of inert waste and composting all being used nine times. This is a slight variation from the previous year when none of these policies were used more than five times.

## **6 KEY FINDINGS AND ACTIONS REQUIRED**

### **Minerals and Waste Development Milestones**

- 6.1 As mentioned in Section 3, the Second Revision of the MWDS identifies milestones for five documents within 2009/10.
- 6.2 Progress on the Minerals Core Strategy has been slower than anticipated although has now started to accelerate considerably. Work on the Waste Core Strategy has also now started, although this commenced after March 2010. Three further documents for which the MWDS programmed work in 2009/10 have not been commenced.
- 6.3 The lack of progress in 2009/10 in preparing the documents proposed in the County Council's MWDS has been largely due to the inadequate staff resources available. Uncertainty remains on the future availability of resources and the scope of local planning as a result of the Localism Bill. It is intended that a revised MWDS be submitted to the Government Office for the South West in early 2011 to revise the range of documents and their timetabling.

### **Implementation of the Minerals and Waste Development Framework**

- 6.4 As was the case in the previous year, the small number of mineral planning applications determined in 2009/10 limits assessment of the policies within the Minerals Local Plan. However, the following conclusions can be drawn:
- the policies within the Minerals Local Plan, to the limited extent that they have been tested through the determination of planning applications, have generally performed well;
  - the County continues to maintain adequate landbanks of aggregate minerals;
  - production of primary aggregates in 2009 fell sharply in comparison with the previous year, as did production of secondary aggregates;
  - the status of Hayes Quarry, Venn Quarry and Meeth Ball Clay Works as Mineral Working Areas should be reviewed due to their permanent closure; and
  - stakeholder involvement took place at 10 quarries.
- 6.5 In progressing the Minerals Core Strategy, the County Council will review the extent to which development management policies are necessary, in the light of the evidence on their limited use and Government guidance.
- 6.6 The most significant issues that have arisen in considering waste management in 2009/10 are the decrease in the arisings of MSW (-3.7%) compared to 2008/09 as reported in Indicator LO14, and the

proportion of that waste which is recycled and composted (C06b). The County Council's Municipal Waste Management Strategy predicted that the increase in MSW for 2008/09 would be 1% and, as the Strategy's forecasts were reflected in the preparation of the Waste Local Plan, the indication is that the waste management capacity provided for in the Waste Local Plan should remain adequate unless a sharp rise in arisings is encountered. The other major issue that has arisen in 2009/10 is the significant reduction in the total amount of CIW generated and the proportion recycled, in comparison with the amount generated in previous years. These changes will be taken forward in the development of the Waste Core Strategy in 2010/11.

- 6.7 Other issues arising from the analysis of waste application decisions include:
- There are limitations in the accuracy of data for construction, demolition, and excavation waste generation;
  - Significant additional waste management capacity for waste transfer, composting and energy from waste were approved in 2009/10;
  - Waste management development played a role in delivering additional renewable energy generation in 2009/10; and
  - Six waste sites continuing to benefit from meetings of local liaison groups.

### **Process of AMR Production**

- 6.8 The provision of figures for various Contextual and Local Output Indicators rely on surveys which are not undertaken regularly meaning figures supplied in AMRs may not change from year to year. Gaps have been identified and work will be undertaken to improve future data provision. Many of the data gaps will be filled through the evidence-base assessments required for the Minerals and Waste Core Strategies.
- 6.9 The Department for Communities and Local Government has confirmed that County Council are not required to report on Core Output Indicator CO8 on biodiversity. They also suggested that County Councils need not provide data for Core Output Indicators 7 (flood protection and water quality) and 9 (renewable energy), even though county councils are responsible for determining planning applications for minerals, waste and their own developments. However, this AMR has provided data on these two indicators.

### **Actions for 2010/11**

- 6.10 In order to improve the content and effectiveness of the AMR for 2010/11 and subsequent years, and to address the issues identified in this year's report, the County Council proposes to undertake the following steps:

- To continue with participation in local and regional groups that facilitate discussion and dissemination of best practice for AMRs;
- To review this report at an early stage in light of best practice in order to further develop its format for 2010/11;
- To review the range of indicators to ensure that they best reflect the objectives of the Minerals and Waste Development Framework and to ensure that the indicators can be effectively monitored.
- To continue with the progression of the Minerals Core Strategy, and to commence preparation of Bovey Basin Action Plan, Waste Core Strategy and the Waste Policies/Site Proposals DPD;
- To continue to seek early submission of outstanding environmental information from applicants and thereby progress the determination of the outstanding ROMP schemes in order to work towards full coverage of the County's quarries for modern restoration and aftercare conditions; and
- To make progress on the issuing of Prohibition Orders for dormant mineral sites.

