

# **The Berkshire Minerals and Waste Plan**

**A quick guide to the Autumn 2008 core  
strategy submission document**

**Berkshire authorities' Joint Strategic Planning Unit  
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## **A quick guide to the Pre-Submission consultation – Autumn 2008**

### **1. Introduction**

The paperwork for the consultation on the Minerals and Waste Local Development Framework is rather long and may be daunting to some readers. We have to follow Government rules for their preparation, and it is difficult to produce a document that will survive the detailed scrutiny it will receive in an easy-to-read format. We have therefore produced this layman's summary of the main points from it. It sets out the main issues currently up for debate, and where to find them in the full document. We hope you will find it helpful.

Whilst every effort has been made in it to give an accurate picture of the proposals, this summary should not be relied upon as an authoritative statement of policy – you should always refer back to the relevant part of the main document.

### **2. The Core Strategy:**

We are currently focussing on the **Core Strategy**, which sets out our central policy objectives for dealing with minerals and waste:

- how we propose to manage mineral resources, safeguarding them from development that would prevent their extraction;
- how we propose to identify the sites that will be brought forward for extraction during the life of this Plan (which runs to 2026);
- how much capacity for waste management we need, and the principles that will decide how many sites we will need, where they should be and the different types of waste management uses that might go on them (though we try to avoid being too prescriptive about this).

There is a summary of the policies in the Core Strategy later in this document. There is also a separate document in preparation, dealing with **detailed minerals and waste development control policies and the specific sites we propose for minerals and waste developments**. We will come back to that second document later.

We have already had two stages of consultation on the Core Strategy (as required by the 2004 Regulations). The first set out the issues and options we had to address, and the second set out our preferences from among those options. In each case, the public response to one stage of consultation helped us refine the core strategy at the next stage. We now have a Core Strategy in a form that we would like to submit to the Government and put through a Public Examination by an independent Inspector.

But before we do that, new Regulations mean that there is one further stage we have to go through. We have to publish the revised Core Strategy and allow a six-week period for people to make any final comments on its legal compliance and soundness. What does this mean?

**Legal compliance:** This tests a number of things: Have we followed the process and kept to the timetable we said we would at the start, in the Local Development Scheme? Have we done all the consultation we promised? Have we tested the sustainability of the strategy? Is it consistent with other local and regional policy? Have we followed the various regulations for the preparation of these documents?

**Soundness:** This tests three things: First, are the policies justified and supported by evidence? Second, are the policies effective – that is, can they, and the infrastructure needed to support them, be delivered? Are there any obvious barriers to their delivery? Are any key partners, whose cooperation is needed to deliver the strategy, signed up to them? Do they work alongside the policies of our neighbours? Are they flexible and able to be monitored? The third test is whether the document conforms to national policy.

If you are interested in the detail of these tests, you can get further guidance from the Planning Inspectorate website:

<http://www.planning-inspectorate.gov.uk>.

Two of their documents: "Examining Development Plan Documents: Procedural Guidance" and "Examining Development Plan Documents: Soundness Guidance" will give you more detailed guidance.

Representations on these matters should be sent to us between 15 September 2008 and 27 October. There is a special response form, available from our website or direct from the Joint Unit (contact details below). We will then look at the responses and reach a view on whether anything in them makes us want to change the strategy:

- If there is nothing, we can go ahead and submit it to Government;
- If there are only minor changes needed, we can put them in a list accompanying the strategy and ask the Inspector to agree them;
- If more fundamental issues get raised, we may have to withdraw the plan for further work;
- In any event, we have to provide the Inspectorate with a summary of the issues raised at this stage. This will help them to decide which aspects of the strategy need more detailed consideration at the Public Examination.

The timing of the Public Examination is in the hands of the Planning Inspectorate, though we would expect it to be early in 2009. We will publish dates on our website, as soon as they are known. The Examination is a public meeting, but there is not an automatic right for anyone to speak at it. This is at the discretion of the Inspector. There is another Planning Inspectorate document available from their website – "Development Plan Document Examination Procedural Advisory Notes" – which explains in detail how the process works.

### **3. Other key players:**

It is worth reminding ourselves that we do not have an entirely free hand in drawing up our proposals. There are at least two other key players in the process.

First, each of the Berkshire unitary authorities is a waste management authority in its own right. They prepare their own waste management strategy, which deals with things like policy on recycling and how to deal with that part of the waste stream that cannot be recycled (for example, do we compost it? Burn it? Bury it in landfill sites?) It is not our job to tell them how to do it – rather, our purpose is to help them carry it out, by making sure that there are enough sites of the right kind and in the right places for their purposes. They in turn have to respond to strong financial and other pressures from Government, to reduce landfill and find other ways of dealing with our waste.

Second, the building of large-scale waste facilities like incinerators or recycling facilities depends for the most part upon private firms being willing to make the investment in them. Without that willingness to invest, we cannot make development happen simply by identifying sites. So turning the sites which are finally chosen from proposals in a plan to reality on the ground is a three-way partnership, between the plan, the commercial operators who make the investment and the waste management authorities, who offer the commercial operators the reassurance that there will be a market for their facility.

Similarly with mineral extraction, we can only extract them from where they occur naturally, and it depends upon commercial operators deciding that there is a market for them to turn proposals in the plan into reality.

### **4. The Core Strategy – a summary of the main points:**

#### **Minerals**

The **objectives** for minerals planning are:

- To balance demand for minerals with protecting the quality of life of residents, the needs of the economy and the protection of the environment;

- To make efficient use of mineral resources, through recycling minerals and using secondary aggregates (like industrial waste products);
- To prevent development sterilising important minerals deposits;
- To ensure a steady supply of minerals in line with Government guidance, including a land-bank of permitted reserves, and to safeguard facilities for the movement of minerals by other means than by road;
- To direct mineral workings to appropriate locations, having regard to geological, environmental and market considerations;
- To restore sites to a beneficial after-use;

### **The policies**

**Policy M1** sets out the principles by which Minerals Safeguarding Areas will be identified, protecting deposits for possible future extraction. These cover most of the known deposits of aggregates in Berkshire. It does not mean that there will necessarily be a presumption in favour of them being excavated, but it does put a duty on prospective developers of these sites to explore the possibility of extracting the minerals first.

**Policy M2** sets the overall target for mineral production in Berkshire at an average of 1.57 million tonnes a year to 2026, in line with current Government policy.

**Policy M3** creates a presumption in favour of allowing the extraction of sand and gravel within Minerals Preferred Areas. These are the areas about which we have enough information to believe that extraction would be most acceptable.

**Policy M4** sets out how applications for mineral extraction outside Preferred Areas will be dealt with. They would normally be refused, unless they met one or more of the criteria for making an exception – for example, a need to make up a shortfall in the land-bank; small-scale extensions of existing operations; a need to avoid sterilising resources; the potential for significant environmental benefits arising from them; the need to support established manufacturing facilities using aggregates.

**Policy M5** creates a presumption in favour of proposals to extract building sand from locations identified as Areas of Search.

**Policy M6** creates a presumption in favour of allowing facilities for processing recycled or secondary aggregates to locate in active quarries, subject to local considerations.

**Policy M7** supports proposals for new rail- or water-based depots for the importing of aggregates, provided they meet normal development control requirements.

**Policy M8** protects the existing rail depots at Theale and Colnbrook, plus any other safeguarded sites, from development that would prejudice their use for this purpose.

**Policy M9** sets out the circumstances in which *borrow pits* will be acceptable. Borrow pits are sites outside preferred areas, from which minerals are extracted on a short-term basis to meet specific local needs – usually for a large building project nearby – as an alternative to importing minerals by lorry.

**Policy M10** deals with the circumstances in which the extraction of chalk, clay and other minerals not at present worked in Berkshire would be acceptable. This would normally be for some specific local need.

**Policy M11** explains how proposals for the extraction of oil and gas will be dealt with, should they arise.

**Policy M12** sets out principles for the restoration of sites used for mineral extraction and spells out the types of benefits we would seek from them.