# **APPENDIX 1**

## **SUMMARY OF INDICATORS**

### SUMMARY OF INDICATORS

Indicator Ref.	Description	2008/09 Result	Notes
<b>Contextual Indicators</b>			
<b>CX1</b>	The proportion of river stretches tested in Devon that were rated of 'good' or 'very good' - Biological quality - Chemical quality	91% (312 of 342 samples) 98% (257 of 262 samples)	1
<b>CX2</b>	<b>Agricultural Land</b> Area of Devon (and proportion of the County) that is currently in agricultural use	526,130 ha (79%)	1
<b>CX3</b>	<b>Waste</b> Total annual arisings (tonnes) of municipal waste	620,007t	1
<b>CX4</b>	<b>Biodiversity</b> (a) number of Sites of Special Scientific Interest (b) number of sites subject to international designations <sup>1</sup>	(a) 211 (b) 22	1
<b>CX5</b>	<b>Landscape</b> Proportion of area that is protected by national landscape designations	39.9%	1, 4
<b>CX6</b>	<b>Historic Environment</b> Number of Scheduled Ancient Monuments Number of listed buildings	2,121 20, 639	1, 4
<b>CX7</b>	<b>Economy</b> Number of VAT-registered businesses	32,615	1, 4
<b>CX8</b>	<b>Traffic</b> Total traffic flow (million vehicle km)	9,789	1, 4
<b>CX9</b>	<b>Population</b> Total Population	1,141,500	1
<b>CX10</b>	<b>House Building</b> Number of new dwellings built East Devon Exeter Mid Devon North Devon Plymouth South Hams Teignbridge Torbay	Data not available	1

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	Torrige West Devon Dartmoor National Park <b>TOTAL</b>		
<b>Core Output Indicators</b>			
<b>CO5</b>	<b>Minerals</b> (a) Production of Primary Land Won Aggregates (million tonnes, mt): Total <ul style="list-style-type: none"> <li>• Sand and Gravel</li> <li>• Crushed Rock</li> </ul> (b) Production of - secondary aggregates - recycled aggregates (tonnes)	<b>2008</b>  2.90 0.66 2.24  630,169 845,000	4, 5 (a) 1      (b) 3
<b>CO6</b>	<b>Waste</b> (a) Capacity (tonnes) of new waste management facilities by type: <ul style="list-style-type: none"> <li>- Waste transfer/MRF</li> <li>- Composting</li> <li>- Anaerobic digestion</li> <li>- Gasification</li> <li>- Other</li> </ul> (b) Amount of municipal waste arising (tonnes) Amount (and %) recycled or composted Amount (and %) landfilled	40,000t 37,000t 12,800t 72,000t 26,200t  414,636t  218,483 t (52.7%)  195,381 t (47.1%)	3
<b>CO7</b>	<b>Flood Protection and Water Quality</b> Number of planning applications granted contrary to the advice of the Environment Agency on either flood defence grounds or water quality	None	3
<b>CO9</b>	<b>Renewable Energy</b> Renewable energy capacity installed by type	13Mw (gasification) 0.1Mw (anaerobic digestion)	3
<b>Local Output Indicators</b>			
<b>LO1</b>	Number of mineral permissions granted that were advertised as a departure from the Development Plan	None	3
<b>LO2</b>	Production of secondary aggregates expressed as % of total	17.8	3, 4, 5

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	primary and secondary aggregates produced		
<b>LO3</b>	Landbank for crushed rock Landbank for sand and gravel	181.52 mt 10.25 mt	1, 4
<b>LO4</b>	Number of Mineral Working Areas that have not been worked during the year	Two	3, 4
<b>LO5</b>	Proportion of County Council responses to Mineral Consultation Area consultations that were not supported by the District Council's decision	None	3
<b>LO6</b>	Proportion of mineral sites which have received at least one monitoring visit - Active Sites monitored - Inactive Sites monitored	52%  96 of 165 sites (58%) 24 of 67 sites (36%)	3
<b>LO7</b>	Enforcement complaints concerning (a) existing quarries or (b) unauthorised mineral working	(a) Not available (b) Not available	3, 4
<b>LO8</b>	Number of local liaison groups for mineral sites that have met at least once	Ten	3
<b>LO9</b>	Number of Prohibition Orders issued	None	3
<b>LO10</b>	Proportion of Active mineral sites that are subject to modern restoration and aftercare conditions	81.3%	3, 4
<b>LO11</b>	Proportion of Active mineral sites which are subject to conditions requiring mitigation, enhancement or restoration works for biodiversity purposes	55.9%	3, 4
<b>LO12</b>	Proportion of Active mineral sites which are subject to conditions requiring the retention of a geological exposure	25.4%	3, 4
<b>LO13</b>	Proportion of Sites of Special Scientific Interest within Active mineral sites that are in favourable condition	73.3%	3, 4
<b>LO14</b>	Annual rate of growth in municipal waste	-3.7%	2
<b>LO15</b>	Amount of commercial and industrial waste arising Amount (and %) re-used or recycled Amount (and %) landfilled	473,509 t  245,799 t (51.9%) 116,248t (24.6%)	2

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<b>LO16</b>	Annual rate of growth in commercial and industrial waste	-8.3%	2
<b>LO17</b>	Proportion of waste sites which have received at least one monitoring visit	68.2	3, 4
<b>LO18</b>	Enforcement complaints concerning (a) existing waste management facilities or (b) other unauthorised waste activity	(a) Not available (b) Not available	3
<b>LO19</b>	Number of local liaison groups for waste sites that have met at least once	Six	3
<b>LO20</b>	Total capacity (tonnes) of waste management facilities by type: Inert waste recycling Waste Transfer /MRF Composting Metals Recycling Household Recycling Centres Non-Hazardous Landfill Inert Landfill Energy from Waste	1,281,200 tonnes 1,989,745 tonnes 251,075 tonnes 343,200 tonnes 227,500 tonnes 3,939,000m <sup>3</sup> 2,606,000m <sup>3</sup> 224,800 tonnes	3
<b>LO21</b>	Actual Production of Primary Land Won Aggregates as a % of Devon's Annual Sub-Regional Apportionment 2001-2016. Total Sand and Gravel Crushed Rock	<b>2008</b>  59.7 48.3 64.0	1

**NOTES**

- 1 The relevant area for this indicator is Devon including Plymouth, Torbay, Dartmoor National Park and that part of Exmoor National Park within Devon.
- 2 The relevant area for this indicator is the administrative area of Devon County Council (i.e. including the National Parks but excluding Plymouth and Torbay).
- 3 The relevant area for this indicator is the area for which Devon County Council is the minerals and waste planning authority (i.e. excluding the National Parks, Plymouth and Torbay).
- 4 See notes in the relevant entry for this indicator in Chapters 2, 4 or 5.
- 5 Minerals data are for calendar years

## **APPENDIX 2**

# **EXTRACT FROM THE DEVON COUNTY MINERALS AND WASTE DEVELOPMENT SCHEME (SECOND REVISION) (MARCH 2007)**

## DEVON COUNTY MINERALS AND WASTE DEVELOPMENT SCHEME (SECOND REVISION)

### SCHEDULE OF PROPOSED LOCAL DEVELOPMENT DOCUMENTS

<b>Document Title</b>	<b>Consultation on Preferred Options &amp; Proposals</b>	<b>Date for Submission to SoS</b>	<b>Pre-examination Meeting</b>	<b>Commencement of Examination</b>	<b>Estimated Date for Adoption</b>
<b>Statement of Community Involvement</b>	June 2006	February 2007	May 2007 (if required)	June 2007	September 2007
<b>Minerals Core Strategy</b>	February 2008	July 2008	November 2008	January 2009	July 2009
<b>Minerals Development Control Policies and Site Proposals</b>	May 2009	October 2009	February 2010	April 2010	October 2010
<b>Bovey Basin Area Action Plan</b>	November 2008	April 2009	August 2009	October 2009	April 2010
<b>Waste Core Strategy</b>	January 2009	September 2009	December 2009	March 2010	September 2010
<b>Waste Development Control Policies and Site Proposals</b>	August 2010	January 2011	June 2011	September 2011	March 2012
<b>Waste Audits &amp; Infrastructure</b>	(Draft) February 2008	N/A	N/A	N/A	September 2008