## Waste

The **objectives** for waste policy are:

- To deliver the sites needed to meet the targets for recycling and waste recovery and achieve self-sufficiency;
- To create a spatial planning context in which Berkshire can achieve net self-sufficiency in waste treatment and disposal;
- To help achieve regional self-sufficiency in waste management and disposal;
- To encourage waste treatment higher up the waste hierarchy (that is, more re-use, recycling and recovery of materials, more energy recovery and minimising the amount of waste needing final disposal in landfill);
- Locating waste management facilities so as to reduce travel distances and encourage alternative, more sustainable, forms of transport;
- Safeguarding existing waste facilities, where appropriately sited, from competing forms of development.

### The policies

**Policy W1** establishes the principle of Berkshire being self-sufficient in its waste management capacity, and also able to meet part of London's residual needs. The supporting text explains how much capacity this would require.

**Policy W2** establishes a commitment to provide waste management and disposal capacity in line with Government targets.

**Policy W3** sets out a policy for the spatial distribution of waste facilities, with larger, more centralised facilities near to the urban areas in east Berkshire, where the greatest demand is expected to arise, and a larger number of more localised waste and transfer facilities in the more rural west.

**Policy W4** sets in policy the principle of trying to reduce the distance waste has to be transported for treatment and encouraging more sustainable, non-road borne, modes of transport.

**Policy W5** sets out the policy of having **Preferred Areas** for the location of waste facilities.

**Policy W6** Within Waste Preferred Areas, waste **treatment** proposals would not have to demonstrate need. Outside of them, **treatment** facilities would only need to demonstrate need where they have the potential to prejudice the delivery of Core Strategy objectives. Waste **disposal** facilities can go on those sites within preferred areas where disposal is deemed to be acceptable, without having to demonstrate need. Outside of these sites, **disposal** proposals would have to demonstrate need, and show that they would not prejudice the Core Strategy objectives.

**Policy W7** deals with specialist waste management facilities (including those for hazardous waste). The aim is net self-sufficiency as a county. Provision is also made for developing waste water treatment facilities outside Waste Preferred Areas in appropriate circumstances.

**Policy W8** safeguards waste sites and Waste Preferred Areas from other forms of development.

### 5. The sites and development control policies document:

For some people, the most important questions will be:

- what sites are being earmarked for minerals and waste developments, and what is being proposed? and
- what policies will be used to decide minerals and waste planning applications?

These will be set out in a separate document, normally referred to as the **Minerals and Waste DPD**. Preparation of this is running slightly behind the Core Strategy. This is a deliberate policy, and was in line with Government guidance given to us at the start of the

plan-making process. It means that, if changes to the Core Strategy have knock-on effects for the sites and development control policies, the necessary changes can be made to those policies without the whole plan having to be withdrawn.

So far, we have consulted on the issues and options for the Minerals and Waste DPD. We hope to publish some firm proposals for development control policies and sites for consultation early in 2009. This would mean that, in the run-up to the Examination of the Core Strategy, everyone could see what the Core Strategy might mean for sites and policies, which will help to inform their judgement on the Core Strategy.

## **6. How to respond:**

We would welcome any views you may have on the compliance or soundness of our Core Strategy. You can **see the full documents** at your main local library or planning office, or on our **website** – [www.berks-jspu.gov.uk](http://www.berks-jspu.gov.uk). You can download the full documents from the website, or if you want a **paper copy** of the plan or the response form, you can **phone us** on 01628 796518. You can also **e-mail** us at [minerals.waste@rbwm.gov.uk](mailto:minerals.waste@rbwm.gov.uk) to receive an **electronic version** of the documents or the response form.

Comments should be with us by 27 October 2008. Please use the **standard representation form**, which you can obtain by any of the means listed above.

You can **reply by post** to:

The Berkshire Joint Strategic Planning Unit  
St Mary's House  
C/o Town Hall  
St Ives' Road  
Maidenhead  
Berkshire  
SL6 1RF

Or **by e-mail** to [minerals.waste@rbwm.gov.uk](mailto:minerals.waste@rbwm.gov.uk).