## **APPENDIX 3**

# **SCHEDULE OF MINERALS AND WASTE PLANNING APPLICATIONS DETERMINED IN 2009/10**

**Schedule of Minerals and Waste Planning  
Applications Determined in 2009-2010**

Application Number	Site	Development	Decision Date	Decision
01/0136/2009/CPZ	Deep Moor Landfill Site, High Bullen, Torrington, Devon, EX38 7JA	Balancing tank for treated leachate	15-04-09	Approved
08/04411/DCC	Rixey Park, Preston Manor Works, Chudleigh Road, Newton Abbot, TQ12 3PR	Deposit of additional inert clay waste on the existing tip at Rixey Park. Creation of pond. Comprehensive landscape restoration	20-04-09	Approved
42/2213/08/CM	Lee Moor China Clay Works, Lee Moor, Shaugh Prior, near Plymouth	Removal of china clay waste from Tip T1 to process the material for secondary aggregates	24-04-09	Approved
09/0203/CM	Land adjacent to Chambers Close, Sidmouth, Devon	Temporary use of land for processing, screening and crushing of soils and sub-soils during construction of the adjacent Waitrose extension development (07/2898/FUL)	05-05-09	Approved
09/00531/DCC	from the existing Ashley Landfill Site to Tiverton Sewage Treatment Works, Ashley, Tiverton	Laying a 125 mm diameter pipe underground to replace the existing pipe which has come to the end of its working life, using a pipe 1.1 km in length which crosses the River Exe using horizontal directional drilling technology	20-05-09	Approved
49/0696/2009/CM	Higher Challonsleigh Farm, Lee Mill, Ivybridge	Erection of biogas (anaerobic digestion) plant on dairy site to produce heat and energy for on and off site use	24-06-09	Approved
09/0824/CM	Greendale Barton Business Park, Woodbury Salterton	Variation of Condition 7 and Condition 8 of planning permission 08/0893/CM relating to working and operating hours on Saturdays following a bank holiday or public holiday, relating to erection of SITA building	23-07-09	Approved
09/00116/DCC	Hackpen Barton, Ashill, Cullompton, Devon, EX15 3LU	Deposit of sub soil and top soil into former clay pit	03-08-09	Approved
06/01945/FULL	Cannington Mill, Witheridge, Tiverton	Retrospective application for the importation of inert waste material and restoration to agriculture / forestry	03-08-09	Approved
12957/2009/TAV	Hayedown Industrial Estate, Tavistock, PL19 0NN	Use of land for the storage of skips awaiting processing and sorting	06-08-09	Approved

## **APPENDIX 4**

# **PERFORMANCE OF POLICIES OF THE DEVON COUNTY WASTE LOCAL PLAN IN 2009/10**

## PERFORMANCE OF POLICIES OF THE DEVON COUNTY WASTE LOCAL PLAN IN 2009/10

### KEY

This analysis has used a shading code to indicate how implementation of the Waste Local Plan policies has occurred in 2009/10:

- A ☺ indicates that the policy has been used to determine at least one planning application in 2009/10.
- The white, grey and black boxes consider how the policies are performing during the four financial years between 2006/7 and 2009/10:
  - **White** indicates that a policy has been implemented in three of four of the last four years;
  - Grey indicates that the policy has been implemented in one or two of the last four years. In this case the policy should be monitored to establish whether it should be reviewed in future years; and
  - Black indicates that the policy has not been implemented in the last four years and therefore should be reviewed in the short term.

Policy No.	Policy Title	Implementation of Policy on 2009/10	
WPC 1	Sustainable Waste Management	33 waste planning applications were determined with regard to this policy in 2009/10.	☺
WPC 2	Development Control Considerations	35 waste planning applications were determined with regard to this policy in 2009/10.	☺
WPC 3	Integrated Waste Management Facilities	8 waste planning applications were determined with regard to this policy in 2009/10	☺
WPC 4	Waste Audit	1 waste planning application was determined with regard to this policy in 2009/10	☺
WPC 5	Provision of Waste Management Facilities for Major New Developments	No waste planning applications were determined with regard to this policy in 2009/10	
WPP 1	Sites for Strategic Waste Management Facilities	No waste planning applications were determined with regard to this policy in 2009/10	
WPP 2	Sites for Other Significant Waste Management Facilities	5 waste planning applications were determined with regard to this policy in 2009/10	☺
WPP 3	Sites for Minor Waste Management Facilities	1 waste planning application was determined with regard to this policy in 2009/10	☺
WPP 4	Consideration of Sites not Allocated in the Plan	6 waste planning applications were determined with regard to this policy in 2009/10	☺
WPP 5	Areas of Outstanding Natural Beauty and Effects on National Parks	5 waste planning applications were determined with regard to this policy in 2009/10	☺
WPP 6	Sites of Special Scientific Interest and National Nature Reserves	1 waste planning application was determined with regard to this policy in 2009/10	☺
WPP 7	Archaeological Sites	No waste planning applications were determined with regard to this policy in	

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		2009/10	
WPP 8	Listed Buildings	No waste planning applications were determined with regard to this policy in 2009/10	
WPP 9	Historic Parks and Gardens	No waste planning applications were determined with regard to this policy in 2009/10	
WPP 10	Conservation Areas	No waste planning applications were determined with regard to this policy in 2009/10	
WPP 11	Areas of Great Landscape Value	4 waste planning applications were determined with regard to this policy in 2009/10	☺
WPP 12	Coastal Preservation Areas	No waste planning applications were determined with regard to this policy in 2009/10	
WPP 13	Local Conservation Designations	No waste planning applications were determined with regard to this policy in 2009/10	
WPP 14	Maintenance and Enhancement of the County's Nature Conservation Resource	2 waste planning applications were determined with regard to this policy in 2009/10	☺
WPP 15	Areas not Covered by Specific Policy Designations	8 waste planning applications were determined with regard to this policy in 2009/10	☺
WPP 16	Agricultural Land	5 waste planning applications were determined with regard to this policy in 2009/10	☺
WPP 17	Water Resources Protection	6 waste planning applications were determined with regard to this policy in 2009/10	☺
WPP 18	Protection of Floodplains	No waste planning applications were determined with regard to this policy in 2009/10	
WPP 19	Protection of Mineral Consultation Areas	No waste planning applications were determined with regard to this policy in 2009/10	
WPP 20	Transportation of Waste	11 waste planning applications were determined with regard to this policy in 2009/10	☺
WPP 21	Road Transport	11 waste planning applications were determined with regard to this policy in 2009/10	☺
WPP 22	Health and Air Quality	11 waste planning applications were determined with regard to this policy in 2009/10	☺
WPP 23	Rights of Way	No waste planning applications were determined with regard to this policy in 2009/10	
WPP 24	Site Design and Appearance	20 waste planning applications were determined with regard to this policy in 2009/10	☺
WPP 25	Restoration	3 waste planning applications were determined with regard to this policy in 2009/10	☺
WPP 26	Securing Effective Restoration	1 waste planning applications were determined with regard to this policy in 2009/10	☺
WPP 27	Aerodrome Safeguarding	2 waste planning applications were determined with regard to this policy in 2009/10	☺

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WPP 28	Recycling Centres	2 waste planning applications were determined with regard to this policy in 2009/10	☺
WPP 29	Materials Reclamation Facilities for Household and Commercial Wastes	No waste planning applications were determined with regard to this policy in 2009/10	
WPP 30	Waste Transfer Facilities	9 waste planning applications were determined with regard to this policy in 2009/10	☺
WPP 31	Scrapyards	No waste planning applications were determined with regard to this policy in 2009/10	
WPP 32	Recycling of Inert Wastes	9 waste planning applications were determined with regard to this policy in 2009/10	☺
WPP 33	Reworking Existing or Former Landfill Sites	1 waste planning application was determined with regard to this policy in 2009/10	☺
WPP 34	Composting Facilities	9 waste planning applications were determined with regard to this policy in 2009/10	☺
WPP 35	Mechanical Biological Treatment	No waste planning applications were determined with regard to this policy in 2009/10	
WPP 36	Energy from Waste Incineration	No waste planning applications were determined with regard to this policy in 2009/10	
WPP 37	Other Energy from Waste Options	3 waste planning applications were determined with regard to this policy in 2009/10	☺
WPP 38	Extensions to Existing Landfill Sites for Non-Hazardous Waste	No waste planning applications were determined with regard to this policy in 2009/10	
WPP 39	New Sites for Landfill of Non-Hazardous Waste	No waste planning applications were determined with regard to this policy in 2009/10	
WPP 40	Landfill Sites for Inert Waste	No waste planning applications were determined with regard to this policy in 2009/10	
WPP 41	Disposal of Waste on Land by Landspreading	1 waste planning application was determined with regard to this policy in 2009/10	☺
WPP 42	Management of Hazardous and Clinical Waste	No waste planning applications were determined with regard to this policy in 2009/10	
WPP 43	Waste Water Treatment	2 waste planning applications were determined with regard to this policy in 2009/10	☺